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Mayor

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Director

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COUNTY OF MAUI
DEPARTMENT OF PLANNING

September 24, 2008

Ms. Katherine Puana Kealoha, Director
Office of Environmental Quality Control (OEQC)
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Dear Ms. Kealoha:

SUBJECT: Final Environmental Assessment (EA) and Finding of No Significant Impact Land Use Redesignation, Community Plan Amendment and Change in Zoning, Papalaua to Puamana, Lahaina District, Island of Maui

The Maui Planning Commission (Commission), County of Maui, has reviewed the comments received during the 30-day public comment period which began December 8, 2006 and closed on April 22, 2008. The Commission believes the mitigation measures proposed in the Final EA adequately addresses the issues raised during the public comment period and during public hearings held by the Commission. Concerns raised by the public regarding traffic, impacts on land use and land values are addressed in the Final EA. No other significant concerns were raised during the public review period.

Mitigation measures described in the Final EA will ensure that no significant negative impacts to coastal lands, water and air quality, flora and fauna, cultural and scenic resources, land use, or community well-being will result from the proposed project. The proposed action will further benefit residents and visitors by providing protection of one of the last coastal open spaces on West Maui from urban development.

The Commission hereby issues this finding of no significant impact. Please publish this notice in the October 8, 2008 *Environmental Notice*.

We have enclosed a completed OEQC Environmental Notice Publication Form and four copies of the Final EA. Please contact Ms. Kathleen Aoki, staff planner, at 808-270-5529, should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Jeffrey S. Hunt".

JEFFREY S. HUNT
Planning Director

Ms. Katherine Puana Kealoha
September 24, 2008
Page 2

Attachments:

OEQC Environmental Notice Publication Form
Final EA

JSH:KRA:jlj

xc: Kathleen Ross Aoki, Planner
Chester Koga, RM Towill Corporation
General File

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FINAL ENVIRONMENTAL ASSESSMENT

Prepared in Accordance with Requirements of Chapter 343, Hawai'i Revised Statutes

LAND USE REDESIGNATION

Community Plan Amendments and Change in Zoning

Papalaua to Puamana

Lahaina District, Island of Maui

TMK (3) 4-7-001 (various); 4-8-002 (various); 4-8-003 (various)

August 8, 2008

Planning Department
County of Maui
Wailuku, Hawai'i

FINAL

**ENVIRONMENTAL ASSESSMENT
LAND USE REDESIGNATION**

**Community Plan Amendments and Change in Zoning
Papalaua to Puamana, Lahaina District, Island of Maui
TMK (3) 4-7-001 (various); 4-8-002 (various); 4-8-003 (various)**

August 8, 2008

Prepared for:

Planning Department
County of Maui
250 High Street
Wailuku, Hawai'i 96793

Prepared by:

R.M. Towill Corporation
2024 North King Street, Suite 200
Honolulu, Hawai'i 96819
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A	Archaeological Literature Review
B	Cultural Impact Assessment
C	Comments and Letter Received on the Draft EA
D	Minutes of Public Informational Meeting, February 12, 2007
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SECTION 1

PROJECT SUMMARY

Project:	West Maui Proposed Community Plan Amendments and Zoning Land Use Changes Papalaua to Puamana, Lahaina District
Applicant:	Planning Department, County of Maui Contact: Ms. Kathleen Aoki 250 High Street, Wailuku, Hawai'i 96793 Tel: (808) 270-5529
Accepting Authority:	Planning Commission, County of Maui
Proposed Action:	Re-designate the existing land uses makai (west) of the proposed realigned Honoapi'ilani Highway from Papalaua to Puamana from their current designations to open space and park. Approximately 383.1 acres of land is proposed for change.
Major Impacts:	a) Acquisition of private property for open space or park purposes; b) Changes in allowed land use; c) Reduction in development potential; and d) Protection of historic and cultural sites.
Tax Map Keys:	Adjoining Tax Map Plats: 4-7-001, 4-8-002, and 4-8-003
Consultant:	R. M. Towill Corporation 2024 North King Street, Suite 200; Honolulu, Hawai'i 96819 Phone: (808) 842-1133; Facsimile: (808) 842-1937 Contact: Chester Koga, AICP
Existing Land Uses:	Land uses in the project area include residential subdivisions, commercial-retail, open fallow land, agricultural uses, plant nursery, agricultural subdivisions, a firing range, a former landfill, and beach parks.
Required Approvals:	Community Plan Amendments and Change in Zoning

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SECTION 2

PROPOSED ACTION

2.1 INTRODUCTION

The County of Maui prepared the Pali to Puamana Parkway Master Plan (P2P Plan) in 2005 to make known its desire to preserve open space along the coastline of West Maui. Included in this plan was the possibility of the State Department of Transportation (SDOT) widening Honoapi'ilani Highway between Ukumehame and Launiupoko where it would connect to the proposed Lahaina By-Pass Road. The P2P Plan proposed a number of methods of preserving the coastal areas while continuing to maintain open access to coastal areas that many visitors and residents currently enjoy. This Environmental Assessment (EA) assesses the impacts and benefits of the proposed Community Plan Amendments and Zone Change recommendations on existing uses and proposed uses.

2.2 PURPOSE OF THE ENVIRONMENTAL ASSESSMENT

The purpose of this EA is to inform interested parties of the proposed land use designation changes for the study area and to respond to public comments received on the Draft EA. Comments received on the Draft EA have been appended to this Final Environmental Assessment (FEA). This FEA describes existing conditions within the study area and addresses the potential for adverse environmental impacts that may result because of the proposed changes in land use designations.

This FEA complies with the *Hawai'i Revised Statutes* (HRS), Chapter 343, Section 343-5-1, which states that an Environmental Assessment shall be required for actions which "[P]ropose the use of State or County lands or the use of State or County funds, other than funds to be used for feasibility or planning studies for possible future programs or projects which the agency has not approved, adopted, or funded, or funds to be used for the acquisition of unimproved real property; provided that the agency shall consider environmental factors and available alternatives in its feasibility or planning studies."

The notice of availability of the Draft EA was posted in the *Environmental Notice* on December 8, 2006. Public comments were accepted to March 8, 2007. Comments received are in **Appendix C**. In addition, a public information meeting was held on the proposed action and the minutes are located in **Appendix D** along with testimony received. On April 24, 2007, the Maui Planning Commission conducted a public hearing on the Draft EA. After the conclusion of the public hearing, the Planning Commission approved the Draft EA in anticipation of a Findings of No Significant Impacts (FONSI). Minutes of the meeting are located in **Appendix E**.

On April 22, 2008, the Maui Planning Commission received testimony on the FEA. Following the close of the public hearing, the Planning Commission approved the Final EA and issuance of a FONSI. The minutes of the Planning Commission along with testimony received and considered during the public hearing is located in **Appendix F**.

The subject properties affected by the proposed land re-designations are owned by various entities that include the State of Hawai'i and the County of Maui which necessitates the preparation of this FEA. The remaining lands are privately held. This FEA is limited to the proposed land use changes and does not address the development of the re-designated lands for open space or recreation uses. This limitation includes the potential relocation of Honoapi'ilani Highway and land uses proposed by private landowners. Separate environment documents will be prepared to address specific development proposals. The State of Hawai'i will be responsible for the environmental documentation for proposed changes to Honoapi'ilani Highway.

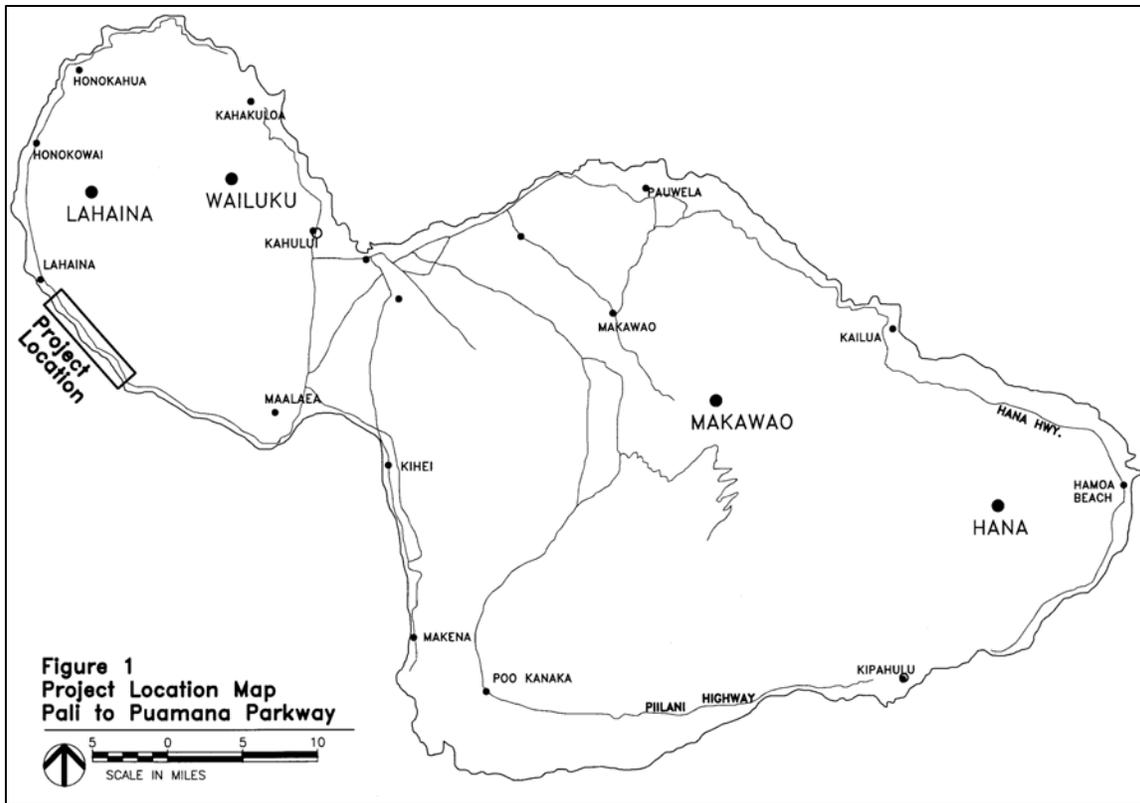
2.3 PURPOSE AND NEED FOR PROPOSED ACTION

The purposes of this FEA are: 1) to implement the goals and objectives of the Pali to Puamana Master Plan; 2) to implement the goals and objectives of the General Plan of the County of Maui; 3) to implement the goals and objectives of the West Maui Community Plan; 4) to limit urban development makai of the proposed Honoapi'ilani Highway realignment; 5) to protect public health and safety by limiting development within the tsunami inundation zone and areas subject to flooding; and 6) to protect property by limiting development within the coastal erosion zone. The land use changes proposed provides a foundation for the establishment of public policy that encourages responsible development in a coastal area by acknowledging coastal processes, providing for community recreational needs, and supporting sustainable alternative land uses.

2.4 PROJECT LOCATION

The project area is an eight mile stretch between the pali at Papalaua Park and Puamana Park on the west side of the island of Maui and includes the ahupua'a of Ukumehame, Olowalu, and Launiupoko (see **Figure 1, Project Location Map**).

The areas proposed for re-designation are on the ocean-side of the proposed realigned Honoapi'ilani Highway (see **Figure 2**). At Launiupoko, the proposed realigned highway will join with the Lahaina By-Pass Road.



2.5 EXISTING LAND USE DESIGNATION

The current land use designations and the land area (in acres) in the study area are shown in **Table 1**. Within the study area, agriculture is the predominate land use with 71 percent of the area in the State agriculture district, 70 percent designated agriculture in the West Maui Community Plan, and 98 percent of the land zoned County agriculture.

Table 1
Existing Land Use Designations (2006)

State Land Use: (ac.)		West Maui Community Plan (ac.)		County Zoning (ac.)	
Existing		Existing		Existing	
Conservation	1,261.5	Park	48.4	AG	4,728.5
Agriculture	3,522.8	Open Space	18.8	H-2	1.6
AG/CON (1)	18.8	Agriculture	3,377.7	R-3	0.0
		Park/Open Space (2)	556.8	R3/A2 (3)	42.2
		Open Space/ AG (2)	22.1	H2/ AG (3)	3.4
		Park/ AG (2)	665.7	A2	3.0
		No Designation	113.3	A2/ AG(3)	1.3
				PK-1	22.7
Total (4)	4,803.1		4,802.8		4,802.7

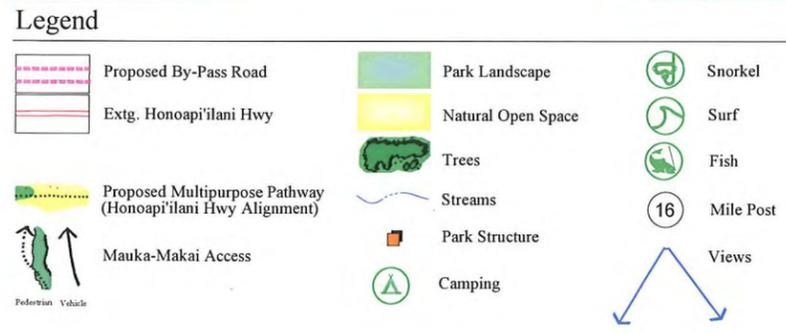
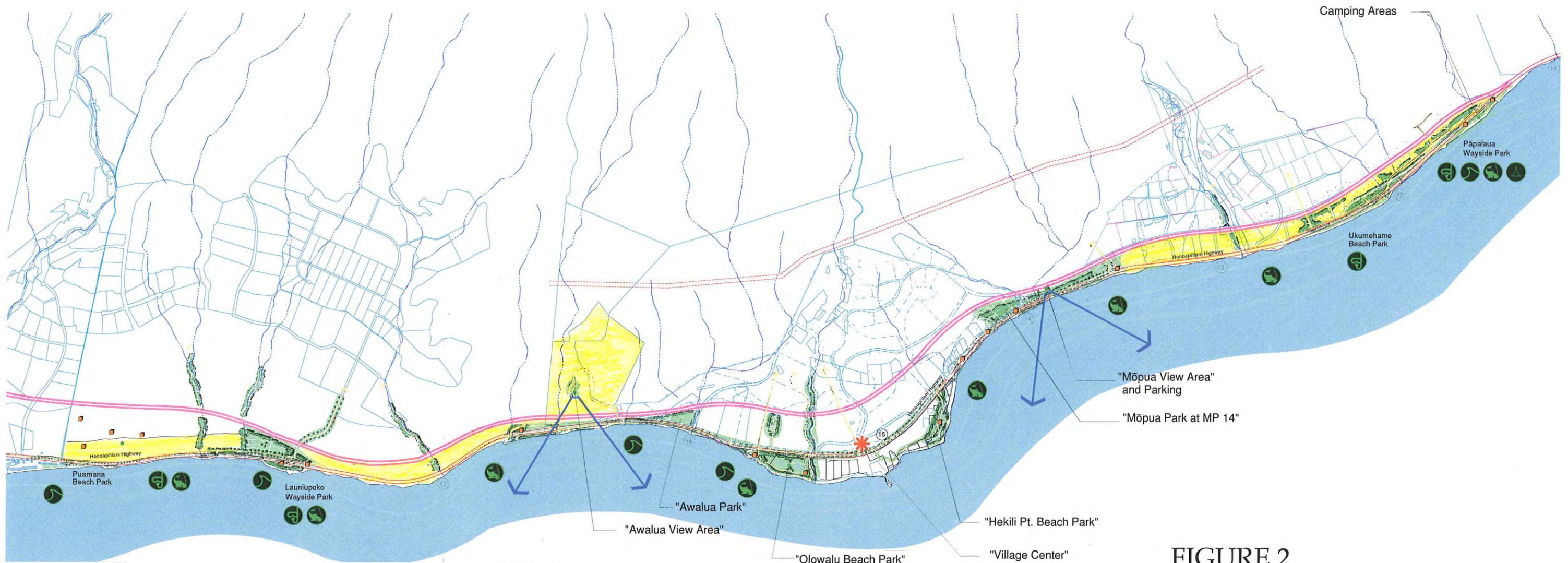
- (1) Parcel with split State land use designation
- (2) Parcels with split community plan designations
- (3) Parcels with split County zoning designations
- (4) Total vary due to rounding

2.5.1. State Land Use

The State Land Use Commission classifies all lands in the State of Hawai'i into one of four land use designations: Urban, Rural, Agricultural, and Conservation. Properties within the study area are designated Agriculture and Conservation. There are no lands in the study area designated Urban or Rural. The Conservation designated lands are generally located along the shoreline and makai of the existing Honoapi'ilani Highway. **Table 2** shows the distribution of land area (in acres) by State land use designation by ahupua'a for lands affected by the proposed land use designations.

Table 2
State Land Use Designation by Ahupua'a (2006) (acres)

	Launiupoko	Olowalu	Ukumehame
Agriculture	131.8	36.3	139.1
Conservation	7.6	22.8	0.0
Total (ac.)	139.4	59.1	139.1



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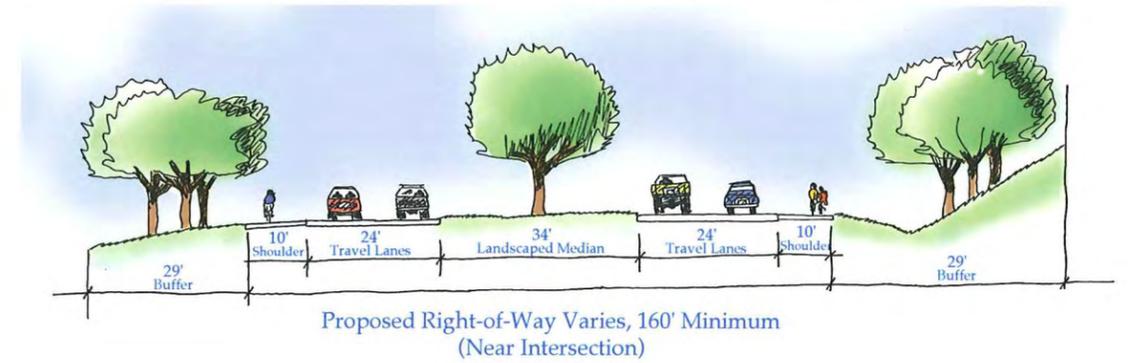
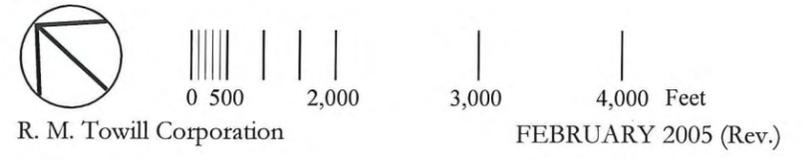


FIGURE 2
 Change in Zone and Community Plan Amendment Proposal
 Pali to Puamana Parkway
 County of Maui, Hawai'i



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2.5.2 West Maui Community Plan

Table 3 shows the distribution of land area (in acres) within the West Maui Community Plan and by ahupua'a for lands affected by the proposed land use designations. The table shows that the predominant land use (in acres) in the area is agriculture.

Table 3

West Maui Community Plan Land Use Designations by Ahupua'a (2006) (acres)

	Launiupoko	Olowalu	Ukumehame
Agriculture	131.8	36.3	139.1
Open Space	7.6	14.8	0.0
Park	0.0	8.0	0.0
Total	139.4	59.1	139.1

2.5.3 Existing County Zoning

Table 4 shows the distribution of land area (in acres) by existing County zoning designations by ahupua'a for lands impacted by the proposed land use designations.

Table 4

West Maui County Zoning Designations by Ahupua'a (2006) (acres)

	Launiupoko	Olowalu	Ukumehame
Agriculture (AG)	139.4	49.2	139.1
Park (PK-1)	0.0	0.9	0.0
H-2	0.0	0.4	0
A-2	0.0	0.6	0
R-3	0.0	8.0	0
TOTAL	139.4	58.9	139.1

PK-1 = Neighborhood Park

A-2 = Apartment District

R-3 = Residential 10,000 s.f. lots

H-2 = Hotel, 20,000 s.f. Lot

AG-Agriculture

2.6 ALTERNATIVES CONSIDERED

2.6.1 No Action

Under the No Action Alternative, the subject properties in the West Maui Community Plan (WMCP) region would retain their current State and County land use designations and would therefore be subject to development as allowed by current land use entitlements. This alternative was rejected because it would not meet the objectives of

the WMCP and the P2P Plan to preserve open spaces and would result in development of one of the last open space, recreational opportunities along the West Maui coastline.

2.6.2 Delay of Proposed Action

Delaying implementation of the proposed land use designations would not address the objectives of the WMCP relating to “*the preservation and enhancement of the region's open space areas and natural environmental resources.*” Delaying the proposed changes in land use may allow the development of the area in a manner not consistent with the WMCP.

2.6.3 Landowners Proposals

Landowners with interests in Launiupoko and Olowalu have forwarded development proposals to the Planning Department, the Maui Planning Commission, and the Maui General Plan Advisory Committee (GPAC) for their consideration that are different than what is currently entitled via State and County land use regulations. Proposals received from landowners are appended to this document in Appendix E and Appendix F.

In general, the proposal forwarded by the Launiupoko landowners (see Appendix C and Appendix E) nearly parallels the proposal identified in this document in land area and location. The landowner has suggested that they create a park lot (Lot 12, TMK: 4-7-001-026, approximately 68 acres, see Appendix C) and make it a non-developable lot with the intent of making it available to the public. The remaining area is proposed to be subdivided into 15-acre parcels. Along the mauka boundary of the “park” land, the landowners propose to create a meandering road facility. The proposed boundary outlined in this document is a straight line and encompasses 128+ acres.

Landowner interests in Olowalu involves several large tracks of land and a number of small landowners. Four areas were identified in Olowalu for re-designation and affect two owners. The first area is a 16+ acre parcel (TMK: 4-8-03-124) proposed for change to park from agriculture. The landowner has proposed several variations of development on this lot including a single farm dwelling and an accessory farm dwelling (as currently permitted), to a range of 15 to 40 residential lots/units on 8 acres with the remainder in open space or park. The land is currently undeveloped. The beach/ocean area fronting this area is a popular fishing area. The second area is located in the vicinity of the former Camp Pecusa. The land use change proposed is from agriculture to park. The landowner has designated this parcel for land for a “community town green.” The third site proposed for land use change is a 10 +/- acre parcel towards the southeastern end of Olowalu near milepost 14. The landowner is

proposing a recreation (camping) area. The land use change proposed for this area is from agriculture to open space. The final area (5 +/- acres) proposed for change is at the northwestern end of Olowalu. The landowner has proposed the land for a “coastal park.” The land use is proposed to be re-designated from agriculture to park. It should be noted that the last three changes are incorporated into the Olowalu landowner’s proposal to create and construct a “new town” with approximately 1,500 residential units.

2.6.4 Alternative Land Use Proposals

In considering proposed land use designations in the study area the following criteria were used:

A. State Land Use

- If an existing parcel is currently designated Conservation, then the designation would remain Conservation.
- If an existing parcel is currently designated Agriculture and makai of the existing Honoapi‘ilani Highway, then the designation would remain Agriculture.
- If the existing parcel is currently designated Agriculture makai of the proposed realigned Honoapi‘ilani Highway but mauka of the existing highway, then the land use will remain Agriculture.

B. West Maui Community Plan

- If an existing parcel is currently designated Open Space, then the parcel designation will remain Open Space.
- If an existing parcel is currently designated Park, then the parcel designation will remain Park.
- If an existing parcel is currently designated Agriculture and the parcel is proposed for open space (naturalized space) in the P2P Plan, then the parcel designation will change to Open Space.
- If an existing parcel is currently designated Agriculture and is proposed for recreation use and is makai of the existing highway and the proposed highway, then the parcel designation will be changed to Park (exceptions were made in Olowalu for developed parcels).

C. County Zoning

- If an existing parcel zoning is currently Park, then the parcel zoning will remain as Park (PK-1(Neighborhood Park), PK-2 (Community Park) or PK-3 (Regional Park)).

- If a parcel is makai of the existing highway, and Community Plan designation is currently Open Space, the zoning of the parcel is to be change to OS-1 (Passive Open Space).
- If a parcel's current State land use designation is Conservation, then zoning of the parcel is to be changed to OS-1.
- If the parcel is currently zoned agriculture, then the zoning is to be changed to PK-1 or OS-1 in accordance with the P2P plan.
- If a parcel's current West Maui Community Plan designation is currently Park, then zoning of the parcel is to be changed to PK-1 (Neighborhood Park).
- If a parcel's current West Maui Community Plan designation is currently Open Space and is mauka of the existing highway but makai of the proposed highway realignment, then the parcel will be zoned OS-1.
- None of the parcels within the project area will be zoned OS-2 (active recreation) because active recreation space accommodates more facilities (i.e. playing fields, water fountains, etc.).
- None of the parcels in the project area will be zone PK-2, PK-3 or Pk-4 (Golf Course) because the facilities permitted would be to intensive for the area and its would be inconsistent with the goals and objectives of the P2P Plan.

2.6.5 Preferred Alternative

A. Launiupoko

The Launiupoko area has approximately 139.4 acres of land in the study area makai of the proposed future realigned Honoapi'ilani Highway between Puamana Park and the ahupua'a boundary of Olowalu. **Table 5** shows the existing land use entitlements and the proposed land use changes. Of the total land area, 128.6 acres are privately owned. The State land use designations in this area will remain in Agriculture. Community Plan designations will change from Agriculture to either Open Space or Park, while the Park designations will remain the same. When the zone change is implemented, the land use will change from Agriculture to Open Space (OS-1) and Park (PK-1). The area northwest and makai of Kai Hele Ku Street and northeast and mauka of the existing Honoapi'ilani Highway is approximately 400 feet wide and proposed to change from Agriculture to mostly Open Space with the exception of a small area being proposed as Park. Once the proposed highway realignment is implemented in this area, the existing highway could be used for pedestrian, parking and bicycle access. The land set aside for open space will enhance the recreational opportunities of the Launiupoko area by

expanding the existing Launiupoko Park and by increasing access to the shoreline and ocean.

Table 5
Launiupoko Land Use Changes – Proposed

Tax Map Key *	Ownership	Area (ac.)	Existing Zoning	Proposed Zoning	Existing West Maui Community Plan	Proposed West Maui Community Plan	Existing State Designation	Proposed State Designation
4-7-001: 26 B por.	P	44.2	AG	OS-1	AG	OS	AG	AG
4-7-001: 26 C por.	P	21.9	AG	PK-1	AG	PARK	AG	AG
4-7-001: 30 B por.	P	62.5	AG	OS-1	AG	OS	AG	AG
4-7-001: 003	S	6	AG	OS-1	OS	OS	CON	CON
4-7-001: 016	S	1.6	AG	OS-1	OS	OS	CON	CON
4-8-002: 039 C	S	3.2	AG	OS-1	AG	OS	AG	AG
Total Area (ac.)		139.4						

*Only parcels that will require land use changes are identified. Letters in the tax map keys are for project reference only and not part of the tax map key

Landownership: C= County, S = State of Hawai'i, P = Private

Zoning = PK = Park; AG = Agriculture; OS = Open Space

Community Plan = AG = Agriculture; OS = Open Space

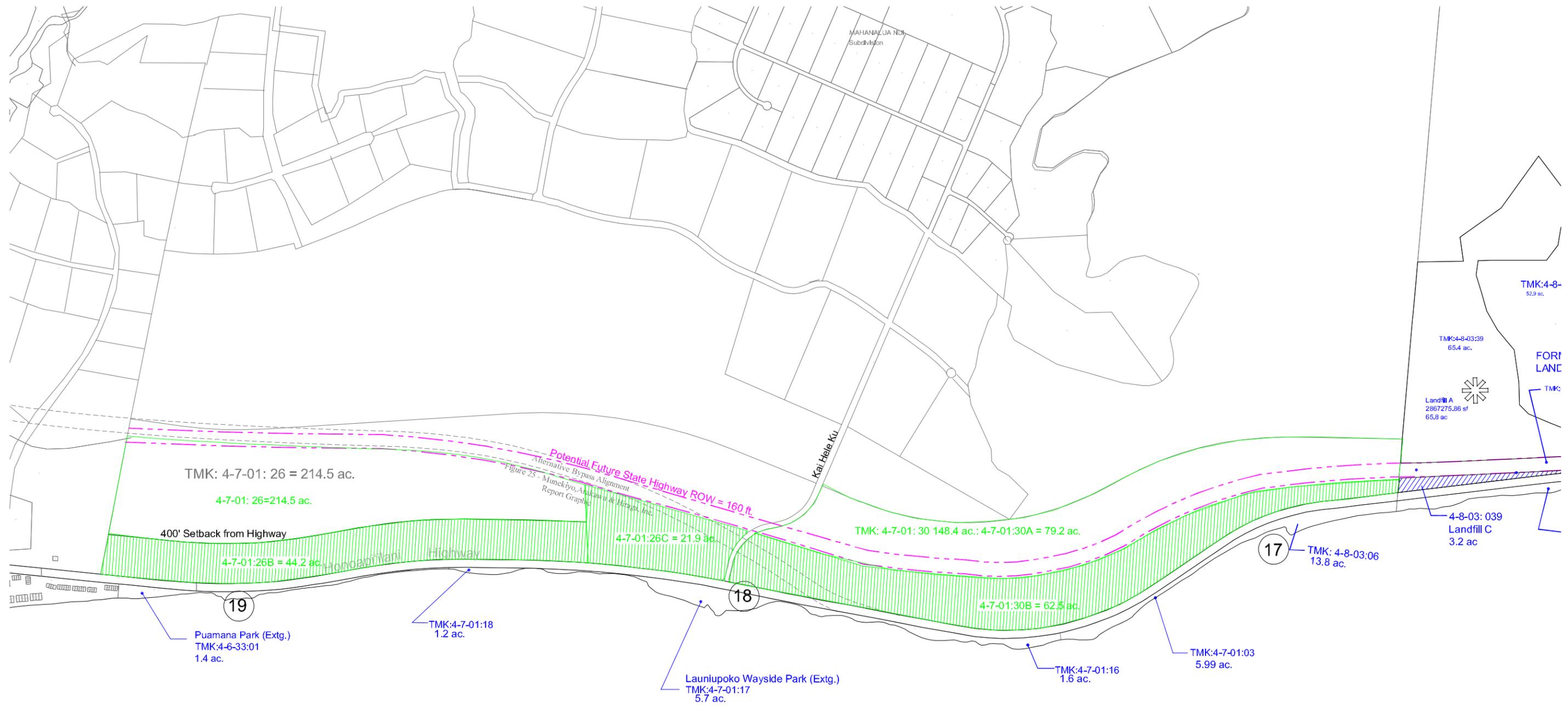
State Designation = CON = Conservation; AG = Agriculture

Figure 3 shows the parcels affected by the proposed land use changes in the Launiupoko area. Most of the land proposed for re-designation is currently privately owned (128.6 acres). The County, or a non-profit entity, will need to acquire this land before it can be placed into the Park and Open Space inventory. If a third party acquires the land, the land could be transferred to the County. Once the acquisition occurs, there will be a continuous open space, recreation resource that extends from Puamana Park to the former landfill at Olowalu. An estimate of land acquisition cost was made based on 2007 tax assessment. The 128.6 acres are estimated to be \$49,176,254 million based on an average assessed value of \$382,397 per acre. The average assessed value was determined by averaging assessed land values for land in the vicinity. Both improved and unimproved parcels of between 1 and 5 acres were placed in the evaluation. Large tracts were excluded from the evaluation as the assessed values were significantly lower. The reader is cautioned from assuming that assessed values equate to market values. Since the market value of land fluctuates from year to year, the estimates listed here are based on the best available information at the time of printing. Should the County proceed with acquiring land to support this proposal, an appraisal will be necessitated and will provide decision makers with a more precise reflection of the costs involved at the time the purchase is being considered.

B. Olowalu

The Olowalu area has approximately 58.31 acres of land that will be affected by the proposed land use designations as shown in **Table 6**. **Figure 4** show the land parcel affected. Within the Olowalu area, most of the land designated by the State is currently designated Agriculture and is privately owned (46.1 acres (78%)). The land areas in the West Maui Community Plan that are designated for Open Space and Park will need to be acquired by the County or a non-profit organization before the land use can proceed. If a third party acquires the land, the land could be transferred to the County. The landowner(s) have also proposed “donating the land” in exchange for higher density. Four areas are proposed for zone changes -- Park/Open Space use -- and they include currently popular gathering places. The first area is the land area surrounding highway milepost 14. This area is a popular location for sunbathing, fishing, and snorkeling. The existing highway is in close proximity of the ocean and debris from storms is washed onto the highway. Relocating the highway mauka as proposed by the P2P Plan will ensure that the motoring public will have safe access through this area. The open space zoning created by relocating the highway mauka will provide for greater recreational use of the area. The open space preserved will also allow for the preservation of archaeological sites found in the area.

The second area proposed for re-designation is around the former Camp Pecusa site. Approximately 20 acres are proposed to be designated Park from its current Agriculture designation. This site will provide general access along the shoreline and will connect the existing park land that connects to the former Olowalu Landing.



LEGEND

- Potential Future State Highway Realignment
- Existing Highway
- Milepost
- State/County Lands - Land Use Change Proposed
- Private Property - Land Use Change Proposed

FIGURE 3
Proposed Land Use - Launiupoko Pali to Puamana Change in Zone and Community Plan Amendment Proposal
 County of Maui, Hawai'i

0 500 1,000 2,500 Feet
 R. M. Towill Corporation
 June 2008

back

Table 6
Olowalu Land Use Changes – Proposed

Tax Map Key	Ownership	Area (ac.)	Existing Zoning	Proposed Zoning	Existing West Maui Community Plan	Proposed West Maui Community Plan	Existing State Designation	Proposed State Designation
4-8-002: 007	S	0.7	AG	OS-1	AG	OS	AG	AG
4-8-002: 035	S	0.02	AG	OS-1	AG	OS	AG	AG
4-8-003: 001	S	8.0	R3/A2**	PK-1	PARK	PARK	CON	CON
4-8-003: 003	S	0.6	A2	PK-1	OS	PARK	CON	CON
4-8-003: 004	S	0.4	H2	PK-1	OS	PARK	CON	CON
4-8-002: 035	S	0.09	AG	OS-1	AG	OS	AG	AG
4-8-003: 036	S	0.1	AG	OS-1	AG	OS	AG	AG
4-8-003: 084	P	2.0	AG	PK-1	AG	PARK	AG	AG
4-8-003: 084 B por.	P	7.1	AG	PK-1	AG	PARK	AG	AG
4-8-003: 084 C por.	P	3.0	AG	PK-1	AG	PARK	AG	AG
4-8-003: 101 por. A	P	12.3	AG	PK-1	AG	PARK	AG	AG
4-8-003: 115 por.	P	5.0	AG	PK-1	AG	PARK	AG	AG
4-8-003: 116 por.	P	0.7	AG	PK-1	AG	PARK	AG	AG
4-8-003: 124	P	16.0	AG	PK-1	OS	PARK	CON	CON
4-8-003: 125 por.	S	2.3	AG	PK-1	AG	PARK	AG	AG
Total Area (ac.)		58.31						

*Only parcels that will require land use changes are identified. Letters in the tax map keys are for project reference only and not part of the tax map key

Landownership: C= County, S = State of Hawai'i, P = Private

Zoning = PK = Park; AG = Agriculture; OS = Open Space

Community Plan = AG = Agriculture; OS = Open Space

State Designation = CON = Conservation; AG = Agriculture

**Parcel is split into two land use classifications

The third area proposed for recreation use is the land west of Olowalu stream. This 16-acre site is proposed for the development as a park. Both the Community Plan and Zoning is proposed for re-designation from Agriculture to Park. The area to the west is a popular surfing site and does not have any public park amenities.

The fourth area proposed for re-designation from Agriculture to Park is a 5 acre site at highway milepost 16. This area is adjacent to a popular surfing site.

The County, or a non-profit organization will need to acquire the land in Olowalu before it can be placed into the Park and Open Space inventory. If a third party

acquires the land, the land could be transferred to the County. Once the acquisition occurs, there will be a continuous open space-recreation resource that extends from Puamana Park to the former landfill at Olowalu and beyond to Ukumehame. An estimate of land acquisition cost was made based on 2007 tax assessment. The 46.1 acres of private land is estimated to be \$17,627,478 million based on an average assessed value of \$382,375 per acre. The average assessed value was determined by averaging assessed land values for land in the vicinity. Both improved and unimproved parcels of between 1 and 5 acres were placed in the evaluation. Large tracts were excluded from evaluation as their assessed values were significantly lower. The reader is cautioned from assuming that assessed values equate to market values. As an example, the 16 acre agricultural parcel has been listed for sale (since 2006) at \$25 million, suggesting a per acre market value of \$1.6 million per acre. At the same time, the 2007 Real Property Tax assessment for this parcel, based on its current Agricultural use, is \$254,516.00 for the entire 16.086 acres. As noted earlier, since the market value of land fluctuates from year to year, the estimates listed here are based on the best available information at the time of printing. Should the County proceed with acquiring land to support this proposal, an appraisal will be necessitated and will provide decision makers with a more precise reflection of the costs involved at the time the purchase is being considered.

C. Ukumehame

The Ukumehame area has approximately 144.19 acres of land that will be affected by the proposed land use designations shown in **Table 7**. **Figure 5** show the land parcels that are proposed for land use changes. The majority of the land proposed for re-designation from Agriculture was acquired in 2006 by the County of Maui at a cost of \$4 million. When added to the existing park/open space in this area, a large, continuous recreation and open space amenity will be created that will extend from Papalaua Park to mile marker 14 in Olowalu.

2.6.6 Land Use Change

In order to implement the proposed land use designations identified in the sections above, the County of Maui, through its Planning Department, will need to submit to the Maui Planning Commission its recommendations for Community Plan Amendments and Zone Changes. The land use changes will be initiated by the Planning Director. The recommendations of the Maui Planning Commission will be forwarded to the Maui County Council for its deliberations.

Table 7
Ukumehame Land Use Changes – Proposed

Tax Map Key **	Ownership	Area (ac.)	Existing Zoning	Proposed Zoning	Existing West Maui Community Plan	Proposed West Maui Community Plan	Existing State Designation	Proposed State Designation
4-8-002: 002 por.	C	5.9	AG	OS-1	AG	OS	AG	AG
4-8-002: 007	S	0.7	AG	OS-1	AG	OS	AG	AG
4-8-002: 008 por.	S	7.9	AG	OS-1	AG	OS	AG	AG
4-8-002: 023	S	0.03	AG	OS-1	AG	OS	AG	AG
4-8-002: 024	S	0.2	AG	OS-1	AG	OS	AG	AG
4-8-002: 028 *	C	0.01	AG	PK-1	AG	PARK	AG	AG
4-8-002: 035	S	0.02	AG	OS-1	AG	OS	AG	AG
4-8-002: 036	S	0.5	AG	OS-1	AG	OS	AG	AG
4-8-002: 038	S	.01	AG	OS-1	AG	OS	AG	AG
4-8-002: 039	S	6.4	AG	OS-1	AG	OS	AG	AG
4-8-002: 042	S	0.8	AG	OS-1	AG	OS	AG	AG
4-8-002: 045 por.	S	5.9	AG	PK-1	AG	PARK	AG	AG
4-8-002: 046 A por.	C	3.2	AG	PK-1	AG	PARK	AG	AG
4-8-002: 046 B por.	C	8.9	AG	PK-1	AG	PARK	AG	AG
4-8-002: 047B por.	S	7.3	AG	PK-1	AG	PARK	AG	AG
4-8-002: 049 *	C	0.5	AG	OS-1	AG	OS	AG	AG
4-8-002: 057 *	C	5.4	AG	PK-1	AG	PARK	AG	AG
4-8-002: 058 *	C	0.5	AG	OS-1	AG	OS	AG	AG
4-8-002: 059 *	C	4.4	AG	OS-1	AG	OS	AG	AG
4-8-002: 067 *	C	0.2	AG	OS-1	AG	OS	AG	AG
4-8-002: 069 *	C	1.1	AG	PK-1	AG	PARK	AG	AG
4-8-002: 070 *	C	36.56	AG	OS-1	AG	OS	AG	AG
4-8-002: 071	C	29.75	AG	OS-1	AG	OS	AG	AG
4-8-002: 068*	C	18.01	AG	OS-1	AG	OS	AG	AG
TOTAL AREA (AC.)		144.19						

**Only parcels that will require land use changes are identified. Letters in the tax map keys are for project reference only and not part of the tax map key

Landownership: C= County, S = State of Hawai'i, P = Private

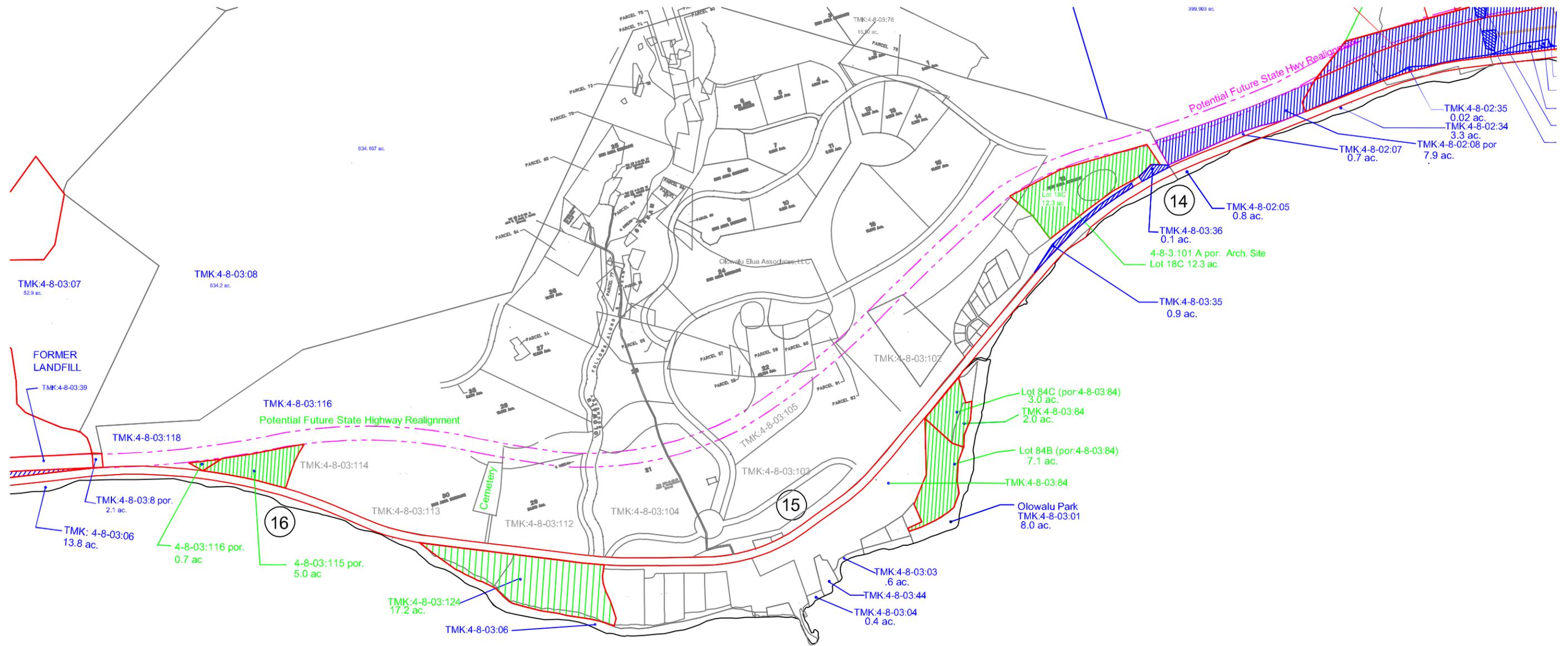
Zoning = PK = Park; AG = Agriculture; OS = Open Space

Community Plan = AG = Agriculture; OS = Open Space

State Designation = CON = Conservation; AG = Agriculture

* Parcels have been acquired by the County of Maui.

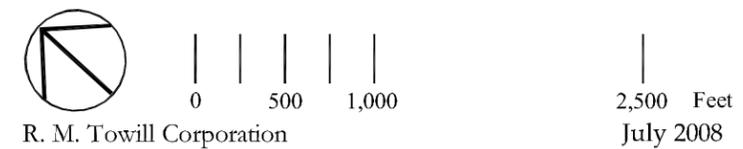
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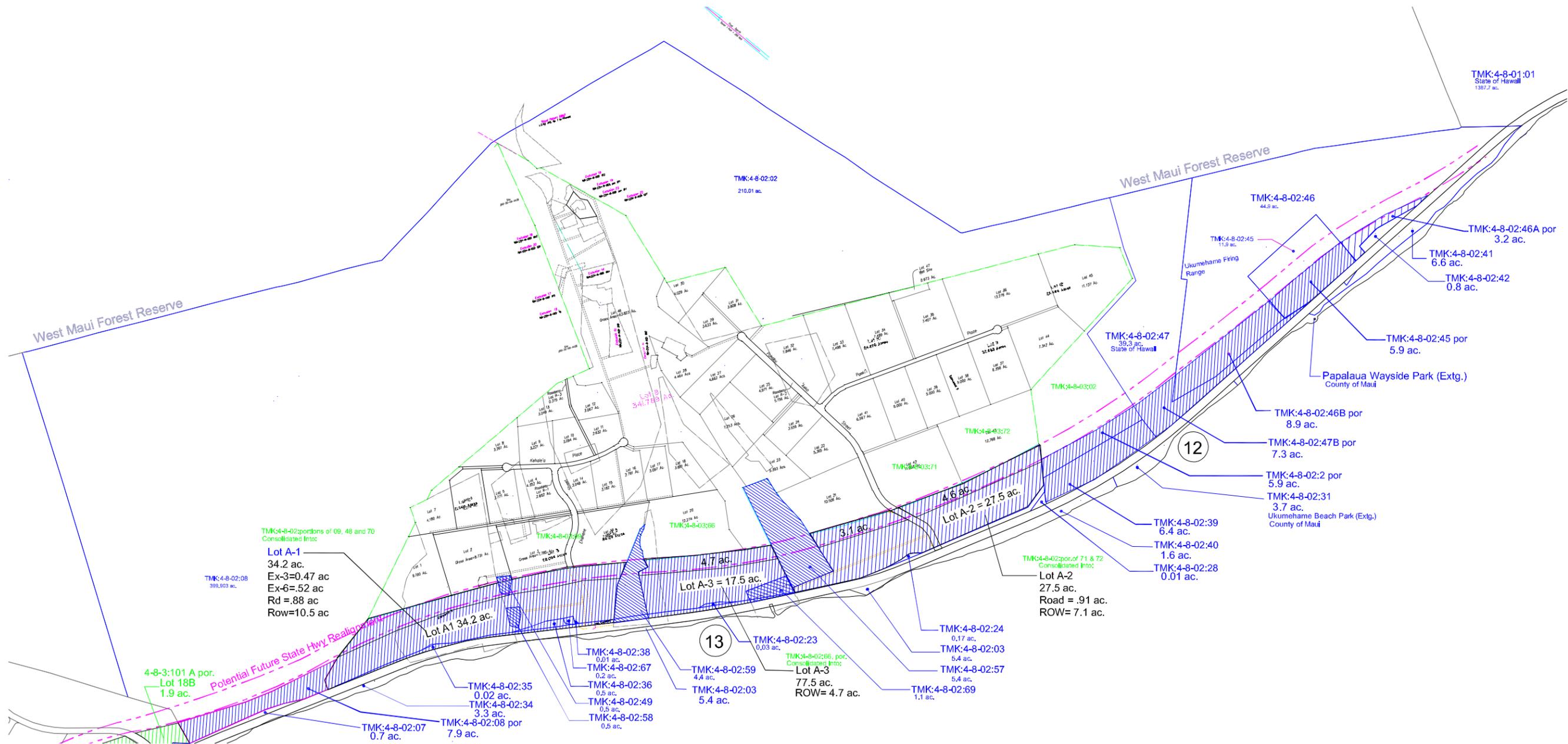
LEGEND

-  Potential Future State Highway Realignment
-  Existing Highway
-  Milepost
-  State/County Lands - Land Use Change Proposed
-  Private Property - Land Use Change Proposed

FIGURE 4
Proposed Land Use - Olowalu
Pali to Puamana Change in Zone and
Community Plan Amendment Proposal
County of Maui, Hawai'i



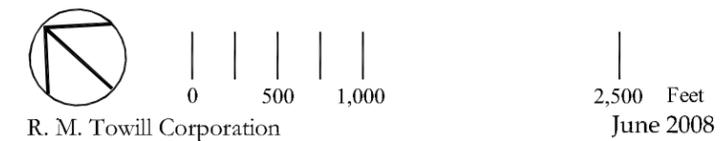
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LEGEND

-  Potential Future State Highway Realignment
-  Existing Highway
-  Milepost
-  **TMK Text** State/County Lands - Land Use Change Proposed
-  **TMK Text** Private Property - Land Use Change Proposed

FIGURE 5
Proposed Land Use - Ukumehame Pali to Puamana Change in Zone and Community Plan Amendment Proposal
 County of Maui, Hawai'i



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SECTION 3

ENVIRONMENTAL SETTING, POTENTIAL IMPACTS, AND MITIGATION

3.1 CLIMATE AND RAINFALL

Leeward Maui has a mild semitropical climate that is characterized by abundant sunshine, persistent northeast tradewinds, relatively constant temperatures and moderate humidity. Severe storms are infrequent in this region of Maui.

Mean monthly temperatures range from mid-80° F in the summer months, to low-70° F during the winter. Annual average rainfall is less than 30 inches with most of the rainfall occurring between October and March.

Potential Impacts and Mitigation Proposed

No mitigation is required or proposed.

3.2 SOILS

Soil Types

Rock Land (rRK) – This soil classification is “made up of areas where exposed rocks cover 25 to 90 percent of the surface.” This soil type is present near the pali at Papalaua, between Ukumehame and Olowalu, and between Olowalu and Launiupoko.

Kealia (KMW) – This soil type “consists of somewhat poorly drained and poorly drained soils on coastal flats as found in Ukumehame.”

Stoney Alluvial Land (rSM)

Pulehu (PtB, PsA, PpA, PtA) – This soil type “consists of well-drained soils on alluvial fans and stream terraces and in basins. This soil type is found on nearly level to moderately sloping land. These soil types were used for the growing of sugarcane, truck crops, pasture, home sites, and natural area.” This type of soil occurs predominately in Olowalu in the lower elevations.

Beaches (BS) – This soil type “occurs as sandy, gravelly, or cobbly areas in coastal areas and are washed and rewashed by ocean waves.”

Jaucas (JAC) – This soil type occur “as narrow strips on coastal plains adjacent to the ocean,” such as Olowalu near Camp Pecusa.

Wainee (WyC, WxB, WxC, WyB) – This soil type “consists of well-drained soils on alluvial fans. They are found at sea level to moderately sloping ground. This type of soils were used for the production of sugarcane and found in the Launiupoko area.

Potential Impacts and Mitigation Proposed

No mitigation is required or proposed.

3.3 WATER RESOURCES

There are three major streams, one each in the three ahupua’a. They are: Ukumehame Stream, Olowalu Stream, and Launiupoko Stream. Both the Olowalu and Ukumehame Streams are considered perennial, while Launiupoko Stream is intermittent.

Potential Impacts and Mitigation Proposed

The existing streams are recommended to be designated Open Space. Streams will become access points and may be used as mauka-makai pedestrian routes from the coast to mauka developments.

3.4 PUBLIC UTILITIES AND SERVICES

3.4.1 Electrical

Electrical service to the project area is provided by Maui Electric Company (MECO). Existing electrical services will not be impacted by the proposed changes in land use designations. The use of solar power facilities will be encouraged for new developments.

3.4.2 Water

Water service to the project area is provided by the Department of Water Supply and through privately owned water systems. Existing water service will not be impacted by the proposed changes in land use designations as no development is being proposed.

3.4.3 Sewer

The project area is not served by a public sewer system. Wastewater disposal is currently via cesspools or individual wastewater systems. Existing wastewater service will not be impacted by the proposed changes in land use designations.

3.4.4 Telephone

Telephone service to the project area is provided by the Hawaiian Telcom, Inc. and several wireless phone providers. Existing telephone service will not be impacted by the proposed changes in land use designations.

3.4.5 Solid Waste

Solid waste collection and disposal service in the project area is provided by the Department of Public Works and Environmental Management. In addition to household collection, a solid waste transfer and recycling center is located at the former landfill at Olowalu. Existing solid waste disposal services will not be impacted by the proposed changes in land use designations.

3.4.6 Police and Fire Protection

Police and Fire protection services to the project area are provided by the Maui Police Department and the Maui Fire Department, respectively, and are dispatched from Lahaina. The Police Department has five (5) beats in the area currently. The Police Department expressed concern that as Ukumehame and Olowalu develops there will be additional demand on their services. The Police also expressed concern that as recreational facilities are developed in the future, additional monitoring by the Police will be required. In the interim however, the proposed changes in land use designations discussed in this EA will not impact existing services.

3.5 NATURAL HAZARDS

Three hazard factors and one natural process has been identified that impact the land uses within the project area. They are:

- Tsunami Inundation,
- Stream and Coastal Flooding, and
- Coastal Beach Erosion.

The hazards identified are discussed below.

3.5.1 Tsunami Evacuation Zones

The tsunami evacuation area has a great impact to the existing study area. At several locations along the existing Honoapi'ilani Highway, the Maui Civil Defense Agency recommends evacuating life and property 400 feet from the coastline (see Figure 6). The risk is evident – if a tsunami was to come ashore, the coastal areas and parts of the

existing highway could certainly be rendered impassable and transportation in and out of West Maui would be cut off.

Potential Impacts and Mitigation Proposed

Development within the tsunami evacuation areas should be avoided to protect people and property. Based on available information, the Maui Civil Defense Agency evacuation maps indicate a 400' setback from the shoreline as an area to evacuate. The distance varies with topography.

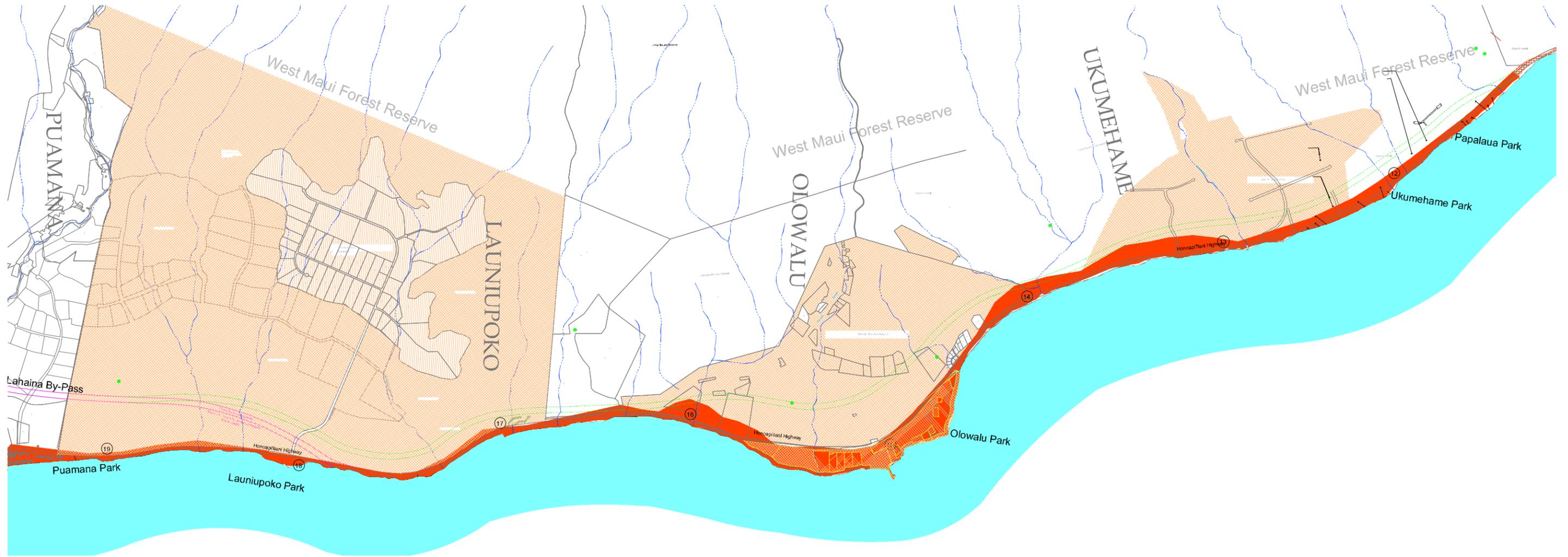
3.5.2 Flood Zones

“Coastal high hazard area” as defined by Maui County Code, Chapter 19.62.030, “means a special flood hazard area subject to high velocity wave action from storms or seismic sources and designated on a flood insurance rate map (FIRM) as zone V1-V30, VE, or V.” Coastal flooding resulting from storms is a common event within the project area. After moderate storms, debris from storms is often washed onto the highway causing road hazards. In severe storm events, the highway is closed to traffic to safeguard motorists. The distance inland that is impacted by coastal flooding varies with location and topography. Coastal hazards can also include the run-up of the ocean as a result of seismic activity. A resulting tsunami can thus have a profound impact on development along the shoreline. As such, building along the shoreline should be avoided to protect people and property.

FEMA Floodways are defined along streams in the area. Regulated floodways have been identified for Ukumehame and Olowalu streams (see Figure 7). During severe storm events these streams have the potential to flood adjoining lands. The impacts of these floods can be the loss of vehicular access, loss of property, and the loss of life. Where the existing highway crosses these floodways, provisions have been made to bridge over the waterways. Generally, the bridge spans are longer the closer one gets to the ocean.

Potential Impacts and Mitigation Proposed

Development within areas prone to coastal hazards and flooding and subject to stream flooding should be avoided to protect people and property. The proposed land use designations provides for land uses (Park and Open Space) that decrease the endangerment of life and personal property in these areas.



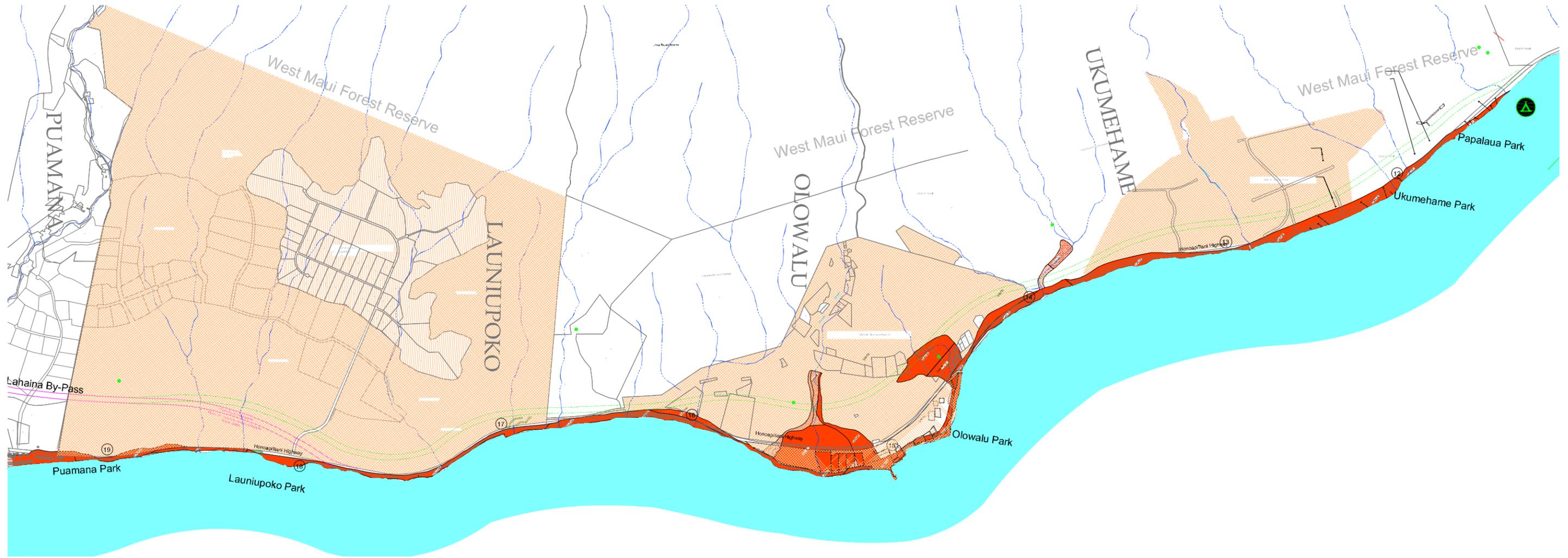
LEGEND

-  Potential Future State Highway Realignment
-  Extg. Honoapiʻilani Hwy
-  Mile Post
-  Streams
-  Tsunami Evacuation Zone Boundary

FIGURE 6
TSUNAMI EVACUATION ZONES MAP
Pali to Puamana Change in Zone
and Community Plan Amendment
 County of Maui, Hawaiʻi



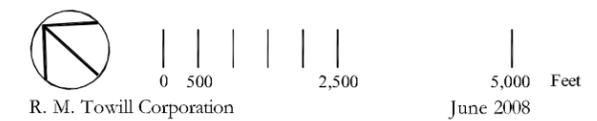
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LEGEND

- Potential Future State Highway Realignment
- Extg. Honoapi'ilani Hwy
- Streams
- 16 Mile Post
- Stream & Coastal Flood Zone Boundaries

FIGURE 7
FLOOD ZONE MAP
Pali to Puamana Change in Zone
and Community Plan Amendment
 County of Maui, Hawai'i



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3.5.3 Coastal Erosion

Coastal-beach erosion is a natural process that has been occurring over the years. The process can be in small increments over time, or it can be precipitated during a severe storm event. Irrespective of the cause, the effect of erosion is evident along Honoapi'ilani Highway. In order to protect the existing roadway, the State has taken measure to harden the shoreline at several locations. In early 2003, the SDOT realigned the highway mauka just north of Olowalu town. Studies conducted by the U.S. Army Corps of Engineers have suggested that hardening of the shoreline often increase erosion through the reflective energy of the waves against the hardened structure. Where shorelines are left natural, this reflective wave energy is eliminated thus softening the erosion process. The County of Maui partnered with the University of Hawai'i to study beach erosion around the island of Maui. The University of Hawai'i study examined past records and determined an "annual erosion rate" for the coastal area around the island.

Coastal-Beach Erosion has been modeled by the County of Maui in association with the University of Hawai'i to determine the extent erosion would impact coastal areas. As a guidance measure and as indicated by the County's adopted Shoreline Setback Rules, the location of a new structures should be a minimum of 50 times the annual erosion rate identified by the University of Hawai'i study (see **Figure 8**). The P2P Plan, however, recommended a minimum of 70 times the annual erosion rate identified in the Shoreline Setback Rules in order to provide a sufficient buffer considering the potential for severe storms.

Potential Impacts and Mitigation Proposed

Areas prone to coastal erosion should be avoided to protect people and property. The proposed land use designations recommends land uses in areas subject to coastal erosion to be designated Open Space or Park.

3.6 BIOLOGICAL RESOURCES

Vegetation in the project area is predominately introduced species. The dominant trees along the highway are kiawe and monkeypods. The predominant plant material on the mauka (east) side of the highway is naturalized sugar cane and introduced grasses and ornamentals. The remaining areas along the highway are a combination of introduced grasses and shrubs. The existing vegetation of the area defines the character of the area by creating signature zones and features. The signature vegetative element at Olowalu is the very large monkeypods trees that were planted many years ago along the highway. The trees provide a tree-lined roadway that defines the Olowalu section from Ukumehame and Launiupoko. Kiawe tree masses similarly distinguish the

Ukumehame area. Naturalized open spaces are areas where plant material has been introduced but appear as natural areas. The utilization of natural areas provides a strong connection with nature. Therefore, where parks are not developed, an open space system should include large sections of naturalized landscapes to compliment the parks and recreational uses.

The study area is known to be a nesting and foraging area for the Nēnē Goose (*Branta sandwicensis*). According to the Division of Forestry and Wildlife, Department of Land and Natural Resources, the Nēnē range from Ma'alaea to Lahaina (personal communications October 2006). The Nēnē are known to nest in the study area and are known to be very adaptable. They have also been seen in the vicinity of the Ukumehame Firing Range. The proposed land use designations will not impact the habitat of the Nēnē and there are no other known rare, threatened or endangered species or habitat for such rare, endangered or threatened species at the study area.

Potential Impacts and Mitigation Proposed

No mitigation is required or proposed.

3.7 SOCIAL-ECONOMIC CHARACTERISTICS

Urban development within the project area is currently limited to two areas: Launiupoko and Olowalu. Development in Olowalu is a combination of plantation era structures and newer buildings. The most recent development in Olowalu is occurring on the makai side of the highway where a new agricultural subdivision has been developed. The lots have an assessed value between \$300,000 to \$400,000 per acre based on 2007 tax assessment. The 46.1 acres of private land is estimated to be \$17,627,478 million based on an average assessed value of \$382,375 per acre. The average assessed value was determined by averaging assessed land values for land in the vicinity. Both improved and unimproved parcels of between 1 and 5 acres were placed in the evaluation. Large tracts were excluded from evaluation as their per acre assessed values were significantly lower. The reader is cautioned from assuming that assessed values equate to market values. The Olowalu peninsula also contains remnants of the old sugar mill, the restored managers' home (a private residence), and the area around the former Camp Pecusa, a privately run camping area. A commercial area is located mauka of the existing highway at Olowalu and currently contains a general merchandise retail store and a restaurant. Towards the east of the commercial area are a small group of private residential properties. The remaining areas of Olowalu are either in small farms or in a naturalized state.



LEGEND

- - - - - Potential Future State Highway Realignment
- ~ ~ ~ ~ ~ Streams
- Extg. Honoapiʻilani Hwy
- 70 Year Erosion Line Area
Calculated From 1997
Vegetation Toe
- 16 Mile Post

FIGURE 8
COASTAL EROSION MAP
*Pali to Puamana Change in Zone
 and Community Plan Amendment*
 County of Maui, Hawai'i



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In contrast to Olowalu, development at Launiupoko that started in 2000 is currently centered around a subdivision of the former sugarcane lands that now contain agricultural subdivision lots averaging between 2 and 5 acres. The assessed value of the mauka lots are between \$500,000 to \$800,000 per acre based on 2007 tax assessment. The 128.6 acres are estimated to be \$49,176,254 million based on an average assessed value of \$382,397 per acre. The average assessed value was determined by averaging assessed land values for land in the vicinity. Both improved and unimproved parcels of between 1 and 5 acres were placed in the evaluation. Large tracts were excluded from the evaluation as the per acre assessed values were significantly lower. The reader is cautioned from assuming that assessed values equate to market values. Since the market value of land fluctuates from year to year, the estimates listed here are based on the best available information at the time of printing. A number of lots are larger and occur closer to Honoapi'ilani Highway. These lots have assessed values between \$22,000 to \$30,000 per acre. The primary amenity of the site is the views afforded each lot. Depending on location, the views are panoramic in nature with views towards Kaho'olawe and towards Moloka'i, Lana'i and Lahaina. The landowner is currently proposing to continue the current development pattern on some of the remaining undeveloped lots. Adjacent to Launiupoko towards the west and mauka of Puamana Park is another agricultural subdivision project started in 2002. In the large lot located mauka of the Lahaina By-Pass alignment and to the west of Puamana Park, the landowner has proposed and requested the Maui GPAC to consider Rural density in this area.

The agricultural subdivision at Ukumehame is currently in development. The owners of the land have received subdivision approval from the County and infrastructure (roads and utilities) are being constructed. Nearly all of the lands impacted by this land use proposal in Ukumehame have been purchased by the County or is already owned by the County or the State.

In 2006, the Planning Department prepared population projections for the County of Maui. In 2000, the resident population of Maui was 117,644 persons (defacto population was 156,170 persons). The resident population of West Maui in 2000 was 17,967. West Maui resident population is anticipated to grow to 28,903 persons, or 46 percent by 2030. West Maui currently attracts the majority of Maui's visitors, approximately 24,849 (2005) persons or 54 percent of the total number of visitors on Maui. The island's defacto (residents and visitors) population is projected at 246,532 in 2030 if development continues at historic rates. The projected resident and visitor population increases will certainly present additional demand on transportation and recreation infrastructure of the area.

With the cessation of sugar production within the study area, land ownership patterns have changed from the sugar companies to private land holdings. With the change to private ownership, residential development is now occurring where sugar cane was once planted. The first area to be developed was the Launiupoko area where agriculturally zoned lands have been developed as agricultural subdivisions. Some of the remaining undeveloped lands within Launiupoko are currently being planned for additional large lot subdivision. Other parcels within the vicinity are being proposed for rural designation. The landowner in Launiupoko has proposed to the State and County that the Lahaina By-Pass be extended through Launiupoko, from its current adopted terminus just south of Kai Hele Ku Street to the former landfill at Olowalu. The land makai of the realigned highway would be developed into 15-acre agricultural parcels, with a non-developable lot adjacent to the existing highway. The owner has further proposed that the County develop this linear park parallel to the existing highway.

The County of Maui previously approved agricultural subdivisions at Olowalu and Ukumehame. With new residential development occurring in the above mentioned areas, increased demands will be placed on the transportation network and the recreation resources of the area. As noted earlier, the Ukumehame subdivision roads are under construction. However, a new land use proposal and application (i.e. subdivision plan, changes in zoning, community plan amendment or changes in State Land Use designations) for Olowalu has not yet been formally submitted by the developers. It should be noted that although the Olowalu developers have indicated that their proposed residential project plan includes residential, park and open space, it is clearly with the intentions that they would request, in exchange, higher density development than what is currently permitted based on current land use entitlements and zoning. To date the developers have indicated their plans for 1,500 residential lots. Since there have been no formal submittals to date, and discussion are on-going, there is yet to be any guarantee that the County, or other government or non-profit entity, would be the recipient and caretaker of these parks and open space areas. Further, the proposed open space reserve is confined to the coastline. This plan will require additional County review and approval of land use re-designation by the Maui County Council.

Potential Impacts and Mitigation Proposed

The proposed land use designations will provide additional open space for residents and visitors alike in the West Maui region. If the changes in land use designations are adopted, upwards of 300 additional acres will be added to the open space/recreation inventory of the region. In order to achieve this goal, the

re-designated land will need to be acquired from the current landowners. The County started the acquisition process in Ukumehame in 2006 at a cost of \$4 million. The acquisition of the 59.1 acres in the Olowalu area could exceed \$15,000,000 - \$40,000,000 based on current assessed/market values. The 128.6 acres in Launiupoko has an estimated acquisition value of \$49,000,000 based on assessed value of the mauka subdivided lots. It should be noted that the amounts quoted are assessed value and not market value are subject to change on a yearly, if not monthly, basis.

The owners and developers of the Olowalu lands have proposed that the lands be developed in partnership with the County where the landowner would be willing to develop park and open spaces as part of their overall master plan in exchange for higher development densities. Nevertheless, based on preliminary plans submitted to the County, it appears that nearly all of the landowner's plans closely parallel the proposals outlined in this document. Development plans for Olowalu are in the formative stages at this writing and no specific plans (e.g. subdivision plans or entitlement requests/applications) have been forwarded to the County for review and approval. Agricultural subdivisions for some of the remaining undeveloped lots at Launiupoko are currently under review by the County.

3.8 ROADWAYS, ACCESS, AND TRAFFIC

Honoapi'ilani Highway, State Route 30, is a State of Hawai'i facility. The highway is a two-laned roadway with paved shoulders on both sides. The current highway right of way averages 80 feet. The highway is signed as a bicycle route. The posted speed limit varies between 35 and 55 miles per hour. The roadway length in the study area is approximately 8 miles. Average daily traffic volumes estimated for the area between Puamana Park and Lahainaluna Road is 15,651 for the year 2007 (Munekiyo and Haraga, 2002).

The State Department of Transportation (SDOT) initiated (spring 2007) the examination of the realignment of Honoapi'ilani Highway from Ma'alaea to Launiupoko. The Environmental Impact Statement (EIS) for the project is anticipated to be completed in 2012.

The SDOT is also in the process of preparing an EA to modify the Lahaina By-Pass in the Launiupoko area which proposes to move the current terminus at Kai Hele Ku Street to an area just north of the former Olowalu landfill. This EA is being funded and prepared by the owners of the Launiupoko lands and is projected to be completed in 2008. The landowner has proposed a residential development between the existing

highway and the original By-Pass alignment as well as the newly proposed extended By-Pass alignment. The landowner has proposed a linear non-developable lot along the mauka edge of the existing highway in their current subdivision plan and suggests a homeowners association to be the recipient of the parcel(s). According to the landowner, the lot is intended for open space and recreational use.

The existing highway, in its modern form, was developed during the sugar development period which started in the 1880's. Honoapi'ilani Highway serves as the main travelway for people and goods between West Maui and the rest of the island of Maui.

The highway has not been significantly realigned in the study area and over the years the coastline has been eroding along the roadway alignment. Coastal erosion is now threatening the highway to the extent that the highway shoulder is being hardened in many places along the highway to protect the roadway from further erosion and to keep vehicular traffic moving. Certain areas have required additional barrier protection to prevent ocean waves from impacting the road.

Potential Impacts and Mitigation Proposed

The proposed land use designations are partially in response to the transportation needs for West Maui. The County of Maui supports SDOT's relocation of the existing Honoapi'ilani Highway away from the coastal areas of West Maui as proposed in the P2P Plan. In 2005, the County of Maui recommended a mauka corridor that considered coastal erosion, coastal flooding, and tsunami evacuation areas. This proposed mauka corridor would provide an opportunity to preserve as well as enhance recreational uses and open space between the realigned highway and the scenic coastline. The SDOT is currently studying the realignment of the existing highway from Ma'alaea to Launiupoko. This study will include an alignment study and the preparation of an environmental impact statement. An extension of the Lahaina By-Pass, in the Launiupoko area, is also being considered by the SDOT as described above. This proposal is under review by the County of Maui. The Planning Department provided comments to the SDOT on the proposed extension of the Lahaina By-Pass. One of these comments was that while the County of Maui supports a mauka alignment of the facility (roadway), the County does not support an alignment that creates the opportunity for development to occur makai of the facility (roadway). Rather, land uses makai of the facility should remain in either open space or park.

3.9 NOISE IMPACTS

The proposed changes in land use designations will not generate noise and will not impact current ambient noise levels. The predominate noise source is vehicles traveling along the existing highway.

Potential Impacts and Mitigation Proposed

No mitigation is required or proposed.

3.10 AIR QUALITY

No information was collected on air quality. The proposed land use designations are not expected to impact air quality in the area.

Potential Impacts and Mitigation Proposed

No mitigation is required or proposed.

3.11 RECREATIONAL RESOURCES

Recreational resources along Honoapi'ilani Highway are primarily focused on the ocean. Along the existing highway within the study area there are only four formal or developed parks: Papalaua Park, Ukumehame Park, Launiupoko Park and Puamana Park (see **Figure 9**). Total area of these four parks is 17.5 acres. All of the four parks are operated and maintained by the County of Maui. Each of the four parks provides minimum services, such as a comfort station or portable toilets, picnic tables, trash receptacles, and limited parking. Camping is only permitted at Papalaua Park.

While there are only four developed parks, the coastline provides a near endless venue for ocean activities, such as surfing, fishing, swimming, picnicking, sunbathing, snorkeling, camping (unpermitted), whale watching, and simply relaxing and sightseeing. The number of users, which has been increasing annually, gathered for each use varies according to location, time of day, day of the week, and time of year. This gathering of users can be seen when "surf is up." Much to the dismay of local law enforcement, the choice surf locales are often congested with vehicles parked on the highway shoulders.

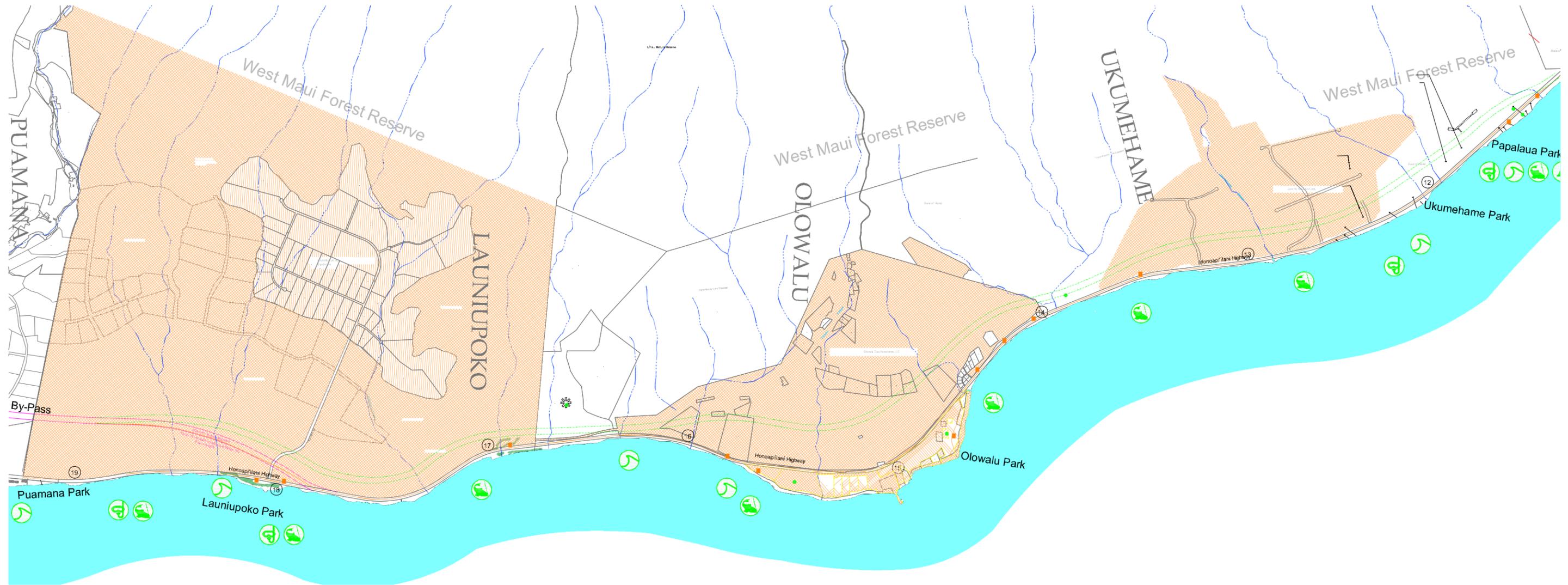
In addition, all of these “informal” sites do not have bathroom facilities. Beach activities also attract users to the “choice” locations, such as near and around milepost 14 in Olowalu. This area has been popularized in tourist publications as a quiet and safe snorkeling area. The calm waters may be ideal, but parking in this area is very limited because the highway shoulders are limited or non-existent. At certain areas, once one leaves the paved travelway, one can find oneself on soft sand, and on occasions when the tide is high, in water. Another problem occurring along this coastline is park users driving onto the parks and parking directly on the beach and sand dunes. As with the surfing locations, beach and ocean users are found parking on the narrow shoulders which impede the flow of traffic.

Potential Impacts and Mitigation Proposed

Honoapiʻilani Highway’s current alignment fosters ocean activities because of its proximity to the ocean. In certain locations, such as in Ukumehame and Olowalu, the ocean is nearly at the shoulder of the highway. This proximity to the ocean is a strong attraction and should be accommodated through defined access points as recommended in the P2P Plan. The P2P Plan recommended several alternatives that could be considered, such as:

- Relocate the highway mauka (east) a minimum distance to avoid the devastation of coastal impacts (storm surges and erosion);
- Relocate the highway significantly inland away from the ocean; and
- Relocate the highway inland a sufficient distance to avoid coastal processes, but without losing contact (visual) with the ocean.

The proposed land use designations greatly enhance the recreational opportunities in the area. The opportunity to create a linear shoreline park is facilitated by designating park or open space along the shoreline. Designating lands inland of the existing highway beyond what is minimally required presents opportunities to create new park lands. The newly designated open space is also seen as an amenity to adjoining lands that are designated agriculture by creating a buffer. The land use changes proposed re-designates approximately 338 acres (See Table 5, 6 and 7) from its current use to either Park or Open Space. It is fully anticipated that traffic impacts and mitigation will need to be further studied when park plans are planned and designed, which is not in the scope of this document.



Legend

- - - Potential Future State Highway Realignment
- Extg. Honoapiʻilani Hwy
- 16 Mile Post
- ~ Streams
- Park Structures - Proposed
- Ⓜ Snorkel
- Ⓢ Surf
- Ⓜ Fish
- Ⓜ Camping

FIGURE 9
RECREATION OPPORTUNITIES
Pali to Puamana Change in Zone
and Community Plan Amendment
 County of Maui, Hawaiʻi



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3.12 SCENIC RESOURCES

Properties along Honoapi'ilani Highway have unparalleled viewing opportunities. Panoramic views are framed by the islands of Kaho'olawe and Lana'i, and the West Maui Mountains and Haleakala. **Figure 10**, View Analysis, identifies the prominent views and vistas available along the existing highway corridor. In general, wide dramatic panoramas are found at the upper elevations of the study area. Vistas or more contained views are found along the coastline in the study area and they include views of the ocean and sights beyond to Lana'i, Moloka'i, Kaho'olawe, Haleakalā, and Molokini. Views of the West Maui Mountains and other dominant land forms provide a backdrop to a foreground or middle ground landscape element such as the beach, surf line, abandoned sugar fields, etc.

Other special or distinctive vistas along the existing highway corridor include: tree lined roadway through Olowalu, rock out-crops along the highway, man-made rock piles within the former sugar fields, and the built environment composed of developed parks, remnants of the plantation village, and of new suburban development.

Potential Impacts and Mitigation Proposed

Views currently found along Honoapi'ilani Highway to the extent feasible should be maintained. These views include the ocean, the islands of Moloka'i, Lana'i, and Kaho'olawe, Haleakalā, the West Maui Mountains and adjacent landscape.

Through the implementation of the proposed changes in land use designations, opportunities to preserve these pristine, undeveloped views will be enhanced. Planning and design of the proposed roadway alignment should provide sequences of views that provide visual interest and beauty of the natural and cultural landscapes. Planning for a new highway alignment must place view points and lookouts in areas that allow for safe access and protected observation points. Overlooks should be created to offer panoramic views and interpretive opportunities of the landscape.

3.13 HISTORIC, ARCHAEOLOGICAL, AND CULTURAL RESOURCES

Cultural and historic resources in the area are characterized in two types:

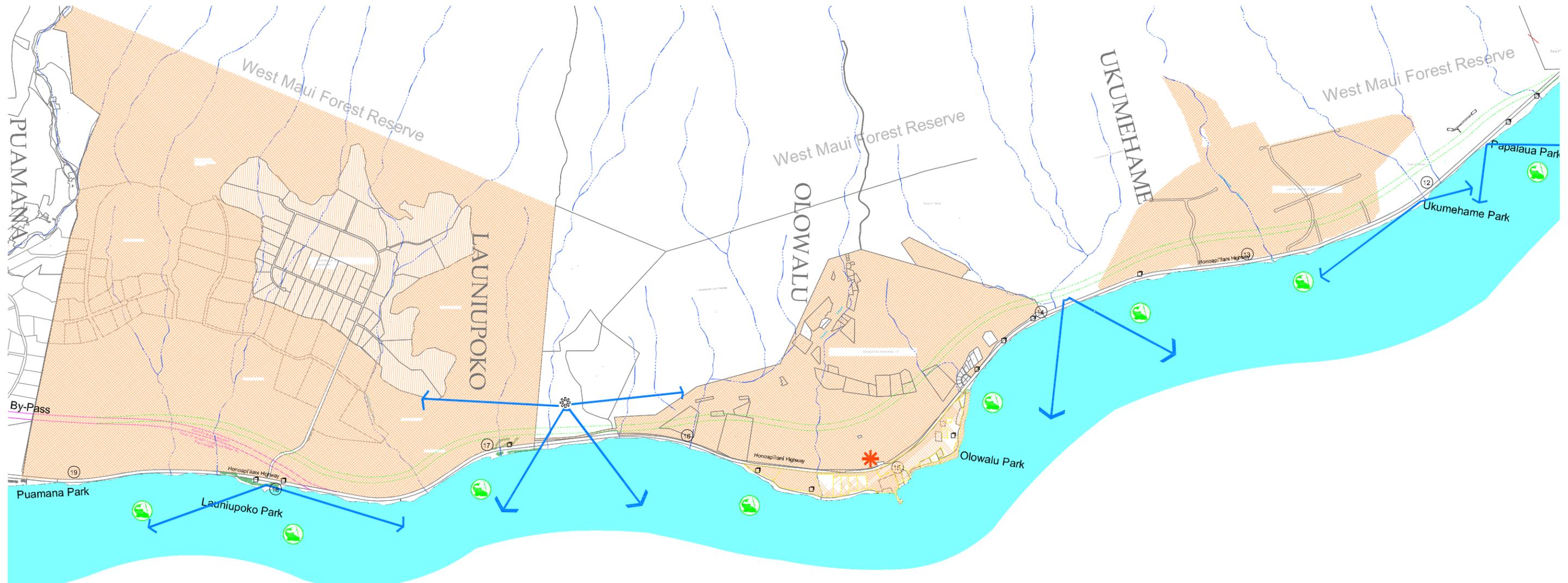
- Resources that document the history of the region before contact with western cultures, and
- Resources that document modern (post-contact) activities of the area.

Pre-contact resources are characterized by the archaeological features found in the region through past studies as well as through the written and oral documentation of people and activities. An archaeological literature review and field check was conducted for the project area by Cultural Surveys Hawai'i (April 2006). Their findings are attached in **Appendix A**. Archaeological studies have been conducted in Ukumehame, Olowalu and Launiupoko. A sampling of studies conducted in the study area which identifies past land uses, history and traditions include (see **Figure 11**):

- Jensen, Peter, Paul H. Rosendahl, Inc., Archaeological Inventory Survey Honoapi'ilani Highway Realignment Project, August 1991.
- Xamanek Researchers, Archaeological Preservation Plan (for Olowalu), March 2002.
- Horcajo, Robert, Xamanek Researchers, Preservation Plan for Human Remains, Burials, and Probable and Possible Burial Features Contained on the Olowalu Mauka Project Area, Olowalu Ahupua'a, January 2001.
- State Historic Preservation Division, "Identified Sites in the Lahaina District Database," February 2004.
- Handy and Handy, *Hawaiian Planters*, 1972.

The ancient trails network connecting the ahupua'a in the district was attributed to Kihapi'ilani, the paramount chief, in the 16th century. This trail was referred to as the Pi'ilani Trail (Xamenek Researchers, 2002). The precise location and alignment of the trail is not known. Handy and Handy (1972) also noted that "travelers were sometime ferried across streams by canoe or along shore, as between Olowalu and Ma'alaea, around the rough southern tip of West Maui." Other accounts report of an overland trail from Olowalu Valley crossing the West Maui Mountains to Waiehu.

The agricultural tradition of the study area has its roots in pre-contact periods and continued well into the 20th century when sugar cultivation ceased. The sugar cane era of the district left an indelible mark in the region. Olowalu was at the center of the growing area with the development of a permanent settlement for the workers and managers, and the development of a mill (makai of the current highway at Olowalu).



Legend

-  Potential Future State Highway Realignment
-  Extg. Honoapiʻilani Hwy

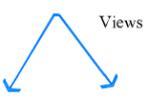
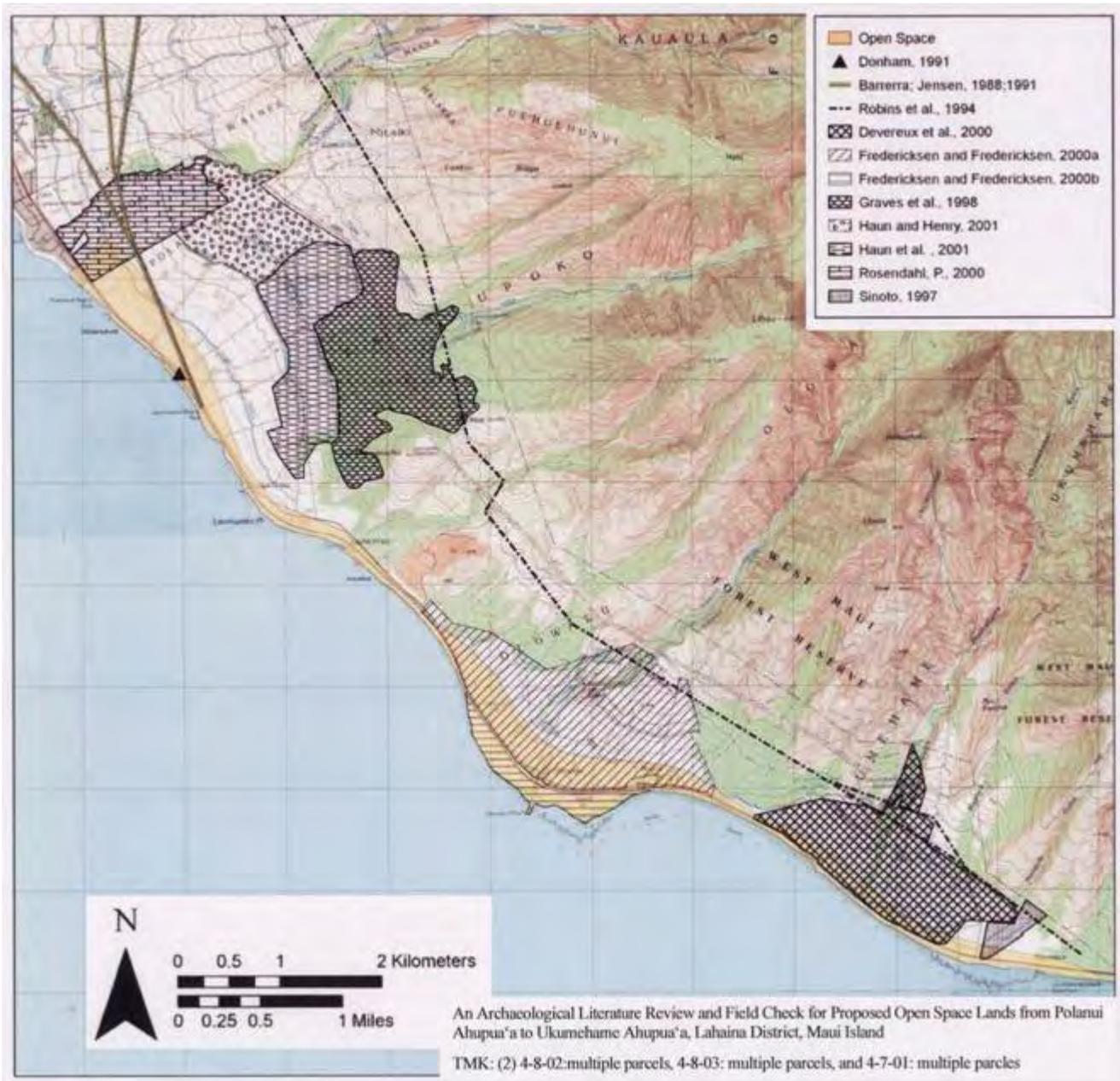
-  Mile Post
-  Streams
-  Views

FIGURE 10
VIEW ANALYSIS MAP
Pali to Puamana Change in Zone
and Community Plan Amendment
 County of Maui, Hawaiʻi



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Figure 11 Archaeological Study Areas



The Olowalu Sugar Company (formerly West Maui Sugar Company) is said to have been an “enterprise of King Kamehameha V,” who reigned from 1863 to 1872. The sugar company was incorporated in 1881. Transportation resources of the sugar company also included a railroad that extended from Lahaina to Ukumehame and sea transport via the wharf at Olowalu.

Sugar cane operations (c. 1940), however, did have a dramatic effect on the landscape as the land was cultivated and cleared of native vegetation and rocks. Many large rock piles can be seen today from the highway in the Launiupoko area.

Potential Impacts and Mitigation Proposed

The proposed land use designations will not impact any historic or cultural resources because no ground disturbing activity is proposed. Impacts to traditional cultural practices are noted in **Appendix B**. However, to the extent that historic and cultural features have been identified within the project area, additional detailed studies are recommended as specific areas are proposed for park development. Further, the State Historic Preservation Division should be contacted to define the mitigation requirements with regards to historic properties listed in the reports identified.

SECTION 4

POLICIES AND PLANS

4.1 STATE LAND USE COMMISSION (CHAPTER 205-2, HRS)

Chapter 205, Hawai'i Revised Statutes (HRS), relating to the Land Use Commission, establishes the four (4) major land use districts in which all lands in the State are placed: Urban, Rural, Agricultural, and Conservation. Criteria for these land use designations are cited below.

Chapter 205, HRS, Districting and classification of lands.

- (a) *There shall be four major land use districts in which all lands in the State shall be placed: urban, rural, agricultural, and conservation. The land use commission shall group contiguous land areas suitable for inclusion in one of these four major districts. The commission shall set standards for determining the boundaries of each district, provided that:*
- (1) *In the establishment of boundaries of urban districts those lands that are now in urban use and a sufficient reserve area for foreseeable urban growth shall be included;*
 - (2) *In the establishment of boundaries for rural districts, areas of land composed primarily of small farms mixed with very low density residential lots, which may be shown by a minimum density of not more than one house per one-half acre and a minimum lot size of not less than one-half acre shall be included, except as herein provided;*
 - (3) *In the establishment of the boundaries of agricultural districts the greatest possible protection shall be given to those lands with a high capacity for intensive cultivation; and*
 - (4) *In the establishment of the boundaries of conservation districts, the "forest and water reserve zones" provided in Act 234, section 2, Session Laws of Hawai'i 1957, are renamed "conservation districts" and, effective as of July 11, 1961, the boundaries of the forest and water reserve zones theretofore established pursuant to Act 234, section 2, Session Laws of Hawai'i 1957, shall constitute the*

boundaries of the conservation districts; provided that thereafter the power to determine the boundaries of the conservation districts shall be in the commission.

In establishing the boundaries of the districts in each county, the commission shall give consideration to the master plan or general plan of the county.

- (b) Urban districts shall include activities or uses as provided by ordinances or regulations of the county within which the urban district is situated.*
- (c) Rural districts shall include activities or uses as characterized by low density residential lots of not more than one dwelling house per one-half acre, except as provided by county ordinance pursuant to section 46-4(c), in areas where "city-like" concentration of people, structures, streets, and urban level of services are absent, and where small farms are intermixed with low density residential lots except that within a subdivision, as defined in section 484-1, the commission for good cause may allow one lot of less than one-half acre, but not less than 18,500 square feet, or an equivalent residential density, within a rural subdivision and permit the construction of one dwelling on such lot, provided that all other dwellings in the subdivision shall have a minimum lot size of one-half acre or 21,780 square feet. Such petition for variance may be processed under the special permit procedure. These districts may include contiguous areas which are not suited to low density residential lots or small farms by reason of topography, soils, and other related characteristics.*
- (d) Agricultural districts shall include activities or uses as characterized by the cultivation of crops, orchards, forage, and forestry; farming activities or uses related to animal husbandry, aquaculture, and game and fish propagation; aquaculture, which means the production of aquatic plant and animal life for food and fiber within ponds and other bodies of water; wind generated energy production for public, private, and commercial use; bona fide agricultural services and uses which support the agricultural activities of the fee or leasehold owner of the property and accessory to any of the above activities, whether or not conducted on the same premises as the agricultural activities to which they are accessory, including but not limited to farm dwellings as defined in section 205-4.5(a)(4), employee housing,*

farm buildings, mills, storage facilities, processing facilities, vehicle and equipment storage areas, and roadside stands for the sale of products grown on the premises; wind machines and wind farms; small-scale meteorological, air quality, noise, and other scientific and environmental data collection and monitoring facilities occupying less than one-half acre of land, provided that such facilities shall not be used as or equipped for use as living quarters or dwellings; agricultural parks; and open area recreational facilities, including golf courses and golf driving ranges; provided that they are not located within agricultural district lands with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating class A or B.

These districts may include areas which are not used for, or which are not suited to, agricultural and ancillary activities by reason of topography, soils, and other related characteristics.

Discussion:

The proposed Community Plan land use designations does not require changing existing State Land Use designations as the current land use designations are compatible and allowed with the current land use designations.

4.2 MAUI COUNTY GENERAL PLAN

Maui County's current General Plan was adopted by Ordinance No. 2039 and became effective September 27, 1991. The Maui County Charter, Section 8-8.3 Powers, Duties and Functions, states that the planning director shall "Recommend revisions of the general plan at least every ten years to guide development of the county." The County's General Plan 2030 is currently under review.

Section 8-8.5 of the Maui County Charter requires that the general plan shall recognize and state the major problems and opportunities concerning the needs and the development of the county and the social, economic and environmental effects of such development and shall set forth the desired sequence, patterns and characteristics of future development.

Five major themes emerge.

Theme No. 1 PROTECT MAUI COUNTY'S AGRICULTURAL LAND AND RURAL IDENTITY Amendments to the General Plan will preserve agricultural lands for the continuing pursuits of both land intensive and labor intensive

agricultural pursuits. This action will also achieve preservation of an open space resource.

Theme No. 2 PREPARE A DIRECTED AND MANAGED GROWTH PLAN Amendments to the General Plan will preserve a desired quality of life where areas of urban settlement must be managed and directed within a framework that consistently and concurrently balances growth demands against human service needs and physical infrastructure supply.

Theme No. 3 PROTECT MAUI COUNTY'S SHORELINE AND LIMIT VISITOR INDUSTRY GROWTH Amendments to the General Plan will discourage further urban development of the shoreline.

Theme No. 4 MAINTAIN A VIABLE ECONOMY THAT OFFERS DIVERSE EMPLOYMENT OPPORTUNITIES FOR RESIDENTS Amendments to the General Plan recognizes the need to maintain a healthy economy and broaden our economic base so that we are not so dependent on tourism.

Theme No. 5 PROVIDE FOR NEEDED RESIDENT HOUSING: Amendments to the General Plan address the development of resident housing as a major social need in our community.

OBJECTIVES AND POLICIES

Objective: Land Use

To preserve for present and future generations existing geographic, cultural and traditional community lifestyles by limiting and managing growth through environmentally sensitive and effective use of land in accordance with the individual character of the various communities and regions of the County.

Policies

- *Through a community needs assessment analysis, define urban and rural limits in each community plan.*
- *Provide and maintain a range of land use districts sufficient to meet the social, physical, environmental and economic needs of the community.*
- *Identify and preserve significant historic and cultural sites.*

- *Formulate a directed land use growth strategy which will encourage the redevelopment and infill of existing communities allowing for mixed land uses, where appropriate.*
- *The County will explore ways to develop a Maui County Open Space Program which will preserve important scenic, cultural, recreational, environmental and open space resources*

Objective

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

Policies

- *Mitigate environmental conflicts and enhance scenic amenities, without having a negative impact on natural resources.*
- *Encourage land use patterns that foster a pedestrian oriented environment to include such amenities as bike paths, linear parks, landscaped buffer areas, and mini-parks.*
- *Encourage land use methods that will provide a continuous balanced inventory of housing types in all price ranges.*
- *Support the Department of Hawaiian Home Lands' development of homestead lands.*
- *Encourage programs to stabilize affordable land and housing prices.*

Objective

To preserve lands that are well suited for agricultural pursuits.

Policies

- a. *Protect prime agricultural lands from competing nonagricultural land uses.*
- *Promote the use of agricultural lands for diversified agricultural pursuits by providing public incentives and encouraging private initiative.*

- *Support the right to farm consistent with the identification of productive agricultural lands.*
- *Discourage the conversion, through zoning or other means, of productive or potentially productive agricultural lands to nonagricultural uses, including but not limited to golf courses and residential subdivisions.*
- *Provide adequate irrigation water and access to agricultural lands.*

Water: Objective

To provide an adequate supply of potable and irrigation water to meet the needs of Maui County's residents.

Policies

- b. Support the improvement of water transmission systems to those areas which historically experience critical water supply problems provided the improvements are consistent with the water priorities and the County's Water Use Development Plan provisions for the applicable community plan area.*
- c. Meet or exceed Federal quality standards for the potable water supply.*
- d. Develop improved systems to provide better fire protection.*
- e. Monitor growth activities throughout Maui County in order that development of new water sources is concurrent with approval of new developments.*
- f. Support the Board of Water Supply in its determination of future water needs consistent with the General Plan, Community Plans and the growth management strategy.*
- g. Support expeditious action on legislation providing replacement of inadequate water transmission systems.*
- h. Seek new sources of water by exploration in conjunction with other government agencies.*
- i. Maintain the right to manage the County's water sources and transmission systems at the County level.*

- j. Develop sufficient water supply during drought seasons so as to keep agricultural activities viable.*
- k. Support the planning, preservation and development of water resources and systems which service Hawaiian Home Lands.*

Objective

To make more efficient use of our ground, surface and recycled water sources.

Policies

- l. Reclaim and encourage the productive use of wastewater discharges in areas where such use will not threaten the integrity of ground water resources.*
- m. Create means of supplying low cost water for agricultural purposes especially in areas where water systems can be diverted for agricultural needs while continuing to meet domestic needs.*
- n. Create water distribution practices during droughts favorable to farmers who use water efficiently during non-drought periods.*
- o. Improve catchment systems and transmission systems to reduce runoff.*
- p. Maximize use of existing water sources by expanding storage capabilities.*
- q. Discourage the use of standpipes for fire protection purposes.*
- r. Promote water conservation practices to make the most efficient use of existing water sources.*
- s. Support the establishment of potable groundwater use priorities which prohibit the use of potable water for the irrigation of golf courses, golf driving ranges, parks and landscaped open space.*
- t. Develop a method of allocation of water based on community need.*

Discussion:

The proposed land use designations are consistent with the current objectives of the General Plan. No changes are proposed to the General Plan.

4.3 WEST MAUI COMMUNITY PLAN

The study area is located within the West Maui Community Plan region, one (1) of nine (9) Community Plan regions established by the County of Maui. Planning for each region is guided by the respective Community Plans, which are designed to implement the Maui County General Plan. Each Community Plan contains policies and implementing actions which guide the locations and characteristics of future development in the region. The West Maui Community Plan provides for the planning, design and construction of the Lahaina Bypass to facilitate ingress and egress from Launiupoko to Honokowai.

Goals, objectives, policies and implementing actions were adopted which were used to define and assist in the planning for the Lahaina Bypass. The following are goals, objectives, and implementing actions that guide the development of West Maui (Part III, West Maui Community Plan, 1996):

Intended Effects

- *The quality of the region's natural and marine environment is an inherent aspect of what West Maui represents to its residents and visitors alike.*
- *Accommodating a sufficient supply of land for affordable housing and parks is another objective of this Community Plan. The plan also recognizes the need to protect and preserve historic, archaeological and cultural resources for present and future generations.*
- *Any interpretation of the policies of this plan or any amendment proposed to this plan shall be based in large part to the specified intended effects of this plan. These are:*
- *Allocate adequate open space for public recreational activities, especially within the urbanized areas of the region and along the shoreline.*
- *Slow the rate of growth and stabilize the economy.*
- *Protect the natural resources of the region and promote environmentally sound uses and activities.*
- *Exert more control on the timing and patterns of development within the region through the community plan, zoning, and the permitting process.*
- *Encourage infill in order to protect agriculture and mauka open spaces.*

Goals, Objectives, Policies and Implementing Actions

LAND USE

Goal:

- 2. An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the stable social and economic well-being of residents and the preservation and enhancement of the region's open space areas and natural environmental resources.*

Objectives and Policies for the West Maui Region in General

- 1. Protect and enhance the quality of the marine environment.*
- 2. Preserve and enhance the mountain and coastal scenic vistas and the open space areas of the region.*
- 8. Where possible, relocate the Honoapi'ilani Highway south of Puamana in order to reduce potential inundation and disruption of service due to storm-generated wave action. Where the highway is relocated for the purpose stated, lands makai of the new alignment shall be designated Open Space (OS) or Park (PK) to provide for ocean-related recreational use. Notwithstanding the foregoing, continued agriculture use shall be allowed within these areas.*
- 10. Provide and maintain parks and beach access for the present and future needs of residents and visitors. For the areas outside Lahaina town, establish or expand parks and public shoreline areas to include but not limited to the following:*
 - b. The development of a public beach park at Olowalu near Camp Pecusa for camping and ocean-related recreational and educational activities. The final boundaries of this park shall be determined in consultation with the landowner. However, if agriculture in the area is decreased by 50 percent, 20 acres of park land shall be considered for addition to the 10 acres of park land currently designated on the Land Use Map.*

ENVIRONMENT

Goal

A clean and attractive physical, natural and marine environment in which man-made developments on or alterations to the natural and marine environment are based on sound environmental and ecological practices, and important scenic and open space resources are preserved and protected for public use and enjoyment.

Objectives and Policies

- 4. Emphasize land management techniques such as natural landscaping, regular maintenance of streams and drainage ways and siltation basins, avoidance of development in flood-prone areas, and other measures that maintain stream water quality. Wherever feasible, such management techniques should be used instead of structural solutions, such as building artificial stream channels or diversion of existing natural streams.*
- 7. Preserve, protect and/or nourish the shoreline sand dune formations throughout the planning region. These topographic features are essential to beach preservation and a significant element of the natural setting that should be protected.*
- 8. Promote public/private initiatives in the maintenance, and, where appropriate, landscaping of drainage ways.*
- 14. 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. Where new major waterfront structures or developments are to be approved, preservation should be assured for 50-100 years by employing a shoreline setback based on the rate established by the appropriate study.*
- 16. Create a coastal improvement district emphasizing the equal preservation of both coastal lands and beaches through the adoption of zoning and land use controls that encourage compatible development in safe areas, provide for the long-term economic needs of beach and dune nourishment and maintenance, and enable strategic retreat from the coast wherever feasible through a*

program of land acquisition, economic incentives, and specific construction guidelines.

CULTURAL RESOURCES

Goal

To preserve, protect and restore those cultural resources and sites that best represent and exemplify the Lahaina region's pre-contact, Hawaiian Monarchy, missionary and plantation history.

Objectives and Policies

- 1. Preserve and protect significant archaeological, historical and cultural resources that are unique in the State of Hawai'i and Island of Maui.*
- 2. Foster an awareness of the diversity and importance of cultural resources and of the history of Lahaina.*
- 3. Encourage and protect traditional shoreline and mountain access, cultural practices and rural/agricultural lifestyles. Ensure adequate access to our public shoreline areas for public recreation, including lateral continuity.*

Implementing Actions

- 1. Develop cultural parks appropriate for public visitation and educational programs in various areas of the region.*
- 3. Identify specific historical or archaeological sites for protection and interpretation.*
- 4. Update the County Cultural Resource Management Plan to further identify specific and significant cultural resources in the region and provide strategies for preservation and enhancement.*
- 5. Formulate and adopt rural and historic district roadway standards to promote the maintenance of historic landscapes and streetscapes in character with the region, and, where appropriate within the context of the town's historic character, allow for narrower lanes, curbs, gutters and sidewalks, smaller corner radius, and deletion of sidewalk requirements on two sides of the street.*

URBAN DESIGN

Goal

An attractive and functionally integrated urban environment that enhances neighborhood character, promotes quality design at the resort destinations of Ka'anapali and Kapalua, defines a unified landscape planting and beautification theme along major public roads and highways, watercourses, and at major public facilities, and recognizes the historic importance and traditions of the region.

Objectives and Policies for the West Maui Region in General

- 1. Enhance the appearance of major public roads and highways in the region.*
- 5. Integrate stream channels and gulches into the region's open space system for the purposes of safety, open space relief, greenways for public use and visual separation. Drainage channels and siltation basins should not be used for building sites, but, rather, for public open space. Drainage channel rights-of-way and easements may also be used for pedestrian walkways and bikeway facilities.*
- 6. Promote a unified street tree planting scheme along major highways and streets. Hedge planting should be spaced and limited in height, in order to provide vistas to the shoreline and mountains.*
- 9. Save and incorporate healthy mature trees in the landscape planting plans of subdivisions, roads or any other construction or development.*
- 10. Incorporate drought-tolerant plant species in future landscape planting.*
- 11. Use native plants for landscape planting in public projects to the extent practicable.*
- 12. Existing and future public rights-of-way along roads and parks shall be planted with appropriate trees, turfgrass and ground covers.*

INFRASTRUCTURE

Goal

Timely and environmentally sound planning, development, and maintenance of infrastructure systems which serve to protect and preserve the safety and health of the region's residents, commuters, and visitors through the provision of clean water, effective waste disposal and efficient transportation systems which meets the needs of the community.

Transportation

Objectives and Policies

- 1. Support construction of the planned Lahaina Bypass Road in such a way as to promote safe, efficient travel across the region without encouraging further urbanization or impeding agricultural operations.*
- 2. Support the provision of an alternate route between West Maui and Central Maui.*
- 3. Support improvements for the safe and convenient movement of people and goods, pedestrians and bicyclists in the Lahaina region particularly along Honoapi'ilani Highway, Front Street and Lower Honoapi'ilani Road and seek to establish a regional network of bikeways and pedestrian paths.*

SOCIAL INFRASTRUCTURE

Goal

Develop and maintain an efficient and responsive system of public services which promotes a safe, healthy, and enjoyable lifestyle, and offers opportunities for self improvement and community well being.

RECREATION AND OPEN SPACE

Objectives and Policies

- b. Major residential projects.*
- 3. Provide resource-oriented regional park facilities and public access along the shoreline for picnicking, camping, informal play, swimming, sunbathing, and*

other coastal-related activities along coastal lands makai of the existing or future realigned coastal highways from Honokahua Bay to the district's north boundary and from Puamana to the district's south boundary, except for the agriculture designated lands makai of the highway at Olowalu.

4. *Establish adequate public access to suitable mauka recreational areas for hiking, hunting, camping, nature study, and other back country, leisure time activities, based on a mountain access study.*
5. *Provide public camping areas along the shoreline of the region, such as at Olowalu near Camp Pecusa.*

Implementing Actions

1. *Develop a long-range land acquisition program for public uses.*
2. *Undertake a mountain access study and support the continuation of the State's Na Ala Hele Trail and Access Program.*
3. *Appropriate adequate funds for park acquisition and expansion consistent with the Community Plan, County's beach access plan and other State and County recreational master plans.*
4. *Develop a long-range beach park acquisition and development program involving residents, landowners, businesses, government, and public interest organizations.*
5. *Adopt a beach/mountain access dedication ordinance pursuant to Chapter 46, H.R.S., and acquire accesses through purchase, dedication, condemnation or land exchange.*
6. *Implement a program to acquire and develop sites for future park use, consistent with the Community Plan."*

Discussion:

The proposed land use designations are consistent with the current objectives of the West Maui Community Plan. Changes are proposed to the Land Use Map and to Part IIIB, Section 10.b. which state *"The development of the public beach parks at Olowalu near Camp Pecusa for camping and ocean-related recreational*

and educational activities. The final boundaries of this park shall be determined in consultation with the landowner. However, if agriculture in the area is decreased by 50 percent, 20 acres of park land shall be considered for addition to the 10 acres of park land currently designated in the Land Use Map."

4.4 HAWAI'I COASTAL ZONE MANAGEMENT PROGRAM

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

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

Discussion:

The proposed land use designations are consistent with the current objectives HCZMP. No changes are proposed to the HCZMP.

4.5 SPECIAL MANAGEMENT AREA

The County of Maui's Special Management Area (SMA) permit procedures have been established within the framework of the HCZMP. SMA Use Permits may be required for future construction projects such as park facilities within the study area.

The parcels in the study area makai of the existing highway are within the SMA. SMA areas are defined as sensitive environments that should be protected in accordance with the State's coastal zone management policies.

The following is an assessment of the project with respect to the HCZMP objectives and policies set forth in Section 205(A)-2.

1. *Recreational resources*

Objective: Provide coastal recreational opportunities 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 requiring 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 recreational value consistent with public safety standards and conservation of natural resources;*
- (vi) *Adopting water quality standards and regulating point and nonpoint 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; and*
- (viii) *Encouraging 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.*

Discussion:

The proposed park and open space designations seek to increase recreational and open space resources in the project area by protecting the coastal lands from development. In addition, these land use designations will seek to increase access to the shoreline and will not alter existing shoreline areas.

2. Historic 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 archaeological 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 resources.*

Discussion:

No adverse impacts to historic or cultural resources are associated with the proposed land use designations. The proposed designations will further provide for the protection of historic and cultural resources in the project area. No impacts to cultural practices will result from the proposed land use designations. The study area is dominated by common, introduced plant species not identified with traditional gathering practices. The proposed land use designations will not diminish the availability of any plant type for use in cultural practices. The proposed park and open space designations will facilitate improved access to coastal areas.

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 land forms and existing public views to and along the shoreline;*
- (C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and*
- (D) Encourage those developments that are not coastal dependent to locate in inland areas.*

Discussion:

The proposed park and open space designations conform to the Hawai'i Coastal Zone Management Program Objective 3, Scenic and Open Space, which encourages the protection, preservation and, where desirable, restoration or improvement of the quality of coastal scenic and open space resources.

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 nonpoint source water pollution control measures.*

Discussion:

The proposed park and open space designations are not expected to have any adverse affect on marine resources. Project activities do not involve alterations to stream channels or other water bodies or water sources.

5. *Economic uses*

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 industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and*
- (C) *Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit 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 effects are minimized; and*
- (iii) The development is important to the State's economy.*

Discussion:

No adverse impacts are expected to result from the proposed land use designations.

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 nonpoint source pollution hazards;*
- (B) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;*
- (C) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and*
- (D) Prevent coastal flooding from inland projects.*

Discussion:

Many of the parcels in the study area are prone to coastal flooding, tsunami inundation and coastal erosion. The proposed park and open space designations seek to remove the affected parcels from the hazards identified and place them into an open space category. Valuable property resources can be spared from flood hazards by not allowing development along the coastline.

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 or 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.*

Discussion:

The proposed park and open space designations will not involve any development or construction. A consequence of the land use changes may result in the improvement of some of the parcels in passive recreation space.

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 mitigation to respond to coastal issues and conflicts.*

Discussion:

Public involvement for the proposed Community Plan Amendments and change in Zoning will consist of public informational meetings conducted by the Planning Department and public hearing before the Planning Commission and the County Council. Additionally, public notice of the proposed designations will be provided in the OEQC's *Environmental Notice*. Please refer to Section 6,

Agencies, Organizations, and Individuals Consulted for a list of agencies, organizations and individuals consulted.

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.*

Discussion:

The proposed park and open space designations seek to implement the objective of beach protection by re-designating coastal lands to open space. This proposal will reduce development along the coastline where coastal processes, such as coastal erosion, is ever present.

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.*

Discussion:

The proposed park and open space designations will not impact marine resources and does not involve research, education, or technological development related to the coastal and marine environments.

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SECTION 5

CULTURAL IMPACT

5.1 Area Overview

The cultural setting of the lands from Ukumehame to Lāhainā were settled and cultivated intensively during pre-contact and early historic times. These lands offered abundant ocean resources and productive agricultural lands to sustain a thriving Hawaiian community. Consequently, many battles ensued between warring chiefs to gain control over these desirable lands.

Traditional Hawaiian agricultural practices are noted by the Land Commission Awards (kuleana) of the Mahele. Additionally, archaeological and ethnographic evidence also reveal that wet-land taro or lo'i and kula crops were cultivated by the maka'āinana (commoners) in the stream valleys and flood plains of Ukumehame, Olowalu, Kaua'ula, and possibly Launiupoko. The konohiki (land manager) and other ali'i (king or chief) likely controlled the maintenance and surplus of certain crops as is revealed by references in Native and Foreign Testimonies to adjacent poalima (chiefs' lands) and konohiki crops. Agricultural produce in great demand by whalers and sea-faring explorers was traded for western goods coveted by the Hawaiians.

Following western contact the scene at Lāhainā and surrounding environs changed drastically as Euro-Americans plagued the Hawaiian populace with disease, as well as the introduction of a different method of economics through the trade of western goods. Perhaps the biggest change experienced by the Hawaiian people was the western style of land ownership culminating in the Mahele of the mid 1800's.

Assisted by the land divisions of the Great Mahele, foreigners were able to obtain land through either lease or actual purchase. Consequently, a majority of the prime agricultural lands between Mā'alaea and Lāhainā were ultimately appropriated by foreign entities for the sole purpose of large-scale sugarcane agriculture.

Sugarcane agriculture continued until 1998 and encompassed the majority of the prime agricultural lands (alluvial fans) of the Lāhainā and Mā'alaea areas, while the coastal regions were the focus the tourist industry and continued residential use. Since 1998, large tracts of land in the uplands from Ukumehame to Lāhainā have either been subdivided or are in the process of being subdivided for the purpose of residential development.

5.2 Recommendations

Based on the information gathered during this assessment, parkland development within the project area may have negative impacts upon Native Hawaiian cultural resources within the immediate vicinity. Those interviewed for the Cultural Impact Assessment identified ongoing traditional practices that centered on the gathering of marine resources and voiced concerns regarding park maintenance and ensuring the quality of the resources. With regard to park maintenance, there is some apprehension that increased use of the coastline for camping and/or formal park development will lead to unclean beaches, polluted water, and a decline in the quality and quantity of the marine resources. While on the one hand, an increase in traditional Hawaiian fishing and gathering practices by modern Native Hawaiians can be viewed as a good thing, on the other hand, increasing fishing activities may escalate the pressure on the already over-extended resources of the area. Mr. Lindsey raised some concern over the use of moemoe nets. The Sierra Club (2006) notes the following problems with extensive use of this method of fishing:

- Overly efficient method causing a decline in fish
- Indiscriminant catch and kill of all species (sometimes only 1/15 of catch is usable)
- Entanglement and killing of endangered turtles and ocean mammals
- Breaking coral while retrieving net
- Danger to swimmers and divers
- Fish spoiled when left too long
- Attract sharks to shoreline waters
- Pieces of net tear off and endanger marine wildlife and boating
- Enforcement of regulations difficult
- Too few DLNR agents
- Difficulty locating net owner
- Time consuming to enforce time limits

Implementation of a regulating system modeled on the traditional Hawaiian kapu system with regard to restrictions on fish and opihi sizes, as well as, fishing and gathering seasons was suggested by Mr. Charlie Lindsey. Mrs. Addie Rodrigues and Mr. Hinano Rodrigues would like to see the areas around Olowalu remain as-is or undeveloped and slated strictly for day use as a means to limit any negative impacts from intensive use of the area by recreationists. A baseline study of the conditions of the marine resources and environmental conditions may be necessary to monitor the potential effects of increased use of the area by both recreationists and subsistence fishermen. In order to address concerns about the potential for contamination and decline of the natural resources in the area, close consultation with those who currently use the area for subsistence purposes is recommended prior to finalizing plans for formal wayside park development and designation of campgrounds. If park times are to be regulated, an additional concern may include night access for those in Olowalu and Ukumehame who have traditionally fished on certain nights. Formal provisions or allowances for night access should be considered when developing the formal plans for the park and/or camp areas.

5.3 Potential Impacts and Mitigation

The proposed park and open space designations will not impact traditional cultural practices and activities carried on by native practitioners. Access to the sea will be enhanced by the proposed park and open space land use designations because these land uses will preclude other types of development.

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SECTION 6

PERMITS REQUIRED

6.1 FEDERAL

- No Federal permits are required.

6.2 STATE

- No State permits are required.

6.3 COUNTY

- West Maui Community Plan Amendment
- Zoning Changes

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SECTION 7

AGENCIES, ORGANIZATIONS, AND INDIVIDUALS CONSULTED

Agencies, organizations and individuals consulted or who provided comments on the Draft EA are listed below. Those who provided written responses are noted below with an asterisk (*). The comments received and the responses to the comment are located in **Appendix C**.

7.1 COUNTY OF MAUI AGENCIES AND OFFICES

Office of the Mayor

Department of Planning*

Department of Public Works and Environmental Management

Department of Water Supply

Department of Fire Control

Department of Housing and Human Concerns*

Department of Parks and Recreation

Department of Police*

7.2 FEDERAL AGENCIES

Department of the Army, Corp of Engineers

Department of Interior, Fish and Wildlife Service, Pacific Division

7.3 STATE AGENCIES

Department of Transportation *

Department of Agriculture

Department of Business and Economic Development and Tourism

Office of Environmental Quality Control*

Department of Health*

Department of Land and Natural Resources*

Office of Hawaiian Affairs*

Land Use Commission*

7.4 ORGANIZATIONS AND INDIVIDUALS

Maui Chamber of Commerce

Frampton and Ward*

West Maui Taxpayers Association

Goodfellow Brothers

Makila Land Company (Rory Frampton)*

Mr. Edward Faeder*

Mr. Jim Peck *

7.5 COMMUNITY MEETING

On February 12, 2007, a public informational meeting was held to provide information on the proposed action. The meeting was attended by approximately 50 persons. Of the 50, 12 persons presented oral testimony.

The meeting notes of the meeting and attendance is in **Appendix D**.

PLANNING COMMISSION HEARING

The Maui County Planning Commission conducted a public hearing on the Draft EA on April 24, 2007. At the Commission meeting the public was invited to present testimony on the Draft EA. Members of the Commission also forwarded comments on the Draft EA. Minutes of the Planning Commission hearing is attached as **Appendix E**.

On April 22, 2008, the Planning Commission received testimony on the Final EA. After due consideration of testimony received, the Planning Commission approved the Final EA, with conditions, and the Findings of No Significant Impacts. Minutes of the Planning Commission is attached as **Appendix F**.

SECTION 8

SIGNIFICANCE ANALYSIS

Chapter 200 (Environmental Impact Statement Rules) of Title 11 (HAR) of the State Department of Health establishes criteria for determining whether an action may have a significant impact on the environment. The Rules establish “significance criteria” for making the determination. The relationship of the proposed land use designations to the thirteen criteria is provided below.

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

The existing study area site was modified when the lands were cultivated for sugarcane. Subsequently, some area were modified and cleared for development. The proposed changes in land use designations will help protect natural and cultural resources from development.

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

The proposed changes in land use designations will curtail other uses of the area. The proposed changes, however, are consistent with the West Maui Community Plan and the General Plan of the County of Maui.

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

The proposed land use changes are consistent with the West Maui Community Plan and the General Plan of the County of Maui and the provision of Chapter 343, HRS.

4. **Substantially affects the economic welfare, social welfare, and cultural practices of the community or State.**

The proposed changes in land use designations and amendments will generally benefit the community through the provision of additional open space and recreation space.

5. Substantially affects public health.

There is no public health concerns related to the proposed changes in land use designations and amendments.

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

The proposed changes in land use designations will not involve substantial secondary impacts in the form of population changes or effects on public facilities. The land use designation proposed will entail the re-designation of land from its current use to Open Space or Park designated lands. This may have an affect on parks because facilities will be added eventually, as parks are expanded or developed. The designations will increase park acreages but not significantly. It will decrease density and population.

7. Involves a substantial degradation of environmental quality.

The proposed changes in land use designations do not constitute substantial degradation of environmental quality. Rather, the proposed land use action will enhance the environment by creating needed open space.

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

The proposed changes in land use designations do not involve a commitment for a larger action at this time. The proposed project does not create significant adverse effects upon the environment.

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

The project area has been previously disturbed as a result of past agricultural activities and current development. Except of the Nēnē (*Branta sandwicensis*), there are no other known rare, threatened or endangered species or habitat for such rare, endangered or threatened species at the study area. According to the Division of Forestry and Wildlife, Department of Land and Natural Resources, the Nēnē range from Ma'alaea to Lahaina (personal communications October 2006). The Nēnē are known to nest in the study area and are known to be very adaptable. They have also been seen in the vicinity of the Ukumehame Firing Range. The proposed changes in land use designations will not impact the habitat of the Nēnē.

10. Detrimently affects air or water quality or ambient noise levels.

The proposed changes in land use designations will not detrimentally affect air or water quality or ambient noise levels. No mitigation is required or proposed.

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

The study area is located near and adjacent to an environmentally sensitive area such as a flood plain, tsunami zone, erosion-prone area. The proposed changes in land use designations, however, will not impact or be impacted by these hazards.

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

The project area is located in a zone that has significant views of the West Maui coast, Kaho'olawe, Lana'i, Moloka'i and portions of Haleakalā. The proposed changes in land use designations will seek to preserve these views by limiting development along the coastline and along the Honoapi'ilani Highway corridor.

13. Requires substantial energy consumption.

The proposed changes in land use designations will not require the consumption of energy in the form of petroleum products.

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SECTION 9

FINDINGS AND DETERMINATION

In accordance with the provisions set forth in Chapter 343, HRS, and the significance criteria in Section 11-200-12 of HAR, Title 11, Chapter 200, it is anticipated that the proposed changes in land use designations will have no significant adverse impacts to air quality, water quality, noise levels, social welfare, population, historic sites, or wildlife habitat.

Long-term and secondary impacts anticipated are both beneficial and adverse. Beneficial impacts are related to increased open space and recreational opportunities for all residents and visitors to Maui. Long-term impacts are also related to increased public safety as a result of reduced urban development along the coastline and reduction of property loss resulting from coastal processes. If development is allowed to take place along the coastline, there will be long-term impacts associated with increased demand on services, such as water, power, and solid waste collection and disposal. There is also the impact of losing an invaluable public resource – open space and recreational opportunities - which is becoming a pronounced issue for the County as it is continually losing its shoreline to urban development. The development of the land for residential uses will, however, have the effect of providing additional tax revenue to the County.

Adverse impacts are related to the re-designation of lands that are in private ownership. The re-designation may reduce property values and reduce the development potential of the re-designated land. The impact of the land use changes will be minimized through the acquisition of the land from the landowner by either the County, non-profit organizations or interested private citizens. Should the County be the purchasers of the land, the financial impact to the County cannot be discounted and that if the County embarks on this program, it will take several years to acquire all of the lands proposed for park and open space use. Some of the landowners have proposed that they will “give” land to the County for some park and open space purposes in exchange for increased development densities. However, as noted earlier, formal applications have yet to be submitted to the County for consideration and it is premature to assume that the citizens and law makers will or will not support this proposal of urban development. Lastly, although land that is re-designated from agriculture may further decrease the total acreage available for farming, the same effect will occur if this land that is currently designated for agricultural use is replaced by housing.

Overall, the long-term benefits of the proposed land use designations are believed to outweigh the adverse impacts as these adverse impacts can be mitigated. Therefore, it is anticipated that an Environmental Impact Statement (EIS) will not be required, and that a Finding of No Significant Impact (FONSI) will be issued for this project.

SECTION 10

REFERENCES

General Plan, County of Maui, 1990

West Maui Community Plan, County of Maui, February 27, 1996

Chapter 205, Hawai'i Revised Statutes

Chapter 205A, Hawai'i Revised Statutes

Chapter 19, Maui County Code

Tsunami Inundation Zone, Civil Defense Department, County of Maui, 2007

Flood Insurance Rate Maps, Federal Emergency Management Agency, 2007

Soils Map, U.S. Soil Conservation Service, 1972

Atlas of Hawai'i, Third Edition, 1998

Cultural Surveys Hawai'i, "An archaeological literature review and field check for proposed Pali to Puamana Parkway, Polanui Ahupua'a to Ukumehame Ahupua'a, Lahaina District, Maui Island, April 2006.

Cultural Surveys Hawai'i, "A Cultural Impact Assessment for the Proposed Pali to Puamana Parkway, Polanui Ahupua'a to Ukumehame Ahupua'a," August 2006.

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APPENDIX

- A Archaeological Literature Review
- B Cultural Impact Assessment
- C Comments and Letter Received on the Draft EA
- D Minutes of Public Informational Meeting, February 12, 2007
- E Planning Commission Meeting, April 24, 2007
- F Planning Commission Meeting, April 22, 2008

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APPENDIX A
Archaeological Literature Review

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**An Archaeological Literature Review and Field Check for
Proposed Pali to Puamana Parkway
Polanui Ahupua‘a to Ukumehame Ahupua‘a,
Lāhainā District, Maui Island
TMK: (2) 4-8-02:multiple parcels, 4-8-03: multiple parcels,
and 4-7-01: multiple parcels**

**Prepared for
RM Towill**

**Prepared by
Tanya L. Lee-Greig, M.A.
and
Hallett H. Hammatt, Ph.D.**

**Cultural Surveys Hawai‘i, Inc.
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(Job Code: PALA 1)**

**April 2006
(DRAFT)**

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Management Summary

Reference	An Archaeological Literature Review and Field Check for the Proposed Pali to Puamana Parkway, Ukumehame Ahupua'a to Polanui Ahupua'a, Lāhainā District, Maui Island (Lee-Greig and Hammatt 2006)
Date	April 2006 (DRAFT)
Project Number (s)	CSH Job Code: PALA 1
Permit Number	CSH conducted the archaeological field checks under state archaeological permit No. 0605 issued by State Historic Preservation Division/Department of Land and Natural Resources (SHPD/DLNR), per Hawai'i Administrative Rules (HAR) Chapter 13-13-282
Project Agencies	SHPD/DLNR
Land Jurisdiction	Multiple Owners (Various Private Landholding, County of Maui, State of Hawai'i)
Project Location	Coastal lands located makai (seaward) of the proposed Honoapi'ilani Highway re-alignment corridor, Polanui Ahupua'a to Ukumehame Ahupua'a, Lāhainā District, Maui Island, TMK: (2) 4-8-02: multiple parcels, 4-8-03: multiple parcels, and 4-7-01: multiple parcels. The project area is depicted on portions of the Maalaea, Olowalu, and Lāhainā USGS topographic 7.5' map series
Project Acreage and Description	Approximately 823-Acres. The County of Maui is proposing to re-designate the majority of lands makai of the Honoapi'ilani Highway re-alignment corridor as open space and park lands.
Project Area of Potential Effect (APE)	Based on available information, the proposed land re-designation and subsequent development of wayside parks would not impose adverse visual, auditory or other environmental impacts to any historic properties, including standing architecture, located in lands adjacent to the project area. Accordingly, the project's APE extends no further than the approximate 823-acre area makai of the Honoapi'ilani Highway re-alignment corridor.
Project Historic Preservation Regulatory Context	As a County of Maui project, any development of park facilities and/or land re-classification would be subject to historic preservation review under Hawai'i Revised Statutes (HRS) Chapter 6E-42 and HAR Chapter 13-13-284.
Document Purpose	The purpose of this document is to review the traditional and historic background of the project area and compile a comprehensive summary of all archaeological work conducted within the vicinity; as well as, identify any historic properties slated for preservation or requiring further mitigation commitments within the project area.
Fieldwork Effort	Cursory field checks of previously identified historic properties within the proposed area of open space were conducted by Thomas Devereux, B.A. on February 6 th and 9 th of 2006.

Identified /Cultural Resources	A total of 14 historic properties, some consisting of multiple features, are located in the proposed open space lands.			
	Olowalu (Fredericksen and Fredericksen 2000a and 2000b)			
	State Site #	Form	Function	Age
	50-50-08			
	-1602	Features of Olowalu Sugar Mill	Sugar Production -- Historic Agriculture	Historic
	-1603	Coffin Burial	Burial	Historic
	-4693	Burials (min = 6)	Burial Ground	Pre-Contact
	-4694	L-shape	Habitation	Pre-Contact
	-4695	Retaining Wall	Possible Traffic Pullout -- Transportation	Late Historic
	-4696	Road Remnant -- Old Government Road	Transportation	Historic
	-4697	Cultural Material Deposit	Habitation Area	Pre-Contact
	-4758	Awalua Cemetery	Cemetery	Historic
	-4820	Disturbed Burials	Burial Ground	Pre-Contact
	-4821	Disturbed Burials	Burial Ground	Pre-Contact
	-4822	Kaloko o Kapa`iki Pond?	Pond	Pre-Contact
	-4823	Gley Deposits	Possible Pond	Pre-Contact
	-4698	Cultural Material Deposit	Habitation Area	Late Pre-Contact
	Launiupoko (Rosendahl 2000)			
	State Site #	Form	Function	Age
	50-50-04			
	50-50-04-4787	Agriculture	Sugar Production -- Pioneer Mil	Historic

Recommendation	<p>The past cultural resource management investigations within the proposed parkway corridor and the surrounding vicinity have documented the area's rich cultural resources; however, historic and modern intensive agriculture have greatly disturbed the vast majority of the 823-acre project area. These activities have largely removed any surface remnant of cultural resources that may have been present along the lower alluvial plains of Ukumehame, Olowalu, Launiupoko, and Polanui Ahupua'a. This extensive surface disturbance does not, however, rule out the presence of cultural deposits at a subsurface level nearer to the coastline. It is strongly recommended that the project proponents consult with the SHPD in order to develop an appropriate scope of work for archaeological inventory survey of the portions of the project area that may be slated for new development and/or expansion of beach parks, wayside parks, or viewing locations in areas that have not undergone systematic previous investigation. In the event that parkland development is proposed for the areas in which historic properties have been previously identified, further consultation with SHPD is recommended to determine and clearly define the mitigation requirements with regard to the historic properties listed above, in relation to the proposed action, be it landscaping or park development.</p>
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Section 1 Introduction

1.1 Project Background

At the request of Mr. Chester Koga of RM Towill Corporation, Cultural Surveys Hawai'i, Inc. (CSH) conducted a literature review and field inspection of previously identified historic properties within coastal lands located *makai*, or seaward, of the proposed Honoapi'ilani Highway re-alignment corridor, Ukumehame Ahupua'a to Polanui Ahupua'a, Lāhainā District, Maui Island (Figure 1). The County of Maui is proposing to re-designate the majority of lands located *makai* of the Honoapi'ilani Highway re-alignment corridor as open space and develop new or expand existing beach parks, wayside parks, and view areas along the coastline from Polanui to Ukumehame Ahupua'a as a part of the proposed Pali to Puamana Parkway. The total area covered by project area consists of approximately 823-acres. Based on available information, the proposed land re-designation and subsequent development of beach parks, wayside parks, or viewing areas will not impose adverse visual, auditory or other environmental impacts to any historic properties, including standing architecture, located in lands adjacent to the project area. Accordingly, the project's APE extends no further than the approximate 823-acre area *makai* of the Honoapi'ilani Highway re-alignment corridor.

The document is intended to facilitate the project's planning and historic preservation compliance. It is not an archaeological inventory survey, as described in Hawai'i State historic preservation legislation (HAR Chapter 13-276); however, through detailed historical, cultural, and archaeological background research, and a field inspection of the project area, this investigation identifies previously recorded historic properties and potential areas for additional cultural resources that may be affected by the proposed project. Based on the findings, cultural resource management recommendations are presented. A companion cultural impact assessment (CIA) study (Lee-Greig and Hammatt *in prep.*), prepared to support the project's Hawai'i state environmental review (HRS Chapter 343), per the guidelines of the Hawai'i State Department of Health's Office of Environmental Quality Control "*Guidelines for Assessing Cultural Impacts*", further evaluates the project's potential impacts to cultural resources. Both documents are designed to support the project's historic preservation consultation effort.

Under Hawai'i State historic preservation legislation, historic properties are defined as any cultural resources that are 50 years old, regardless of their significance under state law. The effect of the proposed project and potential mitigation measures are evaluated based on the potential of that project to have impact on "significant" historic properties (those historic properties determined eligible, based on established significance criteria, for inclusion in the Hawai'i Register of Historic Places [Hawai'i Register]). Determinations of eligibility to the Hawai'i Register result when a state agency official's historic property "significance assessment" is approved by SHPD, or when SHPD itself makes an eligibility determination for a historic property.

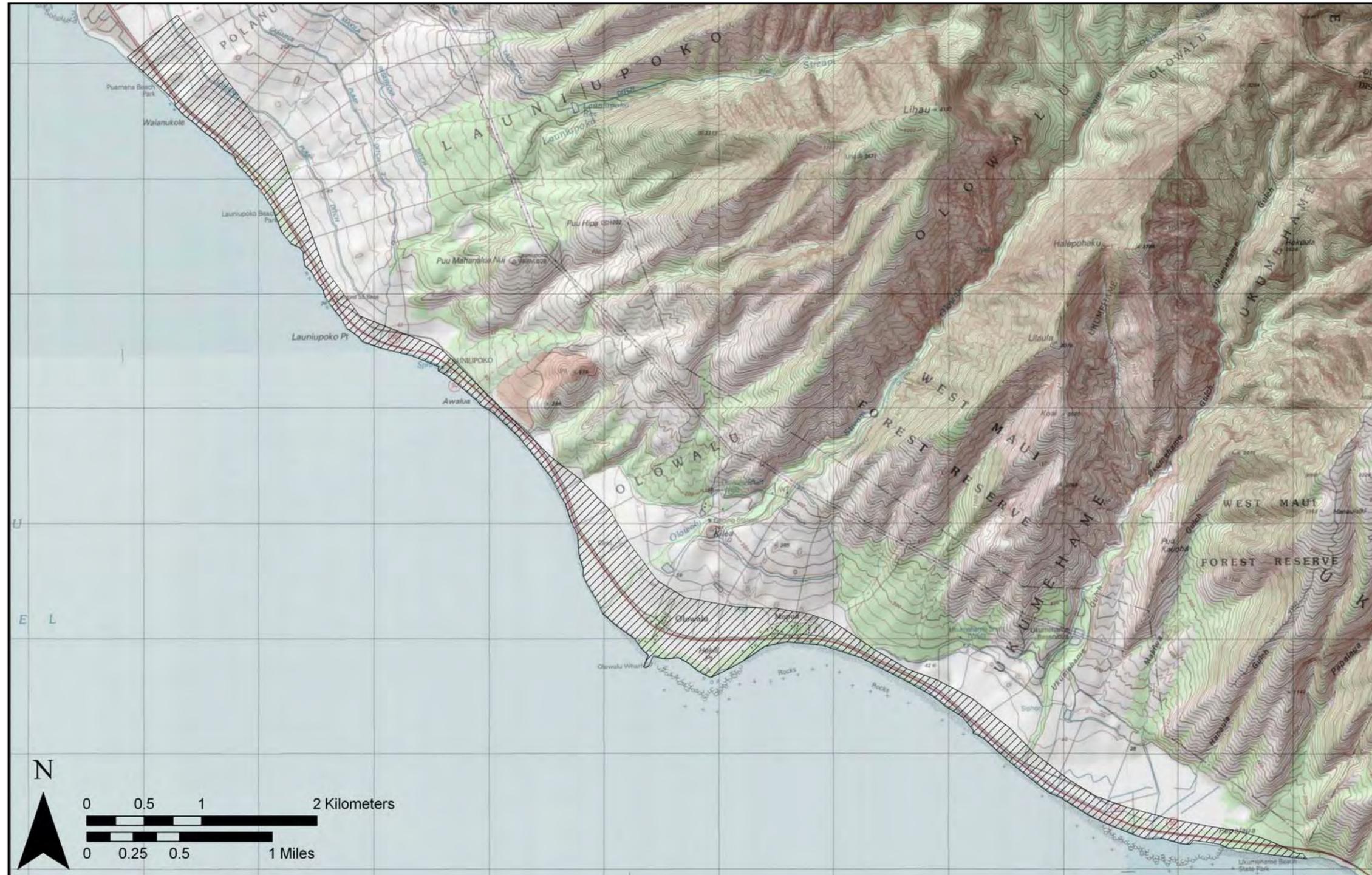


Figure 1. Portion of the Maalaea USGS topographic quadrangle (1996), Olowalu USGS topographic quadrangle (1992), and Lāhainā USGS topographic quadrangle (1992) 7.5 minute series, showing the project area in cross-hatch

1.2 Scope of Work

The scope of work for this literature review and field inspection included:

1. Historical research including study of archival sources, historic maps, Land Commission Awards and previous archaeological reports to construct a history of land use and to determine if historic properties have been recorded on or near the proposed parkway corridor.
2. Field inspections of the project area to re-locate previously identified archaeological sites and assess the potential for project impact.
3. Preparation of this report, which includes the results of the historical research and the field inspections, an assessment of archaeological potential based on that research, and recommendations for additional cultural resource management work, if appropriate. Based on the field inspection of previously identified archaeological sites and literature review, the goal of this report is to identify areas that may be sensitive for their cultural resources and need additional investigation and/or mitigation.

While this study will not meet the requirements of an archaeological inventory-level survey per the requirements of Hawai'i historic preservation legislation (HAR Chapter 13-276), the level of work will be sufficient to address cultural resource types, locations, and allow for future work recommendations.

1.3 Environmental Setting

1.3.1 Natural Environment

The project area is located along the coastline and alluvial plains of the leeward side of Mauna E'eka, commonly known as the West Maui Mountains. This mountain range is made up of a single large shield volcano that reaches approximately 6,500 feet above sea level (Macdonald et al. 1983:380). Stream erosion of the West Maui volcano has reached a late youthful to submature stage (Macdonald *et al.* 1983: 386-387), creating the four major waterways of Lāhainā District. The current project area overlies the broad alluvial fans that were created by the Ukumehame, Olowalu, Launiupoko, and Kaua'ula waterways.

1.3.1.1 Coastal Ukumehame Soil Characteristics

The primary geologic features of Ukumehame Ahupua'a consist of Ukumehame Canyon and Ukumehame Stream with smaller stream systems, Makiwa Gulch, Hana'ula Gulch, and Pāpalaua Gulch, located east of Ukumehame Stream. Although modified along the lower reaches, Ukumehame Stream continues to flow down to the ocean; with a median flow of 8.1 cubic feet per second (cfs) and an average of 12.70 cfs (Wilcox and Edmunds 1990:39). While the USGS map (Maalaea Quadrangle) shows a number of small tributaries on both sides of Ukumehame Stream, there is only one named tributary – Hoku'ula,.

The general soils within the Ukumehame portion of project area are of the Pulehu-Ewa-Jaucus association. This soil association is found on alluvial fans and consists of deep, nearly level to moderately sloping, well-drained soils that have developed in alluvium weathered from basic

igneous rock, coral, and seashells (Foote et al 1972:8). More specifically, the soils within the portion of the project area that overlies Ukumehame Ahupua'a are dominated by the Pulehu Series and Kealia Series. At the mouth of the gulch, the area is characterized as Stony Alluvial Land. Patches of Jaucas Sand occur in the western most extent of the *ahupua'a* and sediments formally characterized as Beaches occur along the coastal stretch from the *pali* to the mouth of Ukumehame Gulch (Figure 2).

The Pulehu Soil Series consists of well-drained soils on alluvial fans, stream terraces, and in basins that developed in alluvium washed from basic igneous rock (Foote et al 1997: 115). Pulehu cobbly clay loam, 0 to 3 percent slopes (PtA), is similar to pulehu clay loam (PsA) which is found on alluvial fans, stream terraces, and in basins except that it is cobbly. Permeability is moderate with slow runoff and a no more than slight erosion hazard with low areas subject to flooding. A representative profile shows a surface layer of brown clay loam underlain by dark-brown, dark grayish-brown, and brown, massive and single grain, stratified loam, loamy sand, fine sandy loam, and silt loam. The underlying parent material consists of coarse, gravelly or sandy alluvium. Pulehu cobbly clay loam, 3 to 7 percent slopes (PtB), also has slow runoff with a slight erosion hazard. At the time of the USDA soil survey, PtA and PtB soils were used for sugarcane cultivation. (Foote et al. 1997: 116)

The Kealia Soil Series consists of rather poorly drained and poorly drained soils on coastal flats, and are geographically associated with Jaucas, Mala, and Pulehu soils. More specifically, Kealia silt loam (KMW) is a poorly drained soil with a high salt content. Ponding occurs in low areas after heavy rains and when the soil dries, salt crystals accumulate on the surface. This soil has an underlying brackish water table that fluctuates with the tides. As the occurrence of the KMW soils within the project area are near the coastline, it is important to note that the water table is nearer to the surface along the shoreline than in inland areas. Permeability of KMW soil is moderately rapid with a slow to very slow runoff. The hazard of water erosion is no more than slight, but the hazard of wind erosion is severe when the soil is dry and the surface layer becomes loose and fluffy (Foote et al. 1997: 67). At the time of the USDA survey, KMW soils were used only for wildlife habitat and occasional pasturage as the high salt content and poor drainage was not suitable for agriculture (Foote et al. 1997: 68).

Stony Alluvial Lands (rSM) consist primarily of stones, boulders, and silt deposited by streams along the bottoms of gulches and on alluvial fans. Within the portion of the project area that overlies Ukumehame Ahupua'a, rSM lands are not surprisingly found at the mouth of Ukumehame Gulch. (Foote et al. 1997: 120)

The sediments overlying the portion of the project area that extends from the *pali* to the mouth of Ukumehame Gulch and located *makai* of the current alignment of Honoapi'ilani Highway is characterized as Beaches (BS). Beaches occur as sandy, gravelly, or cobbly areas and are washed and rewashed by ocean waves. The beaches along this stretch of coastline primarily consist of light-colored sands derived from coral and seashells. (Foote et al. 1997: 28) It should be noted that pre-contact human burial interments are commonly found in beach sand deposits.

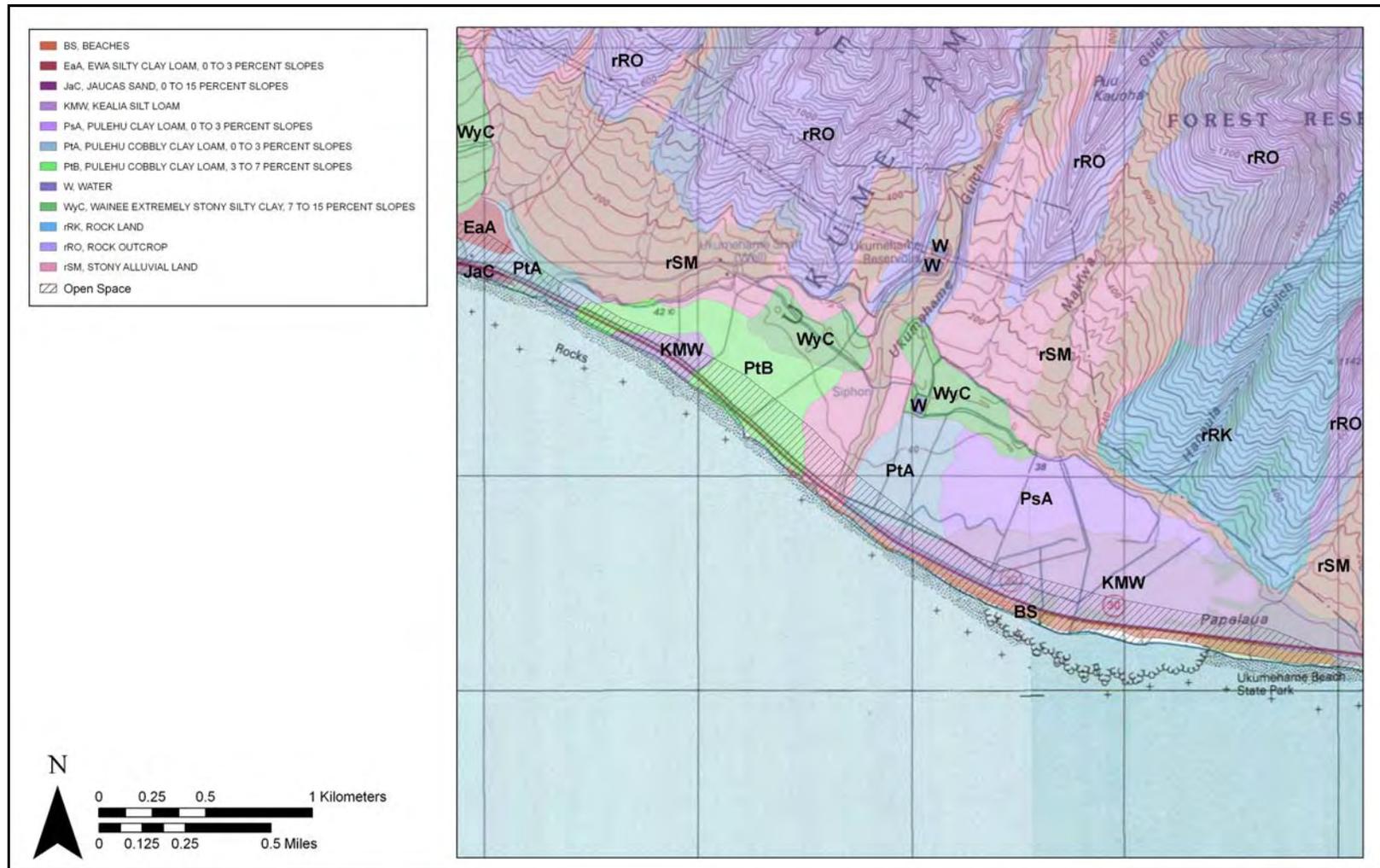


Figure 2. Portions of the Maalaea and Olowalu USGS maps showing the project area relative to the local soil series (U.S. Department of Agriculture, Natural Resources Conservation Service 2001)

A small patch of sediments associated with the Jaucas Series is found along the shoreline in the westernmost portion of the *ahupua'a* and extends into Olowalu Ahupua'a. The series consists of excessively drained, calcareous soils that occur as narrow strips on coastal plains adjacent to the ocean. These soils have developed in wind and water deposited sand from coral and seashells. Jaucas sand, 0 to 15 percent slopes (JaC), is neutral to moderately alkaline through out. Permeability of JaC soils is rapid and runoff is slow to very slow. The general erosion hazard is slight, but wind erosion is a severe hazard where vegetation has been cleared. At the time of the USDA survey, JaC soils were used for pasture, sugarcane, truck crops, and urban development. (Foote et al. 1997: 48) Like beach sand deposits, pre-contact human burial interments are commonly found in jaucas sand deposits.

1.3.1.2 Coastal Olowalu Soil Characteristics

The principal geologic features of Olowalu Ahupua'a that contributes to the low lying plains along the coastline consists of the Olowalu Gulch and Stream. Smaller stream systems and their resulting gulches also occur on the northern and southern flanks of Olowalu Gulch. The portion of the project area that runs through Olowalu Ahupua'a overlies a broad alluvial fan that has formed at the mouths of Olowalu Gulch and smaller stream systems. Like the coastal extent of Ukumehame Ahupua'a, the general soils of the Olowalu portion of project area are of the Pulehu-Ewa-Jaucus Association. More specifically the soils within the portion of the project area that overlies Olowalu Ahupua'a are dominated by the Pulehu Series with sediments associated with the Jaucus Series and Beaches found along the southern coastal reaches of the *ahupua'a*. Patches of soils that fall into the Kealia Series (KMW, as described above) and Ewa Series also occur *mauka* of the current alignment of the Honoapi'ilani Highway (Figure 3).

The Pulehu Series comprises the majority of the broad alluvial fan at Olowalu that extends into the project area and consists of PtA soils with a narrow finger of PtB soils along the northern slope of Olowalu Gulch (see Sections 1.3.1.1). Additional soil types within the Pulehu Series that occurs in the south-western portion of the Olowalu Ahupua'a consists of Pulehu silt loam, 0 to 3 percent slopes (PpA) and Pulehu clay loam, 0 to 3 percent slopes (PsA). Ppa soils are similar to Pulehu clay loam except that the texture is silt loam. PsA soils are found on alluvial fans, stream terraces, and in basins. Permeability is moderate with slow runoff and a no more than slight erosion hazard with low areas subject to flooding. A representative profile shows a surface layer of brown clay loam underlain by dark-brown, dark grayish-brown, and brown, massive and single grain, stratified loam, loamy sand, fine sandy loam, and silt loam. The underlying parent material consists of coarse, gravelly or sandy alluvium. At the time of the USDA soil survey, these soils were used for sugarcane cultivation, truck crops, and pasture. (Foote et al. 1997: 115, 116)

JaC sediments and Beaches occur in the southeastern most portion of the Olowalu shoreline. The general characteristics of the JaC and Beach sediments in the area are similar to that as described above (Section 1.3.1.1) except that they are darker. In the case of the JaC sediments within Olowalu Ahupua'a, the surface layer is dark brown as a result of accumulation of organic matter and alluvium (Foote et al. 1997: 48). The Beach sediments within the project area are dark in color as the sands are from basalt and andesite (Foote et al 1997:28)

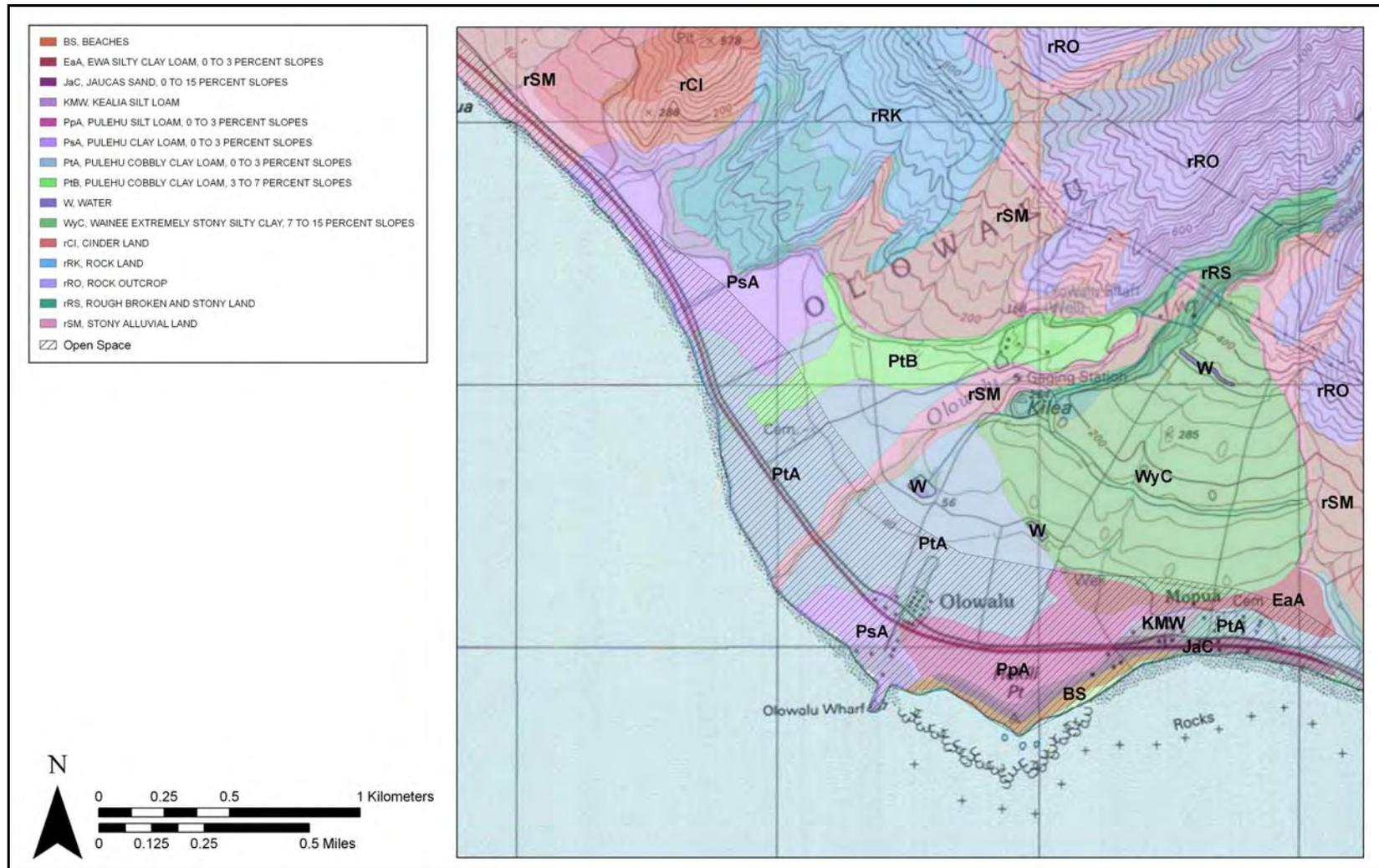


Figure 3. Portion of the Olowalu USGS map showing the project area relative to the local soil series (U.S. Department of Agriculture, Natural Resources Conservation Service 2001)

The Ewa Soil Series is generally characterized by well-drained soils in basins and on alluvial fans that have developed in alluvium derived from basic igneous rock (Foote et al. 1997: 29). Ewa silty clay loam, 0 to 3 percent slopes (EeA) has very slow runoff rate and the erosion hazard is no more than slight. At the time of the USDA soil survey, EeA soils were used for sugarcane and homesites (Foote et al. 1979: 30).

1.3.1.3 Coastal Launiupoko Soil Characteristics

Launiupoko Ahupua'a is dissected by numerous gulches and streams, the foremost of which is Launiupoko Gulch and Stream. These geologic formations of the inland portions of the ahupua'a have resulted in a broad alluvial plain along the coastal reaches. The general soils within the portion of the project area that extends into Launiupoko are of the Waiakoa-Keahua-Molokai association. This soil association is found on low uplands and consists of deep to nearly level well-drained soils (Foote et al. 1972:12). More specifically, the soils within the project area are of the Waiee Series along the northern most portion of the ahupua'a and Stony Alluvial Lands, as described above in 1.3.1.1 along the southern most portions (Figure 4).

The Waiee soils are generally well-drained soils that have developed on alluvial fans. Unlike the soil series that been previously described, Waiee soils are found only on Maui Island. Waiee extremely stony silty clay, 7 to 15 percent slopes (WyC) occur on smooth alluvial fans with a moderately rapid permeability rate and slow to medium runoff rate. The erosion hazard is slight to moderate and stones cover three to 15 percent of the surface. At the time of the USDA soil survey, WyC soils were used primarily for sugarcane with small acreages used for pasture and homesites. (Foote et al. 1997: 134) Waiee very stony silty clay, 3 to 7 percent slopes (WxB) has the same general characteristics of WyC soils, except that runoff rate is classified only as slow and the erosion hazard as slight. The only activity noted as occurring on this type of soil during the 1972 soil survey was sugarcane cultivation. Finally, Waiee very stony silty clay, 7 to 15 percent slopes (WxC) is similar general characteristics to WxB soil except that stones cover as much as three percent of the surface. (Foote et al. 1979: 134)

1.3.1.4 Coastal Polanui Soil Characteristics

It appears that the sediments along the broad coastal plains of Polanui Ahupua'a are a result of depositional processes associated with both Launiupoko Stream and Kaua'ula Stream. The general soil association within the portion of the project area that extends into Polanui is similar to that of Launiupoko in that it is of the Waiakoa-Keahua-Molokai association. More specifically, the soils are of the Waiee Soil Series with a small patch of Pulehu Soils (PpA, see Section 1.3.1.2) in the northwestern corner of the project area.

The soils of the Waiee Series within the coastal reaches of this ahupua'a consists of WyC soils as described above (Section 1.3.1.3) and Waiee very stony silty clay, 7 to 15 percent slopes (WxC). WxC soils are similar to those of WxB soils (see Section 1.3.1.3), with the same recorded uses, except that the slope is moderately steep. (Foote et al. 1979: 134)

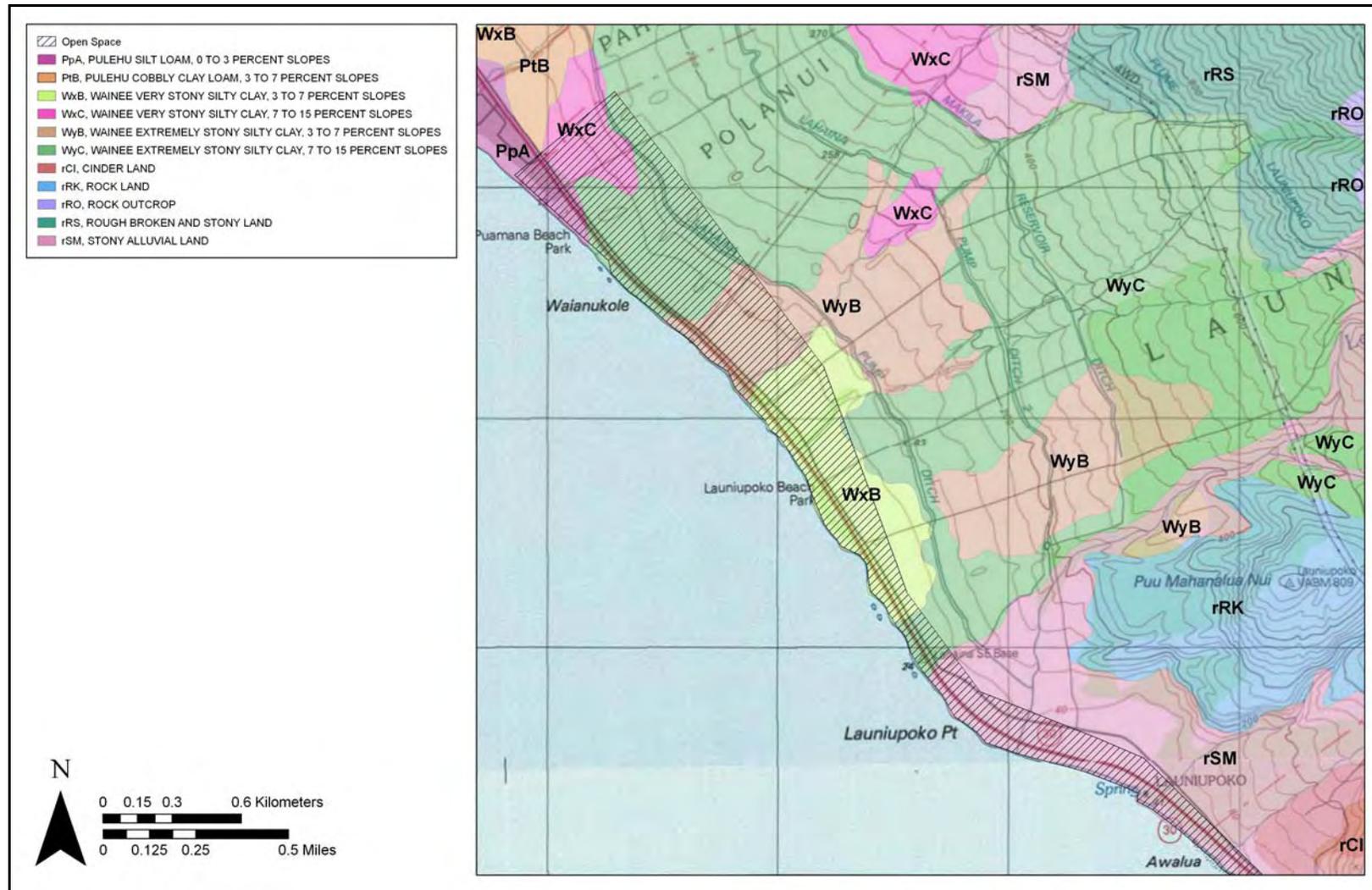


Figure 4 Portion of the Olowalu and Lāhainā USGS maps showing the project area relative to the local soil series (U.S. Department of Agriculture, Natural Resources Conservation Service 2001)

The average annual rainfall accumulation within the entire project area averages from 15 to 20 inches (Giambelluca and Schroeder 1998:56) per year, with the heaviest rainfall occurring during the winter months (December through February) and little to no rainfall during the summer months (June through August) (Giambelluca and Schroeder 1998). This pattern of rainfall and low annual precipitation rate may have once sustained a lowland, dry shrubland and grassland native ecosystem (Pratt and Gon III 1998) with some wetland environments in areas of the Kealia soil type. The landscape and water system of the project area, however, has been heavily modified by the sugarcane cultivation that occurred from the early historic period up until modern times, with only small stands of native plants remaining. The current vegetation consists of thick *kiawe* (*Prosopis pallida*), *klu* (*Acacia farnesiana*), *koa haole* (*Leucaena leucocephala*), australian salt bush (*Atriplex semibaccata*), and pickleweed (*Batis maritima*) adjacent to the Honoapiʻilani Highway, as well as, small stands of *niu* (*Cocos nucifera*), *kou* (*Cordia sebestena*), and other introduced plant species. Inland of the highway, the vegetation is primarily characterized by grasslands, specifically *pili* grass (*Heteropogon contortus*) and buffel grass (*Cenchrus ciliaris*).

1.3.2 Built Environment

The primary feature of the built environment within the project area consists of the two-lane Honoapiʻilani Highway and associated bridges where the streams of the four major valleys and small stream systems empty into the ocean. Small beach parks (Pāpalaua, Ukumehame, Launiupoko, and Puamana) also dot the coastline from the base of the *pali*, or cliffs, at Ukumehame to the entrance of Lāhainā Town.

Pāpalaua Beach Park (Figure 5 and Figure 6) extends from the base of the *pali* to the bridge that crosses Ukumehame Stream. Modern features and modifications to the park area include grading of the roadside for parking improvement, low railings that define the limits of vehicle parking, overnight camping areas, and cooking pits.

Ukumehame Beach Park (Figure 7) is primarily used as a day park. The built features of this beach park include a paved parking lot, as well as, concrete picnic tables anchored by small concrete slabs and low railings defining the limits of the parking lot.

Launiupoko Beach Park is the most developed of the roadside parks along this stretch of highway (Figure 8). The built features include a paved parking lot, with overflow parking located on the *mauka* side of the highway; as well as, bathroom, shower, and picnic facilities (Figure 9 and Figure 10). A stacked rock wall encircles a small section of the beach fronting the bathroom facilities, the interior of which is used as a wading pool.

Puamana Wayside Park is a small park located at the entrance to Lāhainā Town (Figure 11). The modern features of this park include a paved parking lot, shower facilities, a picnic area, and low railings that define the parking area (Figure 12).



Figure 5. Pāpalaua Beach Park



Figure 6. Pāpalaua Beach Park, showing graded area and railings



Figure 7. Ukumehame Beach Park, showing entrance to the parking lot to the left of the frame and picnic tables to the right of the frame



Figure 8. Launiupoko Beach Park, showing entrance to the parking lot and bathroom facilities



Figure 9. Launiupoko Beach Park, showing bathroom and shower facilities



Figure 10. Launiupoko Beach Park, showing picnic area



Figure 11. Puamana Beach Park, showing entrance to parking lot



Figure 12. Puamana Beach Park, showing picnic area

Other prominent features are found at Olowalu and consists of residential homes on both the *mauka* and *makai* sides of the Honoapi'ilani Highway as it runs through Olowalu, as well as the prominent Olowalu General Store.

1.4 Document Review

Background research included a review of previous archaeological studies and mitigation plans on file at SHPD/DLNR and a review of documents and maps at the Cultural Surveys Hawai'i library. Land Commission Award documentation was researched using the Waihona 'Āina online database. Individuals knowledgeable about the project area's history and significance regarding traditional cultural practices are being consulted in conjunction with the companion cultural impact assessment for the proposed project (Lee-Greig and Hammatt *in prep.*).

1.5 Field Methods

The field inspection for this investigation was carried out under archaeological permit number 0605, issued by the Hawai'i State Historic Preservation Division/Department of Land and Natural Resources (SHPD/DLNR), per Hawai'i Administrative Rules (HAR) Chapter 13-282. Thomas Devereux, B.A. conducted the field inspection on February 6th and 9th, 2005. Fieldwork required two person-days. Sites were relocated by navigating to each historic property using GPS coordinates that were generated by geo-referencing site location maps and calculating their position using ArcView 8.0.

Section 2 Background Research

The present study area overlies the *ahupua'a* of Ukumehame, Olawalua, Launiupoko, and Polanui on the northern slopes of Mauna o E'eka in the traditional *moku* (district) of Lāhainā. Literal translations of several of the place names for land areas and divisions within or adjacent to the project area are listed below:

Lāhainā (<i>moku</i>)	<i>hainā</i> literally translated as “cruelty” and <i>la</i> as “day” or, alternatively, <i>haina</i> that translates literally as “merciless” and <i>lā</i> as “sun” (Sterling 1998: 16-17) “land [of] prophesy” (Ashdown 1970:10)
Ukumehame (<i>ahupua'a</i>)	where <i>uku</i> means “to pay” and <i>mehame</i> is noted as a type of Hawaiian hardwood (<i>Antidesma pulvinatum</i>) thus meaning “to pay in <i>mehame</i> wood”, a highly desirable hardwood for the manufacture of the anvils that were used for <i>olonā</i> preparation (Sterling 1998: 20)
Makiwa Gulch	Puku and others (1974:142) only note that this is a gulch on Maui in the Olowalu quadrangle and are uncertain of the pronunciation or origin
Hana'ula Gulch	literally translated as “red bay”, known as a place where Hua, a priest, quarreled with his prophet Lua-ho'omoe and burned his house down. It is thought that a drought followed and the priest died as a result (Pukui et al. 1974:41)
Pāpalaua Gulch	literally translated as “rain fog”, there is a saying, <i>Pupuhi kukui o Pāpala-ua</i> , light the lights of Pāpala-ua – said of any gloomy place where lights were lit in the daytime (Pukui et al. 1974:180)
Olowalu (<i>ahupua'a</i>)	literally, “many hills” (Pukui et al. 1974:170)
Awalua	literally translates as “double harbor” (Pukui et al. 1974:15)
Hekili Point	<i>hekili</i> is literally translated as “thunder” (Pukui et al. 1974:44)
Mōpua	is a traditional village at Olowalu and translates literally as “melodious” (Pukui et al. 1974:158)
Launiupoko (<i>ahupua'a</i>)	<i>lau</i> is translated as “leaf”, <i>niu</i> is translated as “coconut”, and <i>poko</i> as “short” thus meaning “short coconut leaf” so named for the fact that the winds blew so strong that the leaves of the coconut trees could never grow long (Rose Pua Lindsey in Haun et al. 2001:36)
Pu'u Mahanalua Nui	literally translates as “large twin hills” (Pukui et al. 1974:201)
Pu'u Hipa	the hill of Hipa where Hipa is said to have been a mythological character (Pukui et al. 1974:200)

Polanui (ahupua'a) Pukui and others (1974:188) translate the place name as large (*nui*) Pola; an alternative translation by Mrs. Pua Lindsey (in Haun et al. 2001:37) where *po-la* is translated as "the day of the big gathering day" or the "day of the big collection of food" Po-la-nui; as opposed to Pola-nui where *pola* means "bowl"

2.1 Traditional and Historical Background

2.1.1 Mythological and Traditional Accounts

The name Lāhainā according to Inez Ashdown means "land [of] prophesy", referring to "ancient *ali'i* prophets who made their predictions there" (in Graves 1991:A1). It was told in myth that Pele first arrived on Maui at Lāhainā, leaving her footprint on the hill of Laina (Ashdown 1970: 10). The mountain tops above Launiupoko are named for the mythological chiefess Lihau (Mauna Lihau), and her husband (Ke'eke'ehia Peak) and daughter (Pu'u Ko-a'e) (Ashdown 1970: 10). Through name, the two ridges forming Ukumehame valley are associated with the stars. Hoku'ula, the highest mountain ridge on the west side of Ukumehame means "sacred star" and Hoku Waiki, a smaller ridge extending through the center of Ukumehame valley, was named for the smaller stars in the Taurus constellation (Ashdown 1970: 10.)

2.1.1.1 Settlement and Subsistence

As emphasized by E.S. Craighill and Elizabeth Handy in the following summary, the *ali'i* and *maka'ainana* were attracted to the Lāhainā District by its natural resources and geographic position:

Lāhainā District was a favorable place for the high chiefs of Maui and their entourage for a number of reasons: the abundance of food from both land and sea; its equable climate and its attractiveness as a place of residence; it had probably the largest concentration of population, with its adjoining areas of habitation; easy communication with the other heavily populated areas of eastern and northeastern West Maui, 'The Four Streams,' and with the people living on the western, southwestern and southern slopes of Haleakala; and its propinquity to Lanai and Molokai. (Handy and Handy 1972:492)

Handy and Handy (1972) indicate that the four major waterways in the Lāhainā District (Ukumehame, Olowalu, Launiupoko, Kaua'ula streams) provided a productive leeward environment for the cultivation of a wide range of agricultural goods:

Southeastward along the coast from the *ali'i* settlement were a number of areas where dispersed populations grew taro, sweet potato, breadfruit and coconut on slopes below and in the sides of valleys which had streams with constant flow. All this area, like that around and above Lāhainā, is now sugar-cane land. Ukumehame had extensive terraces below its canyon, some of which were still planted with taro in 1934; these terrace systems used to extend well down below the canyon. 'Olowalu, the largest and deepest valley on southwest Maui, had even more extensive *lo'i* lands both in the valley and below. Just at the mouth of the

valley we found in 1934 a little settlement of five *kauhale* (family homes) surrounded by their flourishing *lo'i*. There are said to be abandoned *lo'i* far up in the valley. In and below the next valley, Launiupiko [*sic*], there were no evidences of *lo'i*, and the people of 'Olowalu said there had never been any. But we think there must have been a few, although the land is, in general, dry and rough. Next beyond this, going along the coast toward Lāhainā, is Kaua'ula Gulch above Waine'e, and here in 1934 there were a few *lo'i* in which Hawaiians were still growing taro. (Handy and Handy 1972: 492)

While the upland areas provided a good environment for agricultural crops, the coastal reaches, from Puamana to Ukumehame, were rich in marine resources. Most of the fishing grounds lying between Lāna'i, Kaho'olawe, Ukumehame, and Lāhainā were only one to two miles apart (A.D. Kehaulelio in Maly and Maly 2003: 122). *Oio* fishing, using a method referred to as *mamali oio*, was done just beyond the reef and in places close to shore from the steamer landing of Ma'alaea to the cape of Kunounou at Honokapohau, district of Lāhainā. These were the places in which fishing is done by those of Olowalu, Lāhainā, Ka'anapali, Honolulu, and Honokohau (A.D. Kehaulelio in Maly and Maly 2003: 134). Puhia'ama is a fishing ground for *mamali* fishing, located beyond the rocky cape of Launiupoko and behind the bend at Kahia (Kehaulelio in Maly and Maly 2003: 135).

Launiupoko was also known for large schools of *nehu* (*Encrasicholina purpurea*) (Sterling 1998:27), as well as *akule* (*Selar crumenophthalmus*) and *opelu* (*Decapterus macarellus*) (Edwin Lindsey Jr. in Haun et al. 2001:38). A.D. Kehaulelio (in Sterling 1998:27) notes that shark fishing was also practiced by the residents of Makila and the people of upland Kaua'ula at Launiupoko on the little cape of Keahuiki using the *ho'omoemo* method.

At Polanui, *lau* net fishing was employed at a fishing ground called Kapuali'ili'i. The fish that were caught on these grounds were all small except for the Kakaki (Kaia) that were usually larger (A.D. Kehaulelio in Sterling 1998:28), thus the name of the fishing ground. A.D. Kehaulelio (in Sterling 1998:28) also makes mention of *holoholo* fishing to catch mullet (*Mugil cephalus*) at a rocky place along the Makila coastline in Polanui. *Holoholo* fishing involved the use of rock walls and a net and essentially driving the schools through the rock wall alignments and into the net. Kehaulelio (in Sterling 1998:28) notes that "(t)he work in the beginning is the hardest and when done, it takes years of eating the results."

As the coastal environs were intensively used for marine resource exploitation, it should follow that the existence of permanent or re-current seasonal habitations would be present along the coastline. Mrs. Pua Lindsey and Mr. Edwin Lindsey (in Haun et al. 2001:35) and Mr. Herbert Kinores (in Haun et al. 2001:43) noted the presence of Fishing Village at the area currently known as Launiupoko Beach Park during the historic years of the Pioneer Mill operations. Mrs. Lindsey further noted that one family, the Ma'ilua family, were from that village and according to Mr. Edwin Lindsey, they had always been there. *Kuleana* house lot claims along the coastline from Ukumehame to Polanui also reflect a picture of scattered settlement in the coastal environs.

A rudimentary comparative picture of the pre-contact population of the southwestern section of Maui comprising the present study area is intimated by figures in nineteenth century missionary censuses (Schmitt 1973). Results of the 1832 census, in which the total population of

Maui is 35,062, give the following populations: for Lāhainā, 4028; for Ukumehame, 573; and for Olowalu, 832. These three figures, when combined, represent 15 percent of the total Maui population. Allowing for post-contact distortions (e.g., disease and commercially-inspired population shifts), the population totals suggest that this portion of Maui accommodated a substantial portion of the island's pre-western contact population.

An "overland" trail allowed pedestrian access between Lāhainā and the north coast of West Maui, as well as providing access into the upper forests for bird-catching and the collection of wild plant goods. According to E.S Craighill Handy and Elizabeth Green Handy (1972:490), the trail extended *mauka* in Olowalu Valley to the highest point of the West Maui summit at Mauna Kukui, and then descended to Waiehu on the northern side of West Maui (Handy and Handy, 1972: 492, Sterling 1998: 26).

Kealaloloa, located within the modern boundaries of Ukumehame *ahupua'a*, is a broad ridge of the southeast flank of West Maui which ascends *mauka* of a traditional Hawaiian coastal settlement (Walker 1931:43). Following the ridge *mauka*, it provides a direct and easily navigated route (now a jeep road) to the West Maui summit area, at the headwaters of Pohakea stream on the east and Ukumehame stream on the west. From this point, at Hana'ula, the trail probably continued along the summit ridge to intersect the inland Olowalu-Pu'u Kukui-Waiehu "overland" trail (Handy and Handy 1972:490). In addition to the Kealaloloa route being used to cross the West Maui Mountain range, Folk and Hammatt (1991:17) suggest that Kealaloloa may have allowed access to wetter upland environs that were more suitable for agriculture. *Mauka-makai* trails have been observed on neighboring ridges of Kealaloloa (Michael Baker in Robins et al. 1994); however, it appears that the more accessible areas of the Kealaloloa trail itself have been destroyed by the present jeep trail.

2.1.1.2 Politics and Warfare

Maui, being the second largest island in the Hawaiian island chain, was a major center for political development during pre-contact and early historic times (Kirch 1985:135). Many battles were fought between the Maui Island and Hawai'i Island polities, with the earliest conflicts primarily centered on the east coast of Maui.

Upon the death of Pi'ilani, ruler of Maui during the early 1500's (A.D. 1525 [Fornander in Walker 1931:13]), conflict ensued between his sons, Lono-a-Pi'ilani and Kiha-a-Pi'ilani, as they battled for individual control over the Maui chiefdom. Under Lono-a-Pi'ilani's tentative reign of Maui, Kiha-a-Pi'ilani was forced to flee the island where he sought refuge on Moloka'i and subsequently Lāna'i. Mā'alaea is briefly mentioned by Kamakau (1992:22) as the place in which Kiha-a-Pi'ilani first landed while secretly returning to Maui.

Umi, ruler of Hawai'i and brother-in-law to the Kiha-a-Pi'ilani and Lono-a-Pi'ilani, eventually aligned with Kiha-a-Pi'ilani and sent an invasion fleet to Hana to battle Lono-a-Pi'ilani's forces. The mission was successful and the Maui reign was abdicated to Kiha-a-Pi'ilani (Kamakau 1992:22-33). Kiha-a-Pi'ilani is credited with completing construction of the portion of the *alaloa* (island-wide road) which connected the traditional *moku* of western Maui (Ashdown 1970:5).

During the reign and following the death of Maui ruler Kekaulike in the early 1700's, the chiefs of Maui and Hawai'i were once again at war, this time bringing the battles closer to the present study area. After Kamehameha-nui, the original successor of Kekaulike, was defeated in battle at Lāhainā by his older brother Kauhi, Alapa'i (ruling chief of Hawai'i) brought Kamehameha-nui back to Hawai'i and began making plans for battle against Kauhi. Around 1738 Alapa'i and his Hawaiian forces occupied the Lāhainā region and employed the following wartime tactics to keep the subjects of Lāhainā under control:

A whole year Alapa'i spent in preparation for the war with Maui. It was in 1738 that he set out for the war in which he swept the country. What was the war like? It employed the unusual method in warfare of drying up the streams of Kaua'ula, Kanaha, and Mahoma (which is the stream near Lāhaināluna). The wet taro patches and the brooks were dried up so that there was no food for the forces of Ka-uhi or for the country people. Alapa'i's men kept close watch over the brooks Olowalu, Ukumehame, Wailuku, and Honokowai. (Kamakau 1992:74)

Kahekili was one of the more powerful and ambitious chiefs of Maui who, by 1786, ruled O'ahu, Moloka'i and Lāna'i (Daws 1968:31). During the later years of Kahekili's reign and the early years of Western contact, the traditional Hawaiian lifestyle changed rapidly, as western goods, particularly weapons and metals, became obtainable through either trade or theft. Daws comments that several of the early traders "saw nothing wrong in arming one Hawaiian chief against another as they sold guns to as many factions as they could find and then encouraged them to fight" (Daws 1968:32).

The "Olowalu Massacre", one of the more infamous early historic accounts specific to the Lāhainā region, reveals how conflicts between early western traders and native Hawaiians were easily provoked as western goods became the focus of Hawaiian needs. The Olowalu conflict began in late January of 1791 when the American Merchantman *Eleanora*, under the command of Simon Metcalfe, landed off the coast of Honua'ula to barter for food. During the night, natives killed the ship's watchmen and stole a boat tied to the stern of the *Eleanora*, after which it was burned on shore for the iron fittings. When the incident was discovered the next day, Metcalfe dispelled all of the Hawaiian women off of the ship, then fired on the village of Honua'ula with grapeshot, effectively setting the *hale* (homes) and *heiau* (temples) on fire. The *Eleanora* then set sail to Olowalu where a chief offered in trade the return the stolen boat and the bones of the killed watchmen. To Metcalfe's dissatisfaction, only a piece of the boat's keel and leg bones of the watchmen were given by the chief. In revenge, the angered Metcalfe and shipmates tricked the Olowalu natives to bring their trade canoes to the ship's starboard and fired upon them all, killing and wounding at least 100 Hawaiians (Daws 1968: 33-34).

2.1.2 Early Historic Period

The nineteenth century brought to Lāhainā and other portions of the present study area a multitude of commercial, social and religious changes that were encouraged by the burgeoning foreign influx. During the year 1819 the first whaling ships arrived in Hawaiian waters and Lāhainā became one of the primary harbors for provisioning ships in the islands. The whaling trade flourished until the 1860's and gave impetus to the development and growing population of Lāhainā. Between 1824 and 1861, 4747 whaleship arrivals were recorded for Lāhainā,

representing 47 percent of the total arrivals in all ports of the Hawaiian Islands. Figures from an 1846 census of Lāhainā documents the following changes brought to the area midway through the nineteenth century: 3,445 Hawaiians, 112 foreigners, 600 seamen, 155 adobe houses, 822 grass houses, 59 straw and wooden houses and 529 dogs. With an increasing population of foreigners entering Lāhainā, there was a need to increase the traditional agricultural surplus, primarily under the control of the *ali'i* class, for economic trade. The Pacific Commercial Advertiser (February 12, 1857) accounts that western vegetables became a common and abundant constituent of the Hawaiian gardens:

...Fruits are generally abundant. The grape seems to luxuriate in the rich soil, and the sunny, clear weather of Lāhainā is, par excellence, the fruit of this place or Islands. Figs, bananas and melons are produced in abundance, and pumpkins enough for all New England to make pies for a general Thanksgiving...(in Wong-Smith, Graves 1991:A5)

The first Protestant missionaries and their families arrived in Lāhainā in 1823. The missionary William Ellis, who visited Lāhainā during the 1820's, described the landscape that had entranced both the Hawaiians themselves and the nineteenth century newcomers:

The appearance of Lāhainā from the anchorage is singularly romantic and beautiful. A fine sandy beach stretches along the margin of the sea, lined for a considerable distance with houses and adorned with shady clumps of kou-trees, or waving groves of cocoa-nuts. . .The level land of the whole district, for about three miles, is one continued garden, laid out in beds of taro, potatoes, yams, sugar-cane, or cloth-plants. The lowly cottage of the farmer is seen peeping through the leaves of the luxuriant plantain and banana tree, and in every direction white columns of smoke ascend, curling up among the wide-spreading branches of the bread-fruit tree. The sloping hills immediately behind, and the lofty mountains in the interior, clothed with verdure to their very summits, intersected by deep and dark ravines, frequently enlivened by waterfalls, or divided by winding valleys, terminate the delightful prospect. (Ellis 1969:76-77)

After the consolidation of the rulership of the Hawaiian Islands by Kamehameha I early in the nineteenth century, Lāhainā became the "capitol" of the kingdom until the 1840's when the government moved to Honolulu. The sugar cane Ellis observed in the environs of Lāhainā in the 1820's would become, during the second half of the nineteenth century, the basis for a commercial venture that would reshape the landscape within much of the present study area.

2.1.3 Mid to Late 1800's

By the mid 1800's Hawai'i, Lāhainā in particular, was infiltrated by a growing community of foreign business entrepreneurs, transient whalers, and Calvinist-minded missionaries; all of whom had personal interests to protect and virtues to impress upon the traditional Hawaiian people. Encouraged by these foreign factions, the western-like land divisions of the Mahele were instigated under Kamehameha III (King Kūiākeaouli). Beginning in 1848, the Land Commission oversaw land divisions of three groups: Crown Lands (for the King); Konohiki Lands; and Government Lands, all of which were "subject to the rights of native tenants" (Wong-Smith in

Graves 1991). In the lands from Ukumehame to Lāhainā, only two of the project area's *ahupua'a* - Olowalu and Ukumehame - are listed as Crown Lands and none are listed as Government Lands.

The Organic Acts of 1845 and 1846 initiated the process of the Māhele - the division of Hawaiian lands -, which introduced private property ownership into Hawaiian society. In 1848 the crown and the *ali'i* (royalty) received their land titles. *Kuleana* awards for individual parcels within the *ahupua'a* were subsequently granted in 1850. These awards were presented to tenants - native Hawaiians, naturalized foreigners, non-Hawaiians born in the islands, or long-term resident foreigners - who could prove occupancy on the parcels before 1845. Despite the effort to allocate lands to the *maka'āinana*, *ali'i* control of Lāhainā lands persevered and as the future indicated, much of these lands were ultimately obtained by foreigners for sugarcane enterprises.

Of the *kuleana* awarded in the Lāhainā District, most land claims were more concentrated in the stream valleys along Ukumehame, Olowalu, and Kaua'ula Stream and scattered throughout the alluvial plains and coastline associated with these streams. The primary uses of the land claims in the upper environs were for agricultural with some used as house lots while the land claims in the coastal regions consisted primarily of house sites with home gardens. Alexander's 1849 or 1850 Land Commission Award (LCA) map of Puehueiki and Polanui Ahupua'a reflects this general pattern of *kuleana* claims (Figure 13). While the greater part of Polanui Ahupua'a was awarded to a single claimant with a small number of LCA awards found along the northern coast, Moffat and Fitzpatrick (1995) note that there is a dense concentration of very small *kuleana* awards on the north side of Kaua'ula Stream as opposed to the south side. They interpret this pattern as a result of the intensive development of *lo'i* agriculture that would have been supported by the waters Kaua'ula Stream whereas Polanui did not have a stream system exclusive to the *ahupua'a* and therefore the LCA distribution is scattered and sparse.

The Euro-American pressures to obtain Lāhainā property is evidenced in a land transaction that was conducted prior to the Great Mahele of 1840 where the entire *ahupua'a* of Launiupoko was "conveyed" by the King to Thomas Phillips and his heirs born in Hawai'i (Native Register files, Vol. 1:163):

I, Kamehameha II do hereby convey absolutely to Thomas Phillips and his heirs born in Hawaii, a certain parcel of land outside of Lāhainā, Maui, named Launiupoko, and all the rights pertaining thereto.

Said land to Thomas Phillips and his heirs born in Hawaii and shall be for them forever.

It is agreed that this land shall not be conveyed to a *haole* or one who does not reside in Hawaii.

In testimony whereof, we sign our names and set our seals on this 19th day of September, 1840, at Lāhainā, Maui.

Kamehameha II

Kekauluohi

Thomas Phillips



Figure 13. W.P. Alexander, circa 1850 illustrating Lāhainā kuleana lands.

LCA 82 to Thomas Phillips comprised a total area of 3,778 acres. In 1841, S Kaenaena, the *Luna Ahau* of the area presided over a dispute about the northern boundary of the Phillips award. Kanaiana (Polanui Ahupua‘a see Figure 13) claimed that the Polanui – Launiupoko border was on the Olowalu side of the lands occupied by Phillips. Thomas Phillips in turn claimed that the boundary was on the Lāhainā side of his place. To settle the dispute, Kaenaena arbitrarily placed the boundary in the center of the area that was in dispute, fixing the border from the center of a graveyard at the coast to an inland hog pen (Figure 14).

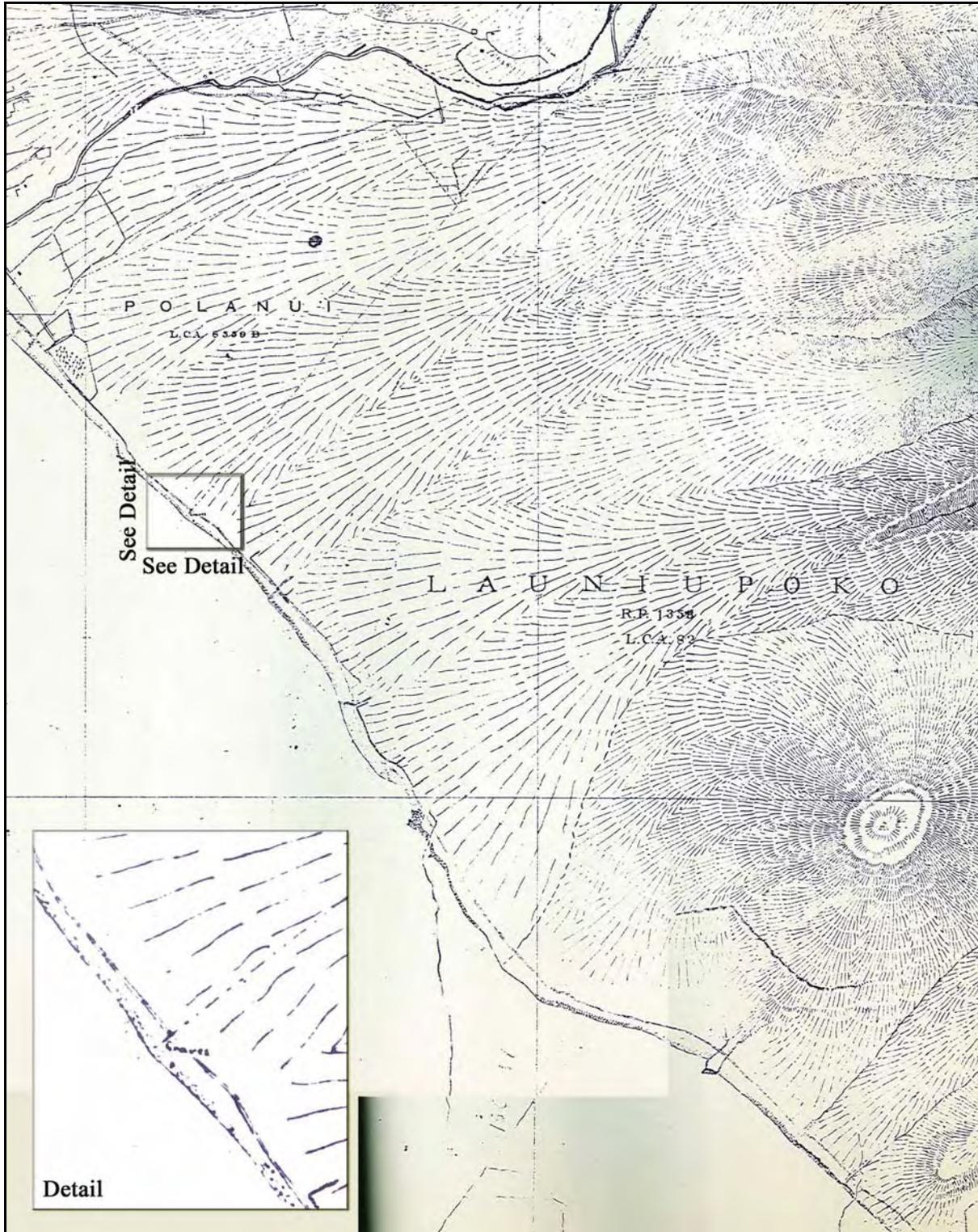


Figure 14. S.E. Bishop 1883, showing land claim and boundary for Launiupoko Ahupua'a, not location of boundary relative to gravesites

Based on the distribution of lands awarded during the Mahele period as shown on the modern tax maps of Kaua'ula stream valley and more accurately on early cane maps of the general region of Olowalu and Ukumehame Valleys, inland occupation and agricultural use is indicated along the major stream gulches and upper alluvial plains. Again, these land claim testimonies affirm that *lo'i* were cultivated in the wetter gulch basins adjacent to streams and *kula* crops or *kihapai* presumably along the dryer upper alluvial plains (the most commonly mentioned *kula* crop types were sweet potatoes, *wauke*, and dryland taro). Although the modern tax maps generally do not reveal LCA's which were likely present on the alluvial plains adjacent Kaua'ula stream, an early cane map (*ca.* 1887) developed prior to expansive cane agriculture in Olowalu and Ukumehame valleys does show a significant pattern of land use differentiation between the alluvial plains and stream gulch areas. LCA's are generally side-by-side and adjacent to the streams and upper gulch perimeter, while LCA's within the alluvial plains have a more scattered distribution that clusters along the stream areas.

References to adjunct *po'alima*, or agricultural lands tended for the *ali'i*, and *konohiki* lands are accounted in the above native or foreign testimonies. One of these testimonies claims that the *konohiki*, had three *lo'i* plots in the middle of his land. Following the Mahele, in 1871, surveyors noted that "140 konohiki lois" were present on one side of Olowalu stream (Letter to J.O. Dominis from Nahaolelua, September 14, 1871-State Archives files).

2.1.4 Development of the Sugar Industry in the Lāhainā District

Lāhainā was the location of some of the earliest sugarcane ventures in Hawai'i. The earliest reference to sugar grown in the Lāhainā area is credited to G. W. Wilfong, the manager of the Hana Plantation in 1851. In his 1882 writings, Wilfong made note of the various sugar enterprises established on Maui during his first tour of the island in 1849, and described the early sugar operations in Lāhainā. He noted that cane trash was an inefficient fuel for the boiling down of the juice extract into syrup, and that a large supply of indigo (*Indigofera suffruticosa*) was cut down for firewood in Lāhainā. "The area cleared by this means was subsequently used for the first planting of a supply of seed brought by Captain Edwards, of the whaleship George Washington. This cane was called Lāhainā" (Wilfong 1882).

Captain Pardon Edwards had brought samples of two varieties of sugarcane to Hawaii in 1854: one variety from Tahiti, and one from Cuba. Both varieties flourished, but the Tahitian variety excelled, and was named "Lāhainā" (Dorrance 2000). The first Lāhainā mill was operated by Judge A.W. Parsons in 1849. This mill plus 1000 acres of land was subsequently auctioned to O.H. Gulick. The Lāhainā Sugar Company was established in 1859, under the direction of Henry Dickenson (Wong-Smith in Graves 1991:A6). Three primary sugarcane enterprises developed during the mid to late 1800's between the lands of Lāhainā and Mā'alaea: Pioneer Mill Company; Olowalu Sugar Company; and Hawaiian Commercial and Sugar Company.

2.1.4.1 The Olowalu Sugar Company

The Olowalu Sugar Company was organized in 1881 on lands given up by the West Maui Plantation. The sugar venture was originally represented by the agency of McFarlane & Co.,

with shares in the plantation purchased by Theophilus Harris Davies, who became the agent for the enterprise in the late 1880's.

The history of the Olowalu Sugar Company includes the use of the Olowalu mill to process the cane harvested by Mauanlei Sugar Company, a Lāna'i Island enterprise, and barged across the channel separating the two islands. Cane harvested by the Maunalei Sugar Company in Keōmuku was processed at Olowalu beginning with the 1899 crop. Processing of the Lāna'i cane continued until 1901 with the closing of the Maunalei Sugar Company.

The lands of the Olowalu Sugar Company lie on the lee side of the west Maui Mountains, where the rainfall is low, but the streams behind the plantation reach back to the crest of the mountains and are supplied chiefly by trade-wind rainfall. Heavy "kona" rains augmented the water supply during years of low trade-wind rainfall. It is estimated that the first well drilled at Olowalu for the plantation was sunk in 1905, a single shaft with 670 feet of lateral tunnels designed to skim 3 million gallons of fresh irrigation water per day from sources beneath the Olowalu plains. It was drilled vertically approximately 20 feet through the Wailuku basalts, at an elevation of 20 feet (Stearns 1942).

A second well was drilled in Ukumehame around 1908, which consisted of a pit five feet deep, with a 6-inch drilled well 12-feet deep in the bottom. This arrangement was able to pump 1.25 million gallons per day (Stearns 1942).

In the 1920's, the Olowalu Sugar Company drilled an additional Maui-Type well at 165 feet of elevation, which consisted of a 30° inclined shaft measuring 300 feet long. This became known as well site no. 12, and replaced the Ukumehame well, which was subsequently filled in (Stearns 1942). In the early 1930's, the Olowalu Plantation merged with the Pioneer Mill Company, bringing along its two small and relatively crude systems. The Ukumehame Ditch system had a capacity of 15.5 mgd, and a median flow of 3.30 mgd. The Olowalu system had a capacity of 11 mgd and a median flow of 4.08 mgd.

Table 1. Sugar Crop figures for the Olowalu Plantation are listed as follows for the years leading up to Annexation with the United States: (listed as tons)

1891	1892	1893	1894	1895	1896	1897	1898	1899	1900
760	859	702	937	905	1,163	1,112	1,425	1,502	1,480

At its operating peak in the 1920's, the plantation was divided into thirty-three fields, of an average size of twenty acres. The fields were named either for plantation employees ("Yoshino 15.75 acres", "Santiago 15.0 acres"), or for geographic locations ("Church 22.5 acres", "Olowalu Gulch 9.75 acres"). The Olowalu Sugar Company field map, drawn by F.W. Broadbent in 1924 for the Hawaiian Sugar Planter's Association, also shows the location of the Olowalu mill, the school, and the "old church". Production of about 2,000 tons of sugar per year was maintained until the plantation was purchased by the Pioneer Mill Company in 1930. In 1932, according to the records of the Pioneer Mill Company, the mill at Olowalu was dismantled and shipped to the Philippine Islands.

2.1.4.1.1 Railway Operations

The first reference regarding the use of a railroad at Olowalu Plantation to transport cane to the mill was found in the *Planter's Monthly* for April, 1882. The use of a “Fowler Railroad Plant” at the Olowalu plantation was considered by historian Jesse “Jay” Conde to mean that the track had been installed, and the cane cars in operation utilized “mule power” until the enterprise could afford to order a locomotive (Conde 1973). By November of 1882, according to the *Hawaiian Gazette*, the Olowalu railroad had completed the two-mile section of track to Ukumehame, for a total of three miles of fixed track.

The order for a Baldwin locomotive named “Olowalu” was placed late in 1889 by the firm of W.G. Irwin. The two-foot gauge plantation engine arrived on Maui just after the turn of the century. By September of 1905, a second locomotive was ordered from the Baldwin Locomotive Works, for a new boiler (“B”) version of the same type of 2-foot gauge locomotive; also to be named “Olowalu”. By 1918, new steel rails were being installed to replace the existing layout. The 2-foot gauge track for the Olowalu Plantation Company railroad was built to the same specifications as the railway linking the HC&S mill at Spreckelsville to its fields; and to the sugar warehouses at the Kahului wharf. The uses of the railroad at Olowalu had made it possible to harvest and transport over six thousand tons of sugar in a single year (Gilmore 1936).

2.1.4.1.2 Religious Development

The Reverend Richard Williams established the Olowalu Mission of the Lāhainā Station between around 1829, and provided Christian meetings for the people there. In a letter written October 2, 1830, by Richard Williams and Jonathan S. Green, a review of the status of public worship on the Sabbath was reported thus:

In every considerable village from one end of the island to the other, the people have erected a house for the worship of God. At Olualu [sic], a village eight miles distant from Lāhainā, we have preached during the season, nearly thirty sermons to a congregation of five to six hundred. This and a single Sabbath at Kanepale, a village equally distant from Lāhainā in another direction, is all that we have been able to do for the people on this side of the island. The congregation at Olualu [sic] listen with seriousness to the preaching of the gospel. A few teachers of schools there have formed themselves into a Bible class, who have been instructed in the interval between the services of the Sabbath (Missionary Herald 1831).

By the time Reverend Richards writes November 15, 1832, the mission station at Lāhainā has a congregation in excess of three thousand people.

[David] Malo and Kauwa are appointed as superintendents of the meetings, and may be considered as a kind of licensed preachers (Missionary Herald 1833).



Figure 15. General Interior View of the Olowalu Church, photographed by Jack E. Boucher in 1966 for the Historic American Buildings Survey (HABS), and the Historic American Engineering Record (HAER) (National Park Service).

2.1.4.2 Pioneer Mill Company

The Pioneer Mill Company was established as a partnership in 1862, between James Campbell, Henry Turton, and Benjamin Pittman. The first Pioneer Mill plantation lands were deeded to the partners by Benjamin Pittman for the price of \$30,000 (Condé and Best 1973:252.). How Pittman obtained such a sizable piece of land is unknown, however, one may posit that the first Pioneer Mill lands were in Launiupoko Ahupua'a which was acquired by Thomas Phillips in 1840 (Wong-Smith in Graves 1991:A6).

Using gravity flow water from mountain streams, the Pioneer Mill Company produced 500 tons of sugar in 1866. Production reached 1,000 tons annually by 1872, and the viability of the enterprise was assured when H. Hackfield was appointed sugar factor in 1877. By the turn of the century, the Pioneer Mill Company was producing over 10,000 tons of sugar a year (Thrum 1901).

In 1877, the entire Pioneer Mill plantation holdings were evaluated as being worth \$500,000 (Wong-Smith in Graves 1991:A6-7). Henry Turton is credited during the early 1880's with planning construction of the first railway in Lāhainā to facilitate cane hauling from the cane fields in Kā'anapali to the Lāhainā-based mill. The Pioneer Mill was incorporated in 1885 and sold to H. Hackfeld & Company, the predecessor of Amfac, Inc. (Wilcox n.d.; Wong-Smith in Graves 1991:A9). In order to maintain production and the successful growing of sugar cane along the west coast of Maui required further development of water resources.

The Pioneer Mill installed a simple galvanized iron flume in the Honokowai Stream in 1898, but the mechanism by which arid coastal lands could receive mountain waters was not to be perfected on Maui's western coastline until the building of the Honokohau Ditch in 1904. With the construction of Honokohau Ditch, the Pioneer Mill Company was able to reach back into the mountain valleys and obtain water in a system developed by the Honolua Ranch, effectively delivering about 20 million gallons per day to the Pioneer Mill fields. This main ditch was augmented over the years with seven additional ditches.

General reorganization of the Pioneer Mill Company began around the turn of the 20th century. A prospectus for change describes assets of the four main cane fields composing the company at that time (Condé and Best 1973:253):

Lāhainā - 1,000 acres of land on the flat and outside of small kuleanas, (land areas claimed by the Hawaiians under Royal grants), the land is fee simple (could be deeded).

Launiupoko - 2,900 acres of fee simple land, lying between Lāhainā and Olowalu.

Wahikuli - A tract of government land of 5,000 acres, under lease for eighteen years, lies between Lāhainā and Kaanapali.

Kaanapali - Some 3,600 acres at various levels, fee simple land, beyond Wahikuli.

An immediate result of the reorganization was the construction of "twenty miles" of new railroad, replacing old lines and extending the entire length of the plantation, with branches emanating *mauka* into the upper elevations of the cane fields (Condé and Best 1973:253.). By the late 1920's, the Pioneer Mill Company developed a complex of irrigation systems including flumes used to transport cane to railroad "car loading stations" (Condé and Best 1973:254). As suggested by archaeological evidence and respective cane maps, the Pioneer Mill may have developed irrigation canals and flumes at an earlier time in Launiupoko where the examination of an un-labeled Pioneer Mill map (possibly titled: *Canefield Map - 1918 MC-10 to 33*) differentiates the irrigation canal and flume as the "new flume" and "old flume, respectively. Thus, suggesting that both structures are not contemporaneous in origin.

In May of 1931 the Pioneer Mill Company expanded their cane enterprise as far as Ukumehame to the east through the purchase of Olowalu Sugar Company (Condé and Best 1973:264). During this same period, less lucrative cane fields, specifically in upper Launiupoko, were abandoned for the most part due to labor shortages "imposed by World War II" (Graves 1991:5). During the 1930's the Pioneer Mill Co. also began cattle ranching in the abandoned cane fields of Launiupoko. According to Herbert Kinores, Pioneer Mill Co. ranch foreman, ranching infrastructure including walls, fences, and wooden and stone-walled corrals were constructed in the Launiupoko region above the cultivated cane fields (Graves 1991:7).

A dramatic technological change to cane production of the Pioneer Mill occurred in 1946 when it became more economical to use trucks to transport the harvested cane instead of railroad carts. As reported in a Pioneer Mill Co. annual, the year of 1953 marked the final elimination of railroad use in the Pioneer Mill Company (in Condé and Best 1973:255). Changes in the operation, as a result of an exhaustive study by the combined staffs of Pioneer Mill Company, and American Factors, Ltd., Plantation Division, resulted in the elimination of the railroad

system altogether. All sugarcane would be hauled by trucks, with the ability to haul 45-65 tons per load, on a shift basis.

2.1.5 1900s to Modern Era

Like Launiupoko, the upper elevations of Ukumehame Ahupua'a were used for cattle grazing. Existing fences exclude the roaming cattle from *makai* localities of Ukumehame, and at least two known access gates are located off Hono-a-Pi'ilani Highway just *mauka* of McGregor's Point and inland of the pineapple fields at Mā'alaea. Ranching in the Launiupoko region, however, was apparently terminated by the Pioneer Mill Co. during the 1970's due to drought and "falling market prices" (Graves 1991:7).

Scattered residential lots are currently present within the Ukumehame, Olowalu and Kaua'ula stream areas, and along the shoreline at Olowalu. These isolated house lots are referred to as *kuleana* (Kimo Falconer, in Robins et al. 1994) and likely represent original boundaries of land claims made during the Mahele.

The intensive sugarcane agriculture under the direction of Pioneer Mill continued operations from Ukumehame to Launiupoko until 1998. Lands that were formerly cultivated in sugarcane are either fallow or have been subdivided out of larger landholdings for residential development.

During the 1970's Maui Electric installed a powerline between Mā'alaea and the town of Lāhainā. The existing line stretches over elevations of between roughly 600 and 2600 feet above mean sea level.

An unnamed *pu'u* located between Olowalu and Launiupoko is presently a quarry or "borrow pit". Immediately west of the *pu'u* is an old landfill site.

2.2 Previous Archaeological Research

Haun and others (2001) conducted an extensive survey of the literature, enumerated and broke down all of the reported traditional features by function and found that these studies have resulted in the recordation of at least 43 permanent habitation features, 60 temporary habitation features, 68 agricultural features, 31 burials, 13 ritual features, 5 *ahu*, 11 animal husbandry features, 66 petroglyph features, one fishpond or aquaculture feature, 73 historic era features, and one trail segment, as well as 10 features of indeterminate function from Waikapu Ahupua'a to Honokowai Ahupua'a. The following section will focus on the previous archaeological work conducted on the lands from the base of the *pali* on the Lāhainā side of Ukumehame to Polanui.

The first attempt at an island-wide systematic archaeological survey was undertaken by Winslow Walker of the Bishop Museum between 1928 and 1929. Corroborating the later observation of Handy and Handy (1972) regarding the presence of *lo'i* within the *ahupua'a* covered by the project area, Walker (1931) noted that:

"Terraces for the cultivation of taro were seen on West Maui in the vicinity of... Lāhainā, Olowalu, and Ukumehame" [p.71]

Above Mrs. Naho'oikaika's house, old taro patches and house sites, old *auwai* (traditional Hawaiian irrigation ditches) were used for sugarcane ditches...at the

edge of a house platform (15 by 28 feet) there is a large red stone used as a *papamu* for *konane* [p.77]

The primary focus of the Walker Survey, however, was on the identification of monumental architecture and ceremonial structures in the form of *heiau* (temples) and *ko'a* (shrines). From the base of the *pali* in Ukumehame to Polanui Ahupua'a, Walker (1931) identified a total of five *heiau*:

Walker Site 2: Hiki'i *Heiau* (SIHP 50-50-08-2), east side of Ukumehame Gulch (p. 105)

Walker Site 3: Ukumehame *Heiau* (50-50-08-3), west side of Ukumehame gulch above the ditch at the edge of cane land, altered for a cattle pen (p. 107)

Walker Site 4: Kawai'aloa *Heiau* (50-50-08-4), on the rising ground south of Kilea Hill above the ditch, measures approximately 156' by 110', low platforms in western part probably historic grave sites (p. 108)

Walker Site 5: Smaller *heiau* below the ditch in cane lands approximately 40' by 60', all interior structures were destroyed (p. 108)

Walker Site 6: Wailehua *Heiau*, in the *ahupua'a* of Makila (Polanui) at the shore approximately 130' by 80' [Thrum 1909], the site was used for the residence of Mr. Burns, Manager – Pioneer Mill Co., now destroyed (p. 108)

Sites 2-4 were originally identified by John F.G. Stokes in 1916 and recorded in Thomas G. Thrum's *Hawaiian Annual* of 1918. In his site descriptions, Walker mentions that the three *heiau* contained graves, all of which were reportedly of "recent date". In Thomas Thrum's report on Ukumehame *Heiau* he "questions the use of this structure as a *heiau* on the advice of his informant, Kaahi, who says it was only a graveyard" (Walker 1931.:107). No other information about the origin of the three *heiau* is given other than that Hiki'i *Heiau* was built for a chief named Hiki'i.

In 1973 the Department of Land and Natural Resources, State Parks Division conducted a similar island-wide archaeological survey, as a follow-up to Winslow Walker's study. As a result of the 1973 survey, Hiki'i, Ukumehame and Kawai'aloa *Heiau* were thoroughly documented and the sites were established in the Hawaii Register of Historic Places (in State Historic Preservation Division files). Other historic properties that were identified during the State sponsored survey included the Olowalu Complex (50-50-08-1200), features associated with the Olowalu Sugar Mill (50-50-08-1602), and the Olowalu Stone Church at Mōpua (50-50-08-1603).

In 1988, Barrera conducted an archaeological reconnaissance of three alternative highway corridors, beginning at Launiupoko and ending in Honokowai, for a realignment of Honoapi'ilani Highway to bypass Lāhainā Town. Jensen (1991) conducted a follow up survey of two additional and partially overlapping corridors (Figure 3). A total of eight sites with 49 component features were recorded. These properties consisted of pre-contact habitation features, agricultural features, and petroglyphs; as well as, historic features associated with the plantation era.

Robins and others (1994) conducted an archaeological inventory survey of a power transmission line from Ma'alaea to Lāhainā, *mauka* of the current project area. During the survey 34 sites and site complexes were identified within their project area. The archaeological sites that were identified consisted of a wide range of formal site types that included agricultural features characteristic of intensive non-irrigated agriculture, temporary and permanent habitation sites, major *heiau* and shrine sites, a travel route, a marker site, possible human burials, historic ranching walls, in addition to, irrigation canals, flumes and a possible railroad bed associated with large-scale, historic sugarcane cultivation. The traditional Hawaiian sites that were identified during the survey were clustered in the Ukumehame and Launiupoko valley regions, with more isolated sites located near Kaua'ula Stream and in the uplands alluvial plains of Ukumehame Ahupua'a. Sites primarily associated with the historic sugar industry were located adjacent to the four major streams of Lāhainā (Ukumehame, Olowalu, Launiupoko, and Kaua'ula streams), as well as, the upper alluvial fans of Launiupoko and Kaua'ula streams. The paucity of traditional Hawaiian sites in the Olowalu valley area was attributed to the destructive nature of large-scale cane agriculture that encompassed almost all of Olowalu at the time of the survey.

2.2.1 Ukumehame Ahupua'a

An archaeological assessment of approximately 39-acres of alluvial plains at the base of Hana'ula Gulch was conducted by Aki Sinoto (1997). A reconnaissance level survey of the Ukumehame Firing Range resulted in no new historic properties being identified.

Cultural Surveys Hawaii, Inc. conducted an archaeological inventory survey with limited subsurface testing within formal structures on a 440-acre parcel in Ukumehame Ahupua'a. A total of seventeen sites and site complexes, composed of 80 component features, were identified within the project area. Functional types were wide ranging and included agricultural features associated with intensive non-irrigated and irrigated agriculture, temporary and permanent habitation sites, *heiau*, petroglyphs, human graves, irrigation ditches associated with pre-contact agriculture and historic sugar-plantation agriculture, and a basalt quarry.

Traditional Hawaiian sites identified during this inventory survey were clustered upon the floor of Ukumehame valley directly adjacent to Ukumehame stream, and along the steep eastern and western edges of the gulch itself. Sites associated with historic, large-scale agriculture (sugarcane) were located adjacent to Ukumehame stream and along the base of the West Maui Mountain foothills along the upper alluvial fan of the Ukumehame flood plain.

The paucity of traditional Hawaiian sites in the lower elevations of the Ukumehame valley project area was attributed to the destructive nature of large scale agriculture (sugarcane) which formerly encompassed all of the alluvial plain below the mouth of Ukumehame gulch.

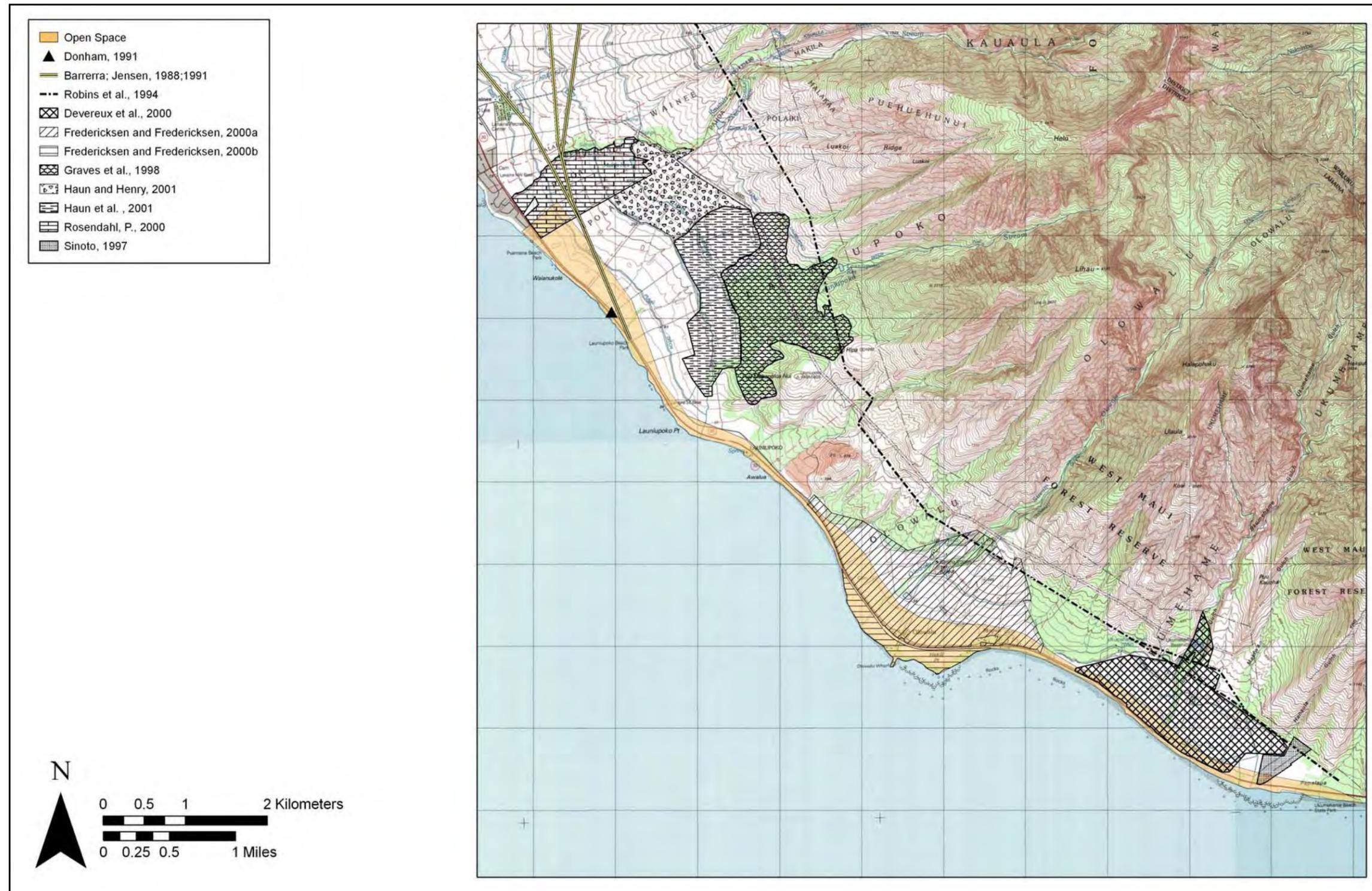


Figure 16. Portion of the Maalaea, Olowalu, and Lāhainā USGS topographic quadrangle maps, 7.5 minute series, showing the project area orange highlight and previous archaeological research

2.2.2 Olowalu Ahupua'a

Two studies, focused on Olowalu Ahupua'a, were conducted by Xamanek Researches on a *makai* section (approximately 73-acres) (Fredericksen and Fredericksen 2000a) and *mauka* section (approximately 662-acres) (Fredericksen and Fredericksen 2000b) of an over overall 735-acre project area. Both sections of the project area were covered by cultivated sugarcane lands at the time of the archaeological inventory survey.

A total of seven sites were identified within the *makai* section of the project area, all of which are located within the corridor of the proposed Pali to Puamana Parkway (see Section 3.1). Of the seven sites, six were newly identified while one, the Olowalu Sugar Mill, was previously recorded. In addition to the historic mill site, a pre-contact sand dune burial site, a probable pre-contact wall remnant enclosing a habitation area, a probable early post-contact deposit, a late pre-contact habitation deposit, a historic sea wall, and a portion of the Old Government Road was recorded.

A total of 30 sites, both pre-contact and historic, were identified within the *mauka* portion of the Xamanek project area. Six of the recorded properties are located within the parkway corridor (see Section 3.1). Pre-contact sites recorded in the *mauka* section include habitation sites (walls, enclosures, and rock shelters), ceremonial and religious sites (*heiau* and burials), and agricultural sites (terraces and modified outcrops); as well as, rock art features. Historic era properties identified within the *mauka* study were associated with the sugar industry and subsequent settlement of the area. These features include the remnants of a church, a cemetery, and sites related to historic agriculture. Radio carbon dates from four rockshelters and a permanent habitation site indicates that initial settlement occurred during the middle of the "Expansion Period" (A.D. 1100-1650) (Kirch 1985:306).

2.2.3 Launiupoko Ahupua'a

Paul H. Rosendahl, Inc. (PHRI) conducted an archaeological inventory survey of an approximately 430-acre project area encompassing the alluvial plain of Launiupoko stream (Graves et al. 1998). This survey identified 47 sites consisting of over 68 component features. A variety of functions were assigned to the component features including: agricultural, historic animal husbandry, habitation, temporary habitation, and markers. Agricultural features were the dominant functional type identified in the project area. In addition to the terrace feature type, agricultural plots, mounds, cleared areas, irrigation canals and retaining walls were also identified. Some of the terraces and irrigation canals may be historic in and associated directly with the large-scale cane agriculture developed by the Pioneer Mill Co. Habitation sites included rock-filled terraces, uprights, overhangs, enclosures (e.g. C-shapes and L-shapes), and rock alignments. Agricultural features were present at all of the habitation complexes and overhangs (rockshelters) were primarily located within Launiupoko Gulch.

In sum, Graves and others suggest that the ubiquitous terraces indicate that extensive agriculture occurred over all fertile land open for cultivation. Based on absolute and relative dating of the sites, in addition to historic accounts, two distinct periods of traditional Hawaiian occupation and landuse are proposed for the Launiupoko sites. The initial settlement of the the sites within the project area occurred during the "Expansion Period" (A.D. 1100-1650) with

subsequent settlement and expansion during the "Proto-Historic Period" (A.D. 1650-1790) (after Kirch 1985:306).

The "Expansion Period", Graves and others explain, is characterized by extensive irrigation and dryland farming practiced in "newly exploited environmental zones" of upland and leeward localities. During this period, habitation in the area may have been limited to seasonal or temporary occupation (*i.e.* using C-shaped and L-shaped enclosures). The "Proto-Historic Period", on the other hand, is distinguished from the former period by an increase in permanent occupation of the upland and leeward localities relying on intensive agriculture.

Haun and Associates conducted an archaeological inventory survey of an approximate 300-acre project area directly adjacent to and south of the survey conducted by PHRI in 1990 (Haun et al. 2001). This survey identified a total of six sites with seven component features, two of which had been previously recorded while the remaining four were newly identified. All of the historic properties identified as a result of this survey were associated with either historic sugarcane cultivation or cattle ranching by Pioneer Mill with the project area.

2.2.4 Polanui Ahupua'a

Paul H. Rohsendahl, Inc. (PHRI) conducted an archaeological inventory survey of approximately 230-acres in Polanui, Puehuehu Iki, and Pahoa Ahupua'a (Rosendahl 2000). A total of three historic properties were identified, two of which are associated with late pre-contact to early historic agricultural activities, as well one site that was attributed to Pioneer Mill sugar operations. Twelve backhoe trenches (BTs) were excavated along the coastal extent of the project area in the approximate locations of six *kuleana* awards that were recorded as houselots and *kula* gardens (BTs 4-9 were situated in Polanui Ahupua'a). No cultural deposits were encountered during the backhoe testing program.

2.3 Background Summary and Settlement Model

The cultural setting presented above clearly indicates that the lands from Ukumehame to Lāhainā were settled and cultivated intensively during pre-contact and early historic times. These lands offered abundant ocean resources and productive agricultural lands to sustain a thriving Hawaiian community. Consequently, many battles ensued between warring chiefs to gain control over these desirable lands.

Traditional Hawaiian agricultural practices are noted by the Land Commission Awards (*kuleana*) of the Mahele. Additionally, archaeological and ethnographic evidence also reveal that wet-land taro or *lo'i* and *kula* crops were intensively cultivated by the *maka'āinana* in the stream valleys and flood plains of Ukumehame, Olowalu, Kaua'ula, and possibly Launiupoko. The *konohiki* and other *ali'i* likely controlled the maintenance and surplus of certain crops as is revealed by references in Native and Foreign Testimonies to adjacent *poalima* and *konohiki* crops. Such control over the surplus agricultural goods following western contact was certainly lucrative for the *ali'i*. Agricultural produce in great demand by whalers and sea-faring explorers was traded for western goods coveted by the Hawaiians.

Following western contact the scene at Lāhainā and surrounding environs changed drastically as Euro-Americans plagued the Hawaiian populace with disease, as well as the introduction of a

different method of economics through the trade of western goods. Perhaps the biggest change experienced by the Hawaiian people was the western style of land ownership culminating in the Mahele of the mid 1800's.

Assisted by the land divisions of the Great Mahele, foreigners were able to obtain land through either lease or actual purchase. Consequently, a majority of the prime agricultural lands between Mā'alaea and Lāhainā were ultimately appropriated by foreign entities for the sole purpose of large-scale sugarcane agriculture.

Sugarcane agriculture continued until 1998 and encompassed the majority of the prime agricultural lands (alluvial fans) of the Lāhainā and Mā'alaea areas, while the coastal regions are the focus of a booming tourist industry and continued residential use. Since 1998, large tracts of land in the uplands from Ukumehame to Lāhainā have either been subdivided or are in the process of being subdivided for the purpose of residential development.

Section 3 Previously Identified Historic Properties Within and Adjacent to the Pali to Puamana Parkway

A total of 14 historic properties, some consisting of multiple features, are located within the corridor of the proposed Pali to Puamana Parkway. The following section summarizes the pertinent archaeological work conducted within the parkway corridor and identifies the historic properties that have been previously recorded within the project area.

3.1 Olowalu Ahupua'a

The study of Olowalu lands located within the current project area was conducted by Xamanek Researches and broken up into two separate phases (see Figure 16), covering a total land area of approximately 735 acres.

3.1.1 Olowalu Ahupua'a – Makai Portion

The lands located *makai* of the Honoapi'ilani Highway, approximately 73-acres, were surveyed and tested as a part of Phase 1 (Fredericksen and Fredericksen 2000a). This survey resulted in the identification of four sites that were visible on the surface and two that were discovered during subsurface testing. All of the historic properties recorded during this Phase 1 work are located within the approximate boundaries of the current project area (Table 2 and Figure 17, see Appendix A for formal site descriptions).

Table 2. Historic Properties within the Project Area Located *Makai* of the Current Honoapi'ilani Highway (Fredericksen and Fredericksen 2000a)

State Inventory of Historic Properties (SIHP)	Historic Property Type	Historic Property Function	Age
50-50-08-1602	Features of Olowalu Sugar Mill	Sugar Production -- Historic Agriculture	Historic
50-50-08-4693	Burials (min = 6)	Burial Ground	Pre-Contact
50-50-08-4694	L-shape	Habitation	Probable Pre-Contact
50-50-08-4695	Retaining Wall	Possible Traffic Pullout -- Transportation	Late Historic
50-50-08-4696	Road Remanant -- Old Government Road	Transportation	Historic
50-50-08-4697	Cultural Material Deposit	Habitation Area	Pre-Contact
50-50-08-4698	Cultural Material Deposit	Habitation Area	Late Pre-Contact

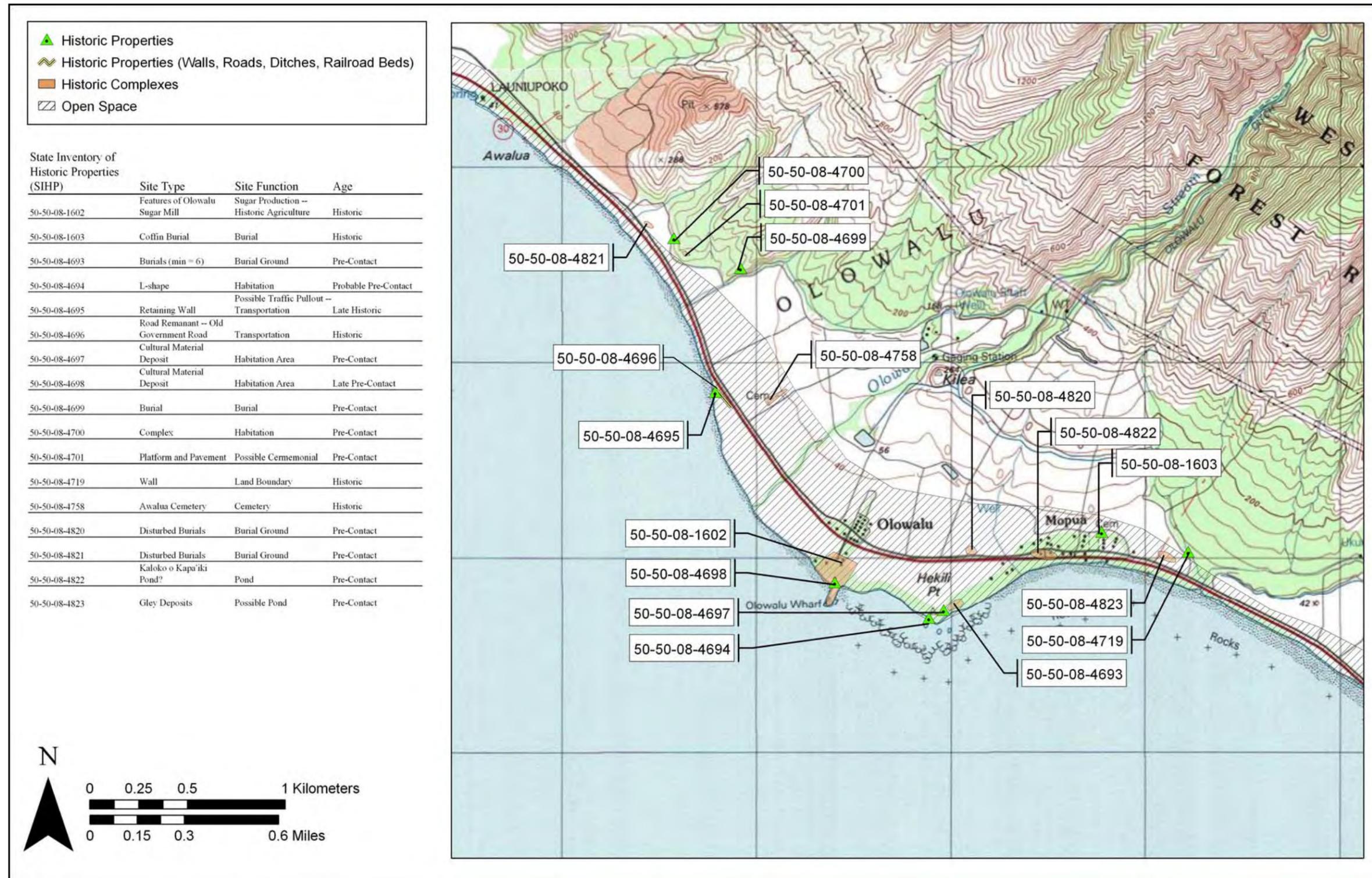


Figure 17. A portion of the Olowalu USGS topographic map, showing previously recorded historic properties in relation to the current project area (in cross-hatch)

SIHP -1602, referred to as the Olowalu Mill Complex, was initially recorded during the 1974 statewide inventory survey and further documented as a part of the Fredericksen and Fredericksen study (2000a:48). The primary features of the complex included the foundations and ruins of the sugar mill, the remnants of the stable area, the remnant of the boat ramp and pier, as well as a substantial jetty, located on the Lāhainā side of the ramp and perpendicular to the shoreline.

SIHP -4693 consists of a pre-contact human burial ground in thick marine sand deposits that have been heavily impacted by sugarcane cultivation. A total of five individuals were identified as being within the plow zone (Finds 1 and 3-6), while one individual (Find 2) was discovered below the plow zone and at water table level (circa. 80 to 85 cm below surface) (Fredericksen and Fredericksen 2000a: 27-34).

SIHP -4694 is an L-shaped wall constructed of stacked waterworn basalt cobbles and boulders representing a pre-contact habitation site. At the time of the inventory survey, it appeared as though the northern portion of the structure had been heavily damaged by mechanical activities associated with sugarcane cultivation. Excavation of three test units uncovered a sparse deposit of cultural materials consistent with pre-contact habitation (flakes of basalt and volcanic glass and marine shell midden. (Fredericksen and Fredericksen 2000a: 34-40)

SIHP -4695 is located at the high water mark and was interpreted as a retaining wall, associated with an Old Government Road pullout that has been heavily impacted by storm waves. The retaining wall is constructed of waterworn and angular basalt boulders and cobbles with remnants of weathered concrete. (Fredericksen and Fredericksen 2000a: 40-42)

SIHP -4696, Remnant 3 of the Old Government Road, consisted of an old asphalt road segment. The site was heavily vegetated and in poor condition at the time of the inventory survey. (Fredericksen and Fredericksen 2000a: 42)

SIHP -4697 consists of a subsurface cultural deposit in the vicinity of two *kuleana* houselot awards. Recovered cultural materials included both pre-contact and post-contact materials. Pre-contact materials included marine shell remains, both fish and mammal bone, and fragments of coral. Post contact materials included ceramic sherds, green bottle glass, and a piece of iron. Radiocarbon samples returned a dates falling into the late pre-contact to early post-contact time period. (Fredericksen and Fredericksen 2000a: 42-45)

SIHP -4698 consists of a late pre-contact subsurface cultural deposit that was encountered during backhoe testing. Cultural materials included modern refuse, marine shell midden, cut mammal bone, coral, *kukui*, and traces of charcoal. Based on a series of auger probes, the extent of this deposit was estimated between 35 and 50 square meters (Fredericksen and Fredericksen 2000a: 45-77).

3.1.2 Olowalu Ahupua'a – *Mauka* Portion

The lands located *mauka* of the Honoapi'ilani Highway, approximately 662-acres, were surveyed and tested as a part of Phase 2 for the Olowalu Development (Fredericksen and Fredericksen 2000b). Of the 30 historic properties recorded during Phase 2 work, only six are located within the boundaries of the current project area (Table 3 and Figure 17, see Appendix B for formal site descriptions).

Table 3. Historic Properties within the Project Area Located Makai of the Current Honoapi'ilani Highway (Fredericksen and Fredericksen 2000b)

State Inventory of Historic Properties (SIHP)	Historic Property Type	Historic Property Function	Age
50-50-08-1603	Coffin Burial	Burial	Historic
50-50-08-4758	Awalua Cemetery	Cemetery	Historic
50-50-08-4820	Disturbed Burials	Burial Ground	Pre-Contact
50-50-08-4821	Disturbed Burials	Burial Ground	Pre-Contact
50-50-08-4822	Kaloko o Kapa'iki Pond?	Pond	Pre-Contact
50-50-08-4823	Gley Deposits	Possible Pond	Pre-Contact

SIHP -1603 is the Olowalu Lanakila Hawaiian Protestant Church site. During backhoe testing of an area north of the stone church ruins, a coffin burial was encountered below the sugarcane fields, indicating that the associated cemetery extended well beyond the known boundaries at that time. Mrs. Adeline Rodrigues (in Fredericksen and Fredericksen 2000b:57) recalled that her grandmother had told her to remember that there were older graves behind the church. (Fredericksen and Fredericksen 2000b:57)

SIHP -4758 is a historic cemetery of predominantly Japanese interments with only one Native Hawaiian interment (Mrs. Adeline Rodrigues in Fredericksen and Fredericksen 2000b: 55). Burial markers include the use of concrete monuments with engraved characters, simple basalt uprights with some inscriptions, wooden upright posts, rectangular alignments, and stacked stone mounds. A minimum of 60 burials were observed following a cane fire at the time of the inventory survey (Fredericksen and Fredericksen 2000b: 55).

SIHP -4820 is a surface scatter of highly weathered and fragmented human skeletal remains covering an approximate area of 100 square meters. Subsurface testing nearby (BT 121) did not encounter any subsurface cultural materials, therefore suggesting that the human remains originated elsewhere (Fredericksen and Fredericksen 2000b: 57)

SIHP -4821 is also a surface scatter of fragmented human remains located on top of the plow zone covering an area of 50 to 60 square meters. Backhoe testing nearby (BTS 139 and 140) indicated that this area had experienced at least two flooding episodes, therefore suggesting that the presence of human remains in the area is a result of re-deposition from a different location. (Fredericksen and Fredericksen 2000b: 57)

SIHP -4822 is identified as Kaloko o Kapa'iki Pond, a pond that existed into the mid-20th century (Fredericksen and Fredericksen 2000b: 57-58)

SIHP -4823 is a subsurface gleyed soil deposit representing marsh land conditions that was created by water that was collected behind a beach sand berm. While not intensively studied during the initial inventory survey work, this deposit is considered significant as the deposits may contain pertinent information about initial human settlement in Olowalu. (Fredericksen and Fredericksen 2000b:58)

3.2 Polanui Ahupua'a

Only one previously recorded historic property in Polanui Ahupua'a falls into the parkway corridor (Figure 18). SIHP 50-50-04-4787 is complex of nine historic era features that were associated with the sugarcane operations of Pioneer Mill (Rosendahl 2000). The component features consisted of four irrigation ditches (Features A, C, D, and G), a railroad bridge (Feature F), Makila Reervoir (Feature B), a stone mound (Feature E), an area of linear mounds (Feature H), and an irrigation ditch gate (Feature I).

Feature D of SIHP -4787, the Lower Lahaina Pump Ditch or Lahaina Mill Ditch, runs along the *makua* boundary of the portion of the proposed parkway corridor as it runs through Polanui Ahupua'a. Rosendahl (2000:22-25) gives the following description:

The Mill Ditch, Feature D, ...extends 650 m across the width of the property, at the 95-ft contour. The ditch is lined with formed concrete. The walls have a slight inward slant. The ditch is 122 cm wide at the top and approximately 80 cm in depth. Several gates made of formed concrete are present along the seaward side of the ditch. The siphon crossing at Kaua'ula Stream in [sic] made from reinforced concrete and stone. The date 12/8/50 is incised in the concrete veneer on top of a siphon wall, on the north side of Kaua'ula Stream.

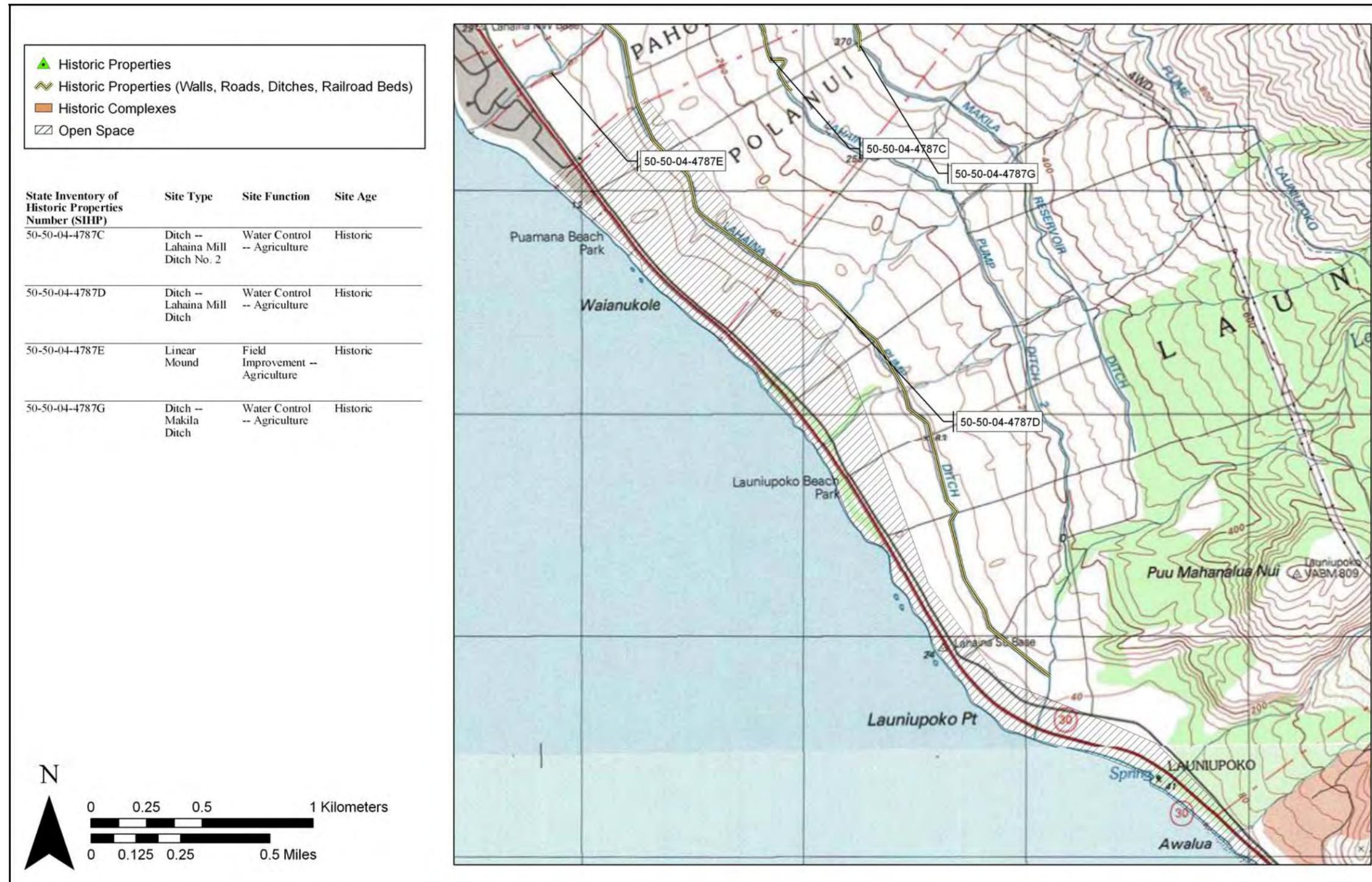


Figure 18. A portion of the Lāhainā USGS topographic map, showing previously recorded historic properties in relation to the current project area (in cross-hatch)

3.3 Field Inspection Findings

Cursory field checks of previously identified historic properties within the proposed area of open space were conducted by Thomas Devereux, B.A. on February 6th and 9th of 2006. Most of the area was overgrown with thick vegetation and some of the sites within the project area were inaccessible. Former sugarcane lands along the coast were fallow with some grasses and now wild sugarcane growing overhead resulting in little to no ground visibility. At Launiupoko and Polanui, there were approximately 300 head of cattle grazing on the lower alluvial plains. Only four of the 14 historic properties within the project corridor were accessible for this field inspection.

SIHP 50-50-08-4758, Awalua Cemetery (Figure 19), was noted as being in good condition with some of the gravesites being tended to as evidenced by the presence of flowers and cut grass around the burial markers. The road located directly adjacent to the cemetery appears to have no direct effect on the overall site area.

Surface scatter of fragmented human skeletal remains associated with SIHP 50-50-08-4821, was collected and relocated as a part of the approved mitigation procedures for this site (Fredericksen and Fredericksen 2001). A field inspection of the area was conducted to ensure that no additional remains had been re-deposited in the area. At the time of the field inspection, there were no human remains visible on the surface. The area adjacent to the site area has been recently used for sod farming. Vegetation of the surrounding area consists of buffle grass (*Cenchrus ciliaris*), as well as other ornamental grasses.



Figure 19. SIHP 50-50-08-4758, Awalua Cemetery, view to northeast



Figure 20. General vicinity of SIHP 50-50-08-4821, view to north-northwest

The general vicinity of SIHP 50-50-08-4822, the area that is thought to be the location of Kaloko o Kapa'iki Pond was located. Although no pond features were visible, it was noted as an area that has a tendency to hold standing water. The vegetation surrounding the site area consisted of very dry, thick *kiawe* (*Prosopis pallida*) trees with the presence of some pickleweed.

SIHP 50-50-08-4823, the area of the gleyed soil deposits, was relocated. Vegetation within the site area consisted of dense grass, java plum trees (*Syzygium cumini*), and pickleweed (*Batis maritima*).

Section 4 Significance Assessments and Mitigation Recommendations for Previously Recorded Historic Properties

4.1 Significance Assessments

Significance assessments for the recorded historic properties were developed in accordance with the following criteria, A through D, as set forth in the Code of Federal Regulations, Title 36, Part 60. The specifics of each criterion are provided below:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That has yielded, or may be likely to yield, information important in prehistory or history.

The following fifth criterion, Criterion E, developed for the State of Hawaii Register of Historic Places as set forth in HAR 13-275-6 was also applied where appropriate.

- E. Have an important value to the native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out, or still carried out, at the property or due to associations with traditional beliefs, events, or oral accounts—these associations being important to the group's history and cultural identity.

The following table (Table 4) summarizes the recommended significance evaluations for the historic properties located within the proposed Pali to Puamana Parkway (Fredericksen and Fredericksen 2000a and 2000b; PHRI 2000).

Table 4. Significance Evaluations for Historic Properties Located within the Proposed Pali to Puamana Parkway

Location	State Inventory of Historic Properties (SIHP)	Significance Assessment
<i>Polanui Ahupua'a PHRI 2000</i>	50-50-04-4787	D
<i>Olowalu Phase I Fredericksen and Fredericksen 2000a</i>	50-50-08-1602	A, D
	50-50-08-4693	D, E
	50-50-08-4694	D
	50-50-08-4695	NLS ¹
	50-50-08-4696	NLS*
	50-50-08-4697	D
	50-50-08-4698	D
<i>Olowalu Phase II Fredericksen and Fredericksen 2000b</i>	50-50-08-1603	D, E
	50-50-08-4758	D, E
	50-50-08-4820	D, E
	50-50-08-4821	D, E
	50-50-08-4822	D
	50-50-08-4823	D

¹ NLS = No Longer Significant

4.2 Mitigation Recommendations

All historic properties that fall within the proposed Pali to Puamana Parkway and assessed as significant are covered by either archaeological preservation plans prepared in accordance with the Hawaii Administrative Rules (HAR) Title 13 Subtitle 13 Chapter 277 pursuant to HAR 13-284 or burial treatment and preservation plans prepared in accordance with HAR Title 13 Subtitle 6 Chapter 148. The following section summarizes the preservation and mitigation measures for the 14 historic properties that fall within the current project area.

4.2.1 Olowalu Ahupua'a

Archaeological mitigation and preservation plans, as well as, burial treatment and preservation plans have been written and accepted for all of the historic properties that are located within the Olowalu lands surveyed by Fredericksen and Fredericksen (2000a and 2000b). Like the original archaeological study of the 735-acre parcel, the mitigation plans were written as separate documents. The following sections will summarize the short term mitigation measures and long term preservation commitments for the significant historic properties that fall within the Olowalu extent of the parkway corridor.

4.2.1.1 Olowalu Ahupua'a – Makai Portion

Of the seven historic properties documented during the investigation of lands located *makai* of the Honoapi'ilani Highway (Fredericksen and Fredericksen 2000a), two historic properties, 50-50-08-4695 and -4696, were assessed as no longer significant and require no further work. Of the remaining historic properties that have further archaeological mitigation and preservation commitments, one was interpreted as a pre-contact human burial ground (SIHP 50-50-08-4693) and addressed in a burial treatment plan prepared by Xamanek Researches and accepted August 26, 1999. The remaining three historic properties were addressed in an *Archaeological Mitigation & Preservation Plan Makai Portion (Phase 1), Olowalu Ahupua'a, Lahaina District, Maui Island TMK 4-8-3:1,3,4,5,6,33,41-49,83&84* prepared by Olowalu Elua Associates, LLC (2001). Table 6 summarizes the mitigation and preservation commitments for all six historic properties.

Table 5. Mitigation Commitments for Historic Properties within the Project Area Located Mauka of the Current Honoapi'ilani Highway (after and Olowalu Elua Associates, LLC. 2001)

State Inventory of Historic Properties (SIHP)	Historic Property Type	Historic Property Function	Age	Mitigation Commitments
50-50-08-1602	Features of Olowalu Sugar Mill	Sugar Production -- Historic Agriculture	Historic	Interpretive Preservation
50-50-08-4693	Burials (min = 6)	Burial Ground	Pre-Contact	Passive Preservation
50-50-08-4694	L-shape	Habitation	Probable Pre-Contact	Passive Preservation
50-50-08-4695	Retaining Wall	Possible Traffic Pullout -- Transportation	Late Historic	No Further Work
50-50-08-4696	Road Remanant - Old Government Road	Transportation	Historic	No Further Work
50-50-08-4697	Cultural Material Deposit	Habitation Area	Pre-Contact	Passive Preservation
50-50-08-4698	Cultural Material Deposit	Habitation Area	Late Pre-Contact	Passive Preservation

Based on the findings of the original inventory survey, any future actions that involve ground disturbing activities in the *makai* portions of Olowalu Ahupua'a would require archaeological monitoring (Figure 21). The conditions for requiring monitoring are detailed in Appendix B of the archaeological mitigation and preservation plan prepared by Olowalu Elua Associates, LLC. (2001) and appended to this report (Appendix C)

4.2.1.2 Olowalu Ahupua'a – Mauka Portion

As previously stated, six out of a total of 30 historic properties that were documented during the investigation of lands located *mauka* of the Honoapi'ilani Highway (Fredericksen and Fredericksen 2000b) fall within the proposed Pali to Puamana Parkway. Four of the six historic properties were identified as areas of human burials and addressed in a *Preservation Plan for Human Remains, Burials, and Probable and Possible Burial Features Contained on the Olowalu Mauka Project Area, Olowalu Ahupua'a, Lahaina District, Island of Maui (TMK 4-8-3-10)* prepared by Erik Fredericksen and Demaris Fredericksen (2001). The two remaining historic properties 50-50-08-4822 and -4823 are addressed in an *Archaeological Preservation Plan*

Mauka Portion (Phase 2) Olowalu Ahupua'a, Lahaina District, Maui Island TMK 4-8-3:10, 50-82; TMK 4-8-4:11-16 prepared by Olowalu Elua Associates, LLC. (2002). Table 6 summarizes the mitigation and preservation commitments for all six historic properties.

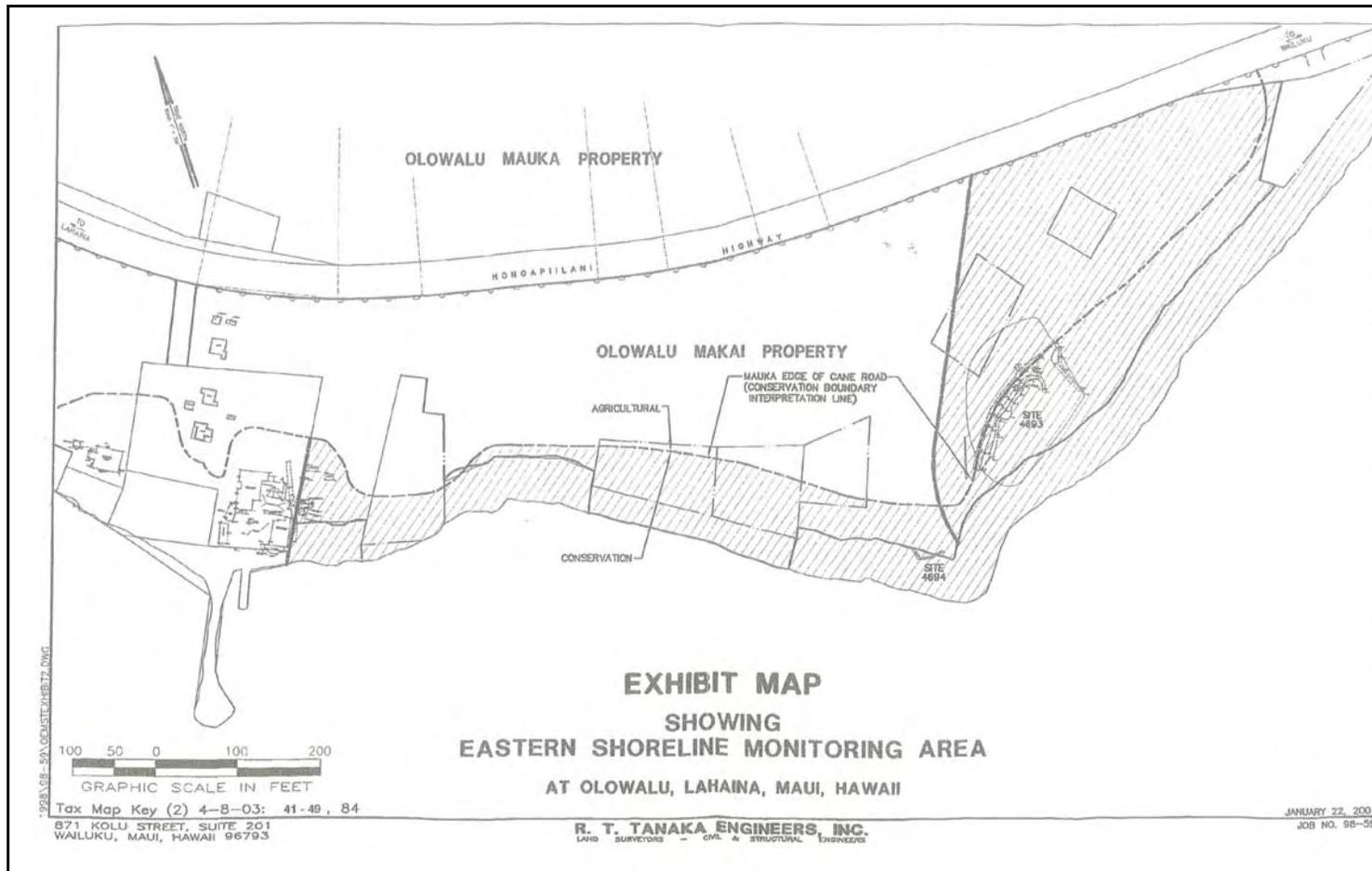


Figure 21. Map of coastal Olowalu showing the required monitoring area (adapted from Olowalu Elua Associates, LLC [2001])

Table 6. Mitigation Commitments for Historic Properties within the Project Area Located *Makai* of the Current Honoapi'ilani Highway (after Fredericksen and Fredericksen 2001 and Olowalu Associates, LLC. 2002)

State Inventory of Historic Properties (SIHP)	Historic Property Type	Historic Property Function	Age	Mitigation Commitment
50-50-08-1603	Coffin Burial	Burial	Historic	Passive Preservation
50-50-08-4758	Awalua Cemetery	Cemetery	Historic	Passive Preservation
50-50-08-4820	Disturbed Burials	Burial Ground	Pre-Contact	Recovery and Relocation
50-50-08-4821	Disturbed Burials	Burial Ground	Pre-Contact	Recovery and Relocation
50-50-08-4822	Kaloko o Kapa'iki Pond	Pond	Pre-Contact	Passive Preservation
50-50-08-4823	Gley Deposits	Possible Pond	Pre-Contact	Passive Preservation

For all significant historic properties where construction may occur within 100 ft., the short term protection measures specified by Olowalu Elua Associates, LLC. (2002) indicates that temporary construction fencing shall be placed along the edge of the buffers, as specified in Olowalu Elua Associates, LLC (2002:10) and Fredericksen and Fredericksen (2001), for the historic property that is near the construction site. Prior to any land alteration, and once the fences are in place, SHPD shall be contacted to verify in writing that the interim protection measures area in place (Olowalu Associates, LLC. 2002:10). The short tem protection measures further specify that all construction crews shall be given verbal and written notice as to the location of the site, a description of the designated buffer zone, and avoidance instructions with an emphasis on the necessity of caution when working near the sites (Olowalu Associates, LLC. 2002:10).

4.2.2 Polanui Ahupua'a

An archaeological preservation plan entitled *Archaeological Site Preservation Plan Kaua'ula Development Parcel, Lands of Puehuehu Iki, Phaoa, and Polanui Ahupua'a, Lahaina District, Island of Maui (TMK: (2) 4-7-02:4,5&7 and (2) 4-7-03:por.1)* was prepared by Alan Haun and Jack Henry of Haun and Associates (2003). This plan covered the preservation of three sites (SIHP -50-50-04-4787, -4789, and -4795) originally documented by PHRI (2000). As previously mentioned, of these three sites only Feature D of SIHP -4787 falls within the current project area.

At the time of the writing of the preservation plan, SIHP -4787D was located within ditch easements controlled by Pioneer Mill (Haun and Henry 2003) and it is assumed that the horizontal dimensions of the easements constitute the boundary of the long-term buffer zone. The ditch easement includes an access road, measuring approximately 21 ft wide on the road side of the ditch and 13 ft. along the opposite side of the ditch (Haun and Henry 2003: 5).

The short-term preservation measures as specified by Haun and Henry (2003:7) list the following conditions:

1. All sites will be plotted accurately on gradin plans and construction plans prior to the initiation of any grading, grubbing, and or construction activities;
2. Buffer zones shall be identified and marked around site perimeters and delineated by orange plastic fencing. The DLNR-SHPD shall verify that the fencing is correctly in-place prior to land alteration; and
3. Construction supervisors and personnel shall be explicitly notified as to the nature and location of the sites, significant of the buffer zones, and color and meaning of the buffer zone marking.

Section 5 Discussion of Project Effect and Mitigation Recommendations

The following project effect discussion and cultural resource management recommendations are intended to facilitate project planning and support the project's required historic preservation consultation. Overall, the re-designation of lands within the proposed Pali to Puamana Parkway as "open space" will not have any impact on previously recorded or potential historic properties. Future development of traffic pullouts, wayside parks, and/or beach parks along the coastline (Figure 22); however, may have the potential for negative impacts on either existing or potential historic properties.

5.1 Ukumehame Ahupua'a

According to the master plan for the parkway corridor, there are future considerations into the expansion of both Pāpalaua Beach (Wayside) Park and Ukumehame Beach Park into lands that have undergone previous archaeological investigation (Sinoto 1997 and Devereux et al. 2000) (Figure 23). Both studies found no significant historic properties along the lower alluvial plains of Ukumehame Ahupua'a, however, given what has been recently learned about the presence of the subsurface historic properties in lands that had been previously cultivated in sugarcane at Olowalu Ahupua'a, there may be potential for subsurface historic properties along the shoreline. Depending on the degree of ground disturbance anticipated with the expansion of the park areas and the construction of park structures, a program of archaeological inventory level testing, to supplement the previous studies, may be an appropriate approach to ascertaining any impacts that park expansions and improvements might have on potential historic properties.

The area in which the Mōpua View Area and parking lot is proposed has not undergone any systematic archaeological study. Given the results of previous archaeological investigations in the adjacent *ahupua'a*, an archaeological inventory survey may be an appropriate approach to ascertaining any impacts that the development of the park might have on potential historic properties in the area.

5.2 Olowalu Ahupua'a

As previously discussed, a total of 13 historic properties fall into the Olowalu portion of the proposed Pali to Puamana Parkway (see Sections 3.1 and 4.2.1). According to the master plan, there are future considerations for the development of four beach parks (Mōpua Park, Hekili Point Beach Park, Olowalu Beach Park, and Awalua Park), as well as, two viewing areas (Mōpua View Area and Parking [discussed above] and Awalua View Area) (Figure 22 and Figure 24) and park structures within the Olowalu section of the proposed parkway. When examining the conceptual plans for the development of beach parks and view areas in relation to previously recorded historic properties, five of the 13 historic properties may lie within areas slated for park development (Figure 25).

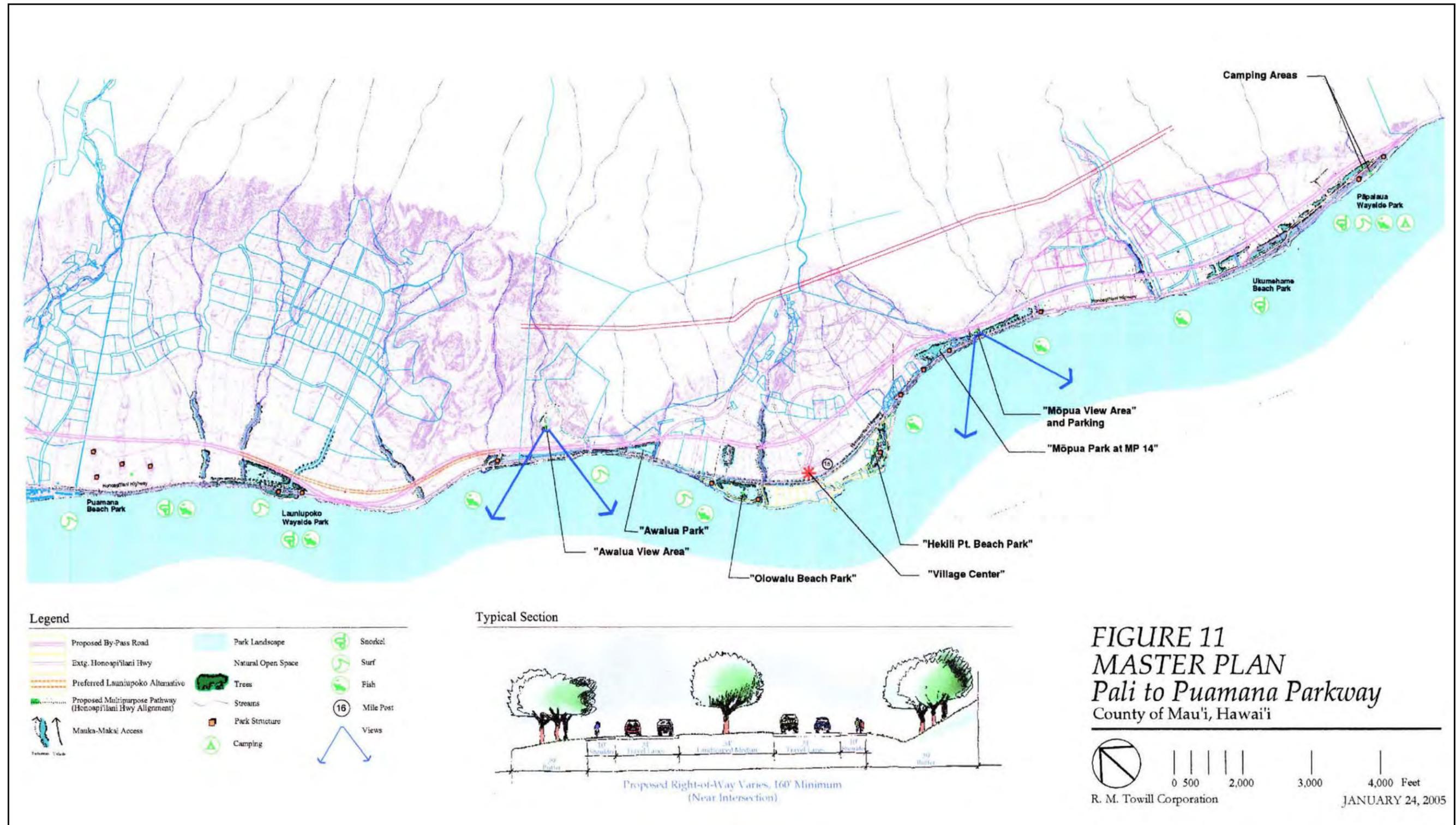


Figure 22. Pali to Puamana Parkway master plan (courtesy of Mr. Chester Koga of RM Towill Corporation)

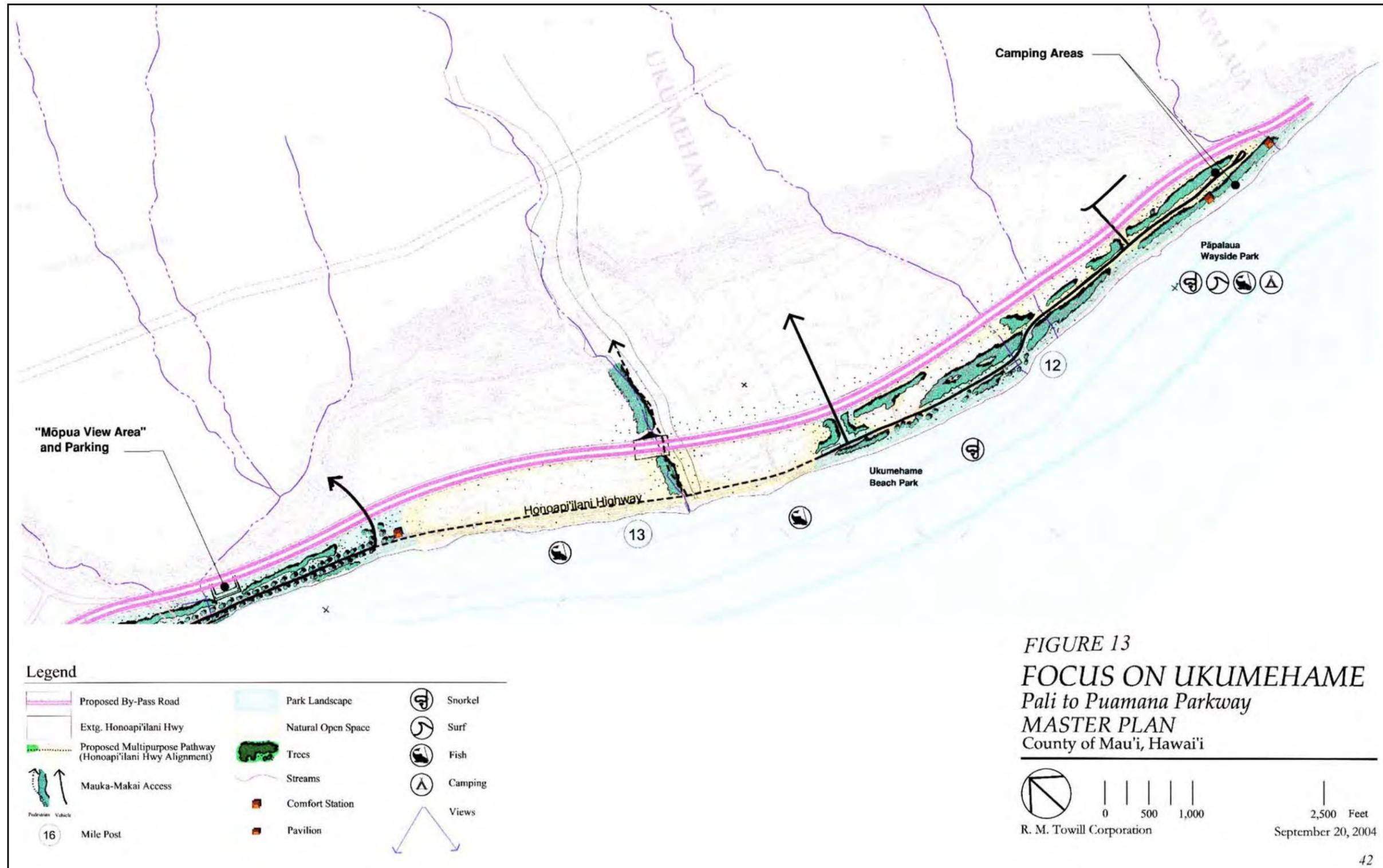


Figure 23. Pali to Puamana Parkway, Ukumehame (courtesy of Mr. Chester Koga, RM Towill Corporation)

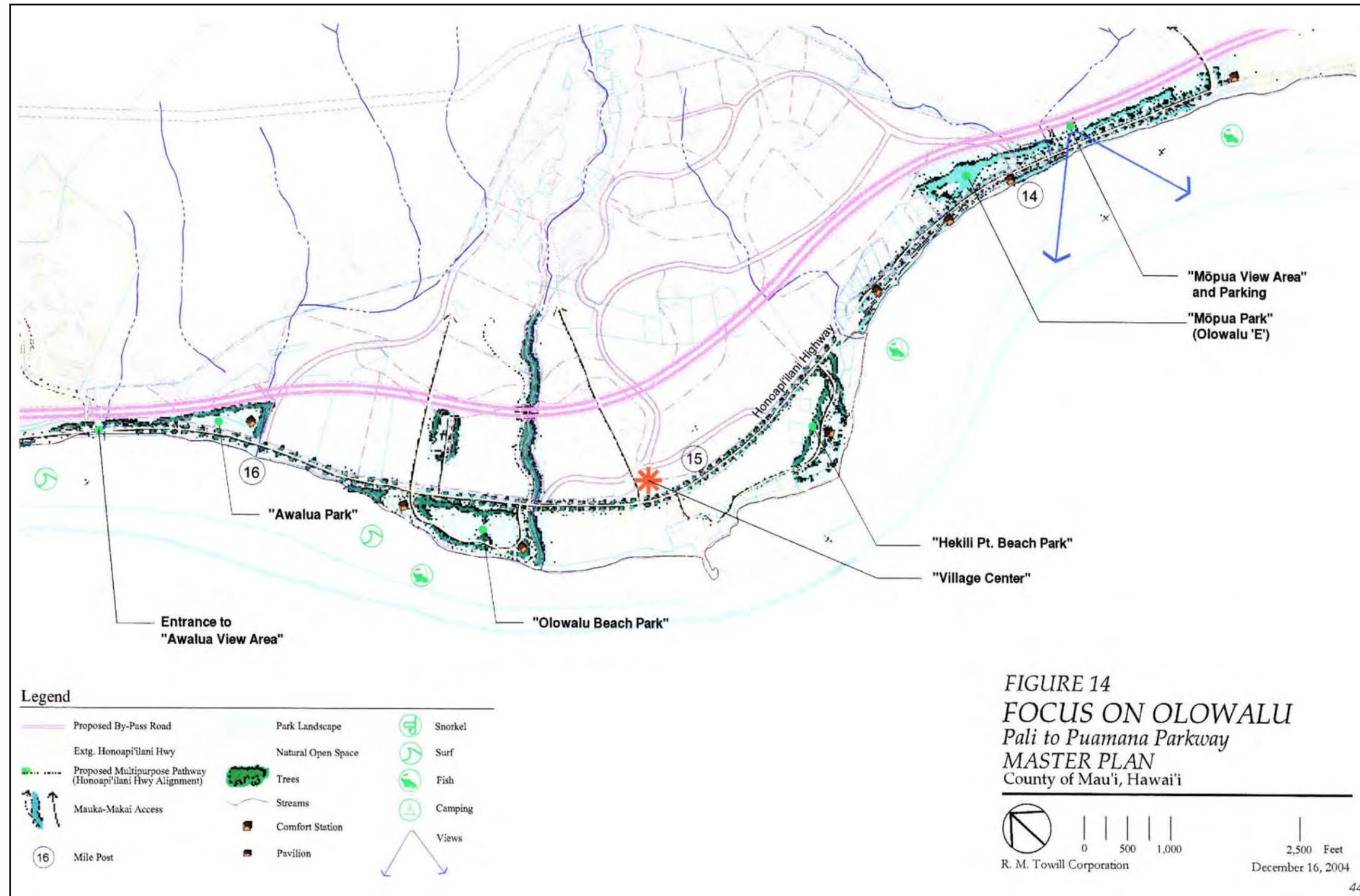


Figure 24. Pali to Puamana Parkway, Olowalu (courtesy of Mr. Chester Koga, RM Towill Corporation)

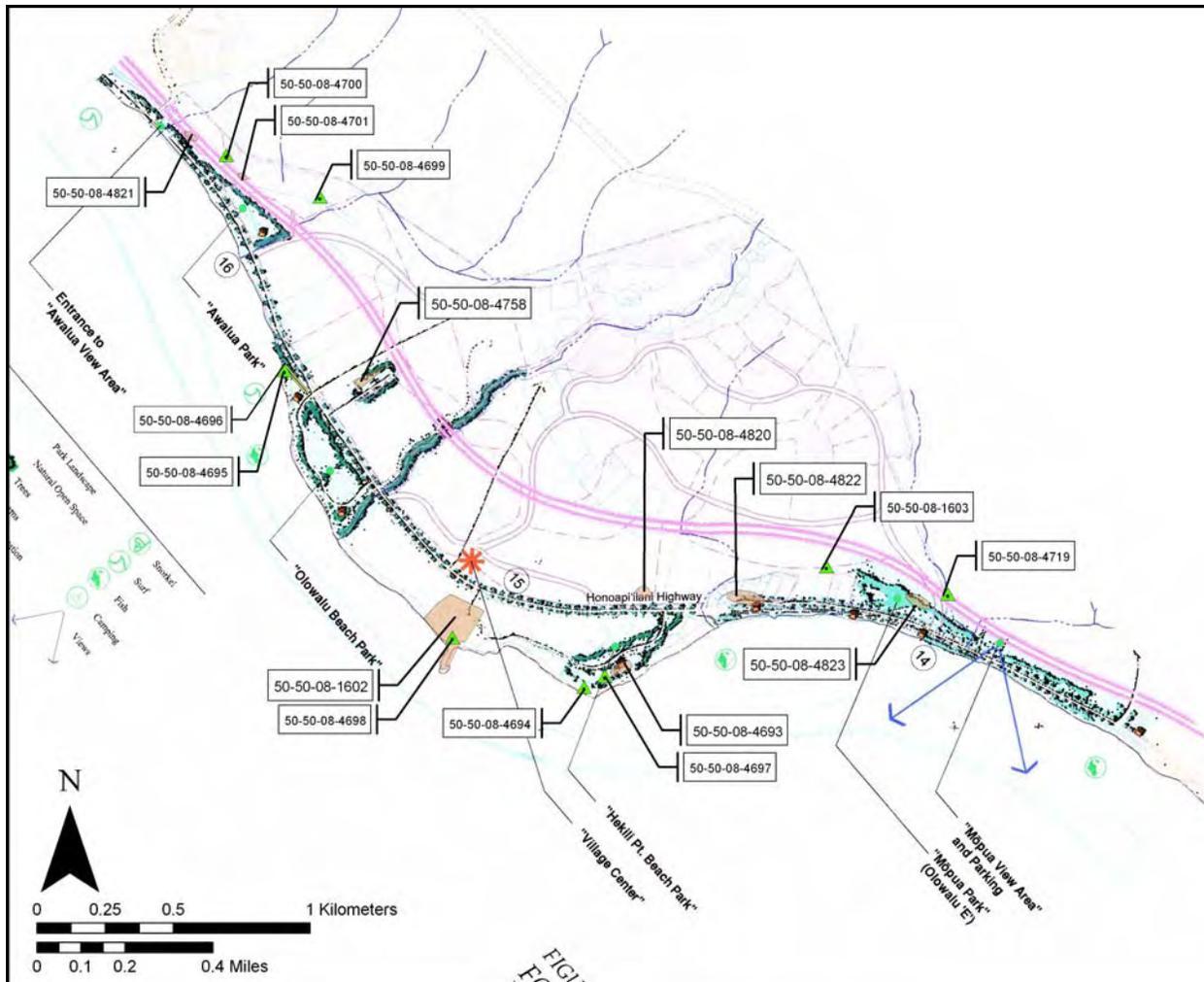


Figure 25. Portion of Pali to Puamana Parkway, Olowalu section showing proposed park and park structure developments in relation to previously recorded historic properties [†]

All of the previously recorded historic properties that may possibly lie within the proposed Mōpua Park (SIHP -4823) and Hekili Pt. Beach Park (SIHPs -4693, -4694, and -4697) are covered by previous preservation and mitigation commitments (see Sections 4.2.1.1 and 4.2.1.2) and should be followed during the development of these park facilities. Archaeological monitoring of any ground disturbing activities associated with the development of Hekili Pt. Beach Park would require monitoring per the approved historic preservation mitigation provisions outlined by Olowalu Elua Associates, LLC (2001) (see Section 4.2.1.1). Although the human skeletal remains that were identified in the area comprising the former location of SIHP -4821 have been recovered and relocated it may be appropriate to conduct a reconnaissance or

[†] Pali to Puamana Parkway Master Plan, Focus on Olowalu conceptual drawing was georeferenced using ArcView 8.0, the Maui County TMK spatial data, and known shoreline points. It should be noted the site locations were placed by georeferencing the site location maps generated by Fredericksen and Fredericksen (2000a and 2000b) and should be considered as approximate and used only as a reference.

field of the area slated for the development of Awalua Park prior to initiating any plans to ensure that more human skeletal remains have not been re-deposited in the area. Prior to commencement of any work in the area, further consultation with SHPD is strongly recommended to determine and clearly define the mitigation requirements with regard to the historic properties listed above, in relation to the proposed action, be it landscaping or park development.

5.3 Launiupoko and Polanui Ahupua‘a

According to the master plan, there are considerations for the future expansion of Launiupoko Beach Park into lands that have not yet undergone a systematic archaeological inventory survey. Although the lands that comprise the lower alluvial plains of Launiupoko have been cultivated in sugarcane from the early historic period up until 1998, it is again important to note that historic properties in lands that had been previously cultivated in sugarcane at Olowalu Ahupua‘a have been identified both within and below the plow zone. It is also important to note that oral testimony has confirmed the presence of a former fishing village in the area that comprises the current location of Launiupoko Beach Park (see Section 2.1.1.1 Settlement and Subsistence). The background research conducted for this study further supports the probability of intensive settlement along the coastline as the area of Launiupoko was once used heavily for marine resources during pre-contact and early historic times. As a result, while surface indications of coastal habitations have been effectively eradicated from the landscape by sugarcane cultivation, there is a strong possibility that subsurface archaeological deposits may be present in the immediate location of Launiupoko Beach Park, as well as, in lands adjacent to the park.

In areas that are slated for expansion, an archaeological inventory survey may be an appropriate approach to ascertaining any impacts that the expansion of the park and/or installation of park infrastructure and hardscape features might have on potential historic properties in the area. With regards to improvement of current facilities (e.g. bathrooms, showers, and/or associated waterline work) it may be appropriate to conduct archaeological testing in areas that may be impacted prior to the commencement of work in order to ascertain the presence or absence of historic properties. Further consultation with SHPD is recommended to determine and clearly define the scope of archaeological inventory survey and/or mitigation requirements with regard to the presence of potential historic properties in the area.

With regards to SIHP 50-50-04-4787D (Figure 27), it appears that the preservation of the historic ditch crosses the proposed parkway corridor in an area that could be easily avoided. In the event the future work is considered in the *mauka* portions of the parkway corridor, the effects of any actions on the historic Lahaina Mill Ditch should be re-examined.

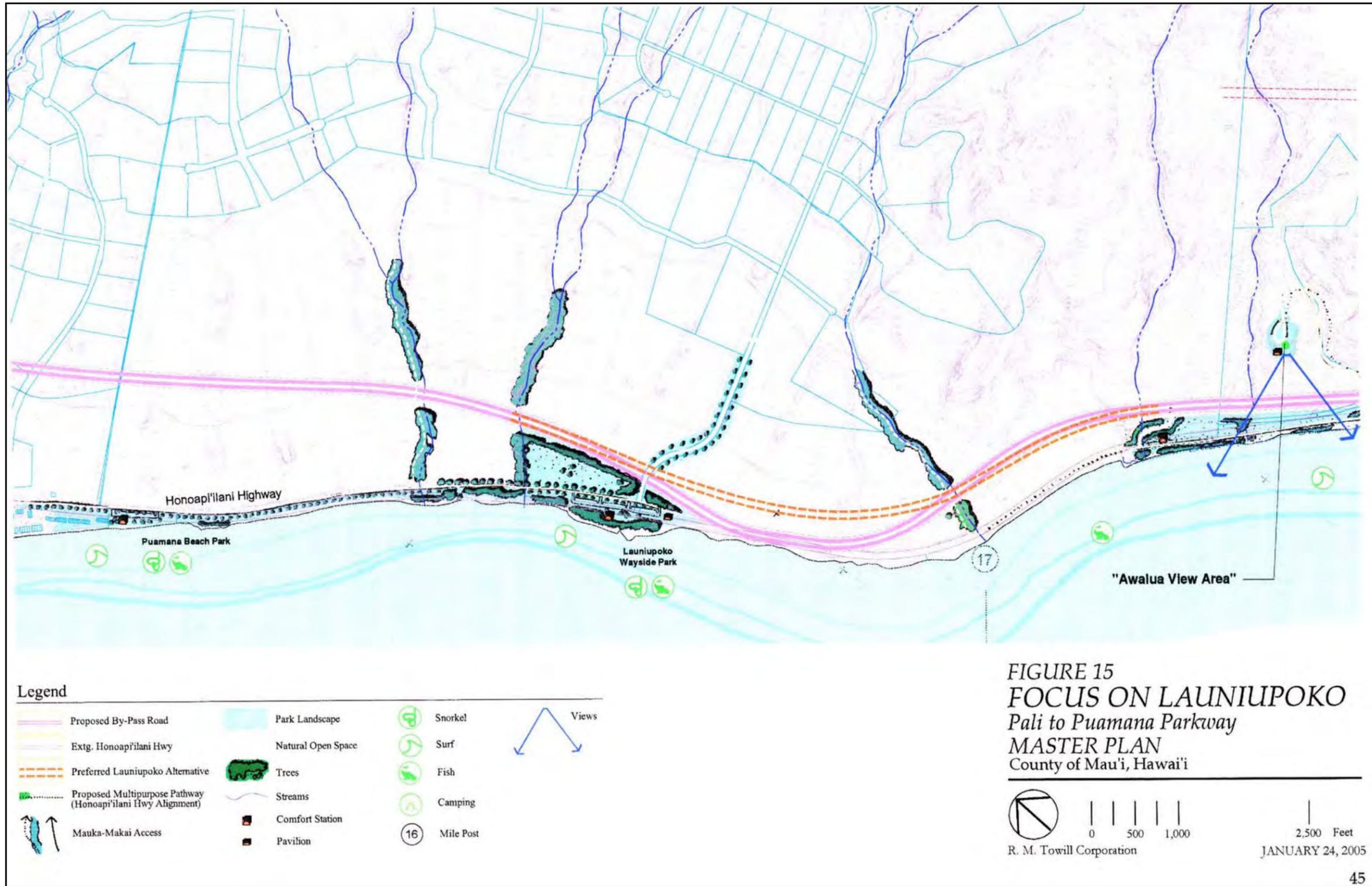


Figure 26. Pali to Puamana Parkway, Launiupoko (courtesy of Mr. Chester Koga, RM Towill Corporation)

An Archaeological Literature Review and Field Check for Proposed Open Space Lands from Polanui Ahupua'a to Ukumehame Ahupua'a, Lahaina District, Maui Island

TMK: (2) 4-8-02: multiple parcels, 4-8-03: multiple parcels, and 4-7-01: multiple parcels

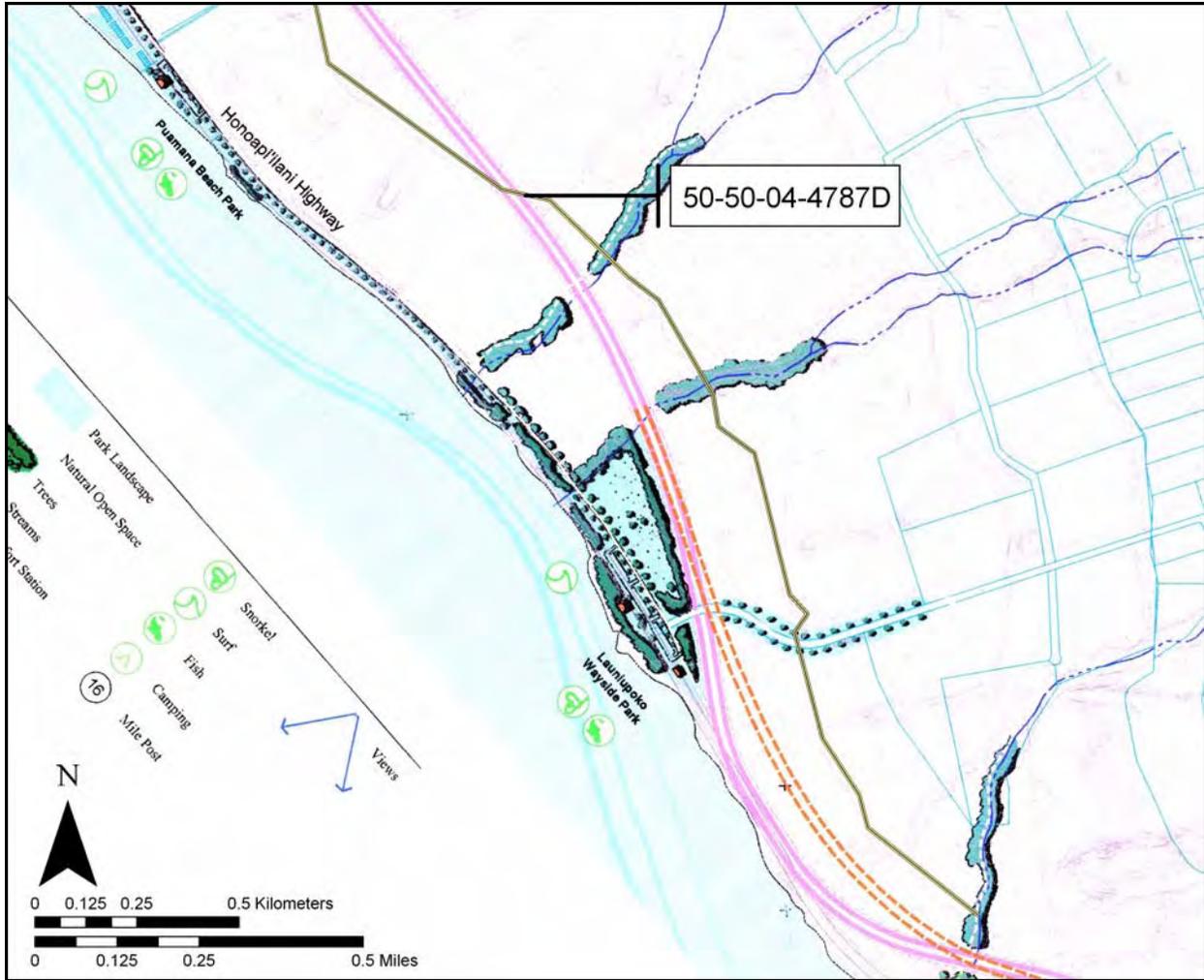


Figure 27. Portion of Pali to Puamana Parkway, Launiupoko section showing proposed park and park structure developments in relation to previously recorded historic properties †

† Pali to Puamana Parkway Master Plan, Focus on Olowalu conceptual drawing was georeferenced using ArcView 8.0, the Maui County TMK spatial data, and known shoreline points. It should be noted the site locations were placed by georeferencing the site location maps generated by Fredericksen and Fredericksen (2000a and 2000b) and should be used only as a reference and not relied upon as land survey data.

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Appendix A Detailed Site Descriptions for Historic Properties in Located within the Proposed Pali to Puamana Parkway – Olowalu Ahupua‘a *Makai* Portion

Reproduced Site Descriptions from:

Fredericksen, Erik M. and Demaris L. Fredericksen

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ARCHAEOLOGICAL FINDINGS

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A total of 6 previously unrecorded sites were located on the *makai* project area during the inventory level survey. These include 3 surface, 2 subsurface sites, and a burial area. Site 50-50-08-4693 is interpreted as a burial ground, probably dating from the precontact period. Site 4694 consists of a coastal rock structure with an associated subsurface cultural deposit. Site 4695 is a stone platform/terrace structure at the shoreline near the western end of the project area. Site 4696 consists of a segment of the old Government Road. Site 4697 appears to be an early post-contact habitation area that lies in the vicinity of the Site 4693 burial ground. The last site (Site 4698) located on the *makai* project area is interpreted as a late-precontact habitation area. In addition to the sites mentioned above, the project area also contains the ruins of the Olowalu Sugar Mill (Site 1602). Refer to Tables 3 through 9 for manual excavation results, Table 10 for backhoe trench results, and Table 2 for site significance assessments

Site 50-50-08-4693

This site lies near Hekili Point, within c. 50 meters of the existing coastline (see Photos 2 through 6). It is interpreted as a probable precontact burial ground. An existing, unpaved access road separates the abandoned sugar cane field to the north and the wooded coastal strand to the south (Figure 4). The general area *makai* of the access road is vegetated with salt-tolerant species such as Indian fleabane (*Pluchea indica*), salt bush, *kiawe* trees, opiuma trees, and various alien grasses. An unpaved access road cuts through the dense vegetation to the coast.

On 13 November 1998, human remains were located by Mark Donham and Erik Fredericksen. An informant, who wished to remain anonymous, had indicated on the previous day that there was an area where he recalled seeing “bones” in the past. Careful inspection along the *makai* berm of the cane access road yielded 3 cranium fragments and 1 femur shaft fragment. Subsequent inspection of the area yielded a surface scatter of previously disturbed human skeletal materials. Following consultation with Maui/Lana`i Islands Burial Council members, it was decided to conduct subsurface testing to determine the presence of burials.

A series of backhoe trenches were then placed in the vicinity of the surface scatter in order to assess subsurface conditions (Figure 5). Two backhoe trenches (BT 8 and 13)

exposed *in situ* human remains. In addition, a single back-blade pass along the road located a heavily impacted *in situ* burial. Given the presence of these burials, we halted mechanical testing in the immediate area. Manual investigation was then undertaken on the burial in the road (Burial #1), and on the remains that were located in BT 8 and BT 13. Subsequent investigation yielded 3 additional finds of human skeletal remains.

Find #1 (Burial #1)

This first burial was found on 19 November 1998 by Hugh Coflin and Mark Donham during a single back-blade pass on the sugar cane access road. Burial #1 was located within 5 cm. of the existing surface of the graded road. This set of human remains has been heavily impacted over the years by activities associated with the maintenance of the road and by vehicular traffic. The remains were partially exposed and mapped (Figure 5; Photo 3).

While this burial has obviously been impacted by past activities, it is nevertheless, interpreted as remnant of an *in situ* burial. The presence of a partially articulated hand supports this interpretation. Further work on these remains was halted due to the deteriorated condition of the skeletal materials. Burial #1 was covered with screened sand and the road was blocked off with large tree branches.

Find #2 (Burial #2)

The second find was also made on 19 November 1998. Burial #2 was located by Hugh Coflin and Erik Fredericksen during the excavation of a stratigraphy trench (BT 8) [Figures 6 and 7; Photo 12]. The remains of an adult were found c. 80 to 85 cmbs., at ground water level. The backhoe bucket dislodged a portion of the burial when it broke through a large *kiawe* root. The inadvertently disturbed remains were subsequently recovered from the back dirt pile and from the trench floor.

This burial is located in a pit that was truncated by the backhoe when it broke through the root. Examination of the screened pit fill did not yield any post-contact material culture remains. Burial #2 appears to represent a precontact interment. The burial pit extended from a coarse, very pale brown (10 YR 8/2) marine sand deposit into the underlying very pale brown (10 YR 8/4) cemented marine sand deposit.

Find #3 (Burial #3)

This find was made in the abandoned cane field by Marcael Ball and Hugh Coflin on 20 November 1998. Backhoe Trench 13 was less than 30 cm. deep when human skeletal material was noted (Figure 8). Closer examination revealed pit-outline in the trench containing a cluster of metacarpals and phalanges, which appeared to be from the same individual. Manual excavation into the southeastern face of BT 13 located a right ulna and radius, along with a right femur and fibula. The ulna and radius lay below the plow-zone and apparently had not been disturbed.

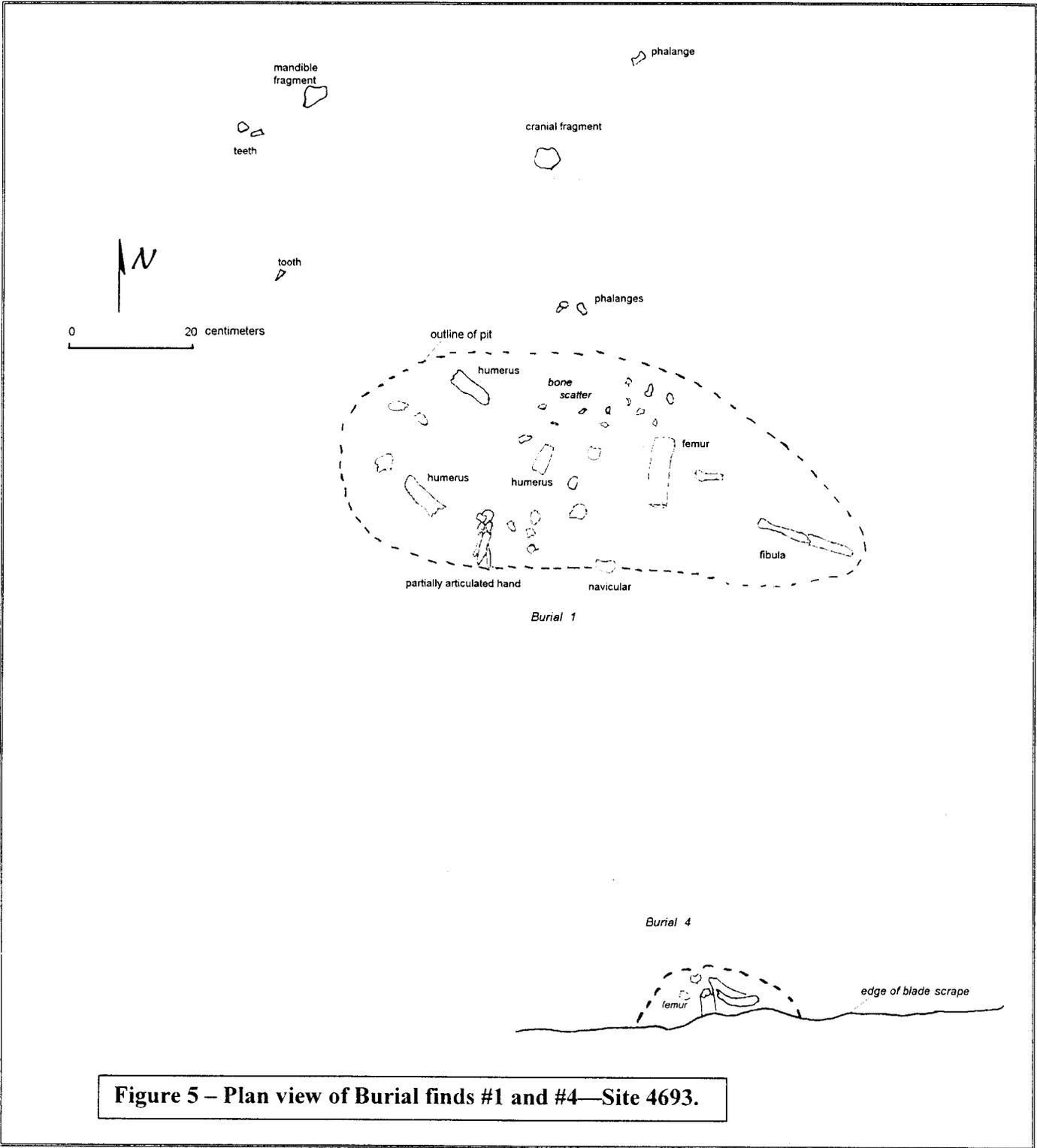


Figure 5 – Plan view of Burial finds #1 and #4—Site 4693.

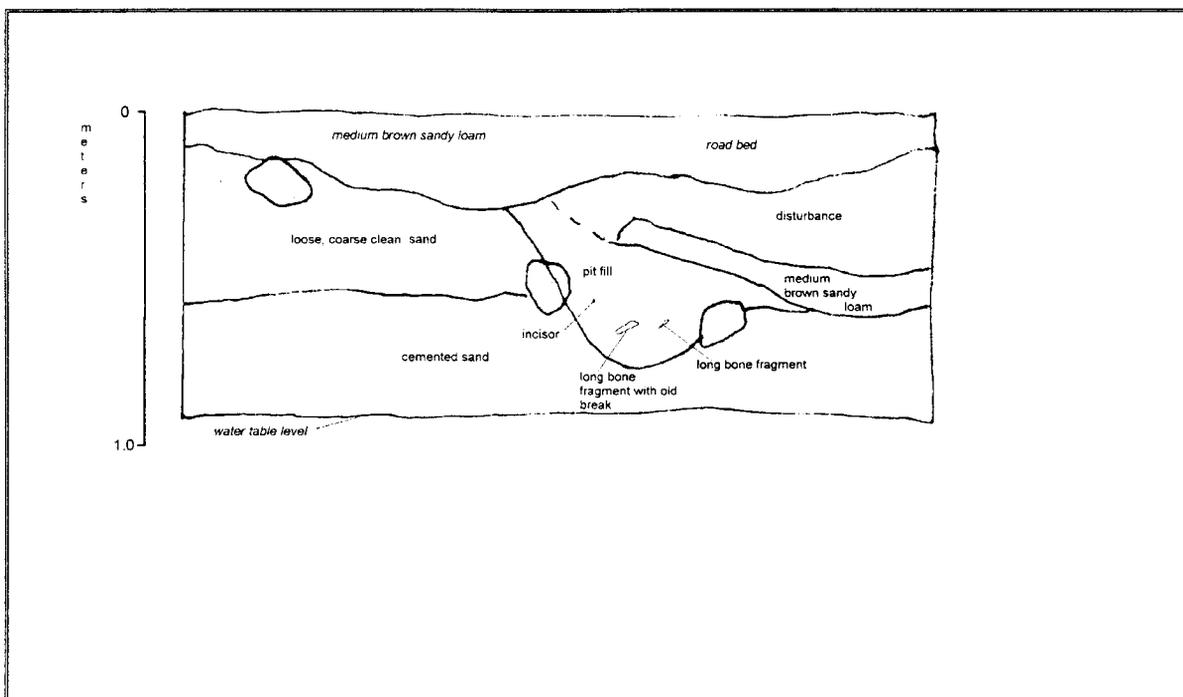


Figure 6 – Eastnortheast face profile of BT 8, showing location of Burial #2.

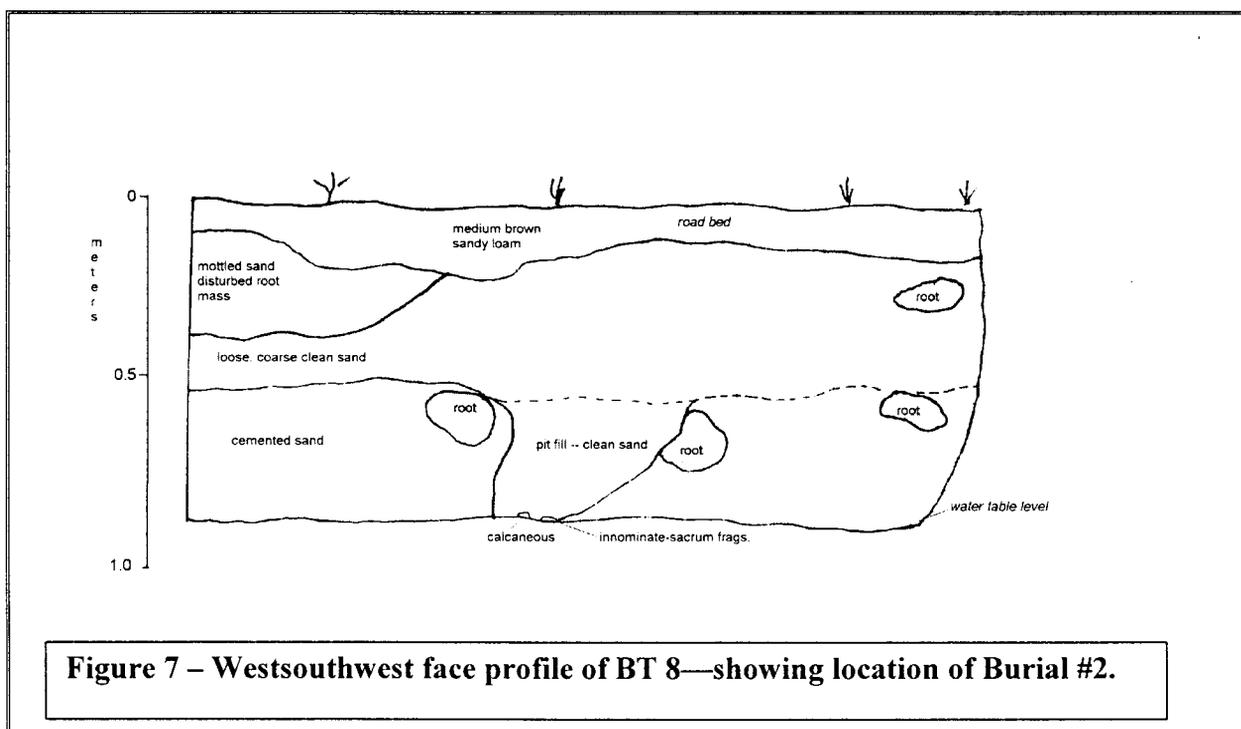


Figure 7 – Westsouthwest face profile of BT 8—showing location of Burial #2.

Find #4 (Burial #4)

This find was made by Mark Donham on 21 November 1998 as he was completing mitigation work on the Find #1 burial. Find #4 lies c. 1 meter south of Find #1 and is c. 40 cm. below the berm surface on the *makai* side of the access road (Figure 5). A clear pit outline was noted and only a small portion of the burial was exposed. No effort was made to further expose it because of a clear commitment from Olowalu Elua Associates to create a burial preservation area on this part of the project area.

A small portion of a femur appears to have been shattered by past road maintenance activities. However, the overall condition of the remains appears to be good.

Find #5 (Burial #5)

Finds #5 and #6 were made by Mark Donham on 24 November 1998 while he was investigating Find #3 in BT 13. These finds also lie in the abandoned sugar cane field and have been disturbed by earlier plowing and cultivation.

Find #5 lies c. 2.5 m. to the west of Find #3. Much of this individual skeleton has been impacted by the plow zone, as it lies between 25 and 35 cm. below the existing surface. The lower vertebral column and much of the pelvis are articulated (Figure 8). The left radius, and the right ulna and radius were also found, along with several scattered hand bones and 2 articulated phalanges. A tine-mark imprint was clearly visible in the sand, indicating that the upper portion of the find was likely displaced by mechanical plowing. It is possible that the scatter to the north of Find #5 is part of the *in situ* individual.

A total of 4 lithic flakes were found resting directly on top of the lower arm bones on the *in situ* portion of Find #5 (Figure 8). These flakes ranged from 9 to 18 cm. in length and appear to represent single-use artifacts. The labor expended to produce these artifacts appears to have been minimal. It is interesting to note that none of the other long bones of this individual were located. It may be that the lithic flakes were used to separate the major long bones from the individual, and then discarded on what remained of the burial.²⁰ The absence of the long bones could be explained as well by the extensive disturbance the burial has sustained.

Find #6 (Scattered remains)

Find #6 was located c. 1.5 to 2 meters northwest of Find #5. This scatter contained a c. 18 cm.-long portion of a radius in addition to other unarticulated skeletal

²⁰ Human long bones were used as raw material for fishhook manufacture. Peter Buck (Te Rangi Hiroa) states: "Human long bones, particularly the thigh bone, were cut in lengths probably with sharp-edged pieces of stone flakes. The lengths were cut into rectangular pieces to correspond with the length and width of the proposed hook." (1957, Volume VII, p. 324) Again he states that when burying an individual "secrecy was observed, because it was feared that the bones might be stolen by an enemy to make fishhooks or to ornament slop bowls and so degrade the deceased and his family." (1957, V. XIII, p. 569).

fragments (Figure 8). This find was initially thought to represent a disturbed portion of an *in situ* burial. However, Find #6 is now interpreted as a scatter of human remains. The previously disturbed remains are located in the plow zone within 20 cm. of the existing surface.

Discussion

This portion of the project area contains relatively thick marine sand deposits which were probably exposed during precontact times. Subsurface investigation yielded articulated portions of at least 5 individuals. Find #6 is interpreted as scattered remains. Find #2 was the deepest of all subsurface finds and did not appear to have been impacted by post-contact agricultural activities. Find #4 was much nearer to ground surface, but appeared to be intact. All other subsurface finds had been heavily disturbed.

The 6 subsurface finds appear to represent indigenous burials. Unfortunately, post-contact agricultural activities have severely impacted Finds #1, #3, #5 and #6. The other burials are more intact, and Finds #2, #3 and #4 were contained within pit features. Indigenous lithic tools were found in association with what remained of Find #5. No post-contact cultural materials were associated with any of the finds. Sex and age determination for the burials was not possible from the fragmented remains recovered, and the M/LIBC requested that no further excavation of *in situ* portions be undertaken. The borders of the burial preserve are based on the burial council's recommendations.

The proximity of the disturbed finds to the existing surface, and the distribution of human remains on the surface of the sugar cane field, suggests that additional burials are likely to be present. Mr. Sonny Waiohu, a long-time employee of Pioneer Mill, remembers seeing "bones" in this part of the *makai* fields on several occasions. In addition, we located 3 of the finds with the partial excavation of 2 backhoe trenches and a single surface scrape. It seems quite probable that additional burials are located in the immediate area and in the vegetative undergrowth *makai* of the access road.

Site 50-50-08-4694

This site is located on Hekili Point (Photos 10 and 11). It rests c. 3-4 feet AMSL and lies within 20 m. of the existing high water mark in the Beach Reserve. Alien vegetation observed in the vicinity of Site 4694 included *kiawe* and opiuma trees, salt tolerant Indian fleabane, and various grasses and succulent weeds. The site consists of an L-shaped wall of waterworn basalt cobbles and a few small boulders (Figure 9; Photo 10). In addition, several coral cobbles were noted in the structure wall.

This structure ranges from 30 to 60 cm. in height and is up to 1.2 meters wide. It is c. 10 meters E-W by c. 9.5 meters N-S on the west leg. The northern portion of this leg appears to have been impacted by past bulldozing activities likely associated with the nearby abandoned sugarcane field. The eastern end of the site did not appear to have been mechanically damaged. The overall labor expenditure for the construction of this structure was moderate to high, and its overall condition is fair. However, a portion of



Figure 9 – Plan view of Site 4694.

this structure appears to have been impacted in the past 50 years. No post-contact material culture remains were noted in the structure of the site. However, a 4 x 4-inch timber was apparently placed in the rock structure in modern times. The dimensions (3 ½ x 3 ½ inches) of the post and its generally good condition suggest it was put there in recent times.

A total of 3 test units were utilized to investigate subsurface conditions. No subsurface features were encountered in any of the 1-meter square test units.

Test Unit 1

This first test unit was excavated on the north side of the structure. A relatively low amount of material culture remains were present in this c. 1 meter deep unit. Four layers were encountered before excavation of TU 1 was halted (Figure 10).

Layer I was 17 to 19 cm. thick and consisted of dark brown sandy loam (10 YR 3/3). This humus rich soil contained c. 30 waterworn pebbles, a few pieces of waterworn coral, scattered charcoal (7.9 g.), and a single *pipipi* (*Nerita picea*) shell. No other material culture remains were present in this loose dry stratum. The soil boundary with the underlying stratum was abrupt and clear.

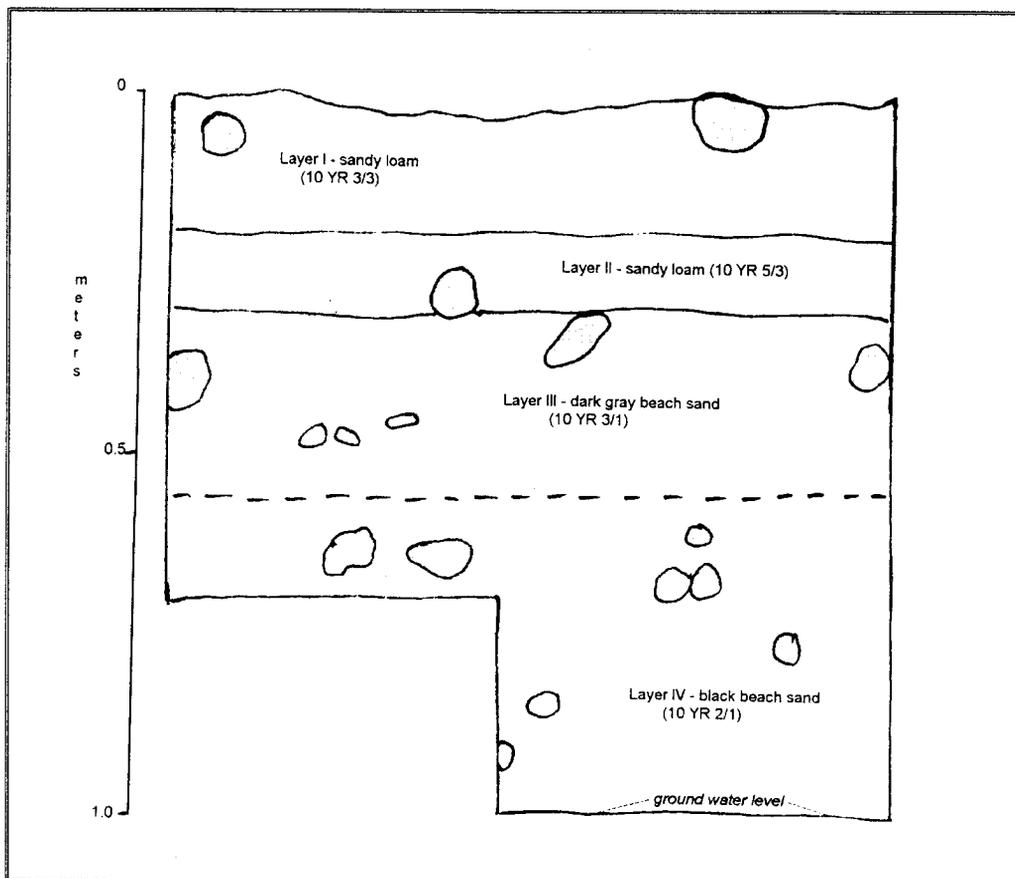


Figure 10 – North face profile of Test Unit 1—Site 4694.

Layer II was up to 10 cm. thick and extended to 29 cmbs. This brown sandy loam (10 YR 5/3) contained relatively large amounts of waterworn basalt cobbles and pebbles (c. 15 % by volume). In addition, over 80 pieces of waterworn coral were noted. Small amounts of shell midden were recovered, along with 3 flakes of volcanic glass (3.6 g.), 2 unworked basalt flakes (4.3 g.), a Maui "diamond" (0.1 g.) and a *puka* shell (0.1g.). This last item is interpreted as an ornament and has an enlarged hole. Floral remains were composed of 2.0 g. of scattered charcoal. The boundary separating this loose, dry stratum from the one beneath was clear.

Layer III is interpreted as a beach sand deposit. This very dark gray (10 YR 3/1) layer was up to 25 cm. thick. A low amount of material culture remains were recovered from this stratum, which included marine shell, unidentified mammal bone, and a *kukui* nut shell. In addition to the above materials beach basalt cobbles, pebbles and coral were found. The lower part of this stratum graded into a slightly darker beach sand deposit.

Layer IV was encountered at c. 52 to 55 cmbs. This black sand layer (10 YR 2/1) was essentially sterile. The southwestern quadrant of TU 1 was excavated to 1 meter below surface. The ground water table was encountered about 1 meter below surface, and excavation in the unit was terminated.

Test Unit 2

This second subsurface test was excavated on the *makai*, or south side of the structure. It was intended to gain information about the subsurface extent of the wall. Low amounts of material culture remains were found in this test unit, which contained 4 strata (Figures 11 and 12).

Layer I was up to 20 cm. thick and was composed of dark brown sandy loam (10 YR 3/3). This very friable soil contained large amounts of organic material. Numbers of waterworn pebbles and coral pieces were present throughout this layer. The stacked portion of the structure wall extended through Layer I. Small amounts of marine shell, a lead pellet, and 15.2 g. of charred *kiawe* wood were recovered. The soil boundary with the lower layer was clear and abrupt.

Layer II was a maximum of 10 cm. thick and reached a depth of 25 cmbs. This brown sandy loam (10 YR 5/3) yielded c. 30 waterworn pebbles and cobbles, a few waterworn pieces of coral, an unworked piece of coral, a small amount of marine shellfish remains, and 2.7 g. of scattered charcoal. Inspection of the northern profile of TU 2 revealed that Layer II did not extend into the structure wall (Figure 12).

Layer III beach sand deposit was encountered between 20 to 25 cmbs, and was up to 30 cm. thick. This very dark gray sand (10 YR 3/1) yielded low amounts of material culture remains consisting of marine shellfish, and 3.7 g. of charred *kukui* nut shell. In addition, fairly large amounts (c. 30% by volume) of waterworn beach cobbles and pebbles were present in this deposit. It was determined that the Site 4694 wall extended to c. 35 cmbs. Layer III graded into Layer IV between 50 to 54 cmbs.

Layer IV was composed of the common black sand (10 YR 2/1). This beach deposit did not contain any material culture remains, and excavation was halted at 60 cmbs.

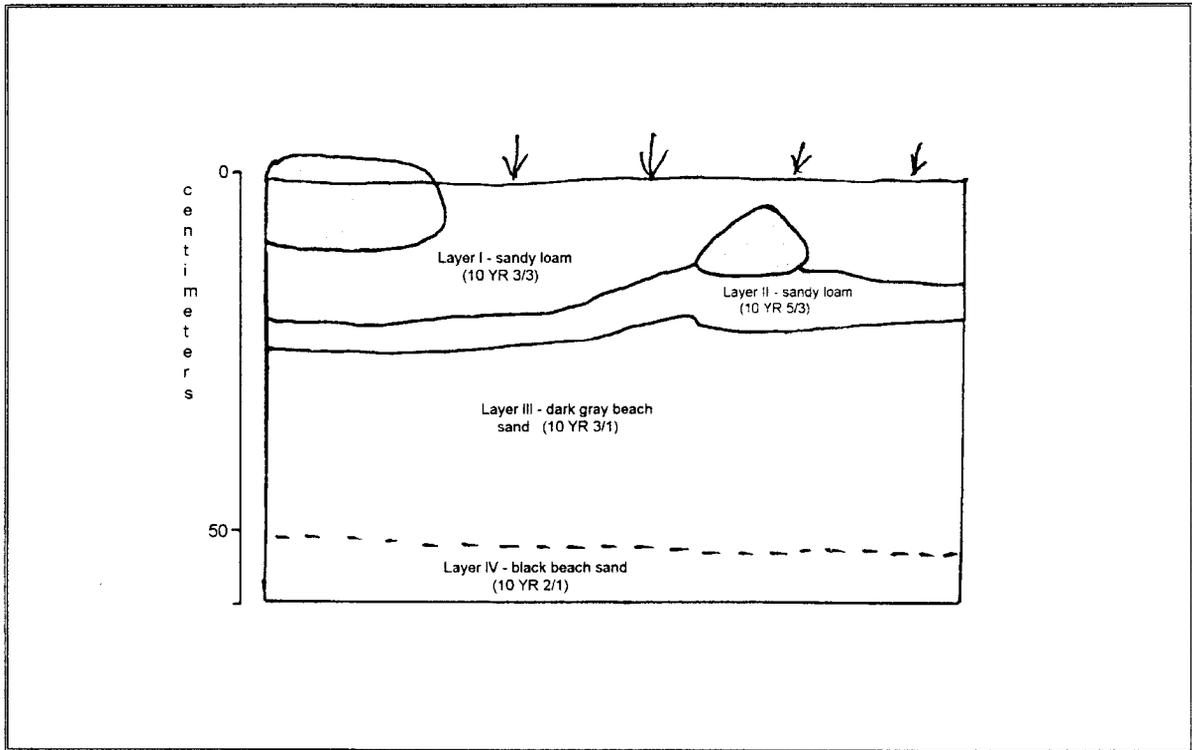


Figure 11 – East face profile of Test Unit 2—Site 4694.

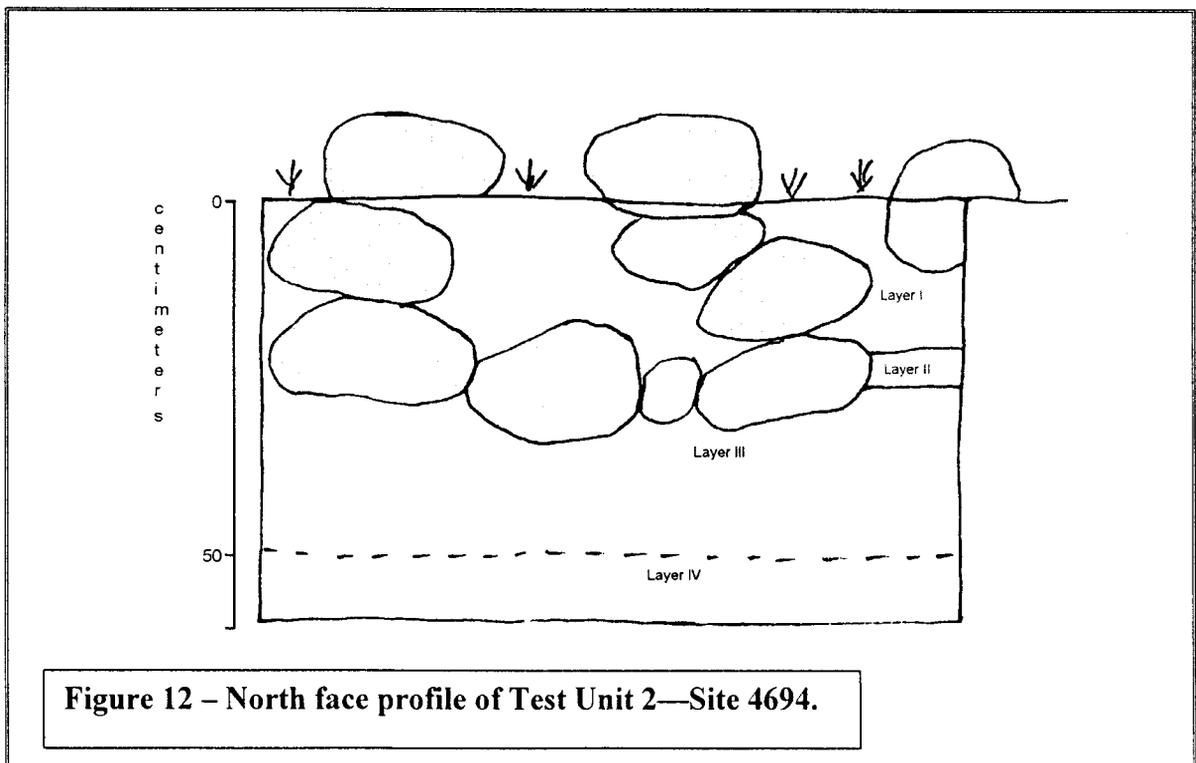


Figure 12 – North face profile of Test Unit 2—Site 4694.

This last unit was placed on the *mauka* or north side of the structure. Test Unit 3 was excavated in an attempt to recover a charcoal sample. A moderate amount of material culture remains were recovered. The same soil layers were present as were encountered in the other test units (Figure 13).

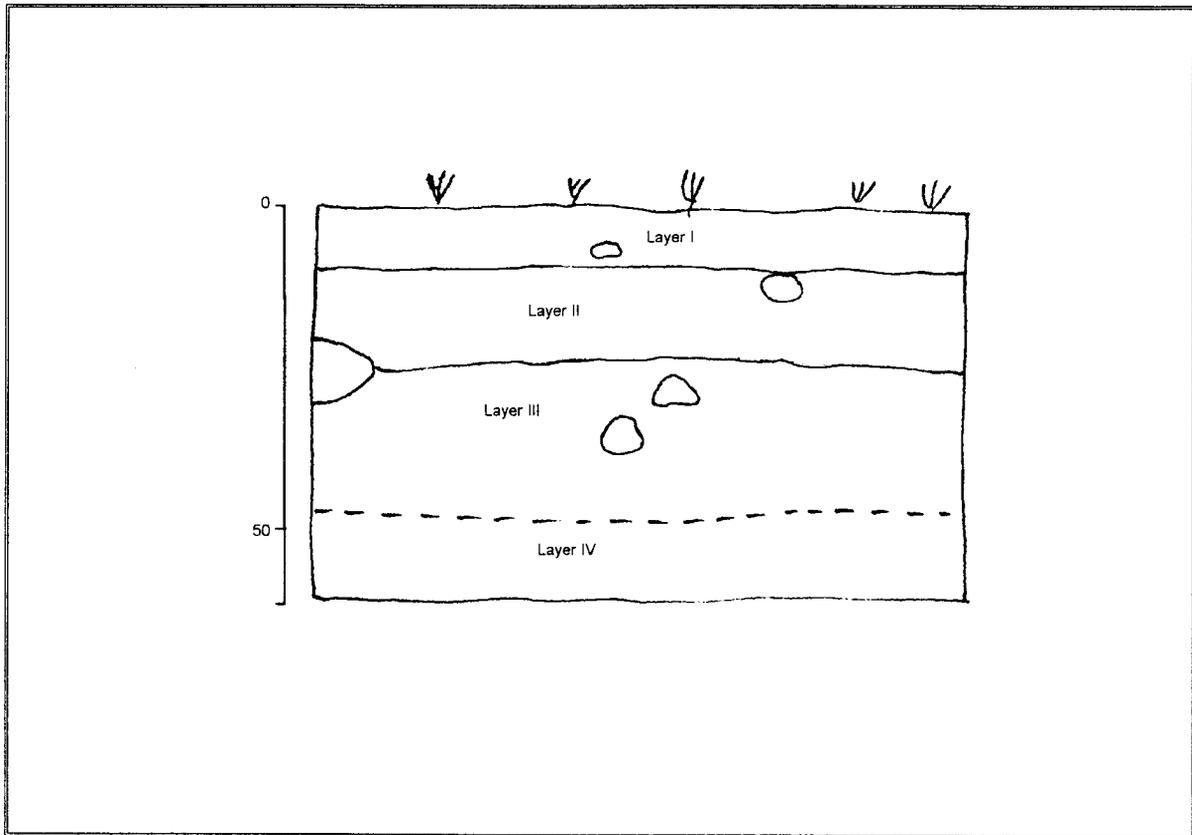


Figure 13 – East face profile of Test Unit 3—Site 4694.

Layer I was 8 to 10 cm. thick and was made up of the same dark brown (10 YR 3/3) sandy loam that was found elsewhere. A low amount (c. 5% by volume) of waterworn basalt cobbles and pebbles were present in this stratum, along with a few waterworn coral pieces. One cowrie shell (*Cypraea sp.*) was found in the layer, along with 0.7 g. of scattered charcoal, and 2 unworked basalt flakes.

Layer II deposit was somewhat thicker in this unit and extended up to 25 cmbs. The brown sandy loam (10 YR 5/3) contained low amounts of waterworn basalt cobbles and pebbles. Portable remains included 12.9 g. of marine shell, 1.6 g. of scattered charcoal, 7.9 g. of waterworn *kukui* nut shell, 1 unworked basalt flake, and 1 piece of unutilized coral.

Layer III was encountered between 22 and 25 cmbs. This very dark gray sand (10 YR 3/1) yielded low amounts of material culture remains and was up to 29 cm. thick.

Recovered portable remains included 30.4 g. marine shellfish, unidentified mammal bone, 2 unworked basalt flakes, and 2 pieces of unutilized coral. Finally, a rusted iron spike (42 mm. long) was recovered from the upper portion of Level 1 (22-32 cmbs.) This post-contact artifact was partially encircled by a *kiawe* root, and it appears possible that this spike could have been vertically displaced by the root. Water rounded cobbles, pebbles, and coral became increasingly common in the lower portion of the stratum. A probe was utilized to determine the depth of the Site 4694 wall below surface beyond the south face of TU 3. Structure rocks were detected to a maximum depth of c. 40 cmbs.

The black beach sand (10 YR 2/1) of Layer IV was encountered between 45 and 48 cmbs. This beach deposit yielded only waterworn marine shellfish remains and is interpreted as a culturally sterile layer. Excavation was halted at 60 cmbs.

Discussion

Investigation at Site 4694 yielded information on the subsurface extent of the rock structure itself and the 4 soil layers present. It appears probable that the structure was built on the upper portion of the Layer III deposit. Both Layers I and II appear to have formed after the construction of the feature. There was no clearly defined cultural layer located. No suitable charcoal samples were recovered to allow for radiometric dating. However, the material culture remains finds (volcanic glass, basalt flakes, *kukui*, food remains), though sparse, seem typical of precontact habitation sites. With little or no clearly associated post-contact remains present, it appears as if this is a habitation site with subsurface deposits, and what remains of a rock wall around it. The inland extent of this site has been obliterated by sugarcane cultivation activity.

Site 50-50-08-4695

This site lies near the northwestern extreme of the *makai* project area. Site 4695 is located at the high water mark. It is constructed of waterworn and angular basalt boulders and cobbles. Remnants of weathered concrete are present as well. It is c. 10 meters long on the N-S axis, by up to 4.5 meters wide. It is about 1.1 meter above the beach level (Figure 14). Much of this site is covered by dense *hau* growth. The overall condition of the site is generally poor. The construction style of this feature, i.e. the mixture of waterworn, angular rocks, and concrete indicate that it was built in post-contact times. It is important to point out that this site has been impacted by storm waves in the past, and the broken pieces of coral that were noted in between the feature boulders and cobbles were probably cast ashore by high surf.

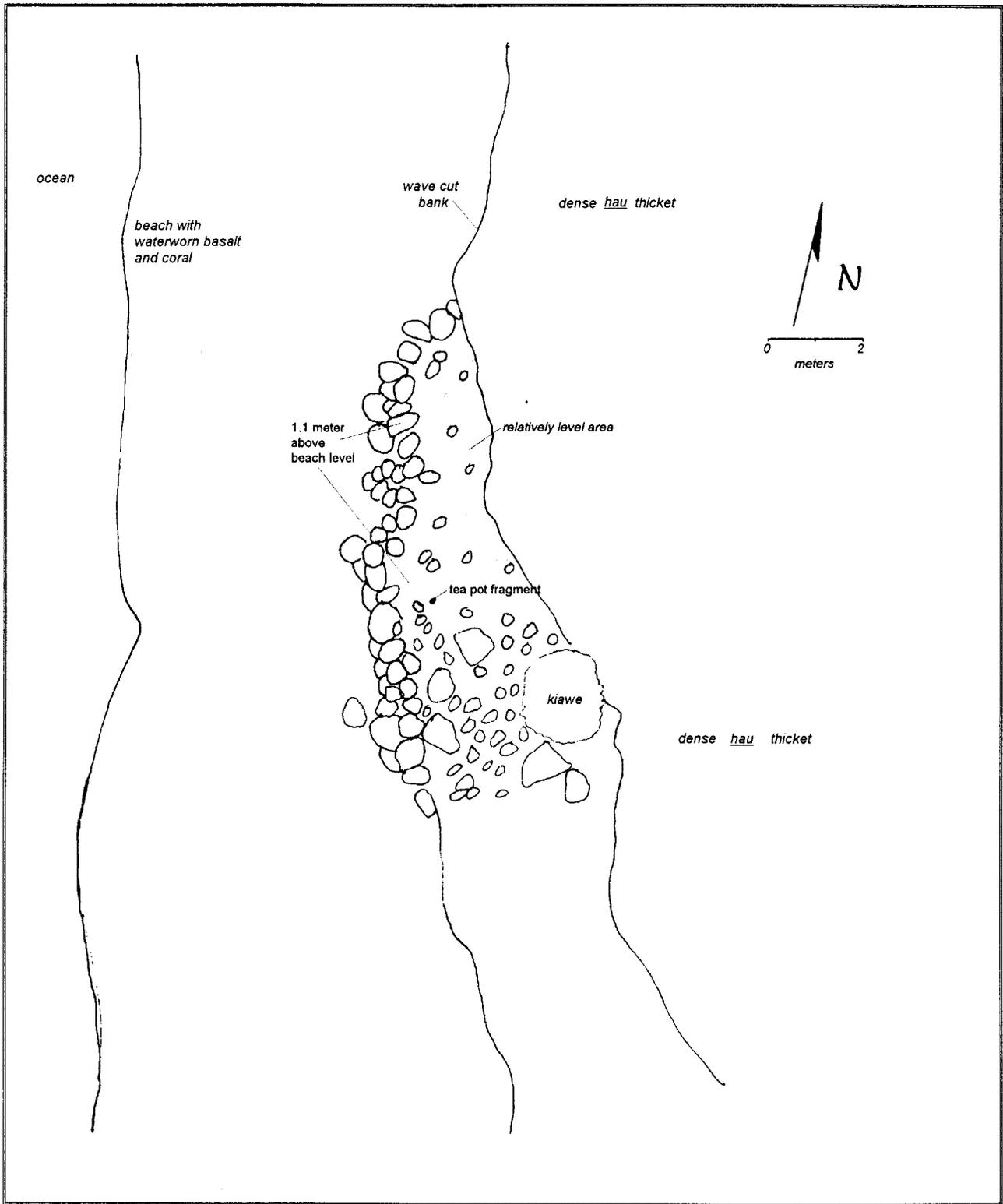


Figure 14 – Plan view of Site 4695.

Recently broken and unbleached coral pieces on the structure tend to reinforce the above interpretation. A few sherds of a blue on white porcelain tea pot were present on the surface of the feature. Site 4695 may represent some sort of retaining wall, possibly for a pull-off associated with a nearby section of the Old Government road. This site lies in the Beach Reserve and will not be impacted by development of the property. It has generally low research potential.

Site 50-50-08-4696

This site consists of Remnant 3 of the Old Government Road that is located on the topographic maps of the project area. It is c. 15 m. wide by 100 m. long and is oriented at c. 135 degrees. The old black-top road segment on the study parcel is covered by extensive *hau* growth and is in poor overall condition. It is truncated by the nearby Honoapi'ilani Highway. It lies within the Beach Reserve and is c. 15 to 18 meters northeast of coastal Site 4695. An old road that is shown on the 1881 Olowalu Sugar Plantation map is presumed to mark the course of the road, of which this site is a remnant (Map 4). The Old Government road followed a traditional trail that encircled the island in precontact times. Much of the Old Government Road was abandoned in the early 1950s when Honoapi'ilani Highway was constructed. However, the existing Pioneer Mill cane haul road continues to follow along much of the former road bed.

Site 50-50-08-4697

This is a subsurface site, which lies in the abandoned sugar cane field to the west of the Site 4693 burial ground. Site 4697 was encountered during the excavation of the 30-meter long BT 23. Portions of a dog skeleton were located near the 15.5 meter point of the long trench (Figure 20; Photos 8 and 9). Subsequently, charcoal flecking and a few pieces of marine shell were noted in the profile of BT 23. Two 1-meter square test units were utilized, in order to evaluate subsurface conditions near the 17-meter mark in BT 23.

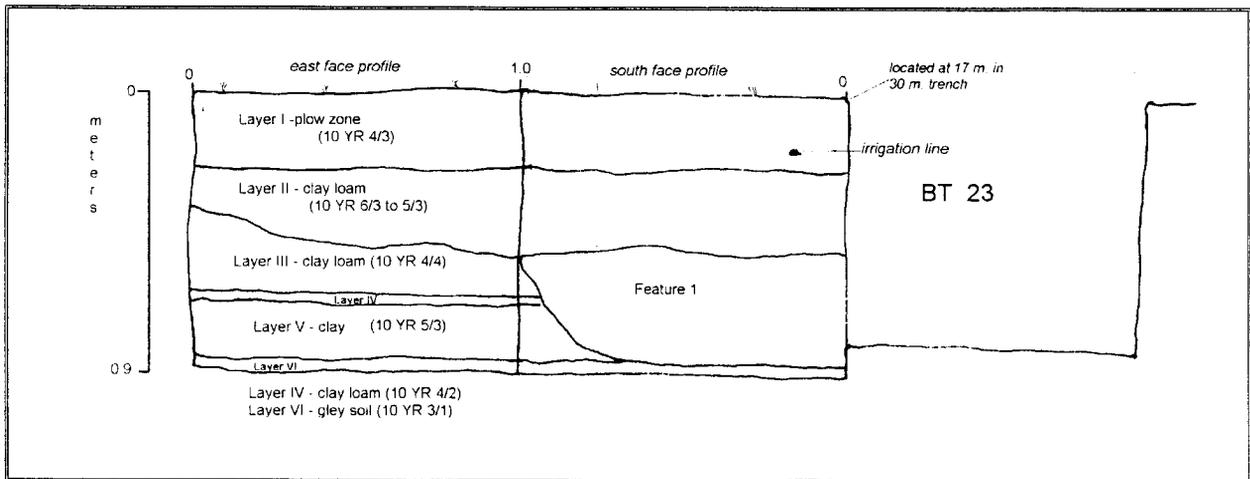


Figure 15 – East and south face profiles of Test Unit 1—Site 4697.

Test Unit 1

This unit was excavated on the eastern side of BT 23. It was placed c. 1.5 meters *mauka* or north of the area where the dog skeletal remains were previously encountered. This first test unit contained 6 soil layers (Figure 15).

Layer I was up to 25 cm. thick and was composed of the common brown (10 YR 4/3) sandy loam found elsewhere in much of the *makai* portion of the abandoned sugar cane field. This agriculturally disturbed layer contained 3.0 g. of scattered marine shell fish remains, 5.3 g. of echinoderm body parts, 2 pieces of white ceramic, and several sections of black plastic irrigation tubing. The soil boundary with the underlying stratum was somewhat indistinct.

Layer II was pale brown (10 YR 6/3) to brown (10 YR 5/3) and appeared to have been partially impacted by the overlying plow zone. This clay loam stratum was up to 16 cm. thick and contained 14.7 g. of scattered marine shell fish remains, 36.0 g. of urchin body parts, a dog tooth, scattered fish bone (0.4 g.) and a broken mammal tooth (non-human). In addition, 2 white ceramic pieces, an unidentified piece of plastic, a Maui “diamond” quartz, and a concentration of charcoal (10.7 g.) were encountered.²¹ A plow scar extended through the bulk of Layer II to a maximum depth of 39 cmbs.

Layer III was encountered between 39 and 41 cmbs. This dark yellowish brown (10 YR 4/4) clay loam was about 10 cm. thick. It contained low amounts of material culture remains, including 5.8 g. of marine shell fish remains and 14.6 g. of urchin body parts. In addition, this damp clay loam contained a subsurface feature—Feature 1.1.

Feature 1.1

This feature made itself apparent at c. 48 cmbs. near the southern face of TU 1. It runs up to 80 cm. wide in TU 1, and extended into the unexcavated southern profile of the unit. This irregularly shaped pit was a maximum of 33 cm. deep (from c. 48 to 81 cmbs.). Test Unit 2 was excavated adjacent to TU 1, in order to investigate the feature more fully. Material culture remains in this feature were recovered from both test units. These consisted of 70.6 g. of marine shell fish, 48.1 g. of echinoderm parts, 0.5 g. of fish bone, 3 unworked coral pieces, and a small Maui “diamond” (0.3 g.).²² An Asian-motif ceramic shard was located in the top few centimeters of Feature 1.1. Floral remains consisted of 11.9 g. of scattered charcoal. A radiocarbon sample was submitted to Beta Analytic, Inc. This sample returned a date of 120 +/- 70 RCYBP. The calibrated results put the date at between AD 1650 and 1950. The intercepts of the radiocarbon age with the calibrated curve fell at AD 1695, AD 1725, AD 1815, and AD 1920 (refer to Appendix A).

While a ceramic shard was found near the top of the feature, there were no other historic materials recovered. The radiocarbon date does not clearly indicate a time frame for Feature 1.1. This irregularly shaped pit truncated the Layer IV deposit.

²¹ This charcoal concentration contained one of the ceramic pieces.

²² Crystals of white quartz—some of gem quality (Macdonald, Abbott and Peterson, 1983, p.488).

Layer IV was present in the northern portion of TU 1. This thin dark grayish brown (10 YR 4/2) clay loam extended from c. 63 to 67 cmbs. No material culture remains were found in this slightly compact stratum. Layer V extended from 67 to 82 cmbs. This layer was a moist, compact brown clay (10 YR 5/3). No material remains were found in this stratum

Layer VI was composed of saturated very dark gray clay (10 YR 3/1). This gley soil appeared to be sterile. Excavation was halted at a maximum depth of 90 cmbs.

Test Unit 2

This unit was excavated adjacent to and *makai* (south) of TU 1, in order to more fully investigate Feature 1.1. Six similar strata were encountered in this 1-meter square unit (Figure 16). Layer I was a maximum of 37 cm. thick. The plow zone (10 YR 4/3) yielded 8.0 g. of scattered marine shell fish, 19.6 g. of urchin body parts, 2.6 g. of pig bone, and unworked basalt flake, 3 pieces of unworked coral, a piece of white ceramic, a green bottle glass fragment, and a piece of iron. In addition, plastic drip-line irrigation tubing was located just to the east of the test unit.

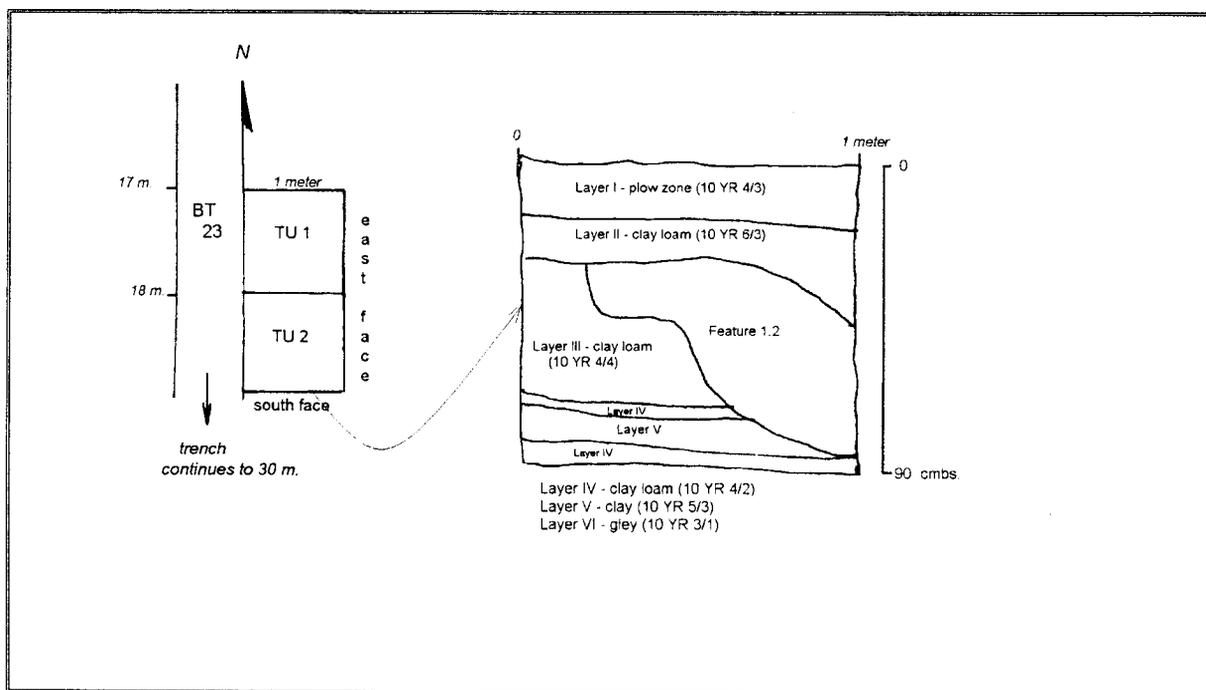


Figure 16 – South face profile of Test Unit 2—Site 4697. Figure on the left shows relationship of Test Units to Backhoe Trench 23.

Layer II was located c. 25 to 27 cmbs. and consisted of the common pale brown (10 YR 6/3) to brown (10 YR 5/3) clay loam. This somewhat compact layer yielded 58.4 g. of marine shell fish remains, 62.1 g. of echinoderm body parts, a dog tooth, 15.4 g. of

scattered charcoal, and a rusted iron spike (92 mm. long). This stratum appeared to be largely intact.

Layer III was encountered at 38 to 40 cmbs. Only a small portion of stratum was present in the eastern half of TU 2. Feature 1.1 extended into much of the dark yellowish brown (10 YR 4/4) clay loam. All material culture remains located in the Feature 1.1 pit were combined with those found in the TU 1 portion of the same feature.

Layer IV was encountered at c. 60 to 69 cmbs. and was a maximum of 6 cm. thick. This thin stratum was located only in the eastern portion of TU 2. No material culture remains were recovered from this dark grayish brown (10 YR 4/2) clay loam.

Layer V was encountered at c. 66 cmbs. and was a maximum of 12 cm. thick. This brown (10 YR 5/3) clay was somewhat compact and moist. This stratum was also sterile. The Layer VI deposit extended from 78 cmbs. to the bottom of TU 2 at 90 cmbs. This saturated gley soil was very dark gray (10 YR 3/1) in color and did not yield and cultural materials.

Discussion

A series of auger probes were made to determine the extent of this subsurface site. Beginning at the test units, the subsurface cultural deposit appeared to extend c. 6 meters northwest, and about 3 to 4 meters west, giving an area extent of c. 30 to 40 square meters to the west of the burial preserve. It may also extend to the east, but that area is within the burial preservation reserve itself, and was not further tested. No plan view drawing of the estimated area of the site was made.

Excavation at Site 4697 yielded a radiocarbon date that could fall into the late precontact or early post-contact period, although it was far from being definitive. The post-contact material items included bottle glass and ceramic sherds. There were 2 houselot *kuleana* awards in the general vicinity (LCA 8817:1 and LCA 5952:1). Site 4697 could be a remnant of activity associated with one of these. The radiocarbon calibrated date bracket was AD 1695 to 1950—with 4 intercepts, falling at AD 1695, AD 1725, AD 1815 and AD 1920.

Site 50-50-08-4698

This last site was located during backhoe testing near the ruins of the former Olowalu Mill (Site 1602). Backhoe Trench 59 was excavated just to the east of the landscaped area of the former manager's home. This backhoe trench lies within c. 25 m. of the existing shoreline. Charcoal flecking and scattered marine shellfish remains were noted in the profile and subsequently, a 1-meter square test unit was excavated to further investigate subsurface conditions.

Test Unit 1

This subsurface test was located in the western fact of BT 59. A total of 6 layers, including a cultural deposit (Layer III) were located (Figure 17). The uppermost layer consisted of dark brown (10 YR 3/3) clay loam that was humus rich. Angular and waterworn basalt cobbles were common in this loose, somewhat dry stratum. Material culture remains included modern refuse that was not collected. In addition, 12.8 g. of scattered marine shell fish remains, 5.9 g. of pencil urchin spine, a trace of crab shell, 14.9 g. of pig bone, 142.8 g. of cut beef bone, 6.5 g. of *kukui* nut shell, 3 pieces of unworked coral and a trace of charcoal. Layer I was about 30 cm. thick.

Layer II was up to 19 cm. thick and was composed of brown (10 YR 5/3) silty loam. This loose stratum contained low amounts (less than 5% by volume) of basalt cobbles and pebbles. A low amount of material culture remains were recovered from this

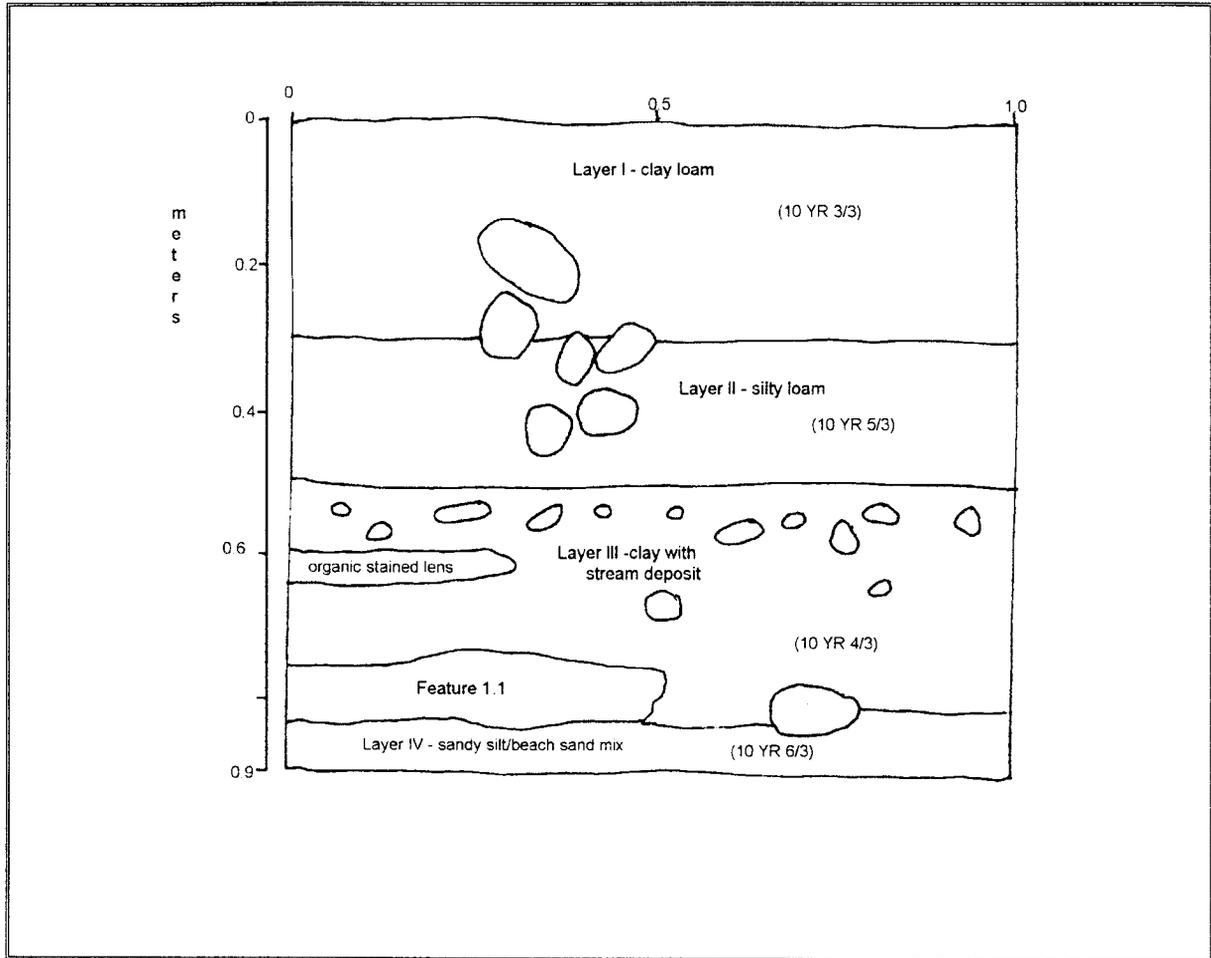


Figure 17 – West face profile of Test Unit 1—Site 4698.

layer. Portable remains included 2.2 g. of scattered marine shell fish, 4.4 g. of pencil urchin spine, a mammal tooth, and a trace of charcoal.

Layer III had a higher clay content than the overlying stratum. This lower layer was brown (10 YR 4/5) in color and contained an *in situ* cultural deposit. This moist, compact stratum contained stream gravel and sand deposits, material culture remains, and a subsurface feature. Portable remains in the c. 32 cm. thick layer included 61.2 g. of marine shell fish remains, 36.3 g. of echinoderm body parts, 17.1 g. of charcoal, 2 unworked basalt flakes, 2 flakes of volcanic glass (2.9 g.), and 5 pieces of unworked coral. The 2 volcanic glass flakes are of good quality. A feature was located in Level 2 (59 to 69 cmbs.) and extended to the bottom of Layer III.

Feature 1.1 is interpreted as a hearth remnant, and yielded 26.1 g. of charcoal. This feature was a maximum of 61 cm. wide and its lower section extended into the unexcavated western profile of the unit. The eastern part of the feature was truncated by the BT 59 excavation. A suitable charcoal sample was collected and sent to Beta Analytic, Inc. This sample returned a radiocarbon age of 230 +/- 70 RCYBP. This sample yielded a date range (at 2 sigma, 95% probability) of AD 1495 to 1950. The intercept data indicated that the intercept of the radiocarbon age and the calibration curve fell at AD 1665. This date is comfortably in precontact times. The latter date of 1950 is attributed to atmospheric testing. Given the lack of post-contact material culture remains, this site is interpreted as precontact.

The lower portions of Layer III contained less cultural material and Level 4 (79 to 83 cmbs.) was sterile. The soil boundary with the bottom-most stratum in TU 1 was abrupt and clean.

Layer IV consisted of dark yellowish brown (10 YR 4/4) sandy silt mixed with pale brown (10 YR 6/3) sand banding. This moist stratum extended to the bottom of TU 1 at 90 cmbs. Excavation was halted just above the ground water table.

Discussion

Excavation next to BT 59 yielded a precontact cultural deposit. It appears that the site might extend under the landscaped portion of the nearby Manager's house, but that area was not available for subsurface testing. Backhoe Trench 60 which lies 20 meters to the east did not contain any precontact cultural materials, indicating that the site did not extend beyond that point to the east. A series of auger probes, revealed that the site extended about 8 meters north of the test unit location, c. 3 meters to the south. The area to the east has been recently filled in. With this information, we estimate that the extent of Site 4698 to c. 35 to 50 square meters. No plan drawing was made of this site. Given its proximity to the ocean, it was probably a permanent habitation site, if one follows the traditional settlement pattern coastal zone model.

This subsurface site lies between the ruins of the old Mill and the Manager's house, both of which are not going to be disturbed. This area will be part of a planned Olowalu Mill Complex interpretative center.

Site 50-50-08-1602

The ruins of the old Olowalu Sugar Mill lie on the *makai* side of Honoapi'ilani Highway, approximately 20 meters from the shore (see Photos 14 through 21). The historic and archaeological material on this site was presented earlier in this report—in the section deals with background information. The reader is referred to that section. In addition, historic background research is being pursued by Ms. Gail Ainsworth, who has been contracted by Olowalu Elua, LLC to collect information which can be used in an interpretative exhibit. Additional research on our part was viewed as a duplication of effort. Pertinent historical information on the Mill and surrounding plantation

community will be included in the companion report dealing with the Olowalu *Mauka* (Phase 2) portion of this inventory survey. The reader is referred to that report for additional information on the Olowalu Mill complex.

A rough sketch map was included in the short data form completed during the 1974 statewide inventory of historic places. A map of the ruins, as they are today, was prepared by Mark Donham for the present inventory survey (Figure 18). The buildings associated with the Mill include the manager's house, which was probably built around 1910. There are 3 other dwellings that were the residences of other managerial personnel connected with the plantation. These lie *mauka* between the remnants of the mill foundation and the highway. On the ocean side of the mill is the remnant of a boat-landing ramp and pier, which was used to load sugar onto cargo ships that would transfer it to market (Photo 21). A longer, more substantial breakwater or jetty, located on the Lahaina side of the ramp, extends c. 50 meters into the ocean, perpendicular to the shoreline. This creates a relatively calm basin leading up to the boat ramp.

The foundations of the mill are overgrown with alien vegetation. A large opiuma tree is growing out of an area between two brick walls at the *makai* end of a large cement slab (Photos 19 and 20). This may have been a boiler area, where sorghum was reduced to sugar in the refinement process. Other areas are completely covered with *kiawe* and opiuma trees and debris (Photo 18). The stable area is located on the east side of the site. Mules were kept for working in the fields, and hauling cars along the railroad tracks around the turn of the century.

The historic photo on page 50 (Figure 18a) shows the Mill in the latter part of the 19th century. A boardwalk appears to be extending onto the jetty. Directly behind is the smokestack that would have extended from the brick structures that made up the boiling room at the *makai* end of the large concrete slab. We were not able to find anyone who had knowledge about the specific designation of the various parts of the remaining ruins. It is hoped that this information will be forthcoming with Ms. Bartholomew's continuing research.

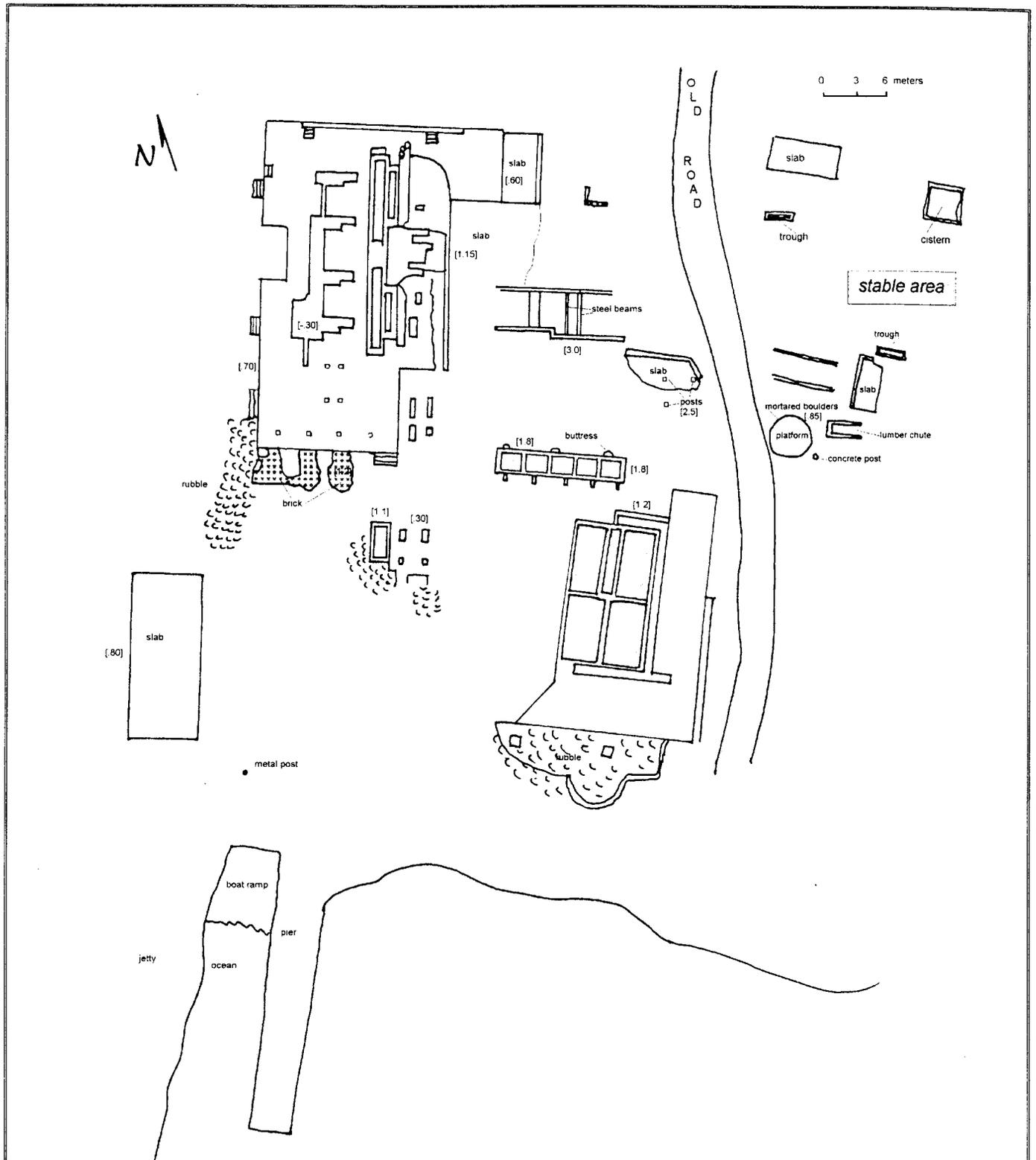
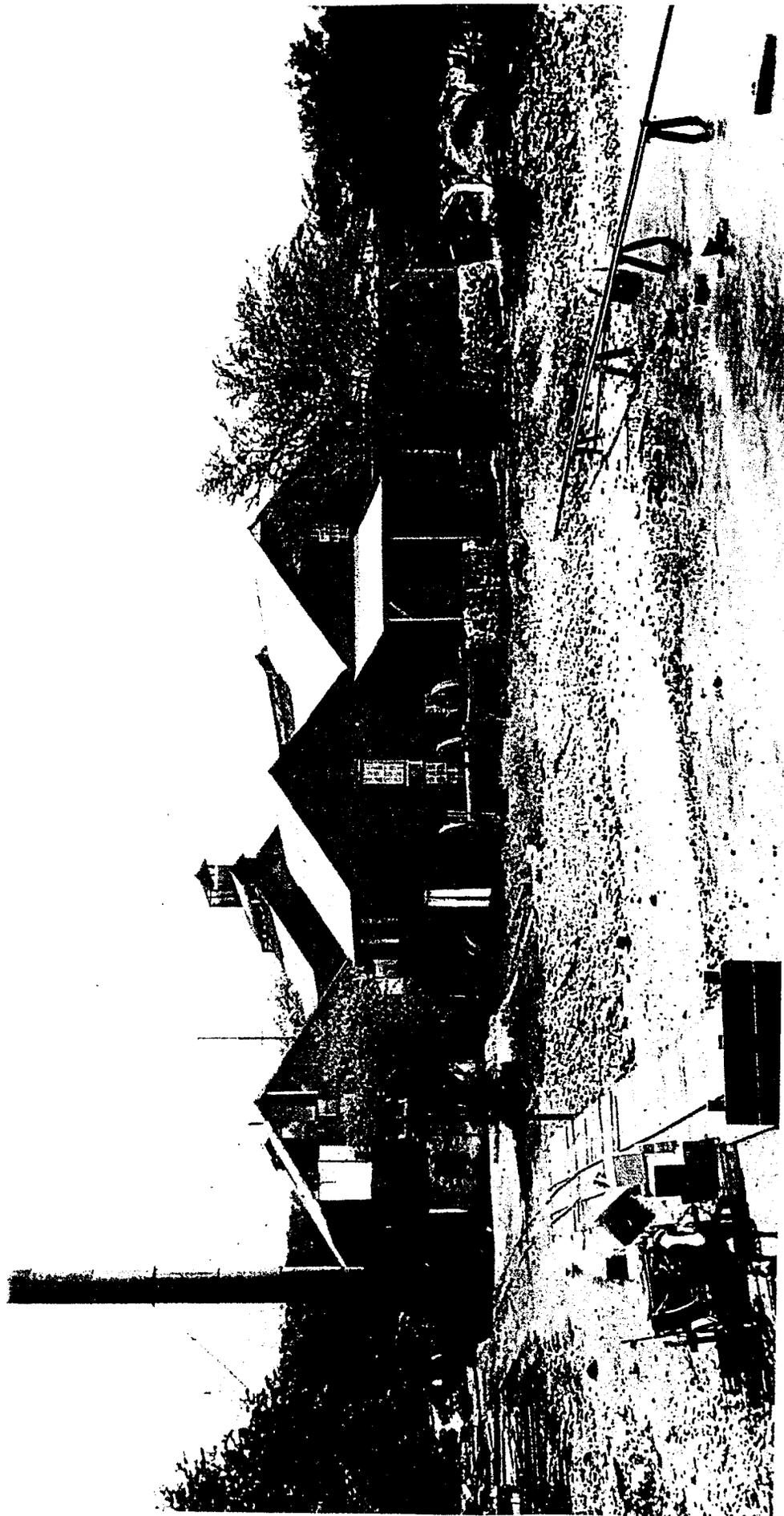


Figure 18 –Plan view of the Olowalu Sugar Mill ruins (Site 1602).



The Olwata Sugar Company mill between 1870 and 1890.

Backhoe Trenches

A total of 97 backhoe trenches were excavated on the *makai* portion of the Olowalu project area (Figure 3). Trenches were excavated past the ground water table, except in locations where subsurface conditions proved to be too unstable or where human skeletal remains were encountered (BT 8 and BT 13). The majority of the backhoe trenches were c. 5 meters in length by c. 0.9 meters (the width of the backhoe bucket) in width. In general, depths ranged from 1 to 3.5 meters. The bulk of the trenches were closely inspected. It was not possible, however, to inspect several of the trench profiles due to unstable subsurface stream deposits. Refer to Table 8 for subsurface results for each of the backhoe trenches.

The scope of our sampling methodology was broadened after the Site 4693 burial ground was located to the northeast of Hekili Point. The area near the burial ground was more extensively sampled, in order to obtain a clearer understanding of the extent of the burials, and the subsurface marine sand deposit and apparent marsh deposit.

After the initial discovery of human remains in the sandy area, it was deemed prudent to systematically test areas where sand was either observed on the surface, or suspected to occur in subsurface deposits. It remains possible that additional burials might be present in these sandy areas along the coast of the study property. No additional human burials were located elsewhere in our inventory survey. The backhoe trenches did, however, provide valuable information on subsurface cultural deposits (Sites 4697 and 4698), and on the geology of the project area.

Subsurface results indicate that the former bed of the Olowalu Stream entered the ocean near Hekili Point on the eastern portion of the project area.²³ An extensive and course sand deposit was located to the east of the former stream bed. This sand was determined to be a marine deposit and was found to extend across much of the eastern project area and onto the portions of the *mauka* study area.²⁴ The marine sand deposit was exposed at the surface in the vicinity of the Site 4693 burial ground and was capped by up to 1 meter of alluvium elsewhere on the eastern portion of the study area (refer to Figure 3).

Further testing to the west of Site 4693 yielded thinner marine sand deposits and thicker gley soil deposits. In addition, stream deposits were noted in several trenches (BT 16, 17, 20) in this area as well. The presence of stream deposits in several test trenches indicates that the old Olowalu stream bed crossed this part of the project area before it was channelized to its present location, sometime around the turn of the century.

Saturated gley soil deposits were located in numbers of backhoe trenches. These gley soil deposits were high in organic content and are interpreted as former marsh

²³ These findings are corroborated by a 1906 survey map of Olowalu Sugar Plantation, drawn by A. C. Alexander. This map shows the former stream bed and the new channelized stream.

²⁴ Human remains were found associated with this marine deposit (Site 4693). This marine sand was probably deposited within the last 2000 years.

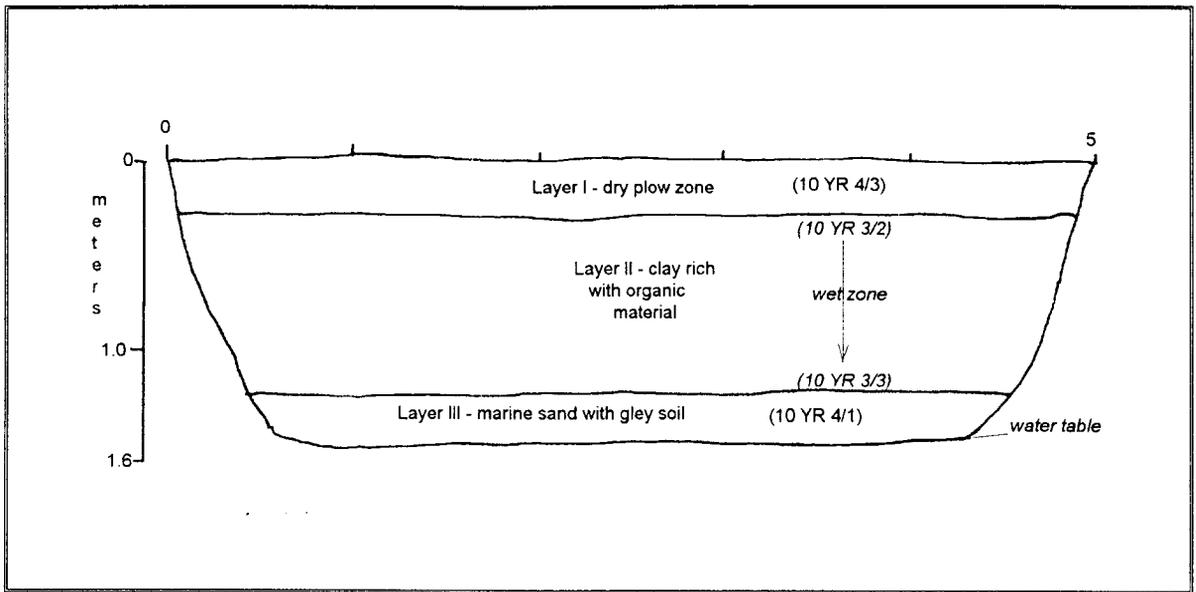


Figure 19 – West face profile of Backhoe Trench 21.

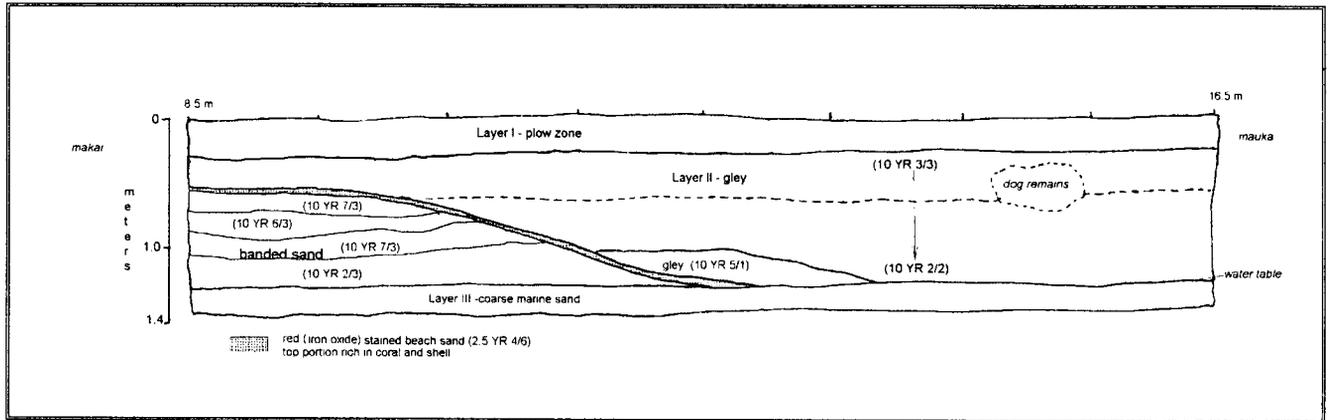


Figure 20 – West face profile of Backhoe Trench 23.

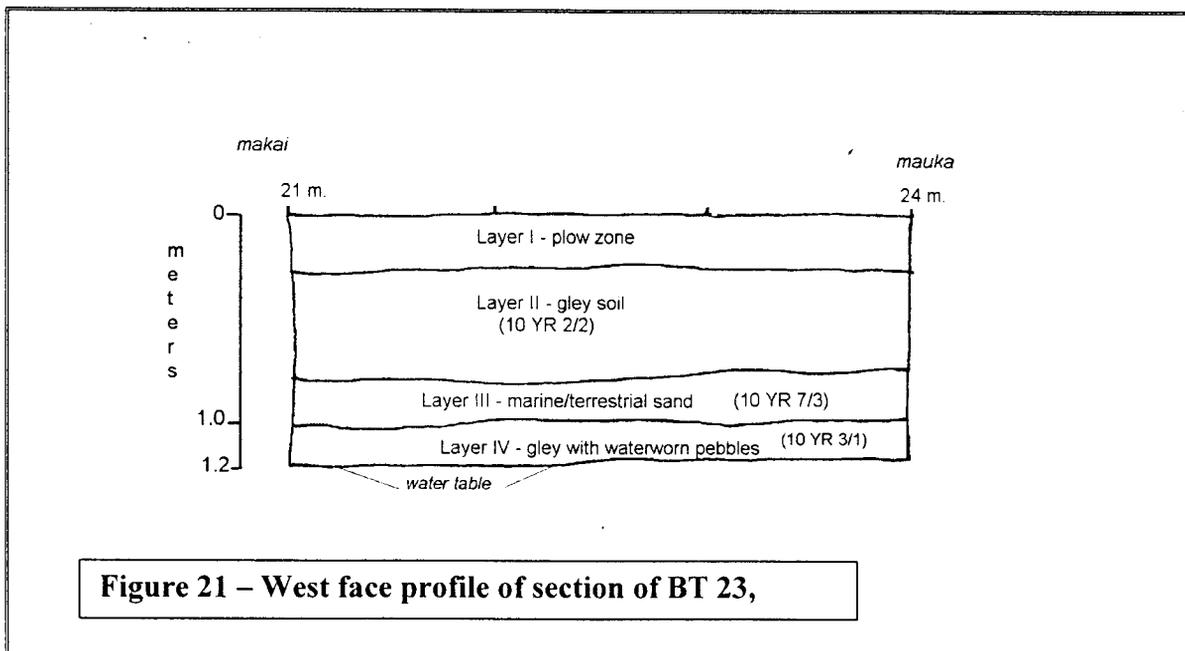


Figure 21 – West face profile of section of BT 23,

deposits. It appears plausible that a coastal berm of the previously noted marine sand partially dammed the Olowalu stream flow sometime in the past 2000 to 5000 years, when the sea level was higher than at the present time. Direct evidence of such a berm and the resultant marsh deposits that would have formed behind it, was exposed in BT 23.²⁵ We did not attempt to date the marsh deposits, as this was beyond the scope of our inventory survey.

Backhoe Trench 23 was 30 meters long and was excavated in an effort to locate the extent of the Site 4693 burial ground, and determine the edge of a possible marsh and a marine sand berm, if possible. Trench orientation was essentially N-S. Trench stratigraphy included the common brown (10 YR 4/3) plow zone which was underlain by alluvial deposits and what is interpreted as marsh deposits. Examination of the trench profile revealed a marine sand deposit that appears to have built up in the area where the former mouth of Olowalu Stream was likely located. This deposit of very pale brown (10 YR 8/3) marine sand was impacted by the plow zone in the southern most portion of BT 23. A sand berm which slopes down into alluvium and the underlying very dark gray (10 YR 3/1) gley soil deposit, was visible in the 7 to 10 meter section of the 30 meter long trench. The rest of BT 23 running *mauka* or north of this sand berm area did not contain any marine sand deposits. Rather, this subsurface test yielded gley soil and stream deposits which indicate a coastal lagoon marsh environmental setting.

Stream deposits became more common in the stratigraphy west of Hekili Point, and continued to the western end of the project area. In the coastal area particularly, mixing of beach sand with terrestrial sand was noted in several trenches excavated between Hekili Point and the old Olowalu Mill. Trenches within this zone of mixing included BTs 41, 43, 54 and 58). Stream deposits were present in nearly all of the trenches west of the former manager's house (BTs 62 through 97). However, 3 trenches in the vicinity of the existing shoreline in that area yielded more recent beach deposits (BTs 63, 66 and 67). Backhoe Trench 83 contained what appeared to be a storm wave beach sand deposit (Figure 23). All other trenches in this area yielded stream deposits of various grades from fine terrestrial sands through waterworn gravels, pebbles, cobbles and small boulders. Backhoe Trench 71 provides a representative profile for the bulk of the trenches with stream deposits.

Briefly touching on the results from other backhoe testing, we note that BT 21 (Figure 19) shows shallow, low turbidity deposit relationship going from stream deposit to marine and terrestrial sand mixing with clay and gley soil. In BT 32 and 33, large chunks of coral were found mixed with soil, which may indicate storm surge deposits as

²⁵ These types of marsh deposits can be seen along Honoapiʻilani Highway between Ukumehame and Olowalu today. The combination of being at sea level and behind a beach sand berm which blocks drainage, causes water to pool in low areas after heavy rains. As the stagnant water evaporates, salt crystals form on the surface. Such conditions would not have been conducive to the cultivation of taro. However, according to Dr. Ross Cordy (SHPD Doc. No: 0001RC11, January 11, 2000), "...stream fed 'coastal lagoonal marsh' lands could be used for fishponds and could have paleoenvironmental information on Hawaiian history (e.g., pollen record showing clearing of trees as signs of human settlement and charcoal dating that period). It is clear that these marsh soils must be studied further in the mitigation phase of this project—with trenching/coring, pollen studies, and dating."

appeared to be the case in BT 83. Backhoe Trench 59 (Figure 22) revealed a thin cultural layer, while BT 60 uncovered 19th century historic debris. Backhoe Trench 75 indicated a heavy water-flow area, by the presence of a high density of waterworn pebbles and cobbles. Backhoe Trench 97 had a 50%-50% marine and terrestrial sand deposit at the very bottom of the trench, which may indicate another possible tributary section, where during high tide, the marine-terrestrial sand mixing occurred.

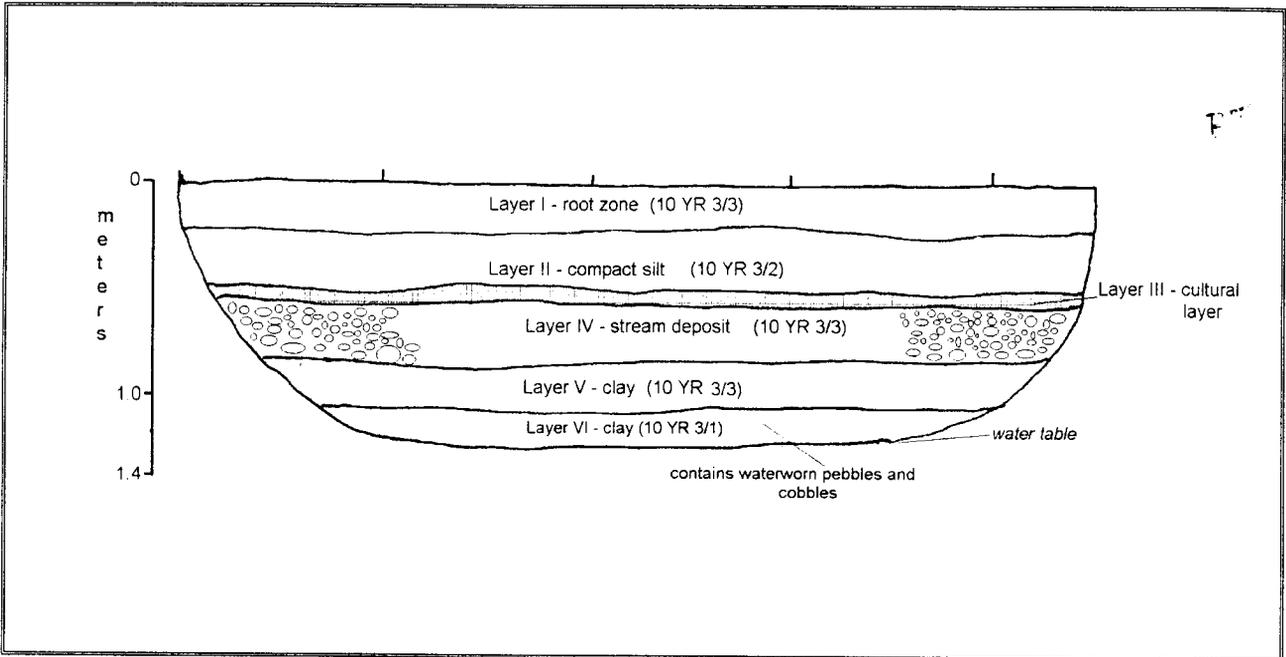


Figure 22 – West face profile of Backhoe Trench 59.

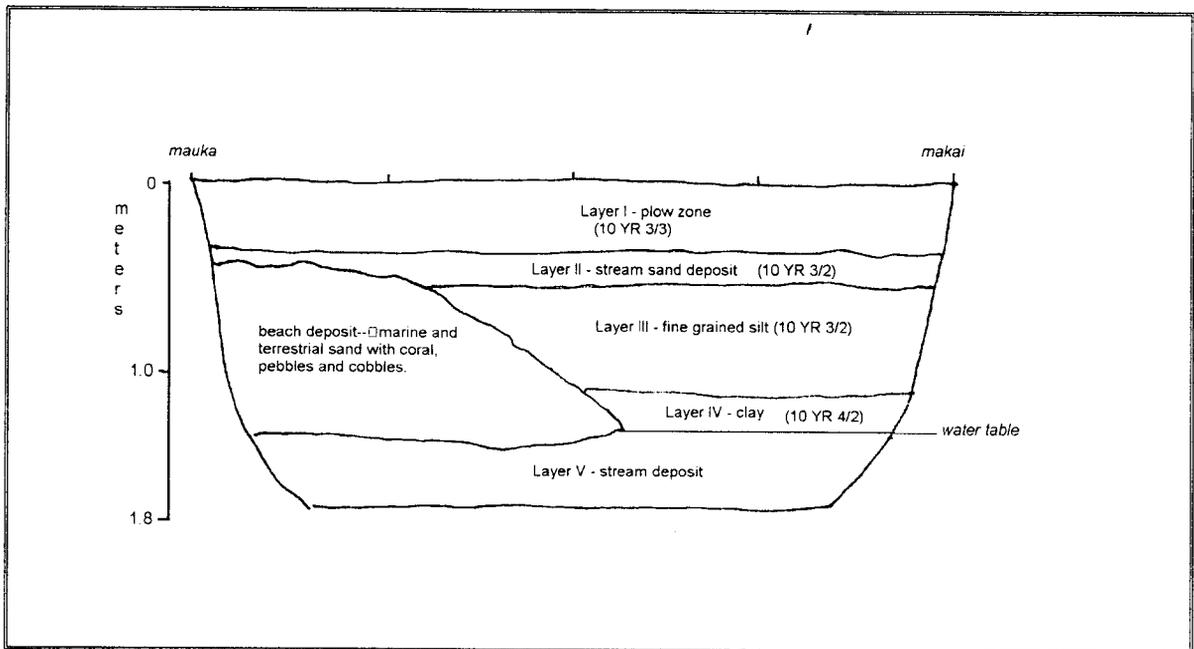


Figure 23 – East face profile of Backhoe Trench 83.

In general all of the backhoe tests were dug to the water table, which occurred as shallow as 70 cmbs. in some areas. The average depth at which the water table occurred was between 1 and 2 meters, however. Marine sand was distinguished from terrestrial sand from the nature of its color and content. Marine sand was typically lighter in color, and mixed with bits of waterworn shell, coral and pebbles. Terrestrial sand was generally darker and made up of basalt and olivine crystals. The action of tidal fluctuations, bringing sea water laden with marine sand into an area of sand deposited by stream erosion, would cause the kind of mixing that was observed in many of the backhoe tests.

Only 4 backhoe trenches located cultural materials. Backhoe Trenches 8 and 13 uncovered human remains, while BTs 23 (Figures 20 and 21) and 59 (Figure 22) indicated cultural layers. The only radiocarbon dates from the inventory level subsurface survey, were obtained in test units which examined the cultural layers found in BTs 23 and 59.

Radiometric Dates

There were 2 radiometric dates obtained during our inventory survey on the *makai* portion of the Olowalu project area. One was from subsurface Feature 1.1 in Site 4697. It yielded a conventional radiocarbon age of 120 +/- 70 RCYBP. The calibrated result at 2 sigma (95% probability) is AD 1650 to 1950. A series of intercepts of the radiocarbon age with the calibration curve fell at AD 1695, AD 1725, AD 1815, and AD 1920. Cultural material in this feature was not definitive—there were no indigenous artifacts found. However, there was marine shell fish midden present. A few sherds of ceramic ware were found on the surface of the feature. These factors appear to suggest an early post-contact date. There were several LCA parcels located to the west, which indicate that there were *kuleana* homesteads in this coastal area well into post-contact times.

The second radiometric date was obtained from a sample recovered from a subsurface feature at Site 4698, located in the vicinity of the old sugar mill. A subsurface cultural deposit was exposed in BT 59 in this area. When this deposit was explored further in a 1 x 1 meter square test unit, a concentration of carbon was collected and sent to Beta Analytic, Inc. for analysis. This sample returned a conventional radiocarbon age of 230 +/- 70 RCYBP. The calibrated results (2 sigma, 95% probability) provided a date range from AD 1495 to 1950. The intercept of the radiocarbon age and calibration curve fell at AD 1665. There were no historic materials found in the cultural layer, which tends to corroborate a late precontact time frame.

Appendix B Detailed Site Descriptions for Historic Properties in Located within the Proposed Pali to Puamana Parkway – Olowalu Ahupua‘a *Mauka* Portion

Reproduced Site Descriptions from:

Fredericksen, Erik M. and Demaris L. Fredericksen

2000b Archaeological Inventory Survey of *Mauka* Portion of Olowalu Development
Parcel Phase 2, Olowalu Ahupua‘a, Lāhainā District, Maui Island (TMK 4-8-03:
10). Xamanek Researches, Pukalani, HI.

APPENDIX A – SITE DESCRIPTIONS

Site 50-50-08-1603

While this site is technically excluded from study parcel, informants indicated that the church property had been more extensive in the past. There was concern that graves of church members might be present in the adjacent cane fields. For this reason, we undertook a series of backhoe trench tests in this area. Backhoe Trench 164 located an unmarked casket burial quite near the old church ruins (Figure 5), which vindicated their concern.

The following excerpts are from letters archived in the Mission Houses Museum Library, Honolulu, copies of which were present in the Olowalu Church files, which provide information on the church property. They were provided to Xamanek Researches by Ms. Adeline Rodrigues.

- 1) From E. E. Pleasant to H. P. Judd, February 4, 1929:

"I am inclosing [sic.] a map of the Olowalu district showing the church lot. We suspect that this lot is still owned by the government in the same way as was the Kaupo Church lot. I spoke to Garcia, our local land man here about it and he suggested that I take it up with you and proceed as in the case of the Kaupo Church. Will you look up the title and see if they have any sort of description from which a deed could be drawn? We are looking up the historical data, to show that this property has been used all along for church purposes. They continue to use the old church building although it is almost entirely minus a roof now. We want to get the deed to the land, and then the people there will consider the repair of the old building or removal to some other site and the making of an exchange.

- 2) From E. E. Pleasant to H. P. Judd, April 19, 1929.

"I saw Mr. Garcia of the Land office here yesterday. He was over at Olowalu two days ago and secured from Mr. Wm. Hoopii the data about the use of the old church and its past history. He also talked with Hanneberg, Manager of the Plantation and learned that he seems to have it in for Mr. Hoopii. He says that the plantation has always, at least for quite a number of years, used probably half or more of this church lot for cane. It is in cane now. Mr. Hanneberg said that their deed calls for all this land except two acres of the church land and he wants the church to take their two acres from the church out to the road in front. This would not include any of the land where they have cane.

Now it seems to me that the church is entitled to a deed to the two acres as laid out in the map for this was the exact boundary of the lot as originally set aside long ago under the Hawaiian government 'for Church and school land.' We have used the house of worship continuously, as the history will show. Let the deed issue to the church (or to the Board as trustee) according to the map and

then we can negotiate an exchange with the plantation or make an agreement for rental.

I told the church that we ought to get our title to the land first in the shape of a deed and then we could take up the matter of deciding whether to repair the old church or build a new one nearer to the center... ”.

3) From E. E. Pleasant to H. P. Judd, January 11, 1933.

“What we wish to avoid is the repairing of that old church. It would cost at least \$2000.00 to do it with new material and more if we add the cost of tearing down an old building to provide the lumber.

The school lot is a better location although we would not need all of it. It seems to me that the better way would be for us to buy the building at whatever price we would have to pay when the auction takes place and the government give the Board a trust deed for the amount of land needed there.

It may be objected that the government has already give that church a plot of land in the form of a trust deed. This is true but I think it was a mistake. That deed should have been an out and out deed with no conditions. For 70 years or more the church has been in possession of that plot of land where the old church stands and many are buried there. But no deed or writing was ever given. It belonged to the classification ‘Church and School land’ under the monarchy i.e. land set apart for that purpose. It has been the policy for the government to give title where it can be established that the church has been in possession for so long and has used the land for that purpose un-interruptedly. A plain deed or patent was secured by Mr. Lake for the church lot at Hana which the church had used for nearly a hundred years but never had a deed. I think the Kaupo church lot was recently deeded in the same way. But at Olowalu the deed recently made was put in the form of a trust deed and the land reverts to the government if not used by the church.... ”

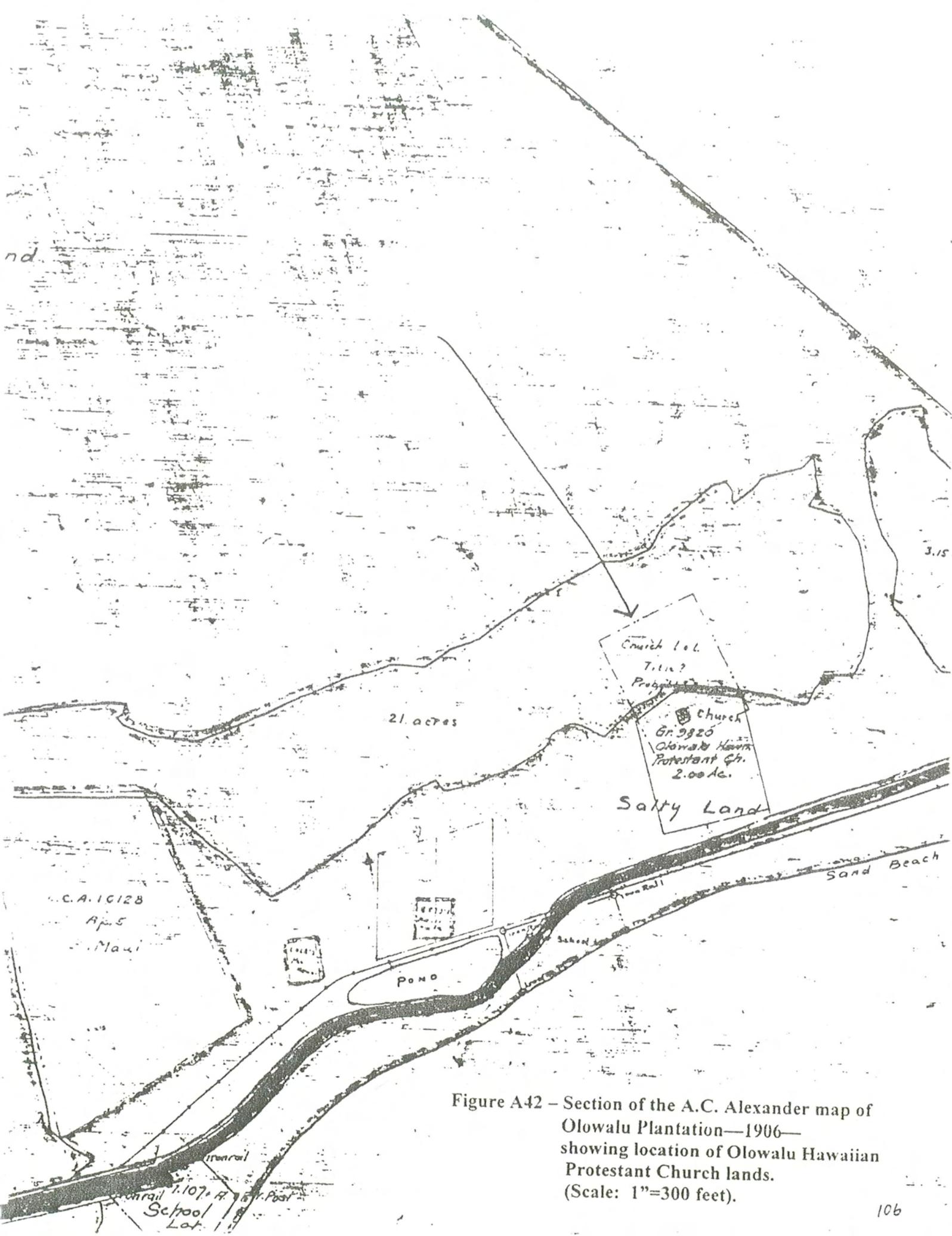


Figure A42 – Section of the A.C. Alexander map of Olowalu Plantation—1906— showing location of Olowalu Hawaiian Protestant Church lands. (Scale: 1"=300 feet).

Condition: poor
Estimated age: post-contact—plantation era
Portable remains: none observed

Comments: This short section of wall has been tied into the property corner monument which is made of boulders and mortar. The wall is dry-laid, stacked and faced, and has 2 to 3 courses of boulders averaging 0.4 m. in diameter. The wall runs c. 315 degrees off the monument. The wall section may predate the monument. This site is partially covered by a burned cane pile.

Site [26] 50-50-08-4720

Site type: single component—retaining wall
Environmental setting: Located in the eastern portion of the project area in a small drainage system at the NE boundary of the property, on the northern edge of a cane field. The flora consists of mature *kiawe* trees and buffelgrass.
Dimensions: 9.0 meters long by 9.5 meters wide by 1.6 meters maximum height
Function: road grade across drainage area
Subsurface potential: minimal
Tested: no
Integrity: altered by cane operations
Condition: good
Estimated age: post-contact—plantation era
Portable remains: none

Comments: This is a well-built retaining wall, made of waterworn boulders that are dry-laid, 5 to 6 courses high. The upper course is mortared with waterworn pebbles and coral for aggregate. The retaining wall crosses an intermittent stream and creates a relatively level area that extends 9 meters back to a large clearing berm that post-dates the feature.

Site 50-50-08-4758

Site Type: Historic cemetery
Environmental setting: Located on the edge of a cane field. Overstory of *kiawe* trees, with buffelgrass ground cover mixed with *haole koa*.
Dimensions: c. 80 meters east-west by 30 meters north-south
Condition: Fair—recent burn-over charred wooden markers. Some head stones have been displaced in the past—others remain upright. One grave appears to be visited regularly, as fresh flowers were present.
Estimated age: Early 1900s to c. 1938
Portable remains: scattered bottles, metal cans, vases—which probably held flowers or offerings at one time.
Comments: With the exception of the attention being given to the grave of Ralph H. Fujishiro (May 29, 1925 – January 31, 1938), the other graves did not appear to be visited. The cemetery was overgrown with buffelgrass and *kiawe* trees. Fire from the adjacent sugarcane field burn swept over the cemetery sometime in early May 1999, exposing the tombstones, and damaging some of the wooden markers.

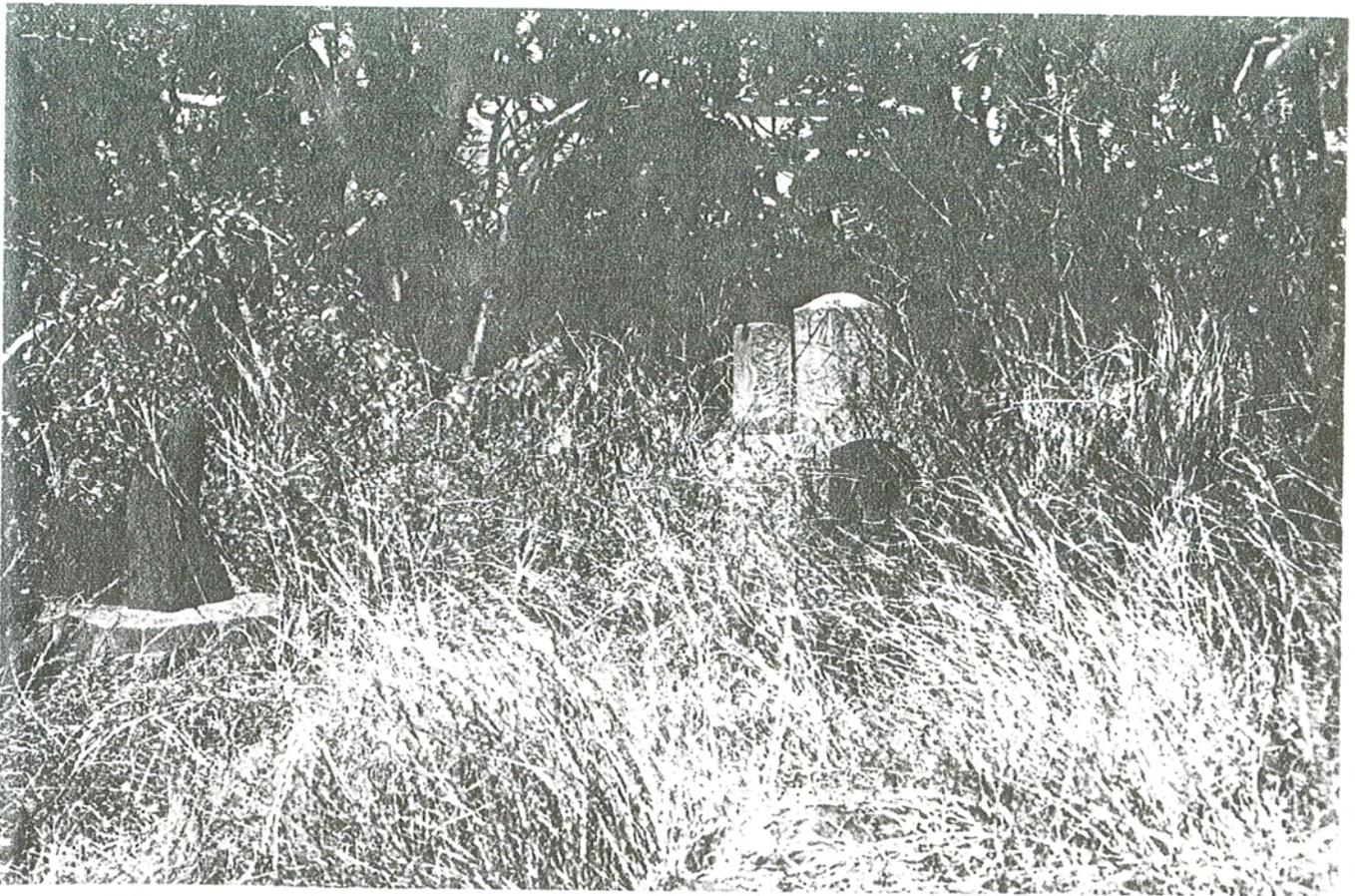


Photo 57 – Site 4758—gravestones prior to burning.



Photo 58 – Site 4758—cemetery following burning of underbrush.

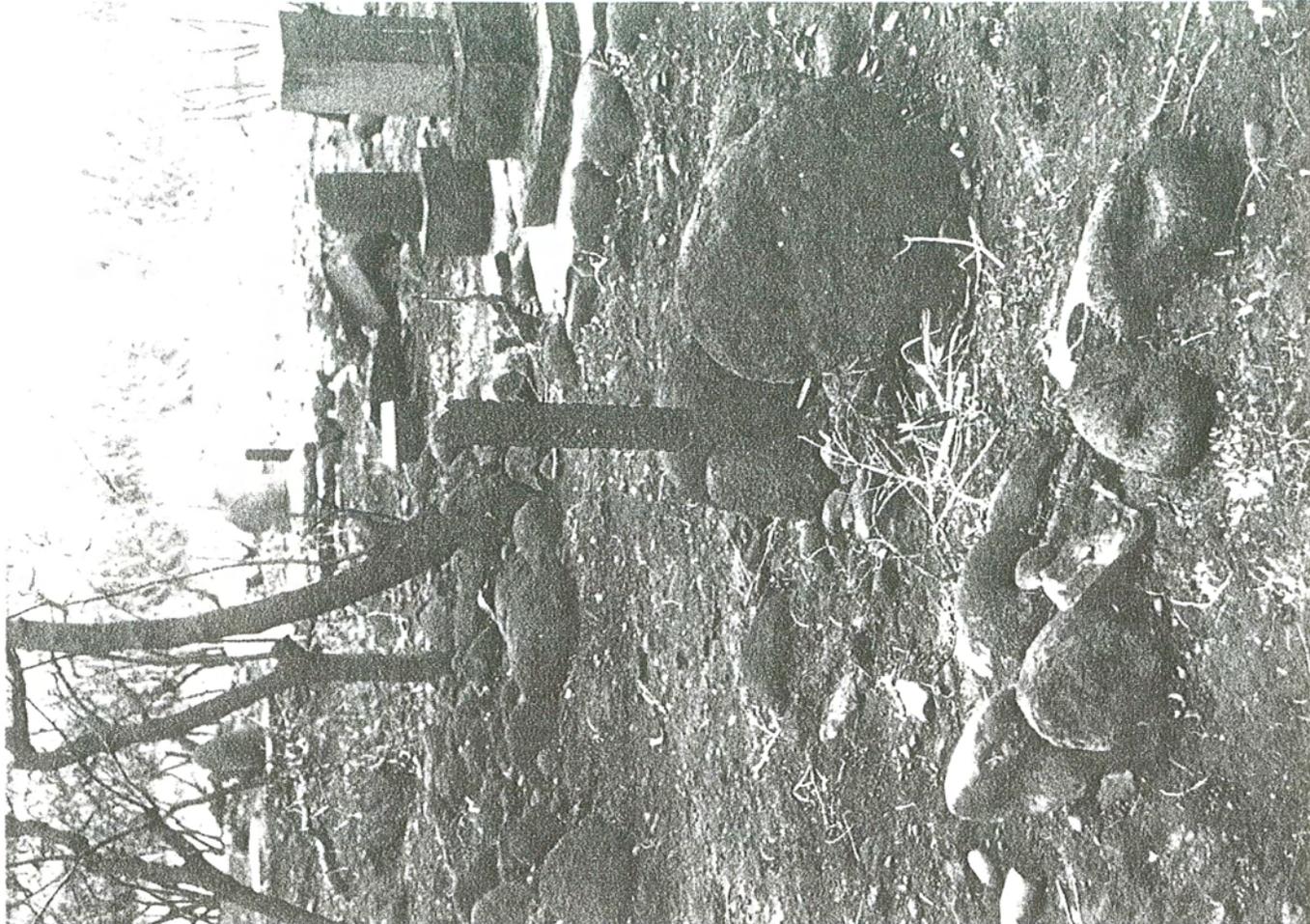


Photo 60 — Site 4758—charred wooden grave marker.



Photo 59 — Site 4758—engraved headstone.

Site 50-50-08-4820

Site type: Surface scatter of human remains

Environmental setting: Located in a cane field, c. 30-35 meters northeast of Honoapiʻilani Highway, and c. 250 meters west of Olowalu Subdivision.

Dimensions: Covers c. 100 square meters—located between BT 120 and 121.

Subsurface potential: Subsurface evidence of an *in situ* burial was not found in the 2 backhoe trenches.

Integrity: Altered. Secondary deposition of human remains—additional surface skeletal material is expected from this displaced burial.

Condition: human remains are fragmented and weathered.

Estimated age: precontact

Comments: Find consisted of a few fragmented long bone shafts. Informants reported that human skeletal remains have been recovered from this location for years, and that they were reinterred in Site 4718—*heiau*. Site 4820 lies about 180-200 meters *mauka* of the Site 4693 burial preserve.

Site 50-50-08-4821

Site type: Surface scatter of human remains

Environmental setting: Located in a cane field, in the westernmost section of the study parcel, about 100 to 120 meters *mauka* of Honoapiʻilani Highway.

Dimensions: Covers c. 50 to 60 square meters—located between BT 139 and BT 140.

Subsurface potential: Subsurface evidence of an *in situ* burial was not found the the 2 backhoe trenches.

Integrity: Altered. Secondary deposition of human remains—additional surface scattered skeletal material may be present.

Condition: skeletal remains fragmented and weathered.

Estimated age: precontact

Comments: Find consisted of a skull fragment, a phalange, and a few long bone fragments.

Site 50-50-08-4822

Site type: Location of historic pond.

Environmental setting: Located between the shoreline and Olowalu Subdivision, in the eastern sector of the subject property. Only a narrow strip between Honoapiʻilani Highway and the cane road is on the study parcel, and is designated as a greenway area in development plans.

Dimensions: unknown

Subsurface potential: good—pond sediments are probably still present.

Integrity: Altered—pond was filled in the 1950s when Honoapiʻilani Highway was constructed.

Estimated age: Reported by informants to date from precontact times. Existed into 20th century.

Comments: This pond was reported to have been called *Kaloko o Kapa`iki* by informant John Ka`aea. Mrs. Adeline Rodrigues said that High Chiefess Kalola lived just *mauka* of it, and that it was probably associated with her. It is shown on maps from the 19th and early 20th centuries (Figures 1 and 1a).

Site 50-50-08-4823

Site type: Subsurface gleyed marsh/lagoonal soils.

Environmental setting: Located in the eastern portion of the study property, 30 to 80 meters *mauka* of Honapi`ilani Highway in BTs 106 and 107. Soils are found inland of a sand beach berm which traps rain water behind it, creating marsh conditions.

Dimensions: unknown

Subsurface potential: good—these soils may contain pollen and charcoal deposits from the period of the first human settlement in Olowalu.

Estimated age: dates from precontact times.

Comments: These subsurface marsh/lagoonal soils may be fairly extensive. On the 1906 map (Figure 1a) the area to the west of the backhoe trenches is referenced as “salty land”. The leeward coast of Maui between Olowalu and Ukumehame is known for marshy conditions that occur after heavy rainfall.

Appendix C Monitoring Plan for Lands with in the Required Monitoring Area of the Olowalu Coastline

Reproduced Monitoring Plan from:

Olowalu and Associates, LLC.

2001 Archaeological Mitigation & Preservation Plan Makai Portion (Phase 1), Olowalu Ahupua'a, Lahaina District, Maui Island TMK 4-8-3:1,3,4,5,6,33,41-49,83&84 Kahului, HI.

APPENDIX B

Monitoring Plan for Eastern Shoreline Areas

Scope of Monitoring:

During the inventory survey phase, sand deposits were found next to the Beach Reserve along the eastern end of the study area. As such, archaeological monitoring of earth altering activities is recommended in the near-shore area. The location of the monitoring area is shown on the map at the end of this *Archaeological Preservation Plan* (Exhibit "A:").

Activities which would require monitoring include the following:

- A. Significant subsurface intrusion resulting from activities related to subdivision improvements.
 - 1. Trenching.
 - 2. Road work.
 - 3. Grading.
 - 4. Landscape work.

- B. Significant subsurface intrusion resulting from activities relating to the development of a private residence or related improvements.
 - 1. Trenching for footings.
 - 2. Trenching for foundation.
 - 3. Trenching for utilities below two feet (2') from grade.
 - 4. Grading below two feet (2') from grade.

Activities which would not require monitoring include the following:

- 1. Removal of debris.
- 2. Trimming of trees.
- 3. Fill of material where the existing grade is not cut.
- 4. Residential landscaping activities including (a) installation of sprinkler systems; and (b) installation of trees, shrubs and other landscaping materials.
- 5. Agricultural activities.

In the event of any proposed earth altering activity that requires monitoring, a meeting will be held with an archaeologist, the contractor, and the landowner of the proposed improvement before any work is performed. At this meeting, actual on-site time and specific actions to be followed in the event of inadvertent discoveries will be discussed and agreed upon by the landowner, The archaeologist and the contractor. Additional meetings may be

called if either the archaeologist or contractor believes other relevant information should be disseminated.

Monitoring Methodology:

There is a possibility that significant cultural materials may be inadvertently discovered during earthmoving activities. Since human burials and skeletal materials have been found on the subject parcel and in this area, inadvertent discovery of additional human remains in the monitoring area remains a possibility.

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

- 1) The contractor will be responsible for ensuring that each monitor is aware of scheduling plans and that a monitor is present at all earth-moving activities designated for monitoring.
- 2) Both the archaeologist and the contractor are responsible for ensuring that on-site work is halted in an area of significant findings and to protect the find from any further damage (i.e., fencing, protective covering, etc.) until mitigation of the finds are recommended by the SHPD and the Maui/Lana'i Islands Burial Council.
- 3) In the event of the discovery of human remains, work shall cease in the immediate find area. The monitoring archaeologist will be responsible for notifying the Historic Preservation Division Burials Program (UPDBP), which, in consultation with the Maui/Lana'i Islands Burial Council, will determine the appropriate mitigation measures. The notification will include providing accurate information regarding the context and composition of the find.
- 4) The archaeologist will work in compliance with Hawaii Revised Statutes Chapter 6E (Procedures Relating to Inadvertent Discoveries).
- 5) The archaeologist will have authority to close down construction activities in areas where potentially significant discoveries have been made until they have been properly evaluated. Construction activity may continue in unaffected project areas.
- 6) Field procedures to be followed for documentation of discovered cultural features or human skeletal remains include: (a) standard field methods including recording of profiles showing stratigraphy, cultural layers, etc.; (b) mapping, photographing of finds other than human remains; and (d) excavation of cultural materials and/or exposed features.
- 7) The SHPD Maui Archaeologist will be notified and consulted regarding treatment of identified features considered to be of significance under S13-279-2 (definitions), such as cultural layers, artifact or midden concentrations, structural remains, etc.
- 8) The contractor should take into account the need to mechanically excavate at a speed slow enough to allow reasonable visual inspection of the work. The

monitoring archaeologist must make a "best effort" to search for potential archaeological materials (artifacts, features, midden, skeletal materials, etc.).

- 9) Significant archaeological discoveries, if they occur, should be protected and identified by construction "caution" tape, fencing, or other reasonable means, until mitigation is decided upon by SHPD.
- 10) In most instances, one monitor will perform monitoring fieldwork. Tasks will include initial observation of surface activities associated with the removal of the existing vegetation and placement of a sand buffer over the preservation area.

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

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

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

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

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

APPENDIX B
Cultural Impact Assessment

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**A Cultural Impact Assessment
for the Proposed Pali to Puamana Parkway
Polanui Ahupua‘a to Ukumehame Ahupua‘a,
Lāhainā District, Maui Island
TMK: (2) 4-8-02: multiple parcels, 4-8-03: multiple parcels,
and 4-7-01: multiple parcels**

**Prepared for
RM Towill**

**Prepared by
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and
Hallett H. Hammatt, Ph.D.**

**Cultural Surveys Hawai‘i, Inc.
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Management Summary

Reference	A Cultural Impact Assessment for the Proposed Pali to Puamana Parkway Polanui Ahupua'a to Ukumehame Ahupua'a, Lāhainā District, Maui Island (Lee-Greig and Hammatt 2006)
Date	August 2006
Project Number (s)	CSH Job Code: PALA 2
Project Agencies	SHPD/DLNR
Land Jurisdiction	Multiple Owners (Various Private Landholding, County of Maui, State of Hawai'i)
Project Location	Coastal lands located makai (seaward) of the proposed Honoapi'ilani Highway re-alignment corridor, Polanui Ahupua'a to Ukumehame Ahupua'a, Lāhainā District, Maui Island, TMK: (2) 4-8-02: multiple parcels, 4-8-03: multiple parcels, and 4-7-01: multiple parcels. The project area is depicted on portions of the Maalaea, Olowalu, and Lāhainā USGS topographic 7.5' map series
Project Acreage and Description	Approximately 823-Acres. The County of Maui is proposing to re-designate the majority of lands makai of the Honoapi'ilani Highway re-alignment corridor as open space and park lands.
Project Area of Potential Effect (APE)	The project's APE extends no further than the approximate 823-acre area <i>makai</i> of the Honoapi'ilani Highway re-alignment corridor.
Project Regulatory Context	The project may require compliance with the State of Hawai'i environmental review process [Hawai'i Revised Statutes (HRS) Chapter 343], which requires consideration of a proposed project's effect on traditional cultural practices. At the request of RM Towill, CSH undertook this cultural impact assessment to provide information pertinent to the assessment of the proposed project's cultural impacts. This document is intended to support the project's state environmental review and provides documentation of the project's consultation efforts per the Office of Environmental Quality Control (OEQC) <i>Guidelines for Assessing Cultural Impacts</i> .

Findings	<p>Based on the information gathered during this assessment, parkland development within the project area may have negative impacts upon Native Hawaiian cultural resources within the immediate vicinity. Those interviewed for this study identified ongoing traditional practices that centered on the gathering of marine resources and voiced concerns regarding park maintenance and quality of the resources. With regard to park maintenance, there is some apprehension that increased use of the coastline for camping and/or formal park development will lead to unclean beaches, polluted water, and a decline in the quality and quantity of the marine resources. While on the one hand, an increase in traditional Hawaiian fishing and gathering practices by modern Native Hawaiians can be viewed as a good thing, on the other hand, increasing fishing activities may escalate pressure on the already over-extended resources of the area. Mr. Lindsey raised some concern over the use of <i>moemoe</i> nets.</p> <p>Implementation of a regulation system modeled on the traditional Hawaiian <i>kapu</i> system with regard to restrictions on fish and <i>opihi</i> sizes, as well as, fishing and gathering seasons was suggested by Mr. Charlie Lindsey. Mrs. Addie Rodrigues and Mr. Hinano Rodrigues would like to see the areas around Olowalu remain as-is or undeveloped and slated strictly for day use as a means to limit any negative impacts from intensive use of the area by recreationalists. A baseline study of the conditions of the marine resources and environmental conditions may be necessary to monitor the potential effects of increased use of the area by both recreationalists and subsistence fishermen. In order to address concerns about the potential for contamination and decline of resources in the area, close consultation with those who currently use the area for subsistence purposes is recommended prior to finalizing plans for formal wayside park development and designation of campgrounds. If park times are to be regulated, an additional concern may include night access for those in Olowalu and Ukumehame who have traditionally fished on certain nights. Formal provisions or allowances for night access should be considered when developing the formal plans for the park and/or camp areas.</p>
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Section 1 Introduction

1.1 Project Background

At the request of Mr. Chester Koga of RM Towill Corporation, Cultural Surveys Hawai'i, Inc. (CSH) conducted a Cultural Impact Assessment for coastal lands located *makai*, or seaward, of the proposed Honoapi'ilani Highway re-alignment corridor, Ukumehame Ahupua'a to Polanui Ahupua'a, Lāhainā District, Maui Island (Figure 1 and Figure 2). The County of Maui is proposing to re-designate the majority of lands located *makai* of the Honoapi'ilani Highway re-alignment corridor as open space and develop new or expand existing beach parks, wayside parks, and view areas along the coastline from Polanui to Ukumehame Ahupua'a as a part of the proposed Pali to Puamana Parkway.

This undertaking may require compliance with the State of Hawai'i environmental review process [Hawai'i Revised Statutes (HRS) Chapter 343], which requires consideration of a proposed project's effect on traditional cultural practices. CSH undertook this cultural impact assessment to provide pertinent information regarding any impacts that the proposed project may have on traditional cultural practices. This document is intended to fulfill the cultural impact assessment requirement for the State of Hawaii environmental review and provides documentation of the project's research efforts per the Office of Environmental Quality Control (OEQC) *Guidelines for Assessing Cultural Impacts* (Office of Environmental Quality Control 1997).

The total area under consideration for parklands consists of approximately 823-acres. The entire approximate 823-acre APE, hereafter referred to as the "project area", was considered and evaluated for potential impacts to traditional cultural practices.

1.2 Scope of Work

The following scope of work for the preparation of this cultural impact assessment included:

1. Examination of historical documents, Land Commission Awards, historic maps, with the specific purpose of identifying traditional Hawaiian activities including gathering of plant, animal and other resources or agricultural pursuits as may be indicated in the historic record.
2. A review of the existing archaeological information pertaining to the sites on the property as they may allow us to reconstruct traditional land use activities and identify and describe the cultural resources, practices and beliefs associated with the parcel and identify present uses, if appropriate.
3. Conduct both formal and/or informal interviews with persons knowledgeable about the historic and traditional practices in the project area and region.

Preparation of the following report on items 1-3 summarizing the information gathered related to traditional practices and land use. This report will assess the impact of the proposed action on identified cultural practices.

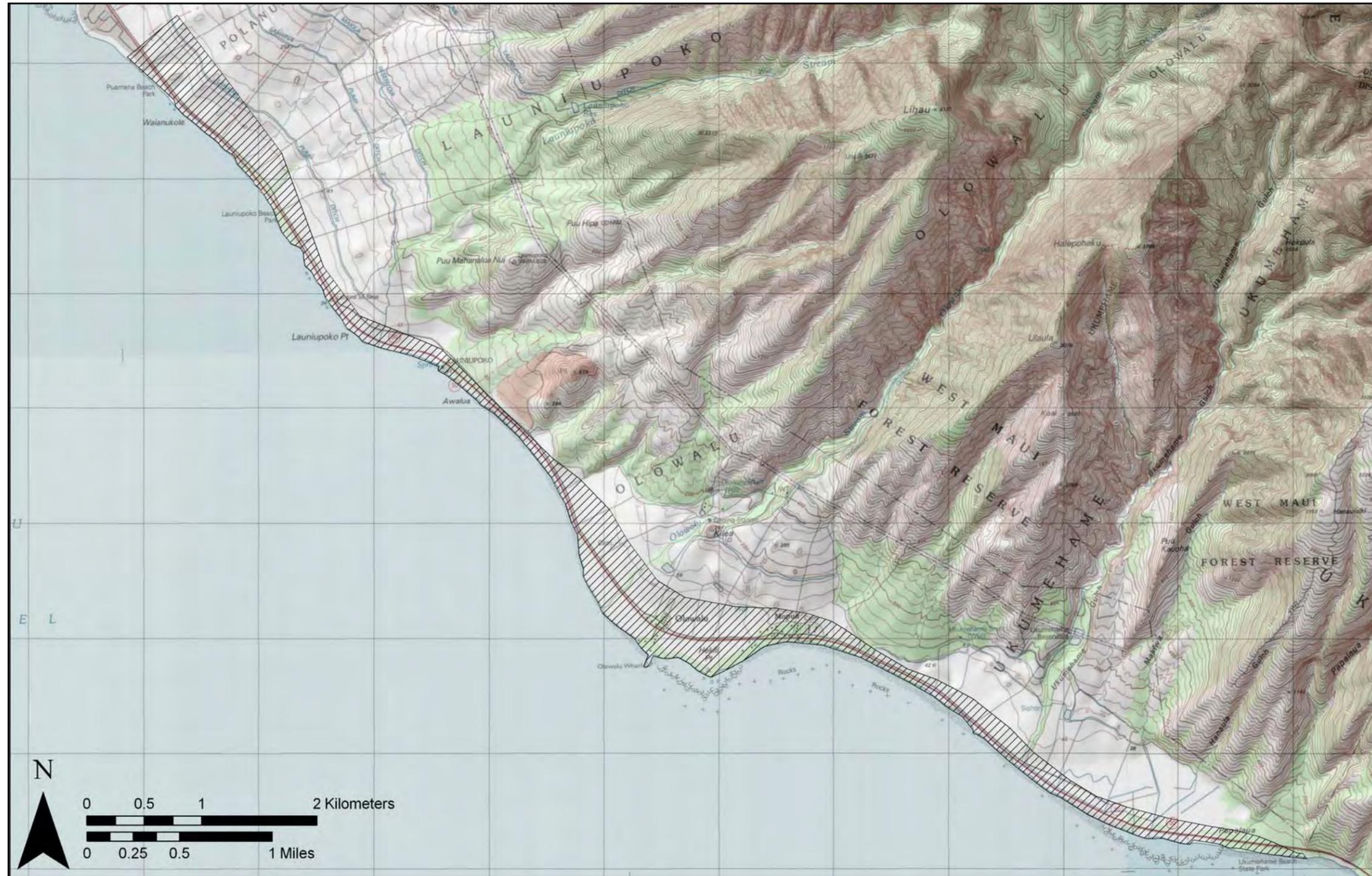


Figure 1. Portion of the Maalaea USGS topographic quadrangle (1996), Olowalu USGS topographic quadrangle (1992), and Lāhainā USGS topographic quadrangle (1992) 7.5 minute series, showing the project area in cross-hatch

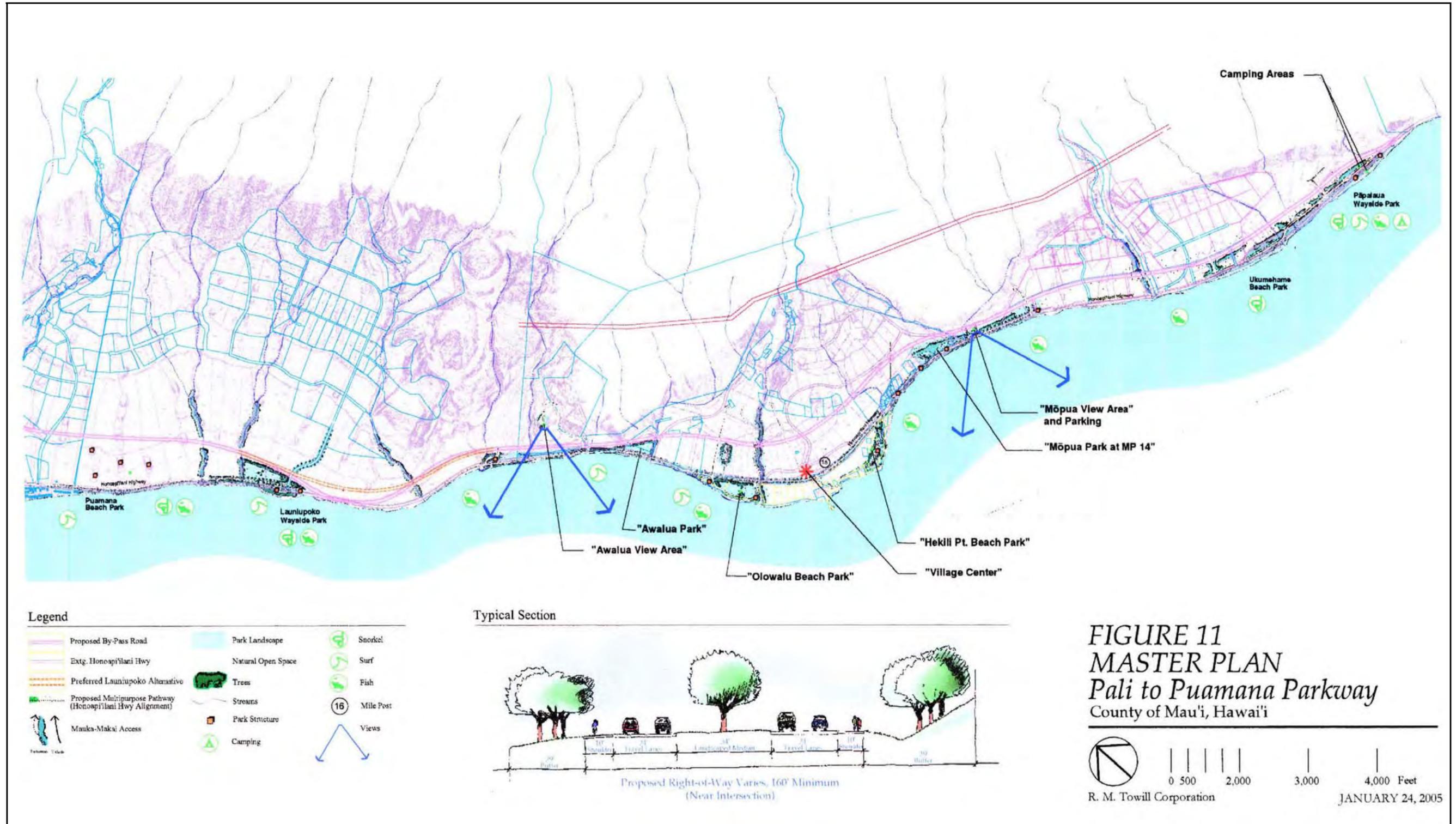


Figure 2. Master Plan for the Pali to Puamana Parkway, County of Maui (Courtesy of Mr.. Chester Koga of RM Towill)

1.3 Environmental Setting

1.3.1 Natural Environment

The project area is located along the coastline and alluvial plains of the leeward side of Mauna E'eka, commonly known as the West Maui Mountains. This mountain range is made up of a single large shield volcano that reaches approximately 6,500 feet above sea level (Macdonald et al. 1983:380). Stream erosion of the West Maui volcano has reached a late youthful to submature stage (Macdonald et al.. 1983: 386-387), creating the four major waterways of Lāhainā District. The current project area overlies the broad alluvial fans that were created by the Ukumehame, Olowalu, Launiupoko, and Kaua'ula waterways.

1.3.1.1 Coastal Ukumehame Soil Characteristics

The primary geologic features of Ukumehame Ahupua'a consist of Ukumehame Canyon and Ukumehame Stream along with smaller stream systems, Makiwa Gulch, Hana'ula Gulch, and Pāpalaua Gulch, located east of Ukumehame Stream. Although modified along the lower reaches, Ukumehame Stream continues to flow down to the ocean; with a median flow of 8.1 cubic feet per second (cfs) and an average of 12.70 cfs (Wilcox and Edmunds 1990:39). While the USGS map (Maalaea Quadrangle) shows a number of small tributaries on both sides of Ukumehame Stream, there is only one named tributary – Hoku'ula,.

The general soils within the Ukumehame portion of project area are of the Pulehu-Ewa-Jaucus association. This soil association is found on alluvial fans and consists of deep, nearly level to moderately sloping, well-drained soils that have developed in alluvium weathered from basic igneous rock, coral, and seashells (Foote et al 1972:8). More specifically, the soils within the portion of the project area that overlies Ukumehame Ahupua'a are dominated by the Pulehu Series and Kealia Series. At the mouth of the gulch, the area is characterized as Stony Alluvial Land. Patches of Jaucas Sand occur in the western most extent of the *ahupua'a* and sediments formally characterized as Beaches occur along the coastal stretch from the *pali* to the mouth of Ukumehame Gulch (Figure 3).

The Pulehu Soil Series consists of well-drained soils on alluvial fans, stream terraces, and in basins that developed in alluvium washed from basic igneous rock (Foote et al 1997: 115). Pulehu cobbly clay loam, 0 to 3 percent slopes (PtA), is similar to pulehu clay loam (PsA) which is found on alluvial fans, stream terraces, and in basins except that it is cobbly. Permeability is moderate with slow runoff and a no more than slight erosion hazard with low areas subject to flooding. A representative profile shows a surface layer of brown clay loam underlain by dark-brown, dark grayish-brown, and brown, massive and single grain, stratified loam, loamy sand, fine sandy loam, and silt loam. The underlying parent material consists of coarse, gravelly or sandy alluvium. Pulehu cobbly clay loam, 3 to 7 percent slopes (PtB), also has slow runoff with a slight erosion hazard. At the time of the USDA soil survey, PtA and PtB soils were used for sugarcane cultivation. (Foote et al. 1997: 116)

The Kealia Soil Series consists of rather poorly drained and poorly drained soils on coastal flats, and are geographically associated with Jaucas, Mala, and Pulehu soils. More specifically, Kealia silt loam (KMW) is a poorly drained soil with a high salt content. Ponding occurs in low

areas after heavy rains and when the soil dries, salt crystals accumulate on the surface. This soil has an underlying brackish water table that fluctuates with the tides. As the occurrence of the KMW soils within the project area are near the coastline, it is important to note that the water table is nearer to the surface along the shoreline than in inland areas. Permeability of KMW soil is moderately rapid with a slow to very slow runoff. The hazard of water erosion is no more than slight, but the hazard of wind erosion is severe when the soil is dry and the surface layer becomes loose and fluffy (Foote et al. 1997: 67). At the time of the USDA survey, KMW soils were used only for wildlife habitat and occasional pasturage as the high salt content and poor drainage was not suitable for agriculture (Foote et al. 1997: 68).

Stony Alluvial Lands (rSM) consist primarily of stones, boulders, and silt deposited by streams along the bottoms of gulches and on alluvial fans. Within the portion of the project area that overlies Ukumehame Ahupua'a, rSM lands are not surprisingly found at the mouth of Ukumehame Gulch. (Foote et al. 1997: 120)

The sediments overlying the portion of the project area that extends from the *pali* to the mouth of Ukumehame Gulch and located *makai* of the current alignment of Honoapi'ilani Highway is characterized as Beaches (BS). Beaches occur as sandy, gravelly, or cobbly areas and are washed and reworked by ocean waves. The beaches along this stretch of coastline primarily consist of light-colored sands derived from coral and seashells. (Foote et al. 1997: 28) It should be noted that pre-contact human burial interments are commonly found in beach sand deposits.

A small patch of sediments associated with the Jaucas Series is found along the shoreline in the westernmost portion of the *ahupua'a* and extends into Olowalu Ahupua'a. The series consists of excessively drained, calcareous soils that occur as narrow strips on coastal plains adjacent to the ocean. These soils have developed in wind and water deposited sand from coral and seashells. Jaucas sand, 0 to 15 percent slopes (JaC), is neutral to moderately alkaline through out. Permeability of JaC soils is rapid and runoff is slow to very slow. The general erosion hazard is slight, but wind erosion is a severe hazard where vegetation has been cleared. At the time of the USDA survey, JaC soils were used for pasture, sugarcane, truck crops, and urban development. (Foote et al. 1997: 48) Like beach sand deposits, pre-contact human burial interments are commonly found in jaucas sand deposits.

1.3.1.2 Coastal Olowalu Soil Characteristics

The principal geologic features of Olowalu Ahupua'a that contributes to the low lying plains along the coastline consists of the Olowalu Gulch and Stream. Smaller stream systems and their resulting gulches also occur on the northern and southern flanks of Olowalu Gulch. The portion of the project area that runs through Olowalu Ahupua'a overlies a broad alluvial fan that has formed at the mouths of Olowalu Gulch and smaller stream systems. Like the coastal extent of Ukumehame Ahupua'a, the general soils of the Olowalu portion of project area are of the Pulehu-Ewa-Jaucus Association. More specifically the soils within the portion of the project area that overlies Olowalu Ahupua'a are dominated by the Pulehu Series with sediments associated with the Jaucus Series and Beaches found along the southern coastal reaches of the *ahupua'a*. Patches of soils that fall into the Kealia Series (KMW, as described above) and Ewa Series also occur *mauka* of the current alignment of the Honoapi'ilani Highway (Figure 4).

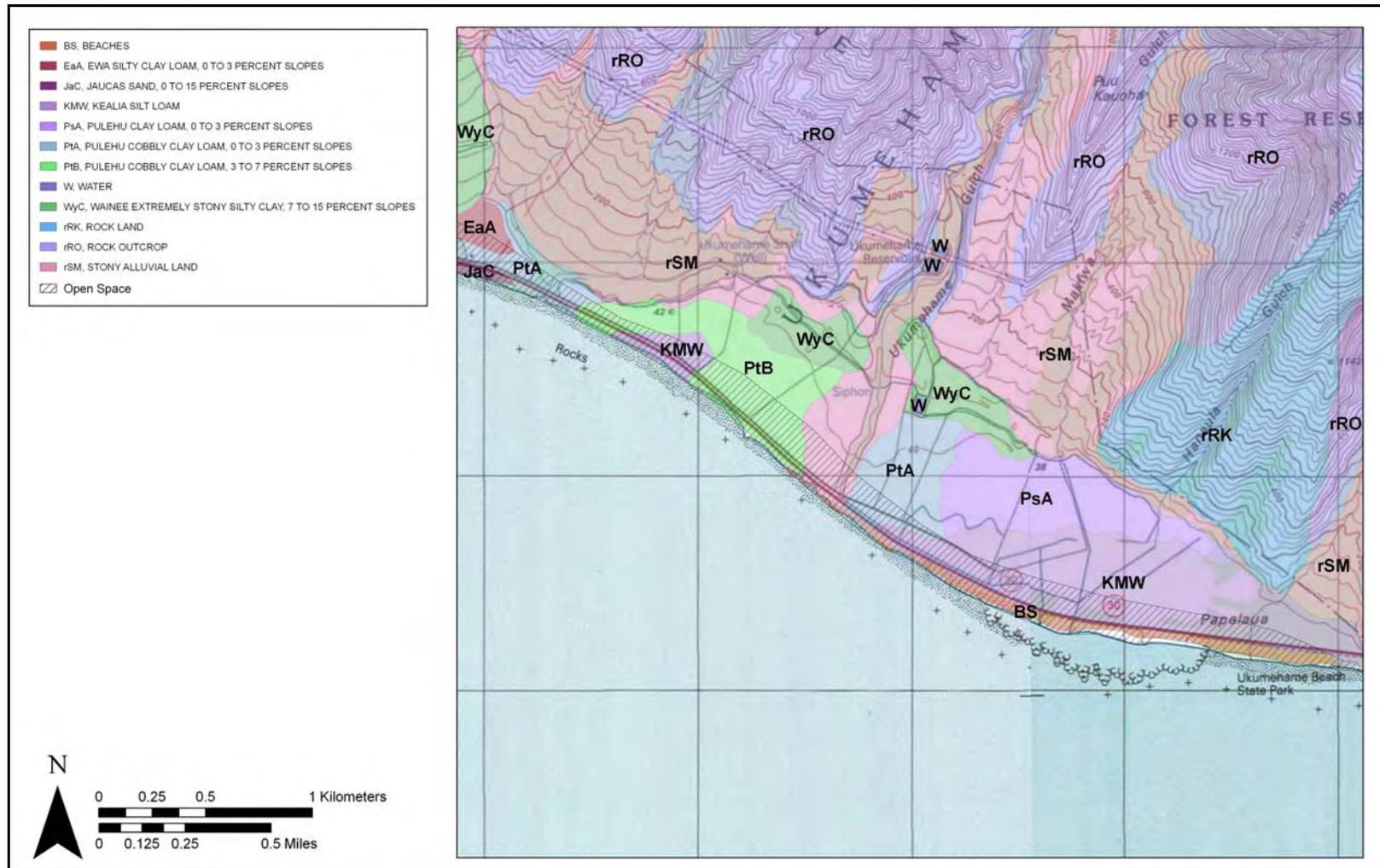


Figure 3. Portions of the Maalaea and Olowalu USGS maps showing the project area relative to the local soil series (U.S. Department of Agriculture, Natural Resources Conservation Service 2001)

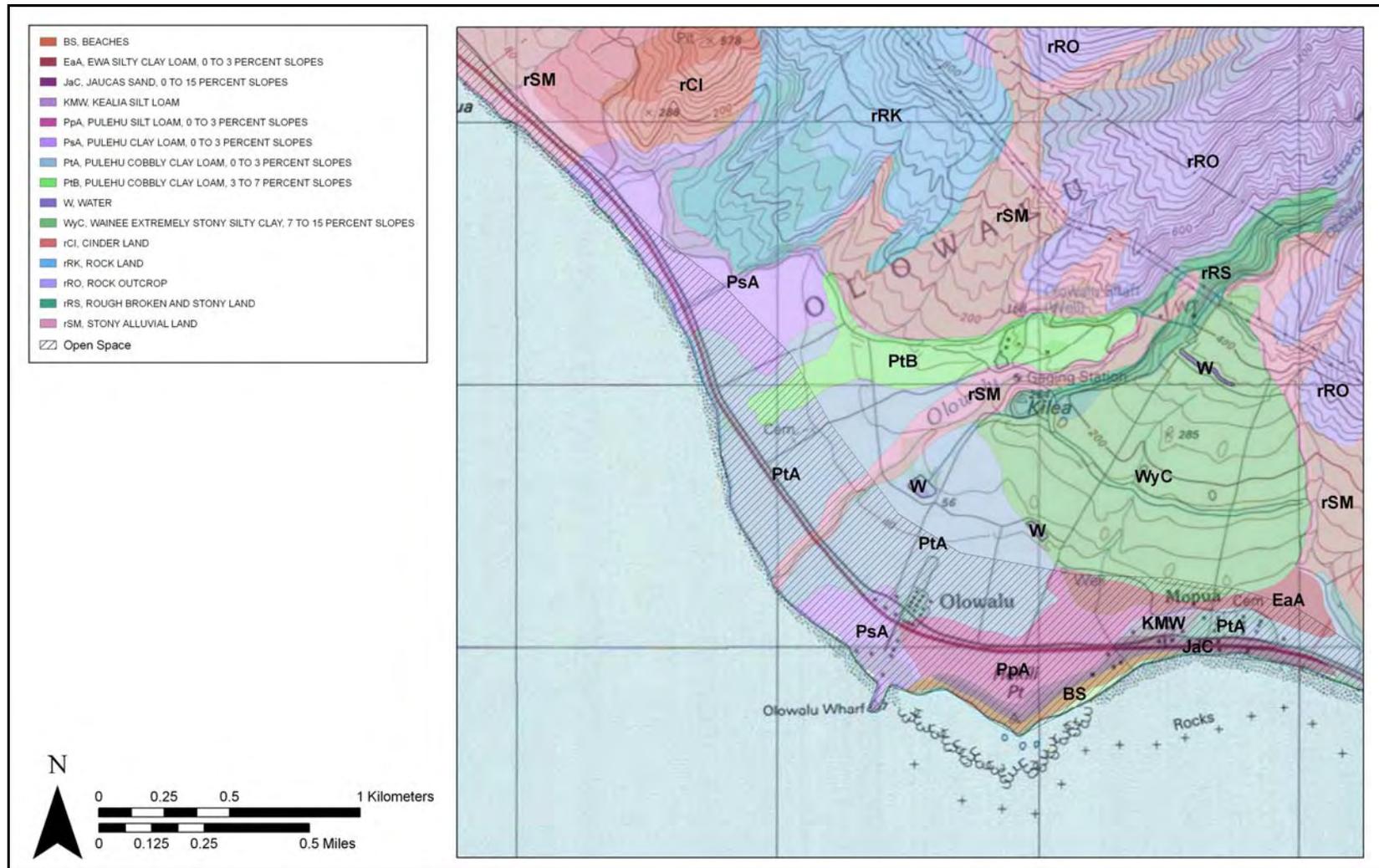


Figure 4. Portion of the Olowalu USGS map showing the project area relative to the local soil series (U.S. Department of Agriculture, Natural Resources Conservation Service 2001)

The Pulehu Series comprises the majority of the broad alluvial fan at Olowalu that extends into the project area and consists of PtA soils with a narrow finger of PtB soils along the northern slope of Olowalu Gulch (see Sections 1.3.1.1). Additional soil types within the Pulehu Series that occurs in the south-western portion of the Olowalu Ahupua'a consists of Pulehu silt loam, 0 to 3 percent slopes (PpA) and Pulehu clay loam, 0 to 3 percent slopes (PsA). Ppa soils are similar to Pulehu clay loam except that the texture is silt loam. PsA soils are found on alluvial fans, stream terraces, and in basins. Permeability is moderate with slow runoff and a no more than slight erosion hazard with low areas subject to flooding. A representative profile shows a surface layer of brown clay loam underlain by dark-brown, dark grayish-brown, and brown, massive and single grain, stratified loam, loamy sand, fine sandy loam, and silt loam. The underlying parent material consists of coarse, gravelly or sandy alluvium. At the time of the USDA soil survey, these soils were used for sugarcane cultivation, truck crops, and pasture. (Foote et al. 1997: 115, 116).

JaC sediments and Beaches occur in the southeastern most portion of the Olowalu shoreline. The general characteristics of the JaC and Beach sediments in the area are similar to that as described above (Section 1.3.1.1) except that they are darker. In the case of the JaC sediments within Olowalu Ahupua'a, the surface layer is dark brown as a result of accumulation of organic matter and alluvium (Foote et al. 1997: 48). The Beach sediments within the project area are dark in color as the sands are from basalt and andesite (Foote et al 1997:28)

The Ewa Soil Series is generally characterized by well-drained soils in basins and on alluvial fans that have developed in alluvium derived from basic igneous rock (Foote et al. 1997: 29). Ewa silty clay loam, 0 to 3 percent slopes (EeA) has very slow runoff ate and the erosion hazard is no more than slight. At the time of the USDA soil survey, EeA soils were used for sugarcane and homesites (Foote et al. 1979: 30).

1.3.1.3 Coastal Launiupoko Soil Characteristics

Launiupoko Ahupua'a is dissected by numerous gulches and streams, the foremost of which is Launiupoko Gulch and Stream. These geologic formations of the inland portions of the *ahupua'a* have resulted in a broad alluvial plain along the coastal reaches. The general soils within the portion of the project area that extends into Launiupoko are of the Waiakoa-Keahua-Molokai association. This soil association is found on low uplands and consists of deep to nearly level well-drained soils (Foote et al 1972:12). More specifically, the soils within the project area are of the Wainee Series along the northern most portion of the *ahupua'a* and Stony Alluvial Lands, as described above in 1.3.1.1 along the southern most portions (Figure 5).

The Wainee soils are generally well-drained soils that have developed on alluvial fans. Unlike the soil series that been previously described, Wainee soils are found only on Maui Island. Wainee extremely stony silty clay, 7 to 15 percent slopes (WyC) occur on smooth alluvial fans with a moderately rapid permeability rate and slow to medium run off rate. The erosion hazard is slight to moderate and stones cover three to 15 percent of the surface. At the time of the USDA soil survey, WyC soils were used primarily for sugarcane with small acreages used for pasture and homesites. (Foote et al. 1997 134) Wainee very stony silty clay, 3 to 7 percent slopes (WxB) has the same general characteristics of WyC soils, except that runoff rate is classified only as slow and the erosion hazard as slight. The only activity noted as occurring on this type of soil

during the 1972 soil survey was sugarcane cultivation. Finally, Wainee very stony silty clay, 7 to 15 percent slopes (WxC) is similar general characteristics to WxB soil except that stones cover as much as three percent of the surface. (Foote et al. 1979: 134)

1.3.1.4 Coastal Polanui Soil Characteristics

It appears that the sediments along the broad coastal plains of Polanui Ahupua'a are a result of depositional processes associated with both Launiupoko Stream and Kaua'ula Stream. The general soil association within the portion of the project area that extends into Polanui is similar to that of Launiupoko in that it is of the Waiakoa-Keahua-Molokai association. More specifically, the soils are of the Wainee Soil Series with a small patch of Pulehu Soils (PpA, see Section 1.3.1.2) in the northwestern corner of the project area.

The soils of the Wainee Series within the coastal reaches of this *ahupua'a* consists of WyC soils as described above (Section 1.3.1.3) and Wainee very stony silty clay, 7 to 15 percent slopes (WxC). WxC soils are similar to those of WxB soils (see Section 1.3.1.3), with the same recorded uses, except that the slope is moderately steep. (Foote et al. 1979: 134)

The average annual rainfall accumulation within the entire project area averages from 15 to 20 inches (Giambelluca and Schroeder 1998:56) per year, with the heaviest rainfall occurring during the winter months (December through February) and little to no rainfall during the summer months (June through August) (Giambelluca and Schroeder 1998). This pattern of rainfall and low annual precipitation rate may have once sustained a lowland, dry shrubland and grassland native ecosystem (Pratt and Gon III 1998) with some wetland environments in areas of the Kealia soil type. The landscape and water system of the project area, however, has been heavily modified by the sugarcane cultivation that occurred from the early historic period up until modern times, with only small stands of native plants remaining. The current vegetation consists of thick *kiawe* (*Prosopis pallida*), *klu* (*Acacia farnesiana*), *koa haole* (*Leucaena leucocephala*), australian salt bush (*Atriplex semibaccata*), and pickleweed (*Batis maritime*) adjacent to the Honoapi'ilani Highway, as well as, small stands of *niu* (*Cocos nucifera*), *kou* (*Cordia sebestena*), and other introduced plant species. Inland of the highway, the vegetation is primarily characterized by grasslands, specifically *pili* grass (*Heteropogon contortus*) and buffel grass (*Cenchrus ciliaris*).

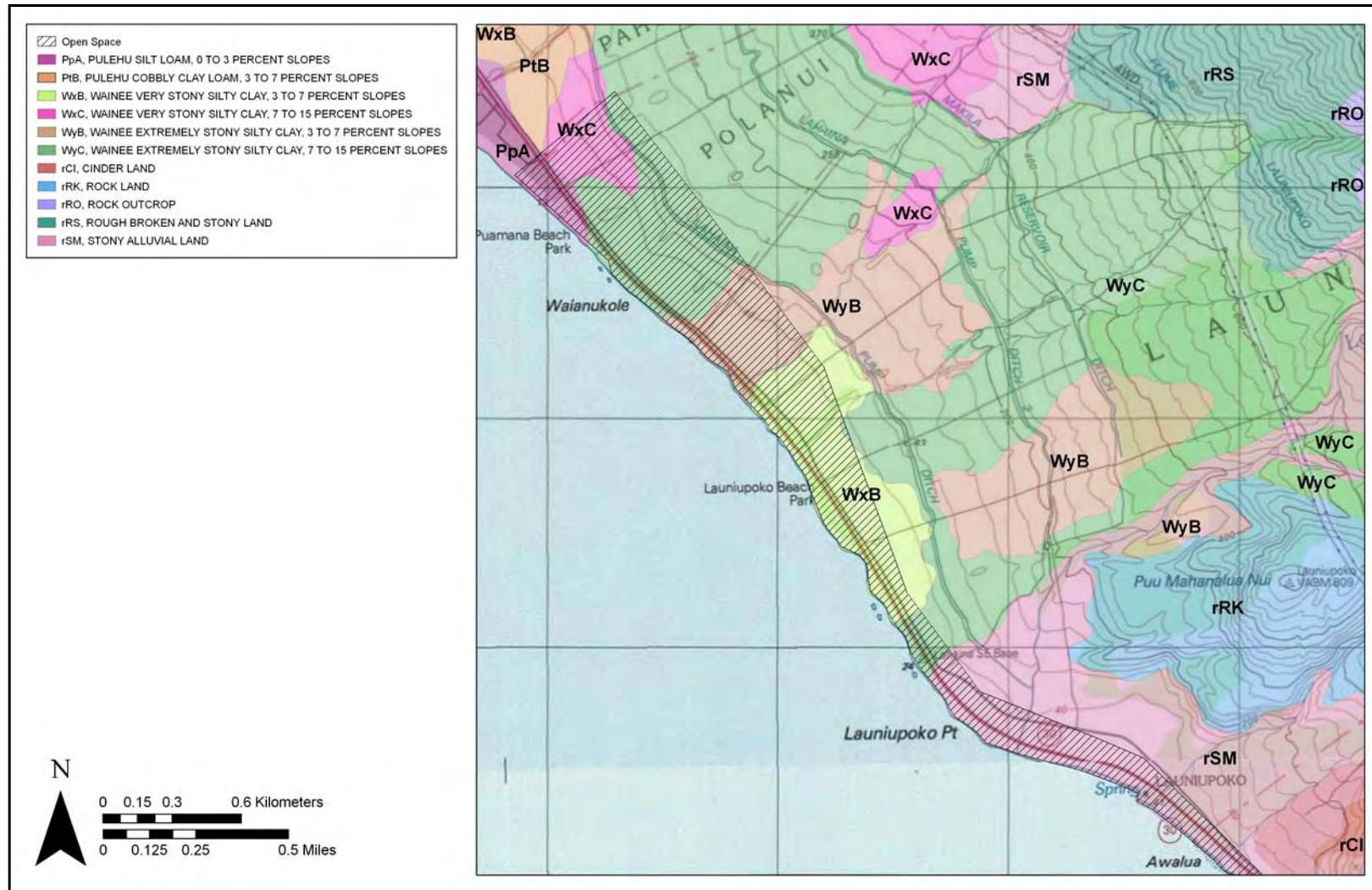


Figure 5 Portion of the Olowalu and Lāhainā USGS maps showing the project area relative to the local soil series (U.S. Department of Agriculture, Natural Resources Conservation Service 2001)

1.3.2 Built Environment

The primary features of the built environment within the project area consist of the two-lane Honoapi'ilani Highway and associated bridges where the streams of the four major valleys and small stream systems empty into the ocean. Small beach parks (Pāpalaua, Ukumehame, Launiupoko, and Puamana) also dot the coastline from the base of the *pali*, or cliffs, at Ukumehame to the entrance of Lāhainā Town.

Pāpalaua Beach Park (Figure 6 and Figure 7) extends from the base of the *pali* to the bridge that crosses Ukumehame Stream. Modern features and modifications to the park area include grading of the roadside for parking improvement, low railings that define the limits of vehicle parking, overnight camping areas, and cooking pits.

Ukumehame Beach Park (Figure 8) is primarily used as a day park. The built features of this beach park include a paved parking lot, as well as, concrete picnic tables anchored by small concrete slabs and low railings defining the limits of the parking lot.

Launiupoko Beach Park is the most developed of the roadside parks along this stretch of highway (Figure 9). The built features include a paved parking lot, with overflow parking located on the *mauka* side of the highway; as well as, bathroom, shower, and picnic facilities (Figure 10 and Figure 11). A stacked rock wall encircles a small section of the beach fronting the bathroom facilities, the interior of which is used as a wading pool.

Puamana Wayside Park is a small park located at the entrance to Lāhainā Town (Figure 12). The modern features of this park include a paved parking lot, shower facilities, a picnic area, and low railings that define the parking area (Figure 13).



Figure 6. Pāpalaua Beach Park



Figure 7. Pāpalaua Beach Park, showing graded area and railings



Figure 8. Ukumehame Beach Park, showing entrance to the parking lot to the left of the frame and picnic tables to the right of the frame



Figure 9. Launiupoko Beach Park, showing entrance to the parking lot and bathroom facilities



Figure 10. Launiupoko Beach Park, showing bathroom and shower facilities



Figure 11. Launiupoko Beach Park, showing picnic area



Figure 12. Puamana Beach Park, showing entrance to parking lot



Figure 13. Puamana Beach Park, showing picnic area

Other prominent features are found at Olowalu and consists of residential homes on both the *mauka* and *makai* sides of the Honoapi'ilani Highway as it runs through Olowalu, as well as the prominent Olowalu General Store and Chez Paul Restaurant.

1.4 Document Review

Background research included a review of previous archaeological studies and mitigation plans on file at SHPD/DLNR and a review of documents and maps at the Cultural Surveys Hawai'i library. Land Commission Award documentation was researched using the Waihona 'Āina online database.

Section 2 Background Research

The present study area overlies the *ahupua'a* of Ukumehame, Olowalu, Launiupoko, and Polanui on the northern slopes of Mauna o E'eka in the traditional *moku* (district) of Lāhainā. Literal translations of several of the place names for land areas and divisions within or adjacent to the project area are listed below:

Lāhainā (moku)	<i>hainā</i> literally translated as “cruelty” and <i>la</i> as “day” or, alternatively, <i>haina</i> that translates literally as “merciless” and <i>lā</i> as “sun” (Sterling 1998: 16-17) “land [of] prophesy” (Ashdown 1970:10)
Ukumehame (ahupua'a)	where <i>uku</i> means “to pay” and <i>mehame</i> is noted as a type of Hawaiian hardwood (<i>Antidesma pulvinatum</i>) thus meaning “to pay in <i>mehame</i> wood”, a highly desirable hardwood for the manufacture of the anvils that were used for <i>olonā</i> preparation (Sterling 1998: 20)
Pohaku Nui	a place located right off the Ukumehame side of the <i>pali</i> or cliffs that is a popular launching spot for kayakers, literally translates as the “big rock” or “big stone” (H. Rodrigues, personal communication)
Pāko'a	literally translates as the “coral area” where <i>pā</i> means area and <i>ko'a</i> is translated as coral (H. Rodrigues, personal communication). Pāko'a is the placename of the area known today as Ukumehame Beach Park. During WWII, military training facilitated the need to take out the coral flats for which the area was named in order to land water craft along the shoreline for training maneuvers.
Ālialia	same as <i>ālia</i> which means salt bed or salt-encrusted area (Pukui and Elbert 1986:20) identified as the marsh lands located across from Pāko'a (H. Rodrigues, personal communication)
Makiwa Gulch	Pukui and others (1974:142) only note that this is a gulch on Maui in the Olowalu quadrangle and are uncertain of the pronunciation or origin
Hoku'ula	literally, “red star” (Pukui et al. 1974:47); also translated as “sacred star” by Ashdown (1970:10) said to be a navigational aide from Ukumehame, Maui (Hawai'i) to Kahiki and Christmas Island (H. Rodrigues and C. Lindsey, personal communication)
Hana'ula Gulch	literally translated as “red bay”, known as a place where Hua, a priest, quarreled with his prophet Lua-ho'omoe and burned his house down. It is thought that a drought followed and the priest died as a result (Pukui et al. 1974:41)

Pāpalaua Gulch	literally translated as “rain fog”, there is a saying, <i>Pupuhi kukui o Pāpala-ua</i> , light the lights of Pāpala-ua – said of any gloomy place where lights were lit in the daytime (Pukui et al. 1974:180)
Ka‘ili‘ili	literally translated as “the pebble” (Pukui et al. 1974:68) a coastal stretch within Ukumehame Ahupua‘a where the rocky beach begins after Ukumehame Stream and an area where the <i>mo‘o</i> is said to show herself (H. Rodrigues, personal communication)
Olowalu (ahupua‘a)	literally, “many hills” (Pukui et al. 1974:170)
Awalua	literally translates as “double harbor” (Pukui et al. 1974:15)
Hekili Point	<i>hekili</i> is literally translated as “thunder” (Pukui et al. 1974:44)
Mōpua	is a traditional village at Olowalu and translates literally as “melodious” (Pukui et al. 1974:158) currently a popular snorkeling spot
Pākalā	literally translates as the “sun shines” (Pukui et al. 1974:174) a place located just after Mōpua and before Kapaiki
Kapaiki	translated as “the small enclosure” a section or <i>mo‘o</i> of <i>ali‘i</i> lands at Olowalu Ahupua‘a (H. Rodrigues, personal communication)
Launiupoko (ahupua‘a)	<i>lau</i> is translated as “leaf”, <i>niu</i> is translated as “coconut”, and <i>poko</i> as “short” thus meaning “short coconut leaf” so named for the fact that the winds blew so strong that the leaves of the coconut trees could never grow long (Rose Pua Lindsey in Haun et al. 2001:36)
Pu‘u Mahanalua Nui	literally translates as “large twin hills” (Pukui et al. 1974:201)
Pu‘u Hipa	the hill of Hipa where Hipa is said to have been a mythological character (Pukui et al. 1974:200)
Polanui (ahupua‘a)	Pukui and others (1974:188) translate the place name as large (<i>nui</i>) Pola; an alternative translation by Mrs. Pua Lindsey (in Haun et al. 2001:37) where <i>po-la</i> is translated as “the day of the big gathering day” or the “day of the big collection of food” Po-la-nui; as opposed to Pola-nui where <i>pola</i> means “bowl”

2.1 Traditional and Historical Background

2.1.1 Mythological and Traditional Accounts

The name Lāhainā according to Inez Ashdown means "land [of] prophesy", referring to "ancient *ali‘i* prophets who made their predictions there" (in Graves 1991:A1). It was told in myth that Pele first arrived on Maui at Lāhainā, leaving her footprint on the hill of Laina (Ashdown 1970: 10). The mountain tops above Launiupoko are named for the mythological

chiefess Lihau (Mauna Lihau), and her husband (Ke'eke'ehia Peak) and daughter (Pu'u Ko-a'e) (Ashdown 1970: 10). Through name, the two ridges forming Ukumehame valley are associated with the stars. Hoku'ula, the highest mountain ridge on the west side of Ukumehame means "sacred star" and Hoku Waiki, a smaller ridge extending through the center of Ukumehame valley, was named for the smaller stars in the Taurus constellation (Ashdown 1970: 10.)

2.1.1.1 Settlement and Subsistence

As emphasized by E.S. Craighill and Elizabeth Handy in the following summary, the *ali'i* and *maka'ainana* were attracted to the Lāhainā District by its natural resources and geographic position:

Lāhainā District was a favorable place for the high chiefs of Maui and their entourage for a number of reasons: the abundance of food from both land and sea; its equable climate and its attractiveness as a place of residence; it had probably the largest concentration of population, with its adjoining areas of habitation; easy communication with the other heavily populated areas of eastern and northeastern West Maui, 'The Four Streams,' and with the people living on the western, southwestern and southern slopes of Haleakala; and its propinquity to Lanai and Molokai. (Handy and Handy 1972:492)

Handy and Handy (1972) indicate that the four major waterways in the Lāhainā District (Ukumehame, Olowalu, Launiupoko, Kaua'ula streams) provided a productive leeward environment for the cultivation of a wide range of agricultural goods:

Southeastward along the coast from the *ali'i* settlement were a number of areas where dispersed populations grew taro, sweet potato, breadfruit and coconut on slopes below and in the sides of valleys which had streams with constant flow. All this area, like that around and above Lāhainā, is now sugar-cane land. Ukumehame had extensive terraces below its canyon, some of which were still planted with taro in 1934; these terrace systems used to extend well down below the canyon. 'Olowalu, the largest and deepest valley on southwest Maui, had even more extensive *lo'i* lands both in the valley and below. Just at the mouth of the valley we found in 1934 a little settlement of five *kauhale* (family homes) surrounded by their flourishing *lo'i*. There are said to be abandoned *lo'i* far up in the valley. In and below the next valley, Launipiko [*sic*], there were no evidences of *lo'i*, and the people of 'Olowalu said there had never been any. But we think there must have been a few, although the land is, in general, dry and rough. Next beyond this, going along the coast toward Lāhainā, is Kaua'ula Gulch above Waine'e, and here in 1934 there were a few *lo'i* in which Hawaiians were still growing taro. (Handy and Handy 1972: 492)

While the upland areas provided a good environment for agricultural crops, the coastal reaches, from Puamana to Ukumehame, were rich in marine resources. Most of the fishing grounds lying between Lāna'i, Kaho'olawe, Ukumehame, and Lāhainā were only one to two miles apart (A.D. Kehaulio in Maly and Maly 2003: 122). 'Ō'io¹ fishing, using a method

¹ Adult ladyfish, bonefish (*Albula vulpes*) (Pukui and Elbert 1986: 280)

referred to as *mamali* 'ō'io, was done just beyond the reef and in places close to shore from the steamer landing of Ma'alaea to the cape of Kunounou at Honokapohau, in the district of Lāhainā. These were the places in which fishing was done by those of Olowalu, Lāhainā, Ka'anapali, Honolulu, and Honokohau (A.D. Kehaulelio in Maly and Maly 2003: 134). Puhia'ama is a fishing ground for *mamali*² fishing, located beyond the rocky cape of Launiupoko and behind the bend at Kahia (Kehaulelio in Maly and Maly 2003: 135).

Launiupoko was also known for large schools of *nehu*³ (Sterling 1998:27), as well as *akule*⁴ and *opelu*⁵ (Edwin Lindsey Jr. in Haun et al. 2001:38). A.D. Kehaulelio (in Sterling 1998:27) notes that shark fishing was also practiced by the residents of Makila and the people of upland Kaua'ula at Launiupoko on the little cape of Keahuiki using the *ho'omoemoe* or lay/set net method (see Section 4.4 Aquatic Resources for technical description of this fishing method). The name *moemoe* net, comes from the Hawaiian word *moe* meaning "to sleep" whereby the method involved setting the net, going home to sleep, and returning later to retrieve the net (Sierra Club 2006).

At Polanui, *lau* net fishing was employed at a fishing ground called Kapuali'ili'i. The fish that were caught on these grounds were all small except for the *kakaki*⁶ (*kaia*) that were usually larger (A.D. Kehaulelio in Sterling 1998:28), thus the name of the fishing ground. A.D. Kehaulelio (in Sterling 1998:28) also makes mention of *holoholo* fishing to catch mullet (*Mugil cephalus*) at a rocky place along the Makila coastline in Polanui. *Holoholo* fishing involved the use of rock walls and a net and essentially driving the schools through the rock wall alignments and into the net. Kehaulelio (in Sterling 1998:28) notes that "(t)he work in the beginning is the hardest and when done, it takes years of eating the results."

As the coastal environs were intensively used for marine resource exploitation, it should follow that the existence of permanent or re-current seasonal habitations would be present along the coastline. Mrs. Pua Lindsey and Mr. Edwin Lindsey (in Haun et al. 2001:35) and Mr. Herbert Kinores (in Haun et al. 2001:43) noted the presence of Fishing Village at the area currently known as Launiupoko Beach Park during the historic years of the Pioneer Mill operations. Mrs. Lindsey further noted that one family, the Ma'ilua family, were from that village and according to Mr. Edwin Lindsey, they had always been there. *Kuleana* house lot claims along the coastline from Ukumehame to Polanui also reflect a picture of scattered settlement in the coastal environs.

A rudimentary comparative picture of the pre-contact population of the southwestern section of Maui comprising the present study area is intimated by figures in nineteenth century missionary censuses (Schmitt 1973). Results of the 1832 census, in which the total population of Maui is 35,062, give the following populations: for Lāhainā, 4028; for Ukumehame, 573; and for Olowalu, 832. These three figures, when combined, represent 15 percent of the total Maui

² Young stage of 'ō'io (Pukui and Elbert 1986:236)

³ Anchovy (*Engrasicholina purpurea*), used for eating and to chum bonito (Pukui and Elbert 1986:264)

⁴ Adult big eyed or goggle eyed scad fish (*Selar crumenophthalmus*) (Pukui and Elbert 1986:16)

⁵ Mackerel scad, an 'aumakua, or animal guardian, for some (*Decapterus macarellus*) (Pukui and Elbert 1986:292)

⁶ Name given for a kind of *kala* or surgeonfish, unicorn fish, Teuthidae, *Naso hexacanthus*, *N. unicornis*, *N. brevirostris* (Pukui and Elbert 1986: 120)

population. Allowing for post-contact distortions (e.g., disease and commercially-inspired population shifts), the population totals suggest that this portion of Maui accommodated a substantial portion of the island's pre-western contact population.

An "overland" trail system allowed pedestrian access between Lāhainā and the north coast of West Maui, as well as providing access into the upper forests for bird-catching and the collection of wild plant goods. According to E.S Craighill Handy and Elizabeth Green Handy (1972:490), the trail extended *mauka* in Olowalu Valley to the highest point of the West Maui summit at Mauna Kukui, and then descended to Waiehu on the northern side of West Maui (Handy and Handy, 1972: 492, Sterling 1998: 26).

Kealaloloa, located within the modern boundaries of Ukumehame *ahupua'a*, is a broad ridge of the southeast flank of West Maui which ascends *mauka* of a traditional Hawaiian coastal settlement (Walker 1931:43). Following the ridge *mauka*, it provides a direct and easily navigated route (now a jeep road) to the West Maui summit area, at the headwaters of Pohakea stream on the east and Ukumehame stream on the west. From this point, at Hana'ula, the trail probably continued along the summit ridge to intersect the inland Olowalu-Pu'u Kukui-Waiehu "overland" trail (Handy and Handy 1972:490). In addition to the Kealaloloa route being used to cross the West Maui Mountain range, Folk and Hammatt (1991:17) suggest that Kealaloloa may have allowed access to wetter upland environs that were more suitable for agriculture. *Mauka-makai* trails have been observed on neighboring ridges of Kealaloloa (Michael Baker in Robins et al. 1994); however, it appears that the more accessible areas of the Kealaloloa trail itself have been destroyed by the present jeep trail.

2.1.1.2 Politics and Warfare

Maui, being the second largest island in the Hawaiian island chain, was a major center for political development during pre-contact and early historic times (Kirch 1985:135). Many battles were fought between the Maui Island and Hawai'i Island polities, with the earliest conflicts primarily centered on the east coast of Maui.

Upon the death of Pi'ilani, ruler of Maui during the early 1500's (A.D. 1525 [Fornander in Walker 1931:13]), conflict ensued between his sons, Lono-a-Pi'ilani and Kiha-a-Pi'ilani, as they battled for individual control over the Maui chiefdom. Under Lono-a-Pi'ilani's tentative reign of Maui, Kiha-a-Pi'ilani was forced to flee the island where he sought refuge on Moloka'i and subsequently Lāna'i. Mā'alaea is briefly mentioned by Kamakau (1992:22) as the place in which Kiha-a-Pi'ilani first landed while secretly returning to Maui.

Umi, ruler of Hawai'i and brother-in-law to the Kiha-a-Pi'ilani and Lono-a-Pi'ilani, eventually aligned with Kiha-a-Pi'ilani and sent an invasion fleet to Hana to battle Lono-a-Pi'ilani's forces. The mission was successful and the Maui reign was abdicated to Kiha-a-Pi'ilani (Kamakau 1992:22-33). Kiha-a-Pi'ilani is credited with completing construction of the portion of the *alaloa* (island-wide road) which connected the traditional *moku* of western Maui (Ashdown 1970:5).

During the reign and following the death of Maui ruler Kekaulike in the early 1700's, the chiefs of Maui and Hawai'i were once again at war, this time bringing the battles closer to the present study area. After Kamehameha-nui, the original successor of Kekaulike, was defeated in battle at Lāhainā by his older brother Kauhi, Alapa'i (ruling chief of Hawai'i) brought

Kamehameha-nui back to Hawai'i and began making plans for battle against Kauhi. Around 1738 Alapa'i and his Hawaiian forces occupied the Lāhainā region and employed the following wartime tactics to keep the subjects of Lāhainā under control:

A whole year Alapa'i spent in preparation for the war with Maui. It was in 1738 that he set out for the war in which he swept the country. What was the war like? It employed the unusual method in warfare of drying up the streams of Kaua'ula, Kanaha, and Mahoma (which is the stream near Lāhaināluna). The wet taro patches and the brooks were dried up so that there was no food for the forces of Ka-uhi or for the country people. Alapa'i's men kept close watch over the brooks Olowalu, Ukumehame, Wailuku, and Honokowai. (Kamakau 1992:74)

Kahekili was one of the more powerful and ambitious chiefs of Maui who, by 1786, ruled O'ahu, Moloka'i and Lāna'i (Daws 1968:31). During the later years of Kahekili's reign and the early years of Western contact, the traditional Hawaiian lifestyle changed rapidly, as western goods, particularly weapons and metals, became obtainable through either trade or theft. Daws comments that several of the early traders "saw nothing wrong in arming one Hawaiian chief against another as they sold guns to as many factions as they could find and then encouraged them to fight" (Daws 1968:32).

The "Olowalu Massacre", one of the more infamous early historic accounts specific to the Lāhainā region, reveals how conflicts between early western traders and native Hawaiians were easily provoked as western goods became the focus of Hawaiian needs. The Olowalu conflict began in late January of 1791 when the American Merchantman *Eleanora*, under the command of Simon Metcalfe, landed off the coast of Honua'ula to barter for food. During the night, natives killed the ship's watchmen and stole a boat tied to the stern of the *Eleanora*, after which it was burned on shore for the iron fittings. When the incident was discovered the next day, Metcalfe dispelled all of the Hawaiian women off of the ship, then fired on the village of Honua'ula with grapeshot, effectively setting the *hale* (homes) and *heiau* (temples) on fire. The *Eleanora* then set sail to Olowalu where a chief offered in trade the return the stolen boat and the bones of the killed watchmen. To Metcalfe's dissatisfaction, only a piece of the boat's keel and leg bones of the watchmen were given by the chief. In revenge, the angered Metcalfe and shipmates tricked the Olowalu natives to bring their trade canoes to the ship's starboard and fired upon them all, killing and wounding at least 100 Hawaiians (Daws 1968: 33-34).

2.1.2 Early Historic Period

The nineteenth century brought to Lāhainā and other portions of the present study area a multitude of commercial, social and religious changes that were encouraged by the burgeoning foreign influx. During the year 1819 the first whaling ships arrived in Hawaiian waters and Lāhainā became one of the primary harbors for provisioning ships in the islands. The whaling trade flourished until the 1860's and gave impetus to the development and growing population of Lāhainā. Between 1824 and 1861, 4747 whale ship arrivals were recorded for Lāhainā, representing 47 percent of the total arrivals in all ports of the Hawaiian Islands. Figures from an 1846 census of Lāhainā documents the following changes brought to the area midway through the nineteenth century: 3,445 Hawaiians, 112 foreigners, 600 seamen, 155 adobe houses, 822 grass houses, 59 straw and wooden houses and 529 dogs. With an increasing population of foreigners entering Lāhainā, there was a need to increase the traditional agricultural surplus,

primarily under the control of the *ali'i* class, for economic trade. The Pacific Commercial Advertiser (February 12, 1857) accounts that western vegetables became a common and abundant constituent of the Hawaiian gardens:

...Fruits are generally abundant. The grape seems to luxuriate in the rich soil, and the sunny, clear weather of Lāhainā is, par excellence, the fruit of this place or Islands. Figs, bananas and melons are produced in abundance, and pumpkins enough for all New England to make pies for a general Thanksgiving...(in Wong-Smith, Graves 1991:A5)

The first Protestant missionaries and their families arrived in Lāhainā in 1823. The missionary William Ellis, who visited Lāhainā during the 1820's, described the landscape that had entranced both the Hawaiians themselves and the nineteenth century newcomers:

The appearance of Lāhainā from the anchorage is singularly romantic and beautiful. A fine sandy beach stretches along the margin of the sea, lined for a considerable distance with houses and adorned with shady clumps of kou-trees, or waving groves of cocoa-nuts. . .The level land of the whole district, for about three miles, is one continued garden, laid out in beds of taro, potatoes, yams, sugar-cane, or cloth-plants. The lowly cottage of the farmer is seen peeping through the leaves of the luxuriant plantain and banana tree, and in every direction white columns of smoke ascend, curling up among the wide-spreading branches of the bread-fruit tree. The sloping hills immediately behind, and the lofty mountains in the interior, clothed with verdure to their very summits, intersected by deep and dark ravines, frequently enlivened by waterfalls, or divided by winding valleys, terminate the delightful prospect. (Ellis 1969:76-77)

After the consolidation of the rulership of the Hawaiian Islands by Kamehameha I early in the nineteenth century, Lāhainā became the "capitol" of the kingdom until the 1840's when the government moved to Honolulu. The sugar cane Ellis observed in the environs of Lāhainā in the 1820's would become, during the second half of the nineteenth century, the basis for a commercial venture that would reshape the landscape within much of the present study area.

2.1.3 Mid to Late 1800's

By the mid 1800's Hawai'i, Lāhainā in particular, was infiltrated by a growing community of foreign business entrepreneurs, transient whalers, and Calvinist-minded missionaries; all of whom had personal interests to protect and virtues to impress upon the traditional Hawaiian people. Encouraged by these foreign factions, the western-like land divisions of the Mahele were instigated under Kamehameha III (King Kūiākeaouli). Beginning in 1848, the Land Commission oversaw land divisions of three groups: Crown Lands (for the King); Konohiki Lands; and Government Lands, all of which were "subject to the rights of native tenants" (Wong-Smith in Graves 1991). In the lands from Ukumehame to Lāhainā, only two of the project area's *ahupua'a* - Olowalu and Ukumehame - are listed as Crown Lands and none are listed as Government Lands.

The Organic Acts of 1845 and 1846 initiated the process of the Māhele - the division of Hawaiian lands -, which introduced private property ownership into Hawaiian society. In 1848 the crown and the *ali'i* (royalty) received their land titles. *Kuleana* awards for individual parcels

within the *ahupua'a* were subsequently granted in 1850. These awards were presented to tenants - native Hawaiians, naturalized foreigners, non-Hawaiians born in the islands, or long-term resident foreigners - who could prove occupancy on the parcels before 1845. Despite the effort to allocate lands to the *maka'āinana, ali'i* control of Lāhainā lands persevered and as the future indicated, much of these lands were ultimately obtained by foreigners for sugarcane enterprises.

Of the *kuleana* awarded in the Lāhainā District, most land claims were more concentrated in the stream valleys along Ukumehame, Olowalu, and Kaua'ula Stream and scattered throughout the alluvial plains and coastline associated with these streams. The primary uses of the land claims in the upper environs were for agricultural with some used as house lots while the land claims in the coastal regions consisted primarily of house sites with home gardens. Alexander's 1849 or 1850 Land Commission Award (LCA) map of Puehueiki and Polanui Ahupua'a reflects this general pattern of *kuleana* claims (Figure 14). While the greater part of Polanui Ahupua'a was awarded to a single claimant with a small number of LCA awards found along the northern coast, Moffat and Fitzpatrick (1995) note that there is a dense concentration of very small *kuleana* awards on the north side of Kaua'ula Stream as opposed to the south side. They interpret this pattern as a result of the intensive development of *lo'i* agriculture that would have been supported by the waters Kaua'ula Stream whereas Polanui did not have a stream system exclusive to the *ahupua'a* and therefore the LCA distribution was scattered and sparse. Within the parkway corridor at Pola Nui a total of three *kuleana* lots, one to Kapua, one to Kainokane, and one to Paniani, are noted on the 1850 map (see Figure 14). A search of the Waihona 'Aina online database however, shows that the land claim was not awarded to Kapua while W. Lunalilo was awarded a large portion of the *ahupua'a* (Table 1).

The Euro-American pressures to obtain Lāhainā property is evidenced in a land transaction that was conducted prior to the Great Mahele of 1840 where the entire *ahupua'a* of Launiupoko was "conveyed" by the King to Thomas Phillips and his heirs born in Hawai'i (Native Register files, Vol. 1:163):

I, Kamehameha II do hereby convey absolutely to Thomas Phillips and his heirs born in Hawaii, a certain parcel of land outside of Lāhainā, Maui, named Launiupoko, and all the rights pertaining thereto.

Said land to Thomas Phillips and his heirs born in Hawaii and shall be for them forever.

It is agreed that this land shall not be conveyed to a *haole* or one who does not reside in Hawaii.

In testimony whereof, we sign our names and set our seals on this 19th day of September, 1840, at Lāhainā, Maui.

Kamehameha II

Kekauluohi

Thomas Phillips



Figure 14. W.P. Alexander, circa 1850 illustrating Lāhainā kuleana lands.

Table 1 Land Commission Awards Within the Proposed Pali to Puamana Parkway at Pola Nui Ahupua'a

Claim Number	Royal Patent Number	Claimant	'Ili	Award Details
00380		Kapua (Kapuaanui?)		Information provided by the online Waihona Aina database indicates that this claim was not awarded; however, the W.P. Alexander map for <i>kuleana</i> lands in Lāhaina shows Kapua, widow of Hane, on a <i>kuleana</i> parcel.
7590:03	1190/1191	Kainokane	Kaaukau, Kopele, Polanui	37 <i>lo'i</i> , and also a place on the mountain for timber rights, 5 planted coconut trees, and 3 <i>hala</i> clumps.
8559-B	8395	Kanaina, Charles for Lunalilo William		<i>Apana</i> 25, 440 total acres
9825	1704	Paniani		A house lot

LCA 82 to Thomas Phillips comprised a total area of 3,778 acres. In 1841, S Kaenaena, the *Luna Ahau* of the area presided over a dispute about the northern boundary of the Phillips award. Kanaiana (Polanui Ahupua'a see claimed that the Polanui – Launiupoko border was on the Olowalu side of the lands occupied by Phillips. Thomas Phillips in turn claimed that the boundary was on the Lāhainā side of his place. To settle the dispute, Kaenaena arbitrarily placed the boundary in the center of the area that was in dispute, fixing the border from the center of a graveyard at the coast to an inland hog pen (Figure 15).

Based on the distribution of lands awarded during the Mahele period as shown on the modern tax maps of Kaua'ula stream valley and more accurately on early cane maps of the general region of Olowalu and Ukumehame Valleys, inland occupation and agricultural use is indicated along the major stream gulches and upper alluvial plains. Again, these land claim testimonies affirm that *lo'i* were cultivated in the wetter gulch basins adjacent to streams and *kula* crops or *kihapai* presumably along the dryer upper alluvial plains (the most commonly mentioned *kula* crop types were sweet potatoes, *wauke*, and dryland taro). Although the modern tax maps generally do not reveal LCA's which were likely present on the alluvial plains adjacent Kaua'ula stream, they do show a significant pattern of land use differentiation between the alluvial plains and stream gulch areas in Olowalu and Ukumehame valleys. LCA's are generally side-by-side and adjacent to the streams and upper gulch perimeter, while LCA's within the alluvial plains of the parkway corridor have a more scattered distribution that clusters along the stream areas (see Table 2 and Figure 16 for Olowalu Ahupua'a; Table 3 and Figure 17 for Ukumehame Ahupua'a)

References to adjunct *po'alima*, or agricultural lands tended for the *ali'i*, and *konohiki* lands are accounted in the above native or foreign testimonies. One of these testimonies claims that the *konohiki*, had three *lo'i* plots in the middle of his land. Following the Mahele, in 1871, surveyors

noted that "140 konohiki lois" were present on one side of Olowalu stream (Letter to J.O. Dominis from Nahaolelua, September 14, 1871-State Archives files).

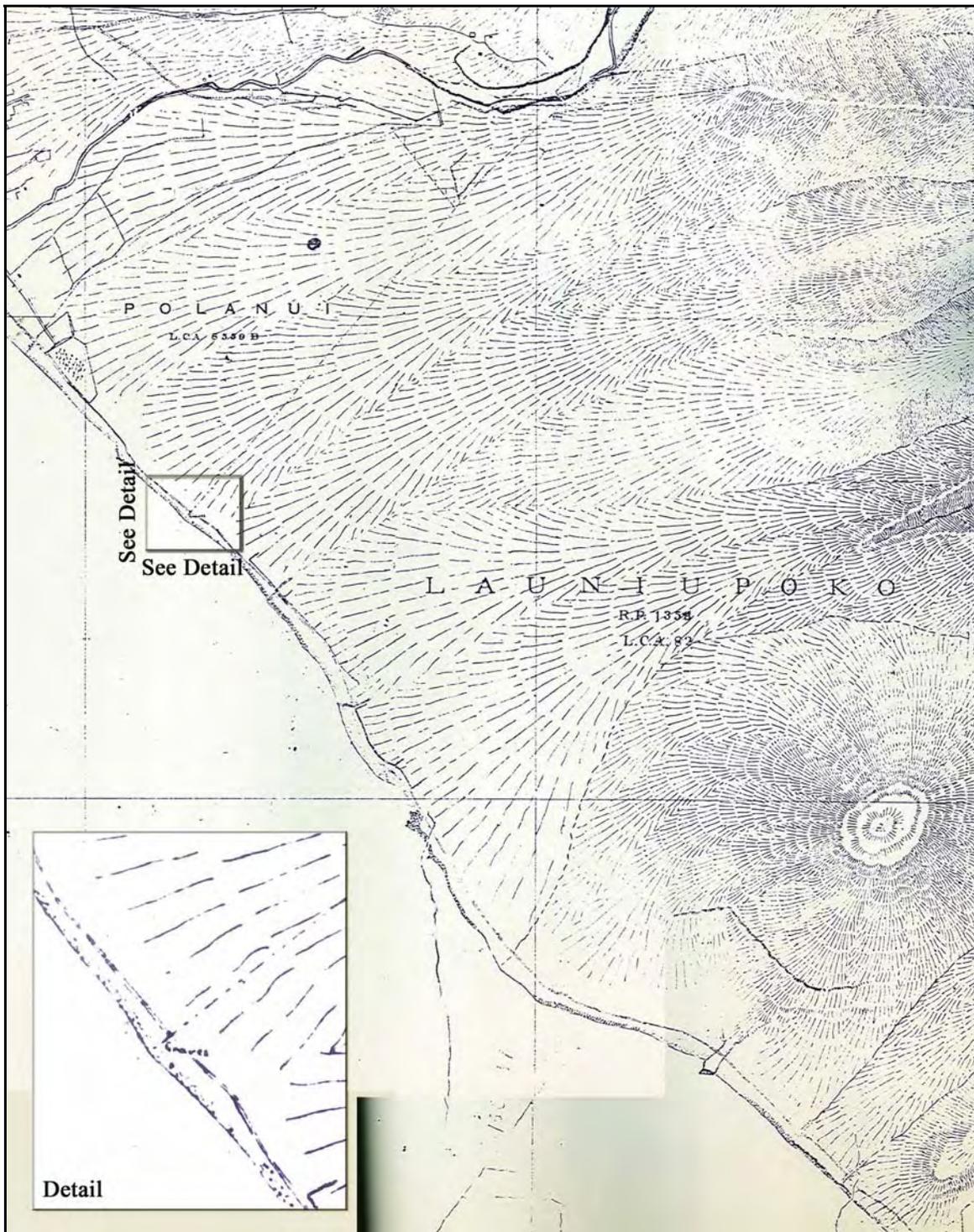


Figure 15. S.E. Bishop 1883, showing land claim and boundary for Launiupoko Ahupua'a, note location of boundary relative to gravesites.

Table 2. Land Commission Awards Within the Proposed Pali to Puamana Parkway at Olowalu Ahupua'a

Claim Number	Royal Patent Number	Claimant	'Ili	Award Details
01742:02	2154	Kaauwai, Z.	Kailoai/ Wailoanui	<i>kula</i> land adjacent to Olowalu Stream
0240	None	Clark, John	Kaluakanaka	House lot
04376:01	6267	Keahi	Puukoloohilo	25 <i>mo'o</i> of <i>kula</i> (pasture) land
05620:01, 04	5477	Kehele	Maomao, Wailoa	Section 1 is <i>kalo</i> land adjacent to Olowalu Stream, Section 4 is 2 <i>lo'i</i> adjacent to Olowalu Stream
05829:H	4840	Nahue, wahine	Kaluaha	2 <i>lo'i</i> and 1 house lot adjacent to Olowalu Stream
05952:01	5181	Minamina	Kaunukukahi	A house lot adjacent to the government road
06728:2	4952	Mahulu	Kaunakukahi	1 house lot and <i>kula</i> ; referred to as "School Building" in boundary description
07719	7209	Haia	Maomao	15 <i>lo'i</i> , 1 <i>kula</i> , and 1 house lot adjacent to Olowalu Stream and the government road
08573:1	3810	Kailiala	Kuekue	A house lot
08817:01	7572	Kanakaole	Kaunukukahi	1 house lot
10128:05	4041	Maui, E	Kamani 3	small salt land

Table 3. Land Commission Awards Within the Proposed Pali to Puamana Parkway at Ukumehame Ahupua'a

Claim Number	Royal Patent Number	Claimant	'Ili	Award Details
03072*M	6338	Malo, Davida	Ohia iki under Kanaina	1 <i>apana</i> a house lot. Only one fixed native, Kuaili, on the lands claimed under this number. There are two others who have no rights to the soil (testimony given by Keawai)
5380	2506	Hulu	Kaulu, Ohianui, Uwai	12 <i>lo'i</i> (Sections 1 and 2) and 2 house lots (Sections 3 and 4)* Burial by section 4
6408: 01 and 5124	1723	Kalaikini	Puaalou	4 <i>lo'i</i> and 4 potato <i>mo'o</i>
6709	7775	Popolo, Wahine	Haai	1 <i>pauku</i> of land, 1 <i>kula</i> , and 1 house lot adjacent to Ukumehame Stream
6751: 03	2441	Alai	Puaalou	A section of <i>kula</i> or pasture land
8559:04		Kanaina C. W. Lunalilo	Puaalou	

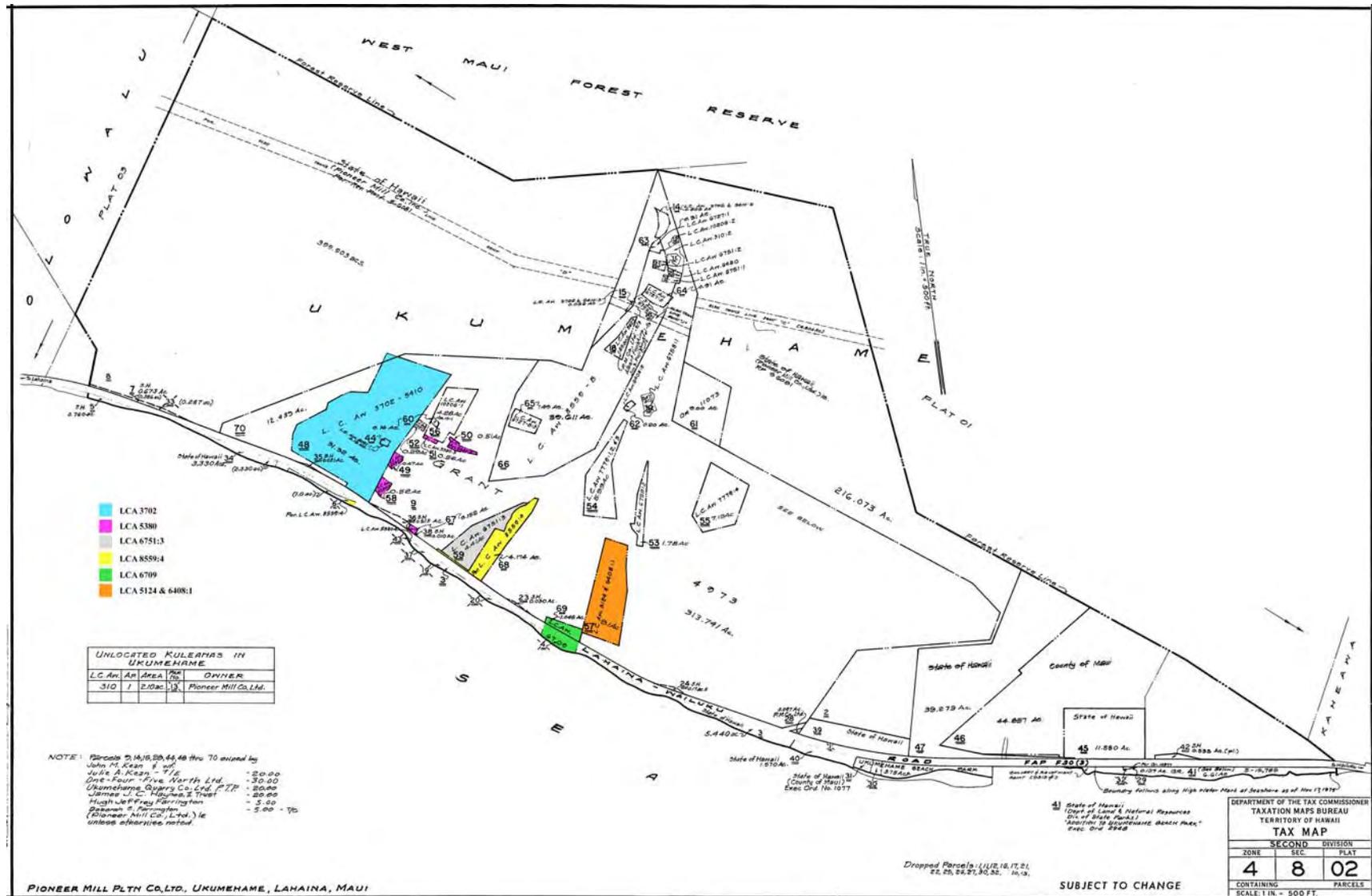


Figure 17. Modern TMK Map showing the LCA distribution within the proposed Pali to Puamana Parkway at Ukumehame Ahupua'a

A Cultural Impact Assessment for the Proposed Pali to Puamana Parkway Polanui Ahupua'a to Ukumehame Ahupua'a

TMK: (2) 4-8-02:multiple parcels, 4-8-03: multiple parcels, and 4-7-01: multiple parcels

2.1.4 Development of the Sugar Industry in the Lāhainā District

Lāhainā was the location of some of the earliest sugarcane ventures in Hawai'i. The earliest reference to sugar grown in the Lāhainā area is credited to G. W. Wilfong, the manager of the Hana Plantation in 1851. In his 1882 writings, Wilfong made note of the various sugar enterprises established on Maui during his first tour of the island in 1849, and described the early sugar operations in Lāhainā. He noted that cane trash was an inefficient fuel for the boiling down of the juice extract into syrup, and that a large supply of indigo (*Indigofera suffruticosa*) was cut down for firewood in Lāhainā. “The area cleared by this means was subsequently used for the first planting of a supply of seed brought by Captain Edwards, of the whale ship George Washington. This cane was called Lāhainā” (Wilfong 1882).

Captain Pardon Edwards had brought samples of two varieties of sugarcane to Hawaii in 1854: one variety from Tahiti, and one from Cuba. Both varieties flourished, but the Tahitian variety excelled, and was named “Lāhainā” (Dorrance 2000). The first Lāhainā mill was operated by Judge A.W. Parsons in 1849. This mill plus 1000 acres of land was subsequently auctioned to O.H. Gulick. The Lāhainā Sugar Company was established in 1859, under the direction of Henry Dickenson (Wong-Smith in Graves 1991:A6). Three primary sugarcane enterprises developed during the mid to late 1800's between the lands of Lāhainā and Mā'alaea: Pioneer Mill Company; Olowalu Sugar Company; and Hawaiian Commercial and Sugar Company.

2.1.4.1 The Olowalu Sugar Company

The Olowalu Sugar Company was organized in 1881 on lands given up by the West Maui Plantation. The sugar venture was originally represented by the agency of McFarlane & Co., with shares in the plantation purchased by Theophilus Harris Davies, who became the agent for the enterprise in the late 1880's.

The history of the Olowalu Sugar Company includes the use of the Olowalu mill to process the cane harvested by Maunalei Sugar Company, a Lāna'i Island enterprise, and barged across the channel separating the two islands. Cane harvested by the Maunalei Sugar Company in Keōmuku was processed at Olowalu beginning with the 1899 crop. Processing of the Lāna'i cane continued until 1901 with the closing of the Maunalei Sugar Company.

The lands of the Olowalu Sugar Company lie on the lee side of the west Maui Mountains, where the rainfall is low, but the streams behind the plantation reach back to the crest of the mountains and are supplied chiefly by trade-wind rainfall. Heavy “kona” rains augmented the water supply during years of low trade-wind rainfall. It is estimated that the first well drilled at Olowalu for the plantation was sunk in 1905, a single shaft with 670 feet of lateral tunnels designed to skim 3 million gallons of fresh irrigation water per day from sources beneath the Olowalu plains. It was drilled vertically approximately 20 feet through the Wailuku basalts, at an elevation of 20 feet (Stearns 1942).

A second well was drilled in Ukumehame around 1908, which consisted of a pit five feet deep, with a 6-inch drilled well 12-feet deep in the bottom. This arrangement was able to pump 1.25 million gallons per day (Stearns 1942).

In the 1920's, the Olowalu Sugar Company drilled an additional Maui-Type well at 165 feet of elevation, which consisted of a 30° inclined shaft measuring 300 feet long. This became known as well site no. 12, and replaced the Ukumehame well, which was subsequently filled in (Stearns 1942). In the early 1930's, the Olowalu Plantation merged with the Pioneer Mill Company, bringing along its two small and relatively crude systems. The Ukumehame Ditch system had a capacity of 15.5 mgd, and a median flow of 3.30 mgd. The Olowalu system had a capacity of 11 mgd and a median flow of 4.08 mgd.

Table 4. Sugar Crop figures for the Olowalu Plantation are listed as follows for the years leading up to Annexation with the United States: (listed as tons)

1891	1892	1893	1894	1895	1896	1897	1898	1899	1900
760	859	702	937	905	1,163	1,112	1,425	1,502	1,480

At its operating peak in the 1920's, the plantation was divided into thirty-three fields, of an average size of twenty acres. The fields were named either for plantation employees ("Yoshino 15.75 acres", "Santiago 15.0 acres"), or for geographic locations ("Church 22.5 acres", "Olowalu Gulch 9.75 acres"). The Olowalu Sugar Company field map, drawn by F.W. Broadbent in 1924 for the Hawaiian Sugar Planter's Association, also shows the location of the Olowalu mill, the school, and the "old church". Production of about 2,000 tons of sugar per year was maintained until the plantation was purchased by the Pioneer Mill Company in 1930. In 1932, according to the records of the Pioneer Mill Company, the mill at Olowalu was dismantled and shipped to the Philippine Islands.

2.1.4.1.1 Railway Operations

The first reference regarding the use of a railroad at Olowalu Plantation to transport cane to the mill was found in the *Planter's Monthly* for April, 1882. The use of a "Fowler Railroad Plant" at the Olowalu plantation was considered by historian Jesse "Jay" Conde to mean that the track had been installed, and the cane cars in operation utilized "mule power" until the enterprise could afford to order a locomotive (Conde 1973). By November of 1882, according to the *Hawaiian Gazette*, the Olowalu railroad had completed the two-mile section of track to Ukumehame, for a total of three miles of fixed track.

The order for a Baldwin locomotive named "Olowalu" was placed late in 1889 by the firm of W.G. Irwin. The two-foot gauge plantation engine arrived on Maui just after the turn of the century. By September of 1905, a second locomotive was ordered from the Baldwin Locomotive Works, for a new boiler ("B") version of the same type of 2-foot gauge locomotive; also to be named "Olowalu". By 1918, new steel rails were being installed to replace the existing layout. The 2-foot gauge track for the Olowalu Plantation Company railroad was built to the same specifications as the railway linking the HC&S mill at Spreckelsville to its fields; and to the sugar warehouses at the Kahului wharf. The uses of the railroad at Olowalu had made it possible to harvest and transport over six thousand tons of sugar in a single year (Gilmore 1936)

2.1.4.2 Religious Development

The Reverend Richard Williams established the Olowalu Mission of the Lāhainā Station between around 1829, and provided Christian meetings for the people there. In a letter written October 2, 1830, by Richard Williams and Jonathan S. Green, a review of the status of public worship on the Sabbath was reported thus:

In every considerable village from one end of the island to the other, the people have erected a house for the worship of God. At Olualu [sic], a village eight miles distant from Lāhainā, we have preached during the season, nearly thirty sermons to a congregation of five to six hundred. This and a single Sabbath at Kanepale, a village equally distant from Lāhainā in another direction, is all that we have been able to do for the people on this side of the island. The congregation at Olualu [sic] listen with seriousness to the preaching of the gospel. A few teachers of schools there have formed themselves into a Bible class, who have been instructed in the interval between the services of the Sabbath (see Figure 18, *Missionary Herald* 1831).

Mr. Hinano Rodrigues, a current resident of Kapaiki at Olowalu and participant in this study offered the following description of the effort that went into building the Olowalu Church:

The church was founded in 1835 but the church, the actual building that ... was built in 1868, and what happened is that my *tutu* folks formed a human line from the church up the mountain, and then they passed the stones down to the church, then they went across the street and got the coral and ground the coral to make cement yeah? And they built the church. (see Appendix for a full transcript of the interview)

In 1930, at around the same time that the Olowalu Sugar Company was being absorbed by the Pioneer Mill Company, a spark from burning sugar cane nearby lit the roof of the church on fire. While the Olowalu Sugar Company initially apologized for the fire damage and made a verbal promise to provide the labor if the congregation would provide the materials, Pioneer Mill did not recognize the verbal contract. When Pioneer Mill acquired Olowalu Sugar Company, the new owner did not follow through on providing the congregation with the needed labor to rebuild the roof and as a result, the church structure remained roofless (Figure 19) and services were moved to the private residences of congregation members and the old Olowalu teachers' cottage.



Figure 18. Olowalu Church prior to the 1930 fire that took the wooden roof of the church (Date unknown, photo courtesy of Mr. Hinano Rodrigues)



Figure 19. General Interior View of the Olowalu Church, photographed by Jack E. Boucher in 1966 for the Historic American Buildings Survey (HABS), and the Historic American Engineering Record (HAER) (National Park Service).

2.1.4.3 Pioneer Mill Company

The Pioneer Mill Company was established as a partnership in 1862, between James Campbell, Henry Turton, and Benjamin Pittman. The first Pioneer Mill plantation lands were deeded to the partners by Benjamin Pittman for the price of \$30,000 (Condé and Best 1973:252.). How Pittman obtained such a sizable piece of land is unknown, however, one may posit that the first Pioneer Mill lands were in Launiupoko Ahupua'a which was acquired by Thomas Phillips in 1840 (Wong-Smith in Graves 1991:A6).

Using gravity flow water from mountain streams, the Pioneer Mill Company produced 500 tons of sugar in 1866. Production reached 1,000 tons annually by 1872, and the viability of the enterprise was assured when H. Hackfield was appointed sugar factor in 1877. By the turn of the century, the Pioneer Mill Company was producing over 10,000 tons of sugar a year (Thrum 1901).

In 1877, the entire Pioneer Mill plantation holdings were evaluated as being worth \$500,000 (Wong-Smith in Graves 1991:A6-7). Henry Turton is credited during the early 1880's with planning construction of the first railway in Lāhainā to facilitate cane hauling from the cane fields in Kā'anapali to the Lāhainā-based mill. The Pioneer Mill was incorporated in 1885 and sold to H. Hackfeld & Company, the predecessor of Amfac, Inc. (Wilcox n.d.; Wong-Smith in Graves 1991:A9). In order to maintain production and the successful growing of sugar cane along the west coast of Maui required further development of water resources.

The Pioneer Mill installed a simple galvanized iron flume in the Honokowai Stream in 1898, but the mechanism by which arid coastal lands could receive mountain waters was not to be perfected on Maui's western coastline until the building of the Honokohau Ditch in 1904. With the construction of Honokohau Ditch, the Pioneer Mill Company was able to reach back into the mountain valleys and obtain water in a system developed by the Honolua Ranch, effectively delivering about 20 million gallons per day to the Pioneer Mill fields. This main ditch was augmented over the years with seven additional ditches.

General reorganization of the Pioneer Mill Company began around the turn of the 20th century. A prospectus for change describes assets of the four main cane fields composing the company at that time (Condé and Best 1973:253):

Lāhainā - 1,000 acres of land on the flat and outside of small kuleanas, (land areas claimed by the Hawaiians under Royal grants), the land is fee simple (could be deeded).

Launiupoko - 2,900 acres of fee simple land, lying between Lāhainā and Olowalu.

Wahikuli - A tract of government land of 5,000 acres, under lease for eighteen years, lies between Lāhainā and Kaanapali.

Kaanapali - Some 3,600 acres at various levels, fee simple land, beyond Wahikuli.

An immediate result of the reorganization was the construction of "twenty miles" of new railroad, replacing old lines and extending the entire length of the plantation, with branches emanating *mauka* into the upper elevations of the cane fields (Condé and Best 1973:253.). By the late 1920's, the Pioneer Mill Company developed a complex of irrigation systems including

flumes used to transport cane to railroad "car loading stations" (Condé and Best 1973:254). As suggested by archaeological evidence and respective cane maps, the Pioneer Mill may have developed irrigation canals and flumes at an earlier time in Launiupoko where the examination of an un-labeled Pioneer Mill map (possibly titled: *Canefield Map - 1918 MC-10 to 33*) differentiates the irrigation canal and flume as the "new flume" and "old flume, respectively. Thus, suggesting that both structures are not contemporaneous in origin.

In May of 1931 the Pioneer Mill Company expanded their cane enterprise as far as Ukumehame to the east through the purchase of Olowalu Sugar Company (Condé and Best 1973:264). During this same period, less lucrative cane fields, specifically in upper Launiupoko, were abandoned for the most part due to labor shortages "imposed by World War II" (Graves 1991:5). During the 1930's the Pioneer Mill Co. also began cattle ranching in the abandoned cane fields of Launiupoko. According to Herbert Kinores, Pioneer Mill Co. ranch foreman, ranching infrastructure including walls, fences, and wooden and stone-walled corrals were constructed in the Launiupoko region above the cultivated cane fields (Graves 1991:7).

A dramatic technological change to cane production of the Pioneer Mill occurred in 1946 when it became more economical to use trucks to transport the harvested cane instead of railroad carts. As reported in a Pioneer Mill Co. annual, the year of 1953 marked the final elimination of railroad use in the Pioneer Mill Company (in Condé and Best 1973:255). Changes in the operation, as a result of an exhaustive study by the combined staffs of Pioneer Mill Company, and American Factors, Ltd., Plantation Division, resulted in the elimination of the railroad system altogether. All sugarcane would be hauled by trucks, with the ability to haul 45-65 tons per load, on a shift basis.

2.1.5 1900s to Modern Era

Like Launiupoko, the upper elevations of Ukumehame Ahupua'a were used for cattle grazing. Existing fences exclude the roaming cattle from *makai* localities of Ukumehame, and at least two known access gates are located off Hono-a-Pi'ilani Highway just *mauka* of McGregor's Point and inland of the pineapple fields at Mā'alaea. Ranching in the Launiupoko region, however, was apparently terminated by the Pioneer Mill Co. during the 1970's due to drought and "falling market prices" (Graves 1991:7).

Scattered residential lots are currently present within the Ukumehame, Olowalu and Kaua'ula stream areas, and along the shoreline at Olowalu. These isolated house lots are referred to as *kuleana* (Kimo Falconer, in Robins et al. 1994) and likely represent original boundaries of land claims made during the Mahele.

The intensive sugarcane agriculture under the direction of Pioneer Mill continued operations from Ukumehame to Launiupoko until 1998. Lands that were formerly cultivated in sugarcane are either fallow or have been subdivided out of larger landholdings for residential development.

During the 1970's Maui Electric installed a power line between Mā'alaea and the town of Lāhainā. The existing line stretches over elevations of between roughly 600 and 2600 feet above mean sea level.

A *pu'u*, commonly referred to as "cut mountain", is located between Olowalu and Launiupoko presently being used as a quarry or "borrow pit". Immediately west of the *pu'u* is an old landfill site.

2.2 Previous Archaeological Research within the Project Area Vicinity

Haun and others (2001) conducted an extensive survey of the literature, enumerated and broke down all of the reported traditional features by function and found that these studies have resulted in the recordation of at least 43 permanent habitation features, 60 temporary habitation features, 68 agricultural features, 31 burials, 13 ritual features, 5 *ahu*, 11 animal husbandry features, 66 petroglyph features, one fishpond or aquaculture feature, 73 historic era features, and one trail segment, as well as 10 features of indeterminate function from Waikapu Ahupua'a to Honokowai Ahupua'a. The following section will focus on the previous archaeological work conducted on the lands from the base of the *pali* on the Lāhainā side of Ukumehame to Polanui.

The first attempt at an island-wide systematic archaeological survey was undertaken by Winslow Walker of the Bishop Museum between 1928 and 1929. Corroborating the later observation of Handy and Handy (1972) regarding the presence of *lo'i* within the *ahupua'a* covered by the project area, Walker (1931) noted that:

"Terraces for the cultivation of taro were seen on West Maui in the vicinity of... Lāhainā, Olowalu, and Ukumehame" [p.71]

Above Mrs. Naho'oikaika's house, old taro patches and house sites, old *auwai* (traditional Hawaiian irrigation ditches) were used for sugarcane ditches...at the edge of a house platform (15 by 28 feet) there is a large red stone used as a *papamu* for *konane* [p.77]

The primary focus of the Walker Survey, however, was on the identification of monumental architecture and ceremonial structures in the form of *heiau* (temples) and *ko'a* (shrines). From the base of the *pali* in Ukumehame to Polanui Ahupua'a, Walker (1931) identified a total of five *heiau*:

Walker Site 2: Hiki'i *Heiau* (SIHP 50-50-08-2), east side of Ukumehame Gulch (p. 105)

Walker Site 3: Ukumehame *Heiau* (50-50-08-3), west side of Ukumehame gulch above the ditch at the edge of cane land, altered for a cattle pen (p. 107)

Walker Site 4: Kawai'aloa *Heiau* (50-50-08-4), on the rising ground south of Kilea Hill above the ditch, measures approximately 156' by 110', low platforms in western part probably historic grave sites (p. 108)

Walker Site 5: Smaller *heiau* below the ditch in cane lands approximately 40' by 60', all interior structures were destroyed (p. 108)

Walker Site 6: Wailehua *Heiau*, in the *ahupua'a* of Makila (Polanui) at the shore approximately 130' by 80' [Thrum 1909], the site was used for the residence of Mr. Burns, Manager – Pioneer Mill Co., now destroyed (p. 108)

Sites 2-4 were originally identified by John F.G. Stokes in 1916 and recorded in Thomas G. Thrum's *Hawaiian Annual* of 1918. In his site descriptions, Walker mentions that the three *heiau* contained graves, all of which were reportedly of "recent date". In Thomas Thrum's report on Ukumehame *Heiau* he "questions the use of this structure as a *heiau* on the advice of his informant, Kaahi, who says it was only a graveyard" (Walker 1931.:107). No other information about the origin of the three *heiau* is given other than that Hiki'i *Heiau* was built for a chief named Hiki'i.

In 1973 the Department of Land and Natural Resources, State Parks Division conducted a similar island-wide archaeological survey, as a follow-up to Winslow Walker's study. As a result of the 1973 survey, Hiki'i, Ukumehame and Kawai'aloa *Heiau* were thoroughly documented and the sites were established in the Hawaii Register of Historic Places (in State Historic Preservation Division files). Other historic properties that were identified during the State sponsored survey included the Olowalu Complex (50-50-08-1200), features associated with the Olowalu Sugar Mill (50-50-08-1602), and the Olowalu Stone Church at Mōpua (50-50-08-1603).

In 1988, Barrera conducted an archaeological reconnaissance of three alternative highway corridors, beginning at Launiupoko and ending in Honokowai, for a realignment of Honoapi'ilani Highway to bypass Lāhainā Town. Jensen (1991) conducted a follow up survey of two additional and partially overlapping corridors (Figure 4). A total of eight sites with 49 component features were recorded. These properties consisted of pre-contact habitation features, agricultural features, and petroglyphs; as well as, historic features associated with the plantation era.

Robins and others (1994) conducted an archaeological inventory survey of a power transmission line from Ma'alaea to Lāhainā, *mauka* of the current project area. During the survey 34 sites and site complexes were identified within their project area. The archaeological sites that were identified consisted of a wide range of formal site types that included agricultural features characteristic of intensive non-irrigated agriculture, temporary and permanent habitation sites, major *heiau* and shrine sites, a travel route, a marker site, possible human burials, historic ranching walls, in addition to, irrigation canals, flumes and a possible railroad bed associated with large-scale, historic sugarcane cultivation. The traditional Hawaiian sites that were identified during the survey were clustered in the Ukumehame and Launiupoko valley regions, with more isolated sites located near Kaua'ula Stream and in the uplands alluvial plains of Ukumehame Ahupua'a. Sites primarily associated with the historic sugar industry were located adjacent to the four major streams of Lāhainā (Ukumehame, Olowalu, Launiupoko, and Kaua'ula streams), as well as, the upper alluvial fans of Launiupoko and Kaua'ula streams. The paucity of traditional Hawaiian sites in the Olowalu valley area was attributed to the destructive nature of large-scale cane agriculture that encompassed almost all of Olowalu at the time of the survey.

2.2.1 Ukumehame Ahupua'a

An archaeological assessment of approximately 39-acres of alluvial plains at the base of Hana'ula Gulch was conducted by Aki Sinoto (1997). A reconnaissance level survey of the Ukumehame Firing Range resulted in no new historic properties being identified.

Cultural Surveys Hawaii, Inc. conducted an archaeological inventory survey with limited subsurface testing within formal structures on a 440-acre parcel in Ukumehame Ahupua'a. A total of seventeen sites and site complexes, composed of 80 component features, were identified within the project area. Functional types were wide ranging and included agricultural features associated with intensive non-irrigated and irrigated agriculture, temporary and permanent habitation sites, *heiau*, petroglyphs, human graves, irrigation ditches associated with pre-contact agriculture and historic sugar-plantation agriculture, and a basalt quarry.

Traditional Hawaiian sites identified during this inventory survey were clustered upon the floor of Ukumehame valley directly adjacent to Ukumehame stream, and along the steep eastern and western edges of the gulch itself. Sites associated with historic, large-scale agriculture (sugarcane) were located adjacent to Ukumehame stream and along the base of the West Maui Mountain foothills along the upper alluvial fan of the Ukumehame flood plain.

The paucity of traditional Hawaiian sites in the lower elevations of the Ukumehame valley project area was attributed to the destructive nature of large scale agriculture (sugarcane) which formerly encompassed all of the alluvial plain below the mouth of Ukumehame gulch.

2.2.2 Olowalu Ahupa'a

Two studies, focused on Olowalu Ahupua'a, were conducted by Xamanek Researches on a *makai* section (approximately 73-acres) (Fredericksen and Fredericksen 2000a) and *mauka* section (approximately 662-acres) (Fredericksen and Fredericksen 2000b) of an over overall 735-acre project area. Both sections of the project area were covered by cultivated sugarcane lands at the time of the archaeological inventory survey.

A total of seven sites were identified within the *makai* section of the project area, all of which are located within the corridor of the proposed Pali to Puamana Parkway (see Section 2.3.1). Of the seven sites, six were newly identified while one, the Olowalu Sugar Mill, was previously recorded. In addition to the historic mill site, a pre-contact sand dune burial site, a probable pre-contact wall remnant enclosing a habitation area, a probable early post-contact deposit, a late pre-contact habitation deposit, a historic sea wall, and a portion of the Old Government Road was recorded.

A total of 30 sites, both pre-contact and historic, were identified within the *mauka* portion of the Xamanek project area. Six of the recorded properties are located within the parkway corridor (see Section 2.3.1). Pre-contact sites recorded in the *mauka* section include habitation sites (walls, enclosures, and rock shelters), ceremonial and religious sites (*heiau* and burials), and agricultural sites (terraces and modified outcrops); as well as, rock art features. Historic era properties identified within the *mauka* study were associated with the sugar industry and subsequent settlement of the area. These features include the remnants of a church, a cemetery, and sites related to historic agriculture. Radio carbon dates from four rockshelters and a permanent habitation site indicates that initial settlement occurred during the middle of the "Expansion Period" (A.D. 1100-1650) (Kirch 1985:306).

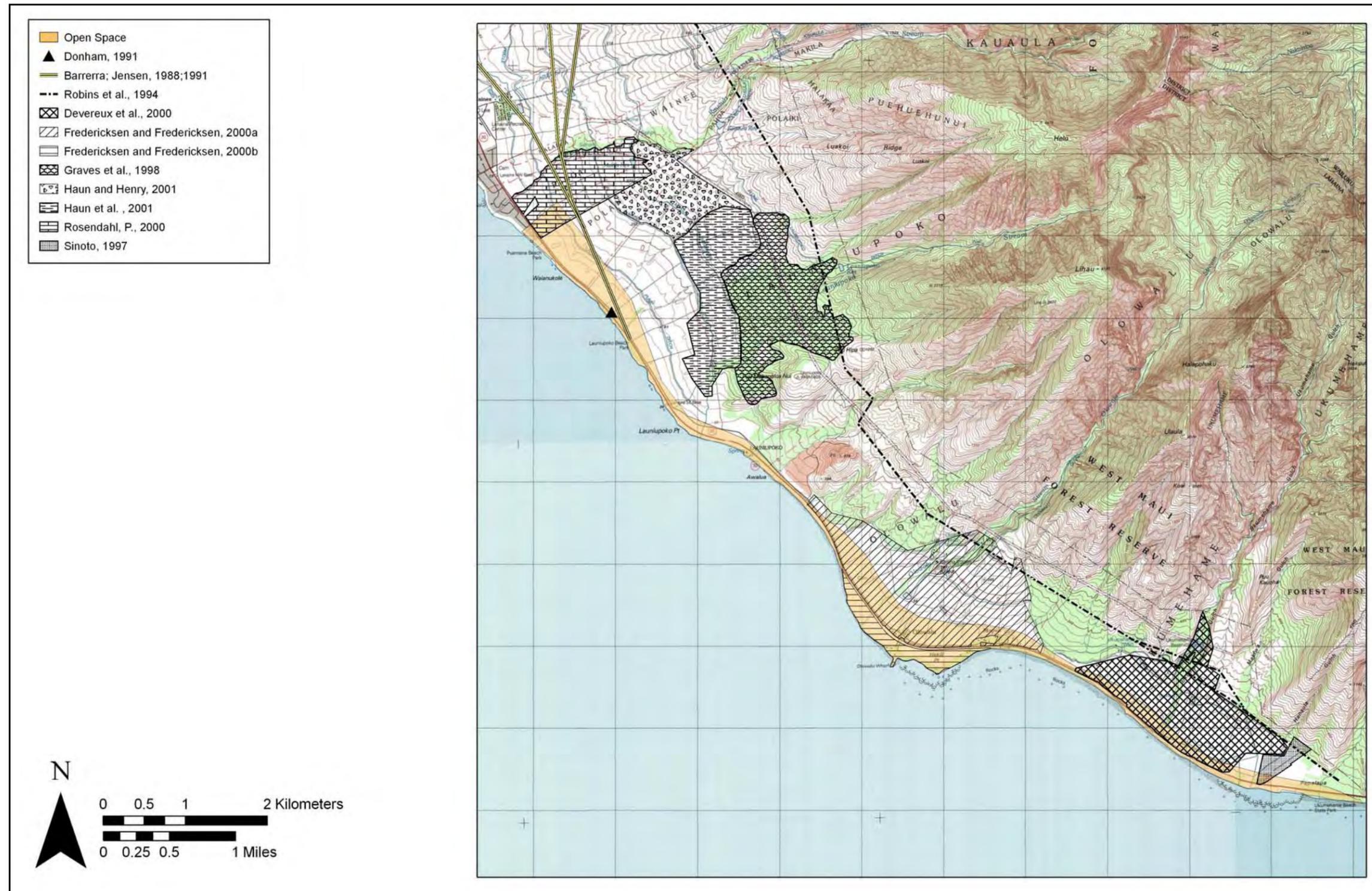


Figure 20. Portion of the Maalaea, Olowalu, and Lāhainā USGS topographic quadrangle maps, 7.5 minute series, showing the project area orange highlight and previous archaeological research

2.2.3 Launiupoko Ahupua'a

Paul H. Rosendahl, Inc. (PHRI) conducted an archaeological inventory survey of an approximately 430-acre project area encompassing the alluvial plain of Launiupoko stream (Graves et al. 1998). This survey identified 47 sites consisting of over 68 component features. A variety of functions were assigned to the component features including: agricultural, historic animal husbandry, habitation, temporary habitation, and markers. Agricultural features were the dominant functional type identified in the project area. In addition to the terrace feature type, agricultural plots, mounds, cleared areas, irrigation canals and retaining walls were also identified. Some of the terraces and irrigation canals may be historic in and associated directly with the large-scale cane agriculture developed by the Pioneer Mill Co. Habitation sites included rock-filled terraces, uprights, overhangs, enclosures (e.g. C-shapes and L-shapes), and rock alignments. Agricultural features were present at all of the habitation complexes and overhangs (rockshelters) were primarily located within Launiupoko Gulch.

In sum, Graves and others suggest that the ubiquitous terraces indicate that extensive agriculture occurred over all fertile land open for cultivation. Based on absolute and relative dating of the sites, in addition to historic accounts, two distinct periods of traditional Hawaiian occupation and landuse are proposed for the Launiupoko sites. The initial settlement of the sites within the project area occurred during the "Expansion Period" (A.D. 1100-1650) with subsequent settlement and expansion during the "Proto-Historic Period" (A.D. 1650-1790) (after Kirch 1985:306).

The "Expansion Period", Graves and others explain, is characterized by extensive irrigation and dryland farming practiced in "newly exploited environmental zones" of upland and leeward localities. During this period, habitation in the area may have been limited to seasonal or temporary occupation (i.e. using C-shaped and L-shaped enclosures). The "Proto-Historic Period", on the other hand, is distinguished from the former period by an increase in permanent occupation of the upland and leeward localities relying on intensive agriculture.

Haun and Associates conducted an archaeological inventory survey of an approximate 300-acre project area directly adjacent to and south of the survey conducted by PHRI in 1990 (Haun et al. 2001). This survey identified a total of six sites with seven component features, two of which had been previously recorded while the remaining four were newly identified. All of the historic properties identified as a result of this survey were associated with either historic sugarcane cultivation or cattle ranching by Pioneer Mill with the project area.

2.2.4 Polanui Ahupua'a

Paul H. Rosendahl, Inc. (PHRI) conducted an archaeological inventory survey of approximately 230-acres in Polanui, Puehuehu Iki, and Pahoah Ahupua'a (Rosendahl 2000). A total of three historic properties were identified, two of which are associated with late pre-contact to early historic agricultural activities, as well one site that was attributed to Pioneer Mill sugar operations. Twelve backhoe trenches (BTs) were excavated along the coastal extent of the project area in the approximate locations of six *kuleana* awards that were recorded as house lots and *kula* gardens (BTs 4-9 were situated in Polanui Ahupua'a). No cultural deposits were encountered during the backhoe testing program.

2.3 Previously Identified Historic Properties Within and Adjacent to the Pali to Puamana Parkway

A total of 14 historic properties, some consisting of multiple features, are located within the corridor of the proposed Pali to Puamana Parkway. The following section summarizes the pertinent archaeological work conducted within the parkway corridor and identifies the historic properties that have been previously recorded within the project area.

2.3.1 Olowalu Ahupua'a

The study of Olowalu lands located within the current project area was conducted by Xamanek Researches and broken up into two separate phases (see Figure 20), covering a total land area of approximately 735 acres.

2.3.1.1 Olowalu Ahupua'a – Makai Portion

The lands located *makai* of the Honoapi'ilani Highway, approximately 73-acres, were surveyed and tested as a part of Phase 1 (Fredericksen and Fredericksen 2000a). This survey resulted in the identification of four sites that were visible on the surface and two that were discovered during subsurface testing. All of the historic properties recorded during this Phase 1 work are located within the approximate boundaries of the current project area (Table 5 and Figure 21, see Appendix A for formal site descriptions).

Table 5. Historic Properties within the Project Area Located *Makai* of the Current Honoapi'ilani Highway (Fredericksen and Fredericksen 2000a)

State Inventory of Historic Properties (SIHP)	Historic Property Type	Historic Property Function	Age
50-50-08-1602	Features of Olowalu Sugar Mill	Sugar Production -- Historic Agriculture	Historic
50-50-08-4693	Burials (min = 6)	Burial Ground	Pre-Contact
50-50-08-4694	L-shape	Habitation	Probable Pre-Contact
50-50-08-4695	Retaining Wall	Possible Traffic Pullout -- Transportation	Late Historic
50-50-08-4696	Road Remnant -- Old Government Road	Transportation	Historic
50-50-08-4697	Cultural Material Deposit	Habitation Area	Pre-Contact
50-50-08-4698	Cultural Material Deposit	Habitation Area	Late Pre-Contact

SIHP -1602, referred to as the Olowalu Mill Complex, was initially recorded during the 1974 statewide inventory survey and further documented as a part of the Fredericksen and Fredericksen study (2000a:48). The primary features of the complex included the foundations and ruins of the sugar mill, the remnants of the stable area, the remnant of the boat ramp and pier, as well as a substantial jetty, located on the Lāhainā side of the ramp and perpendicular to the shoreline.

SIHP -4693 consists of a pre-contact human burial ground in thick marine sand deposits that have been heavily impacted by sugarcane cultivation. A total of five individuals were identified as being within the plow zone (Finds 1 and 3-6), while one individual (Find 2) was discovered below the plow zone and at water table level (circa. 80 to 85 cm below surface) (Fredericksen and Fredericksen 2000a: 27-34).

SIHP -4694 is an L-shaped wall constructed of stacked water worn basalt cobbles and boulders representing a pre-contact habitation site. At the time of the inventory survey, it appeared as though the northern portion of the structure had been heavily damaged by mechanical activities associated with sugarcane cultivation. Excavation of three test units uncovered a sparse deposit of cultural materials consistent with pre-contact habitation (flakes of basalt and volcanic glass and marine shell midden. (Fredericksen and Fredericksen 2000a: 34-40)

SIHP -4695 is located at the high water mark and was interpreted as a retaining wall, associated with an Old Government Road pullout that has been heavily impacted by storm waves. The retaining wall is constructed of water worn and angular basalt boulders and cobbles with remnants of weathered concrete. (Fredericksen and Fredericksen 2000a: 40-42)

SIHP -4696, Remnant 3 of the Old Government Road, consisted of an old asphalt road segment. The site was heavily vegetated and in poor condition at the time of the inventory survey. (Fredericksen and Fredericksen 2000a: 42)

SIHP -4697 consists of a subsurface cultural deposit in the vicinity of two *kuleana* house lot awards. Recovered cultural materials included both pre-contact and post-contact materials. Pre-contact materials included marine shell remains, both fish and mammal bone, and fragments of coral. Post contact materials included ceramic sherds, green bottle glass, and a piece of iron. Radiocarbon samples returned a dates falling into the late pre-contact to early post-contact time period. (Fredericksen and Fredericksen 2000a: 42-45)

SIHP -4698 consists of a late pre-contact subsurface cultural deposit that was encountered during backhoe testing. Cultural materials included modern refuse, marine shell midden, cut mammal bone, coral, *kukui*, and traces of charcoal. Based on a series of auger probes, the extent of this deposit was estimated between 35 and 50 square meters (Fredericksen and Fredericksen 2000a: 45-77).

2.3.1.2 Olowalu Ahupua'a – Mauka Portion

The lands located *mauka* of the Honoapi'ilani Highway, approximately 662-acres, were surveyed and tested as a part of Phase 2 for the Olowalu Development (Fredericksen and Fredericksen 2000b). Of the 30 historic properties recorded during Phase 2 work, only six are located within the boundaries of the current project area (Table 6 and Figure 21, see Appendix B for formal site descriptions).

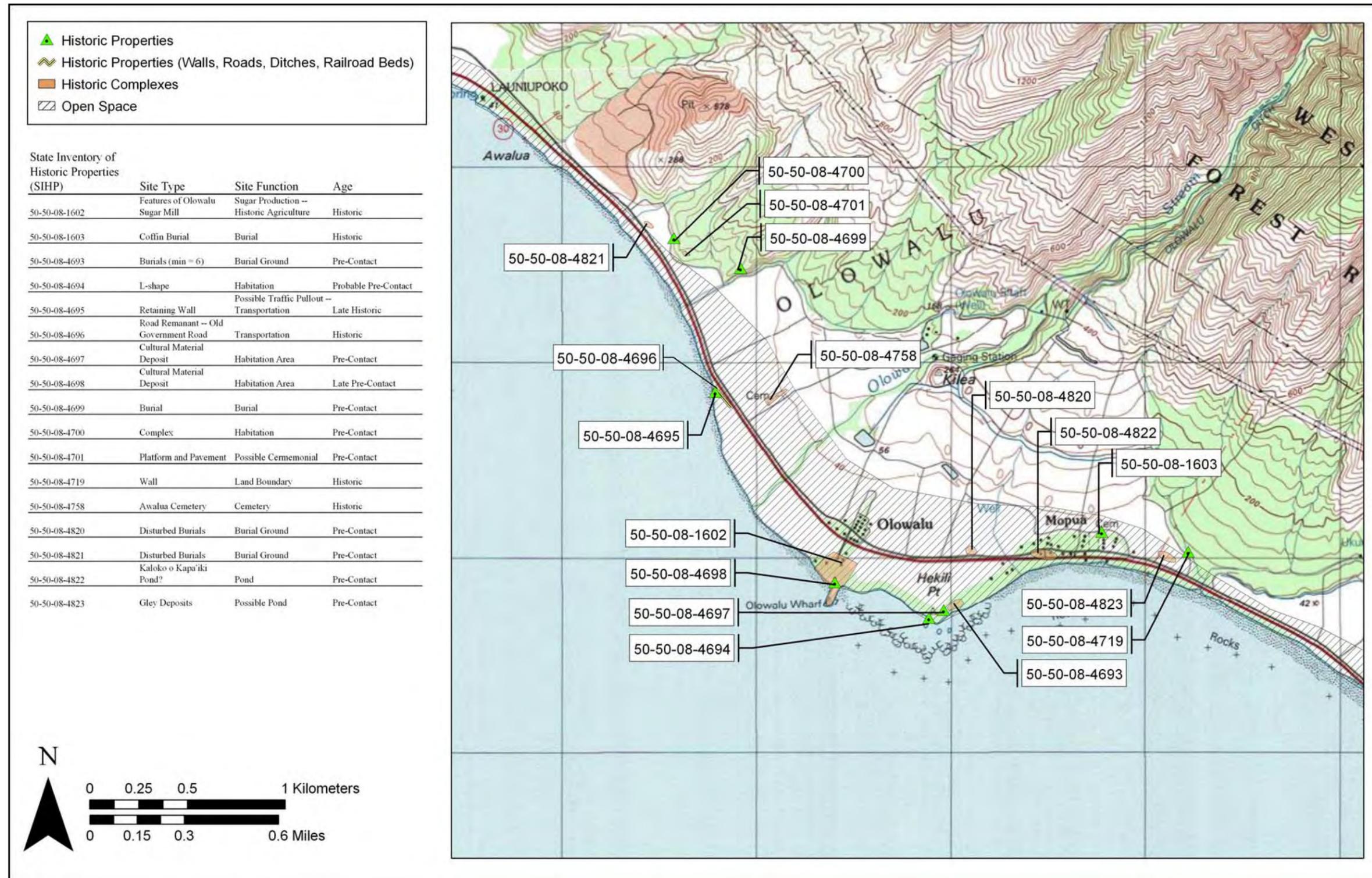


Figure 21. A portion of the Olowalu USGS topographic map, showing previously recorded historic properties in relation to the current project area (in cross-hatch)

Table 6. Historic Properties within the Project Area Located Makai of the Current Honoapi'ilani Highway (Fredericksen and Fredericksen 2000b)

State Inventory of Historic Properties (SIHP)	Historic Property Type	Historic Property Function	Age
50-50-08-1603	Coffin Burial	Burial	Historic
50-50-08-4758	Awalua Cemetery	Cemetery	Historic
50-50-08-4820	Disturbed Burials	Burial Ground	Pre-Contact
50-50-08-4821	Disturbed Burials	Burial Ground	Pre-Contact
50-50-08-4822	Kaloko o Kapa'iki Pond	Pond	Pre-Contact
50-50-08-4823	Gley Deposits	Possible Pond	Pre-Contact

SIHP -1603 is the Olowalu Lanakila Hawaiian Protestant Church site. During backhoe testing of an area north of the stone church ruins, a coffin burial was encountered below the sugarcane fields, indicating that the associated cemetery extended well beyond the known boundaries at that time. Mrs. Adeline Rodrigues (in Fredericksen and Fredericksen 2000b:57) recalled that her grandmother had told her to remember that there were older graves behind the church. (Fredericksen and Fredericksen 2000b:57)

SIHP -4758 is a historic cemetery of predominantly Japanese interments with only one Native Hawaiian interment (Mrs. Adeline Rodrigues in Fredericksen and Fredericksen 2000b: 55). Burial markers include the use of concrete monuments with engraved characters, simple basalt uprights with some inscriptions, wooden upright posts, rectangular alignments, and stacked stone mounds. A minimum of 60 burials were observed following a cane fire at the time of the inventory survey (Fredericksen and Fredericksen 2000b: 55).

SIHP -4820 is a surface scatter of highly weathered and fragmented human skeletal remains covering an approximate area of 100 square meters. Subsurface testing nearby (BT 121) did not encounter any subsurface cultural materials, therefore suggesting that the human remains originated elsewhere (Fredericksen and Fredericksen 2000b: 57)

SIHP -4821 is also a surface scatter of fragmented human remains located on top of the plow zone covering an area of 50 to 60 square meters. Backhoe testing nearby (BTS 139 and 140) indicated that this area had experienced at least two flooding episodes, therefore suggesting that the presence of human remains in the area is a result of re-deposition from a different location. (Fredericksen and Fredericksen 2000b: 57)

SIHP -4822 is identified as Kaloko o Kapa'iki Pond, a pond that existed into the mid-20th century (Fredericksen and Fredericksen 2000b: 57-58)

SIHP -4823 is a subsurface gleyed soil deposit representing marsh land conditions that was created by water that was collected behind a beach sand berm. While not intensively studied during the initial inventory survey work, this deposit is considered significant as the deposits may contain pertinent information about initial human settlement in Olowalu. (Fredericksen and Fredericksen 2000b:58)

2.3.2 Polanui Ahupua'a

Only one previously recorded historic property in Polanui Ahupua'a falls into the parkway corridor (Figure 22). SIHP 50-50-04-4787 is complex of nine historic era features that were associated with the sugarcane operations of Pioneer Mill (Rosendahl 2000). The component features consisted of four irrigation ditches (Features A, C, D, and G), a railroad bridge (Feature F), Makila Reservoir (Feature B), a stone mound (Feature E), an area of linear mounds (Feature H), and an irrigation ditch gate (Feature I).

Feature D of SIHP -4787, the Lower Lahaina Pump Ditch or Lahaina Mill Ditch, runs along the *makua* boundary of the portion of the proposed parkway corridor as it runs through Polanui Ahupua'a. Rosendahl (2000:22-25) gives the following description:

The Mill Ditch, Feature D, ...extends 650 m across the width of the property, at the 95-ft contour. The ditch is lined with formed concrete. The walls have a slight inward slant. The ditch is 122 cm wide at the top and approximately 80 cm in depth. Several gates made of formed concrete are present along the seaward side of the ditch. The siphon crossing at Kaua'ula Stream in [sic] made from reinforced concrete and stone. The date 12/8/50 is incised in the concrete veneer on top of a siphon wall, on the north side of Kaua'ula Stream.

Section 3 Summaries of Kama'aina Interviews

3.1.1 Mrs. Adeleine Rodrigues

A formal interview with Mrs. Adeleine Rodrigues was conducted in June 2006 at her home in Kapaiki, Olowalu in the company of her son Mr. Hinano Rodrigues. Mrs. Rodrigues was born on December 21, 1929 in the old teacher's cottage at Olowalu. Her father worked for the Kahului Railroad while she was growing up, and although Mrs. Rodrigues was raised in Kahului, the family would go to Ukumehame every weekend to tend the *lo'i kalo* (taro patches) and visit with her grandparents at Ukumehame and Olowalu.

When asked about her connection to Olowalu and Ukumehame, Mrs. Rodrigues shared the following:

My grandma, my real grandma, my mother's mother's name was Lily Kekahuna and she had a sister named Kaulu, Anna Kaulu Kekahuna, and a brother named Frederick Manu Kekahuna. She was the, my grandma Lily was the only one who had children and that's the one that had 15 children. She married this Japanese that came into Ukumehame Valley to work. This man was Jin Saburo Fujishiro. Her sister, Anna, was married to Samuel Kanealoha and he came from Moloka'i. They were married for about three or four years and found out they couldn't have children. So she asked her sister Lily if she could have one. And so her sister Lily promised her to give her the next child that she had. So as soon as my mom was born, she came with a blanket to pick up my mom and took her to where we are planting our taro today [at Ukumehame].

When asked about the traditional Hawaiian cultural practices and cultural resources within the proposed Pali to Puamana Parkway and how they might relate to the land use of the ahupua'a system as a whole, Mrs. Rodrigues shared the following memory about her Tūtū Kaulu:

When they were living at Pāko'a [currently known as Ukumehame Beach Park], they were planting taro in Ukumehame [Gulch], and then they lived in Pāko'a. There weren't homes in Ukumehame at that time, except maybe for the Japanese Camp. Plenty Hawaiians lived in there but it was more lean-to type. You know? Open? Two sides, and a back, and then you go in underneath ... they used to go from Pāko'a early in the morning to go plant their taro or take care of their *lo'i*. That was in the late [19]30's, late '30's I think. Then they moved here to Olowalu maybe 1939. And even then, when we stayed with our *tūtū* in here in Olowalu, we had to get up 4:00 in the morning and walk all the way to Ukumehame to work in their *lo'i*. Four o'clock in the morning!

When asked if they would travel along the coastline from their home near the shore at Kapaiki in Olowalu to the lo'i at Ukumehame, Mrs. Rodrigues replied:

No. Above. There was an old trail that used to have coconut trees, I think that was where David Malo used to live [in the vicinity of LCA 03072*M, see Figure 17]. I know that was his place, because when we passed by my *tūtū* said, "Oh, David Malo used to live here." But where we always go walk along side the hill. Always

to our *lo'i*. But when we came back, we came back alongside the seashore because my grandfather had to carry two bags of taro on his shoulder. So he thinks if he gets down to the highway [Old Government Road] he can catch a ride home.

What they did was they worked in the taro patch every day, they started early in the morning, maybe about five o'clock, they went into their *lo'i* to work the *lo'i*, by nine o'clock, they got out of the *lo'i* and went fishing. That's how they lived. They went fishing, the *poi* and the fish.

So they carry, *Tūtū* Ka'akau carries the bags of taro from Ukumehame to over here, my grandma's house. But they cooked the taro at night and then they would cool off and then the next morning is when they would pound.

Always early in the morning, always. Everything was done actually early in the morning yeah? Before the sun came up, that's when they pound *poi*, before the sun came up. Never with the sun ... when the sun comes up it's time to go to the ocean, to pick up *limu* or fish.

When asked about the types of fish and fishing methods that were used, Mrs. Rodrigues shared the following:

*Pāpio*⁷, mullet, *moi*⁸. All kinds of fish, any kind fish you can think of that grows here in Hawai'i. [W]e were not allowed to go with them to the ocean when they went fishing. Later in life when were older, but then when we were older, we didn't pay attention. I'm sorry to say that, but we were not allowed because when they go fishing, they didn't want noise. They did everything quietly. So I don't know what kind...well we know they used to use spear, net but how they used it I don't know...this place here used to [also] be famous for '*ōpelu*'⁹, got a lot of '*ōpelu* over here

Mr. Hinano Rodrigues, who was also present during the interview, inserted that:

[W]hen you got older you folks went *paea ea* ... *Paea ea* is a Maui word. The other islands, it's *mākoī*, only Maui says *paea ea*.

When inquiring about the meaning of paea ea, Mrs. Rodrigues replied:

Straight pole, it's the straight pole. Oh we were happy when we used to go fishing with them, when they used to let us go fishing? And we would catch more, *menpachi*, *ū'ū*¹⁰ in Hawaiian. There was a lot of *ū'ū* at night, biting. You know how the *ū'ū* look like with the big eye, it's the red fish? ... *Ū'ū* is famous in Olowalu and Ukumehame before but we didn't tell anybody that.

⁷ The young stage growth of an *ulua* fish or species of crevalle, jack, or pompano (Pukui and Elbert 1986:319 and 369)

⁸ Threadfish (*Polydactylus sexfilis*) (Pukui and Elbert 1986:251)

⁹ *Decapterus pinnulatus* and *D. maruadsi*, a type of mackerel (Pukui and Elbert 1986:292)

¹⁰ All soldier-fishes of the genus *Myripristis*; some were considered *aumakua* or guardians (Pukui and Elbert 1986:374)

[I]n Olowalu and Ukumehame, you only fish during dark night you don't use light. Some areas you use light, but not in Olowalu, you have to fish in dark. [W]e tried to go fishing when it's lighted and there's no fish. They don't bite. In fact, the other night, my brothers went fishing and they don't catch anything. I said, what you folks go "dark night"? They said "Yeah, dark night!" I said "You sure? You know what is 'dark night'?" That's when the moon, the new moon, that's dark night. During full moon the fish don't bite in Ukumehame and Olowalu. They were more like diving during the day. My grandparents didn't go *paea ea* during the day, it was always at night.

When asked about other cultural resources in the area, Mrs. Rodrigues shared the following:

Our *Tūtū* Kaulu, oh she was the champ in getting squid! She was the champ! So was her brother, Manu. Whenever the Japanese wanted the squid, they would go ask him for get the squid for them. They would make an order and he would go get it. And we used to once in a while catch our *tūtū* somehow talking when she was in the water. She would talk but we cannot see because we could only see her back. Oh when she pick up the squid and come home, the clothesline loaded with squid. She could find in one day maybe fifty, maybe more. [S]ometimes we went with her to go get *opihi*¹¹ at Cut Mountain [the current quarry location] ... the *ha'uke'uke*¹², she used to pick all of that to bring home.

[T]here was *limu* in Ukumehame. *Limu kohu*¹³, there was *limu kohu* in Ukumehame. And the *ogo* ... *Manaua*¹⁴. There was a lot of food before. People lived with whatever they could get from the ocean. Not today. Not today. There's nothing left, I must say.

With regard to traditional Hawaiian archaeological sites and burial features, the following concerns were voiced:

How can they put a park there [near Hekili Pt.] when get all that *iwi* [human skeletal remains]? [In reference to SIHP# 50-50-08-4693 adjacent to the proposed Hekili Pt. Beach Park] The *iwi* is all over you know. It's not only situated in that one spot, I went with them you know those people (Xamanek Researches).

[Comment by Mr. Hinano Rodrigues] More *makai* I guess. Or that *iwi* going be a part of the park and landscape it.

From the end of the *pali* [in Ukumehame], I even forgot the names of the people who lived there ... some people who had children, I think that there is a baby buried there, right where the highway is now.

¹¹ Limpets, of the genus *Cellana* (Pukui and Elbert 1986:292)

¹² *Echinothrix diadema* or *Diadema paucispinum*, variety of sea-urchin (Pukui and Elbert 1986:382)

¹³ *Asparagopsis taxiformis*, small seaweed with densely branched tan, pink, or dark red furry tops, also *limu koko* (Pukui and Elbert 1986:20)

¹⁴ A small red seaweed with stiff, cylindrical, succulent stem and branches (*Gracilaria coronopifolia*); often called "short ogo" or "long ogo" (Japanese dialectal) (Pukui and Elbert 1986:237)

When asked about the potential impacts to of the proposed parkway project on the coastal reaches of Ukumehame and Olowalu Ahupua'a, Mrs. Rodrigues also shared the following concerns:

We don't go picnic at the beach anymore [mile marker 14] because the sand is dirty, *kapulu*, the beach is *kapulu*. Who wants to go to the beach, now you can have staph in no time. We hear about it [staph] in Ukumehame. We hear about. But nobody is going to say anything right, but we hear about it. All dirty yeah? And when we get camp grounds, worse, you don't know what they doing to the campgrounds. So we, they can have their campgrounds on either side of Olowalu!

There's the reef that side over there yeah? Hekili Point ... [f]ish and used to have *limu* there, whether or not we can put *limu* back there, I don't know. Maybe we can replant. I don't mind doing that, go replant *limu*. And see that people don't go and pick up more than they're supposed to.

Or break off at the roots. [Comment by Mr. Rodrigues]

Yeah, gotta watch that. Once in a while, Hinano said get *owai'iole* in front of our place so maybe we can plant *owai'iole*. We can do that. Take care of our area, put *limu* in the ocean. I rather not have camping, keep the beach clean. They only come for the day and go home.

They can camp where they camping now. Fine. Let everybody camp alongside Ukumehame where they want their park. That's fine. We really don't need that much park. Whose gonna take care of that place? Keep the places [in Olowalu] as-is.

3.1.2 Mr. Hinano Rodrigues

A formal interview with Mr. Hinano Rodrigues, son of Mrs. Adeleine Rodrigues was conducted in June 2006 while visiting different localities and places within and *mauka* of the proposed Pali to Puamana Parkway. Mr. Rodrigues was, for the most part, raised in Olowalu and traces his ancestral connection to Ukumehame and Olowalu through his maternal line. Born in Wailuku at Maui Memorial Hospital, Mr. Rodrigues, like his mother before him, spent every weekend and holiday with his grandparents at Olowalu. Mr. Rodrigues is currently the Maui Cultural Specialist for the Department of Land and Natural Resources/State Historic Preservation Division while raising taro part-time on his ancestral lands in Ukumehame.

When asked about his family connection to Olowalu and Ukumehame, Mr. Rodrigues shared the following:

In the early 1800's, King Kamehameha I asked this chief, Kamakakehau, from Lāna'i to come to Maui because Kamehameha I wanted to raise cattle in Ukumehame. So he asked chief Kamakakehau to come to Maui to be his *konohiki* for the cattle in Ukumehame. So between 1800 and 1810, Kamakakehau moved to Ukumehame. Now we kind of fast forward, maybe about in the 1880's and we can find out the specific date because we can find out when the Catholic 50 year anniversary was on Maui, but there was this man who came from Lāna'i, his name was Kaae'a, he came from Lāna'i to attend the Catholic celebration in

Lāhaina, and he came with his brothers Ioane and another brother called Na'ehu. The three brothers and the father Kekahuna, Kekahuna and his three sons Kaa'e'a, Na'ehu, and Ioane came to Maui to attend the 50th anniversary of Catholicism in Hawai'i, and there he met my *tutu* Ha'eha'e, my *tutu* Ha'eha'e is the granddaughter of that chief Kamakakehau. So he met her here, he fell in love with her, they all went back to Lāna'i and decided that they were all gonna move to Maui. So when they moved to Maui, they moved to Ukumehame.

So he, married Ha'eha'e granddaughter of chief Kamakakehau and they lived in Ukumehame. The other brother, the other brother Na'ehu, moved to Waihe'e ... and then get one more brother his name is Ioane, that's another side of the Kekahuna's. We actually Kekahuna's, it's just that the brothers only took the first names yeah?

When asked about the traditional Hawaiian cultural practices and cultural resources within the Pali to Puamana Parkway, Mr. Rodrigues mentioned:

[W]hen I lived with my grandmother, like on the weekend and on the holidays and all that, every morning we would get up right before the sun rose and then we would walk from my grandmother's house ... where I live is an area called Kapaiki, it's set apart from the rest of Olowalu ... and we would walk from there to Ka Lae Hekili, that's Hekili Point, and we would get our food for the day. And it was always squid, the octopus, yeah? *He'e*¹⁵, the *wana*¹⁶, mixed with the raw *ula*¹⁷, lobster, and then if we couldn't find anything, then we would have to eat the *loli*¹⁸, and she taught me how to prepare the *loli*. You take the small *loli*, not the big *loli*, the ugly one, the small one. You rub it on the stone to take off all the slime then you slice it up, and that's what we ate. Then by the time 7:30a came around we were on our way home already, walking home, because the sun was getting high.

[There are] *ōpelu* and *ō'io*¹⁹. Actually, and I don't know where it is, but my cousins know, they know yeah? They used to have one small boat across the street that they used to leave, and the mother used to go, my Aunty Nani used to go out. I don't know where it is. I heard it's still there, you can still go get *ōpelu* and *ō'io*. But they look at the mountain yeah? There's *ko'a* up here and you align your triangle yeah? And that's when you know you stay over the hole where the fish stay.

¹⁵ Octopus commonly known as squid (*Polypus sp.*) (Pukui and Elbert 1986:63)

¹⁶ *Echinothrix diadema* or *Diadema paucispinum*, variety of sea-urchin (Pukui and Elbert 1986:382)

¹⁷ Spiny lobster (*Panularis marginatus* and *P. penicillatus*) (Pukui and Elbert 1986:367)

¹⁸ *Holothuria* spp, sea slug or sea cucumber (Pukui and Elbert 1986:211)

¹⁹ *Albula vulpes*, lady fish or bone fish (Pukui and Elbert 1986:280)

I saw this guy catch two *he'e* [off of Ka Lae Hekili]... and *lipe'epe'e*²⁰ and *māne'one'o limu*²¹, they still have it out here

With regard to the significance of Kapaiki at Olowalu and why it is set apart from the rest of Olowalu, Mr. Rodrigues relayed the following account:

This area is, these twelve homes here? Was always separated from the rest of Olowalu, and I'll tell you why. We had name our own road and I'll tell you why that. Because the the *ali'i* cannot live with the commoners, because then life cannot go on. [Indicating that the *'ili* of Kapaiki was solely for the use of the *ali'i* of Olowalu]. Now I'm gonna tell you something ... This is a fishpond [indicating a depression in front of the former location of the school teachers' cottage between the Old Government Road and the current highway alignment at the location of SIHP 50-50-08-4822 [see Section 2.3.1.2 Olowalu Ahupua'a – Mauka Portion]] This is a fishpond and here is the evidence [indicating a historic photograph of the school teachers' cottage showing a fishpond fronting the cottage, Figure 23]. That's the pond right here.

When asked about the fishing methods used or hukilau in the area, Mr. Rodrigues replied:

No, not that kind of fishing [*hukilau*]. They go out with the skiff, and then they drop the net over the hole. There's a hole there. And there's the *'ō'io* and the *'ōpelu*. Now we used to go *moemoe* net or lay net at the landing and at Ka'ili'ili.

To summarize the primary traditional practices for both Ukumehame Ahupua'a and Olowalu Ahupua'a Mr. Rodrigues indicated that:

Food gathering here [along the coast], definitely, the *lo'i* up in Olowalu Valley. And like I said, I also see accounts of the *lo'i* coming down to where we are [at Hekili Point]. So mainly fishing and farming here.

When asked about the stories or Wahi Pana that were passed down for Ukumehame and Olowalu Ahupua'a, Mr. Rodrigues related the following:

Up here in Lihau ... [then] you see where the waves breaking, the first set on the left? [looking toward the coast Olowalu] That's Ka Lae Heki'i. So you see up here, you can see the dark clouds and then come all the way down here [down the ridge of the mountain side to the left of the valley] that's the real Lihau, that spot Lihau ... and so the *lehua* the *lehua* flower on that [mountain] reflected down into the ocean [turning the water red]. I've never seen it in my lifetime, I don't even know if there's *lehua* left up there.

²⁰ A native species of a genus of edible red seaweed that is found in basaltic rock with short, with stiff knobby branchlets (*Laurencia parvipapillata*, *L. dotyi*, *L. succisa*) (Pukui and Elbert 1986:208)

²¹ An edible seaweed (*Laurencia nidifica*) (Pukui and Elbert 1986:238)



Figure 23. Historic photo of Kaloko O Kapaiki (Date unknown, photo courtesy of Mr. Hinano Rodrigues]

Now, Lihau is on this side [to the left of the valley looking *mauka*], but there's also stories where Lihau is on this side [to the right of the valley]. Lihau was a person, but because get two different Lihaus yeah, that's Lihau [to the left] and like Hoku'ula, this is Lihau'ula [to the right]. Lihau'ula is on this side. Anyway she was a woman, and it's in Hawaiian mythology where somehow Pele got involved, and even in the travels of Pele, Pele talks about living in Lihau, in Olowalu, but anyway, what Pele did was change this woman into a mountain and that was Lihau. Two people turned into mountains, oen is Lihau, and one is what they say is E'eke, today they say Mount Eke? Actually it's E'eke, that was the male and this is the female. Of course the topography changed a little bit? But when you go out on a kayak, and you look at the mountain, you see a woman lying down, you see her face, you see her nose, you see her breast, and then you see one knee is up and then her leg comes down this way and that's the story of Lihau, that's what my grandmother says.

Additional stories recalled by Mr. Rodrigues include the following for Ukumehame:

Now let me tell you about that pine tree [the only ironwood tree on the *makai* side of the current alignment of Honoapi'ilani Highway]. You see my great-grandma was born blind, so she went to go see the *kahuna* up here whose name was Napaepae they're all born here. Not she, the father went to see Napaepae and said my daughter is blind can you fix her? And he said yeah okay, this is what I want you to do. You have to get ten items, nine herbs from up there [Ukumehame

Valley], the tenth item is the fresh water by that ironwood tree. Because if you go in the ocean, about six feet out, water coming from underneath, the fresh water. So you go over there, you get the fresh water. So the old...Napaepae said you gotta do this before the sun comes over Haleakalā. So the father went, the father – Kaae'a – went into the valley to go get the nine herbs, when he got his ninth herb, he said "Oh my gosh! I forgot the tenth item, the fresh water. So he looked at Haleakalā, the sun started to come up so he ran and ran and ran all the way down, he got here, it was too late the sun came over. So he went to the, Napaepae, the *kahuna la'au lapa'au* or herbal healer, and the *kahuna la'au lapa'au* said "Okay, you nevah follow my directions so I can only fix one eye" So my great-grandma could only see with one eye because he didn't do it before the sun came up.

According to our oral history in our family, the Hawaiians left to go to Tahiti from here, from Ukumehame. And what they did is they waited until a certain time of the year when a star came up over this valley? Because one hill is called Hoku'ula, "red star" yeah? When the star came over that's when they turned faced and went down, Kealaikahiki is right there yeah? [On Kaho'olawe directly across the channel]

When asked about the present condition of the marine resources in relation to the condition of the resources when he was growing up, Mr. Rodrigues indicated that they are the same further down from Ka Lae Hekili:

Further on. You gotta go around the cape? I mean the point...[a]round the point, you go back into the cove.

When asked about any impacts to traditional cultural practices, positive or negative, from the development of parklands and re-designation of land use to open space for the proposed Pali to Puamana Parkway, Mr. Rodrigues responded:

For recreational purposes? Not much of an impact, but for people like us who actually go to the beach to gather things? Definitely. And if you look at where mile 14, where the tourists are? That's where we used to go fishing, with the spear, not anymore because there's nothing unless you go out a mile and a half. Because there's that impact. In fact, that is one reason why we want Camp PECUSA to move too. Because people, the Maui people, go there to fish yeah at night? They used to fish there at Camp PECUSA. Recreational use of the ocean is not really very Hawaiian? For us it's subsistence.

[In interview with Mrs. Adeleine Rodrigues]

In terms of parks our concern in Olowalu is we really don't want a developed park down there, because what it's going to do is it's going to diminish our natural resources, which is food and not recreation. We are not, recreation is over there [mile marker 14 at Mōpua], over here is food and the more people you get to the beach, the dirtier the beach gets. Then you cannot eat the food, you not going eat the *limu* and all that. Too many people are in the water. That is our concern.

We would prefer to see an undeveloped park. Lands set aside for park that's undeveloped. [J]ust set aside for no building, but stay as-is. Maybe, even,

restrooms you know maybe people want to go camping. Low-key kind of stuff, not like Launiupoko on Saturdays and Sundays. So natural resources, we prefer, we don't mind land being set aside for the future, no development due to natural resources.

3.1.3 Mr. Charlie Lindsey

Mr. Charlie Lindsey, of the Lindsey Ohana, the recognized as the lineal descendents of Burial Site 50-50-08-4994 and currently cultivating *kalo* within Ukumehame Gulch, was interviewed by phone in August 2006. Mr. Lindsey grew up in the 1950s and 1960s within the Lāhaina District near 505 Front Street across from the former site of Moku'ula, as well as in the area currently known as Puamana. Mr. Lindsey is currently working for the Kaho'olawe Island Reserve Commission as the Boat Captain and Maintenance Assistant with Reserve Operations.

Mr. Lindsey recalled that his family rented a home from Adam Pali on the Olowalu side of a stream near Puamana. When asked about his ancestral connection to the area, Mr. Lindsey shared that his *ohana* or family is connected to Ukumehame through his ancestor Annie Ho'olulahui who had fishing rights to the Ukumehame fishing grounds. Mr. Lindsey also indicated an ancestral tie to Kaua'ula Ahupua'a through his great-great grandaunt's husband who owned and ranched lands within Kaua'ula. Unfortunately, following the death of his great-great granduncle, the plantation auctioned off his ranch lands resulting in the loss of lands at Kaua'ula. As a boy, Mr. Lindsey was very familiar with the area and recalled the existence of a coral church at Kaua'ula that had burned down and, as an unfortunate result, his family records were lost.

When asked about the placenames of the Puamana Area, Mr. Lindsey indicated that the place currently known as Puamana is recent name for the area. The original Puamana, as recalled by Mr. Lindsey, is located on the Olowalu side of 505 Front Street and that during his youth, the area currently known as Puamana was referred to as "Hot Sands". An additional placename clarification that was made by Mr. Lindsey was in regard to a place commonly referred to as "Shark Pits", a popular surfing area that is located in Lāhaina and adjacent to the area currently known as Puamana. Mr. Lindsey clarified that the traditional name for "Shark Pits" is Uhā 'Ilio, or "dog leg" and shared that his family *aumakua*, the *manō* or shark, dwells in the caves off of Uhā 'Ilio. Mr. Lindsey further shared that his father's generation was the last to *malama* or care for and feed the *manō* that live within the caves.

Like Mrs. Rodrigues, Mr. Lindsey recalled that there were family settlements all along the coastline, including the area currently known as Launiupoko Wayside Park. When asked about the traditional cultural practices of the coastal area within the parkway corridor, Mr. Lindsey indicated that the last time he visited the fishing grounds of Launiupoko was about six years ago. While growing up, the fishing grounds of Launiupoko and Puamana were popular for *akule*²², as well as *u'u*, *manauaea* and turtle. Popular fishing methods included the *ho'o moemoe* or *moemoe* net method and throw net method. *Limu līpoa*²³ gathering was also prevalent in the area. When

²² *Trachurops crumenophthalmus*, big-eyed or goggle-eyed scad fish (Pukui and Elbert 1986:16)

²³ Bladelike, branched, brown seaweeds with a conspicuous midrib on blade, unique aroma and flavor that is highly prized (*Dictyopterus plagiogramma* and *D. australis*) (Pukui and Elbert 1986:208)

asked if there was a difference in the resources when he last visited the fishing grounds six years ago from when he was growing up in the area Mr. Lindsey noted that the *manauea* was less and the *u'u* holes that he knew about were practically empty. When asked about the positive or negative impacts of the Pali to Puamana parkway to traditional cultural practices in the area, he indicated that there were not very many traditional practitioners now, but a resurgence of traditional fishing was possible and that could only be a good thing. Mr. Lindsey did express a concern about common use of the traditional net fishing practice called *ho'omoemoe* and fishermen leaving nets out overnight. In order to regulate the area and minimize the potential for loss of resources to over-fishing as the area become more popular and accessible, Mr. Lindsey suggested a return to the traditional *kapu* system with regards to fishing at only certain times of the year, enforcing the size limits for the fish that people take, and initiating controls on *moemoe* nets. Mr. Lindsey was also concerned about an increase in commercial recreation that may affect the resources and indicated that he would like to see a ban on recreational jet skis in the area, as well as, a ban or at the very least regulated control over surf board rentals.

With regard to traditional Hawaiian archaeological sites, Mr. Lindsey indicated that the remnants of Walker Site 6, a *heiau* along the coast of Pola Nui (see Section 2.2 Previous Archaeological Research within the Project Area Vicinity), were still extant during his father's time but had been completely removed by the time he was growing up in the area. Mr. Lindsey also recalled a spiritual encounter after his high school homecoming 1960. They had built a bon fire near the area where this *heiau* had formerly been located on a "pitch dark" night (new moon) and awoke to a cold fire and the feeling of a presence pressing him to the ground. When he relayed the experience to his father, his father had indicated that there were near the location of that *heiau* and the area was known for night-marchers or warrior spirits.

Like Mr. Rodrigues, Mr. Lindsey also recalls a story about Hoku'ula and Ukumehame being associated with navigational traditions from Maui to Christmas Island and then on to Tahiti. Mr. Lindsey shared that there is a navigational site at Hoku'ula where a double wall on the left side of the ridge represents the double hull canoe and extends in an east-west direction. The prevailing wind pattern blows from Hoku'ula to Kealaikahiki and when the red star situated above the North Star rises over Hoku'ula it is time to go. When they navigators were coming into Maui they knew that they were close when they spotted the red star over Hoku'ula. Ukumehame is significant in this tradition as the primary provisions for the voyagers came from the wealth of the agricultural crops of Ukumehame

Section 4 Traditional Cultural Landscape of the Leeward Environment of West Maui and the Project Area

Discussions of specific aspects of traditional Hawaiian culture as they may relate to the project area are presented below. The concluding discussion examines past and present resources and practices that were identified within the project area in the broader context of the encompassing *ahupua'a* landscape.

4.1 Hawaiian Trails

Trails served to connect the various settlements within and between the *ahupua'a* and districts of the Hawaiian Islands in traditional times. While the Alaloa, or foot trail, that encircled the coastline likely existed within the parkway corridor, the preferred mode of inter-*ahupua'a* travel for leeward environs of West Maui was through an upland route and/or major valleys of the West Maui Mountains, where the temperatures were cooler and more tolerable. Traditional trails within the parkway corridor were more frequently used for intra-*ahupua'a* travel between the coastal reaches and permanent habitation locations to the upland agricultural area. Mr. Hinano Rodrigues indicated that these trails generally followed the course of each major stream and were more often than not marked by petroglyphs along the trails as evidenced along the ridge line of Ukumehame Gulch and on the bedrock exposures of Olowalu Gulch.

4.2 Traditional Hawaiian Habitation and Agriculture

The current project area is situated along the coastline and lower alluvial plains of Ukumehame, Olowalu, Launiupoko, and Pola Nui Ahupua'a and is entirely situated in the intensively used coastal zone. Land commission awards for the coastal zone indicate scattered house lots with smaller agricultural plots. The smaller agricultural plots were presumably used for home gardens, whereby *kula* agriculture or dryland crop cultivation occurred at *kuleana* lots situated further away from the primary streams and *lo'i* agriculture occurred at *kuleana* lots situated closer to the stream outlets. Mrs. Adeleine Rodrigues, Mr. Hinano Rodrigues, and Mr. Charlie Lindsey also indicated that prior to WWII, Hawaiian families leased lands along the coast from the Territorial Government for a dollar per year and that people lived in small villages and/or lean-to type structures from the end of the *pali* at Ukumehame all the way to the area currently referred to as Puamana. With the exception of the community at Olowalu and families currently residing at Kapaiki, Olowalu, there is no indication that there is anyone pursuing traditional agriculture along the lower alluvial plains within the project area. It should be noted however, that there are *kuleana* lots located within the proposed parkway along the lower alluvial plains of Ukumehame that have, according to Mr. Rodrigues (see Appendix A for full transcript of the interview), yet to be clear titled.

4.3 Gathering for Plant Resources

According to those interviewed for this study, most plant gathering occurred at the upper elevations and within the gulches. Plant gathering along the coast was primarily for the different *limu* species such as *limu lipoa*, *limu kohu*, *lipo'e*, *māne'one'o*, and *manauea*. According to

informant testimony, *limu* gathering for subsistence purposes is still a common occurrence at Olowalu.

4.4 Aquatic Resources

The area encompassed by the proposed Pali to Puamana Parkway is rich with marine resources and is distinguished as the traditional fishing grounds for the people of the Lahaina District. Noted resources include *pāpio*, mullet, *moi*, *ōpelu*, *akule*, *ū'ū*, *opihi*, *ha'uke'uke*, *wana*, *he'e*, *ula*, and *loli*. Fishing methods included spear fishing, pole fishing, *paea ea*, and *ho'omoemoe*. *Paea ea* fishing is generally a low-impact type method that was carried out from the shoreline using a straight pole or bamboo. Commonly practiced in Olowalu, during traditional times up until the present, this type of fishing was only conducted on nights of the new moon, a phase of the moon that is referred to as “dark night” or “pitch dark night”.

Moemoe net is a rectangular type of gill of net, with floats on one edge and weights on the opposite edge. The floats and weights keep the lay net suspended vertically while in the water. The net is “set” and left in place for several hours and later retrieved. The name *moemoe* net comes from the Hawaiian word *moe* meaning “to sleep”. The method involved setting the net, going home to sleep, and returning later to retrieve the net. The set begins when the net first touches the water and ends when the net is completely removed. This method of fishing is highly efficient at catching a larger volume of fish.

The presence of Kaloko O Kapaiki, the *ali'i* fishpond at Kapaiki also indicates that marine resource based subsistence for Olowalu also relied on aquaculture. Gley deposits at SIHP 50-50-08-4823 (see Section 2.3.1.2 Olowalu Ahupua'a – Mauka Portion and Figure 21) may indicate an additional fishpond feature.

4.5 Traditional Hawaiian Archaeological Sites

The past cultural resource management investigations within the proposed parkway corridor and the surrounding vicinity have documented the area's rich cultural resources (see Section 2.3 Previously Identified Historic Properties Within and Adjacent to the Pali to Puamana Parkway); however, historic and modern sugar cane cultivation have greatly disturbed the vast majority of the 823-acre project area. These activities have largely removed any surface remnant of cultural resources that may have been present along the lower alluvial plains of Ukumehame, Olowalu, Launiupoko, and Polanui Ahupua'a. It is now known, however, that there were coastal settlements from the *pali* to Puamana up until WWII, whereby the people leased lands from the territorial government for a dollar a year. Lessons learned along Hekili Pt. at Olowalu indicate that subsurface deposits can be found in a disturbed context within the plow zone and an intact context below the plow zone. Therefore, the fact that there was extensive ground disturbance associated with sugar cane cultivation from the historic era up until modern times does not preclude the presence of historically significant cultural deposits nearer to the coastline at a subsurface level.

4.6 Burials

Mrs. Adeleine Rodrigues and Mr. Hinano Rodrigues both indicated the presence of at least one infant or juvenile burial near the current alignment of Honoapi'ilani Highway as it passes through Ukumehame Ahupua'a. The fact that there were scattered habitations along the coastline from the *pali* at Ukumehame to Puamana may indicate a high probability for additional, undocumented burials within the coastal reaches of the proposed parkway.

Previously recorded burial sites do occur within the area covered by the proposed Pali to Puamana Parkway. At Olowalu, SIHP # 50-50-08-4693, a pre-contact burial ground consisting of a minimum of six individuals is dedicated to passive preservation (see Section 2.3.1.1 Olowalu Ahupua'a – Makai Portion). The preserve area for this burial site is situated near the proposed location for Hekili Pt. Beach Park (Figure 24). There is some concern by Mrs. Rodrigues about how the preservation area would fit in with plans for the park.

Other burial sites include the known cemetery of Awalua, SIHP 50-50-08-4758, as well as, the cemetery associated with the Olowalu Church. There is some concern with regards to the boundaries of the Olowalu Church graveyard in that the graves extend beyond the recorded metes and bounds for the cemetery. Mr. Rodrigues indicated that the:

Territory of Hawai'i decided that they were gonna give all the churches their property and so they decided to draw the map and give the churches two acres. The plantation jumped in and said "Oh but no, we want the original two acres because we want to grow the sugar cane". So when they drew the map they shoved us two acres forward toward the ocean which left the graves in the back and they grew the sugar cane on our graves.

This fact was verified during an inventory survey conducted by Xamanek Researches (Fredericksen and Fredericksen 2000b) when conducting backhoe testing behind the church beyond the recorded boundaries of the church yard.

4.7 Native Hawaiian Hunting Practices

Mr. Rodrigues noted that the *A'eo*, or Hawaiian Stilt Bird, the *Koloa*, or Hawaiian Duck, and the *'Alae 'ula* or Hawaiian Gallinule would migrate from Kanahā in Kahului to Alialia at Ukumehame:

They stay at Kanahā in the morning and in the afternoon they come over here, then they leave and go back to Kanahā. This place is called Alialia. [Mr. Hinano Rodrigues, personal communication, see Appendix A for full interview transcript]

While they may have been hunted traditionally and historically, these particular birds are currently on the endangered species list and protected from hunting. There are no apparent claims for traditional hunting of these birds.

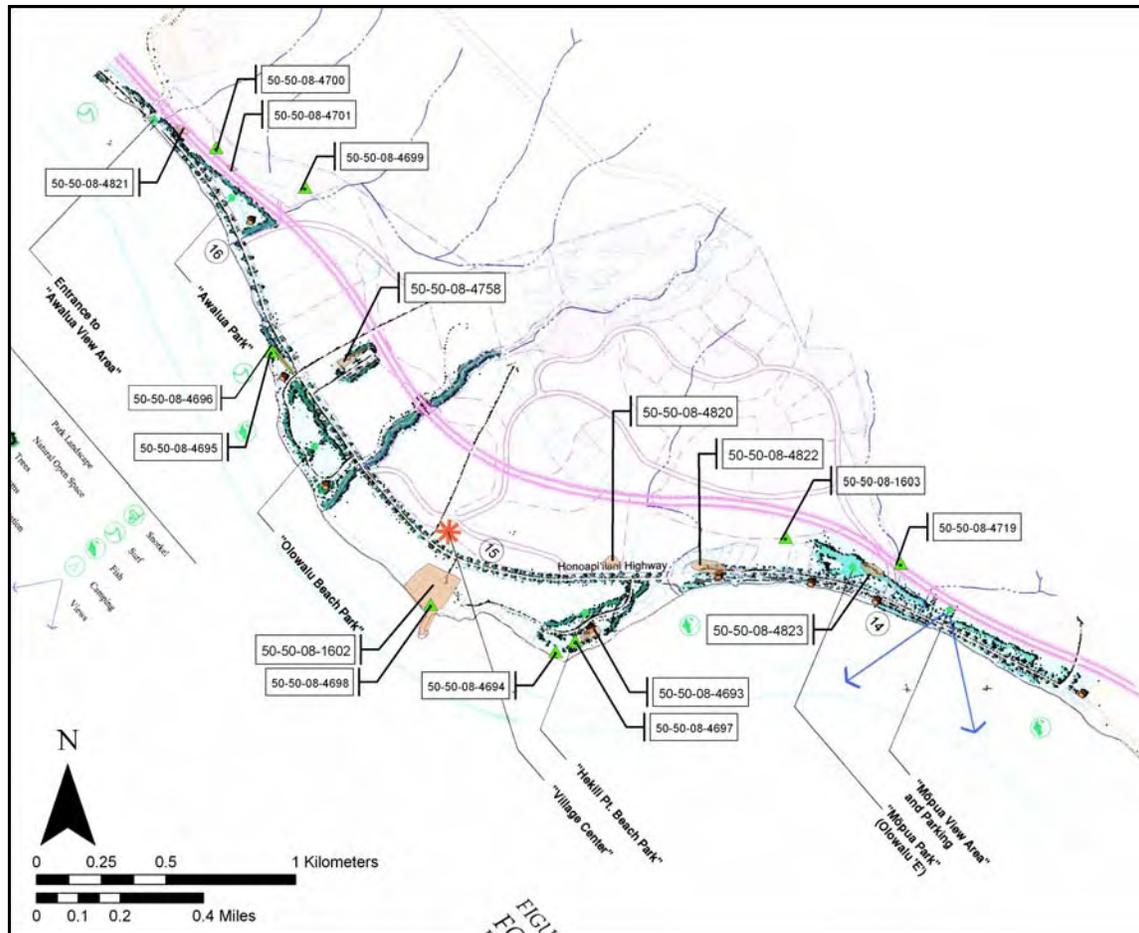


Figure 24. Portion of Pali to Puamana Parkway, Olowalu section showing proposed park and park structure developments in relation to previously recorded historic properties

4.8 The Project Area within the Context of Ahupua'a System

The arrangement of a typical Hawaiian *ahupua'a* extended from the coastline to the upland forest areas. Depending on the location within this broad *makai* to *mauka* context, a wide variety of cultural practices and resources within the *ahupua'a* could be found. The central idea behind the *makai* to *mauka* configuration was to take advantage of the variety resources within that land division. Such resources and rights would include marine resources and fishing rights in the coastal area, arable lands for crop cultivation, as well as, water and timber rights in the planting zones, and valuable bird catching privileges at the higher elevations (Handy et al. 1991:48). Based on the land commission award distribution in the *mauka* and *makai* sections of Ukumehame and Olowalu, as well as the stories and information that was shared during the course of this study, it is apparent that they functioned as an *ahupua'a* in the typical traditional sense. It is also likely that Launiupoko Ahupua'a maintained a similar settlement pattern.

The current project area is situated within the coastal settlement area of Ukumehame, Olowalu, Launiupoko, and Pola Nui Ahupua'a. Based on the land commission awards within the proposed parkway and the knowledge shared by those interviewed during the course of this

study, it appears that project area sustained a scattered population during traditional Hawaiian times. The general pattern was to maintain two residences, a *makai* residence that could take advantage of the vast marine resources and a *mauka* residence to maintain the staple taro crops and other agricultural pursuits. The waters of Ukumehame Stream, Olowalu Stream, and Launiupoko Stream were perennial streams and would have supported *lo'i* agriculture all the way down to the coast. Some freshwater aquatic resources were also likely available along the lower reaches of the stream system. As a whole, the primary traditional activities within the area would have centered around marine resource exploitation, domestic activities during the hottest times of the day, and agricultural pursuits associated with maintaining a home garden

Section 5 Summary and Discussion of Project Effect and Mitigation Recommendations

The cultural setting presented in Section 3 clearly indicates that the lands from Ukumehame to Lāhainā were settled and cultivated intensively during pre-contact and early historic times. These lands offered abundant ocean resources and productive agricultural lands to sustain a thriving Hawaiian community. Consequently, many battles ensued between warring chiefs to gain control over these desirable lands.

Traditional Hawaiian agricultural practices are noted by the Land Commission Awards (*kuleana*) of the Mahele. Additionally, archaeological and ethnographic evidence also reveal that wet-land taro or *lo'i* and *kula* crops were cultivated by the *maka'āinana* in the stream valleys and flood plains of Ukumehame, Olowalu, Kaua'ula, and possibly Launiupoko. The *konohiki* and other *ali'i* likely controlled the maintenance and surplus of certain crops as is revealed by references in Native and Foreign Testimonies to adjacent *poalima* and *konohiki* crops. Agricultural produce in great demand by whalers and sea-faring explorers was traded for western goods coveted by the Hawaiians.

Following western contact the scene at Lāhainā and surrounding environs changed drastically as Euro-Americans plagued the Hawaiian populace with disease, as well as the introduction of a different method of economics through the trade of western goods. Perhaps the biggest change experienced by the Hawaiian people was the western style of land ownership culminating in the Mahele of the mid 1800's.

Assisted by the land divisions of the Great Mahele, foreigners were able to obtain land through either lease or actual purchase. Consequently, a majority of the prime agricultural lands between Mā'alaea and Lāhainā were ultimately appropriated by foreign entities for the sole purpose of large-scale sugarcane agriculture.

Sugarcane agriculture continued until 1998 and encompassed the majority of the prime agricultural lands (alluvial fans) of the Lāhainā and Mā'alaea areas, while the coastal regions were the focus the tourist industry and continued residential use. Since 1998, large tracts of land in the uplands from Ukumehame to Lāhainā have either been subdivided or are in the process of being subdivided for the purpose of residential development.

5.1 Project Recommendation

Based on the information gathered during this assessment, parkland development within the project area may have negative impacts upon Native Hawaiian cultural resources within the immediate vicinity. Those interviewed for this study identified ongoing traditional practices that centered on the gathering of marine resources and voiced concerns regarding park maintenance and ensuring the quality of the resources. With regard to park maintenance, there is some apprehension that increased use of the coastline for camping and/or formal park development will lead to unclean beaches, polluted water, and a decline in the quality and quantity of the marine resources. While on the one hand, an increase in traditional Hawaiian fishing and gathering practices by modern Native Hawaiians can be viewed as a good thing, on the other

hand, increasing fishing activities may escalate the pressure on the already over-extended resources of the area. Mr. Lindsey raised some concern over the use of *moemoe* nets. The Sierra Club (2006) notes the following problems with extensive use of this method of fishing:

- Overly efficient method causing a decline in fish
- Indiscriminant catch and kill of all species (sometimes only 1/15 of catch is usable)
- Entanglement and killing of endangered turtles and ocean mammals
- Breaking coral while retrieving net
- Danger to swimmers and divers
- Fish spoiled when left too long
- Attract sharks to shoreline waters
- Pieces of net tear off and endanger marine wildlife and boating
- Enforcement of regulations difficult
 - Too few DLNR agents
 - Difficulty locating net owner
 - Time consuming to enforce time limits

Implementation of a regulating system modeled on the traditional Hawaiian *kapu* system with regard to restrictions on fish and *opihi* sizes, as well as, fishing and gathering seasons was suggested by Mr. Charlie Lindsey. Mrs. Addie Rodrigues and Mr. Hinano Rodrigues would like to see the areas around Olowalu remain as-is or undeveloped and slated strictly for day use as a means to limit any negative impacts from intensive use of the area by recreationalists. A baseline study of the conditions of the marine resources and environmental conditions may be necessary to monitor the potential effects of increased use of the area by both recreationalists and subsistence fishermen. In order to address concerns about the potential for contamination and decline of the natural resources in the area, close consultation with those who currently use the area for subsistence purposes is recommended prior to finalizing plans for formal wayside park development and designation of campgrounds. If park times are to be regulated, an additional concern may include night access for those in Olowalu and Ukumehame who have traditionally fished on certain nights. Formal provisions or allowances for night access should be considered when developing the formal plans for the park and/or camp areas.

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Appendix A Interview Transcriptions

Mrs. Adeleine Rodrigues
Kapaiki Olowalu Ahupua'a
July 2006

Mrs. Rodrigues (AR) was interviewed on July 26, 2006 at her home at Kapaiki, Olowalu Ahupua'a by Tanya L. Lee-Greig of Cultural Surveys Hawai'i, Inc. (TLLG). Mr. Hinano Rodrigues (HR), her son, was also present during the course of the interview.

HR: *Tūtū* Kaulu them lived at Pāko'a, what did *Tūtū Kaulu* them do at Pāko'a?

AR: Ah, when they were living at Pāko'a, they were planting taro in Ukumehame, and then they lived in Pāko'a. There weren't homes in Ukumehame at that time, except maybe for the Japanese Camp. Plenty Hawaiians lived in there but it was more lean-to type. You know? Open? Two sides, and a back, and then you go in underneath, I don't even know what kind of roof they had, maybe was corrugated iron roof. But at that time, I don't remember seeing homes in there. Was more lean-to. But they used to go from Pāko'a early in the morning to go plant their taro or take care of their *lo'i*. That was in the late (19)30's, late '30's I think. Then they moved here to Olowalu maybe 1939. And even then, when we stayed with our *tūtū* in here in Olowalu, we had to get up 4:00 in the morning and walk all the way to Ukumehame to work in their *lo'i*. Four o'clock in the morning!

TLLG: So you would walk from Olowalu to Ukumehame along the shoreline?

AR: No. Above. There was an old trail that used to have coconut trees; I think that was where David Malo used to live. I know that was his place, because when we passed by my *tūtū* said, "Oh, David Malo used to live here." But where we always go walk along side the hill. Always to our *lo'i*. But when we came back, we came back alongside the seashore because my grandfather had to carry two bags of taro on his shoulder. So he thinks if he gets down to the highway (Old Government Road) he can catch a ride home.

TLLG: Did it work?

AR: Yeah! It did, it did. Of course we can count maybe only about five cars come along, but somebody would pick him up. And then we would walk home with my grandma, we would not ride. We would walk home, only my grandfather would catch a ride. *Maha'oi!* That's what my grandma said, "*Maha'oi!*" You know poor thing my grandfather, carrying the two bags of taro all the way home. And then we would stop half way to take a bath, because the, there was a ditch there that had warm water. And clean, the water was clean, so my grandma would hide a bar of soap so we walk home and we would take a bath there and then go back.

HR: Where the tractor was there's a ditch over there. There's geothermal yeah in Ukumehame.

TLLG: And that's why it was warm?

HR: Yeah.

TLLG: So is the trail still visible? The trail that you took?

AR: I've never gone up there, so I don't know. If we went, maybe I could find it, but I don't know.

HR: So *Tūtū Kaulu* them at Pāko'a, they lived in a lean-to?

AR: No they had a ...

HR: Was a regular house?

AR: Go get the picture, remember there's an album...

HR: So that's the house, that house is at Pākoa. Oh I thought was Papalaua.

AR: No, yeah there was a house. Just a simple house, with windows and doors. We slept in that house, but during the day we couldn't go in there. My grandma wouldn't allow us in there, because for her it's so clean yeah? And you sit on a mat, and there's a *hale 'ai* right next door. Now that, that was like a lean-to. Two walls on the side and in the back and open in the front. But when it rains or when it's windy, then my grandma used to use burlap bags. She used to sew it, the burlap bags. To keep the dust out. And that's how we lived on the beach. And we used to love it.

TLLG: So right were the beach park is now ...

AR: That's Ukumehame Park. That park is where my grandparents used to live. That's leased land. They paid a dollar to live on that land, a dollar a year. People were allowed to lease the beach land All the way from Ukumehame to Launiupoko Park. And at Launiupoko Park... This is the house at Pāko'a (referring to a family album).

TLLG: So was it just them that were?

AR: My grandparents. But had people living all along the side the sea shore. From the end of the *pali*, I even forgot the names of the people who lived there. And some people who had children, I think that there is a baby buried there, right where the highway is now.

TLLG: Is that the one? (referring to the story told by Mr. Hinano Rodrigues)

HR: Yeah.

AR: And we were related to those people, we were related to everybody in Ukumehame. And by the river, there was a house there also, a lean-to, people lived there. Right in front here too. All the way to Launiupoko there was a fish, that family, I forgot that family's name...Maielua...the Maieluas, if you talk to them, they had a fishing spot in at beach at Launiupoko. Where they would keep their nets and go fishing. They didn't live there.

TLLG: Just like a net house.

AR: Along side this end of the *pali* around here, people would live on the beach. A dollar a year! I think it was dollar a year. They must have changed the law I guess yeah?

HR: No, (it's) because the State became more bureaucratic. Before they never bothered the people staying on State land, but when they became more bureaucratic then they started to thing about liability and all that.

AR: I didn't know that was ... I used to think my grandparents owned that property there, but my mom said no.

HR: So that house, that Pāko'a house was their actual primary residence and now the *lo'i* was to...

AR: Yeah, for farm. But had some people live in Ukumehame at that time.

TLLG: In the valley?

AR: Yeah, they were planting taro also.

TLLG: How did that work with the plantation, access wise, for them to go up everyday?

AR: The plantation, they allowed them water every other day, to let the water go into my *tūtūs* taro patch, every other day. And there was somebody there to cut the water. But you know sometimes, you know sometimes my grandparents go up and there's no water in their taro patch and you can tell that they shut off the water, they killed the water for two or three days because the, the dirt was cracked. So you know that the taro patch didn't have water for a couple of days and she used to cry when you see that. She used to tell my grandfather, "Oh go dynamite the ditch!" He used to work for a company that dynamite. But he said "No, cannot do that".

HR: Now the access, when they go from Pāko'a up, the plantation nevah harass you guys about going through their property?

AR: No because we would walk on their trail, they had a trail, more like a ... I don't know if it was a horse trail, or a trail for a car but only half-way. Everything you have to walk all the way into the valley. There was no road like today. But they were kind of mean. They stopped the water. That's the way they do it. They harassed my grandparents so that they would give up planting taro. That's what they were doing, they wanted to take the water away from them.

TLLG: But they were able to continue...

AR: Yeah, they were able but you know if you go up there and there's no water, how you gonna plant the taro? The taro not going be good to make *poi*. It was a hardlife for my grandparents with the plantation. They were mean.

HR: Supposedly when you shock that, you cannot shock the taro more than three times, which means that your taro patch should not be dry more than three times. After your third shock, the taro is not gonna do well.

AR: It's more discouraging, discouraging my grandparents. They had to stop planting, and they did stop planting some time during the war. Maybe just after the war. They stopped the water from coming down every so many days.

TLLG: And how long were they at Pāko'a?

AR: I think they moved here to Olowalu in 1939, then they still went to Ukumehame to plant taro. And I think they stopped planting taro, I think when the war ended and then maybe a little after.

TLLG: And did your family always live along the shore line and walk into the valley?

AR: Yes there was a family living next to the river.

HR: No your family.

AR: My family.

TLLG: Did you always live along the shoreline?

AR: Shoreline and Ukumehame also. But my mom and dad were born in Ukumehame.

TLLG: In the valley.

AR: My dad's family and my mom's family had the most children in Ukumehame. My mom had about 15 and my dad had maybe 13. And everybody else, it surprising, because when I look at the census the rest of the Hawaiians that lived there had only about one or two. No more! And I wonder why my mom had so many and my dad. I guess the people who lived there hardly had children, some of them didn't have children. I don't know why. I wondered why they didn't have children.

HR: So granny lived up at Pikanele, where our taro patch stay, but when come to get things like fish, the ocean kind, do they only go to the ocean for the day or ...

AR: Oh, no. What they did was they worked in the taro patch every day, they started early in the morning, maybe about five o'clock, they went into their *lo'i* to work the *lo'i*, by nine o'clock, they got out of the *lo'i* and went fishing. That's how they lived. They went fishing, the *poi* and the fish.

TLLG: And what kind?

AR: Of fish?

TLLG: Do you remember?

AR: *Papio*, mullet, *moi*. All kinds of fish, any kind fish you can think of that grows here in Hawai'i.

HR: But, tell Tanya what *Tūtū* Kaulu, what her name was, and what she was known for.

AR: Ah, okay. You know what I'm gonna do, I'm gonna give you what I had talked to LeAnne. I made a copy of it, if I forget to tell you everything. My grandma was, my...

HR: *Hānai* grandma?

AR: My grandma, my real grandma, my mother's mother's name was Lily Kekahuna and she had a sister named Kaulu, Anna Kaulu Kekahuna, and a brother named Frederick Manu Kekahuna. She was the, my grandma Lily was the only one who had children and that's the one that had 15 children. She married this Japanese that came into Ukumehame Valley to work. This man was Jin Saburo Fujishiro. Her sister, Anna, was married to Samuel Kanealoha and he came from Moloka'i. They were married for about three or four years and found out they couldn't have children. So she asked her sister Lily if she could have one. And so her sister Lily promised her to give her the next child that she had. So as soon as my mom was born, she came with a blanket to pick up my mom and took her to where we are planting our taro today. Do I have to tell her the place where we live? The Pikanele

HR: No

AR: No don't have to. Well when my mom was born, you went up there, you saw the reservoir. Well it was land before. Taro patches, didn't have that there before. That's where my mother was born, and then she moved up to, my grandma, my *hānai* grandma took her to where we are planting out taro today. And my dad was born further down, near that cemetery, where the Lindseys claim that that's their cemetery but it is not theirs.

HR: I told her.

AR: Oh did you tell her the story? My dad was born there and he was the one with the, he's the ... I better finish the, what do you want to know about my mom?

TLG: Maybe who she was, how she lived?

AR: My mom's name was Louise Leialoha Fujishiro. She lived in Ukumehame for about twenty years of her life. When she was sixteen years old, she worked for the Lahaina Cannery. There was a name for that cannery before, I can't remember the name.

HR: Baldwin Packers.

AR: Baldwin Packers. And I think her mother also worked for the cannery. I not sure, but she used to talk about it.

HR: So how did they go to work?

AR: There was a truck that Baldwin Packers sent to Ukumehame to pick up the rest of the people who worked for the cannery. Not only my mom, but there were several people living in Ukumehame Valley before, maybe about 200? There was about 200 people living there when my mom was living in Ukumehame.

TLG: Now the cannery ... was cannery was different from the sugar plantations yes?

AR and HR: Yes.

AR: The cannery was a pineapple cannery.

HR: The Baldwins.

TLG: The Baldwins, and Ukumehame was

HR: Pioneer Mill, AMFAC

AR: Olowalu Sugar Company, was first Olowalu Sugar Company, Pioneer Mill bought Olowalu Sugar Company in what the 1930's.

TLG: But your mom...

AR: My mom was born in 1908.

TLG: And she worked for Maui Land, oh, Baldwin Packers.

AR and HR: Baldwin Packers.

TLG: Did she tell you about how people fished back then, were there a lot of people living in Ukumehame when she was alive?

AR: Oh I forgot. Maybe Hinano remembers what his grandma told him, I don't know.

HR: Well there was the time when the modern technology to fish was using dynamite yeah? So this guy went yeah? And what he nevah let go fast enough yeah?

AR: Yeah so it blew off his hand! And that's why my grand-uncle Samuel Ka'ahui...

TLG: He blew off his hand?

AR and HR: Yeah.

HR: But you gotta say this part, and years had gone by when my grandma was down by the ironwood tree and they were eating yeah? And she saw this hand come in, she went scream and her mom, *Tūtū* Kaulu, went and that's how the story came out. Because she saw this hand come and grab her food and so her mother had to explain to her, whose hand that was and why that hand came into the house. And that's how that story turned out. And

TLLG: Oh my goodness.

HR: So and then, he worked for the plantation a little while, I think you gotta put in three years yeah? Contract labor for three years. Then he went to farming. So my grandmother's father was actually a farmer. Farming in Ukumehame, he sold his vegetables in Lahaina because the wagon had to go to Lahaina for so many days. Not *lo 'i* anymore because the *lo 'is* were way up.

TLG: They were farming vegetables...

HR: Vegetables, Watermelon.

AR: Watermelon. The father sold the best watermelon to the store and the children couldn't eat the watermelon. So at night when the father went to sleep, they would go steal watermelon, that was from their dad! And eat it at night and the mother used to tell them to dig the hole and hide all the rind. Same thing with chicken. The best chicken would go to the market. So sometimes when her husband went out somewhere, she would tell the kids, "Oh, go get two chickens. I gonna cook it now! We eat it quick before he gets home!" You gotta go hide, you gotta dig a hole and go hide all the feathers. (laughing) It was a hard life yeah!

HR: I remember where we going, *Tūtū* Kaulu, what was *Tūtū* Kaulu known for in West Maui.

AR: My grandmother was an herbal healer. Not my biological grandmother Lily now, my *hānai* grandma, her sister.

TLG: Was a healer.

AR: She was an herbal healer

TLG: In the traditional Hawaiian...

AR: Yeah. My mom had asked her to teach one of her children, there's nine in our house, to teach one of us how to do herbal healing. And she said, "No. I'm not teaching it. I'm gonna die with it because I know that they going to charge. It's not going to be for free." They gonna charge the people. And that's her grandchildren she's talking about.

TLG: Oh my gosh!

AR: Well, isn't it true? You hate to think about it but that's what a lot of our people are doing!

TLG: And so back then it wasn't...

AR: No it was with love, with *aloha* they did everything with love. They helped each other, they worked together as a family. There was no such thing as you have to pay me to do for you. In fact my grandma, Lily Kekahuna Fujishiro, was born blind. And so they went, they asked a *kahuna* to help them with their daughter. So the *kahuna* told their dad, whose name was Ka'aea Kekahuna, to go into the valley and pick up all these herbs that was needed for this child. Don't forget to bring all that was needed or, and he forgot one, so she's gonna see with only one eye. The father forgot the spring water. So she could see only with one eye.

HR: *Tūtū* Kaulu, what did everybody in Lahaina know her as a fisherman, a fisherman for what.

AR: Our *Tūtū* Kaulu, oh she was the champ in getting squid! She was the champ! So was her brother, Manu. Whenever the Japanese wanted the squid, they would go ask him for get the squid for them. They would make an order and he would go get it. And we used to once in a while catch our *tūtū* somehow talking when she was in the water. She would talk but we cannot see because we could only see her back. Oh when she pick up the squid and come home, the clothesline loaded with squid. She could find in one day maybe fifty, maybe more.

HR: When the cars used to pass by they see all the squid hanging on the clothesline.

AR: And when the family came to visit each of them would get squid to take home. She always shared. In fact, sometimes we went with her to go get *opihi* at Cut Mountain?

TLG: Cut Mountain?

AR: At Cut Mountain always, we used to go pick up *opihi* and, what was the other one, almost like *wana*.

TLG: The *ha'uke'uke*?

AR: Yeah, the *ha'uke'uke*, she used to pick all of that to bring home. And you know, when we walked back to our place here in Olowalu, there were camps. And get families all along side Olowalu, by the store. And she would stop, visit, and give some of the *opihi*, whatever she had. Go to the next house, talk story, give some more. And we used to wonder wow, we hoped that when we reached home, would have *opihi* for us. (laughing) But she shared everything that she had. She would stop by their house and share the *opihi* or whatever she got from the ocean. Even with the squid. And when she dries the squid, we used to go underneath the clothes line and bit at the tail (tentacles) yeah? You know it's drier yeah? The end part of the squid tail. We used to eat it.

TLG: Did she ever pass on her secret?

AR: My mom, to my mom. Only to my mom, my mom was the last one.

HR: I know.

TLG: You know?

HR: I not going tell...the recorder...

When we make *paina*, this house used to make *lu'au*, for every holiday you can think of going get *lu'au* at this house. And so we go get the squid right, at Ka Lae Hekili. And when my uncles go, Uncle Eddie them, nothing. *Ala ala* they come back, no more any squid, right before we

leave the beach, they tell her “Oh mama, no more squid we no can get.” And she tell them “Not, there’s no such thing, go get me one stick.” And she go up there and she go inside the water and she finds. They spend hours going back and forth with the snorkels going back and forth! (laughing) She got them!

TLG: So is that resource the same around here?

HR: Not as much, but still get squid.

TLG: And they still respond to that method?

HR: No, nobody does that, nobody knows. Not even my uncles know what she did. (laughing)

AR: I guess Hinano was small enough to observe his grandma when she was in the ocean.

HR: Now when she used tell me to go stick the squid in the thing, I no go! I scream my head off! I was only four or five, so when the squid come up, you know where they stick the stick yeah? So it grabs the stick, so it defends itself so you pull the stick out, you pull the squid with the stick. But then when she used to tell me grab the squid, take the squid off the stick...I no can! I yell and scream cause the thing stay all going on me yeah?

AR: I don’t know why they turn the head inside out yeah?

HR: To kill them. You either turn their head inside out or you bite the ...

AR: You bite ...

TLG: You bite the beak off? It’s like kissing the squid!

AR: Do you eat raw squid?

TLG: I do. I can eat it but I don’t know if I could bite the, or deal with it when it’s alive!

AR: We even had, there was *limu* in Ukumehame.

TLG: In Ukumehame?

AR: Yeah. The *limu* in Kaua’i, made famous in Kaua’i? *Limu kohu*, there was *limu kohu* in Ukumehame. And the *ogo*, what’s the Hawaiian word for *ogo*?

HR: *Manaua*.

AR: *Manaua*. There was a lot of food before. People lived with whatever they could get from the ocean. Not today. Not today. There’s nothing left, I must say.

TLG: Do you remember what kinds of fishing methods they used at Ukumehame?

AR: No, you know why? Because we were not allowed to go with them to the ocean when they went fishing. Later in life when were older, but then when we were older, we didn’t pay attention. I’m sorry to say that, but we were not allowed because when they go fishing, they didn’t want noise. They did everything quietly. So I don’t know what kind...well we know they used to use spear, net but how they used it I don’t know.

HR: But when you got older you folks went *paea ea*.

AR: Only when we got older...

HR: *Paea ea* is a Maui word. The other islands, it's *mākoī*, only Maui says *paea ea*.

TLG: And what's the meaning?

HR: It's the bamboo.

AR: Straight pole, it's the straight pole. Oh we were happy when we used to go fishing with them, when they used to let us go fishing? And we would catch more, *mempachi*, *u'u* in Hawaiian. There was a lot of *u'u* at night, biting. You know how the *u'u* look like with the big eye, it's the red fish?

TLG: Yeah, I only remember them as *mempachi*.

AR: With the big eye...

TLG: Yeah, with the big eye. I see it staring at me in the...

HR: (laughing) market..

TLG: In the Ooka Market before. (laughing)

AR: *U'u* is famous in Olowalu and Ukumehame before but we didn't tell anybody that. When they asked, "You folks going fishing today?" or whatever, we would not tell them, because everybody else going down to the beach and catch all that *u'u* that we think is ours. You know our favorite spot? Now, if you go fishing, they see you fishing, they go and fish over there and no more fish. But in Olowalu and Ukumehame, you only fish during dark night you don't use light. Some areas you use light, but not in Olowalu, you have to fish in dark.

TLG: Is there a particular reason, that that's how it's done in Olowalu?

AR: I don't know.

HR: I don't know. I do know that these guys insist that it has to be dark. To me, no matter the fish going be hungry anyway. But no they insist that it's dark.

AR: Well we tried to go fishing when it's lighted and there's no fish. They don't bite. In fact, the other night, my brothers went fishing and they don't catch anything. I said, what you folks go "dark night"? They said "Yeah, dark night!" I said "You sure? You know what is 'dark night'?" That's when the moon, the new moon, that's dark night. During full moon the fish don't bite in Ukumehame and Olowalu.

TLG: So there used to no fishing daytime?

AR: They were more like diving during the day. My grandparents didn't go *paea ea* during the day, it was always at night.

HR: Now *Tūtū* Ka'akau, did you ever see *Tūtū* Ka'akau in the ocean? What was he doing in the ocean?

AR: He most, throw net. His thing was throwing net, I've never seen him diving.

HR: And he throw net, what kine fish he catch?

AR: *Moi*, a lot of *moi* and *papio*. A lot of *papio* and *moi* here.

TLG: Still? Plenty *moi* out front over here?

HR: Over here? No.

TLG: I see...

AR: There's no fish. You see people on that culvert sometimes? Have you seen them with the...bambooning? Right on that culvert across the street? I don't know what they catching! Lobster. Got a lot of lobster here.

TLG: Really?

AR: My grandparents, my *Tūtū* Ka'akau used to get the *wana* and lobster. I love it when they cook the lobster, almost half-cooked and they mix it with the *wana* and *hau'ae*. Have you eaten that?

TLG: No.

AR: It's so good!

HR: Kawika he went bring for me one time. He went make *wana* and raw fish and raw lobster and he had mix um up. I come home and eat 10 o'clock at night so they don't know what I eating!

AR: Ah the next morning I saw it in the refrigerator but I know that was his yeah. So I no can eat it.

HR: And the *poi* he had pound it himself?

AR: Yeah! They pound, they had a board. And my grandma, when she, she always get two men pounding. She hardly pound *poi* but used to be my *Tūtū* Ka'akau and my uncle he used to come tell him "Oh Sam, we going up mountain, go get taro so come." So they, he had to come down here early in the morning to pound taro with my *Tūtū* Ka'akau and my grandmother always sat there with them. She told them how to pound the *poi*, they had to have a rhythm. It would have to be a rhythm, there was no such thing as pound, pound, pound. No. There was a rhythm. And she would always, and listening to them, you know the rhythm is so nice! Boom, boom, (pause [swipe the bottom of the *poi* pounder]) boom, boom (pause [swipe the bottom of the *poi* pounder]). Like this. It's almost like hitting the drum or something! That's how. When they pound, their hand go in the water right and they come up, wet the *poi*. It was always rhythm, always. Boom, boom, [swipe the bottom of the *poi* pounder].

HR: That's *Tūtū* Kaulu's *poi* pounder (referring to the *poi* pounder on the table), we still have it. That's the original *poi* pounder she used to pound *poi* before. After a awhile, we only used the machine. When I lived with her parents in Kahului? Every Saturday the taro came from Keanae, relatives in Keanae, and then we would grind *poi* every Saturday so we used the machine rather than...

TLG: Can you taste a difference? Is there a difference?

HR: And when we make our *poi* we use the Champion Juicer. The juicer that's made by the Champion Company? That's how you grind *poi*.

AR: Corn, corn grinder I think.

HR: Yeah, corn and wheat. It works. I haven't tried (pounding). I bought a *poi* board.

TLG: You did?

HR: Yeah, I went upcountry and bought one, I like try.

TLG: Would they ever get out of rhythm.

AR: No, they're afraid of my grandma! They're afraid of her. When she tell them rest, then they stop and then they rest and then they pound again. Because you have to you cannot let the *poi* dry. Then when they get tired, then she gets on and she does it all by herself. My grandma when she pounds *poi* its all by herself, but when the two men, she tells them just how to pound the *poi* and she checks if the *poi* good. She don't want the kind *pu'upu'u poi*.

HR: So they carry, *Tūtū* Ka'akau carries the bags of taro from Ukumehame to over here, my grandma's house. That was her inlaws yeah? But they cooked the taro at night and then they would cool off and then the next morning is when they would pound.

AR: Always early in the morning, always. Everything was done actually early in the morning yeah? Before the sun came up, that's when they pound *poi*, before the sun came up. Never with the sun.

TLG: Too hot!

AR: Well when the sun comes up it's time to go to the ocean, to pick up *limu* or fish.

TLG: So that was ... did they raise any other kinds of animals besides the chickens?

AR: Chicken and my grandma always raised two pigs. Always two pigs, because when Christmas time comes they had to *kalua* one pig for her, her birthday is December 25th. So every year, for as long as I can remember, until she died, they would, we had *kalua* pig with Christmas. Because it was her birthday and she insisted that there was *kalua* pig for her birthday. In fact, she had died about on the 17th and we were ready to *kalua* a pig for her and she died on the 17th. But when December 25th came we still celebrated her birthday.

HR: Was Lily or Kaulu that knew she was dying and told them to leave the room.

AR: Oh, was Lily. I don't remember that.

HR: The day she died, she said that she was going to die that day so she wanted to eat her two favorite foods, one was the raw squid and the mullet. So they went to go get the mullet, the raw squid and everything. About one o'clock in the afternoon she told everybody, "Oh the angel of death is about arriving now so you folks have to leave this room." So they left the room then she died.

AR: Well, now that Hinano talking about all that kine stuff yeah. I, one of my grandma's aunty, aunty or uncle, was born with the shark head on their back. You know our family had that, you know our *'aumakua*, we have an *'aumakua*...

AR: That's why I don't know too much about it. But Hinano knows, because by the time my dad had died she had the time and of course my dad wasn't around so she told Hinano more about Ukumehame than she told me. My dad didn't want us (to know), my grandma to talk about those times.

TLG: Is there a reason?

AR: No. It's just didn't want. Maybe because he didn't want to think about the old times. Maybe, he wasn't happy about it, I don't know.

TLG: Your grandmother was *la'au lapa'au*?

AR: My *hanai* grandma, my mom's aunt. My grand-aunt.

TLG: Did she pass on anything?

AR: No she refused.

TLG: She went with everything?

AR: But she used to talk to us about Ukumehame, about how they were buried. You know now days, I hear people talk about how they bury their loved ones in their yard? I don't remember ever hearing my grandma talking about burying her loved ones in their yard. It was more on the hillside. She would tell us, this is the hillside, that's where a lot of people buried. So we asked her why. She said "Because, Hawaiians didn't want anybody stepping on their heads." So that's why they were buried on the hillside but she said, years before, when she was quite young, they used to take their family into Ukumehame Valley and bury them in the cave. So we used to go, camping with my grandmother, we went up camping to go get *'ōpae* in Ukumehame Valley. She would take a bowl of *poi*, one can corned beef, and on the way up she would catch the *o'opu*. I don't like to eat *o'opu*, that's why she's got to take the one can corned beef, because I'm not eating *o'opu*.

TLG: How come?

AR: And she didn't eat *o'opu* either, but she would catch it, she was smart in catching *o'opu*. Almost, you know you have to put your hand underneath the stone, that's how she used to catch the *o'opu*. By the time she reached that area to pick the up the *'ōpae*, she had several *o'opu* and she would cook it. There would be pots and pans hidden in the cave, they'd hide it there so when we go up we have those things there. And then she would cook it for me and my sister. Would be more me, my sister Louise, and my grandma Kaulu and my *Tūtū* Ka'akau. And we would sleep overnight and she would go catch the *'ōpae*. She had an area where nobody else went but her. They catch *'ōpae* in the river. She caught hers from the water that comes down over the cliff, that's how she caught her *'ōpae*. They would come over the cliff and we would see the *'ōpae*, and she would, that's how she would catch *'ōpae*, and we would go. And we would sleep on the rock and would be a huge flat rock and that's where we slept. We couldn't sleep in the caves, and she didn't allow us to go near the caves, we had to play outside. She said, "Don't go in the caves because you might get lost in the cave." That's what she used to tell us. If you go in the cave, maybe you going see one light and you going follow that light and you gonna be lost and we cannot find you. So she didn't allow us. I don't know if she's telling a true story, but I feel that maybe there are families buried in the cave so she doesn't want us in there. But you know, when you tell children not to be *nīele*, then you going become *nīele* yeah?

TLG: Even more!

AR: So we would try but she would catch us. She tell us, "No, no, I told you not to go there."

TLG: So you've been to the back of the valley then.

AR: Yeah, and Hinano! We went about five years ago. That's my last time I went hiking up there. It's beautiful up there if you went.

TLG: Is it much different from when you were a little girl to when you last went?

AR: Yeah! It has changed.

HR: More overgrown yeah now. Before it was easier to go, now...cause even when I was a kid it was easier to hike in, no it's just a little bit more difficult.

AR: I think not too many people going in no, like before.

TLG: Before there was a lot of traffic into the back of the valley?

HR: During her time there was more, people went in because that was their life yeah? In my time it was more hiking.

AR: We used to go in the valley all the time. Until, maybe until we were 16-17, we used to go camping and play I guess. My grandma used to tell us, don't you folks go into the valley because it might rain. She said you gotta watch the clouds. And we used to get scared because we think get *menehunes*. I'm quite sure had! (laughing) In fact, that five years ago, the last time we went hiking. There were about five or six of us that went. When we first went in, Hinano was the last. I don't know when, and then we walked all the way in and then we came to a fork, there was this fork going right and left, and in the middle was where there was supposed to have a water fall there. That day there was no waterfall, just a drip. So when we reached there, we had to go crawl onto that waterfall in order to go the left. So I turned around, no, I saw Hinano in the front of me and all of the time that we were walking from where we started off to that fork I kept talking to Hinano, I thought he was in the back of me. But because everybody was talking at the same time, every time I ask him a question, I forget to hear what he said so we didn't pay attention. And yet I heard somebody walking behind of me all that time, so I knew was Hinano and yet when I reached there I looked up, I saw Hinano and said "I thought you were in the back of me!" Somebody was in the back of me. I looked in the back, there was nobody. But there was somebody following me all the way to that spot, where we gonna turn off to the left.

HR: I had overtaken her because I, went last to make sure everybody in the front of me, but when the hike got a little bit better ... okay now people not going get lost, so I went overtake. But she didn't know I had overtaken her 20 minutes before already.

AR: And I always feel that I gotta be the last, always feel that I have to be the last wherever we go. So when we hike into the mountains, I'm the last, hiking out of the mountains, I'm the last. I did that all my life, being the last. But my grandma used to say a lot, "You better not be the last because maybe somebody going grab you."

TLG: But there was somebody behind...

AR: There was somebody because I was talking to that person. But not turning around because I had to follow everybody, because I was the oldest going up, with them and ... how old was I?

HR: 72

AR: 71-72, so I had to be the last, I'm the oldest, I'm always the last.

HR: Now tell her about over here, when you were small and you walk to the shore.

AR: Oh, when we lived here in Olowalu, my grandma sent us to the store everyday to buy fresh bread. So every five o'clock, me and my sister had to walk to Olowalu Store. This one day, we were walking past; maybe about 100 feet from here; we had to walk on the train track. There was a train track before in front of our house. And we used to walk 100 feet and I heard somebody say "Kamaile!" I stopped, I turned around, I said "Oh grandma calling me I gotta go back home because maybe she wants me to pick up something else other than the bread." So I run all the way back. I said "What!" And you know you not supposed to say what! My grandma didn't hear yet so I ran to the house and I say "Oh, *tūtū* did you call me?" And she said "No! What you doing over here? Get over there before dark! Get to the store and come home quick before dark!" But I said "No, but I heard calling me." and she said. "Where you heard?" Oh over there where so-and-so used to live. She said "Oh, you know what, that was our *ohana*, they gone already. But they sitting on the porch, watching these two girls walking on the train track. So one going say to the other, 'Oh that look like Kaulu's *mo'opuna*', the other one says 'Not I no think so' so the one that says that's Kaulu's *mo'opuna* says 'Oh I try call her'" So they call yeah? Kamaile. And I answer thinking it's my *tūtū*. So she tell me "Don't be afraid, that's your *tūtū* watching you, you and your sister walk to store to buy bread." And it happened all the time. But we weren't scared because we have to get to that store and get back home before dark yeah? Even, oh several years ago, my husband and my mom and I went *paea ea* at the beach, bambooing, and coming home we hear whistle, whistle. And you know that place where we pass by, whistles, is a cemetery, there's a cemetery. You were there at the Olowalu Church, the Olowalu Cemetery, whistle. And I tell my mom, "You heard people whistle and laugh?" She said no, but I know she knows. How can I, how can she say she didn't hear the whistle and the laugh because the traffic wasn't like now. Maybe you could count maybe two or three cars passing by before we reach home, that's all, two or three cars. So when we get home, several days later I tell my mom "You heard that whistle and that laugh?" She tell "Yeah look like maybe your *tūtū* or somebody was watching us come home so they laughing." And you know sometimes we go bambooing with my *tūtū* and you know when you swing the bamboo into the water, you hear that swish sound like when you fishing. Once in a while, we hear somebody right next to you doing the same thing with the bamboo swishing. You know there's nobody there because if you look to your left get your two *tūtūs* and your sister fishing and how come you hear your swishing on your right, (there's) nobody. So I tell my grandma, "*Tūtū* somebody fishing down here!" But cannot see, was dark. She said, "Get all your folk *paea ea* we go home!" We go home because she said no more fish, for real, because once in a while hardly bite. So that person whose fishing is taking all the fish, but it's not a real person. We have that yeah? In Olowalu and Ukumehame. That kind people that's there. That's why whenever my grandma wants to take us up, I go to my grandma, "Oh *Tūtū* Kaulu, we go *paea ea* tonight." The first thing she going tell you is "We not going! We are not going." and at that moment you cannot *nīele*, you not going say nothing. But later on you find out when she wants to go *paea ea*, to the ocean, she going tell you "Oh, we going *holoholo* tonight, we going mountain." We know we not going walk in that mountain that we going *holoholo* for, but that's telling us tonight we going bambooing. So that the people who used to go fish next to us going to the mountain yeah?

HR: Decoy. You decoy, tell the opposite of what you going do.

AR: So when you go to the ocean you catch the fish. We cannot *nīele*, we cannot ask our parents, “Oh, where you folks going?” If they ready to go bambooning you know they going bambooning. You know kids now days, they know you going bambooning, they still ask you that question. “You going fishing?” They ask me that question today and they going get a slap! (laughing) Because there’s no fish when you go to the ocean. I don’t know if that’s a superstition or ...

HR: Do you know who Eddie Kamae is, Eddie Kamae the Hawaiian singer?

TLG: Yes.

HR: His sister is married to my Uncle John Ka’aea. So, but his sister is born more Honolulu bred, less cultural. So when she had marry my Uncle John, they moved over here so now she’s living in the country. Well my *Tūtū* Kaulu was still living over here, so *Tūtū* Kaulu was on her way to the beach, but because my Auntie Anne didn’t know Hawaiian things she would say, “Eh auntie, where you going?” That was it.

TLG: She turned around?

HR: Was her first lesson in the Hawaiian culture.

AR: And my grandma didn’t speak to her for quite sometime.

TLG: So that’s why. Because I hear stories about, you know, when people would go fishing, you just don’t ask or they tell you “No place, I not going anywhere!”

HR: Until today we use the word *holoholo*. *Holoholo* means fishing we never speak the word, it’s *holoholo*.

AR: Always *holoholo*, and *holoholo* up mountain. Always up mountain, to tell whoever listening we going to the mountain. But like he said, we going to the ocean.

HR: So *Tūtū* Kaulu is my grandma’s mom, for all intents and purposes we call her grandma even though was *hanai* and auntie. *Tūtū* Kaulu lived over here (the house lot on one side of the house that we were in) and over here (the house lot on the other side of the house we were in) *Tūtū* Ho’olulu, *Tūtū* Victoria, my grandfather’s mother, the two mother-in-laws. One over there, one over here! In those days, and even in my days, the water pipe was only like this.

AR: Half-inch.

HR: Yeah! To serve the twelve homes. So by the time come down here, no more water already, only stay dripping. The water cannot even go out the faucet. So when, these two in-laws fight, this one go turn on the water to go water her plants, her *pikake* and all that. So that one get mad, so that one yelling at this one, “Turn off your water!” They fighting. But this one over here, she go dance hula. *Eh huli, eh huli mākou*. Just to irritate that one over there! They end up fighting, I think to the point...

AR: They had a fence, a wire fence. Because these two grandmas they fight, so they put a wire fence so that my dad’s mother on the other end, dancing alongside, teasing this *tūtū* over here.

TLG: Aye. That’s, that’s really funny! I’m sorry!

AR: And then my *tūtū* gets angry so she goes and tells my dad if he can go find one pump. Some kind of pump. So I don’t know, he got a pump, he brought it to Olowalu, put it in the back where

nobody knows. So she hook on the hose yeah? And then she pump yeah! And when she pump, everybody don't have water! Cause she's pumping all that water for nothing. Then my Uncle John don't have water because she's pumping all that water but nobody knows what she's doing! So he complained to the plantation that he stopped having water. So the plantation told him that each house had to take turns for water, to water their plants. Seven days, I don't know how he did it, but seven days. Every other day they had to water their plants. But my grandma water her plants every day because she was using the pump. They had to change the system, how they gonna water the plants in Olowalu because my Uncle John was raising pigs ...

TLG: And he needed it...

AR: But so funny yeah? To see these two grandmas fight.

HR: In-laws...

AR: Two in-laws.

TLG: And the way they fight too.

HR: Yeah, make fun of each other.

AR: My grandma not going go over there! They stay fighting each other by words yeah! But that grandma over here, she used to send fireballs to that grandma in Kaua'ula!

HR: Yup.

AR: One other grandma in Kaua'ula, both of them, and that grandma from Kaua'ula send the fireball down over here.

HR: Yeah, down to Olowalu.

AR: Fireballs! You know she fighting with that Kaua'ula lady.

HR: And everybody between Olowalu and Kaua'ula see the fireworks going up and they know the two ladies stay fighting, because they watching the things flying over them back and forth. And this is not just us telling the story, these are private people telling us what they remember about these women.

TLG: Those are such classic stories.

HR: Supernatural capitol of the world.

AR: Olowalu is. Every time people meet me, sometimes I go Lahaina, people tell me "Oh where you live?" "Oh, Olowalu." "That's the most spookiest place. Olowalu is spooky!" That's what they say, this place is spooky. But to me it's not. I don't know, I don't think it's spooky, I'm not scared.

TLG: Hinano was saying that sometimes you hear the drums from the ...

AR: Ah yeah. We no longer hear it, but we used to several years ago when we were younger. Now you wouldn't be able, even if they had it, you won't hear it because of the cars. And we know what that is. It's the warriors, yeah, walking along. They going to Ukumehame, to the *heiau* there. Get two *heiaus*, one *heiau* out there.

TLG: Could you here it when you were in Ukumehame?

AR: No. But even Ukumehame was spooky, there had some ghost stories.

HR: You know where Erik them found the bones? Those fragments?

AR: Yeah, Camp PECUSA (Episcopalian Church of the United States of America).

HR: They nevah, maintain. You know before I used to walk right straight across, right through yeah that thing. No can now. It's higher than you.

AR: If I go see Patty, you know what going happen.

HR: Yeah, no can even walk through, it's so high. They never maintain.

TLG: Yeah, it's one big wall. You have to go in with the machete.

AR: You folks, you went there today?

HR: Yeah.

AR: This place here, maybe by that neighbor, used to be famous for *opelu*, got a lot of *opelu* over here.

TLG: And now...not so much?

AR: Well, we don't, those people all died. I don't know whether or not somebody else knows about it.

HR: Bully, Bully Rodrigues told me.

AR: Oh, that he goes fishing for *opelu*. Then you folks should go. Go with the kayak at night.

HR: Oh no, not at night!

AR: Why?

HR: In the kayak?

HR: Oh no, not at night!

AR: Why?

HR: In the kayak?

AR: Yeah!

HR: No can see the shark coming.

AR: The kind of kayak that can fit two or three. I would like to do that.

AR: Umm, had people there? At Camp PECUSA?

HR: Ah.

AR: Loaded with people. All from the mainland yeah?

HR: Oh no, not in Camp PECUSA. But that State property. Had like eight tents.

AR: What kind?

HR: Ah to me, probably Hawaiian. They kind of neat. No get rubbish around yeah? So that's how I know, cause *haole* get kinda rubbish yeah?

TLG: I saw one, had shelving inside and look like they made small kine countertops.

HR: And it looks like they go to work because they're not there. Nobody's there, the tents are all there but nobody's there.

AR: How are we going camping then?

HR: They stay, when you get to the point where you going to the beach, you either go left or right? They stay on the left, we can go right. We can still go to the nicer beach, the wider beaches.

AR: The Lae.

HR: And I saw they had bring in two portable bathrooms over there.

AR: Got several toilets. Oh that's good.

TLG: So what are your thoughts on this planned parkway, putting a lot of this area back to...

AR: You mean, well, it's only gonna be in Ukumehame right? You talking about the area that the county had bought?

TLG: That, but then they're planning on extending it from the *pali* all the way to Puamana.

AR: How are they going to bring it here. There's no area...it's gonna stop maybe by the church and then go down and then stop ... it's okay with me. I don't mind the park. I would rather have park than rich people living around here, the ocean. If we have to have people live near the ocean I would rather have the affordable housing, near the ocean. Let the people, the other, you know the rich gentlemen estates on the hillside.

HR: So what do you think about them developing the area in front of us as park.

AR: I doubt. I doubt they going. Where they going get the money. If they going to leave it as is, I like it as is. As is, I like it. Well 20 years, that's 20 years. I not gonna live to see it. That's gonna be you folks responsibility.

HR: So what do you think about them using this road (the Old Government Road) for the new highway.

AR: I don't want. I'm gonna fight that. Yeah, I don't want. Here? This road? They must be crazy. They not going get money from the Federal Government. Is the County gonna pay for that road? The Federal Government not going allow that, near the ocean.

HR: That would be 106, Section 106 and consult with the Hawaiian organizations.

AR: Yeah. I don't want the highway in the front of our house. And if Hinano would take you to the beach right across us and you look underneath the road, the road going fall sooner or later.

HR: The water comes up, in fact it's going underneath.

AR: Yeah! Underneath the road. Underneath the highway you gotta go look!

HR: Somebody's car is gonna drop down.

TLG: So when the south swell gets going over here ...

HR and AR: It gets worse!

TLG: It gets worse, it just erodes more and more?

HR: The water is across the highway two months out of the year. The water is on this highway right across here.

AR: One of these days we gonna see the ocean water right across us, right in front there, if we don't watch out.

HR: That'll be nice, ocean front...

TLG: Then your property taxes going go even more up.

HR: It's up already.

AR: They should give people like us an exemption yeah, some kind of exemption.

TLG: I think there should be some kind of grandfather clause, or something, it's the amount when you bought it.

AR: Mainland, we have in California, something 13, what you call that? There's a word. Proposition 13, where it cannot go more than so much percentage, like two percent every year and the basis of property is at the time that (it was bought). They have it, Hawai'i doesn't have it.

AR: I like the way you said it, go according to how much you bought for. For nothing!

TLG: There you go! I owe zero taxes because it's been in my family from time immemorial.

AR: For 100 years.

TLG: That would solve the problem of a lot of families having to sell their property.

HR: To pay the taxes yeah?

AR: I don't think they gonna allow, I don't know if they gonna pass that charter that they gonna vote on.

HR: I couldn't find it. I looked in the paper and there were two propositions yeah? (*inaudible*)

AR: Do you have anymore stories?

HR: Millions of stories.

AR: I was telling her that my mom never told us stories like she told you folks. She had more time talking to Hinano than she ever had talking to us and *Tūtū* Kaulu, my dad refused to have *Tūtū* Kaulu tell us stories about Olowalu and Ukumehame. He said that was long ago, *pau* already. That's how he told her, that was long ago, *pau*.

HR: Just like the '*aumakua* story, I kept asking when I was in high school. Asking my grandmother and she said we don't talk about those things.

AR: Yeah, we don't talk about that.

HR: And then, one day out of the blue sky talked about it. And the thing about Hawaiians is when they ready you know.

AR: Maybe if she talked about it, my dad wasn't around already. They would allow my grandma to talk about old times, what happened before. He didn't even want to talk about what they did to the taro planters, about the water. My dad never, never complained, never said anything.

TLG: That seemed to be the way it was back then.

AR: They didn't have a lot of...they hardly talk about before.

TLG: Then it's hard because they tell you don't be so *nīele*.

AR: That's the only way you going learn yeah? *Nīele* and *maha'oi*. Only with the first few children, maybe four out of the nine in our family, were really told not to *nīele* and *maha'oi*, and then I guess they gave up yeah? That's why the first four, maybe the first two or three wasn't *nīele* or *maha'oi*.

TLG: So are there any more important stories regarding this area that would important to

HR: Our concern is that we protect the church property first of all. This property in the front here is fishpond, so the highway needs to stay away from that area as much as possible. That's in terms of the highway. In terms of parks our concern in Olowalu is we really don't want a developed park down there, because what it's going to do is it's going to diminish our natural resources which is food and not recreation. We are not, recreation is over there (mile marker 14), over here is food and the more people you get to the beach, the dirtier the beach gets. Then you cannot eat the food, you not going eat the *limu* and all that. Too many people are in the water. That is our concern.

AR: We don't go picnic at the beach anymore because the sand is dirty, *kapulu*, the beach is *kapulu*. Who wants to go to the beach, now you can have staph in no time.

TLG: Has there been a lot of cases?

AR: We hear about it in Ukumehame. We hear about. But nobody is going to say anything right, but we hear about it.

TLG: That's just from the increased use?

AR: Yeah! All dirty yeah? And when we get camp grounds, worse, you don't know what they doing to the campgrounds. So we, they can have their campgrounds on either side of Olowalu!

HR: We gotta tell you, our Olowalu policy is stay in your own *ahupua'a*.

AR: Yeah! Stay in your own *ahupua'a*.

HR: This is our *ahupua'a* we don't go to your *ahupua'a*, I mean we go but it's not, when you want the natural resources, you can stay in your own *ahupua'a* and pick your own *limu*.

AR: When we were young, my grandma always told us that, "Stay in your own *ahupua'a*, fish in your own *ahupua'a*. Don't go fish, don't go *maha'oe* in the next *ahupua'a* unless they invite you. They don't invite you to go fishing there, don't go fishing over there because you have their own place to fish. I always tell my children that. Don't *maha'oe*."

HR: That's why we have an excellent relationship with Ke'eumoku them because we know what our boundaries are. We know that Ukumehame and Olowalu belongs to us. And when we talk about Olowalu and Ukumehame we had jurisdiction, and we leave him with Kaua'ula and Launiupoko. We don't tell him what to do, he needs help we go to help, we need help, and he'll show up to help us. So everybody, the old fashioned way, everybody understands what the boundaries are.

AR: I think if everybody knows that, it would be easier yeah? No more this fighting where the Hawaiians going from one area to the other fighting your own people. Don't com *nīele* and *maha'oe* in our place. I did tell Ke'eumoku Kapu several years ago at a burial, they came to help me testify, and I told them that you know, I take care of my own place, my own *ahupua'a*, I take care, you help me and when you need help, I go to your *ahupua'a* to help, but I won't interfere. That's why, when we had that Olowalu talk story, there was hardly any interference.

HR: You noticed that? There was hardly any interference. They know the rule over here is you guys not from here, don't you guys stand up and say anything. It's ours.

AR: Don't tell us what to do, we know what to do.

TLG: Do other people understand that?

HR: Yeah, they kind of want to be involved, but you notice that they aren't because they don't know if they should take that step in. They not that sure. Then Mahealani's mom, Leimomi, is my mom's friend too so she knows the rule already. But I'm sure they want to be involved but they shouldn't

AR: I've kiddingly told Momi, "Eh Momi, you stay on your other end." I mean you should tell them, be honest, then nobody going fight.

HR: If you can prove that your *ohana* is from here and you give me your genealogy, it's okay. Then you have what we call enough standing, you have standing. Now we take that *ahupua'a* concept quite seriously because when my aunty and uncle got Hawaiian Homes at (*inaudible*), I told them now you guys going over there, you guys no more jurisdiction over here now. You over there now, pick your own *limu!* (laughing) But they're *ohana*. And the courts had ruled in that way too yeah? There's two Supreme Court rulings, Hawai'i Supreme Court rulings, so that you have rights to your *ahupua'a* and now to your adjoining *ahupua'a* if you can prove traditionally. So like for us we had two, traditionally we are Ukumehame and Olowalu. I think people from Waihe'e actually had two also, Waihe'e and Waiehu. So yeah, the new highway is okay with us, provided certain conditions.

TLG: And the parkland is okay provided ...

AR: I don't care what it's, I know you can hardly have a park inside here, I not saying anything.

HR: They have two plans, one is by Camp PECUSA, the one that they originally did in the '60s, the State's property. Further on past the juice stand.

AR: Yeah but, the property is already sold, they're building a home on it. There won't be anymore parks there, *pau* already.

HR: Foley is being very hard headed. Foley wants the County to condemn. Yeah.

AR: Condemn that house? The new home?

HR: Condemn the property.

AR: With the home on top?

HR: No, no.

AR: The other one.

HR: Yeah, the home is only one of eleven.

AR: Olowalu Beach Park. Where is this. Where are we here.

TLG: We are over here (referring to the conceptual plan)

AR: Where our house is right here, this is us yeah, Olowalu.

HR: No. That's Camp PECUSA.

AR: Oh yeah, that's right, we're here then. And this beach park, ah heck.

HR: That's the wharf.

AR: Oh the wharf?

HR: It's where the river comes out that Mike Foley wants a big park.

AR: Okay, okay.

HR: He's insisting on that. You remember Bill Frampton was telling us that they don't know how to deal with that and now a mainland corporation has actually bought that specific piece of property that Mike wants.

AR: But not the one next to yeah, the one from the previous studies.

HR: *Pau* already, that's sold, they no can touch that.

AR: They no can touch that. Okay, they can make a park there. It's okay if they make a park there.

HR: What they did was, you see these two separate parcels? One of these is sold to five or six people, the other side was going to be sold to five or six people, that didn't work out because something was happening behind the scenes with the county. So a mainland corporation bought the other part. So now the county has to deal with that mainland corporation where the land was not subdivided. And then too, Foley wants a park, but the compromise was that they going move all these lots back one hundred fifty feet so we could have a park on the ocean side, one hundred fifty foot strip like that. Foley don't want that, Foley wants all.

AR: Okay.

HR: Well he's going to have to buy that from the corporation now so we, the tax payers going end up buying that piece of property, but I think Alan Arakawa has other plans. But, Auntie Patty wants that because she wants her cultural center, so now with Auntie Patty involved maybe we have stronger chance of getting it.

AR: Mhmm.

TLG: And then they want to put another beach park right here.

HR: Right next to that nice house.

AR: How can they put a park there when get all that *iwi*.

HR: More *makai* I guess. Or that *iwi* going be a part of the park and landscape it.

AR: The *iwi* is all over you know. It's not only situated in that one spot, I went with them you know those people (Xamanek Researches).

AR: I really don't care you know, cause they far away from us (laughing). I really don't care ... they far away from us! And I know for a fact not going have a park in front of us. No way. The park's going be right after the church yeah? Right between the church and the...

HR: Mile 14.

AR: Get that ... I claim it's a stream. I claim it's a stream. I will always, always, always, as long as I live, I will claim it was a stream. Right next to our church. So they can't ...

HR: It is a stream, the more that I go around up there, I coming down that side I can see the topography, the way that thing runs.

AR: A lot of people don't believe me. They tell me "No!" I say I know it's a stream, I used to play in there. How can they tell me it's not a stream. So we know they cannot build anything right next door to us, it's gonna be open yeah? They could put some kind of youth camp if they want.

HR: They going move Camp PECUSA over there.

AR: Maybe. On the opposite of the stream.

HR: And then not going have this highway, so then Camp PECUSA and our people can walk to the beach easily.

AR: Yeah, it's okay. Just put the highway up here (*mauka* of the current housing), I want the highway up here, that's it period, no buts. Oh there's the highway here.

TLG: Yeah this is the highway up here, showing for this project.

AR: That is the highway up there right? That means the poles going be up here, those gentlemen estates already sold right? Some of them. Over here they plan to put affordable housing right? Behind us.

HR: Regular housing.

AR: So not affordable, regular. Okay.

HR: No but that deal's off. That high-density homes right there? That's off already.

AR: Well I don't want that behind me.

HR: I put a stop to it, it's over, they not gonna do that.

AR: Between us and the (Olowalu General) store, going have homes right? Or it's gonna be town whatever.

HR: The town going be where Applegate committed to.

AR: The place by Applegate's place, get over there, that place is, that place is a low area yeah? Flooding, flood area. Okay. It's okay if they do whatever they plan because they gonna be away from us. Okay.

TLG: What about possible impact on the resources? Do you see any...?

AR: There reef that side over there yeah? Hekili Point.

HR: That's where we get our food resources.

AR: Fish and used to have *limu* there, whether or not we can put *limu* back there, I don't know. Maybe we can replant. I don't mind doing that, go replant *limu*. And see that people don't go and pick up more than they're supposed to.

HR: Or break off at the roots.

AR: Yeah, gotta watch that. Once in a while, Hinano said get *owai'iote* in front of our place so maybe we can plant *owai'iote*. We can do that. Take care of our area, put *limu* in the ocean.

HR: We would prefer to see an undeveloped park. Lands set aside for park that's undeveloped.

AR: Yeah, I want it just like this.

HR: Yeah, just set aside for no building, but stay as-is. Maybe, even, restrooms you know maybe people want to go camping. Low-key kind of stuff, not like Launiupoko on Saturdays and Sundays.

AR: I rather not have camping, keep the beach clean. They only come for the day and go home.

HR: Well, can do that to.

AR: They can camp where they camping now. Fine. Let everybody camp alongside Ukumehame where they want their park. That's fine. We really don't need that much park. Whose gonna take care of that place? Keep the places as-is.

HR: Another thing to, the developer, Frampton them, are willing to build parks here and small parks. The parks aren't for the general public, I mean the general public can come because you can't make it illegal right, but for the people that live here. And the people that live here are the ones that are going to pay for it, it's going to be a part of their homeowners association and maintenance. But again, Foley don't want that. Foley wants a park for the general public.

So natural resources, we prefer, we don't mind land being set aside for the future, no development due to natural resources.

TLG: Are there any ceremonial issues that might be a concern?

HR: Well, it's sort of selfish, but when I go out on my kayak it's for meditation purposes. We actually stay out there and look at the mountains. So it's that kind of, it's me you know.

AR: Meditation, healing ...

HR: It's a more spiritual kind of thing. I don't want to go out there with sixty people and their kayaks.

AR: In fact they had talked about that at that Olowalu Town, about the canoes and all that. No I don't want them around here. Go Awalua. Peace and quiet you need that you know, that's what the ocean is all about.

HR: You can have Mile 14. Yeah Mile 14, they can fix that place up. Like those that's find but you gotta keep something for the local people.

AR: Yeah, and I don't like camping, I don't want people to camp, go camp. Enough camping over there. That's it. No, not in front of our place. Come, come for the day but go home! I don't mind being the one going to the beach and seeing that they keep our beach clean. I don't mind doing that, I'm willing to do that.

HR: I was thinking about putting a sign out there. I call that my private beach. Put a sign, please take home your rubbish. What makes them think you can put rubbish in a plastic bag and hang it on the tree.

AR: They think somebody going pick it up and throw it away.

HR: You know, gotta put a sign, please take home your rubbish.

TLG: Even down there sometimes, because it's nice and calm yeah, a good place to take my children to the ocean you know, it's just perfect, and oh man! Even they provide trash cans but they don't empty them.

AR: That's the best place to take your children, guaranteed, no drowning. Guaranteed that place, if you know where I talking about. It's guaranteed that the children cannot drown there, because the ocean is always low. Even with high tide it comes to your knee, no more. So if you keep an eye on your child, they not going drown. I never heard any child drowning over there.

HR: And then too, it doesn't have a shelf. It doesn't drop.

AR: Yeah, you can go out all the way and it's still low. That's where I take all my grandchildren to swim, right over there, that's the best place. We always did go there. Did you ever tell her when you folks were growing up going across the street?

HR: No, she going think, child abuse!

AR: Oh you see that!

HR: We were only like five or six and we were swimming over there un-chaperoned. But nobody drowned! Nobody drowned! You know how to conduct yourself in the ocean. Yeah, five or six. And these guys are in the yard over here.

AR: Talking story. They always tell me about, say I child abuse, I don't watch them, I don't go to the ocean and watch them.

TLG: You know what's funny is that when I was little and we used to swim in Makena ...

AR: Nobody was there, see?

TLG: But I cannot even imagine not going ... I don't know, I freak out.

AR: Now! Now.

TLG: Now. I don't know what it is about now.

AR: You know why, because the ocean changed, the beach changes. It changes, it changes now. It's not like before. I wasn't afraid for my children to go swimming by themselves across the street, it was nothing! I never thought of them drowning. But maybe somebody was watching my children, I don't know! I don't know how things...like that. No they not going drown. If not, my mom would have gotten after me and she never scolded me, she never tell me "Addie, get across that highway and go watch your children." She never told me that. Now we don't dare leave our children by themselves.

HR: Granny cannot say anything cause she let us swim with the sharks.

TLG: Shark bait!

AR: She had a (*inaudible*). No the sharks not going bother, baby sharks, what, what they going do, nothing. They had an area where the mother shark come in, get her babies, then go back out. That is why I don't want that kind around here. There is a beautiful place, you should take her over there and show her where it is, where the mother come in to get there ...

HR: Give birth.

AR: Give birth and then she go back out. That's why there's why get plenty small baby shark there.

HR: Oh we saw today.

AR: We don't tell people too much about it, because we don't want people to...because if we do, then what, going have hundred people over there. Those homeless people, they going find out, they going take notice of that. And the sand there is black, it's not light colored yeah? It's black ... I wouldn't say black, it's more like gray yeah? The sand, it's a different sand over there, from the rest of the ocean. That's where all the mothers come in.

TLG: We did, we saw two, at least two.

AR: Babies...

TLG: Yeah.

HR: And somebody was out there diving because I saw his floater.

AR: Yeah, your dad used to go every time. But they don't bite. My husband wasn't afraid of the shark. Eh, nothing that.

HR: More afraid of the *hihi manu*. The what you call?

AR: Oh, that's the ...

HR: The ray, the sting ray. That thing's scary. Huge. Get over there, and when you go swim, it's more big than half of the size of this room! Oh, the thing stay coming toward you, and not to attack.

AR: That's the kind that bring the fish in yeah? It brings the fish in.

TLG: Really?

HR: You know there's nowhere you can go, but it's not gonna harm you.

AR: That's some people's 'aumakua too you know. It brings the fish in for you.

TLG: And they kind of corral the fish?

AR: I don't know.

HR: They pushing the fish in, so you supposed to have your net ready and the fish go in the net. But you don't know when they coming in yeah?

AR: The people used to feed that, what you call that, the sting ray? They feed it.

TLG: Thank you so much for taking the time!

Mr. Vincent Ransom Hinano Rodrigues

Olowalu and Ukumehame Ahupua'a

July 2006

Mr. Rodrigues was interviewed on July 26, 2006 while on a field trip through Ukumehame and Olowalu Ahupua'a. Text in italics indicate the interviewer, Tanya L. Lee-Greig of Cultural Surveys Hawai'i, Inc. (CSH), while plain text indicates Mr. Rodrigues.

Can you tell me your whole (full) name?

My full name is Vincent Ransom Hinano Rodrigues.

You're a Ransom?

Yeah. Actually it was the name of my doctor. In the old days there was a doctor on Maui whose name was Ransom MacArthur and so my mom thought she would name me in honor of him. And my dad's name too, so I'm technically Vincent III. The name Hinano came from my grandmother who was born in Ukumehame, lived in Ukumehame and Olowalu.

And Hinano means?

Hinano is the male flower of the Hala tree? You know when you look at the Hala tree you see the white flower? That's what the Hinano is. So even though Hawaiian names don't have gender? Shouldn't have gender? With specific names like Hinano, it should be a male name because it is the male flower of the tree. But a lot people don't know that. There are a lot of women named Hinano. But generally there is no gender in Hawaiian names.

And your family's connection with this side of the island (Ukumehame and Olowalu)?

In the early 1800's, King Kamehameha I asked this chief, Kamakakehau, from Lāna'i to come to Maui because Kamehameha I wanted to raise cattle in Ukumehame. So he asked chief Kamakakehau to come to Maui to be his *konohiki* for the cattle in Ukumehame. So between 1800 and 1810, Kamakakehau moved to Ukumehame. Now we kind of fast forward, maybe about in the 1880's and we can find out the specific date because we can find out when the Catholic 50 year anniversary was on Maui, but there was this man who came from Lāna'i, his name was Kaa'e'a, he came from Lāna'i to attend the Catholic celebration in Lāhaina, and he came with his brothers Ioane and another brother called Na'ehu. The three brothers and the father Kekahuna, Kekahuna and his three sons Kaa'e'a, Na'ehu, and Ioane came to Maui to attend the 50th anniversary of Catholicism in Hawai'i, and there he met my *tutu* Ha'eha'e, my *tutu* Ha'eha'e is the granddaughter of that chief Kamakakehau. So he met her here, he fell in love with her, they all went back to Lāna'i and decided that they were all gonna move to Maui. So when they moved to Maui, they moved to Ukumehame where (*inaudible*).

So there is a Lāna'i connection, a very strong Lāna'i connection between Ukumehame and Lāna'i.

Yes!

So he, married Ha'eha'e granddaughter of chief Kamakakehau and they lived in Ukumehame. The other brother, the other brother Na'ehu, moved to Waihe'e. And remember I told you about

my cousin Van? That works in the office? That's her side. She comes from the Na'ehu, I come from the Kaae'a's, and then get one more brother his name is Ioane, that's another side of the Kekahuna's. We actually Kekahuna's, it's just that the brothers only took the first names yeah? Maybe you didn't have to have a surname back then.

That explains why so many, like the Kukahiko side, clan, they all have different kine names...Lu'uwai, Kuloloio...

Yeah, the Makena gang. You only took one name. And also, during your lifetime and even up to the mid-1800's Hawaiians changed their names often yeah? Say in your thirties you were known as Tanya. So your forties you said "Aw. You know what? I like the name Kalehua." So you were known (as Kalehua), so it changed so sometimes it's hard to do the genealogy.

Okay. So my mom, what she's doing isn't different or almost genetic...she's Carol, they know her as Carol-Marie, now she wants to be known as Ka'onohi.

Well half the people on Maui, they know me as Vincent, the other half know me as Hinano, and then on the mainland they know me as Vince but among my siblings they know me as Vino. So you know, I get all these names.

So were you born and raised Maui?

I was born in Wailuku, right at the Memorial Hospital. When I was born my grandma came to take me home. I didn't go home with my parents. At that time my grandfather was working for Kahului Railroad. So my grandparents lived close to where Jim Falk Motors is? Kanahā. They lived in Kanahā off of that Hana Highway. They lived there Monday through Friday, and on Friday they came to Olowalu to their Olowalu home. So I stayed with them, but my parents lived ... you know where Lower Main is? Lower Main and Mill Street? That intersection? Well there's a street called Ainahou and they lived in there. So every morning, my mom would come to Kahului to visit me and spend the whole day in Kahului and then in the evening go back to there home. I stayed with my grandparents for I think a few weeks and then I went home to stay with my parents. But every single holiday, every single weekend, every single vacation, I came to my grandparents, and that's how I know what I know today. My grandparents spoke Hawaiian until my grandfather died and then my grandma wouldn't talk Hawaiian until I came along and got older, then I could speak Hawaiian. But when my grandfather died, then my grandma moved to Olowalu.

That was going to be my next question, how did Olowalu come in?

They told her that because she was living in company housing in Kahului? She had to move out when her husband died. But that wasn't true, she could have stayed there for life. But since she had this home that they built in 1939 I think, she decided to move there.

Then when I lived with my grandmother like on the weekend and on the holidays and all that, every morning we would get up right before the sun rose and then we would walk from my grandmother's house ... where I live is and area call Kapaiki, it's set apart from the rest of Olowalu ... and we would walk from there to Ka Lae Hekili, that's Hekili Point, and we would get our food for the day. And it was always squid, the octopus, yeah? *He'e*, the *wana*, mixed with the raw *ula*, lobster, and then if we couldn't find anything, then we would have to eat the

loli, and she taught me how to prepare the *loli*. You take the small *loli*, not the big *loli*, the ugly one, the small one. You rub it on the stone to take off all the slime then you slice it up, and that's what we ate. Then by the time 7:30a came around we were on our way home already, walking home, because the sun was getting high.

How long would it take you to walk to and from...

Oh, 20 minutes. And what was so sad about it, and this might be relevant to the way that whole area is gonna change, is that the plantation told us that we couldn't walk on their road. We didn't have access in those days, there was no such thing as Native Hawaiian Rights. The plantation ran the entire area. And so we would have to walk and make sure that the plantation don't see us walking, or if the plantation saw us walking, it was somebody that she knew so that he wouldn't tell her to not trespass. We used to go hiking in Olowalu Valley and in Ukumehame Valley and the plantation said we couldn't walk on their road. So my grandma used to tell us then you folks have to walk in the river. So can you imagine walking in the river from the shore?

Oh my goodness!

Because she said nobody can own the river. But when Olowalu was, Olowalu and Ukumehame was sold, the new owners ... and I guess times had changed in Hawai'i by then yeah? They never stopped us from having access. In fact they kind of encouraged us, they would say "Go, go, no problem." ali'i

And is this Pioneer Mill?

Pioneer Mill.

Who were the owners? Just the ownership of Pioneer Mill switched around?

What happens was, actually it was Olowalu Sugar Company until 1930 or '31, and then Pioneer Mill bought out Olowalu Sugar Company, Pioneer Mill is AMFAC. In fact I'll show you the Olowalu Church ruins, you know the church burned down. My mom was born December 21, 1929 and right after that she was baptized at the church. Then maybe a couple of months, maybe was May of 1930, I'm not too sure, they were burning sugar cane? And the sparks got...and the roof burned. What happened was Olowalu Sugar Company said "Oh we're sorry. But what we can do is we'll give you guys the labor, you guys buy the material." And so we said "okay" or my grandparents said "okay" well that same year, or a few, within a twelve months of that, Olowalu Sugar Mill was bought out by Pioneer Mill, and Pioneer Mill said "There's no contract and there's no proof so we're not gonna build your church." and it stayed like that all these years. So church services were held in my grandparents' home and the old Olowalu teacher's cottage, I'll show you that, is still standing there. My mom was born in that place. But somebody bought the property, remodeled, and moved it in the back, but the actual building is still there. So this church was never rebuilt. However, my mom and I, are working, this year's project, the project for 2006, is to build a new chapel. A brand new building. We not gonna touch the historical site. We want to build a new church so that when you sit in church you actually look at it (the historic ruins).

I think that I saw some HABS photos of the Olowalu Church in the Library of Congress Archives, I think somebody did an architectural building survey for the church.

The church was founded in 1835 but the church, the actual building that we're gonna see was built in 1868, and what happened is that my *tutu* folks formed a human line from the church up the mountain, and then they passed the stones down to the church, then they went across the street and got the coral and ground the coral to make cement yeah? And they built the church.

A human line from the mountain to the site of the church which is almost by...

Yeah, by the ocean.

So those are all river rocks then, that the church is built of?

No, no, the kind of ... the black, I mean the red one. Now what happened to ... is another sad story, but it's pretty much out in the open on Maui now. But the actual church property, the church property now is two acres, the actual church property was two acres in the back of where it is today, and the plantation wanted the land in the back there to grow the sugar cane, so when it came time to draw the map ... what happened was the *ali'i* was the one who let the missionaries build churches yeah? But there was no true conveyance of property until the Territory of Hawai'i decided that they were gonna give all the churches their property and so they decided to draw the map and give the churches two acres. Well the plantation jumped in and said "Oh but no, we want the original two acres because we want to grow the sugar cane". So when they drew the map they shoved us two acres forward toward the ocean which left the graves in the back and they grew the sugar cane on our graves.

And that's what the Fredericksens found outside of the current church property?

Yeah, he went to go talk to my mom and my mom told him that story and he said we have to prove that, and so he asked my mom can I have permission to go dig. And she said "Yeah go, I'll show you where" and he dug. My understanding is that the second dig the backhoe hit the coffin already. So they stopped and said the story's gotta be true now. And so the new owners went and are giving us 1.5 acres in the back of the church. Now that is somewhat relevant with this new highway, that's relevant because the new highway might run into the church. You see the old highway is behind here you know.

Yeah the rough alignment...

Actually, the pavement itself was when I was growing up didn't have this many bushes, you could actually drive here and actually follow and see the highway going down. So my understanding is that when that new highway comes off of the *pali* they gonna go back here yeah?

They gonna follow the old alignment?

Right above the old road. I think they going at least 400 feet from here.

So then this, now I can get a better idea because they didn't show us, they just gave me a map and I was like okay what is this on the ground?

Yeah, and where we got off, I don't, can you see in the back of you? Oh you no can see the stone. You see the morning kayakers once in a while? There's a big stone there, okay when we come off the *pali* I can give you names, all these names changed, this is not this Ukumehame.

We sitting at Papalaua, and when you come off the *pali* where that kayakers are, that's called Pohakunui, because that's a big stone right there, Pohakunui.

Because they're calling this whole stretch Papalaua...

No, it's not. No, in fact Ukumehame Park that the county, no I'm sorry, the state, it's not Ukumehame Park, that's Pāko'a, they named that wrong. So each place has a different name.

So this here is Papalaua.

But back there is Pohakunui?

See the road there? This was all wetlands when I was a kid (indicating the lands *mauka* of the current highway in the area of the Old Government Road). You know the birds that were at Kanahā? They stay at Kanahā in the morning and in the afternoon they come over here, then they leave and go back to Kanahā. This place is called Alialia, it's got a different name.

Right across from "Ukumehame Park"?

And then this place is called Pāko'a. Pā meaning area, ko'a is the coral. There was coral all out here. It wasn't deep, it was shallow, and during the second world war the military came in and dynamited all the coral.

So all of the flats over here was all shallow? All coral?

Yeah. And this is where my great, we call her my great-grandma but she was actually my grand aunt cause Hawaiians *hanai*. My *tūtū* Kaulu *hanai* my grandmother and that became her mother, but they lived over there (Pāko'a), my, mom used to go over there.

They lived right along the shoreline?

Where the park is, right on the park.

Right on the park?

Yeah!

Was there just one family there?

No. I think maybe two or three. And right over here, where this road turns, get one grave underneath you know.

Right on this corner here (where the highway curves past Ukumehame Beach Park)?

Just one yeah, when they built it. And this um, we call it pine trees, but I'm more educated now I know it's ironwood (laughing), this is the Ukumehame Stream, okay this area is called Punahoa, yeah, there is a fresh water seep that comes out over here. You know what, you can stop anywhere here (after Ukumehame Stream).

So this is Ukumehame. Now let me tell you about that pine tree. You see my great-grandma was born blind, so she went to go see the *kahuna* up here whose name was Napaepae they're all born here. Not she, the father went to see Napaepae and said my daughter is blind can you fix her? And he said yeah okay, this is what I want you to do. You have to get ten items, nine herbs from up there (Ukumehame Valley), the tenth item is the fresh water by that ironwood tree. Because if

you go in the ocean, about six feet out, water coming from underneath, the fresh water. So you go over there, you get the fresh water. So the old...Napaepae said you gotta do this before the sun comes over Haleakalā. So the father went, the father – Kaae'a – went into the valley to go get the nine herbs, when he got his ninth herb, he said "Oh my gosh! I forgot the tenth item, the fresh water. So he looked at Haleakalā, the sun started to come up so he ran and ran and ran all the way down, he got here, it was too late the sun came over. So he went to the, Napaepae, the *kahuna la'au lapa'au*, and the *kahuna la'au lapa'au* said "Okay, you nevah follow my directions so I can only fix one eye" So my great-grandma could only see with one eye because he didn't do it before the sun came up.

Wow!

We went on a site visit (into Ukumehame Valley) because Hal and those guys did the original inventory survey for that and they opened up all that lo'i, so it's still active and going?

Yes. We're the first private property right after the state land and then there are two other families there, one is my cousin Paul Fujishiro, he's lower, and between him and us is the Lindseys. So the name changes over here, this place is called Ka'ili'ili (where the rocky beach begins after Ukumehame Stream), and look the ka'ili'ili over here, where the *mo'o* used to show herself over here.

The tide is really low today.

Oh two days ago it was really nice, I wanted to go out but I couldn't. And then over here changes the name now becomes Pākala.

And this is the popular snorkeling spot.

And this is called Mōpua.

This is Mōpua?

This is Mōpua, not where we are now (Pākala). Over here get lots of sharks yeah? I go kayaking out here.

When this place gets all put into parklands....

You can take a right here (just before the Olowalu General Store). This is called Kapāiki. This area, is these twelve homes here? Was always separated from the rest of Olowalu, and I'll tell you why. We had name our own road and I'll tell you why that. Because the the *ali'i* cannot live with the commoners, because then life cannot go on. He (Uncle Eddie) serves on the burial council.

He's not the Lahaina representative?

Yeah!

Yeah? Ke'eamoku and your uncle...Lahaina has two representatives?

Yeah. I don't think you want to go to Ukumehame with your car right?

No, can.

You like go?

Yeah!

We can go, cause I go with my Honda Pilot.

Oh that's what this is for.

We go den! I came home, I moved home for two reasons. I wanted to help my family with the taro patch, and to help my mom build the new church. She wants; she promised my grandfather she would build a new chapel before she died, she's 77.

(Arrived at Olowalu Church)

So the human line was formed from here all the way up to the mountain.

Can you guesstimate how many people that would have taken?

Olowalu and Ukumehame had a thousand each. When Captain Cook came, well we not sure (about the population) when Captain Cook came, we figure it was the same when the missionaries came. The missionaries wrote down 850 to 1000 in each of these *ahupua'a*.

Wow. Do you know if they were all, was it in the traditional ahupua'a style where there were people living mauka and people living permanently makai? Or did they live all throughout, just kind of seasonal?

You mean how they lived? No, no, had two lands. Even through my generation, cause look at us, we have our land over here (Olowalu), we have our taro patch, and we have our land here, and my grand-uncle's taro patch. So we were using the Olowalu before then switched to Ukumehame. Remember I told you how my great grandaunt lived by that park? Yeah, they were there during the day and then go back up to the taro patch at night or stay there two days and go up.

So the two acres was like about here (indicating the area behind the church) and these two acres back, the plantation took the back of the church and shoved us forward two acres. That's the old main road, the government road...

Oh, one that we drove on?

The dirt road? Was a government road, then it became a train track on the side, the train used to go and pick up the sugar cane. So they shoved us forward to use the back. And even thought the church was somewhat inactive for a few years, we still had all of our baptisms, our weddings, used to be all in this church.

Really? In this church?

Yeah. We clean out the church and decorate it. It's hard to keep up with the cleaning yeah? But this is all my *ohana*. All these people half of these people helped build.

For real?

Yeah! And the Kekahuna's, you know I told you about the three brothers, the Kekahuna brothers, one is up here. And we have the Ka'ahuis, we actually Ka'ahui, my family is Ka'ahui and Ho'olulu, and they're all over here. Their grand-daughter, chief Ha'eha'e's grand-daughter.

It looks like the church has been rebuilt a couple of times?

No. It's not, this is from 1868,

All these different construction styles...wow.

Yeah. We were thinking about rebuilding the church itself, but it's gonna cost us at least two million. So we thought, well we just keep this like this (the ruin) and we would build a new chapel, maybe for about a hundred feet going this way. You know at church services every Sunday, and there's about 17 regular members that come to church, we are all related...aunties and uncles and cousins!

Oh okay, I see it now, the cut stones

On the corners, you notice yeah the corners....

Is that the...those holes...

We wondered what it was, I think maybe ventilation.

Yeah, gotta be the wind blows off shore right? Or on shore?

Off shore.

So this is Catholic, this church?

No this is *Kalawina* (Protestant), United Church of Christ.

I'm surprised that they let the land, because usually the United Church of Christ, they're pretty on it about their (lands)...

Then we stopped using it, and then teen challenge, well they wanted this property, and back then our church membership dropped to about five and they out voted us. Now that would never happen today, but those days we didn't know any better. So what happened was teen challenge moved in and took over this place and we were stuck, we were thrown out. Then in 1995 we decided to open this church, but do it legally, file all the papers and everything, and we did, and then teen challenge left, and that's how we are back on this property. So we really had control of this place only for 11 years now. The United Church of Christ has a new program that they started in the 80's. The United Church of Christ created this entity called the Hawai'i Conference Foundation, the purpose of the Hawai'i Conference Foundation was to manage all of the church properties throughout the state. Well, in the 1980's they decided that what they are gonna do now is to convey the properties back to each individual church. Hawai'i Conference will no longer exist to manage properties. There are three churches in Hawai'i I think that don't have the deeds yet, and we're one of them. Hawai'i Conference hold the church, holds it in trust for us, but they gonna convey it back to each of the churches.

Oh...I'm understanding more, because my ohana is affiliated with Keawala'i Church in Makena, so they're kind of dealing with some issues on their own church grounds.

That's da kine, umm, Mrs. Ferrera, Eleanore, Eleanore Ferrera.

Okay, so now we're in the front. And so we're gonna probably build our church here.

So there are gravesites extending all the way back in the back, even where all the brush is cut-down. And the other thing is that looking at the Maui County Plan, you're thinking that the ...

Yeah they gonna have to...they have two separate plans for that new highway, they probably only gave you guys one of them, but the alignment is so close that it really doesn't matter. Our thing is that we insist that it has to go far beyond because then they're gonna hit our graves. But they have to do it anyway geographically speaking? This is a flood...this area floods. It shouldn't, but it floods once in a while, so yeah, they just probably will go higher.

Are there any concerns about when they put this area down into the parkway?

The parkway is really not here. It's further down. When we go to Ukumehame I'll show you where the parkway is. But you know that we're actually working with the Olowalu Developers. We're telling them what we want and what we don't want. One thing that we want and that's somewhat in keeping with what the county wants, is that we want them to close Camp PECUSA (Episcopalian Church in the United States of America) and move Camp PECUSA next to us. So that we have the Protestant Church property and then we have the Episcopalian next to each other. They open they're church retreat, we open up ours, and then we share. When we have an overload, our people go over there, and when they have an overload they come here. And so we work together, and so you have the two churches here and the two fellowship properties.

Is it just regular membership on this side? (Graveplots on the Ukumehame side of the church ruin)

Yeah. This is the Wai'ohus, I don't know if you know the Wai'ohus, they served on the burial council also.

So we're driving on the old highway?

Yeah, we're traveling on the old highway, in your maps it will say Old Government Road. And as we go up, I'll show where the new highway. The new highway is gonna go up maybe three hundred feet *mauka* of where we are. I'm quite sure that, okay first of all the property that the county acquired 100 acres, we're in the one hundred acres right now. But some of this property where we're driving on and a little bit inside is unclaimed *kuleanas*. (Inaudible)...Kealo'i and all these people. So the county may have bought some property that may have not had clear title. (inaudible)

Some of the LCAs show up on the TMK map, but those are not clear title?

Yeah, and it comes all the way down to the road.

That explains some of the LCAs that I saw on the other side where Ukumehame Beach Park is. Is that your great-uncle?

No my great-aunt, where they lived at that place over there? That wasn't their property. Up until they built this new highway in 1957, the territory never really bothered the people who lived here. You could go anywhere and if didn't own the land they never kicked you out. It's only until they built this that they got all territorial. All of this right there is a part of that 100-acre parcel. This, I know for a fact right here is my *tūtū* Kealo'i's place. And according to our oral history in our family, the Hawaiians left to go to Tahiti from here, from Ukumehame. And what they did is they waited until a certain time of the year when a star came up over this valley? Because one hill is called Hoku'ula, "red star" yeah? When the star came over that's when the turned faced and went down, Kealaikahiki is right there yeah? (On Kaho'olawe directly across the channel)

But I see now in the books it says Honua'ula yeah? When I was growing up, those weren't in the books, I mean them leaving from Honua'ula.

So you have voyagers in your ancestry?

We don't know. Maybe not...because I suffer from ocean sickness! (laughing) We all joke about that because I'm Hawaiian, Japanese, Portuguese, and in those three races we're all voyagers yeah?! We're ocean people! And yet I suffer from ocean sickness ... they tell me you wouldn't have lasted in those days!

You see that reddish part of the mountain, where you guys call it the eagle? Like the eagle on the back of the quarter? You probably too young for that. Oh you remember?

No I don't remember.

Okay, see from the highway, it looks like the back of a quarter in the shape of eagles wings, that's called Hale Pohaku, it has a name itself.

And Hoku'ula is?

Hoku'ula is on the right. Okay, you see this leg going up? It goes to the right, right? And then right to the left, the one that's in the back, that's Hoku'ula, this hill is called Hana'ula.

Hana'ula? Work?

I don't know what the *hana* is, but also there is another Hana'ula in Hāna yeah? The placenames are all over in the islands.

I'm so happy you're telling me the correct placenames because that's so important all these names have been changed around.

You can stop right here. I'll tell you our family stories. You know when they came from Wailuku? You know the original track, the original trail from Wailuku was through Iao and then come out Olowalu? People never really traveled this coast. The old trail came right through the island, right through and came in Olowalu. If you go, it goes from Waikapu and you come out into Ukumehame, that's the other trail. But if you wanted to not go into the valley, you know where Papawai? They call that MacGregors Point? That's really Papawai, they changed that name. you come up from Papawai and you follow the mountain, come all the way up, and then you come down the mountain into Ukumehame. You never walked the coast, because the coast was too hot. When you hit one certain level up here it's real cool and nice, and you just, and then you come down here and then you finish up going to Lahaina. That was the original trail. And that's the story that we're always told, I could not ever prove that yeah? But you can prove it now, because there's the petroglyphs? There's a whole line, and the petroglyphs always marked the trail, so it, my grandma said it's now true because that's where they came down, following the petroglyphs.

Have you ever gone to the back, back of the valley to see?

No, I went hiking about four years ago, and we went to a certain point. If you go into the valley it's gonna do a "Y", it's gonna fork, and then you gotta go left because the right side is short. You go another half and hour, and there's a house site, yeah off of that, with all the taro patches

and everything. Really, really nice. And then we stopped there because there were older people in my group. That's my mom, she was 72 when she went! So I didn't want to go further than that. So I keep telling her, "Oh you want to turn around?" and she said "No! I not going be the one who's gonna say turn around!" So we gonna go again, my brother, and my younger brother wants to go. He and I and my sister went about three weeks ago but we didn't go up, all the way up. This is one of the sites.

That's the graves?

The graves.

This is Lindsey right?

Ok. Umm no. It's not the Lindseys. The burial council made a mistake. The Lindseys claimed it was theirs. And I'll tell you how they did that. The Lindseys listened to my grand uncle John Ka'aia, and to my cousin Paul Fujishiro that lived over here. Both of them told the Lindseys a story about this man coming here, the man's name was Keola, his last name was Keola. When he came here, he said, "I'm here to visit my father's grave" right here (indicating the gravesite). So the Lindseys assumed that he came to visit Keola's grave. It wasn't. He came to visit his stepfather's grave, his father died, his parents divorced, the father moved to O'ahu, so the mother married my family, Ka'one. He came to visit old man Ka'one's grave. So the Lindseys thought it was theirs, the Keolas' graves but it's Ka'one. So my mom took the matter to the burial council and she called her cousin, my cousin, Alfred Na'one, and so Alfred, "Alfred where your grandfather buried?" Alfred said, "Over here." (indicating the gravesite at the mouth of Ukumehame Gulch) It's the Ka'one's grave it's not the Lindsey's grave,

So did all that get worked out?

No. The burial council gave the Lindsey's lineal because they were embarrassed that they listened to the wrong info.

Because that's what I read in the minutes ...

No. So the Lindsey's put up a sign that said Lindsey's Cemetery. So we went and put another sign, we didn't take their sign down, we put another sign up that says "Ka'one Cemetery". They ripped our sign off, well we don't know if it was them...

So you see the *heiau* wall? The petroglyphs are along that too. And then the *heiau* comes all the way down here. As we go on you're gonna see a hollow tile style watering thing. Right above that is, remember I told you about the three brothers that came, one of them is Kaae'a, that's my family, is buried inside the *heiau*. Four burials in there, at least four.

So he's in that heiau, what about this (heiau on the left side of the gulch)...

This when we come back I'll show you this smaller one. But this smaller one, my great, great-grandfather Ka'ahui insists that it's not a *heiau*. And it's in the book, where he says it's not, in that *Sites of Maui*? He says it's not, but I don't know, he could be lying too yeah? You know Hawaiians they don't tell you things straight yeah? They go in a round-about way yeah?

Do you know my cousin Paul Fujishiro? He lives here but that's not his property. This is called the Fujishiro property, but Mrs. Fujishiro was Hawaiian. Lily? That grave you saw (at the

Olowalu Church Cemetery). This is her's. Umm. Given to her by her grandma, which is the granddaughter of Chief Kamakakehau yeah? We all have share in here, it's so big, it's like 200 people already so you know we don't know what to do. But in as much as our family owns this place? We could never go on this property, it was *kapu*. And we never figured out why until maybe 10 years ago. Then we figure "Oh no wonder...because she was the granddaughter of Chief Kamakakehau that's why couldn't enter on to this property. But it's right here.

He has a pig farm over there?

No. Pau already, that only lasted two years.

And then this water, what are the water rights like?

The double *lua wai*? This is a double *lua wai* that they built. See even Ha'eha'e that lived over there? My *tūtū* Ha'eha'e, her house was on this, never have this *lua wai*, she had a huge white and green house and her house was the visiting house. When people traveled from the other side of the island, everybody stayed with her because she was the granddaughter of Chief Kamakakehau, it was her duty to provide hospitality to people who traveled. So they all stayed in that house. Then when they dug, when she died, the plantation "acquired", I don't know how, that *lua wai*.

This is the taro patch for the Lindseys (past the double *lua wai*). The Lindseys are growing taro here, and I'll tell you later on how they ended up down here.

Oh, so I'm going straight?

Yeah. Umm the water rights?

Yeah...how do the water rights work?

Politically it's okay, because one thing they not gonna do force Hawaiians now days when it comes to water rights, so we have enough water for our taro. But before, no, that's why my great-grandparents left during the Second World War because the plantation took all the water for themselves. They used to turn off the water and my *tūtū* Kahu (?) the one lived down the beach would come up here and her taro all dry and she would cry and cry and cry.

Oh that's sad!

This is the old *auwai*.

How do the water issues work now with the U.S. because on the mainland, it's all government property right? The waterways? But in Hawai'i it's a little different?

In the mainland and Hawai'i, it's under the same law and riparian rights and that the water actually, the water runs with the land, and Hawai'i kind of adopted the same thing cause the (inaudible) so we did it that way. But there was time period for 40 or 50 years where the plantations wanted to separate water rights. The plantations were taking the land not strictly for the land you know. You gotta understand that they wanted the water rights. Water in Hawai'i was always worth more than the land itself. People don't know that, they just think of land ... and that's what they wanted to do. But you guys had passed, I mean not you guys, but Hawai'i

had passed a water code, and in the water code they prioritized water usage, well did you know that taro is way above domestic?

Really?

Yeah. You can pull over here (across the bridge from their family taro patch).

We have a flushing toilet, my dad dug a toilet house and built a cesspool, put in a 55 gallon drum so we can have a flushing....Then I put my shower over there so you can like live up here.

This is nice!

A few years ago...(19)90 up until 2003, you see all this, this is *lo'i* too. What we have here? This isn't what it was like in January. Remember I told you I came home to do these things? Well three years ago we had the taro blight problem, so my family stopped to let that organism die off? And so it turned to look like that (overgrown), so since January we cleaned all these *lo'i* and we started to replant again. Then there's another 16 *lo'i*, this whole area is about two acres of *lo'i* actually and so what we doing is we cleaning a little bit as we go down. Now the Lindseys. When we started to open this up, the Lindseys had asked if they could open up one *lo'i*. My mom called, you know I lived on the mainland for a few years, so she called me and I said "Yeah why not." Well this one turned to 15 all of a sudden, and then, our *auwai* is not designed to feed 21 *lo'i* for water, so now the water fight started between us and them. So eventually they left here, and where we saw down there (next to the *lua wai*), ironically, where they are now, that land belonged to my *tūtū* Kealo'i, *tūtū* Kealo'i's daughter is the granddaughter of Chief Kamakakehau. So anyway, we opened this up and the first *lo'i* is my aunty Connie, you know like Mango Café, Giovanni's, that's my aunty Connie owns those restaurants. She's Hawaiian she's married to a *haole* guy named Applegate, that's hers. This is my dad (next one down), this is me and my mom, then my aunty TK, then the guy named Foster? He's over there (at the end)

Is he ohana?

From the Kekahunas. Way back, 1820s, he's related to us. Neat yeah up here?

It's so nice!

Yeah. That's my cousin, she lives in North Carolina, Uncle Eddie's daughter, with his third wife.

So all of this was pretty much here then? The rock facing the lo'i terrace facing and all of that?

Yeah. This is my mom's life. My mom used to come up, my grandma, the one that lives in Olowalu, like me when she was born, my *tūtū* Kaulu (?) picked her up and brought her over here. The hose up by the tree, and she stayed here from 1908. So we were working this place at least 1908.

Pretty much then continuously from before contact?

Our agreement was when we grow, we would sell it back to them for their poi factory. But this time, our *huli* came, half came from Kaua'i. So now we don't have that obligation. So it's gonna be only for us. I don't know if you know John Mahi. John Mahi came and asked me if he could have taro for his *kulolo*, John Mahi makes *kulolo* yeah now.

Is he the Mahi that's now in Kula? Does he have homestead up in Kula?

You know? I'm not too sure, he had at Paukukalo but he went lose em to my other cousin Kekona. But the Mahis are from Iao Valley yeah?

(on the way out of the valley)

So this is another *heiau*, actually the *heiau* that is across the gulch is Heki'i? I see it in the books as Hiki'i but when I was growing up it was Heki'i so I just say it as Heki'i but I not to sure now, and this one to our right is what they call Ukumehame Heiau, we know it as Aweoweo Heiau. Because this area down here is Aweoweo also. Anyway, when the electric company installed the poles? The *heiau* supposedly came all the way out here (toward the dirt road) but they built the road, so they destroyed a third of it to build the road to go up. So now the new developers for Olowalu are gonna put in a water tank here and so the question was whether or not they were gonna utilize this existing road that damaged the *heiau* or build a brand new road on the Lahaina side so as not to further damage the *heiau*. But according to my great, great-grandfather Ka'ahui, and he's quoted in *Sites of Maui*, he says no, it's not a *heiau*. So I don't know.

Look at this view up here.

So there's also that story about, who was it, Alapa'i? Some, there was the of course all along here warfare, but he stopped the rivers from running?

Yeah, that is Kaua'ula and Launiupoko.

Okay, I'm getting my valleys mixed up.

Yeah, well what they did was because they did it at Kaua'ula and Launiupoko, they watched Olowalu and Ukumehame. But he never stopped the waters here.

I'm trying to imagine when you see thousands or hundreds of war canoes coming...

Fantastic yeah?

Unreal...

You know what would give you an image of what it would have been like? I don't know if you guys still got it here cause I've been away for awhile. Canoe races? I've seen it, I've seen canoe races here, and all of the canoes, so if you think that is fantastic can you imagine what it might have looked like before. Used drive on the *pali* and see all the canoes going by paddling, it's terrific.

You see how where we live, there's the cove, that's where we think that the Olowalu Massacre occurred. People today think that it actually occurred at Awalua, Awalua is the surfing area. I don't think so, I still think it's over there (on the Ukumehame side of Olowalu).

It's calmer...

It makes more sense yeah?

I mean it makes more sense.

Yeah, and that's where the *ali'i* lived, yeah? So that's where they would come to where the *ali'i* was and they came to look for Kaopuiki. And of course at one of these sites here you see the *iwi* that Erik (Fredericksen) them found. It's right past that (cove).

I was thinking of that when I read that report, about the massacre, and if they noticed anything different, or recognized...so the main concern with the parkway issue is the unresolved, in that section the unresolved (kuleanas)

Yeah, yeah, there's probably about three or four. And I'll show you just about where we think, based on the map, where we think the road is gonna go. You do realize that there is talk about maybe not even moving the road. Utilizing that dirt road that we were traveling on as the other two lanes? Yeah. And you notice how it runs in front of our house?

Yeah!

And we already told Mike Foley and the county that don't event think you guys are gonna do that, because you are gonna see the biggest fight that you ever seen on this island.

That's the thing I was wondering about with concerns to Olowalu especially because there's a lot of families that live...

And we've been there for at least 100 years. Why should we have to sacrifice for everyone else, you know, we've been there. Why do we have to...because they would probably have to condemn our property or build a sound wall. We don't want a sound wall!

Then how do you deal with the traffic issues?

You know it takes 15 minutes to turn left when you come out of my house, when I have to go to work every morning? But you know what, I'm at the point not where I just go! I just go! Everybody gotta stop, I just go! I can't wait any longer. But yeah, we found out that that might be one option.

We 100% percent (support the parkway and public use). But if they talking about using *makai* of the highway for exclusive homes? Then we're against it.

Was there any indication that that was gonna happen?

Yes. We truly, we can understand following the route here (the stretch between Ukumehame and the homes at Olowalu [Kapaiki]), because there's nothing *makai* of here, because nothing has been built yet. But Olowalu, the land has been sold, so we believe in fairness and if those people bout the land then they have the right to put a house there. But not where there's nothing yet.

Do you see any impact to the resources at all, if it does go into a parkway?

For recreational purposes? Not much of an impact, but for people like us who actually go to the beach to gather things? Definitely. And if you look at where mile 14, where the tourists are? That's where we used to go fishing, with the spear, not anymore because there's nothing unless you go out a mile and a half. Because there's that impact. In fact, that is one reason why we want Camp PECUSA to move too. Because people, the Maui people, go there to fish yeah at night? They used to fish there at Camp PECUSA. Recreational use of the ocean is not really very Hawaiian? For us it's subsistence. You see these houses in the center (at Kapaiki)? That house was actually located right up here where the patio chair is (closer toward the road). That house was the Olowalu School teachers' cottage, that's what my mom was born in. That house.

That house? Wow!

Because her great-grandfather, William Ho'opi'i was a school teacher and principal for Olowalu Schools. So when my grandparents first got married they moved into that house with my grandfather's dad. There's an old picture of that, so that was over here, and right next to over here, that was my grandma's place right next here. So my grandmother's older siblings are in here (referring to a picture of the school house) and I think this is William Ho'opi'i the teacher. But it was my hanai great-grandfather, in that he adopted, he hanai my grandfather, we were actually related anyway, but he adopted my grandfather.

But he hanai in the true Hawaiian sense?

Yeah. And he sent my grandfather to Lahainaluna. This is it. Now I'm gonna tell you something Tanya and I hope that thing is going... This is a fishpond (indicating a depression in front of the former location of the school teachers' cottage between the Old Government Road and the current highway alignment)

Oh!

This is a fishpond and here is the evidence (indicating a historic photograph of the school teachers' cottage showing a fishpond fronting the cottage). That's the pond right here. When they built that highway, they raised it, the water cannot come in. Then the plantation went and put boulders in this thing to cover it up. So no road can come over here because we have this fishpond. The new owners asked us if they wanted them, when they begin to develop, if we want them to open it up for us. When the new highway comes in? This highway here (along the coastline) goes. Do you know where mile 14 is?

Yeah.

Then it goes *mauka*. So from mile 14 all the way to over here (Kapaiki) no more this highway. So they said, "Do you want us dig the old highway out again and revert to what it used to be?" Nobody knows about the fishpond.

Is this one on the...

On Erik's one (insert Xamanek reference).

So he looked at it as...

Pond...

Is this the right name?

Yeah.

(referring to Xamanek study) Ka Loko O...

Because this is Kapaiki. Kapaiki begins on this property right here (begin at the location of the teachers' cottage?) and then when go down that way I'll show you it goes to the Rodrigues we have another neighbor with the same last name but we not related, and that's Kapaiki, it goes like that.

Oh okay...

And that's the pond.

That's the pond, so all of this was kind of drained out? Where all this, this is all paved?

Well they when in and put boulders in so the land was raised, then they went in and built this highway.

Oh my gosh!

I know, sad yeah? And before in those days, when you couldn't say anything, because the Big Five ran the state, so you'd complain to Pioneer Mill you think you can go get one job somewhere else, it ain't gonna happen.

And this is, this fishpond, obviously since Kapaiki...was the ali'i...

Yeah, Kalola.

You would never know! You would never know unless you go with somebody who knows...

So this is my grandma's house, this is where I grew up, this is where my parents built their home, so it went one, two, and one third house over here up to this gate. This house was built in 1930 (older plantation home)...

And this is still in your ohana?

Yeah, my youngest aunty. My mom's youngest sister is moving in so we stay remodeling or renovating the house. New wires...Try stop, get one more picture I want to show you. Okay so we're in Kapaiki.

Kapaiki

Yeah, and it means "the small enclosure", that's how it began with that first house. The delineation, how it shows in the older maps...

So in Hawaiian legal terms it would be considered...

I think an 'ili. You notice where it says Mōpua? You know that *mō* is a variation of the word *mo'o*? and *mo'o* is the smaller land division? So I think that's why it's Mōpua and this is where Kapaiki began, what goes beyond this I have no idea. Now to our left (looking toward the ocean from the old government road) is this huge home? Okay this is the old Saint Joseph's Church property here, with the graveyard. They didn't move all of the graves out, because the people who rent this place? This is a vacation rental now. Claimed that they see kids peeking in the window, but there's no kids around here, everybody's grown up. There's Camp PECUSA, Camp PECUSA is haunted, we used to go there all the time.

They have the burial ground....

Yeah, right there, but the grave yard extended to under Camp PECUSA also. This road was just made (the road going *mauka* at Olowalu), I run this thing in the evening. I'm thinking about in-line.

That would be fun!

You have *kuleanas* right up here on the older maps. There's three homes here right now.

(Going mauka toward the large heiau at Olowalu)

These homes, are they apart of the greater Olowalu development or...

No. What Olowalu did was it sold, I think it sold 21 lots, and then it reserved for themselves the rest of the property and that's what they're gonna develop. So all these guys have, these are the larger lots. What's in front of us, on the other side, have you ever been to the Olowalu petroglyphs?

I have...

That's what's on the other side. On the top (of the cinder cone) is graves, the Naho'oikaika Family buried their people on the top.

Is there a name for this?

This is called Pu'u Kīlea. So cool yeah when you run this, because you can go high intensity – low intensity and the road (inaudible) it's like the perfect treadmill.

And so the *heiau* up here, when I was growing up, was called Ka'iwaloa, and now I see it in the books, it's Kawailoa or Kawaialoa, I don't know if it's a transposition error. The reason I say it's Ka'iwaloa is my grandma said it's Ka'iwaloa because the 'iwa bird used to fly up here all the time. In fact, during my lifetime, the 'iwa birds were still here.

The views from here are amazing!

I know! So when you look down, you kinda think, what did my *kūpuna* see? Yeah? We used to play up here.

So did, were there large schools of fish that ran and you could see them from up here...

Yes! Yeah! *Opelu!* This is the *opelu* ground in front of our house. This is the Ka'iwaloa Heiau. It's a *luakini* type *heiau* based on the design.

These people no scared? (Referring to homes in front of and behind the heiau)

They going find out.

Hear the drums at night...

Yeah! And get! My mom has...

She hears?!

She's the first one, I haven't heard it, she has heard it many times. She says it's the same beat. And all night. The same thing.

Right at the mouth of the valley too...

And Ke'eumoku says that after all these *heiaus*, then the next one, so after they leave, they go to the next one. That's how they gonna walk right to the site

How's these doors, are they all aligned?

Neat yeah?

Straight down! That's why I said, they don't even know, that thing going right down...we get night marchers up here. About the 28th of every night, of every month.

His doors are like...they going walk right through.

I know, hey ... you no like listen...well.

What about access? The development is pretty good about access?

110% access for us.

Right on!

They're trying to make amends for what had happen in the last 100 years. So they're involving us in everything and what ever we ask for. Even today.

So I read something about an Olowalu Preserve Area. Is that still happening?

Yeah. In fact, it has to because there is no way that they're gonna get their development rights without the preserve area. The preserve area is from here. This is the valley right? From the valley and then it's like 150 feet from the center of the stream going out. So it's like a corridor. It goes from here, the widest, and it goes straight down to the ocean. That's an agreement that cannot be rescinded; it has to be (in effect). According to the developers, the Olowalu Stream actually came out Pu'u Kīlea and came this way and opened up at Camp PECUSA. That's what they claim, you know, that the plantation had re-, had diverted the water. I'm not too sure about that, I insist that what they see as a stream bed here, is a dry stream bed from up here (smaller erosion gullies along the mountain side). The water goes down. Because when I was growing up, whenever it rained, the water did come down and go across the highway down into where they say it was but it's really a dry stream bed. They had put together a group of people, to be the members of the Olowalu Preserve area. One was Rosemary, one was Hokulani Padilla, Al Lagunero and all these other people, but they haven't made much progress in it so I don't know if they gonna rename people to that. What upset us in Olowalu was that not one member of that group...

Was from...(Olowalu)

Yeah. So you can see the road that goes to the top of that (*pu'u*) and that's where that graves are.

And they still maintain...

Yup! In fact, my mom's cousin died about five or six years ago, and they keep her ashes up there. The family came from Honolulu. You know any of the Marks family? There's an old family in the back of Nu'uaniu by the name of Marks...anyway her daughter.

You know that story that you told about when the Lehua blossoms turn red?

Yeah up here in Lihau...

And then the waters

You see where the waves breaking, the first set on the left?

Yeah.

That's Ka Lae Heki'i. So you see up here, you can see the dark clouds and then come all the way down here (down the ridge of the mountain side to the left of the valley) that's the real Lihau, that spot Lihau.

And so they did a straight shot that way? Like that?

Yeah, and so the *lehua* the *lehua* flower on that reflected down into the ocean.

Is that what cause the red? Is that what they say?

Yeah, I've never seen it in my lifetime, I don't even know if there's *lehua* left up there. But yeah, that was the purpose of that naming, because that's what used to happen. That school teacher? That's his story yeah?

And the water reflected the red. Pretty neat story.

Now, Lihau is on this side (to the left of the valley looking *mauka*), but there's also stories where Lihau is on this side (to the right of the valley). Lihau was a person, but because get two different Lihaus yeah, that's Lihau (to the left) and like Hoku'ula, this is Lihau'ula (to the right). Lihau'ula is on this side. Anyway she was a woman, and it's in Hawaiian mythology where somehow Pele got involved, and even in the travels of Pele, Pele talks about living in Lihau, in Olowalu, but anyway, what Pele did was change this woman into a mountain and that was Lihau. Two people turned into mountains, one is Lihau, and one is what they say is E'eke, today they say Mount Eke? Actually it's E'eke, that was the male and this is the female. Of course the topography changed a little bit? But when you go out on a kayak, and you look at the mountain, you see a woman lying down, you see her face, you see her nose, you see her breast, and then you see one knee is up and then her leg comes down this way and that's the story of Lihau, that's what my grandmother says.

Of course, this is the route to go into Wailuku, this is how they went through, that's why you have the petroglyphs.

Oh down in there.

And the stories about going through the valley, there are written accounts by the missionaries, they talk about going through the valley.

And this comes out at Iao?

Yep. Ukumehame comes out Waikapu.

And then there's ...There is traditional trails from the back of the valleys going down...

Coming down here.

Coming down, following the river then.

The next one is Launiupoko. This is all shark grounds. The shark ate the lady yeah? You see the two trees, Norfolk Pine? That's where it was. Actually sharks start with Awalua and it comes right around. We thought that there were lots of sharks in Olowalu because the fishing boats, the *aku* boats? They would clean the fish on the boat and they used to throw it at Awalua, all the *palu*, at Awalua. But that has stopped for like 25 years...

And still?

Yeah!

That's why when I go out in the kayak, where have heads of coral? Because if the shark comes, at least I know I can go on to that coral. I not going test it. I know that's my *aumakua* but I am not going to test it.

That, and how you know that particular one? You know? People always tell me, "you don't know if that particular one (shark) is your aumakua."

I know what to do. You know Foster? He keeps wanting to go kayaking with me and I say "No!" I have a double one too. I say "No, I no like you because of the shark come you going panic and we going *huli* and then when you *huli* over you gotta be in shape to get back on and you not in shape you know!" "Why should I fall in the water with you?" But my mom went kayaking, she said she see the shark underneath.

Tigers? Reef Sharks?

Reef. I know lots of hammerheads, that's why I don't like to walk at Cam PECUSA, walk in the water because they all in the sand yeah?

The lady from over there, it was a tiger right that took her?

Yeah. And they saw it you know. They saw the shadow move on the bottom because her friend survived it yeah? Remember had two yeah? Her friend was telling the story later on, they saw the shadow move but they didn't go back in, they stayed there. I don't know. Just think 200 years ago what would be there?

So was all this pre-contact lo'i all the way down or just along the stream bed.

From my understanding it was just along the stream bed. But we have maps where go *lo'i* were we are, above us? There's *lo'i* over there. Ukumehame was know as a place where the *lo'i* came down to the ocean yeah? One of the few places in Hawai'i where the *lo'i* is *mauka* to *makai*. You know where the ironwood trees are? That was *lo'i*!

Yeah?!

Yeah. That was *lo'i*. Right there, right on the beach, that was *lo'i*.

Wow, the plantation sure did a job on the landscape.

Pretty neat yeah? I read somewhere that actually *heiau*, though it's *luakini* it can change it's character later on, becomes another kind of *heiau*. I know there was one short period in history that Ka'ahumanu said that all *heiau* will be *pu'uhonua*. You know? So it does change. We use to play up here and we never knew what this was. Only when we go home, then we get scoldings yeah.

If you look at the design (highway), no matter whose design it was the county or the three state, or Olowalu Elua's design, they all show the highway being close to the ocean, and then at mile 14 start to come up. It's starts to climb up, and then it goes straight across, then when it gets to the rubbish dump it goes back down again, because they have the same problem with the bridge on that side.

So that's why it does that (goes close to the original alignment near Olowalu Town)

Yeah.

And all in front of here, it's all opelu ground?

Yeah, *opelu* and *o'io*. Actually, and I don't know where it is, but my cousins know, they know yeah? They used to have one small boat across the street that they used to leave, and the mother used to go, my Auntie Nani used to go out. I don't know where it is. I heard it's still there, you can still go get *opelu* and *o'io*. But they look at the mountain yeah? There's *ko'a* up here and you align your triangle yeah? And that's when you know you stay over the hole where the fish stay.

You don't know where?

I don't know where. They no tell us! My relatives! They don't tell us (laughing). The triangle, they're one of the (points of) the triangle, get two more up the mountain.

But they can see from...

They know where it is.

So when you were younger, did they have hukilau and all of that in here?

No, not that kind of fishing. They go out with the skiff, and then they drop the net over the hole. There's a hole there. And there's the *o'io* and the *opelu*. Now we used to go *moemoe* net at the landing and at Ka'ili'ili..

It's so dry!

You wonder how they lived yeah?

That's the part about archaeology that I like, it's kind of fun and it kind of makes you in awe of your ancestors and what they were able to accomplish.

That's why, you remember when I said when I came home from the mainland. I know what Ukumehame looked like before. Then now I came home last year and I was so discouraged to see how the thing got over grown? But now we cleaned it up again, so I'm thinking wow, don't let yourself be fooled! You think it's so hard, but it's possible! And we using modern equipment, I'm using a gas tiller. Can you imagine my *tūtū*s with the *o'o*? Do you know who Marshall Sahlins is?

Yeah!

The anthropologist yeah. The main thing that I remember about him is that he says that whenever you view a culture, especially Polynesians, you must view them from their point of view, and not yours. So you think about it, wow, for us it looks like a difficult life, but for them maybe it wasn't you know?

You know, and the missionaries would say they (Hawaiians) were lazy and all this talk, but maybe it was too hot in the middle of the day!

Exactly! Right.

Yeah. And when we were growing up, we were only in the taro patch until ten! And then you come back at three o'clock. You would do the shade kind of things during the mid day. You want to go across to Camp PECUSA?

Yeah!

You gonna have a little bit of a hard time crossing that highway. I start here at about 6:15 from my house, and I do my run and my walk up, coming down at about 7:20, 7:30 it's all dark already. It's so, it's neat! Because it's like you only hear the rustling of the leaves and everything. You think it would be kind of spooky, but no, I know that my *tūtū*s are here so they not going let the *kolohe* kine stuff (happen).

So I cross here?

Yeah, my side's fine, I'll keep watching my side. You're still fine. You got lots of time...

Okay?

Yeah. You see where this is...where the concrete is (fronting the large vacation rental that is on the former St. Joseph Church property). That's State (property) you can come sit on this grass. So the state property comes all the way to here even at the cafeteria (Camp PECUSA), part of this cafeteria is on State land. But you see what they did? They went and bulldozed rubbish against that, so we no can walk from the beach. You gotta clear the path. But again, access no is different from before, so we get to walk here. So this house is on partial graves. And we know it's children, because the children come and peek in this window. And this is coming from *haoles* that rent the place and keep telling us that that's what they see you know?

So partial of this is the old St. Josephs cemetery, church cemetery?

They claimed that they had taken all the bodies out and moved them to Malia Lanakila in Lahaina? They missed a lot! There used to be an old house here and Uncle Eddie used to live here and rent the house. Neat yeah? All over here is all sharks yeah?

Has there been any ... since the aku boats finished, don't throw their palu over the side anymore, is there any idea about why?

Turtles, the turtles come in.

So this has been here for a very, very long time then (Camp PECUSA)?

From the (inaudible). It actually was being used by the Episcopalian Church, that's what Camp PECUSA stands for yeah? But they just re-did this whole place. This is where we walked to get our food to eat. I didn't know that when my grandfather died, my grandmother was only 51 so she couldn't get social security back then. But she had two under aged children that she had to feed, so she got a little bit money, so our subsistence was we had to come get food.

Came all from the ocean then?

Yeah. This is some of our people living here you know? (At Hekili) But as long as Hawaiians we don't complain. If wasn't, we would be down here, eh get out.

Where did all the people go?

Probably down by Papalaua. You know the Olowalu preserve committee? They supposed to take care of this (the burial preserve area), this is all overgrown. They wasn't supposed to do this...

Somebody's been digging.

It's all been moved.

Oh yeah? The iwi?

Yeah. It's like, one acre.

Yeah, it's supposed to be landscaped right?

Yeah. It was, but they not maintaining.

I thought I read that as part of the preservation plan. So strange things happen here at night?

Oh yeah! On our own property. You know there's a, you know in the back of us, my mom's property is like 17,000 square feet. When they built the home, they didn't clear the whole thing, so my dad went in the back there to cut the Opiuma tree down, the tree fell down like this (flat) the branch fell down then stood up.

Oh my gosh!

It's all in here (the Olowalu Burials)

You know Old Lahaina Lu'au? He get one house over here. He's been a really good neighbor, no hassles, no nothing.

So we're here (Hekili)?

We're almost to Hekili Point.

According to the preservation plan there's supposed to be all sorts of placards.

There is. Small little graphs(?) with the site numbers on them. This water goes even lower.

Have you been out...is that turtle? Or a shark? I'm all freaked out about sharks now.

Somebody stay diving out there.

Okay!

I don't know, maybe, the thing went back down yeah? Because over here the sharks, stay black tip you know? Get two yeah? Because the water is so shallow that because of the sunlight, the sharks are white, white, with only the tip black.

There's something out there. Looks kind of fin-ish to me.

Yeah. I think it is. But it's the small kind, they don't bother, as long as you don't step on them.

Have you been out here recently? Are the resources the same?

Further on. You gotta go around the cape? I mean the point...eh...too much *haole* already. Around the point, you go back into the cove. Yeah, when I came out here Kamahameha Day I went kayaking. I saw this guy catch two *he'e* and they of *lipepe'e* and *maneoneo limu*, they still have it out here. Neat yeah? And you can see why I want to keep this for the *kanaka maoli*, I

think this should be theirs. It's okay for the tourists to be snorkeling, because they do it for recreation, we do it more, we do it as a cultural practice to have something like this. And then if they had senior housing, then when the *kūpuna* children drop off the kids to baby-sit they can come here, they don't have to go stay inside one room, you know? This is how I learned how to do this kind of stuff. I bring my nephews kids to the beach? And they scream and yell when the water breaks, so it means that they're not *ma'a* to this kind of stuff. The parents not exposing them to this kind of stuff yeah?

And they're here on Maui?

Yeah. My sister's son teaches at Baldwin High School. He teaches history. But now the kids growing up more westernized. Well this is it.

And on the map this is...what is this in the master plan...

You know where it's near Camp PECUSA they want a park yeah? They actually want a park all over her. I think the County wants one at the landing, around here. But the last, this land that's divided from the stream coming down. This one is subdivided and sold already and this one is not, the County wants to take it, there's an internal fight with regards to that property. Then Nā Kūpuna o Maui is starting to get involved and starting to say "Well why don't we make this a cultural center."

And how do the people of Olowalu feel about that?

The cultural center? If cultural center yeah, but we not too sure. Because when you have a park, get too many people there and it depletes the natural resources.

So this, where they have the Olowalu Beach Park designation...that's already subdivided?

Yeah. Now I'm not sure if this is, or this is (referring to lands on either side of Olowalu Stream), one of these two is.

Okay, and we're standing here, where they want to make Hekili Point Beach Park.

Yeah. I think, this is State and I think this is County. I think the County wants this and the State had, the State had done this in 1959 already, they said we have dibs on this area but nothing was ever done.

Oh, okay

So the primary traditional practice here was...

Food gathering here, definitely, the *lo'i* up in Olowalu Valley. And like I said, I also see accounts of the *lo'i* coming down to where we are.

In the same pattern (Ukumehame)?

So mainly fishing and farming here. My *tūtū* Kaae'a used to go *aku* fishing to Kaho'olawe. Yeah, in the canoe. What he did is he would take the *umeke*, you know the gourd? When the shark comes around, he'd throw the *umeke* in the water and the shark had a hard time grabbing the gourd, and that's how he would get back to Ukumehame, the shark was spending time with the gourd and he would turn around and come back.

And the interesting thing about this side of the island is that the families, single families, they used the whole ahupua'a, whereas Kula side you have people who only knew mountain stuff and people who only know ocean stuff and they would...

Yeah, yeah. The kou kula uka and kou kula kai.

But here, the families used the whole (ahupua'a)...

I want you to meet my mom, she said you could interview her because she knows as much as (me)...

[End interview with Mr. Hinano Rodrigues]

APPENDIX C

Comments and Letter Received on the Draft EA

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ALAN M. ARAKAWA
Mayor
MICHAEL W. FOLEY
Director
DONALD G. COUCH
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

December 20, 2006

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Dear Ms. Salmonson:

RE: Draft Environmental Assessment (DEA) For The Pali To Puamana
Land Use Redesignations Involving Community Plan Amendments
And Change In Zoning Located At TMK: (2) 4-7-001: (various),
(2) 4-8-002: (various) and (2) 4-8-003: (various); Maui, Hawaii
(EA 2006/0020)

Please be advised that The Maui Planning Department, on behalf of the Maui
Planning Commission, requests that public comment be extended by an additional sixty
(60) days to March 8, 2007. Please contact Ms. Kathleen Ross Aoki, Planner, of this
office at kathleen.aoki@co.maui.hi.us or 270-5529 should you have any questions.

Sincerely,

Handwritten signature of Michael W. Foley in black ink.

MICHAEL W. FOLEY
Planning Director

MWF:KRA

c: Clayton I. Yoshida, AICP, Planning Program Administrator
Jeff Hunt, AICP, West Maui Planner
Lahaina Public Library
R.M. Towill Corporation
EA Project File
General File
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CHARMAINE TAVARES
MAYOR

OUR REFERENCE
YOUR REFERENCE



POLICE DEPARTMENT
COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6000
FAX (808) 244-6411

January 3, 2007



THOMAS M. PHILLIPS
CHIEF OF POLICE

GARY A. YABUTA
DEPUTY CHIEF OF POLICE

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director

COUNTY OF MAUI
DEPARTMENT OF PLANNING
June 6, 2007

Chief Thomas M. Phillips
Maui County Police Department
55 Mahalani Street
Wailuku, Hawaii 96793

Dear Chief Phillips:

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaia
to Puamana Tax Map Key Plans 4-7-01, 4-8-02, and 4-8-03

The following is in response to your letter dated January 3, 2007 relating to the subject environmental assessment.

We acknowledge that as the land use changes within the project area from agriculture to residential, there will be additional demand placed on your Department for services. We further acknowledge that as more recreation space is developed, additional monitoring will be required. We will include in the Final EA that there are currently only five authorized beats in the Lahaina District.

Thank you for taking the time to respond to this important undertaking. Should you have any questions, please contact Kathleen Ross Aoki, Staff Planner, at 270-5529.

Sincerely,

Jeffrey S. Hunt
JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Staff Planner
Chester Koga, R.M. Towill Corporation
SVALIKathleen@P to PIEA for CPAIDEA Response Letters June 6 doc

250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793
PLANNING DIVISION (808) 270-7735, ZONING DIVISION (808) 270-7253, FAX (808) 270-7634

MEMORANDUM

TO : JEFF S. HUNT, PLANNING DIRECTOR
FROM : THOMAS M. PHILLIPS, CHIEF OF POLICE
SUBJECT : I.D. : EA 2006/0016
TMK : (2) 4-7-001: various; (2) 4-8-002: various; and
(2) 4-8-003: various
Project Name : Land Use Redesignation for Pali to Puamana Project
Applicant : Maui County Planning Department

___ No recommendation or comment to offer.
___x___ Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project. We are returning the variance application which was submitted for our review.

AC Wayne T. Ribao
Assistant Chief Wayne T. Ribao
For: THOMAS M. PHILLIPS
Chief of Police

c: ✓R.M. Towill Corporation
Enclosures



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

CHARMAINE TAVARES
Mayor
HERMAN T. ANDAYA
Acting Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165

January 17, 2007



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 6, 2007

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director

Mr. Herman Andaya, Director
Department of Housing and Human Concerns
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Dear Mr. Andaya:

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaua
to Puamana Tax Map Key: Plats 4-7-01, 4-8-02, and 4-8-03

The following is in response to your letter dated January 17, 2007 relating to the
subject environmental assessment.

We acknowledge that your Office does not have any comments at this time.

Thank you for taking the time to respond to this important undertaking. Should
you have any questions please contact Ms. Kathleen Ross Aoki, staff planner, at 270-
5529.

Sincerely,

JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
SVALIKathleen@P to PIEA for CPAIDEA Response Letters June 6 doc

TO: Jeff Hunt, Director
Department of Planning

FROM: Herman Andaya, Director
Department of Housing and Human Concerns

SUBJECT: I.D.: EA 2006/0016
TMK: (2) 4-7-001; various; (2) 4-8-002; various; and (2) 4-8-003; various
Project Name: Land Use Redesignation For Pali to Puamana
Applicant: Maui County Planning Department

We have reviewed the Draft Environmental Assessment (DEA) for the subject project
and do not have any comment to offer.

Thank you for the opportunity to comment. We are returning the DEA for your use.

Enclosure

c: Housing Administrator
Maui Planning Commission
✓ R.M. Towill Corporation
Office of Environmental Quality Control

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
236 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4186
FACSIMILE (808) 586-4186
E-mail: oeq@state.hawaii.gov

GENEVIEVE SALMONSON
DIRECTOR

CHAMPAGNE YAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING
June 6, 2007

Mr. Michael W. Foley, Director
County of Maui, Department of Planning
250 South High Street
Wailuku, HI 96793

December 29, 2006

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Dear Mr. Foley:

The Office of Environmental Quality Control has reviewed the draft environmental assessment, sent by your November 22, 2006, letter, for the Land Use Designation, Community Plan Amendments and Change in Zoning, Papalaia to Puamana Located at Tax Map Keys: (2nd), 4-7-001 (various); (2nd), 4-8-002 (various); and (2nd), 4-8-003 (various) located in the judicial district of Lahaina. We offer the following comments for your consideration.

1. **County Initiated General Plan Amendments** are generally exempt from the Chapter 343, HRS, requirement to prepare an environmental assessment. The Office lauds the County's decision to proceed with the environmental review process eliciting public comments on the Pali to Puamana Parkway redesignation proposal.
2. **Indirect and Cumulative Impacts from the Redesignation:** Page 70 of the draft environmental assessment notes that "[t]he proposed park and open space designations will not impact traditional cultural practices and activities carried on by native practitioners." On page 69, the section entitled "Recommendations" correctly notes that "parkland development within the project area may have negative impacts upon Native Hawaiian cultural resources within the immediate vicinity." Because impacts can be characterized as "direct", "indirect", or "cumulative," the Office would like to respectfully suggest that the above pages be written in the context of these three types of impacts. Parkland development is secondarily related to the land use designations; as such, one may infer that land use designation would have a secondary (or indirect) impact on Native Hawaiian cultural resources in the immediate vicinity. The use of the appropriate adjective (direct, indirect, or cumulative) clarifies the discussion of impacts and mitigation. The first sentence of Section 3.3 could be correctly restated to note that "[t]he proposed park and open space designations will not directly impact traditional cultural practices and activities carried on by native practitioners. As parkland development would be an indirect consequence of the redesignation however, such redesignation would have a secondary or indirect effect on native Hawaiian cultural resources." [text in italics supplied]

Thank you for the opportunity to comment. If there are any questions, please contact Mr. Leslie Segundo, Environmental Health Specialist, at (808) 586-4185.

Sincerely,

GENEVIEVE SALMONSON
Director

Dear Ms. Salmonson:

RE: Draft Environmental Assessment Land Use Redesignation, Community Plan Amendments and Change in Zoning, Papalaia to Puamana Tax Map Key: Plats 4-7-01, 4-8-02, and 4-8-03

The following is in response to your letter of December 29, 2006 relating to the subject environmental assessment.

1. **County initiated General Plan Amendments** are generally exempt from the Chapter 343, requirement to prepare an environmental assessment. The Office lauds the County's decision to proceed with the environmental review process eliciting public comments on the Pali to Puamana Parkway redesignation proposal.

The Department of Planning has undertaken the proposed land use redesignation action in support of the West Maui Community Plan. Our regulations require the preparation of an environmental disclosure document to determine if there will be significant environmental impacts. Thank you for your clarification on this matter.

2. **Indirect and Cumulative Impact from the Redesignation:** Page 70 of the draft environmental assessment states that "the proposed park and open space designations will not impact traditional cultural practices and activities carried on by native practitioners." On page 69, the section entitled "Recommendations" correctly note that "parkland development within the project area may have negative impacts upon Native Hawaiian Cultural resource within the immediate vicinity." Because impacts can be characterized as "direct," "indirect," or "cumulative," the Office would like to respectfully suggest that the above pages be written in the context of these three type of impacts.

We will amend pages 69-70 to indicate the nature of the impact to be sustained, either direct, indirect or cumulative.

Ms. Genevieve Salmonson, Director
June 6, 2007
Page 2

Thank you for taking the time to respond to this important undertaking. Should you have any questions please contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,



JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
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LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION

P.O. Box 2359
Honolulu, Hawaii 96804-2359
Telephone: 808-587-3822
Fax: 808-587-3827

ANTHONY J. H. CHING
EXECUTIVE OFFICER

CHARMAINE TAMARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 6, 2007

January 3, 2007

Mr. Michael W. Foley, Director
County of Maui Department of Planning
250 South High Street
Wailuku, Maui, Hawaii

Mr. Anthony J. H. Ching, Executive Officer
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Foley:

Subject: EA 2006/0016
TMK Nos.: (2) 4-7-001: various; (2) 4-8-002: various; and (2) 4-8-003: various
Land Use Redesignation for Pali to Puamana Project
Applicant: Maui County Planning Department

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaia
to Puamana Tax Map Key: Plats 4-7-01, 4-8-02, and 4-8-03

We have reviewed the Draft Environmental Assessment ("DEA") for the implementation of the Pali to Puamana Parkway Master Plan to preserve open space along the coastline of West Maui and have the following comments:

The following is in response to your letter dated January 3, 2007 relating to the subject environmental assessment.

1. Table 1 of the DEIS Existing Land Use Designations (2006) appears to be inaccurate. Pursuant to chapter 205-2, Hawaii's Revised Statutes, all lands in the State of Hawaii are classified in one of four State Land Use Districts: Urban, Rural, Agricultural, or Conservation. Therefore, the 113.4 acres of roadways listed under the column titled: State Land Use (ac.) have a State Land Use District classification.

1. Table 1 of the DEA Existing Land Use Designation (2006) appears to be inaccurate. Pursuant to Chapter 205-2, Hawaii's Revised Statutes, all lands in the State of Hawaii are classified in one of four State Land Use District: Urban, Rural, Agricultural, or Conservation. Therefore, the 113.4 acres of roadways listed under the column titled: State Land Use (ac.) have a State Land Use District Classification. Please include the appropriate State Land Use District classification(s) for the 113.4 acres of roadways in the Final Environmental Assessment ("FEA").

Please include the appropriate State Land Use District classification(s) for the 113.4 acres of roadways in the Final Environmental Assessment ("FEA").

2. Please include a figure in the FEA that illustrates the study area in relation to the State Land Use Districts.

We will amend this table to note that the roadways are in the State Agricultural District.

Thank you for the opportunity to comment on the subject DEA. Should you have any questions, please feel free to call me or Max Rogers of our office at 587-3822.

2. Please include a figure in the FEA that illustrate the study area in relation to the State Land Use Districts.

Sincerely,

ANTHONY J. H. CHING
Executive Officer

We will include a map showing the State Land Use Districts in the FEA.

C: Planning Commission, County of Maui
Genevieve Salmonson, OEQC
↳ Chester T. Koga, R. M. Towill Corporation

Mr. Anthony J. H. Ching, Executive Officer
June 6, 2007
Page 2

Thank you for taking the time to respond to this important undertaking. Should you have any questions, please feel free to contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,



JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
S:\ALL\KathleenP to PEA for CPA\IDEA Response Letters June 6.doc

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

PETER Y. YOUNG
CHAIRMAN
BOARD OF LAND AND NATURAL RESOURCES
COMMISSIONER OF WATER RESOURCES MANAGEMENT
ROBERT K. MAHINA
DEPUTY DIRECTOR
DEAN PALMARD
ATTENDANCE DIRECTOR - WATER
AQUATIC RESOURCES
RENEE ANDERSON
MANAGER
COMMISSIONER OF WATER RESOURCES MANAGEMENT
COMMISSIONER OF LAND AND COASTAL LANDS
COMMISSIONER OF FORESTRY AND WILDLIFE
HELENE ANDERSON
MANAGER
HAWAIIAN LAND AND NATURAL RESOURCES COMMISSION
STATE PARKS

County of Maui
Planning Department
250 High Street
Wailuku, Hawaii 96793
Attention: Jeff Hunt

January 16, 2007

R.M. Towill Corporation
420 Waiakamilo Road #411
Honolulu, Hawaii 96817
Attention: Chester Koga

Gentlemen:
Subject: Land use Redesignation for Pali to Puamana Project, Lahaina, Maui, Tax
Map Key: (2) 4-7-1; 4-8-2; 4-8-3

Thank you for the opportunity to review and comment on the subject matter. The
Department of Land and Natural Resources' (DLNR) Land Division distributed or made
available a copy of your report pertaining to the subject matter to DLNR Divisions for their
review and comment.

Other than the comments from Engineering Division, the Division of Water Resource
Management and Land Division, the Department of Land and Natural Resources has no other
comments to offer on the subject matter. Should you have any questions, please feel free to
call our office at 587-0433. Thank you.

Sincerely,

Russell Y. Tsuji
Administrator

Cc: Central Files

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

PETER Y. YOUNG
CHAIRMAN
BOARD OF LAND AND NATURAL RESOURCES
COMMISSIONER OF WATER RESOURCES MANAGEMENT
ROBERT K. MAHINA
DEPUTY DIRECTOR
DEAN PALMARD
ATTENDANCE DIRECTOR - WATER
AQUATIC RESOURCES
RENEE ANDERSON
MANAGER
COMMISSIONER OF WATER RESOURCES MANAGEMENT
COMMISSIONER OF LAND AND COASTAL LANDS
COMMISSIONER OF FORESTRY AND WILDLIFE
HELENE ANDERSON
MANAGER
HAWAIIAN LAND AND NATURAL RESOURCES COMMISSION
STATE PARKS

December 14, 2006

MEMORANDUM

TO: DLNR Agencies:
x Div. of Aquatic Resources
x Div. of Boating & Ocean Recreation
x Engineering Division
x Div. of Forestry & Wildlife
x Div. of State Parks
x Div. of Water Resource Management
x Office of Conservation & Coastal Lands
x Land Division - Maui District & Keith

FROM: Russell Y. Tsuji
SUBJECT: Land Use Designation, Community Plan Amendments and Change in Zoning
LOCATION: Paopala to Puamana, Maui, TMK: (2) 4-7-1; 4-8-2; 4-8-39-2-19-22
APPLICANT: RM Towill Corporation on behalf of the Maui County Planning Department
Transmitted for your review and comment on the above referenced document. We
would appreciate your comments on this document. Please submit any comments by January
7, 2007.

A copy of the document is available for your review in Land Division office, Room 220. A
copy of the document is available in the DLNR - Maui State Office Building.

If no response is received by this date, we will assume your agency has no comments.
If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

() We have no objections.
() We have no comments.
(X) Comments are attached.
Signed:
Date:

RECEIVED
DIVISION
JAN 10 10 45

Russell Tsuji, Administrator
Page 2
January 5, 2007

- 7. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- 8. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- 9. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a stream channel.
- 10. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
- 11. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- 12. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- 13. We recommend that the report identify feasible alternative non-potable water resources, including reclaimed wastewater.
- OTHER:
This project appears to potentially reduce impacts on water resources in this area.

If there are any questions, please contact Charley Ice at 587-0251.

LINDA LINCLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

PETER E. VOLING
DIRECTOR
COMMISSION OF WATER RESOURCES
1505 KALANANAKU AVENUE, SUITE 100
HONOLULU, HAWAII 96813
ROBERT K. MAJUDA
DEPUTY DIRECTOR
DEAN HANANO
DEPUTY DIRECTOR
WATER
ADVAITE RESOURCES
1505 KALANANAKU AVENUE, SUITE 100
HONOLULU, HAWAII 96813
COMMISSION OF WATER RESOURCES, HAWAII
COMBINATION JOB RESUME OPPORTUNITY
PRIORITY AND VALUE
LANDSLAVE READING RESERVE COMMISSION
EAST PALM BEACH, FLORIDA

December 14, 2006

MEMORANDUM

TO: **DLNR Agencies:**
 Div. of Aquatic Resources
 Div. of Boating & Ocean Recreation
 Engineering Division
 Div. of Forestry & Wildlife
 Div. of State Parks
 Div. of Water Resource Management
 Office of Conservation & Coastal Lands
 Land Division - Maui District & Keith

FROM: Russell Y. Tsuji
SUBJECT: Land Use Designation, Community Plan Amendments and Change in Zoning: Papalaua to Puamana, Maui, TMK: (2) 4-7-1; 4-8-2; 4-8-39-2-19;22
LOCATION: Maui County Planning Department
APPLICANT: RM Towill Corporation on behalf of the Maui County Planning Department

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by January 7, 2007.

A copy of the document is available for your review in Land Division office, Room 220. A copy of the document is available in the DLNR - Maui State Office Building.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: [Signature]
Date: 1/2/07

1/2/07
received &
copy on 1/2/07

RECEIVED
LAND DIVISION
2007 JAN -11 P 03

PETER T. YOUNG
 BOARD OF LAND AND NATURAL RESOURCES
 CHAIRMAN
 HONOLULU, HAWAII

DEAN K. HARRIS
 COUNTY DIRECTOR
 HONOLULU, HAWAII



STATE OF HAWAII
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 LAND DIVISION
 POST OFFICE BOX 621
 HONOLULU, HAWAII 96809

MEMORANDUM

To: Russell Y. Tsuji, Land Administrator

From: Keith Chun, Planning and Development Manager

Date: January 3, 2007

Re: Draft Environmental Assessment for Land Use Redesignation (Proposed Community Plan Amendments and Change in Zoning) Papalaua to Puamana, Lahaina, Maui, TMK (2) 4-7-1; 4-8-2; 4-8-39-2-19;22 Applicant: RM Towill Corporation / County of Maui Planning Department

LINDA LINGLE
 GOVERNOR OF HAWAII



To: Russell Y Tsuji/DLNR/StateHIUS@StateHIUS
 cc: Keith K Chun/DLNR/StateHIUS@StateHIUS
 bcc: Subject: Re: Maui County Planning Dept Proposal

Deniel L
 Ornelias/DLNR/StateHIUS
 12/29/2006 11:08 AM

The areas that Maui County is requesting to be downzoned at the Community Plan and Zoning levels are within the State's Conservation and Agriculture Land Use Districts. My understanding is that County Land Use authority lies primarily within the Urban District.

The County has proposed a linear green way from Pali to Puamana. For state lands that are seaward of the existing highway and within wetland areas, I would not have a problem with the downzoning. However, we should raise concerns about those areas that do have agriculture and/or future income generating opportunities that will manifest once the adjacent areas begin to be redeveloped for urban and recreational purposes.

MDLO did not receive a copy of the draft EA for the proposed land use redesignation. Please send a copy to MDLO for review. Pursuant to review, I may provide further, more site specific, recommendations.

DanO

The proposed Land Use Redesignation affects various State-owned parcels and include proposals to change the Community Plan designations for certain State-owned parcels from Agriculture (AG) to Open Space (OS) and the zoning of certain parcels from Hotel (H-2) to Park (PK-1), Residential (R-3) to Park (PK-1), Apartment (A-2) to Park (PK-1), Agriculture (AG) to Open Space (OS-1), and Agriculture (AG) to Park (PK-1).

The proposed Community Plan amendments and changes in zoning would reduce the market value of the affected State lands. However, the proposal does not provide for compensation to be paid to the State for the decrease in land values. DLNR, as the manager of the public land trust, has a fiduciary duty to manage public lands for the benefit of the trust beneficiaries, which includes the general public. As such, this Division should object to the proposed Community Plan amendments and changes in zoning as it relates to the State owned lands.

CHARMAINE TAVARES
Mayor

JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 6, 2007

Mr. Allan A. Smith, Chairperson
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Smith:

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaua
~~to Puamanga Tax Map Key Plats 4-7-01, 4-8-02, and 4-8-03~~

The following is in response to comments received from your Department's Divisions of Land, Engineering, Forestry and Wildlife, State Parks, Commission on Water Resources Management, and Land Management - Maui District.

"Other than then comments from Engineering Division, the Division of Water Resource Management and Land Division, the Department of Land and Natural Resources has no other comments to offer on the subject matter." (Russell Y. Tsujii)

The Engineering Division commented:

1. Please take note that the project site according to the Flood Insurance Rate map (FIRM) is located in Zones C and V8. National Flood Insurance Program (NFIP) does not regulate developments in within Zone C; however, it does regulate development within Zone V8 as indicated in bold letters below.
2. Please note that the project must comply with the rules and regulations of the NFIP presented in Title 44 of the Code of Federal Regulations, whenever development within a Special Flood Hazard area is undertaken.

We will include the above information in the Final EA.

The Commission on Water Resource Management commented:

1. We recommend coordination with the county to incorporate this project into the County's Water Use and Development Plan.

Mr. Allan A. Smith, Chairperson
June 6, 2007
Page 2

2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
3. A Stream Channel Alteration Permit is required before any stream diversion work is constructed or altered.
4. This project appears to potentially reduce impacts on water resources in this area.

We will include the above information in the Final EA.

The Land Division - Maui District commented:

The proposed Community Plan Amendments and changes in zoning would reduce the market value of the affected State lands. However, the proposal does not provide for compensation to be paid to the State for the decrease in land values. DLNR, as the manager of the public land trust, has a fiduciary duty to manage public lands for the benefit of the trust beneficiaries, which include the general public. As such, this Division should object to the proposed community plan amendments and changes in zoning as it related to the State owned lands.

We believe the County is acting on behalf of the general public as directed by the West Maui Community Plan. The proposed land use redesignation is directed at the preservation of open space and recreational opportunities in the West Maui region. The land in question is seaward of the proposed realigned Honoapiʻiani Highway between Papalaua and Puamana. We therefore request a reconsideration of your comments.

Thank you for taking the time to respond to this important undertaking. Should you have any questions, please contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,


JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
S:ALL|KathleenP to PEA for CPA/DEA Response Letters June 6.doc

PHONE (808) 594-1888

FAX (808) 594-1885



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPIOLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

COPY

HRD06/2843

January 3, 2007

Jeff Hunt
Planning Commission, County of Maui
250 High Street
Wailuku, Maui 96793

RE: Land Use Designation, Community Plan Amendments and Change in Zoning, Papalaua to Puamana, Lahaina, Maui, TMK (2) 4-7-01; 4-8-02; 4-8-03.

Dear Mr. Hunt,

The Office of Hawaiian Affairs (OHA) is in receipt of your December 8, 2006 submission and offers the following comments:

Our staff has no comment specific to the above-listed Draft Environmental Assessment at this time. Thank you for your continued correspondence.

OHA asks that, in accordance with Section 6E-46.6, Hawaii Revised Statutes and Chapter 13-300, Hawaii Administrative Rules, if the project moves forward, and if any significant cultural deposits or human skeletal remains are encountered, work shall stop in the immediate vicinity and the State Historic Preservation Division (SHPD/DLNR) shall be contacted.

Thank you for the opportunity to comment. If you have further questions or concerns, please contact Jesse Yorck, Native Rights Policy Advocate, at (808) 594-0239 or jessy@oha.org.

Aloha

Clyde W. Namu'o
Clyde W. Namu'o
Administrator

C: Chester Koga, AICP
R.M. Towill Corporation
420 Waiakamilo Road # 411
Honolulu, HI 96817

Michael Foley
Maui County, Department of Planning
250 South High Street
Wailuku, HI 96793

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 8, 2007

Mr. Clyde W. Namu'o, Administrator
Office of Hawaiian Affairs
711 Kapiolani Blvd, Suite 500
Honolulu, Hawaii 96813

Dear Mr. Namu'o:

RE: Draft Environmental Assessment Land Use Redesignation, Community Plan Amendments and Change in Zoning, Papalaua to Puamana Tax Map Key: ~~Plats 4-7-01, 4-8-02, and 4-8-03~~

The following is in response to your letter dated January 3, 2007 relating to the subject environmental assessment.

We acknowledge that your Office does not have any comments at this time.

We acknowledge your concern that historic and cultural remains be protected and preserved. This is also our objective as we move forward in this endeavor.

Thank you for taking the time to respond to this important undertaking. Should you have any questions please contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,

Jeffrey S. Hunt

JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
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LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

January 9, 2007

BARRY FUKUNAGA
INTERIM DIRECTOR

Deputy Directors
FRANCIS PAUL KLEINO
BREANON T. MORIKAWA
BRANAH SENGUCHI

IN REPLY REFER TO:

STP 8.2379

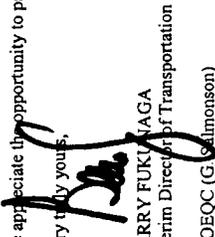
Mr. Jeff Hunt, Mr. Wayne Hedani and Mr. Chester Koga
Page 2
January 9, 2007

STP 8.2379

3. We reserve further comment and review on the proposed project plan. More details and evaluation are needed on the proposed road network for the project area and the plans for the highways are not finalized.

We appreciate the opportunity to provide our comments.

Very truly yours,


BARRY FUKUNAGA
Interim Director of Transportation
c: OEQC (G. Salmonson)

Mr. Jeff Hunt, Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Mr. Wayne Hedani, Chair
Maui Planning Commission
c/o Department of Planning
250 South High Street
Wailuku, Hawaii 96793

Mr. Chester Koga
R. M. Towill Corporation
420 Waiakamilo Road, #411
Honolulu, Hawaii 96817

Dear Messrs. Hunt, Hedani and Koga:

Subject: Draft Environmental Assessment
Land Use Redesignation: Community Plan Amendments & Change in Zoning
Papalaia to Puamana, Lahaina District

We have the following comments on the Draft Environmental Assessment (Draft EA) for the subject proposed project plan to re-designate land uses:

1. The Draft EA needs to expand on the proposed roadway network and circulation plan envisioned for local roads and the highways that is to serve and connect to the various land use areas. Intersections and other connections to the highways need to be included in the description of the network.
2. Plans for the Lahaina By-Pass and for improvements or changes to Honoapiilani Highway are in progress. The alignment, conditions and agreements for these two roads in the affected area of the subject proposed project plan are still being discussed. The pending nature of this work and the many various components associated with planning for the highways should be noted in the Draft EA. Any final environmental assessment for the subject proposed project must be conditioned and subject to our highway plans.

CHARMAINE TANAVRES
Mayor

JEFFREY S. HUNT
Director

COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 6, 2007

Mr. Barry Fukunaga, Director
Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813

Dear Mr. Fukunaga:

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaau
to Puamana Tax Map Key-Plats 4-7-01, 4-8-02, and 4-9-03.

The following is in response to your letter dated January 9, 2007 relating to the subject environmental assessment. We offer the following responses to your comments:

1. *The Draft EA needs to expand on the proposed roadway network and circulation plan envisioned for local roads and the highways that is to serve and connect to the various land use areas. Intersections and other connections to the highways need to be included in the description of the network.*
The proposed land use redesignation outlined in the Draft EA does not include the development of roadway facilities. Roadway plans will be developed separately by landowners adjacent to the highway. Further, connections to the Lahaina By-Pass and the realigned Honoapiʻilani Highway will necessarily be coordinated with your Department.
2. *Plans for the Lahaina By-Pass and for improvements or changes to Honoapiʻilani Highway are in progress. The alignment, conditions and agreements for these two roads in the affected area of the subject proposed project plan are still being discussed. The pending nature of this work and the many various components associated with planning for the highways should be noted in the Draft EA. Any final environment assessment of the subject proposed project should be conditioned and subject our highway plans.*

Mr. Barry Fukunaga, Director
June 6, 2007
Page 2

We acknowledge that plans for the Lahaina By-Pass and changes to Honoapiʻilani Highway are in progress and we look forward to working with your Department on these important projects.

3. *We reserve further comment and review on the proposed project language. More details and evaluations are needed on the proposed road network for the project area and the plans for the highway are not finalized.*

As our land use redesignation efforts move forward, we will keep your Department apprised of our efforts.

Thank you for taking the time to respond to this important undertaking. Should you have any questions please contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,

JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, staff planner
Chester Koga, R.M. Towill Corporation
S:\ALL\Kathleen\PEA for CPA\DEA Response Letters June 6.doc

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

CRYSTLE L. FURINO, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
EPO-06-215

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director

COUNTY OF MAUI
DEPARTMENT OF PLANNING
June 6, 2007



Mr. Chester Koga
R.M Towill Corporation
420 Waikamilo Road #411
Honolulu, Hawaii 96817

Dear Mr. Koga:

SUBJECT: Draft Environmental Assessment for Land Use Redesignation, Community Plan Amendments and Change in Zoning, Papalaua to Puamana, Lahaina, Maui
TMK: (2) 4-7-001
(2) 4-8-002
(2) 4-8-003

Thank you for allowing us to review and comment on the subject document. The document was routed to the various branches of the Environmental Health Administration. We have no comments at this time. 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. Any comments specifically applicable to this project 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
for KELVIN H. SUNADA, MANAGER
Environmental Planning Office

c: EPO
EH-Maui

Mr. Kelvin H. Sunada, Manager
Environmental Planning Office
Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801

Dear Mr. Sunada:

RE: Draft Environmental Assessment Land Use Redesignation, Community Plan Amendments and Change in Zoning, Papalaua to Puamana Tax Map Key: Plats 4-7-01, 4-8-02, and 4-8-03

The following is in response to your letter dated January 4, 2007 relating to the subject environmental assessment.

We acknowledge that your Office does not have any comments at this time.

Thank you for taking the time to respond to this important undertaking. Please contact Kathleen Ross Aoki, staff planner, at 270-5529 should you have any questions.

Sincerely,

Jeffrey S. Hunt
JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
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Jan. 8. 2007 5:23PM

No. 2020 P. 2/4

Jan. 8. 2007 5:23PM

No. 2020 P. 3/4

FRAMPTON & WARD, LLC
 2073 Wells Street - Suite 101, Wailuku, HI 96793
 Phone: 249-2224 / Fax: 249-2333

January 8, 2007

Maui Planning Commission
 C/O Mr. Jeff Hunt - Planning Director
 Department of Planning
 County of Maui
 250 High Street
 Wailuku, HI 96793

RE: Draft Environmental Assessment for Land Use Redesignation (Community Plan Amendment and Change in Zoning) for the Pali to Puunana Parkway Master Plan; November 3, 2006; Lahaina District, Island of Maui Tax Map Key: (II) 4-7-001, (II) 4-8-002; (II) 4-8-003.

Dear Mr. Hunt,

We are providing you with notice that we have significant concerns regarding the above referenced Draft Environmental Assessment (EA). Our primary concern is that Section 7.4 (Page 72) within the above referenced Draft EA lists our company (Frampton & Ward) as one of the entities which was contacted and consulted with during the preparation of the Draft EA (See Exhibit No. 1). However, this is not correct; our company was not contacted or consulted with during the preparation of the Draft EA. As such, we respectfully request that the Draft EA be corrected by removing our name from this list of consulted individuals.

As you know, we are land use planning consultants and real estate developers. As such, we have numerous clients who own property on the island of Maui. Two of our clients: Olowalu Elua Associates (OEA) and Olowalu Ekolu, LLC (Ekolu) both have significant land holdings within Olowalu, and as such, we have had a few meetings with your department regarding proposed conceptual plans for each entity. Although we have met with the Planning Department and discussed the concept of the P2P Plan, we note that the context of these discussions did not involve or include the preparation of a Draft EA; did not include discussions on the implementation of the P2P Plan, and the meetings were not for the purpose of seeking our comments on the Draft EA. Rather, the discussions were general and broad in nature.

Lastly, we want to make it clear that we are very much in favor of the concept of P2P Plan; in truth we were very hopeful that we would have had an opportunity to work with the County and other entities to insure the proposed P2P Plan becomes a reality. The P2P Plan has the potential to be precedent-setting in terms of how the government and the private industry can work in cooperation to accomplish beneficial improvements for the residents of Maui. Since the P2P Plan proposes to redesignate a considerable amount of land which is owned by two of our clients, specifically OEA and Ekolu, we have an excellent opportunity to be of assistance and are more than willing to help in many ways. In the spirit of cooperation, we offer to do so upon your request.

Mr. Jeff Hunt
 P2P Draft EA
 December 26, 2006
 Page 2 of 2

Again, at this time we are requesting that the Draft EA be corrected by removing our name, Frampton & Ward from Section 7.4 (Page 72) under the individuals consulted in the preparation of the Draft EA. If you have any questions or require additional information, please let us know as soon as possible.

Sincerely,
 FRAMPTON & WARD, LLC

William Frampton
 William Frampton
 Partner

CC: State Department of Health - OEQC
 Mr. Chester Koga - R.M. Towill Corporation
 Mr. Robert Thomas - Esq.
 Mr. Ken Kupchak - Esq.

**SECTION 7
AGENCIES, ORGANIZATIONS, AND INDIVIDUALS
CONSULTED**

7.1 COUNTY OF MAUI AGENCIES AND OFFICES

- Office of the Mayor
- Department of Planning
- Department of Public Works and Environmental Management
- Department of Water Supply
- Department of Fire Control
- Department of Housing and Human Concerns
- Department of Parks and Recreation
- Department of Police

7.2 FEDERAL AGENCIES

- Department of the Army, Corp of Engineers
- Department of Interior, Fish and Wildlife Service, Pacific Division

7.3 STATE AGENCIES

- Department of Transportation
- Department of Agriculture
- Department of Business and Economic Development and Tourism
- Department of Health
- Department of Land and Natural Resources
- Office of Hawaiian Affairs
- Land Use Commission

7.4 ORGANIZATIONS AND INDIVIDUALS

- Maui Chamber of Commerce
- Frankton and Ward
- West Maui Homeowners Association
- Goodfellow Brothers
- Peter Martin

~~IN CORRECT~~

CHARMAINE TAVARES
Mayor

JEFFREY S. HUNT
Director

COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING
April 19, 2007

Mr. William Frampton
Frampton and Ward, LLC
2073 Wells Street, Suite 101
Wailuku, Maui, Hawaii 96793

Dear Mr. Frampton:

RE: Draft Environmental Assessment (EA) for Land Use
Redesignation for the Pali to Puamana Parkway Master
Plan, November 3, 2006, Lahaina District, Island of Maui,
IMK (2) 4-8-001, (2) 4-8-002, (2) 4-8-003

The following is in response to your letter dated January 8, 2007 relating to the subject Draft EA.

As requested, we will list your firm as "being consulted" during the preparation of the Draft EA. We will list your firm, however, as being one who responded to the Draft EA. During the preparation of the Pali to Puamana (P2P) Master Plan and during the preparation of the P2P Draft EA the objectives of the County have been clear. We have taken measure to ensure that the process was open and not "hidden" from the public. To that end, not less than three public informational meetings were held in the community and not less than five meetings were held with the P2P Advisory Committee. Further, meetings were held with your clients and other affected landowners about the intent of the County.

We are encouraged by your endorsement of the P2P Plan and we are further encouraged by the community support for the plan. As you are aware, the preservation of open space in West Maui, particularly between the Pali and Puamana, started back in 1990 when the County began revising its General Plan and started the Community Development Plan process. It was in 1996 that the West Maui Community Development Plan was adopted after many meetings in the community, hearings before the Planning Commission and County Council before its final adoption.

We firmly believe that continued dialog is essential for reaching our mutual goals. This Draft EA is another step in meeting our goal of preserving open space in West Maui and we are encouraged by your offer to assist in the process. The Draft EA is being used as a means to continue the dialog with residents and landowners.

OLOWALU EKOLU, LLC

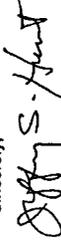
2073 Wells Street - Suite 101, Waialuku, HI 96793
Phone: 249-2224 / Fax: 249-2333

Mr. William Frampton
Page 2

Once we complete this EA process, we will begin the process of preparing the action items to change the land use designations. During this process, we will also be engaging the community and landowners to obtain their input on the proposals that we will be putting forward before the Maui Planning Commission and the Maui County Council.

Thank you for taking the time to participate in this important undertaking, and should you have any questions, please feel free to contact Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,



Jeffrey S. Hunt
Planning Director

JSH:KRA

cc: John F. Summers, Planning Program Administrator
Kathleen R. Aoki, Staff Planner
Chester Koga, RM Towill Corporation
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December 28, 2006

Maui Planning Commission
C/o Mr. Jeff Hunt
Department of Planning
County of Maui
250 High Street
Waialuku, HI 96793

RE: Draft Environmental Assessment for Land Use Redesignation (Community Plan Amendment and Change in Zoning) for the Pali to Puamana Parkway Master Plan; November 3, 2006; Lahaina District, Island of Maui Tax Map Key: (II) 4-7-001; (II) 4-8-002; (II) 4-8-003.

Dear Mr. Hunt,

On behalf of Olowalu Ekolu, LLC (Ekolu), we are providing you with notice that we have significant concerns regarding the above referenced Draft Environmental Assessment (EA). Ekolu is the land owner of a parcel of land located within Olowalu, specifically identified as Tax Map Key: (II) 4-8-003;124; which will be significantly affected by the proposed Pali to Puamana Parkway Master Plan (P2P Plan) (See Exhibit No. 1). This subject parcel of land, having an area of 16.086 acres, is situated between the shoreline and the Honoapiilani Highway, approximately 1,500 feet north of Olowalu General Store. The primary source of our concern is that although the Planning Department has had ample knowledge that Ekolu is the land owner of a parcel of land which would be significantly affected by the proposed P2P Plan, Ekolu was not notified nor consulted with during the preparation of the Draft EA. Since Ekolu was not formally consulted with and was not formally notified about the preparation and filing of the Draft EA, we assert that the Draft EA is flawed. Further, we are requesting that the Draft EA document be rescinded and withdrawn from publication in the OEQC December 8, 2006 Environmental Notice. Additionally, we are requesting that the Draft EA not be placed on the agenda of any future Maui Planning Commission meetings until our concerns have been either addressed or complied with.

Over the past two (2) years we have represented to the Planning Department that Ekolu is the landowner of the subject property, and that Ekolu was proceeding with plans to build residential dwellings on the subject property. Additionally, we presented draft plans to Mr. Michael Foley (Planning Director) showing our proposed residential project which includes the development of a public coastal park and related improvements such as improved shoreline access, coastal trails and other park related facilities. While we acknowledge that your department did discuss with us the proposed P2P Plan, we also assert that the context of our discussions did not involve or include the preparation of a Draft EA or implementation of the P2P Plan. Rather, the discussions were general and broad in nature. In fact, when we explained to Mr. Foley that approximately half (50%) of the property would be designated for various park uses and open-space at a financial cost to the County, he indicated that he could support the project because the project was "balanced" in terms of both public and private benefits. As such, to unexpectedly learn about the filing of the Draft EA has caused us to be concerned about the inconsistent representations provided to us by the Planning Department.

The following is a brief summary regarding our rationale as to why we believe the Draft EA is flawed:

1. **Failure to Consult Affected Parties** - Ekolu is clearly the managers and representatives of a significant parcel of land in Olowalu which will undoubtedly be impacted and affected by the proposed P2P Plan and Ekolu was not notified nor consulted with. As such, we believe the Department and Draft EA are not in compliance with the following rules and regulations governing Environmental Assessments in Hawaii:
 - a. §11-200-9.1 of Hawaii Administrative Rules (Environmental Impact Statement Rules), "the proposing agency shall seek, at the earliest practicable time, the advice and input, and consult with those citizen groups and individuals which the proposing agency reasonably believes to be affected."
 - b. §11-200-9.6, the agency shall "Distribute, concurrently (emphasis added) with the filing in paragraph (5), the draft environmental assessment to other agencies having jurisdiction or expertise as well as citizen groups and individuals which the proposing agency reasonably believes to be affected."
 - c. §11-200-10.C, the contents of an Environmental Assessment "shall contain, but not be limited to, the following information:"
 - Identification of agencies, citizen groups, and individuals consulted in making the assessment."
 - d. §11-200-10.L, the contents of an Environmental Assessment "shall contain, but not be limited to, the following information:"
 - Written comments and responses to the comments under the early consultation provisions of sections 11-200-9(a)(1), 11-200-9(b)(1), or 11-200-15, and statutorily prescribed public review periods."

2. **Public Agreement to Consult with Land Owners** - On September 11, 2006, during an update of the proposed P2P Plan to the County Council's Planning Committee (PC) on behalf of Ekolu, I provided testimony regarding my concerns that if a Draft EA was being prepared, we wanted to be consulted with and we wanted to participate in the process (See Exhibit No.2):

"...I just really am hopeful that if this EA is under way, the Planning Department speaks of, I am really hopeful that they make an effort to communicate with us. I am concerned we haven't been communicated with, but maybe it hasn't started, so maybe there is still time to communicate."

In response to my testimony, the Director of Planning, Mr. Michael Foley, told the PC the following (See Exhibit No.3):

"...I just wanted to mention, in response to the comments that were made earlier by Rory and Bill Frampton that we will definitely contact the property owners. I believe the consultant has contacted some of the property owners, but I will make sure that more of them are contacted."

3. **Inadequate Draft EA** - We have conducted a limited review of the Draft EA. In our quick analysis of the document we believe that several sections of the Draft EA are inadequate, including but not limited to: an inadequate assessment of potential impacts (such as coastal waters; shoreline erosion; flora/fauna study; increased runoff/pollutants/BMP's; economic impact and taxpayers dollars, etc.); insufficient analysis of possible alternatives to the proposed action (economic analysis and feasibility assessment to purchase coastal lands; acquisition options; discussions with landowners, and possible joint public/private partnership) and, a number of technical errors related to inaccurate information

within the document itself (incorrect Tax Map Keys identified; mapping errors; incorrect listing of consulted individuals; etc.). However, this letter serves to address the failure of the Planning Department to notify landowners who will be affected by the proposed action; and as such, we reserve the right to provide you with additional comments and concerns regarding the Draft EA.

Lastly, we want to make it clear that Ekolu is in favor of the concept of a public coastal parkway which extends from Ukumehame to Puamana, however, Ekolu also believes it is imperative that the County make an effort to work in cooperation with the landowners in order to achieve a balanced plan which will benefit the residents of Maui, as well as, minimize the negative impacts to landowners. The P2P Plan has the potential to be precedent-setting in terms of how the government and the private industry can work in cooperation to accomplish beneficial improvements for the residents of Maui. However, the P2P Plan proposes to redesignate the entire parcel of land owned by Ekolu to Park and/or Open Space. As such, we had hoped that in the spirit of cooperation that Ekolu would have been notified during the preparation of the Draft EA and offered a legitimate opportunity to work together in cooperation to achieve a win/win situation.

In summary, because the Planning Department failed to formally consult with and formally notify the landowners who will be reasonably affected by the proposed P2P Plan, and because of the significant errors contained within the Draft EA, we are requesting that the Draft EA document be rescinded and withdrawn from the OEQC's December 8, 2006 Environmental Notice. Additionally, we are requesting that that the Draft EA not be placed on the agenda of the Maui Planning Commission until our concerns have been either addressed or complied with.

We look forward to having the opportunity to meet with you and discuss our concerns related to the Draft EA. If you have any questions or require additional information, please let us know as soon as possible.

Sincerely,
Olowalu Ekolu, LLC


William Frampton
Manager

CC: State Department of Health - OEQC
Mr. Chester Koga - R.M. Towill Corporation
Mr. Alan M. Arakawa - Mayor of Maui County
Mr. Michael W. Foley - Director of Planning
Mr. Robert Thomas - Esq.
Mr. Ken Kupchak - Esq.
Ms. Charmaine Tavares - Mayor-Elect
Olowalu Elua Associates

EXHIBIT NO.2

Bill Frampton's Testimony
County Council Planning Committee
Meeting Minutes - September 11, 2006

Page 2 of 3

- 18 The -- the section of the parkway that traverses
- 19 Olowalu calls for approximately 45 acres or 48
- 20 acres -- excuse me -- of land to be established
- 21 as Park or Open Space, which I think is
- 22 fantastic.
- 23 However, the plans that we are looking
- 24 at, just for comparison, establishes
- 25 approximately 200 acres in the same area. That

PC 9/11/06 - Page 25

- 1 is to be given for free, essentially, at no cost
- 2 to the County; whereas, if we don't have that
- 3 relationship with the County, I am concerned at
- 4 what the average may cost.
- 5 The other concern is one of the nearest
- 6 components, again, of this plan is its
- 7 resolved -- revolves around relocating the
- 8 highway mauka, which I think we all are aware is
- 9 extremely important, needs to happen for a
- 10 public safety and health standpoint, getting the
- 11 highway out of the flood zones, but also for
- 12 creating this experience of being able to drive
- 13 from the Pali to Puamana, up in a more mauka
- 14 alignment and having beautiful park land below

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- 1 We have been in very close communication
- 2 with them, sharing our thoughts and our ideas,
- 3 and it -- they have been very positive, and I am
- 4 very excited about it because they like this
- 5 concept of us, obviously, building a highway,
- 6 constructing it, paying for it.
- 7 But the goal is to stay ahead of their
- 8 curve. They are looking at five to six years to
- 9 get just their study done alone. If we can work
- 10 in cooperation with the State DOT and the
- 11 County, we could expedite that, greatly expedite

SOURCE:
Maui County Web-Site Ralph
Rosenberg Court Reporters, Inc
OIC: (808)524-2090 Fax: (808)524-2596

EXHIBIT NO.2

Bill Frampton's Testimony
County Council Planning Committee
Meeting Minutes - September 11, 2006

Page 3 of 3

- 12 that plan and timing. And we all know the
- 13 situation that the traffic is in today, let
- 14 alone the creation of these parks. You know,
- 15 the idea of creating any more units out there
- 16 without having that highway completed is very
- 17 concerning
- 18 But, again, I do just want to note that
- 19 we are extremely excited and supportive of this
- 20 concept. I am a project manager and a land
- 21 representative, but as well just for my kids and
- 22 for everyone else's children and kids, that once
- 23 you establish these parks, they are there for
- 24 good. Once you don't, if you miss that
- 25 opportunity, that's gone for good. This is the

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- 1 chance, the time to do it now.
- 2 I just really am hopeful that if this EA
- 3 is under way, the Planning Department speaks of
- 4 I am really hopeful that they make an effort to
- 5 communicate with us. I am concerned we haven't
- 6 been communicated with, but maybe if hasn't
- 7 started, so maybe there is still time to
- 8 communicate. And that's the end of -- my
- 9 conclusion.
- 10 CHAIR TAVARES: Okay. Any questions for
- 11 this
- 12 Mr. Frampton?
- 13 If not, seeing none, thank you very
- 14 much.
- 15 MR. B. FRAMPTON: Okay. Thanks.
- 16 ... END OF PUBLIC TESTIMONY. ...

SOURCE:
Maui County Web-Site Ralph
Rosenberg Court Reporters, Inc
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EXHIBIT NO. 3

Mr. Foley's Testimony
County Council Planning Committee
Meeting Minutes - September 11, 2006

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18 ITEM NO. 33: PALI TO PUAMANA
PARKWAY MASTER PLAN

19 (C.C. 05-123)

20

21 CHAIR TAVARES: Our next item is the Pali to
Puamana

22 Parkway Master Plan, PC-33. And if we at this

23 time could turn this over to our Planning

24 Director, Mr. Foley, if you can give us an

25 update of this -- this plan, where we are at,

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1 and all that good stuff.

2 MR. FOLEY: Thank you, Chair Tavares.

3 The Pali to Puamana Parkway Master Plan

4 included a section near the end called

5 implementation action, and one of the

6 recommendations in that implementation action is

7 found on the top of page 57. And it states,

8 "Designate the lands makai of the proposed

9 highway corridor as Open Space in the West
Maui

10 Community Plan, and rezone the lands as Open

11 Space and/or Park as appropriate."

12 Following that recommended

December 28, 2006

Maui Planning Commission
C/o Mr. Jeff Hunt
Department of Planning
County of Maui
250 High Street
Waialuku, HI 96793

RE: Draft Environmental Assessment for Land Use Redesignation (Community Plan
Amendment and Change in Zoning) for the Pali to Puamana Parkway Master Plan;
November 3, 2006; Lahaina District, Island of Maui Tax Map Key, (II) 4-7-001, (I) 4-8-
002; (II) 4-8-003.

Dear Mr. Hunt,

On behalf of Olowalu Town, LLC (OT), we are providing you with notice that we have significant concerns regarding the above referenced Draft Environmental Assessment (EA). OT is the Manager and Representative for the lands owned by Olowalu Elua Associates (OEA) within Olowalu, which measures approximately 634 acres (See Exhibit No.1). Our primary concern is that although the Planning Department has had ample knowledge that OT is the Manager and Representative of lands owned by OEA within Olowalu which would be significantly affected by the proposed Pali to Puamana Parkway Master Plan (P2P Plan), OT was not notified nor consulted with during the preparation of the Draft EA. We assert that pursuant to the rules and regulations which govern the preparation of Environmental Assessments in Hawaii, the Planning Department was required to consult with landowners who will be significantly affected by the proposed P2P Plan. As such, we are requesting that the Draft EA document be rescinded and withdrawn from publication in the OEQC December 8, 2006 Environmental Notice. Additionally, we are requesting that the Draft EA not be placed on the agenda of any future Maui Planning Commission meetings until our concerns have been either addressed or complied with.

Over the past two (2) years we have represented to the Planning Department that OT supports the P2P Plan and is willing to work in cooperation with your department to form a joint public/private partnership in order to accomplish this proposed project. Back in June of 2005 we provided a letter to the Planning Department's request which explained that OT is the Manager and Representative of OEA's land holdings. Further, the letter noted that OT would be preparing a Master Plan for all of Olowalu, including plans for a mixed-use residential community along with a substantial amount of parks and greenways (approximately 200+ acres) which would be provided at no cost to the County (See Exhibit No.2). Subsequently, we discussed this concept with Mayor Alan Arakawa and he expressed positive interest and hoped that a win/win scenario could be achieved; especially since the development of a mixed-use community included providing the residents of Maui with the portion of P2P Plan which traverses Olowalu at no cost to the County. Furthermore, in November of 2005, we hosted "Olowalu Talk Story," an intensive nine (9) day community-based planning workshop which attracted 1,350 participants. The Planning Department was invited to join Maui residents, professional town planners, and other government officials to help design plans to re-establish Olowalu, one of Maui's historical small towns.

SOURCE:
Maui County Web-Site Ralph
Rosenberg Court Reporters, Inc
Oic: (808)524-2090 Fax: (808)524-2596

While we acknowledge that your department did discuss the proposed P2P Plan with us, we also note that the context of our discussions did not involve or include the preparation of a Draft EA or implementation of the P2P PLAN. Rather, the discussions were general and broad in nature.

The following is a brief summary regarding our rationale as to why we believe the Draft EA is flawed:

1. **Failure to Consult Affected Parties** - We are clearly the managers and representatives of a substantial amount of land in Olowalu which will undoubtedly be impacted and affected by the proposed P2P Plan and we were not notified nor consulted with. As such, we believe the Department and Draft EA are not in compliance with the following rules and regulations governing Environmental Assessments in Hawaii:
 - a. §11-200-9.1 of Hawaii Administrative Rules (Environmental Impact Statement Rules), "the proposing agency shall seek, at the earliest practicable time, the advice and input, and consult with those citizen groups and individuals which the proposing agency reasonably believes to be affected."
 - b. §11-11-200-9.6, the agency shall "Distribute, concurrently (emphasis added) with the filing in paragraph (5), the draft environmental assessment to other agencies having jurisdiction or expertise as well as citizen groups and individuals which the proposing agency reasonably believes to be affected."
 - c. §11-200-10.C, the contents of an Environmental Assessment "shall contain, but not be limited to, the following information:"
 - Identification of agencies, citizen groups, and individuals consulted in making the assessment."
 - d. §11-200-10.L, the contents of an Environmental Assessment "shall contain, but not be limited to, the following information:"
 - Written comments and responses to the comments under the early consultation provisions of sections 11-200-9(a)(1), 11-200-9(b)(1), or 11-200-15, and statutorily prescribed public review periods."
2. **Public Agreement to Consult with Land Owners** - On September 11, 2006, during an update of the proposed P2P Plan to the County Council's Planning Committee (PC) on behalf of OT and OEA, I provided testimony regarding my concerns that if a Draft EA was being prepared, we wanted to be consulted with and we wanted to participate in the process (See Exhibit No.3):

"...I just really am hopeful that if this EA is under way, the Planning Department speaks of, I am really hopeful that they make an effort to communicate with us. I am concerned we haven't been communicated with, but maybe it hasn't started, so maybe there is still time to communicate..."

In response to my testimony, the Director of Planning, Mr. Michael Foley, told the PC the following (See Exhibit No.4):

"...I just wanted to mention, in response to the comments that were made earlier by Rory and Bill Frampton, that we will definitely contact the property owners. I believe the consultant had contacted some of the property owners, but I will make sure that more of them are contacted."
3. **Inadequate Draft EA** - We have conducted a limited review of the Draft EA. In our quick analysis of the document we believe that several sections of the Draft EA are inadequate, including but not limited to: an inadequate assessment of potential impacts (such as coastal waters; shoreline erosion; flora/fauna study; increased runoff/pollutants/BMP's; economic impact and taxpayers dollars; etc...);

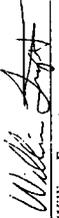
insufficient analysis of possible alternatives to the proposed action (economic analysis and feasibility assessment to purchase coastal lands; acquisition options; discussions with landowners; and possible joint public/private partnership) and, a number of technical errors related to inaccurate information within the document itself (incorrect Tax Map Keys identified; mapping errors; incorrect listing of consulted individuals; etc...). However, this letter serves to address the failure of the Planning Department to notify landowners who will be affected by the proposed action; and as such, we reserve the right to provide you with additional comments and concerns regarding the Draft EA.

Lastly, we want to make it clear that OT and OEA are very much in favor of the concept of P2P Plan; in truth we were very hopeful that we would have had an opportunity to work with the County and other entities to insure the proposed P2P Plan becomes a reality. The P2P Plan has the potential to be precedent-setting in terms of how the government and the private industry can work in cooperation to accomplish beneficial improvements for the residents of Maui. Since the P2P Plan proposes to redesignate a considerable amount of OEA's prime coastal lands to Park and/or Open Space, we had hoped that in the spirit of cooperation that OT and OEA would have been notified during the preparation of the Draft EA and offered a legitimate opportunity to work together in cooperation to achieve a win/win situation.

In summary, because the Planning Department failed to formally consult with and formally notify all of the landowners who will be reasonably affected by the proposed P2P Plan; and because of the significant errors contained within the Draft EA, we are requesting that the Draft EA document be rescinded and withdrawn from the OEQC's December 8, 2006 Environmental Notice. Additionally, we are requesting that the Draft EA not be placed on the agenda of the Maui Planning Commission until our concerns have been either addressed or complied with.

We look forward to having the opportunity to meet with you and discuss our concerns related to the Draft EA. If you have any questions or require additional information, please let us know as soon as possible.

Sincerely,
Olowalu Town, LLC


William Frampton
Manager

CC: State Department of Health - OEQC
Mr Chester Koga - R.M. Towill Corporation
Mr Alan M. Arakawa - Mayor of Maui County
Mr Michael W. Foley - Director of Planning
Mr Robert Thomas - Esq.
Mr Ken Kupchak - Esq.
Ms. Charmaine Tavares - Mayor-Elect
Olowalu Town, LLC

FRAMPTON & WARD, LLC

Real Estate Consulting • Project Management • Development

Office (808) 249-2444
Fax (808) 249-2333

2073 Wells Street - Suite 101
Wahiaku, HI 96793

June 3, 2005

Ms. Julie-Ann Cachola
PlanPacific, Inc.
345 Queen Street - Suite 802
Honolulu, Hawaii 96813

SUBJECT: Inventorying Proposed Developments for the Maui County General Plan Update - Master Planned Community of Olowalu

Dear Ms. Cachola,

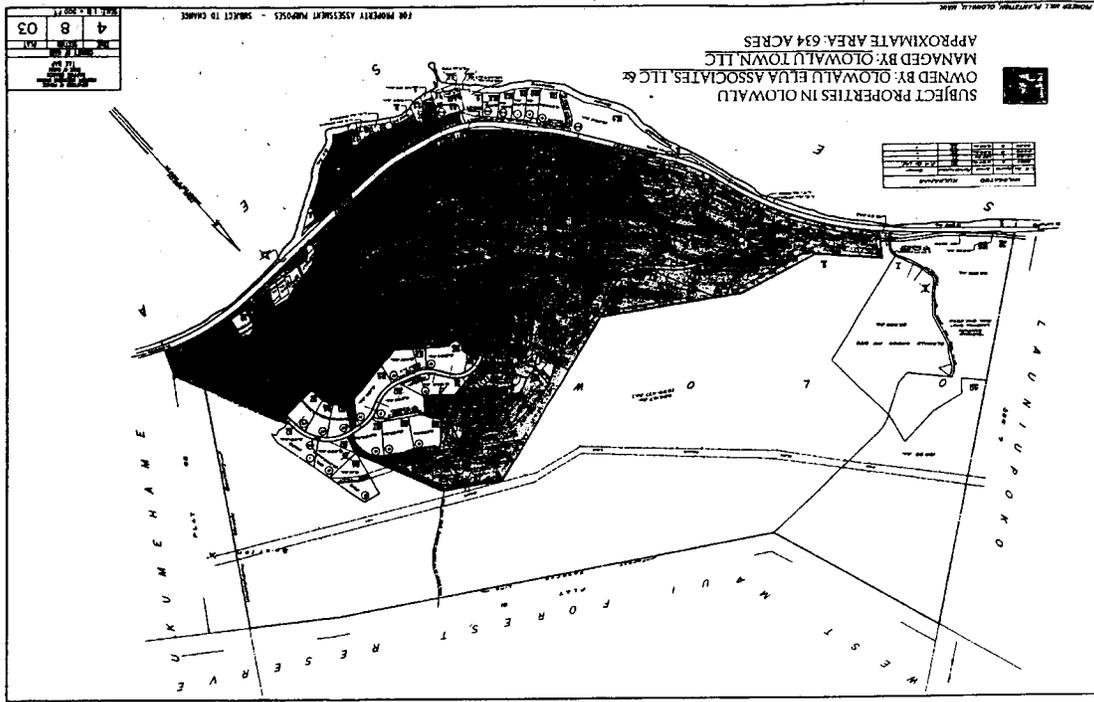
We received a copy of a letter from Mr. Michael Foley, Maui County Planning Director, dated April 28, 2005 regarding the Inventorying of Proposed Developments for the Maui County General Plan Update (GP). Specifically, Mr. Foley requested that Olowalu Elua Associates, LLC provide you with information regarding our future development plans which will assist you and the County of Maui to formulate a growth strategy for the Island of Maui. Thus, we are pleased to provide you with information regarding the future plans of Olowalu, which we hope will assist you in the formation of a sound General Plan for the Island of Maui.

LAND OWNERSHIP & DEVELOPER INFORMATION - Olowalu proper consists of 700 +/- acres. Olowalu Elua Associates, LLC (OEA), a Maui-based company, owns a majority of Olowalu proper and currently possesses 600 +/- acres. The remaining 100 +/- acres is owned by approximately 50-75 individuals.

Regarding the future plans for Olowalu, our company, Frampton & Ward, LLC (F&W) has recently entered into a Development Agreement with OEA. The agreement provides that F&W shall be the Developer for the proposed Master Planned Community of Olowalu with an option to purchase the land currently owned by OEA.

Thus, we are prepared and looking forward to working closely with PlanPacific and the County of Maui throughout the entire process of the update of the General Plan.

SUBJECT PROPERTY - The subject property is located on the west-side of Maui, flanked by the Pacific Ocean and the West Maui Mountains. As noted earlier, the subject property contains approximately 600 acres of land consisting of 22 parcels. See Attached Exhibit No. 1. The vast majority of OEA's property is designated as Agriculture, while a small portion of the land is designated Conservation, and even smaller portion designated as Residential. The subject property has recently gone through several consolidation and re-subdivisions; as such, the County has not yet provided OEA with "permanent" Tax Map Key parcel numbers. Thus, at this time we are providing you with the temporary TMK parcel numbers, subdivision lot numbers, and areas of each parcel - Please refer to the attached Exhibit No. 2 for this information.



EXISTING CONDITIONS - Olowalu, having an area of 700 +/- acres, is located on the leeward side of West Maui, and is bounded by the Pacific Ocean on the south and the dramatic West Maui Mountain Range to the north. Honoapiilani Highway, a State-owned and operated highway, traverses the makai-portion of the property (along the shoreline). Olowalu Stream, a perennial stream, is a significant natural feature which traverses through the mid-section of the property in a mauka-makai direction (mountain-ocean direction). The climate and weather of Olowalu is typical of most of Hawaii's leeward coastal areas. Rainfall is approximately 10-20 inches of rain per year, while, close by near the top of West Maui Mountains receives approx. 440+ inches of rain per year. Existing uses in the Olowalu region include: a small general store, an up-scale restaurant, a small private ocean-side camp site, a large private cultural reserve along the stream (80 +/- acres), residential homes, coastal resources: surfing, fishing, swimming, hiking, diving, snorkeling, etc. ...

The existing Olowalu community is serviced by a "dual" private water system (both potable and non-potable water). The private water system operates as a State PUC regulated utility. Olowalu is not serviced by County wastewater systems, the existing residences are dependent upon individual septic or cesspool systems. There are no police, fire, or medical services in the immediate vicinity of Olowalu, these public services are provided either in Lahaina or Wailuku/Kahului. MECO provides and services the region with electricity. Cable and phone are available to Olowalu residents as well.

Historically, Olowalu was once a thriving Sugarcane Plantation/Village, with a sizeable sugarcane industry, which included employee villages/homes; an exclusive manager's residence, stores, as well as a wharf used to ship out and receive goods. During the period of early 1900's thru 1930's, Olowalu had a population of 850 +/- people. Around 1940, the Olowalu Mill closed down, and the existing Olowalu industry was sold to a larger regional plantation, AMFAC, located in the Historic town of Lahaina. In the mid 1990's, the Hawaiian sugarcane industry began to show a significant economic decline, and as such, the AMFAC sugarcane company began to decline as well. As the AMFAC Sugar Company started to decline, they made the decision to sell off large tracts of land to help the company's economic recovery process. The selling of large tracts of former sugarcane land came as a major surprise to most people living on Maui, as for the first time in recent history, large tracts of vacant land (former sugar cane fields) were sold to private entities or individuals. OEA is the entity which purchased the majority of Olowalu lands in 1996.

MASTER PLANNED COMMUNITY OF OLOWALU - AHUPUA'A ... Our vision is to formulate a comprehensive Master Plan which will be used to guide the design and development of the new Olowalu Community. Our goal for the Master Plan Community of Olowalu would be to incorporate sound land use planning principles, with an emphasis on a sustainable growth rate; seeking a balanced approach towards the development and preservation of natural resources. The Master Plan would seek to provide public benefits and insure adverse impacts to the existing natural environment are minimized. We intend to assemble a consultant team to help us through the required entitlement process in which we may be seeking a "Project District" zoning designation (or some other appropriate Zoning Designation) which allows for the flexibility to come up with innovative and creative growth patterns. In order to ensure that there is adequate public participation in the entitlement process, we intend to implement a sincere island-wide community outreach program which will include residents and governmental agencies alike.

PRELIMINARY/CONCEPTUAL PLANS AND LAND USES - Currently, we envision that the Master Planned Community of Olowalu will consist of approximately 1,500 residential units. The new Community could include a wide variety of single-family and multi-family residential units and would be sold to a wide range income levels (i.e. low income, mid-level income, high income, as well as senior living). We also envision the development of a country town-village core area for "country-town" uses to support residents and visitors alike. Other important features of the Master Plan would include the

provision of ample shoreline and inland parks, coastal access-ways, lots of walking-biking trails, open spaces, cultural parks, County police and fire sub-stations, small medical facilities, visitor accommodations, and construction of adequate infrastructure improvements and/or systems, such as: water, sewer, and drainage. Additionally, a critical component of the Master Plan is the proposed relocation of the Honoapiilani Highway to a more mauka alignment.

FUTURE CHALLENGES: The following is a bullet-point list of future challenges the proposed Master Planned Community of Olowalu faces:

Infrastructure Systems - As Olowalu currently does not have a significant population, Olowalu is considered to be located "off of the grid" with the Honoapiilani Highway (State highway) being the only public-built infrastructure system in the region. Currently, a State PUC regulated private water system provides both potable and non-potable water to the area. Thus, a challenge for the new Master Planned Community of Olowalu will be the development of public and/or private infrastructure systems, including: wastewater systems, drainage systems, a pedestrian friendly network of transportation systems, and any other improvements that are required to insure the safety, health and well being of the residents. The development of these infrastructure systems will be integrated into the Master Plan Community of Olowalu.

Relocation of Honoapiilani Highway - The relocation of Honoapiilani Highway from its existing mauka alignment to a more mauka alignment will be an important issue related to the planning of the Master Plan Community of Olowalu. The realignment will be a significant challenge since it directly impacts vehicular flow between West Maui and Central Maui and into the Master Plan Community of Olowalu. Given the geographical conditions and likely realignment corridors, the relocation of Honoapiilani Highway within the Master Planned Community of Olowalu may be able to occur as a segment prior to the finalization of the entire Honoapiilani Highway relocation. We hope to be able to participate and assist with the relocation process and integrate the alignment into the Master Plan Community of Olowalu to ensure a practical and feasible alignment is utilized.

Sustainability of Growth and Natural Environment - The Olowalu area includes many coastal and mountain natural resources. Many of these resources are currently utilized by the public for snorkeling, surfing, fishing, etc. A challenge of the Master Plan Community of Olowalu will be to integrate into the natural resources into a cohesive community that encompasses sustainability and accessibility of natural resources (i.e. the coastal and marine environments and activities, scenic view planes, open space and public parks/greenways for activities such as biking, hiking, etc.)

Further, critical infrastructure components including drainage, roadway, and sewer systems must be designed and implemented in a way that preserves and sustains the region's natural resources.

Public Involvement - Another challenge is obtaining constructive community involvement into the planning process. We intend to implement a sincere community outreach program in conjunction with the Master Planned Community of Olowalu in order for the community to have direct impact into the planning process. We intend to reach a very broad spectrum of the community with the goal of integrating the "real" needs of island into this new community.

Existing Residences - The existing residents of Olowalu will be impacted by the Master Plan Community of Olowalu. A challenge will be to include the residents into the planning process in order for the development to make a positive impact to their community and minimize any potential adverse impacts. The existing residents will be an important part of the community outreach program.

General Plan Update - The General Plan Update and the planning for the Master Plan Community of Olowalu will occur simultaneously. The integration of these two processes will be a challenge. Communication with your team and the County will be vital in order to keep informed of the process and formation of the General Plan Update. We will want to make sure that we continually

have open lines of communication and provide any information necessary to ensure a seamless integration of the two processes.

We are pleased that you approached us and provided us an opportunity to submit the above information. We also look forward to having an opportunity in the near future to sit down with you and discuss our proposed project in more detail. After you have had a chance to review this letter, please feel free to contact me or my partner David Ward at 808-249-2224 and let us know if we can be of further assistance or if you require additional information.

Sincerely,
Frampton & Ward

William Frampton

CC: Michael Foley, Director of Planning
John Summers, Long Range Planning Program Administrator
Kathleen Ross Aloki, Staff Planner
Robin Foster, PlanPacific, Inc.
Olowalu Elua Associates, LLC
David Ward, Frampton & Ward, LLC

Bill Frampton's Testimony
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1 there's anyone else who would like to offer some
2 comments, please come forward.

3 MR. B. FRAMPTON: Good afternoon, Chair
Tavares. I

4 appreciate having the time to share some

5 thoughts today. I am speaking in reference to

6 PC-33, the Pali to Puamana Parkway Master Plan.

7 My brother, Mr. Rory Frampton, just commented
on

8 the topic as well. I have some additional

9 comments or thoughts. I apologize if any of it

10 is repetitive.

11 I also apologize, I don't have any maps

12 or exhibits to say what I wanted to exactly say

13 or get across with an exhibit; however, that

14 does relate to my concern.

15 I do want to start off by saying I think

16 the Pali to Puamana master -- the Parkway
Master

17 Plan is one of the neatest, most exciting

18 opportunities Maui has to create something that

19 is going to last for generations, and it's

20 something that could set the precedent in terms

21 of the State, as far as establishing this

22 beautiful coastal parkway, adding and creating

23 connectivity between some of the various living

24 places, and preserving a section of coastline

25 that's one of the neatest coastlines on Maui.

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1 It's just a different, diverse coastline.

2 However, to get that plan implemented,

3 that's the section I am concerned about. There

4 are multiple land use owners along this corridor

5 that are affected by the proposed plans. I

6 believe most of the landowners that I am aware

7 of are extremely supportive of the concept and

8 the plan and really would love to see this

9 implement and implemented in a timely manner.

10 My concern just relates to the public-private

11 partnering and the relationships that need to be

12 established, and they need to be based upon

13 trust and account -- and reliability.

14 The plan -- for example, I am a project

15 manager, as you may be aware, for Olowalu, and

16 the -- and the goal and hopes of creating a

17 master plan for a new community in Olowalu.

18 The -- the section of the parkway that traverses

SOURCE:
Maui County Web-Site Ralph
Rosenberg Court Reporters, Inc
Ole: (808)524-2090 Fax: (808)524-2196

19 Olowalu calls for approximately 45 acres or 48
20 acres -- excuse me -- of land to be established
21 as Park or Open Space, which I think is
22 fantastic.
23 However, the plans that we are looking
24 at, just for comparison, establishes
25 approximately 200 acres in the same area. That
PC 9/11/06 - Page 25
1 is to be given for free, essentially, at no cost
2 to the County; whereas, if we don't have that
3 relationship with the County, I am concerned at
4 what the acreage may cost.
5 The other concern is one of the nearest
6 components, again, of this plan is its
7 resolved -- revolves around relocating the
8 highway mauka, which I think we all are aware is
9 extremely important, needs to happen for a
10 public safety and health standpoint, getting the
11 highway out of the flood zones, but also for
12 creating this experience of being able to drive
13 from the Pali to Puamana, up in a more mauka
14 alignment and having beautiful park land below
15 you.
16 That highway alignment, as Rory --
17 Mr. Frampton, mentioned
18 the State Department of Transportation is
19 undertaking their own assessment. I am
20 concerned that the County has one plan going
21 with the Pali to Puamana plan. The State DOT is
22 getting ready to initiate their plan, which
23 looks at Maalaea to Puamana. And that's an
24 alignment study. That's looking at five to six
25 years.
PC 9/11/06 - Page 26
1 We have been in very close communication
2 with them, sharing our thoughts and our ideas,
3 and it -- they have been very positive, and I am
4 very excited about it because they like this
5 concept of us, obviously, building a highway,
6 constructing it, paying for it.
7 But the goal is to stay ahead of their
8 curve. They are looking at five to six years to
9 get just their study done alone. If we can work
10 in cooperation with the State DOT and the
11 County, we could expedite that, greatly expedite
12 that plan and timing. And we all know the
13 situation that the traffic is in today, let

14 alone the creation of these parks. You know,
15 the idea of creating any more units out there
16 without having that highway completed is very
17 concerning.
18 But, again, I do just want to note that
19 we are extremely excited and supportive of this
20 concept. I, as a project manager and a land
21 representative, but as well just for my kids and
22 for everyone else's children and kids, that once
23 you establish these parks, they are there for
24 good. Once you don't, if you miss that
25 opportunity, that's gone for good. This is the
PC 9/11/06 - Page 27
1 chance, the time to do it now.
2 Just really am hopeful that if this EA
3 is under way, the Planning Department speaks of
4 I am really hopeful that they make an effort to
5 communicate with us. I am concerned we haven't
6 been communicated with, but maybe it hasn't
7 started, so maybe there is still time to
8 communicate. And that's the end of -- my
9 conclusion.
10 CHAIR TAVARES: Okay. Any questions for
11 this
12 Mr. Frampton?
13 If not, seeing none, thank you very
14 much.
15 MR. B. FRAMPTON: Okay. Thanks.
16 ...END OF PUBLIC TESTIMONY...

EXHIBIT NO. 4

Mr. Foley's Testimony
County Council Planning Committee
Meeting Minutes - September 11, 2006

Page 1 of 1

PC 9/11/06 - Page 60 (cont'd)

18 ITEM NO. 33: PALI TO PUAMANA
PARKWAY MASTER PLAN

19 (C.C. 05-123)

20

21 CHAIR TAVARES: Our next item is the Pali to
Puamana

22 Parkway Master Plan, PC-33. And if we at this

23 time could turn this over to our Planning

24 Director, Mr. Foley, if you can give us an

25 update of this -- this plan, where we are at,

PC 9/11/06 - Page 61

1 and all that good stuff.

2 MR. FOLEY: Thank you, Chair Tavares.

3 The Pali to Puamana Parkway Master Plan

4 included a section near the end called

5 implementation action, and one of the

6 recommendations in that implementation action is

7 found on the top of page 57. And it states,

8 "Designate the lands makai of the proposed

9 highway corridor as Open Space in the West
Mau

10 Community Plan, and rezone the lands as Open

11 Space and/or Park as appropriate."

12 Following that recommended

CHARMAINE TAVARES

Mayor

JEFFREY S. HUNT

Director

COLLEEN M. SUYAMA

Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

April 19, 2007

Mr. William Frampton
Frampton and Ward, LLC
2073 Wells Street, Suite 101
Wailuku, Maui, Hawaii 96793

Dear Mr. Frampton:

RE: **Draft Environmental Assessment (EA) for Land Use
Redesignation for the Pali to Puamana Parkway Master
Plan, November 3, 2006, Lāhaina District, Island of Maui,
TMK (2) 4-7-001, (2) 4-8-002, (2) 4-8-003**

The following is in response to your letter dated December 28, 2006 relating to
the subject Draft EA.

We acknowledge your concern regarding the redesignation of the 16.086 acres
from Agriculture to Open Space. We further acknowledge that the owners of the land
have expressed their desire to develop this land to the Planning Department. The
landowners response was recorded as early as 2005 when the P2P Plan was first
published. We further acknowledge that your office, on behalf of the owners, have
forwarded a proposed plan for the shoreline.

We can neither confirm nor dispute your discussions with the former Planning
Director. However, if it were presented that the landowners were willing to transfer to
the County one-half of the 16 acres cited above then we will take this offer under
advisement. We wish to continue to have dialog with the landowners to arrive at a plan
that meets the objectives of the West Maui Community Plan.

The following is in response to your belief that the Draft EA is flawed.

1. Failure to Consult Affected Parties.

The intent of the County has been known and the subject of discussion since
1995 with the adoption of the West Maui Community Development Plan.
Since the publication of the Pali to Puamana Master Plan (P2P Plan) in 2005,
not less than three public informational meetings were held in the community

SOURCE:
Maui County Web-Site Ralph
Rosenberg Court Reporters, Inc.
Of: (808)524-2090 Fax: (808)524-2596

250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793
PLANNING DIVISION (808) 270-7757; ZONING DIVISION (808) 270-7251; PAC-SMILE (808) 270-7834

Mr. William Frampton
Page 2

and not less than five meetings were held with the P2P Advisory Committee. Further, meetings were held with your clients and other affected landowners about the intent of the County. The specific objectives of your clients were made known to the Planning Department, however, specific plans, other than the approved subdivision plans, have not been filed with the Planning Department. Further, application for land use entitlements has not been made at the State or County level to suggest implementation of the proposed plans.

2. Public Agreement to Consult with Land Owners

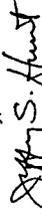
We will honor our commitment to meeting with landowners as represented at the September 11, 2006 meeting of the Planning Commission.

3. Inadequate Draft EA.

We will re-examine the areas that are noted in your letter and, as appropriate, make revisions, and include them in the Final EA.

Thank you for taking the time to participate in this important undertaking, and should you have any questions, please feel free to contact Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,



Jeffrey S. Hunt
Planning Director

JSH:KRA

cc: John F. Summers, Planning Program Administrator
Kathleen R. Aoki, Staff Planner
Chester Koga, RM Towill Corporation
S:\ALL\Kathleen\P to P\EA for CPAR\response to Obwau Elua 122806.doc

MAKILA LAND COMPANY, LLC

33 Lono Avenue, Suite 450 • Kahului, Maui, Hawaii 96732
Telephone: (908) 877-4202 • Fax: (908) 877-9409

March 8, 2007

Jeff Hunt, Director
Planning Department
County of Maui
250 S. High Street
Wailuku, Hawaii 96793

Attention: Kathleen Aoki

Subject: Draft Environmental Assessment for Community Plan Amendments and
Change in Zoning, Papalaua to Puamana, Lahaina District, Island of
Maui

Dear Mr. Hunt:

Thank you for the opportunity to provide comments on the above referenced
Draft Environmental Assessment (EA). These comments are provided on behalf of
Makila Land Co., LLC (Makila).

I have been retained by Makila to focus on long range planning alternatives for
nearly 4,000 acres of land holdings in West Maui. Makila's makai properties abut
Honoeplani Highway for a distance of approximately 2.5 miles along the shoreline.

Makila supports the concept of enhancing coastal recreational opportunities in
this area and believe that this could be best accomplished via a public/private partnering
effort. We also recognize that it will not be an easy task.

Coastal park expansion between Puamana and Awalua is currently not possible
due to the location of the existing highway. Thus, a new major transportation arterial
will need to be built at an inland location to take all of the existing traffic away from the
coastline. Private lands abutting the highway right of way would need to be set aside or
acquired for public use. Additional roadways and accesses need to be constructed.
And, of course, park improvements need to be designed and built at appropriate
locations. Each one of these steps will cost millions of dollars. Perhaps more
importantly, if these steps are going to be the sole responsibility of government, it could
be generations before they are accomplished.

Our primary concern is the lack of discussion of economic impacts and the lack
of any meaningful analysis of alternative approaches. In order for this document to
provide useful information upon which to base future decisions, there needs to be a
complete analysis of the alternative means to implement the goals of the Pali to
Puamana Master Plan. Future decision makers should be aware the impacts of the
approach espoused in the Draft EA, and how the preferred approach compares to other

Mr. Jeff Hunt, Director
Re: P2P Draft EA Comments
March 8, 2007
Page 2

alternative approaches, especially as it relates to the size and location of future public
park areas, costs, implementation, sequence and timing.

The Draft EA does not address the many other steps that need to be taken in
order to implement the Pali to Puamana Master Plan. The Draft EA should include a
discussion of the steps necessary to implement the park plan, the costs of each of these
steps and an anticipated timeline. According to Chapter 200 of the Department of
Health's Administrative Rules:

*"A group of actions proposed by an agency or an applicant shall be treated as a single action
when:*

- A. The component actions are phases or increments of a larger total undertaking;
- B. An individual project is a necessary precedent for a larger project;
- C. An individual project represents a commitment to a larger project (11-200-7,
HAR)

The Draft EA examines only one alternative way to achieve this vision. As noted
on page 2, Section 2.1, "This Draft Environmental Assessment assesses the impacts of
one of the methods of corridor protection available to the County, namely its power of
land use designation." (emphasis added) In order to fully inform future public decision
makers, other alternative means to implement the Master Plan need to be presented.

It is clear to Makila that this dream will not become reality unless there is a
monumental partnering effort between private and public sectors. Over the last year,
through repeated dialogue with the Planning Department, State Department of
Transportation and key members of the West Maui Community, Makila has developed
some specific scenarios whereby this dream may become reality.

It is Makila's vision that there would be a continuous park' along the shoreline
from one end of Makila's holdings to the other. This is distinctly different than the
County's Pali to Puamana Master Plan which only showed a mauka expansion at
Launilupo Beach Park, while leaving the existing highway in place. Figure 2 in the
Draft EA is not a correct copy of the Pali to Puamana Master Plan. Portions of the
Figure have been altered, specifically between Awalua and Puamana Beach Park. A
correct version of the Pali to Puamana Master Plan should be included as Figure 2.

The "Park" would include passive and active recreational areas, with some areas to be left in a natural state and
others to be developed with typical park amenities. Detailed Park design would be developed through additional
public dialogue.

MAKILA LAND COMPANY, LLC
33 Lono Avenue, Suite 450 • Kahului, Maui, Hawaii 96732
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Mr. Jeff Hunt, Director
Re: P2P Draft EA Comments
March 8, 2007
Page 3

Any deviation from the Pali to Puamana Master Plan should be considered as an alternative and clearly described and specified as such in the EA.

Makia has considered two different alternatives to establish a continuous park along the entire portion of its maikai properties. One approach involves utilizing existing development entitlements under the County's Agricultural Zoning Ordinance; the other approach would involve pursuing additional land use entitlements. A brief summary of the two alternatives is provided below.

Large Lot Agricultural Subdivision. As the Planning Department is aware, Makia has received Preliminary Subdivision Approval involving two large lots which abut the highway. The two large lots have been allocated a total of 18 lots, all with a minimum lot size requirement of 15 acres. The subdivision plans would create 18 lots which just meet the minimum lot size, 15 acres, and the remaining or surplus acreage would be set aside for future park land acquisition. The size of the area designated for future park land acquisition would be approximately 68 acres.

A subdivision access road would be constructed inland and roughly parallel with Honoapiilani Highway. Under this scenario, the subdivision access road would also serve as the access road for the coastal park once Honoapiilani Highway has been removed. It would also function as an alternative access or emergency evacuation route for Lahaina Town.

As part of this scenario, Makia has been working with the State Department of Transportation on an alternative alignment of the southern end of the Lahaina Bypass. The proposed *Lahaina Bypass - Southern Extension* would extend the bypass to the northern boundary of the Olowalu Landfill along a mauka corridor. Instead of terminating near Lanaiupoko Beach Park. This would reduce the risk of the threats to the current highway which are posed by shoreline erosion, high surf, tsunami or storm surges. This also would free up an additional section of coastline for recreational use. Makia is paying for the costs and assisting in the processing of the Environmental Assessment which would adopt the realigned section as the official route of the Lahaina Bypass. (Makia will be pursuing the extension of the Bypass route under either of its development alternatives.)

Thus, under the Large Lot Agricultural Subdivision scenario, approximately 68 acres would be created for future park use, a coastal access road would be constructed, and a new alignment of the Lahaina Bypass would be pursued.

MARULA LAND COMPANY, LLC
33 Lono Avenue, Suite 450 - Kalahele, Maui, Hawaii 96752
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Mr. Jeff Hunt, Director
Re: P2P Draft EA Comments
March 8, 2007
Page 4

Additional Entitlements. This alternative would involve requesting a change in land use classification to rural or urban to allow for additional residential development. A parallel coastal road would be developed, but at a more inland location. Developable lots would be located on the maikai and mauka sides of the subdivision roadway. Given an appropriate mix of residential entitlements, Makia would be prepared to: 1) assist in completing the Lahaina Bypass to 4 lanes; 2) donate the park lands; 3) construct portions of the park; and, 4) assist in long term maintenance and security of the park areas. Makia's intent is to process this alternative through the General Plan update process and, as such, specific plans and acreages are still in the developmental stage.

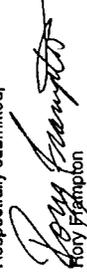
We are willing and eager to work with the Department to provide greater specificity regarding both of the outlined approaches.

Lastly, it is noted that the document confuses Tsunami Inundation Zones with recommended Evacuation Areas. The document also erroneously notes that the FEMA maps depict coastal flood hazards due to storm surges. Sections 3.5.1 and 3.5.2 as well as Figures 6 and 7 should accurately reflect and describe FEMA's various flood zones.

I previously provided comments to the Maui Planning Commission via written testimony dated December 12, 2006. A copy of this testimony is attached and is incorporated as part of this letter.

In closing, Makia endorses the concept of a coastal park along this section of Maui coastline, however, we also recognize the complex sequence of actions which must be taken to make this vision a reality. We look forward to working in a positive manner with the Planning Department and Planning Commission in order to establish a coastal park for the benefit of many future generations of Maui residents.

Respectfully submitted,


Tony Hampton
Land Planning Consultant
Makia Land Co., LLC

Cc: Chester Koga, RM Towill
Steve Goodfellow
Peter Martin

MARULA LAND COMPANY, LLC
33 Lono Avenue, Suite 450 - Kalahele, Maui, Hawaii 96752
Telephone: (808) 877-4202 - Fax: (808) 877-9409

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING
April 19, 2007

Mr. Rory Frampton
Land Planning Consultant
Makila Land Co., LLC
33 Lono Avenue, Suite 450
Kahului, Hawaii 96732

Dear Mr. Frampton:

RE: Draft Environmental Assessment (EA) for Land Use
Redesignation for the Pali to Puamana Parkway Master
Plan, November 3, 2006, Lanai District, Island of Maui,
TMK (2) 4-7-001, (2) 4-8-002, (2) 4-8-003

The following is in response to your letter dated March 8, 2007 relating to the subject Draft EA.

1. We acknowledge your association with Makila Land Co., LLC and that your client's landholding incorporates 2.5 miles of shoreline.
2. *Coastal park expansion between Puamana and Awaula is currently not possible due to the location of the existing highway.*
Since 1996 when the West Maui Community Plan was adopted, it was recognized that open space and access to the ocean was important to the residents of West Maui. It was also recognized that the highway needed to be relocated inland in order to safeguard motorists during severe storm events. The County's initiative to undertake the P2P Plan was to propose to the State an alternative for the highway's alignment, and to make known the County's desire to create and retain open space. The cost of such an endeavor was not avoided. With the commencement of work by the State Department of Transportation (SDOT) to examine the realignment of Honoapiʻiani Highway, we are encouraged that the existing highway will be taken out of harms way.

Mr. Rory Frampton
Page 2

3. *Our primary concern is the lack of discussion of economic impacts and the lack of any meaningful analyses of alternative approaches.*

We acknowledge that there will be cost associated with the implementation of the P2P Plan, particularly land acquisition. With the recent acquisition of lands in Ukumehame, we believe the County is willing to take up this challenge. As stated above, as the SDOT moves ahead with their planning, we are further encouraged that a new highway alignment will be inland and away from the ocean. You are correct that the proposal forwarded in the EA has many steps and phases beyond this EA phase and we will attempt to detail these steps and phases in order that decision makers have complete view from the policy making level, through the development planning and design phases, and finally construction.

4. *The Draft EA examines only one alternative way to achieve this vision.*

The focus of the EA was limited to the implementation of public policy as directed by the West Maui Community Plan. The EA is to be viewed as an expression of what kinds of land uses are desired.

5. *It is clear to Makila that this dream will not become reality unless there is a monumental partnering effort between private and public sectors. Makila has developed some specific scenarios whereby this dream may become reality.*

We are also of the opinion that efforts of landowners are an important element to accomplishing the goals of the West Maui Community Plan. It is important that landowners share information on their proposed development in order that the Department can evaluate these proposal and see how the fit with the Community Plan.

6. *It is Makila's vision that there would be a continuous park along the shoreline from one end of Makila's holding to the other. . . different than the County's Pali to Puamana Master Plan which only showed a mauka expansion at Launiupoko Beach Park.*

We look forward to discussing your client's plans and to evaluate how these plans can meet the goals of the Community.

7. *Figure 2 is not a correct copy of the Pal to Puamana Master Plan.*

We apologize and will be making appropriate reference to the fact that the map in the Draft EA is an amended P2P plan.

8. *Makia has considered two different alternatives to establish a continuous park along the entire port of their makai properties...1) Large lot subdivision (18 lots) makai of the realigned Honoapiʻiani Highway and 2) Change land use classification from rural to urban to allow for additional residential development. Makia would be prepared to : 1) assist in completing the Lahaina Bypass to 4 lanes, 2) donate the park lands; 3) construct portions of the park; and 4) assist in long term maintenance and security of the park areas. Makia's intent is to process this alternative through the General Plan update process.*

As stated above, we look forward to discussing your client's plan.

9. *Lastly, it is noted that the document confuses Tsunami Inundation Zones with the recommended Evacuation Area.*

We have noted that the map has been referenced in error and will be corrected in the Final EA.

We firmly believe that continued dialog is essential for reaching our mutual goals. This EA is a beginning step in meeting our goal of preserving open space in West Maui and we are encouraged by your offer to assist in the process. The EA is being used as a means to continue the dialog with residents and landowners.

Once we complete this EA process, we will begin the process of preparing the action items to change the land use designations. During this process, we will also be engaging the community and landowners to obtain their input on the proposals that we will be putting forward.

Thank you for taking the time to be actively involved in this undertaking. Should you have any questions, please feel free to contact Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,



Jeffrey S. Hunt
Planning Director

JSH:KRA

cc: John F. Summers, Planning Program Administrator
Kathleen R. Aoki, Staff Planner
Chester Koga, RM Towill Corporation

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OLOWALU EKOLU, LLC

2073 Wells Street · Suite 101, Waihuku, HI 96793
Phone: 249-2224 / Fax: 249-2333

March 8, 2007

Maui Planning Commission
C/o Mr. Jeff Hunt
Director of Department of Planning
County of Maui
250 High Street
Waihuku, HI 96793

RE: Draft Environmental Assessment for Land Use Redesignation (Community Plan Amendment and Change in Zoning) for the Pali to Puamana Parkway Master Plan; November 3, 2006; Lahaina District, Island of Maui Tax Map Key; (ID) 4-7-001, (ID) 4-8-002; (ID) 4-8-003.

Dear Mr. Hunt,

On behalf of Olowalu Ekolu, LLC (Ekolu), we provide this letter as a supplement to our letter dated December 28, 2006 related to the above referenced Draft Environmental Assessment (EA) for the proposed Pali to Puamana Parkway Master Plan (P2P Plan). Ekolu is the land owner of a parcel of land located within Olowalu, specifically identified as Tax Map Key:(I) 4-8-003:124; which will be significantly affected by the proposed P2P Plan. This subject parcel of land, having an area of 16.086 acres, is situated between the shoreline and the Honopuili Highway, approximately 1,500 feet north of Olowalu General Store. Please note that this letter is supplemental information and Ekolu's previous concerns still remain.

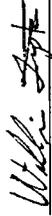
Although Ekolu has not received a formal response from the Planning Department to the December 28th letter, we attended the Planning Department's February 12, 2007 "Informational Meeting" held at the Lahaina Civic Center. Additionally, we arranged for and met with you and other members of the Planning Department on February 16, 2007. At each of these meetings, the Planning Department committed to include in the EA additional information including but not limited to a detailed and thorough Project Alternative Analysis Study and an Economic Feasibility Study which examines the cost to acquire private land, potential public/private partnerships, etc. Finally, we request that the EA be amended to accurately describe and depict Tsunami Inundation Zones and Flood Zones (FEMA information) that are currently inaccurately described in Section 3.5.1 and 3.5.2 and depicted in Figure 6 and 7.

Again, we want to make it clear that is very much in favor of the concept of P2P Plan; in truth we were very hopeful that we would have had an opportunity to work with the County and other entities to insure the proposed P2P Plan becomes a reality. The P2P Plan has the potential to be precedent-setting in terms of how the government and the private industry can work in cooperation to accomplish beneficial improvements for the residents of Maui. Since the P2P Plan proposes to redesignate Ekolu's prime coastal lands to Park and/or Open Space, we continue to hope that in the spirit of cooperation that Ekolu is offered a legitimate opportunity to work together with County in cooperation to achieve a win/win situation.

Mr. Jeff Hunt
P2P Plan Draft EA
March 8, 2007
Page 2 of 2

We look forward to having the opportunity to work with you in the development of an Alternative Analysis Study and Economic Feasibility Study to supplement the EA. If you have any questions or require additional information, please let us know.

Sincerely,
Olowalu Ekolu, LLC



William Frampton
Manager

CC: State Department of Health - OEQC
Mr. Chester Koga - R.M. Towill Corporation
Ms. Charmaine Tavares - Mayor of Maui County
Mr. Robert Thomas - Esq.
Mr. Ken Kupchak - Esq.
Olowalu Ehua Associates, LLC
Nani Kai Holdings, LLC

CHARMAINE TAVARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

April 19, 2007

Mr. William Frampton
Frampton and Ward, LLC
2073 Wells Street, Suite 101
Wailuku, Maui, Hawaii 96793

Dear Mr. Frampton:

RE: Draft Environmental Assessment (EA) for Land Use
Redesignation for the Pail to Puamana Parkway Master
Plan, November 3, 2006, Lahaina District, Island of Maui,
IMK (2) 14-8-002, (2) 14-8-003

The following is in response to your letter dated March 8, 2007 to the Maui
Planning Commission relating to the subject Draft EA.

1. Responses to the comments received.

The last day the Department set for receipt of comments was March 8, 2007. We made that statement at the public informational meeting held on February 12, 2007 in Lahaina at the West Maui Senior Center. We were waiting for the end of the comment period before we responded to the comments received in order to ensure that we responded consistently to all who provided comments on the Draft EA.

2. The Planning Department committed to include in the EA additional information including but not limited to a detailed and thorough Project Alternative Analysis Study and an Economic Feasibility Study which examines the cost to acquire private land, potential public/private partnerships, etc.

We will include additional information relating to alternatives considered and those that have been proposed to the Planning Department, such as the dedication of land by the landowners. We will also include additional discussion relating to the potential costs of land to be acquired and the potential for public-private partnerships.

Mr. William Frampton
Page 2

3. The EA should be amended to accurately describe and depict Tsunami Inundation Zones and Flood Zones.

We will review the two maps and revised/amend them as appropriate.

4. We want to make it clear that [I/We/it/s] very much in favor of the concept of P2P Plan; in truth we were very hopeful that we would have had an opportunity to work with the County and other entities to insure the proposed P2P Plan become a reality.

We appreciate your continued support in this "precedent setting" endeavor. As we have stated publicly, the filing of the EA starts this process. The opportunity for dialogue remains open.

Thank you, once again, for taking the time to be actively involved in this undertaking. Should you have any questions, please feel free to contact Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,

Jeffrey S. Hunt
Planning Director

JSH:KRA

cc: John F. Summers, Planning Program Administrator
Kathleen R. Aoki, Staff Planner

Chester Koga, RM Towill Corporation
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CHARMAINE TAVARES
Mayer
JEFFREY S. HUNT
Director
COLLEEN M. SOYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 6, 2007

Chester Koga

From: planning [planning@co.maui.hi.us]
Sent: Friday, March 09, 2007 11:34 AM
To: Clayton Yoshida
Subject: Fwd: "Review" of Draft Environmental Assessment Land UseRedesignation

Colleen said this sounded like the Pali to Puamana EA. Please forward this to the appropriate personnel.
Thank you!!!

>>> "Edward J. Faeder, Ph.D." <efaeder1@verizon.net> 03/09/2007 7:42:17 AM >>>
I was present when you had a public meeting in Lahaina in February 2007. My wife and I are property owners and part time residents there.

I downloaded your draft EA some time ago, meaning to comment in detail, especially on air quality perturbation issues, of which I know a great deal. Sadly, Section 3.10 Air Quality, in your draft document says "No mitigation is required." As a toxicologist and air quality health effects specialist, I say that your report is seriously deficient. It may be that ultimately the data will support a conclusion by you that only minor impacts on public health and safety occur, especially for residents within 500 feet of the proposed path of the road, but it is your responsibility to establish that fact – and I believe that that is an unlikely conclusion to a proper investigation.

If I can help you in any way, please let me know. A copy of my resume is attached.

Edward J. Faeder, Ph.D., Q.E.P.
e-mail: efaeder@ix.netcom.com

Mr. Edward J. Faeder
2243 Feather Rock Road
Diamond Bar, California 91766

Dear Mr. Faeder:

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaua
to Puamana Tax Map Key Plans 4-7-01, 4-8-02, and 4-8-03

The following is in response to your letter dated March 9, 2007 relating to the subject environmental assessment and offer the following responses to your comments.

Section 3.10 Air Quality, in your draft document says "No mitigation is required." As a toxicologist and air quality health effect specialists, I say that your report is seriously deficient. It may be that ultimately the data will support a conclusion by you that only minor impact on public health and safety occur, especially for residents within 500 feet of the proposed road, but it is your responsibility to establish that fact – and I believe that is an unlikely conclusion to a proper investigation.

Our response to no mitigation is required is on the basis that no improvements will be made as a result of the proposed action. During normal tradewind periods, the winds in the area do not allow the build-up of regulated concentrations of carbon monoxide and carbon dioxide from vehicular traffic.

Thank you for taking the time to respond to this important undertaking. Should you have any questions please contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,


JEFFREY S. HUNT
Planning Director

JSH:KRA
cc: Kathleen Ross Aoki, staff planner
Chester Koga, R.M. Towill Corporation
S:\ALL\KathleenP to PEA for CPA/DEA Response Letters June 6.doc

SRF Environmental and Health Management, Inc.
2243 Faeder Road, Newport News, VA 23606
Dunbar, VA 23046
Telephone: 800-460-8282 Facsimile: 800-461-0956 e-mail: efaeder@ehz.jefferson.com

EDWARD J. FAEDER

Résumé

EDUCATION

B. A., Chemistry - 1965
Columbia College, New York, New York
Ph. D., Biophysical Chemistry - 1970
Cornell University, Ithaca, New York
Post Doctorate, Biochemistry - 1972
Duke University, Durham, North Carolina

SUMMARY OF SKILLS

Thirty-seven years of experience in high level management, organizational, technical, and policy areas related to environmental protection, health and safety for utilities and aerospace industries. Government experience, consulting experience, academic and teaching experience. Skill and experience negotiating complex environmental protection and safety agreements with a variety of regulatory agencies, including EPA, OSHA, state and local health departments and air quality management districts. Experience with the approach and impacts of DOE "Tiger Teams." Experience in the development of strategic approaches to complex environmental, health and safety toxic tort litigation. Ability to integrate multi-disciplinary approaches into the solution of complex regulatory and health-related problems. Ability to enlist senior management and working group support and participation in solving problems. Ability to work in stressful environments.

WORK EXPERIENCE

Present - 1991 Executive Vice President
SRF Environmental and Health Management, Inc.
Diamond Bar, California

Assists clients to resolve environmental, health and safety (EHS) issues cost effectively and in compliance with regulatory requirements. Specializes in organizational analysis and problems to optimize handling EHS activities by corporate and company senior management, and works on specific problems associated with toxic chemicals, hazardous wastes, perform risk assessments, environmental, health and safety audits relevant to the purchase and sale of property. Deals with potential human health problems arising from environmental or occupational exposures. Provides litigation support in toxic torts cases. California State Registered Environmental Assessor (REA-00046). Qualified Environmental Professional, Fellow, American Institute of Chemists, and Fellow, American College of Forensic Examiners (No. 1196).

Edward J. Faeder

Résumé

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1991 - 1990 Senior Vice President
The Jefferson Group
West Covina, California

Was the Director of The Jefferson Group's Los Angeles-based Environmental and Occupational Health Division. Focus was on providing a wide range of health protection (environmental, health, safety, occupational medical, and emergency response) services to clients. Specialized in working to audit, analyze, and restructure corporate health protection activities so that regulatory compliance could be achieved cost effectively and with appropriate senior management control.

1993 - 1980 Adjunct Associate Professor, Environmental and Occupational Health Sciences Division,
School of Public Health, UCLA
Los Angeles, California.

Participated in the development of an integrated departmental program in environmental toxicology; supervised graduate student activities in electric utility industry-related research projects. Currently teach environmental toxicology in the UCLA Hazardous Materials Management Extension Program, and maintain affiliations with the Environmental Sciences and Engineering professional degree program.

1990 - 1988 Director, Environmental Protection and Safety
Lockheed Aeronautical Systems Company
Burbank, California.

Was responsible for organizing and directing the Environmental Protection and Safety Branch of Lockheed Aeronautical System Company's Burbank Division. Combined all health, safety, and environmental activities for the company, from three other branches. Professional and regulatory affairs specialists focused on environmental, health and safety, hazardous chemicals, and waste issues for a business unit employing about 15,000 people. Built this group to almost 100 in size, and had responsibility for many health protection issues of importance to the Company. The latter included: An asbestos program for older buildings; solvent usage; airborne toxic chemicals; groundwater contamination and Company participation in a unique area-wide Superfund site involving multiple potentially responsible parties (PRPs); hazardous waste minimization and disposal; toxicological assessment of new chemicals and processes program; management of a major, multimillion dollar occupational health and safety commitment to the U.S. Occupational Safety and Health Administration as part of the settlement of citations against the Company. Used non-traditional, applied research, problem-solving approaches unique within the aerospace industry. Tactical and strategic planning were involved. The Branch operating budget was in excess of \$40,000,000 per year (function plus capital equipment) Managed almost 100 health protection specialists.

1987

Director, Environmental and Health Sciences, ICF-Clement Western Operations, ICF Technology, Los Angeles, California.

Developed and managed ICF's risk assessment efforts in the western part of the United States. Recruitment and staffing, general management of technical personnel, performance as a technical expert in the risk assessment area, development of a marketing strategy for business growth in this area, and its implementation. Supervised nine professionals, at maximum group size. Performed technical and related policy work for private and governmental clients on hazardous waste problems, air toxics issues, environmental site assessments and auditing, risk communication to public groups, and health and safety issues. Provided testimony and work with attorneys to develop technically sound legal strategy in toxics-related cases.

1986 - 1985

Manager of Environmental Operations
Southern California Edison Company
Rosemead, California.

Directed the Southern California Edison Company's response to environmental problems arising from their business operations. Managed forty technical and professional people, and a budget of \$8,000,000 in performing these activities. Served as the initial contact and coordinated developmental remedial measures. Provided interface with staff and other key personnel of environmental and regulatory agencies concerning the issuance, amendment or revocation of existing laws, policies or regulations. Developed and implemented environmental compliance programs. Coordinated permitting and licensing with environmental and regulatory agencies. Coordinated responses to requests from regulatory agencies for information on the environmental aspects of Company operations. Provided environmental engineering design and monitoring services for facilities in support of generation project managers and other requesting organizations.

1985 - 1984

Manager, Systems Research and Development
Southern California Edison Company
Rosemead, California.

Managed all environmental research activities for the Company, including environmental and occupational health, terrestrial and marine ecology, and atmospheric chemistry. Supervised a group of 33 company and contract professionals in conducting research activities in support of corporate environmental goals. Annual budget was in excess of \$5,000,000. Provided internal and external technical support for corporate line operations and regulatory and licensing processes.

1984 - 1981

Consulting Scientist
Southern California Edison Company
Rosemead, California.

Developed research programs in all areas of toxic and hazardous chemical effects on Company employees and people living within its service territory. The program dealt with

exposure to chemicals used in Company facilities and wastes generated by business operations. A specific example is the development of a corporate PCB exposure program to characterize worker exposure and effects from using PCBs in a subject population of 2,000 employees. Served as the Company expert in the area of environmental toxicology. Managed the integration of research findings with policy objectives for industry-wide impacts through active participation in utility ad hoc groups, e.g., technical management of EEUWAG PCB Project, UARG Health and Welfare Effects Committee participation in SO₂ and NO_x ambient air standard setting processes. Continued to function as supervisor of Health and Biological Effects Group, containing five professionals.

1980 - 1976

Senior Research Scientist, Supervisor Health and Biological Effects Research
Southern California Edison Company
Rosemead, California.

Developed and implemented corporate research program to determine the effects of air pollution on human beings in Southern California, provided technical support for other groups in the Company, particularly Law, and Environmental Affairs in the health effects area, served as Health Effects Coordinator on an industry-wide basis, through Utility Air Regulatory Group Ambient Standards Committee with other companies and provided technical input directly to federal regulatory agencies. Supervised health effects research for the Company and directed work of health and biological effects section of Environmental Systems Group. Annual budget was approximately \$3,000,000. Group contained three professionals.

1976 - 1975

Acting Chief, Biochemical Screening Section, Health Effects Research Laboratory
U.S. Environmental Protection Agency
Research Triangle Park, North Carolina.

Directed the development of biochemical and chemical techniques to examine the exposure of animals and people to toxic substances.

1975 - 1972

Research Chemist, Bioenvironmental Laboratory
Branch, Division of Health Effects Research,
U.S. Environmental Protection Agency
Research Triangle Park, North Carolina.

Developed coordinated program to examine effects of gaseous and heavy metal pollutants on biochemical systems in animals. Established extramural contract research program through EPA's Minority Institute Research Support Program.

1972 - 1970

Research Associate, Department of Biochemistry,
Duke University
Durham, North Carolina.

Examined the role of metals and co-factors in electron transfer through biological molecules.

ADDITIONAL EDUCATION

- "Inframation 2006 – Infrared Camera Applications Conference," conference on infrared cameras, theory and applications," including 3 one-half day clinics on: building science applications, home inspection; and infrared camera techniques; October 23-27, 2006, Las Vegas, Nevada.
- "From Exposure to Human Disease: Research Strategies to Address Current Challenges," a two day symposium on chemical exposure evaluation and it's role in the etiology of disease development in humans, sponsored by the Roundtable on Environmental Health Sciences, Research and Medicine, Institute of Medicine of the National Academies, September 14, 14, 2006, Washington, D.C.
- "Characterization and Evaluation of Vapor Intrusion," workshop in volatile chemical intrusion into buildings, sponsored by the Air and Waste Management Association, September 12, 2006, Los Angeles, California.
- "Rule 1401 Health Risk Assessment," training class in SCAQMD risk analysis for air emissions of new sources and existing source modifications – risk calculator methodology, October 12, 2005, Anaheim, California.
- "Infrared Thermography, Level I Training," training class for level I certification, March 8 - 11, 2005, Albuquerque, New Mexico.
- "Mold-Related Health Effects: Clinical, Remediation Worker Protection, and Biomedical Research Issues," seminar sponsored by Society for Occupational and Environmental Health, National Institute of Environmental Health Sciences, Association of Occupational and Environmental Clinics, NIH Office of Rare Diseases, Johns Hopkins University Bloomberg School of Public Health, Urban Public Health Program of Hunter College (SUNY), and University of Medicine and Dentistry of New Jersey School of Public Health, June 28, 29, 2004, Washington, D.C.
- "Air Toxics Health Risk Assessment and HARP (California EPA's *Hotspots Analysis and Reporting Program*)", computer modeling workshop, June 15, 16, 2004, Anaheim, California.
- "Mold, Allergens, Sampling, and Data Interpretation," seminar sponsored by Environmental Microbiology Laboratory, May 5, 2004, Los Angeles, California.
- "3rd International Conference on Bioaerosols, Fungi, Bacteria, Mycotoxins and Human Health," conference, September 10-12, 2003, Saratoga Springs, New York.
- "Healthy Indoor Environments 2003, Setting the Standards for Indoor Air Quality," conference, April 10-12, 2003, Anaheim, California.
- "Comparative Sampling Techniques for Mold Investigations" and "Methods to Assess the Effectiveness of Mold Remediation" Workshops, April 9, 2003, The University of Tulsa Indoor Air Program, Anaheim, California.
- "Maintaining a Healthy School Environment Workshop," U.S. EPA Region IX update, April 8, 2003,

Anaheim, California.

- "Introduction to Immunology," an update of modern immunology and changes in the past five years, sponsored by the American Association of Immunologists, June 22-25, 2002, Tufts University, Medford, Massachusetts.
- "Mold Litigation Conference," including expert discussions on morphology, fungal presence, characterization, and effects, sponsored by Mealey Publications, February 25, 26, 2002, Phoenix, Arizona.
- "Asthma and Allergen Control," an indoor air quality workshop sponsored by U.S. EPA, Region IX and the California Department of Health Services, and delivered by University of Tulsa, Oakland, California, January 22-23, 2001.
- "Sampling/Biological Contamination Control," an indoor air quality workshop organized by U.S. EPA, Region IX, and delivered by University of Tulsa, San Diego, California, September 12, 2000.
- "Biological Remediation and Control," an indoor air quality workshop organized by U.S. EPA, Region IX, and delivered by University of Tulsa, San Diego, California, September 13, 2000.
- "Hands-on Training with the Decision Tools Suite: @RISK, PrecisionTree®, TopRank®, BestFit®, RISKview™, RISKOptimizer™," Ithaca, New York, June 12-14, 2000.
- "Groundwater Services, Inc., User Training in Risk-Based Corrective Action (RBCA) Assessment Toolkit for Chemical Releases," Houston, Texas, June 23, 1999.
- "ASTM User Training in Risk-Based Corrective Action (RBCA) Assessment Toolkit Applied at Petroleum Release Sites," Los Angeles, California, June 25, 1998.
- "Respiratory Protection Training in Ca/OSHA Requirements for CCR Title 8, Section 5144," by the American Safety Institute, Los Angeles, California, May 27, 1999.
- "Hazardous Materials 8-Hour First Responder Operations Training— Update," La Habra, California, September 3, 1997.
- "Repair and Maintenance Operations of All Asbestos Containing Material (ACM) Types— 16 Hour O&M Training," for certification, La Habra, California, August 3, 4, 1997.
- "ISO 14000 EMS Lead Auditor Course," for certification, Fullerton, California, May 28 - June 1, 1997.
- "ASTM User Training in Risk-Based Corrective Action (RBCA) Applied at Petroleum Release Sites," San Diego, California, January 14-15, 1997.
- "Air Permits Modeling Course," Bowman Environmental, November 5-6, 1996, Los Angeles, California.

- "A Guide to Voluntary Compliance in Safety and Health," U.S. Department of Labor, OSHA Training Institute, Des Plaines, Illinois, August 31 - September 4, 1992.
- Lockheed Executive Institute, Lockheed Corporation, August 14-19, 1988, Calabasas, California.
- "Basic Health and Safety Training Course", CDM 150.4, Camp, Dresser, and McKee, June 22-26, 1987, Springfield VA.
- "Basic Leadership Laboratory," UCLA Extension Program, Ojai, California - December 4-10, 1983.
- "Managerial Policy Institute," General Management Program, University of Southern California, February-May, 1983.
- "Public Utilities Executives' Course," University of Idaho, July 5-29, 1982.
- "Electric Utility Systems and Practices Course," OE and SCE, Oct. 1980-Feb. 1981.
- "Communications Workshop," SCE sponsored (Les Crane), August 6-8, 1980.
- "Supervisory Effectiveness Seminar," SCE, May 1, 1978.
- "Introduction to Supervision," U.S. Civil Service Commission, Feb. 9-13, 1976.
- "Grant and Interagency Agreement Project Officer's Course," U.S. Environmental Protection Agency, June 12, 13, 1975.
- " Radioisotopes in Life Science," North Carolina State University, Dec. 17-21, 1973.

MEMBERSHIPS AND AFFILIATIONS

- Air and Waste Management Association
- American Association for the Advancement of Science
- American Board of Forensic Examiners
- American Chemical Society
- American College of Toxicology
- American Industrial Hygiene Association
- American Society of Safety Engineers
- Phi Kappa Phi
- Sigma Xi
- Society for Risk Analysis

ADDITIONAL PROFESSIONAL ACTIVITIES

- Certified Air Quality Specialist, Environmental Assessment Association, Present - January, 2007
- Certified Environmental Consultant (CEC 6669), Environmental Assessment Association, Present -

- October 2005
- Certified Infrared Thermographer, Level I (No. 24070), Infrared Training Center, July 2005 - expires 3/1/2010
- Certified Mold Inspector, (CMI, 6669), Environmental Assessment Association, Present - October 2001
- Certified Environmental Manager (CEM 6669), Environmental Assessment Association, Present - February 2001
- Advisor, Environmental, Health and Safety Advisory Council, Office of the Director, Los Angeles Unified School District, April, 2000 - November, 1999
- Fellow, American College of Forensic Examiners (FACFE, No. 1196), Present - September, 1997
- Qualified Environmental Professional, Institute of Professional Environmental Practice, Present - 1996
- Diplomate, American Board of Forensic Examiners (DABFE, No. 3135), Present - 1996
- Fellow, American Institute of Chemists, Present - 1992
- Certified Trainer for OSHA Compliance in Safety and Health (1992-1995)
- Registered Environmental Assessor, State of California (REA - 00046), Present - 1988.
- Certified Environmental Inspector (CEI 6669), Environmental Assessment Association, Present - 1991.
- Chairman, Systems and Risk Technical Advisory Committee, UCLA Engineering Research Center for Hazardous Substances Control, 1989 - 1988.
- Member, Policy Advisory Group, UCLA Engineering Research Center for Hazardous Substances Control, 1989 - 1988.
- Graduate Student Faculty Advisor, UCLA Environmental Sciences and Engineering Program, 1987 - 1982.
- Vice Chairman, Division Advisory Committee, Energy Analysis and Environment Division, Electric Power Research Institute, 1986 - 1985.
- Co-Chairman, Health and Welfare Effects Committee, Utility Air Regulatory Group, 1986 - 1977.
- Member, Medical Research Group, Air Pollution Research Advisory Committee, Coordinating Research Council, 1984 - 1978.
- Member, Task Force on Environment, Environmental Assessment Department Advisory Committee,

- Electric Power Research Institute, 1984 - 1981.
- Technical Manager, Edison Electric Institute/Utility Solid Waste Activity Group PCB Project, 1983 - 1981.
- PUBLICATIONS**
- Eschenroeder, A. Q. and Faeder, E. J. (1988). "A Monte Carlo Analysis of Health Risks from PCB-Containing Mineral Transformer Fires." *Risk Analysis* 8, pp. 291-297.
- Eschenroeder, A. Q., Doyle, C. P., and Faeder, E. J. (1986). "Health Risks of PCB Spills From Electrical Equipment." *Risk Analysis* 6, 213.
- Sahl, J. D., Crocker, T. T., Gordon R. J., and Faeder, E. J. (1985). "Polychlorinated Biphenyls in the Blood of Personnel From an Electric Utility." *Journal of Occupational Medicine*, 27, pp. 639-643.
- Sahl, J. D., Crocker, T. T., Gordon, R. J., and Faeder, E. J. (1985). "Polychlorinated Biphenyl Levels in the Blood Plasma of a Selected Sample of Non-Occupationally Exposed Southern California Working Adults." *Science of the Total Environment*, 46, pp. 9-18.
- Grove, R. S., Bean, R. M., and Faeder, E. J. (1985). "Characteristics of Halogenated Components Discharged From Coastal Power Plant and Assessment of Their Potential Health Effects." in *Proceedings of the 5th Conference on Water Chlorination: Environmental Impact and Health Effects*, Williamsburg, Virginia, pp. 1371-1379.
- Saperstein, M. D. and Faeder, E. J. (1984). "Statistical Survey of PCB Contamination in Substation and Distribution System Equipment Containing Mineral Oil." *Proceedings of the Electric Power Research Institute's Symposium on PCBs*, Atlanta, Georgia.
- Bailey, D. A., Lobnitz, M. M., Doyle, C. P., and Faeder, E. J. (1984). "High-Temperature Fluid-Wall Reactor: Permitting Considerations for Commercialization" in *Proceedings of the Second Annual Conference on Municipal, Hazardous and Coal Wastes Management* (U.S. Department of Energy), Miami, Florida.
- Saperstein, M. D. and Faeder, E. J. (1982). "Environmental Toxicology of PCB Substitutes for Capacitors," *Regulatory Toxicol. Pharmacol.* 2, 238.
- Saperstein, M. D., Gordon, R. J., and Faeder, E. J. (1982). "PCB Contamination in Distribution Transformers," *Journal of Environmental Science and Health*, A17 (2), 241.
- Doyle, C. P., Woodruff, C., Eschenroeder, A., and Faeder, E. J. (1982). "Impacts of Motor Vehicle Inspection and Maintenance on Emission Reduction in Southern California," *Science of the Total Environment*, 22, 31.
- Gordon, R. V., Seitz, J., and Faeder, E. J. (1982). "PCB Analysis in Transformer Oil by Capillary Column Gas Chromatography." *Analytical Chemistry*, 54, 478.

- Mustafa, M. G., Eisayed, N. M., and Faeder, E. J. (1980). "Biochemical Effects of Oxidant on Animal Lungs." *Toxicol. Lett.* S9, No. 1, 98.
- Phalen, R. F., Reischl, P., Faeder, E. J., and Cavender, F. L. (1980). "Response of the Respiratory Tract to Inhaled Pollutants" in *Generation of Aerosols and Facilitates for Exposure Experiments*, K. Willeke (ed.), Ann Arbor Science publisher, Ann Arbor, Michigan, pp. 125-140.
- Mustafa, M. G., Faeder, E. J., and Lee, S. D. (1979). "Biochemical Basis of Pulmonary Response to Ozone and Nitrogen Dioxide Injury," in *Molecular Basis of Environmental Toxicology*, R. S. Bhatnager (ed.), Ann Arbor Science publisher, Ann Arbor, Michigan, pp. 151-172.
- Chadwick, R. W., Faeder, E. J., King, L. C., Copeland, M. F., Williams, K., and Chuang, L. (1978). "Effect of Acute and Chronic Cd-Exposure on Lindane Metabolism." *Ecotoxicology and Environmental Safety* 2, 301.
- Faeder, E. J., Chaney, S. W., King, L. C., Hinners, T. A., Bruce, R., and Fowler, B. A. (1977). "Biochemical and Ultrastructural Changes in Livers of Cd-Treated Rats." *Toxicol. Appl. Pharmacol.* 39 473.
- King, L. C., Clark, V., and Faeder, E. J. (1976). "Effects of Cadmium Exposure on Rat Kidneys." *Bull. Environ. Contamin. Toxicol.* 16 572.
- Faeder, E. J., Davis, P., and Siegel, L. M. (1974). "The Role of Flavins in Catalysis by E. coli Sulfite Reductase." *J. Biol. Chem.* 249, 1599.
- Lucier, G. W., McDaniel, O. S., Fowler, B. W., Sasawane, B. R., Hook, G., and Faeder, E. J. (1973). "Studies on TCDD-Induced Change in Rat Liver Microsomal and Mitochondrial Enzymes." *Env. Health Perspectives*, Issue No. 5, 199.
- Faeder, E. J. and Siegel, L.M. (1973). "A Rapid Micromethod for Determination of FMN and FAD in Mixtures." *Anal. Biochem.* 63 322.
- Lucier, G. W., McDaniel, O.S., Bend, J. R., and Faeder, E. J. (1972). "Effects of Iycanthone and Two of its Chlorinated Analogs on Hepatic Microsomes." *J. Pharmacol. and Exp. Therap.* 186 416.
- Siegel, L. M., Faeder, E. J., and Kamlin, H. (1972). "Flavin Interaction in NADPH Sulfite Reductase." *Z. Naturfor.* 27 1087.
- Faeder, E. J. and Hammes, G. G. (1970). "Kinetic Studies of Tryptophan Synthetase. Interaction of L-Serine, Indole, and Tryptophan with the Native Enzyme." *Biochemistry* 10 1941.
- Faeder, E. J. and Hammes, G. G. (1970). "Kinetic Studies of Tryptophan Synthetase. Interaction of Substrates with the B Subunit." *Biochemistry* 9, 4043.
- Faeder, E. J. (1970). "A Stopped Flow-Temperature Jump Apparatus: Construction and Application to the Kinetic Studies of Tryptophan Synthetase." Ph.D. Thesis, Cornell University.

PRESENTATIONS

- Faeder, E.J. (2005). "How to Conduct a Bad Mold Investigation and How to Do it Right," invited speaker, Orange County Bar Association Construction Law Section, March 17, 2005, Costa Mesa, California.
- Faeder, E.J. (2004), and Dr. Mark Fulmer, "Indoor Air Quality Issues – An Introduction," invited presentation, as part of the Visalia Unified School District Workshop on Indoor Air Quality Tools for Schools, March 16, 2004, Visalia, California.
- Faeder, E.J. (2003). "Health and Safety Issues: Focus on Indoor Air Quality and Hazard Communication," conducted for Visalia Unified School District, August 23, 2003, Visalia, California.
- Faeder, E.J. (2003), Windrich, Z., and J. Samaniego "Mold in Apartments," invited presentation to the Apartment Association of Greater Los Angeles, Los Angeles, California, January 29, 2003.
- Faeder, E.J. (2003) "Indoor Air Quality Issues—An Update for Employees of Visalia Unified School District," January 16, 2003, Visalia, California.
- Faeder, E.J. (2002) "Surface Mining in Wyoming: An NO_x Exposure Issue," presentation to the National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C., December 10, 2002.
- Faeder, E.J. (2002) "Nitrogen Dioxide and Human Health – Development of a Short Term Acute Exposure Goal for the Eagle Butte Mine, Gillette, Wyoming," invited presentation to the Wyoming Environmental Quality Council, Casper, Wyoming, October 22, 2002.
- Faeder, E.J. (2002) and Z. Windrich, "Target: Mold in Apartments," invited presentation to the Apartment Association of Greater Los Angeles, Los Angeles, California, October 15, 2002.
- Faeder, E.J. (2002). "Tools for Schools in Visalia — An Update for 2002." training conducted for Visalia Unified School District, May 23, 2002, Visalia, California.
- Faeder, E.J., "Indoor Air Quality Issues for Schools – A 'Hands On' Approach," in-service training for employees of Visalia Unified School District and invited neighboring local district representatives, May 22, 2002, Visalia, California.
- Faeder, E.J. (2001) "Mold – A Pariah or an Exaggeration," invited speaker, private law firm, continuing education series, November 29, 2001, Orange, California.
- Faeder, E.J. (2001) "Microbiological Contamination Relating to Homes and Residences," invited speaker, regional realty group, October 31, 2001, Diamond Bar, California.
- Faeder, E.J. (2001) "Effects of Nitrogen Dioxide on Human Health – Guidance in the Establishment of a Short Term, Occasional Exposure Standard to Protect the Public from Mine Blasting Activities," invited presentation to the Wyoming Department of Environmental Protection and Wyoming Environmental Quality Council, Casper, Wyoming, September 12, 2001.
- Faeder, E.J. (2001) "Microbiological Contamination Relating to Construction Defect Litigation," invited presentation at private insurance carrier's annual construction defect seminar, Gilford, New Hampshire, June 25, 26, 2001.

- Faeder, E.J. (2001) "Nitrogen Dioxide and Human Health," invited presentation to consortium of mining companies, Gillette, Wyoming, June 14, 2001.
- Faeder, E.J. (2000) "Indoor Air Quality Program Update – 1/18/00: Results from Testing and Interpretation," report to the Saugus Union School District Governing Board summarizing program data and status, January 17, 2000, Santa Clarita, California.
- Faeder, E.J. (1999) "Indoor Air Quality Studies in Portable Classrooms in Southern California: Chemical and Biological Impacts," invited speaker, presented to the California Inter-Agency Committee on Indoor Air Quality, Oakland, California, December 8, 1999.
- Faeder, E.J. (1999) "Air Quality Issues in the Castaic Union School District – Results from an Indoor Air Quality Program. Measuring Selected Chemical and Biological Parameters in Ten Relocatable Classrooms," presentation to Castaic Union School District Board, meeting October 21, 1999.
- Faeder, E.J. (1999) "Indoor Air Issues Relating to Construction Defect Litigation – Some Observations," invited speaker, private law firm, Orange, California, October, 1999.
- Faeder, E.J. (1999) "Saugus Union School District – Indoor Air Quality Program," invited speaker, 1999 Fall School Law and Financing Workshop, Bowtie, Amnson, Wiles & Giamonte, Ontario, California, October, 1999.
- Faeder, E.J. (1999) "Evaluation of Indoor Air Quality Issues in the Saugus Union School District – Preliminary Results from an Indoor Air Quality Program Addressing Health Effects Issues Raised in Relocatable Classrooms," presentation to Santa Clarita Valley physicians, July, 1999.
- Faeder, E.J. (1999) "Evaluation of Indoor Air Quality Issues in the Saugus Union School District – Outline of an Indoor Air Quality Program to Address Issues Raised in Relocatable Classrooms," presentation to Indoor Air Quality Coordinators for the District, July, 1999.
- Faeder, E.J. (1999) "Proposition 65 Hazard Warnings for Potential Exposure to Ethylene Oxide," company hazard communication supplemental training for a private client, April, 1999.
- Faeder, E.J. (1998) "Environmental Compliance with Hazardous Chemical Regulations," company regulatory program training for a private client, October - December, 1998.
- Faeder, E.J. (1998) "General Health and Safety, Emergency Action and Response, Hazard Communication, Respiratory Protection, and Chemical Hygiene Training for the Pharmaceutical Device Manufacturing Industry," Pharmacia Lovision (Pharmacia & Upjohn), March - June, 1998.
- Faeder, E.J. (1997) "Environment of Care — Update in Health Care Practitioner Safety, Occupational Health, Requirements for a Medium-size Community Hospital, invited speaker, continuing education program, private corporation, August 26, 1997; revised version December 10, 1997 for manager/precceptor training of all incoming staff.
- Faeder, E.J. (1997) "Respiratory Protection Program Training and Certification," development of program and training/certification of selected Engineering Department personnel in a medium-size community

- hospital, October, 1997.
- Faeder, E.J. (1997) "Chemical Exposure and Human Health Impacts Related to Litigation," invited speaker, continuing education program, private law firm, January 27, 1997.
- Faeder, E.J. (1996) "Health and Safety Basic Training for New Employees in the Healthcare and Hospital Industry," orientation training for entering employees in a large, mixed ambulatory treatment/hospital organization, January - June.
- Faeder, E.J. (1996) "Health and Safety Reorientation Training for New Employees in the Healthcare and Hospital Industry," annual recurrent update training for employees in a large, mixed ambulatory treatment/hospital organization, January - June.
- Faeder, E.J. (1995) "Risk Assessment for Litigation Support: A Panel Presentation and Discussion," moderator, speaker Southern California Chapter, Society of Risk Analysis Eighth Annual Workshop, invited participant, University of Southern California, Los Angeles, California, May 18, 1995.
- Faeder, E.J. (1994) "Indoor Risk Assessment," moderator, speaker, session Chair, Southern California Chapter, Society of Risk Analysis Seventh Annual Workshop, invited participant, University of Southern California, Los Angeles, California, May 19, 1994.
- Faeder, E.J. (1993) "Exposure Assessment as a Key to Litigation Support: You Can't Have an Injury Without a Cause, But You Can Believe You're Hurt By What You Don't Understand," New Trends in Environmental Injury - A Seminar for Attorneys and Claims Professionals, Universal City, California, Invited Speaker, May 14, 1993.
- Faeder, E.J. (1993) "Explaining Health, Safety, and Environmental Issues to Customers," American Water Works Association, California-Nevada Spring Meeting, Burbank, California, April 15, 1993.
- Faeder, E.J. (1993) "Health Protection: Lessons for the Electric Utility Industry," Electric Power Research Institute Task Force Meeting, Health Studies Program Committee, San Francisco, California.
- Faeder, E.J. (1991) "Environmental, Health and Safety at the Los Angeles Department of Water and Power: How are Water and Power Doing?," talk for senior management December 13, 1991.
- Faeder, E.J. (1991) "Environmental, Health and Safety Regulatory Issues Affecting the Toxicologist," California Association of Toxicologists' Workshop on Environmental Toxicology, November 1, 1991, San Diego, California.
- Faeder, E.J. (1991) "Health and Risk Assessment," session chairman, 1st International Society for the Advancement of Material and Process Engineering Environmental Conference, May 21-23, San Diego, California.
- Rock, A., Keish, M., and E. Faeder (1991) "Information Management Approach for Databases Required for Hazard Assessment in the Aerospace Industry," 1st International Society for the Advancement of Material and Process Engineering Environmental Conference, May 21-23, San Diego, California.

- Faeder, E.J. (1990) "Environmental, Health and Safety Issues in the Aerospace Industry - or - They Don't Make Airplanes Like (Out of What) They Used To!" invited speaker, Society of Plastics Engineers Advancements in Materials for Polymer Composites and Special Topics Conference, October 16-18, Los Angeles, California.
- Faeder, E.J. (1990) "Environmental Health and Safety Issues in the Aerospace Industry," invited speaker and panel discussant, National Security Industrial Association, Manufacturing Management Committee, October 17-19, 1990, San Diego, California.
- Faeder, E.J. (1990) "Contractor Liability for Safety and Health of Subcontractor, Suppliers, and Customer Employees: Some Concerns," invited speaker, "Developing Contractor-Subcontractor Relationships for Strategic Business Opportunities," sponsored by the Orange County chapters of the National Contract Management Association and the American Bar Association (Public Contract Law Section), May 15, Buena Park, California.
- Faeder, E. J., Gurba, P. E., and Rock, A. R. (1990) "Health Effects in the Aerospace Workplace - Some Concerns," Composites in Manufacturing 9 Symposium, Society of Manufacturing Engineers, January 15-18, 1990, San Diego, California.
- Faeder, E. J. (1989). "Recent OSHA Experiences at Lockheed," Aerospace Industries Association Occupational Safety and Health/Environmental Affairs Fall Meeting, August 28-30, 1989, Boston, Massachusetts.
- Faeder, E. J. (1988). "Risk Assessment," California Aerospace Environmental Association Mid-Winter Conference, February 17, 1988, Long Beach, California.
- Faeder, E. J. (1987). "Evaluating Risk - Regulatory Trends and Impacts: Air Toxics in the West," organizing chairman, session at the Third Annual Hazardous Materials Management Conference/West, December 1-3, 1987, Long Beach, California.
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Chester Koga

From: Kathleen Aoki [Kathleen.Aoki@co.maui.hi.us]
Sent: Wednesday, February 07, 2007 8:55 AM
To: Jim Peck
Subject: Re: P2P program

Aloha,

Jim Peck
419 Alio Street
Lahaina, HI 96761
808-661-0438

Thank you for your comments. I will forward these to our consultant, Chester Koga of R.M. Towill Corporation, for his review.

>>> "Jim Peck" <peckj006@hawaii.rr.com> 2/7/2007 8:21:10 AM >>>
Ms. Kathleen Aoki,

In reviewing the DEA document for the Land Use Redesignation, Community Plan Amendment & Changes in Zoning, Papalaia to Puamana (P2P) I found the following that puzzled me.

Page 12 Table 6. Olowalu Land Use Changes - Proposed.

The current Real Property Tax files show TMK 4-8-003-010 as having a land area of 5.001 acres. The table shows Lot 18C and Lot 18B as having a combine land area of 12.3 acres. How can the sum of the parts be greater than the whole?

Can I assume the table is in error in listing lots 33c and 33B as 4-8-03-078 rather than 4-8-003-078? Also, the current Real Property Tax files have no records for a TMK numbered 4-8-003-078 or 4-8-003-033.

Page 18 Table 7 Ukumehame Land Use Changes- Proposed.

The current Real Property Tax files show TMK 4-8-002-009 as having a land area of 9.16 acres. The table shows lots A-3 and A-2 that I assume are part of TMK 48002009 as have a combine land area of 45.0 acres. Again, how can the sum of the parts be greater than the whole?

The current Real Property Tax files shows TMK 4-8-002-049,057,058,059,067,069 and 070 as being owned by Maui County and not private ownership as shown in the table.

I am trying to assign some land values to the lots that are listed as portions of the master TMK numbers. I need your assistance in understanding the information presented in the P2P report.

CHARMAINE AWARES
Mayor
JEFFREY S. HUNT
Director
COLLEEN M. SOYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

June 6, 2007

Mr. Jim Peck
419 Alio Street
Lahaina, Hawaii 96761

Dear Mr. Peck:

RE: Draft Environmental Assessment Land Use Redesignation,
Community Plan Amendments and Change in Zoning, Papalaua
to Puamana Tax Map Key, Plats 4-7-01, 4-8-02, and 4-8-03

The following is in response to your letter dated February 7, 2007 relating to the subject environmental assessment.

1. The current Real Property Tax Files show TMK 4-8-003-010 as having a land area of 5.001 acres. The table shown Lot 18C and Lot 18B as having a combined land area of 12.3. How can the sum of the parts be greater than the whole?
2. Parcel 10 will not be impacted by the re-designation process and will be removed from the table.
Can I assume that the table is in error in listing lots 33c and 33b as 4-8-03-078?
3. The lot numbers associated with Parcel 78 are the subdivision lot numbers and do not have a relationship with the Parcel number. Further, the lot number and parcel numbers have changed since the publication of the Draft EA.
Page 18, Table 7, Ukumehame land use changes – proposed. The current Real Property Tax files show TMK 48002009 as having a combined land area of 45.0 acres. Again, how can the sum of the parts be greater than the whole?

Please note that Parcel 009 has been consolidated into a new parcel recently acquired by the County of Maui.

Mr. Jim Peck
June 6, 2007
Page 2

4. The current Real Property Tax files show TMK 4-8-002-049, 057, 058, 059, 067 and 070 as being owned by the Maui County and not private ownership as shown in the Table.

We will research the ownership of the parcels identified and will amend the table as required.

5. I am trying to assign some land values to the lots that are listed as portions of the master TMK number. I need your assistance in understanding the information presented in the P2P report.

Land values in the P2P report were based on average assessed values as of 2005. The recent purchase of the Ukumehame lands was also used as a benchmark for assigning value to the land. Be advised, however, that the values assigned may not always reflect the market value of land currently. Any value we place on land currently is merely an estimate and should not be relied upon as the actual price of the land.

Thank you for taking the time to respond to this important undertaking. Should you have any questions please contact Ms. Kathleen Ross Aoki, staff planner, at 270-5529.

Sincerely,

JEFFREY S. HUNT
Planning Director

JSH:KRA

cc: Kathleen Ross Aoki, Planner
Chester Koga, R.M. Towill Corporation
S:\ALL\Kathleen\PIEA for CPA\DEA Response Letters June 6.doc

APPENDIX D

Minutes of Public Informational Meeting, February 12, 2007

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The County of Maui Planning Department, Long Range Division, along with their consultant, R.M. Towill Corp, will be holding a public informational meeting on the Pali to Puamana Parkway Draft Environmental Assessment. The public is invited to attend the meeting to learn more about the project and provide comments to the draft.

The meeting will be held on Monday, February 12, 2007 at the West Maui Senior Center, 788 Pauoa Street, Lahaina at 5:00 p.m.

The objectives of the Pali to Puamana Parkway plan include: 1) recommending a proposed alignment of the Honoapiilani Highway from Papalaua Park to Puamana Park; 2) recommending a proposed open space preserve and protecting the shoreline environment; 3) increasing roadway capacity; 4) protecting public health and safety by getting the highway out of the tsunami inundation zone; and 5) recommending methods of accommodating new land uses for the area through the implementation of the West Maui Community Plan.

The open space opportunities, in addition to the recreational opportunities, will preserve elements of the natural landscape that will be preserved and remain available to the public in perpetuity. The County's recent purchase of 100 acres at Ukumehame was the first step of many that will make this parkway plan a realization for all Maui County residents.

The Draft Environmental Assessment is available for review at the Lahaina and Wailuku libraries, the Long Range Planning Division, and on the county's website at www.mauicounty.com. Comments may also be sent directly to: Chester Koga, RM Towill Corp. 420 Waiakamilo Road, Suite 411 Honolulu, HI 96817.

**PUBLIC INFORMATIONAL MEETING
LAND USE REDESIGNATIONS
COMMUNITY PLAN AMENDMENTS AND CHANGE IN ZONING
Papalaua to Puamana, Lahaina District, Island of Maui
TMK (2) 4-7-001 (various); 4-8-002 (various); 4-8-003 (various)
Lahaina Senior Center
February 12, 2007**

Attendance: See attached sheet

INTRODUCTION

The meeting was convened at 6:10 p.m. by Ms. Kathleen Aoki, Long Range Planning Branch of the Planning Department, County of Maui.

Ms. Aoki provided an introduction to the project via a PowerPoint presentation (attached) that outlined the objectives of the project. She noted that the project has its foundation in the Pali to Puamana Parkway Plan (P2P) and West Maui Community Development Plan (1996). Ms. Aoki further summarized comments received to date on the Draft EA and commented on changes in the Draft EA that was not part of the P2P Plan.

Ms. Aoki introduced Mr. Chester Koga of R.M. Towill Corporation.

PROJECT SUMMARY

Mr. Koga made available a summary (attached) of the Draft Environmental Assessment prepared for the project. Mr. Koga noted that the project is the implementation of a vision outlined in the County General Plan adopted in early 1990s. The General Plan was a response to the times that included the loss of agriculture in the area, increasing traffic, and new development the in the area.

The vision shared was that here was one of the last undeveloped coast line in West Maui and here was and opportunity to create permanent open space.

The West Maui Community Development Plan (WMCDP, 1996) also formed the basis for the proposals for land use designations.

In the interim between the passage of the WMCDP development started in Launiupoko, followed by Olowalu and finally in Ukumehame. The developers are proposing a change in the landscape that people have become familiar with.

Other factors considered we consideration of how high the run-up would be if there were a tsunami and severe storm surges. Flooding from the streams was also considered. Finally, consideration was given to future potential coastal erosions.

Mr. Koga noted that comments on the Draft EA will be taken till March 8, 2007. Following the public comment period, the Draft EA will be finalized and submitted to the Maui Planning Commission for acceptance. In order that for the proposals presented in the EA to be adopted,

the Planning Department will need to submit proposed legislation to make the changes which will need adoption by the County Council.

PUBLIC COMMENTS

Individuals wishing to present oral testimony were asked to sign-up and were called to speak in the order they signed in. Comments are summarized. List of individuals speaking is attached.

1. Mr. Jim Riley. Mr. Riley stated that he is one of the landowners impacted by the proposed land use changes. He noted that proposals for the development of parks along the shoreline were not part of the WMCDP. He noted that part of his development plans proposed parks along the shoreline and he further noted that the land is very valuable and the costs would cost passed on to the County. Mr. Riley also noted that the General Plan currently under review by the County should be examined.
2. Mr. George Laverson. Mr. Laverson was concerned that views of the ocean would be lost if development occurs along the shoreline. He also expressed concern about needed parking for the parks.
3. Mr. Rory Frampton. Mr. Frampton stated that he was representing Makila Land Company. His assignment was the planning of 2.5 miles of shoreline in the Launiupoko area into a world class park and greenway plan. He noted that a constraint to the development of this park was the existing highway and the proposed by-pass. He is currently working with the State to realign the by-pass more in-land. The Makila land proposal includes 15-acres lots in the area. He noted that Makila is in support of creating open space along the coastline. He noted that the Draft EA did not address how the park plan was to be implemented and believed that a private-public partnership was the only way to get the plan implemented.
4. Mr. Bill Frampton. Mr. Frampton stated that he is part of Frampton and Ward, managers of the lands in Olowalu. He believes that the project could be precedent setting and an example of how the private sector and the public sector could work together. Their plan for Olowalu, which included numerous public meetings, including one that had approximately 1,000 persons attending, includes a park plan along the shoreline. He noted that the Planning Department did not participate in this meeting. Their plan proposed to triple the amount of land that would be available for parks and this would be at no cost to the County. Mr. Frampton believes that there should be private-public partnership because of the land costs are high. He believes the new roadway should be more inland and will be discussing their plans with the State DOT.
5. Mr. Joshua Dean. Mr. Dean stated that the area is facing a traffic problem and when will the government put up money for this project. Further, he believes that if this was going to be left to the government, he believes it will not happen. He believes the private sector can do a better job. He believes the road should be moved further back away from the coast. Believes that there will be increased pollution and noise. There should be a four lane highway and there should be a private-public partnership.

6. Mr. Ed Faeder. Mr. Faeder stated that he is a part time resident of Puamana and highways contribute to pollution and have noise impacts. He stated he wanted the road as far away from the beaches as possible (because of their impacts); that we need to involve the public; and although the private sector should be involved, they need to be watched.
7. Mr. Steve Goodfellow. Mr. Goodfellow noted that he is one of the owners of the Ukumehame property. He is also a partner with Mr. Peter Martin. Mr. Goodfellow noted that he was responsible for going to meet with Mayor Apana with the proposal to re-align Honoapi'ilani Highway. He also met with Mayor Arakawa to propose the sale of 1.2 miles of shoreline land to the County. The Ukumehame project is 45 agriculture lots. Mr. Goodfellow supports a private-public partnership in the development of the land where the State would build the road and the private sector developing the park. The early plan for the road was an alignment further in-land than proposed by the P2P Plan.
8. Ms. Shelly Faeder. Ms. Faeder stated that it was fine that the developers have plans for parks in the area, but she wanted them to come before the public to share their plans.
9. Mr. Hans Michael. Mr. Michael stated that the County should work with the State and landowners to develop two additional boat ramps in the area. He inquired about the height of the existing road above sea level.
10. Mr. Dave Chenoweth. Mr. Chenoweth noted that he worked on the WMCPD in the 1990's and noted his appreciation for the work of the County to implement the plan.
11. Mr. Norm Berne(?). Mr. Berne stated that we should work on a plan for the shoreline and determine what is best as proposed by the County and landowners and how to get the "good stuff done quickly."
12. Mr. Buck Buchanan. Mr. Buchanan asked if the public will have an opportunity to have a say on the alignment of the new road. He noted that the alternatives being considered should be presented to the public.
13. Mr. Ed Kaahui. Mr. Kaahui, resident in Olowalu, noted that at the pace the County moves, it will take up to nine years to develop (implement) the plan. All this for four new parks. He likes the idea of the highway going behind the homes in Olowalu.

CLOSING

Mr. Jeff Hunt, Director, Planning Department, summarized by stating that input provided by the public is an important part of the process and will be considered.

Pali to Puamana Parkway - DEA meeting
 PUBLIC TESTIMONY
 SIGN UP SHEET
 February 12, 2007 5:00 p.m. Kaunoa Senior Center

	NAME PLEASE PRINT	ADDRESS & PHONE NUMBER
1	Lon [unclear]	8077-9098
2	George LARSEN	50 PULUANA AVE #201, 661-9300
3	Rory Frampton	
4	Bill Frampton	F&W
5	Jane Dean	
6	Edward Fueder	2161 Pualei Drive 951-202-4265
7	Steve Goodfellow	PO-220 Kilauea 96753
8	Shelley Fueder	216-1 Pualei
9	Helen & Michel	1404 OLIANA PL KAHALA
10	Norm, Bernice	158 #VALEA PL.
11	Back Buchanan	414 ACID ST. KAHALA
12	EDWARD KAAHUI	815 OLOWAKU, KAHALA, 96761
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**DRAFT ENVIRONMENTAL ASSESSMENT
LAND USE REDESIGNATION**
**Community Plan Amendments and Change in Zoning
Papalaua to Puamana, Lahaina District, Island of Maui**
TMK (3) 4-7-001 (various); 4-8-002 (various); 4-8-003 (various)

PROJECT SUMMARY

Applicant: Planning Department, County of Maui
Contact: Ms. Kathleen Aoki
250 High Street, Wailuku, Hawai'i 96793
Tel: (808) 270-5529

Accepting Authority: Planning Commission, County of Maui

Proposed Action: Re-designate the existing land uses makai (west) of the proposed realigned Honoapi'ilani Highway from Papalaua to Puamana from their current designations to open space and park. Approximately 383.1 acres of land is proposed for change.

Major Impacts a) Acquisition of private property for open space or park purposes; b) Change in allowed land use; c) Reduction in development potential; and d) Protection of historic and cultural sites.

Consultant: R. M. Towill Corporation
420 Waiakamilo Road, Suite 411; Honolulu, Hawai'i 96817
Phone: (808) 842-1133; Facsimile: (808) 842-1937
Contact: Chester Koga, AICP

Existing Land Uses: Land uses in the project area include residential subdivisions, commercial-retail, open fallow land, agricultural uses, plant nursery, agricultural subdivisions, a firing range, a former landfill, and beach parks.

Required Approvals Community Plan Amendments and Change in Zoning

PUBLIC REVIEW

Comments Due: March 8, 2007

Send comments to: **Planning Department
County of Maui
250 High Street
Wailuku, Hawai'i 96793**

INTRODUCTION

The County of Maui prepared the Pali to Puamana Parkway Master Plan (P2P Plan) in 2005 to make known its desire to preserve open space along the coastline of West Maui. Included in this plan was the possibility of the State Department of Transportation realigning Honoapi'ilani Highway between Ukumehame and Launiupoko where it would connect to the proposed Lahaina By-Pass Road. The P2P Plan proposed a number of methods of preserving the coastal areas and continues to maintain open access to coastal areas that many visitors and residents currently enjoy. This Draft Environmental Assessment (DEA) assesses the impacts of one of the methods of corridor protection available to the County, namely its power of land use designation.

PURPOSE OF THE ENVIRONMENTAL ASSESSMENT

The purpose of this DEA is to inform interested parties of the proposed land use designation changes for the study area and to seek public comment on subject areas that should be addressed prior to the acceptance of the Final Environmental Assessment (FEA). This DEA describes existing conditions within the study area and addresses the potential for adverse environmental impacts that may result because of the proposed changes in land use designations.

The purposes of the proposed action are: 1) to implement the goals and objectives of the Pali to Puamana Master Plan; 2) to implement the goals and objectives of the General Plan of the County of Maui; 3) to implement the goals and objectives of the West Maui Community Plan; 4) protect public health and safety by limiting development within the tsunami inundation zone and areas subject to flooding; and 5) to protect property by limiting development within the coastal erosion zone. The land use changes proposed provides a foundation for the establishment of public policy that encourages responsible development in a coastal area by acknowledging coastal processes, providing for community recreational needs, and supporting sustainable alternative land uses.

PROJECT LOCATION

The project area is an eight mile stretch between the pali at Papalaua Park and Puamana Park on the west side of the island of Maui and includes the ahupua'a of Ukumehame, Olowalu, and Launiupoko. The areas proposed for redesignation are on the ocean-side of the proposed realigned Honoapi'ilani Highway. At Launiupoko, the realigned highway will join with the proposed Lahaina By-Pass Road.

Existing State Land Use - Summary

The State Land Use Commission classifies all lands in the State of Hawai'i into one of four land use designations: Urban, Rural, Agricultural, and Conservation. Properties within the study area are designated Agriculture and Conservation. There are no lands in the study area designated Urban or Rural. The Conservation designated lands are generally located along the shoreline and makai of the existing Honoapi'ilani Highway. Table 1 shows the distribution of land area by State land use designation by ahupua'a for lands affected by the proposed land use designations.

Table 1
State Land Use Designation by Ahupua'a (2006)

	Launiupoko	Olowalu	Ukumehame	* Indicates parcels with split State land use designations
Agriculture	133.2	59.6	130.5	
Conservation	14.5	26.9	17.4	
Agriculture & Conservation*	0.0	1.0	0.0	
Total (ac.)	147.7	87.5	147.9	

Existing West Maui Community Plan - Summary

Table 2 shows the distribution of land area within the West Maui Community Plan and by ahupua'a for lands affected by the proposed land use designations. The table shows that the predominant land use in the area is agriculture.

Table 2
West Maui Community Plan Land Use Designations by Ahupua'a (2006)

	Launiupoko	Olowalu	Ukumehame	*Indicates parcels with split community plan designations
Agriculture	131.8	60.6	130.5	
Open Space	7.6	14.8	0.0	
Park	8.3	12.1	17.4	
Open Space/Park*	0	0.6	0	
Total	147.7	87.6	147.9	

Existing County Zoning

Table 3 shows the distribution of land area by existing County zoning designations by ahupua'a for lands impacted by the proposed land use designations.

Table 3
West Maui County Zoning Designations by Ahupua'a (2006)

	Launiupoko	Olowalu	Ukumehame	PK-1 = Neighborhood Park A-2 = Apartment District R-3 = Residential 10,000 s.f. lots H-2 = Hotel, 20,000 s.f. Lot AG-Agriculture
Agriculture	145.1	74.4	130.5	
Park (PK-1)	2.6	4.1	17.4	
H2	0	0.4	0	
A2	0	0.6	0	
R3	0	8.0	0	
TOTAL	147.7	87.5	147.9	

ALTERNATIVES CONSIDERED

- No Action
- Delay of Proposed Action
- Alternative Land Use Proposals

PREFERRED ALTERNATIVE

A. Launiupoko

The Launiupoko area has approximately 147.7 acres of land in the study area makai of the proposed future realigned Honoapi'ilani Highway between Puamana Park and the boundary of Olowalu. The State land use designations in this area will remain in Agriculture. Community Plan designations will change from Agriculture to Open Space, while the Park designations will remain the same. When the zone change is implemented, the land use will change from Agriculture to Open Space and Park. The area west of Kai Hele Ku Street and east of the existing Honoapi'ilani Highway is approximately 400 feet wide and proposed to change from Agriculture to Open Space. Once the proposed highway realignment is implemented in this area, the existing highway can be used for pedestrian and bicycle access. The land set aside for open space will enhance the recreation opportunities of the Launiupoko area by expanding the existing Launiupoko Park and by increasing access to the shoreline and ocean.

Most of the land proposed for redesignation is currently privately owned. The County will need to acquire this land before it can be placed into the Park and Open Space inventory.

B. Olowalu

The Olowalu area has approximately 87.5 acres of land that will be affected by the proposed land use designations. Within the Olowalu area most of the land designated by the State is currently designated Agriculture and is privately owned. The land uses in the West Maui Community Plan are designated for Open Space and Park will need to be acquired by the County. Four areas are proposed zone changes for Park/Open Space use and they include currently popular gathering places. The first area is the land area surrounding highway milepost 14. This area is a popular location for sunbathing, fishing, and snorkeling. The existing highway is in close proximity of the ocean and debris from storms is washed onto the highway. Relocating the highway mauka as proposed by the P2P Plan will ensure that the motoring public will have safe access through this area. The open space zoning created by relocating the highway mauka will provide for greater recreation use of the area. The open space preserved will also allow for the preservation of archaeological sites found in the area.

The second area proposed for redesignation is around the former Camp Pecusa site. Approximately 20 acres are proposed to be designated Park from its current Agriculture designation. This site will provide general access along the shoreline and will connect the existing park land that connects to the former Olowalu Landing.

The third area proposed for recreation use is the land west of Olowalu stream. This 17-acre site is proposed for the development as a park. Both the Community Plan and Zoning is proposed for redesignation from Agriculture to Park. The area to the west is a popular surfing site.

The fourth area proposed for redesignation from Agriculture to Park is a 4.9 acre site at highway milepost 16. This area is adjacent to a popular surfing site.

C. Ukumehame

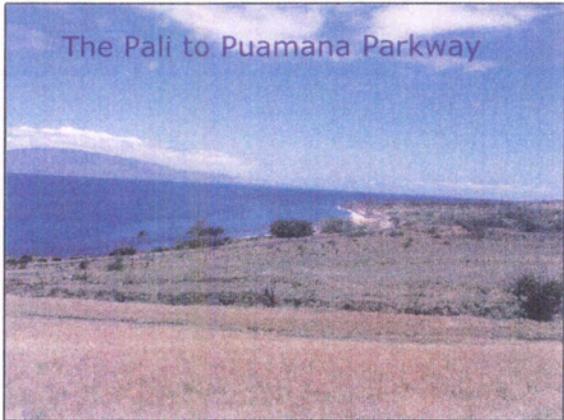
The Ukumehame area has approximately 147.9 acres of land that will be affected by the proposed land use designations. The majority of the 90+ acres of land proposed for redesignation from Agriculture was acquired in 2006 by the County of Maui. When added to the existing park/open space in this area, a large continuous recreation and open space amenity will be created that will extend from Papalaua Park to the former landfill in Olowalu.

IMPLEMENTATION

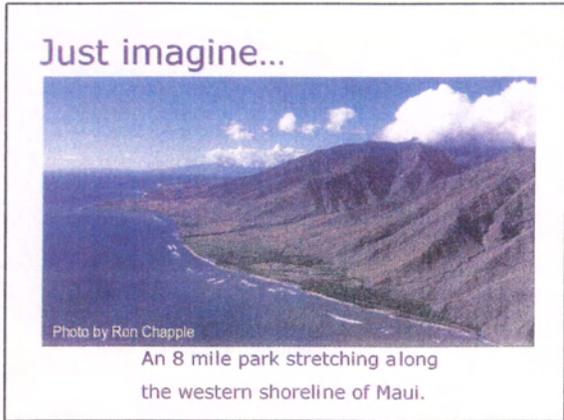
In order to implement the proposed land use designations identified above the County of Maui through its Planning Department will need to submit to the Planning Commission its recommendations for Community Plan Amendments and Zone Changes. The land use changes will be initiated by the Planning Director. The recommendations of the Planning Commission will be forwarded to the County Council for its deliberations and approval.

"Where possible, relocate the Honoapiilani Highway south of Puamana in order to reduce potential inundation and disruption of service due to storm-generated wave action. Where the highway is relocated for the purpose stated, lands makai of the new alignment shall be designated Open Space (OS) or Park (PK) to provide for ocean-related recreational use. Notwithstanding the foregoing, continued agriculture use shall be allowed within these areas."

(West Maui Community Development Plan, 1996)



The Pali to Puamana Parkway



Just imagine...

Photo by Ron Chapple

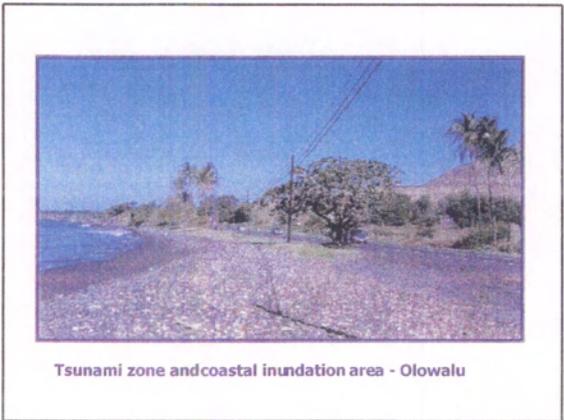
An 8 mile park stretching along the western shoreline of Maui.

Purposes

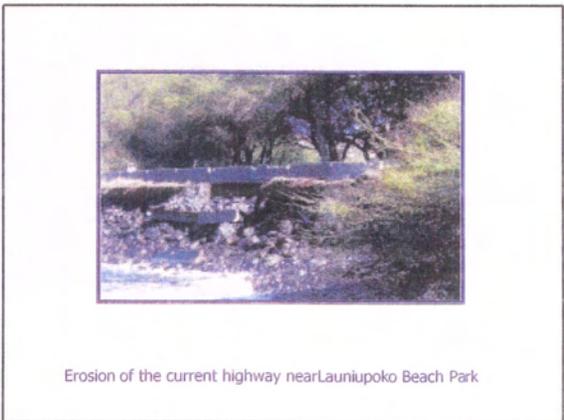
- To recommend a proposed highway alignment from Papalaua Beach Park to Puamana.
- To recommend an 8 mile long coastal park and open space preserve.
- To increase road capacity.
- To protect the public's health and safety by relocating the highway out of the tsunami zone.
- To recommend methods of accommodating new land uses for the area through the implementation of the West Maui Community Plan.

Natural Hazards

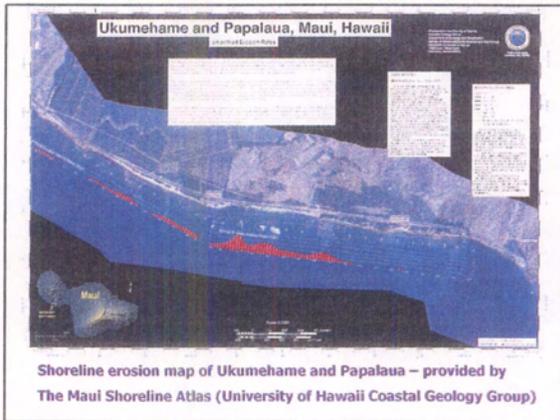
- Tsunami Inundation Areas – should be avoided to protect people and property.
- Coastal Flood Hazards – relates to run-up of the ocean during storm events. Building along the shoreline should be avoided for this reason as well.
- FEMA Floodways are defined along streams in the area. Bridges will be needed over these areas, particularly Ukumehame, Olowalu and Launiupoko.
- Coastal Beach Erosion – new highway should be located in an area at least 70 times the annual erosion rate as identified by a study conducted by UH.



Tsunami zone and coastal inundation area - Olowalu



Erosion of the current highway near Launiupoko Beach Park



The West Maui Community Plan



- Land Use:
 - #8 Where possible, relocate the Honoapiʻilani Highway south of Puamana in order to reduce potential inundation and disruption of service due to storm-generated wave action. Where the highway is relocated for the purpose stated, lands makai of the new alignment shall be designated in Open Space (OS) or Park (PK) to provide for ocean-related recreational use. Notwithstanding the foregoing, continued agriculture use shall be allowed within these areas.

The West Maui Community Plan

- Land Use:
 - #10 Provide and maintain parks and beach access for the present and future needs of residents and visitors. For the areas outside Lahaina town, establish or expand parks and public shoreline areas to include but not limited to the following:
 - b. The development of a public beach park at Olowalu near Camp Peccus for camping and ocean-related recreational and educational activities. The final boundaries of this park shall be determined in consultation with the landowner. However, if agriculture in the area is decreased by 50 percent, 20 acres of park land shall be considered for addition to the 10 acres of park land currently designated on the Land Use Map.

The West Maui Community Plan

- Urban Design
 - #5. Integrate stream channels and gulches into the region's open space system for the purposes of safety, open space relief, greenways for public use and visual separation. Drainage channels and siltation basins should not be used for building sites, but, rather, for public open space. Drainage channel rights-of-way and easements may also be used for pedestrian walkways and bikeway facilities.

The West Maui Community Plan



- Environment
 - #14. 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. Where new major waterfront structures or developments are to be approved, preservation should be assured for 50-100 years by employing a shoreline setback based on the rate established by the appropriate study.

The West Maui Community Plan

- Environment
 - #16. Create a coastal improvement district emphasizing the equal preservation of both coastal lands and beaches through the adoption of zoning and land use controls that encourage compatible development in safe areas, provide for the long-term economic needs of beach and dune nourishment and maintenance, and enable strategic retreat from the coast wherever feasible through a program of land acquisition, economic incentives, and specific construction guidelines.

The West Maui Community Plan



- **Social Infrastructure**

- Recreation and Open Space

- #3. Provide resource-oriented regional park facilities and public access along the shoreline for picnicking, camping, informal play, swimming, sunbathing, and other coastal-related activities along coastal lands makai of the existing or future realigned coastal highways from Honokahua Bay to the district's north boundary and from Puamana to the district's south boundary, except for the agriculture designated lands makai of the highway at Olowalu.

The West Maui Community Plan



- **Social Infrastructure**

- Recreation and Open Space

- #4. Establish adequate public access to suitable mauka recreational areas for hiking, hunting, camping, nature study, and other back country, leisure time activities, based on a mountain access study.

The West Maui Community Plan



- **Social Infrastructure**

- Recreation and Open Space

- #5. Provide public camping areas along the shoreline of the region, such as at Olowalu near Camp Pecusa.



Olowalu Sugar Mill

Cultural Sites Preservation



Awalua Cemetery, Olowalu

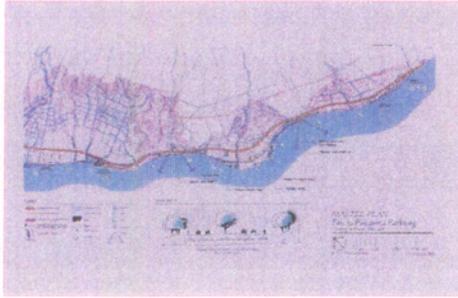
ALTERNATIVE ALIGNMENTS

- 3 Alternatives were proposed and reviewed – a mauka, mid, and makai alignment.
- The mid level alignment was chosen because it shares features from the other alternatives, and requires moderate land acquisition and avoids natural hazards.

Comparison of all 3 alignments



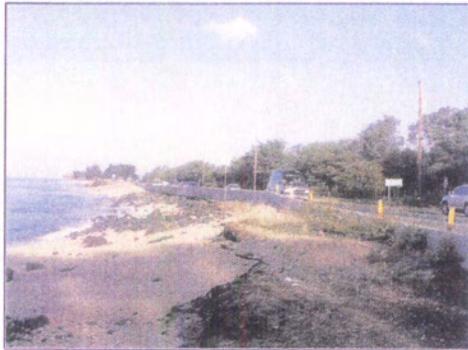
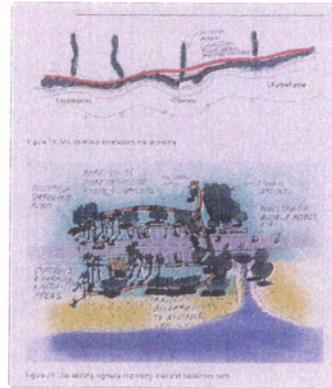
The Master Plan Alignment



Proposed details for realigned highway

Mauka-Makai connectors link the shoreline.

Use the existing highway as parking areas and a pedestrian and bike path.



Protective barrier's located on the highway near Ukumehame Firing Range.

IMPLEMENTATION ACTIONS

Land Use and Environmental Permitting

- Environmental Assessment - as required by Chapter 383, Hawaii Revised Statutes.
- Community Plan Amendment to the West Maui Community Plan to designate the realignment as a proposed improvement and shown on the landuse map.
- Change in Zoning to designate the lands makai of the proposed highway to Open Space and/or Park.

Corridor Protection

- The county should designate a highway corridor within the West Maui Community Plan as a future transportation corridor.
- Designate lands makai of the highway corridor as open space or park in the West Maui Community Plan and rezone the lands to open space or park.
- Prepare legislation to set aside funds for the acquisition of lands within the open space corridor.
- Implement land dedication requirements during the land entitlement phases of land planning.
- Identify easements to be protected (views, shoreline access, stream setbacks and pedestrian access).

IMPLEMENTATION ACTIONS

Land Acquisition

- The County purchased 100 acres at Ukumehame for \$4 million in 2006.
- The Planning Director has continued the appointment of nine individuals to work with County staff and the Technical Advisory Committee on the acquisition of land for the future highway and coastal park. Five of the nine committee members are from the Task Force and four new members are resources from the West Maui community.

IMPLEMENTATION ACTIONS

- Continue interagency coordination with the State Department of Transportation and their EIS/Corridor study from Maalaea to Launiupoko.
- Continue community participation in the planning and design of the realigned highway by continually sharing new information and comments with the State Department of Transportation.
- Work with the landowners and stakeholders affected by the project to ensure the common goals, objectives and benefits to ALL those affected by the project (private and public) are met.

Draft Environmental Assessment

- Available at Lahaina and Wailuku libraries, the Long Range Division office, and on the County of Maui website:
www.mauicounty.gov
- Deadline to provide comments to the Department or the consultant was March 8, 2007. This deadline was extended by an additional 60 days.

DEA Map versus P to P map



Draft Environmental Assessment

- Some comments received so far:
 - Need to explain differences between maps
 - Need to expand Economic Impacts
 - Trigger for EA is the Community Plan Amendment
 - Expand information regarding the State DOT's planning efforts for this corridor
 - Agencies contacted for DEA

RM Towill Corporation
Chester Koga
420 Waiakamilo Rd, Suite 411
Honolulu, HI 96817
ckoga@rmtowill.com

Long Range Planning Division
Kathleen Ross Aoki
250 S. High Street
Wailuku, HI 96793
kathleen.aoki@co.maui.hi.us



APPENDIX E

Planning Commission Meeting, April 24, 2007

Item C. Unfinished Business

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PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: April 24, 2007 (Tuesday)
TIME: 9:00 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Johanna Amorin (Chair), Wayne Hedani (Vice-Chair), William Iaconetti,
Bruce U'u, John Guard IV, Jonathan Starr, Kent Hiranaga

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

A. CALL TO ORDER

B. PUBLIC HEARING (Action to be taken after each public hearing.)

1. DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT requesting a Special Management Area Use Permit for the Wailuku Wastewater Pump Station Force Main Replacement project including the replacement of the existing 21-inch force main with a new 24-inch PVC pipe force main connecting the Wailuku Pump Station to a junction box on Hobron Avenue, at TMK(s): 3-4-027: 001, 3-7-001, 3-8-007: 038, 3-7-003: 003, 3-7-003: 027, 3-7-008: 008, 3-7-001: 016, 3-7-010: 036, 3-7-003: 026, 3-7-003: 028, 3-7-008: 002, 3-7-008: 003, 3-7-008: 006, 3-7-010: 002, 3-7-008: 025, 3-7-008: 017, 3-7-001: 002, and 3-8-007, 125, Kahului, Island of Maui. (SM1 2006/0020) (D. Shupack)

- a. Public Hearing
- b. Action

2. MR. WILLIAM HORNERMAN of HAWAIIAN CEMENT requesting a State Land Use Commission Special Use Permit and a County Special Use Permit in order to conduct commercial sand extraction operations in the State and County Agricultural Districts on approximately 56.1 acres of land at TMK: 3-8-007: 101 (Portion), Waikapu, Island of Maui. (SUP1 2003/0001) (CUP 2003/0006)
 - a. Public Hearing
 - b. Action

C. UNFINISHED BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting comments on the Draft Environmental Assessment prepared in support of the Pali (Papalaua Park) to Puamana Project at TMK: 4-7-001 (various), 4-8-002 (various), and 4-8-003(various), Lahaina District, Island of Maui. (EA 2006/0020) (J. Hunt and K. Aoki) **(Copies of the Draft Environmental Assessment were circulated to the Planning Commission at its November 28, 2006 meeting. Matter was last on the Commission's March 27, 2007 agenda.)**

As stated in the Draft Environmental Assessment, the EA triggers are for the use of County and State lands and County and/or State funds. A Community Plan Amendment is also contemplated as noted in the Draft Environmental Assessment. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The Planning Commission is being asked to:

- a. Provide concurrence on the filing of the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.
- b. Provide comments on the draft Environmental Assessment.

The public hearing on the anticipated Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

The Commission may act on the requests for concurrence and comments

(To be taken up no later than 1:00 p.m. or soon thereafter)

2. MR. E. THOMAS LEWICKE requesting an amendment to a Special Management Area Use Permit to delete Condition No. 6 regarding naming the County of Maui as additional insured for the construction of a second main dwelling on approximately 0.94 acres of land within the R-3 Residential District at 917 S. Kihei Road, TMK: 3-9-034: 027, Kihei, Island of Maui. (SM1 2006/0009) (L. Callentine) **(Matter was last on the April 10, 2007 meeting.) (Commissioners: Please bring your report with you from the April 10, 2007 meeting.)**

The Maui Planning Commission may take action on this request.

D. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Scheduling of the Site Inspections on May 14, 2007 on the following the applications together with that of the Schloemer Residence EA, SM1 and SSV in Makena, Island of Maui:
 - a. MS. TAMARA HORCAJO, Director, DEPARTMENT OF PARKS AND RECREATION requesting a Special Management Area Use Permit and a Phase 2 Project District Approval for the South Maui Community Park Project for a regional park and related improvements including a 1096-seat gymnasium, three soccer fields, two softball fields, one football field, five tennis courts, pavilion and amphitheater, three tot lots, three comfort stations, accessory building for park maintenance equipment, and on and off-site improvements at TMK: 2-2-002: 042. Kihei, Island of Maui. (SM1 2006/0028) (PH2 2006/0005) (D. Shupack)
 - b. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final t Environmental Assessment prepared in support of the Entitlements Action for Palauea Beach Lots located at TMK: 2-1-011: 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, and 023, Palauea, Kihei, Island of Maui. (EA 2006/0014) (C. Suyama)
 - c. MR. PAUL R. MANCINI of MANCINI WELCH & GEIGER, attorney for STEPHEN FINN submitting a Notice of Appeal dated November 17, 2006 of the Determination of the Planning Director that the Finn Project (a single family residence and related improvements) has potential to have an adverse impact on coastal resources and is subject to the Maui Planning Commission's Rules 12-202, et. al and

requires a Special Management (Major) Use Permit for property situated at 4500 Makena Road, TMK: 2-1-001: 008, Makena, Island of Maui. (APPL 2006/0001) (SMX 2006/0150)(SSA 2006/0006) (T. Abbott)

The Commission may decide whether or not it wants to conduct site inspections for these applications on May 14, 2007 together with its site inspection of the Schloemer Residence SSV property.

The Commission may select a date and time for the site inspection.

4. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the April 10, 2007 meeting.
5. EA/EIS Report
6. SMA Minor Permit Report
7. SMA Exemptions Report

E. NEXT REGULAR MEETING DATE: APRIL 24, 2007

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene was on April 10, 2007.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET,

Maui Planning Commission Agenda
April 24, 2007
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WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: **If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation.** (S:\all\carolyn\041007.age)

PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

Maui Planning Commission Agenda
April 24, 2007
Page 2

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- a. Public Hearing
- b. Action

2. MR. WILLIAM HORNERMAN of HAWAIIAN CEMENT requesting a State Land Use Commission Special Use Permit and a County Special Use Permit in order to conduct commercial sand extraction operations in the State and County Agricultural Districts on approximately 56.1 acres of land at TMK: 3-8-007: 101 (Portion), Waikapu, Island of Maui. (SUP1 2003/0001) (CUP 2003/0006)

- a. Public Hearing
- b. Action

C. UNFINISHED BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting comments on the Draft Environmental Assessment prepared in support of the Pali (Papalaua Park) to Puamana Project at TMK: 4-7-001 (various), 4-8-002 (various), and 4-8-003 (various), Lahaina District, Island of Maui. (EA 2006/0020) (J. Hunt and K. Aoki) (Copies of the Draft Environmental Assessment were circulated to the Planning Commission at its November 28, 2006 meeting. Matter was last on the Commission's March 27, 2007 agenda.)

As stated in the Draft Environmental Assessment, the EA triggers are for the use of County and State lands and County and/or State funds. A Community Plan Amendment is also contemplated as noted in the Draft Environmental Assessment. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The Planning Commission is being asked to:

- a. Provide concurrence on the filing of the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.
- b. Provide comments on the draft Environmental Assessment.

The public hearing on the anticipated Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

The Commission may act on the requests for concurrence and comments

(To be taken up no later than 1:00 p.m. or soon thereafter)

2. MR. E. THOMAS LEWICKE requesting an amendment to a Special Management Area Use Permit to delete Condition No. 6 regarding naming the County of Maui as additional insured for the construction of a second main dwelling on approximately 0.94 acres of land within the R-3 Residential District at 917 S. Kihei Road, TMK: 3-9-034: 027, Kihei, Island of Maui. (SM1 2006/0009) (L. Callentine) (Matter was last on the April 10, 2007 meeting.) (Commissioners: Please bring your report with you from the April 10, 2007 meeting.)

The Maui Planning Commission may take action on this request.

D. DIRECTOR'S REPORT

1. Planning Commission Projects/Issues
2. Scheduling of the Site Inspections on May 14, 2007 on the following the applications together with that of the Schloemer Residence EA, SM1 and SSV in Makena, Island of Maui:
 - a. MS. TAMARA HORCAJO, Director, DEPARTMENT OF PARKS AND RECREATION requesting a Special Management Area Use Permit and a Phase 2 Project District Approval for the South Maui Community Park Project for a regional park and related improvements including a 1096-seat gymnasium, three soccer fields, two softball fields, one football field, five tennis courts, pavilion and amphitheater, three tot lots, three comfort stations, accessory building for park maintenance equipment, and on and off-site improvements at TMK: 2-2-002: 042. Kihei, Island of Maui. (SM1 2006/0028) (PH2 2006/0005) (D. Shupack)
 - b. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Entitlements Action for Palaua Beach Lots located at TMK: 2-1-011: 013, 014, 015, 016, 017, 018, 019, 020, 021, 022, and 023, Palaua, Kihei, Island of Maui. (EA 2006/0014) (C. Suyama)
 - c. MR. PAUL R. MANCINI of MANCINI WELCH & GEIGER, attorney for STEPHEN FINN submitting a Notice of Appeal dated November 17, 2006 of the Determination of the Planning Director that the Finn Project (a single family residence and related improvements) has potential to have an adverse impact on coastal resources and is subject to the Maui Planning Commission's Rules 12-202, et. al and

requires a Special Management (Major) Use Permit for property situated at 4500 Makena Road, TMK: 2-1-001: 008, Makena, Island of Maui. (APPL 2006/0001) (SMX 2006/0150) (SSA 2006/0006) (T. Abbott)

The Commission may decide whether or not it wants to conduct site inspections for these applications on May 14, 2007 together with its site inspection of the Schloemer Residence SSV property.

The Commission may select a date and time for the site inspection.

4. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the April 10, 2007 meeting.
5. EA/EIS Report
6. SMA Minor Permit Report
7. SMA Exemptions Report

E. NEXT REGULAR MEETING DATE: APRIL 24, 2007

F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. The deadline for filing a timely Petition to Intervene was on April 10, 2007.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1-800-272-0125 (Lanae) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET.

April 24, 2007

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WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation. (S:\a\l\carolym\041007.age)

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deferred.

MR. YOSHIDA: We would recommend that the commission amend its agenda and defer the Hawaiian Cement item until after the conclusion of this item which is item C(1). Jeffrey Hunt, planning director, has some comments on the draft environmental assessment prepared in support of the Pali to Puamana project in Lahaina. This is the third time we're trying to do this. Hopefully this time it works.

COMMISSIONER STARR: Madam Chair, I move to amend the agenda and move the sand item to after the Pali to Puamana item.

COMMISSIONER HEDANI: Second.

CHAIRPERSON AMORIN: We have a motion, and seconded by Commissioner Hedani, to route our agenda so we will take up Jeffrey Hunt's project, C(1), and then following will be Hawaiian Cement project. All those in favor? Any opposed? Motion carries. Thank you.

MR. YOSHIDA: With that, we would like to turn this over to Kathleen Aoki, staff planner from our long range planning.

MS. AOKI: Good afternoon, members. Here we go again. The third time is a charm, right?

1 What I would like to do is just do a short
 2 Powerpoint presentation for you that gives a real,
 3 real brief presentation summation of the Pali to
 4 Puamana project. As many of you are probably aware,
 5 this project has been going on for about four years.
 6 We started it four years ago and completed the
 7 P-to-P master plan in February of 2005. And in the
 8 past year, we have been working on just progressing
 9 along with the plan. And the next step is this
 10 environmental assessment of doing the land use
 11 designation changes.

12 I passed out a copy of the Powerpoint to
 13 everybody. Just imagine an 8-mile park stretching
 14 along the western shoreline of Maui. Basically
 15 there were several reasons why the Pali to Puamana
 16 project was initiated by the planning department.
 17 It was to recommend a highway alignment from
 18 Papalaua Beach Park to Puamana. And in that, it
 19 would include an 8-mile long coastal park and open
 20 preserve. The highway is proposed to be four lanes
 21 to increase road capacity. It's to protect the
 22 public's health and safety. And it recommends
 23 methods of accommodating new land uses within the
 24 area.

25 Some of the natural hazards along the area

1 which most people who traverse this road already are
 2 aware of, the fact that the highway is in the
 3 tsunami inundation area. There is coastal flood
 4 hazards to consider, FEMA floodways which means that
 5 if the road is realigned, there will be new bridges
 6 needed, particularly at Ukumehame, Olowalu, and
 7 Launiupoko, and the coastal beach erosion. And the
 8 new highway we propose should be located at least 70
 9 times the annual erosion rate as studied by UH.

10 This is just a photo taken at Olowalu near the
 11 transfer station. This photo is taken near
 12 Launiupoko Beach Park on the Lahaina side. It gives
 13 you a good idea what's going on on the other side of
 14 the highway. This, as you've probably seen in other
 15 presentations to the commission, is just one of the
 16 shoreline erosion maps showing Ukumehame and
 17 Papalaua. It shows you the increased erosion going
 18 on there by Ukumehame, that's near the firing range.

19 The next few slides I'm not going to read
 20 verbatim because basically everything you hear is
 21 taken directly out of the West Maui Community Plan.
 22 So all I'm doing is quoting what's in there that has
 23 any relevance to do with this project. So basically
 24 it says relocate the highway to reduce potential
 25 inundation and disruption of service.

1 It also states in this particular section that
2 where the highway is relocated for the purpose
3 stated, the lands makai of the highway should be
4 designated an open space and park. This is the
5 document you have before you today.

6 Provide and maintain parks and beach access for
7 future needs. And there is a little subsection in
8 here regarding Camp Pecusa and the expansion of that
9 area.

10 Urban [inaudible] integrate stream channels and
11 gulches for open space systems. We talk about using
12 drainage channels for these kind of uses. Drainage
13 channels could be used for pedestrian walkways and
14 bikeway facilities.

15 Another thing, the West Maui Community Plan is
16 to protect the shoreline and beaches by preserving
17 waterfront land and open space. Also said the
18 structure should be assured a 50- to 100-year life
19 span by employing a shoreline setback based on the
20 rate established by the appropriate study, and as
21 you know that study has been done by UH and is
22 adopted in the shoreline rules.

23 Talks about creating more regional park
24 facilities, public access, camping, picnicking, and
25 talks about doing this all the way from Honokahua

1 Bay all the way basically towards Ukumehame and then
2 there is a note in here with the exception of
3 agriculturally designated lands makai of the
4 highway, Olowalu.

5 Establish public access for mauka recreational
6 uses.

7 Provide public camping areas along the
8 shoreline such as at Olowalu near Camp Pecusa.

9 These photos were taken down at Olowalu, the
10 old sugar mill, and the Awalua cemetery at Olowalu.

11 When we did the study, which we hired
12 [inaudible] --Chester Cole is with me today -- when
13 we did the initial Pali to Puamana plan, there were
14 three alignments reviewed, a mauka, mid, and makai.
15 And the mid level alignment was chosen because it
16 got the highway far mauka enough to get out of any
17 kind of coastal erosion or tsunami inundation area,
18 but it also didn't go so mauka that it would make it
19 difficult for us to preserve the land makai of it.
20 So these are the three alignments. And one that was
21 chosen is in green.

22 This is the Pali to Puamana master plan. And
23 these are just some ideas that were thrown into the
24 master plan regarding how we would set up parking
25 lots. But no actual park plans have been done yet.

1 That's for later.

2 Here's your protective barrier, Ukumehame,
3 which I might add one has fallen into the ocean
4 again.

5 So basically when we -- the next step in this
6 whole process is implementation. We have done the
7 plan, now what do we do next. So the environmental
8 assessment which is before you today is required by
9 Chapter 383. We need to do a community plan
10 amendment to the West Maui Community Plan to
11 designate the realignment, and as well as doing a
12 change in zoning to open space or park.

13 What the county would like to do is designate
14 the highway corridor within the West Maui Community
15 Plan as a future transportation corridor, designate
16 the lands makai of the corridor as open space or
17 park, rezone the land to open space or park, and
18 prepare legislation to set aside funds for the
19 acquisition of these lands, and implement land
20 dedication requirements during land entitlement
21 phase of land planning, and start identifying
22 easements, views, pedestrian accesses.

23 As most of you are aware, the county did
24 purchase the first phase of this project involving
25 the purchase of 100 acres at Ukumehame for

1 \$4 million. That occurred last year after, gosh, a
2 year and a half of negotiations. And we have
3 continued with the appointment of nine individuals,
4 community citizens, to work on the acquisition of
5 more lands.

6 We continue our intra-agency coordination with
7 the State Department of Transportation and their EIS
8 corridor study from Maalaea to Laniupoko. They had
9 their first kick-off community meeting last week
10 Wednesday -- I don't know what day of the week it
11 was. But anyway, we were there and they had a good
12 turnout. There were at least 60 people there.

13 We continue community participation in the
14 planning and design of this highway and share our
15 comments with the state DOT because as you should be
16 aware, the DOT is responsible for this highway.
17 It's a state highway; it's not a county highway.
18 And we continue to discuss and work with the
19 stakeholders affected by the project to ensure the
20 common goals, objectives, and benefits to all those
21 affected by the project, both private and public,
22 are met.

23 So the draft environmental assessment, comments
24 were closed as of March 8th. As you know, we've
25 been deferred twice, so all we're waiting for is

1 your comments from the planning commission. We did
 2 extend this -- usually it's a 30-day comment period,
 3 but we meet at night just to give the public some
 4 extra time.

5 Now, there has been some concern from the land
 6 owners about the map that's in your draft
 7 environmental assessment versus the map that's in
 8 the Pali to Puamana master plan. And if you look,
 9 this section right here at Launiupoko is not in the
 10 P to P master plan. We have added that in. We have
 11 added in a 400-foot setback, kind of this swath that
 12 goes along. So that's not in the P to P plan. I
 13 can't remember if there was anything else. Gloria
 14 will let me know if there was, but I know that was
 15 one thing that was different with the plan.

16 The idea behind that was when we did the Pali
 17 to Puamana master plan, this was the only part that
 18 we recognized was expanding Launiupoko Beach Park.
 19 But when we decided to do the implementation and
 20 after kind of going through the West Maui Community
 21 Plan and seeing that we need to have this buffer,
 22 this open space non-developable area for the public,
 23 that's why that swath was added in.

24 It also was added in because recently with
 25 talks with the landowner, they had submitted in a

1 subdivision plan that included a park, not as wide
 2 as what we have, but they do have a park kind of
 3 allotted in here to kind of coordinate with their
 4 subdivision, that's why that was added in as well.
 5 But again, it doesn't match exactly. Ours is wider.

6 So some comments we received so far, like I
 7 say, is the difference between the maps. We've been
 8 asked to expand the economic impacts. The trigger
 9 for the environmental assessment is not the use of
 10 county or state lands, it's the community plan
 11 amendment. And they wanted us to expand information
 12 regarding the State DOT's planning efforts of this
 13 corridor, which is great now because they have
 14 actually started doing something. They were
 15 negotiating a contract with Parsons for about
 16 two years, so there wasn't really much we could say
 17 about it. So now we can say okay, they have
 18 started.

19 And the agencies contacted in the DEA, there is
 20 a request by the Olowalu Partners to remove their
 21 name as an agency that was contacted for the draft.
 22 And we had talked to them during the process of
 23 doing the master plan, but not actually getting
 24 comments on the DEA. So we've gotten their comments
 25 since then.

1 So that's basically in a nutshell what we're
2 here before you today. I have Chester Koga here,
3 who was our consultant from R.M. Towill. He was the
4 consultant for the P to P master plan, and he is now
5 a consultant for us for the environmental
6 assessment.

7 MR. KOGA: Good afternoon, I'm Chester Koga, I
8 am project manager at R.M. Towill Corporation, our
9 planning department.

10 I just wanted to add a little bit more to what
11 Kathleen mentioned relative to the overall planning.
12 Actually when we started doing the research, the
13 genesis of all of this work started back in actually
14 1990 with the first full examination with full
15 community participation of the general plan at that
16 time. And you might say, well, those folks back
17 then were very visionary, I guess. They were
18 looking at a space, recognized that this is one of
19 the last few areas west side that's not really
20 developed and that in 1990 it was the last vestiges
21 of sugar cane was disappearing and people recognized
22 that hey, this is an important place, this is an
23 open space that people use it on any given day any
24 -- so it was an important space.

25 And in 1996, when the West Maui Community Plan

1 was actually adopted, there were, as Kathleen
2 pointed out to you, that there was a lot of words in
3 the community plan from the residents, if you will.
4 You recall that 1995 on community plan passes had a
5 lot of citizen participation. There were planning
6 groups in each one of the community plan regions and
7 they worked for many, many months, you know, before
8 this commission as well as the council finally acted
9 on the decision.

10 So it's not without history, it's not without a
11 lot of popular support from the community. We did
12 go out to the community in February and had a
13 community meeting at that time. There were
14 approximately about 50 -- I'm going to say about 50
15 people. There were some 40--some people that
16 actually signed in on the attendance sheet, but just
17 counting heads there were about that many. There
18 were 13 individual testifying. Many of them were in
19 support of the plan of the county proceeding and
20 protecting this important shoreline that has both
21 historic, cultural, as well as I guess recreation
22 space. That's the most simplest way I can describe
23 that group there.

24 We are impacting as part of the overall plan
25 about 383 acres of land. That would be most of the

1 lands is makai of the highway. So if you look at
 2 map on the wall, it would be the pink line, all the
 3 areas makai of that, would be approximately
 4 383 acres. Not all of it is divided by in terms of
 5 land ownership. Less than a third is actually owned
 6 by either the state or the county and that
 7 represents land that's mostly makai of the highway
 8 -- existing highway at this time. And part of that
 9 land, over a hundred acres actually, in the
 10 Ukumehame area, if you look at the map on the wall
 11 there, all the section colored or hatched in blue is
 12 now lands that are under the jurisdiction of the
 13 County of Maui. This is the land that was acquired.

14 There are some other pieces that State and/or
 15 County already own, so there is a significant amount
 16 of land that has been put into this open space
 17 preserve area. Not all of is it designated for
 18 those uses, but that's why this process that we're
 19 into right now is the start of the process to look
 20 at all the parcels of land that would be impacted by
 21 this project or the redesignation of the land and
 22 try to come up with criteria as how we would go
 23 about designating either land or park and/or open
 24 space purposes.

25 As you know, for park, there are three -- four

1 classifications of park. And we were avoiding
 2 obviously the higher numbers where you have ball
 3 fields and swimming pools and more regional -- golf.
 4 But we were looking at trying to preserve as much of
 5 this area for almost all the you might say the
 6 traditional uses that currently occur there now.
 7 You know, you have the fishermen, of course, that
 8 use this space. There are families that camp.
 9 There are families that just picnic along the
 10 coastline. There are sunbathers. And to the dismay
 11 of many folks, why all the tourists are congregating
 12 around Mile Post 14, you know. I'm sure the locals
 13 are all kind of scratching their heads as to why
 14 that happens, but they're there. And there are the
 15 surfing spots. That when we talk with law
 16 enforcement to their dismay, the surf is really
 17 good, they're parked all over the road where there
 18 is no shoulders. So there is lots of reasons why
 19 you would want to designate certain areas for open
 20 space.

21 We didn't propose a lot of large open active
 22 areas such as you have in Launiupoko Park currently.
 23 That's probably the largest space. The other parks
 24 like Ukumehame, Papalaua, even Puamana, they're
 25 relatives modest spaces.

1 So the whole idea of trying to designate land
 2 up in this area, we looked to look at how is the
 3 area being used currently and how could we change
 4 things to continue some of the practices that were
 5 currently going on, and finally the -- this has to
 6 do a little bit with some of the gooks we worked
 7 with earlier on when we doing the master plan that
 8 there are some pieces of land that if the county
 9 could acquire, it would certainly add to the overall
 10 open space feel for the area and also bring into the
 11 fold in terms of organized park space particularly
 12 in the Olowalu area where there is a lot of activity
 13 currently going on but without the benefit of the yo
 14 might say organized space. And I'm just going to
 15 leave it at that, without getting into details.

16 We weren't looking at specific development, as
 17 Kathleen mentioned. This is not a development
 18 proposal, if you will. What we are looking at is
 19 the public policy statement that this is how the
 20 county wants to use the land, this is how we want to
 21 preserve it for the future. And finally, the
 22 director, planning director, at our Lahaina meeting
 23 summed it up perfectly, basically said we want to
 24 keep the lines of communication open, this is where
 25 we're going to start the discussion from and then

1 we're going to move forward to the actual
 2 implementation because obviously the planning
 3 department is not in the business of developing
 4 park. This is the parks department. So the next
 5 stage is after the -- is to bring the parks people
 6 in, obviously, and see how these various spaces can
 7 be organized and developed.

8 I should say we did look at the -- tried to
 9 look at the whole question of what would be the cost
 10 or financial impact of trying to acquire all of this
 11 land. And we looked at -- I looked at personally
 12 high and pretty hard, but in the final analysis, I
 13 just couldn't come up with a number because it's --
 14 some of it -- a lot of is it market driven. We can
 15 disclose that the lands in Ukumehame was acquired at
 16 a very reasonable price. You know, we know what
 17 some of the lands in Olowalu and Launiupoko is on
 18 the market for. So possibly the -- and it is quite
 19 a range of prices. And what drives the prices is
 20 obviously the marketplace. So for us to come up and
 21 speculate that it's going to say, okay, it's going
 22 to cost the County of Maui around a hundred million
 23 dollars, you know, I certainly don't want to have
 24 that put in print anywhere because saying, you know,
 25 your consultant said it's going to be \$100 million,

1 well now it's costing us \$500 million, so what went
2 wrong. But I don't want to be in that position.

3 And it is obviously a public policy issue,
4 acquiring -- Ukumehame was a public policy issue
5 that the council itself went and made that decision,
6 you know. And I guess that's what we're looking at.

7 Anyway, I'll leave it at that and if there is
8 questions about specific areas of the plan that you
9 might want to ask about and how we arrived at the
10 decision, we can go to that.

11 CHAIRPERSON AMORIN: Thank you very much. We
12 have a question for you. Dr. Iaconetti.

13 COMMISSIONER IACONETTI: I think this is a
14 tremendously far looking project that we could look
15 forward to in the future. I think it's great. I do
16 have some questions, though.

17 Is the land that you designate as open space,
18 is that in perpetuity? Are we going to have that
19 open space always? Or will that land at sometime be
20 available for development?

21 CHAIRPERSON AMORIN: Dr. Iaconetti, you're
22 directing it to Kathleen or --

23 COMMISSIONER IACONETTI: Either of them.
24 Whoever wants to --

25 MS. AOKI: How do I answer that? Yes. I mean,

1 the idea is that the county would go ahead and
2 rezone this for open space. There is very, very,
3 very limited development on open space. That's why
4 we want to change it from ag to open space. So it
5 would be, you know, your opportunity is basically
6 not there any more. That's the whole point of
7 trying to preserve this.

8 As for perpetuity, unless in a hundred years
9 you get a council that's willing to turn around and
10 sell the land to somebody and change the zoning, I
11 mean, I can't guarantee you -- I don't know what's
12 going to happen. But you're a lot better off trying
13 to -- you know what I mean? You're better off to go
14 from ag to open space than try to convince the
15 community to go from open space back to some other
16 higher density that they could develop. Does that
17 answer your question?

18 COMMISSIONER IACONETTI: Yeah, except that
19 there have been places designated as open space that
20 have since been changed so that people can develop
21 what was once open space. But I realize you can't
22 answer that question, but I just hope that in some
23 way we can designate that area in perpetuity. And I
24 think it can be done legally probably.

25 The other question I had is what assurance do

1 we have that the undeveloped land makai of the new
 2 proposed road won't fall into the hands of
 3 developers instead of park? How can you -- how can
 4 we guarantee the community that this is going to be
 5 utilized as eight miles of park area and not
 6 eventually be developed?

7 MS. AOKI: Well, that's the whole point of
 8 doing this EA and the change in community plan and
 9 the change in zoning is to prevent that. Because
 10 right now you have absolutely nothing to stop the
 11 developer or owners -- I shouldn't say developers.
 12 The owners of the land have the right to develop
 13 their land. And we don't own it, the county doesn't
 14 own it. And it's not zoned in open space. It's not
 15 community planned in open space or park. So that's
 16 why we're moving forward with this project because
 17 that's what the community plan called for, they want
 18 to preserve it. The community wanted to preserve
 19 it, they want to protect it. So this is the means
 20 to do it is to change it to open space or park and
 21 to acquire it. I mean, it's a huge goal. But we
 22 did it at Ukumehame for \$4 million. You have to
 23 start somewhere and that's where we started.

24 But even at Ukumehame, in your DEA, we're going
 25 in to change that to open space and/or park because

1 right now it's zoned ag. So even in our own -- in
 2 our own ownership of lands, we're changing the
 3 community plan and change in zoning. So it's not
 4 like we're not doing it for us, too. We want -- I
 5 want to protect it.

6 COMMISSIONER IACONETTI: That's the whole idea.

7 MS. AOKI: Exactly. Because you don't know
 8 what's going to happen when I'm not around any more.

9 COMMISSIONER IACONETTI: How much of the
 10 privately owned property now is developed or is
 11 expected to develop into private homes? What can we
 12 do about that?

13 MS. AOKI: I can just go kind through with you
 14 -- if you look at my pointer, Ukumehame is protected
 15 pretty much because we own it, there is nothing
 16 developed there.

17 This is Mile Marker 14. Right now there is
 18 nothing developed in this area. We own -- the state
 19 owns this blue hashed area. This is where you start
 20 with the ownership of Olowalu. So we wanted to
 21 expand this area here.

22 There is nothing developed there yet. There is
 23 a lot of cultural sites actually here that we would
 24 want to preserve. Down in here is expansion of Camp
 25 Pecusa. And then over here is the approximately

1 less than 15-acre parcel which does not have
 2 anything developed on it yet. It is agriculturally
 3 zoned and they have a right to build an ag dwelling
 4 and an accessory dwelling right now if they wanted
 5 to.

6 Then we have the expansion here kind of by the
 7 transfer station. There is nothing developed there
 8 yet.

9 COMMISSIONER IACONETTI: Can you tell me --
 10 there is a large home that's being built just the
 11 Lahaina side of Olowalu. It's still under
 12 development.

13 MS. AOKI: Is it right in here?

14 COMMISSIONER IACONETTI: Yeah.

15 MS. AOKI: Those parcels -- these parcels here
 16 are approximately two acre parcels that were
 17 subdivided many years ago. So --

18 COMMISSIONER IACONETTI: Were they originally
 19 ag?

20 MS. AOKI: Yes, they still are. They're ag
 21 zoned.

22 COMMISSIONER IACONETTI: The home that's being
 23 built there hardly looks like a ranch house.

24 MS. AOKI: It's got a farm planned.

25 COMMISSIONER IACONETTI: A farm? Do they have

1 to tell you what they're going to farm?

2 MS. AOKI: They have to submit it to
 3 department, yeah.

4 COMMISSIONER IACONETTI: To the planning
 5 department? Has it been submitted?

6 MS. AOKI: Yes.

7 COMMISSIONER IACONETTI: What are they farming?

8 MS. AOKI: I don't know, sir. I don't review
 9 the farm plans.

10 COMMISSIONER HEDANI: Areka palms.

11 MS. AOKI: What I would like to point out
 12 though is in the Pali to Puamana master plan that we
 13 did, we knew that these parcels were divided and
 14 sold. We're not so concerned about this because
 15 it's developed.

16 And the other thing to recognize is that the
 17 existing highway is already far back from the
 18 shoreline. We're more concerned with preserving
 19 what we can that's near the shoreline. This is
 20 pretty -- kind of a done deal, if you will. But
 21 this isn't. Camp Pecusa we could kind of expand.
 22 And this area isn't.

23 CHAIRPERSON AMORIN: Planning director, did you
 24 have something to say?

25 DIRECTOR HUNT: I just thought I'd add a few

1 comments on to Kathleen and Chester. The meeting
 2 that we held in January in Lahaina was pretty well
 3 attended, and the overall consensus -- virtually
 4 everyone came out in strong support of this plan.
 5 There was only one person who I think expressed
 6 concern about people camping down there along the
 7 coast. So again, there is strong public support.

8 A couple things you should be aware of. The
 9 county can zone property open space. The property
 10 can then always be zoned back. So that's one step
 11 is to zone it. The second step is to acquire it.
 12 And even then if the county acquires it, they can
 13 sell it. But it seems each step you go down, the
 14 more assurance there is. If we zone it open space
 15 and then acquire it, the assurances are getting
 16 stronger and stronger.

17 What came up at the Lahaina public meeting was
 18 the question of public versus private financing and
 19 the timing involved. And the argument that was
 20 presented that if you collaborate with the
 21 developers, they will provide the private funding to
 22 implement this plan quicker, versus relying on the
 23 county funding and the slow process of government
 24 and how that would take a lot more time.

25 So there was some public debate on that and

1 we're going to include that as alternatives within
 2 the community plan environmental assessment. But it
 3 really is -- it's really a question in my mind of
 4 your vision. If you want to implement this quickly
 5 and get it done quickly, then perhaps you need to
 6 rely on private development. If your long-term goal
 7 is looking down the future and leaving a legacy for
 8 future generations, a strip of green along the coast
 9 without the homes would be a lot better of a park,
 10 it's just that it would take longer to implement and
 11 relying on public financing.

12 Having said that, as Kathleen mentioned, this
 13 strip of park is not virtual along the whole
 14 coastline. There are some existing developments in
 15 that area. So it's not the entire coastline from
 16 the Pali to Puamana. But except for a few pockets
 17 and depending on the outcome of collaborating with
 18 the private developers or not, it could be most of
 19 that strip could be a park.

20 CHAIRPERSON AMORIN: Commissioner Hedani.

21 COMMISSIONER HEDANI: My guess would be that
 22 you got some comments from the owners of Olowalu
 23 about running your roadway right through the middle
 24 of their property.

25 MS. AOKI: This section here? Their comments

1 were more about the beach parks than it was the
2 road. They actually kind of use, am I correct, this
3 alignment in their -- this alignment here again is
4 something that we're not bound to because --

5 COMMISSIONER HEDANI: Let me ask the question
6 in a different way. Are the owners of Olowalu
7 supportive of your alignment?

8 MS. AOKI: I can't answer that. I don't know.
9 I mean, they haven't come out and said that they're
10 totally against it. We're very flexible.

11 Maybe I should put it this way to you,
12 Commissioner. We're very flexible with this
13 alignment here. Olowalu isn't a huge concern for us
14 because, like I said, the existing highway is
15 already mauka. So if the road was here, here, here,
16 here, it's really not going to make that much of a
17 difference. It's the corridor by Ukumehame and the
18 corridor at Launiupoko was where we were more
19 focused on. And this alignment was simply chosen as
20 the mid alignment.

21 There was discussion about maybe widening the
22 road. One of the alternatives that we talked about
23 was just making another lane that maybe went in back
24 of the store over here. But there was concern about
25 the trees, the monkey pod trees, so that's why we

1 just decided, you know, let's just leave those trees
2 alone.

3 The idea is to one day turn the existing
4 highway into a pedestrian bikeway. So what a better
5 place to go through all the trees. So that's why we
6 decided to just put it in the back.

7 CHAIRPERSON AMORIN: Commissioner Hedani.

8 COMMISSIONER HEDANI: The only other question
9 that I had was the alignment that you picked, did
10 you pick the alignment topographically to match the
11 inundation maps of West Maui for its entire length,
12 and did you take into account rising sea levels that
13 would affect those maps?

14 CHESTER: The answer is yes. One of the
15 reasons why we wanted to be further back, about
16 where the alignment is in Olowalu, because currently
17 literally it's in the FEMA flood plane. Anything
18 lower. But there's a down side, if you will. Now
19 we have to create a fairly large bridge to cross
20 over that area.

21 So we did look at Kathleen's presentation, we
22 looked at tsunami inundation, we looked at trying to
23 get out of the coastal erosion area, and we actually
24 went a little bit beyond that. Instead of doing the
25 50 years, we went to 70 years in terms of erosion

1 and likewise for flooding, for coastal flooding,
2 tsunami, as well as stream flooding.

3 CHAIRPERSON AMORIN: Planning director, did you
4 want to say something more?

5 Commissioner Starr.

6 COMMISSIONER STARR: My first comment is that
7 this is one of the few really positive things that
8 have come before us. And I want to thank, first of
9 all, Director Hunt and Kathleen and everyone who has
10 worked on it because it's a really good thing and
11 it's great to be actually putting some major portion
12 of our shoreline aside for future generations.

13 Having said that, my comment is I would like to
14 make sure that it's kept as far mauka as possible.
15 I'd also like to add as a comment that whatever
16 mechanisms can be utilized to keep the shoreline
17 makai of the new road from being developed and
18 walled off should be done. I think you already know
19 that, but I think that should be a comment in here.

20 Question. What are the closest points of the
21 road to the current shoreline and how far are they?

22 MS. AOKI: This is my unprofessional driving
23 this road every single day because I live in
24 Lahaina, but Ukumehame where it's probably two feet
25 away. I mean, it's falling into the ocean.

1 COMMISSIONER STARR: No, I mean the new road.

2 MS. AOKI: Oh, the new road. How far away is
3 the new road. It does vary.

4 DIRECTOR HUNT: In Ukumehame, it's
5 approximately 400 feet. Ukumehame is kind of left
6 of the center on the right-hand map.

7 CHESTER: Actually the only area that we start
8 to get very close is where the Olowalu transfer
9 station was.

10 One of the major difficulties was the old
11 landfill. Very little -- no, it's not so much the
12 fact of how high or how low it was. We have very
13 little information about that landfill in terms of
14 what's in it, how is it protected, how was it
15 closed, is it a problem, is it not a problem.

16 COMMISSIONER STARR: Is it still burning?

17 CHESTER: People actually asked that question,
18 I said we don't know. So what we avoided doing was
19 -- and maybe look at the geology of the area, lots
20 of rock in that area. So we could actually get
21 closer to the highway, but still we're several
22 hundred feet inland from it. But what we didn't
23 want to do was impact or disturb that landfill in
24 anyway.

25 COMMISSIONER STARR: Okay. That one area where

1 it seems -- I guess halfway between Olowalu and
 2 Ukumehame, where it seems to move close, kind of a
 3 little closer in there, how far is that at that kind
 4 of neck down place?

5 CHESTER: We're still looking at just looking
 6 from the map scale, we're in somewhere 5, 6 hundred
 7 feet.

8 COMMISSIONER STARR: All right. I know that
 9 there are a lot of places along that coast where the
 10 shoreline has been artificially hardened. Even -- I
 11 know you're not so concerned at Olowalu, but that's
 12 -- Olowalu is the best snorkeling, the best reef
 13 conditions in some regards on Maui. The turtle
 14 population is enormous. There is a lot of variety
 15 there. If there is ever a gill net ban, it will be
 16 Maui's aquarium as it once was. So there is
 17 certainly a hope that there will be good access into
 18 there. But that whole area along Olowalu has been
 19 artificially hardened, even though it doesn't look
 20 it. At Camp Pecusa there's layers and layers of
 21 carpet. Whenever the hotels used to get rid of
 22 carpet, it all bent into the berm over there,
 23 believe it or not. And you know, once that's kind
 24 of allowed to lapse by itself, the shoreline will
 25 probably move in a hundred feet or so into where the

1 old cane field is.

2 But I guess my comments are that just maintain
 3 the openness. Also, I would like to add as a
 4 comment that a bike path that is separated from the
 5 roadway and shaded with canopy trees where possible
 6 be maintained for the length of the project.

7 MS. AOKI: Commissioners, just you're aware,
 8 this whole project is about that. The idea --
 9 again, you have to understand we're dealing with the
 10 state, so we're coming up with this great idea and
 11 the state just has to file on with it. But it's to
 12 turn the existing road into an 8-mile long
 13 bike/pedestrian pathway and then create this new
 14 highway and keep everybody separate. That's not to
 15 say that there won't be bike paths along the new
 16 highway, you know, because I think they need to do
 17 that just for the recreational speed bikers that may
 18 not want to meander slowly along this 8-mile bike
 19 path. But that's the plan. That's within the Pali
 20 to Puamana plan.

21 COMMISSIONER STARR: No, I get that, that's why
 22 I wanted to add a comment to that effect. But I
 23 also know that there are places where the existing
 24 roadway cannot be maintained. We're either going to
 25 have beaches there or we're going to have the

1 existing roadway. That's right now the current
 2 dilemma. And I certainly hope that when that choice
 3 comes, do we maintain the hardening to keep the
 4 current roadway as a bike path or do we take it
 5 away, have a sandy beach, and create a bike path
 6 further in. I hope that choice is that we end up
 7 with a beach and a bike path rather than maintaining
 8 the existing road alignment where the ocean is
 9 already lapping against it.

10 MS. AOKI: Thank you.

11 CHAIRPERSON AMORIN: Commissioner Hedani.

12 COMMISSIONER HEDANI: As far as comments, I
 13 wanted to say that I thought the plan was a good
 14 plan and that I like thinking -- I like the concept
 15 of a four-lane mauka highway that would adequately
 16 service West Maui.

17 From my perspective, I think you need to be
 18 flexible in the area of Olowalu in working with the
 19 landowner in that area so whatever happens is fair.

20 I like the green areas that you picked
 21 associated with Camp Pecusa and on the Lahaina side
 22 of the current makai property of the existing
 23 Honoapiilani Highway. There is a little piece of
 24 land right where the pier is which I think you
 25 should consider negotiating for acquisition as well

1 because it's the safest area for kids to swim at.
 2 Where that little pier is.

3 MS. AOKI: At Olowalu?

4 COMMISSIONER HEDANI: Although there are
 5 sharks. Besides the sharks. Really safe to swim
 6 once you get to know the shark.

7 COMMISSIONER STARR: No sharks close in by the
 8 way -- I think they call them nurse sharks. The
 9 little ones. They're tame.

10 COMMISSIONER HEDANI: These are not nurse
 11 sharks.

12 COMMISSIONER STARR: You're talking out. Yeah,
 13 I've seen the big ones, too. But close in where the
 14 kids go, there is little tame sharks that don't hurt
 15 people.

16 COMMISSIONER HEDANI: They're not these cute
 17 little black tipped sharks in two feet of water.

18 MS. AOKI: We'll acquire those, too.

19 COMMISSIONER HEDANI: I think the entire planet
 20 is a stroke of genius.

21 CHAIRPERSON AMORIN: Commissioner Hiranaga.

22 COMMISSIONER HIRANAGA: Personally, I would
 23 prefer that the right-of-way be placed as close to
 24 the ocean as possible as opposed to mauka as
 25 possible. As a surfer, I used to fish. If you're

1 going to be 400 feet from the ocean, unless you have
 2 parking access, you're going to be carrying your
 3 surfboard 300 feet to get to the ocean. I'm a long
 4 boarder and getting a little old, that board weighs
 5 a lot. I would rather be, like right now, 10 feet
 6 from the ocean, jump up, jump out of my car, pull my
 7 board off the roof, jump in the water. Not carry my
 8 board 300 feet to get to the ocean.

9 A couple of questions. Those two areas I guess
 10 proposed for acquisition?

11 MS. AOKI: These two areas? They're part of
 12 the master plan.

13 COMMISSIONER HIRANAGA: Proposed for
 14 acquisition?

15 MS. AOKI: Right.

16 MR. HIRANAGA: Is that proposed to be parking?

17 MS. AOKI: Well, as we mentioned, we haven't
 18 really gotten into the details as far as what --
 19 where the parking lot would go. But you would need,
 20 yes, the idea is -- because this is where everybody
 21 surfs. Not this. No.

22 COMMISSIONER HIRANAGA: Would that remain
 23 private?

24 MS. AOKI: That would remain private.

25 COMMISSIONER HIRANAGA: Everybody surfs right

1 here.

2 MS. AOKI: No.

3 COMMISSIONER HIRANAGA: Where this road comes
 4 out, as soon as you see the ocean, there is a surf
 5 spot right here. And there is a surf spot here.
 6 It's not down here by the park.

7 MS. AOKI: This is the transfer station right
 8 here, Commissioner. So you actually go along a
 9 little bit and this is actually the bulk -- that's
 10 why we identified the two sites. Initially we only
 11 identified this site. But then we went in and we
 12 added this site because it was discussed in the
 13 group -- we actually had a citizen advisory
 14 committee when we did the master plan and we also
 15 had a lot of public meetings, we presented the plan
 16 to the West Maui Community Taxpayers Association and
 17 we presented this plan to so many different groups.
 18 And it came out that they said that there was more
 19 people surfing down here. So we said okay, we'll
 20 add this area and have this area and satisfy both.

21 This is the parcel right now that has all the
 22 palm trees growing on it right now that used to have
 23 that little nursery on it.

24 COMMISSIONER HIRANAGA: So where can you see
 25 the ocean as you come out of Olowalu?

1 MS. AOKI: I would say right there.

2 COMMISSIONER HIRANAGA: Then the surf spot is
3 right here. I mean, I don't know, I've been going
4 there for 35 years, so maybe I'm confused by
5 distance of scale, but I just don't like carrying my
6 board really far. I would prefer the road to be as
7 close to the ocean as possible. I mean, I know you
8 take into consideration erosion factors and
9 tsunamis, but tsunamis don't happen very often and
10 they don't happen on the southwest shore very often
11 either. But people go surfing almost every day and
12 it's just my thought.

13 MS. AOKI: Thank you.

14 COMMISSIONER HIRANAGA: One more thing. The
15 reason I wanted the road closer makai is so that we
16 don't lose visual contact with the ocean. And as
17 you drive now, you can constantly see the ocean
18 except when you go by Olowalu General Store. And I
19 don't want you guys pushing the road mauka so that
20 we lose sight of the ocean.

21 MS. AOKI: Okay. Thank you.

22 DIRECTOR HUNT: Kathleen, isn't one of the
23 thoughts to have lateral access going down to the
24 beach at various areas? I mean, it hasn't been
25 worked out yet. It may not be specific where you

1 surfed for the last 30 years, but there will be
2 access along there.

3 CHAIRPERSON AMORIN: Commissioner U'u.

4 COMMISSIONER U'U: Just a comment that it is
5 probably the nicest road in the state to be caught
6 in traffic.

7 MS. AOKI: That is very true.

8 COMMISSIONER U'U: It is a beautiful site.
9 Nobody wants to be in traffic. And as far as Kent,
10 I think we should designate long boarding and boogie
11 boarding. That's our spots. Just a comment. Thank
12 you.

13 CHAIRPERSON AMORIN: Commissioner Pawsat.

14 COMMISSIONER PAWSAT: Well, you could do a
15 roundabout drop-off point on the surf, too, so you
16 get. That's kind of a joke.

17 CHAIRPERSON: Thank you. Commissioner Hedani.

18 COMMISSIONER HEDANI: I wanted to reinforce
19 Bruce's comments on that. The existing roadway,
20 because of the fact of its proximity to the ocean,
21 has views to the ocean almost for its entire length.
22 So in the design of the new highway, whether you set
23 the elevation of the highway higher with fill or
24 whatever, consideration should be given toward
25 preserving direct views to the ocean as well.

1 MS. AOKI: And I can totally appreciate that.
 2 The problem is it's a state highway and the state
 3 decides where to put it. I mean, we've come up
 4 conceptually with this corridor. We wanted to move
 5 ahead and try and preserve what we could for open
 6 space and park. But ultimately it's the State
 7 Department of Transportation who makes that decision
 8 on where the actual highway is going to go. And now
 9 since they have started that corridor study, that's
 10 why I'm at the meetings and they have gotten my plan
 11 and I've been in discussion with them for four
 12 years. So all of these kind of comments I can take
 13 back to them and the public obviously can provide
 14 their comments during this whole -- they're doing
 15 the EIS, they're doing a full blown MEPA EIS which
 16 will take about four years. I can appreciate that.
 17 I drive this road every day. So does Dr. Iaconetti.
 18 Or used to.

19 CHAIRPERSON AMORIN: Thank you very much.
 20 Commissioner Hiranaga.

21 COMMISSIONER HIRANAGA: I understand that the
 22 State DOT will determine the location of the roadway
 23 and they're probably looking at preservation of
 24 their assets to keep it out of the tsunami
 25 inundation zone or the erosion area.

1 And when I speak about visual contact to the
 2 ocean, I would like to clarify that. I wanted to
 3 preserve the ability to see the waves breaking on
 4 the shoreline versus look at a vista two miles out
 5 into the ocean. There is a difference between
 6 looking at horizon view of the ocean versus being
 7 able to see how big the waves are breaking on the
 8 shoreline. Just another additional comment.

9 MS. AOKI: Okay. Thank you.

10 CHAIRPERSON AMORIN: Commissioner Starr.

11 COMMISSIONER STARR: This is a question to
 12 staff. Is there a mechanism to protect -- to
 13 absolutely protect the entire view plane from a
 14 road? Because before us we have constant projects
 15 that come before us that will be blocking most of
 16 the view plane and we're shown a little notch where
 17 you can kind of see the ocean, you know, not to
 18 maintain the entire vista of the actual shoreline
 19 where the waves are breaking, as Commissioner
 20 Hiranaga suggested.

21 Is there a way that there can be real teeth in
 22 maintaining an unobstructed vista from this new road
 23 of the entire shoreline such that when projects get
 24 built below it, since it's doubtful that the county
 25 will be able to acquire all of the land makai of the

1 road, that those projects be -- have to comply with
2 some kind of view corridor regulations that maintain
3 [inaudible]. How can we do that? Is that something
4 in zoning or --

5 CHAIRPERSON AMORIN: Director.

6 DIRECTOR HUNT: Your SMA regulations require
7 that we address scenic views, I believe it's termed.
8 Unless the county adopts a specific view study plan,
9 it's difficult to control the views to the extent
10 that you were just talking about other than simply
11 designating those lands as open space. If you
12 control the views too much, virtually it becomes
13 open space. The developers still have to be able to
14 built to some extent on their land. Unless we zone
15 it open space or something to the contrary.

16 COMMISSIONER STARR: How about the way we do it
17 with the shoreline where you have a relationship to
18 average lot depth and maybe elevation so that if
19 there is a deep lot, the construction has to happen
20 lower down where it won't obstruct the view. And, I
21 mean, you mentioned some kind of -- some kind of
22 view plan document or something. Is there something
23 that could be put into motion on a parallel tract
24 that would guarantee the maintenance of a view
25 corridor and not just -- because the SMA wording is

1 -- it's good enough to have a little notch where you
2 get a little glimpse as you drive by. I don't think
3 that's what we're looking for.

4 DIRECTOR HUNT: Are you talking about for this
5 specific project or the SMA in general or --

6 COMMISSIONER STARR: No, I'm looking at some
7 mechanism, some -- whether it's another document
8 that would have to be processed simultaneously, some
9 plan that would maintain a virtually uninterrupted
10 view corridor along this whole route.

11 DIRECTOR HUNT: We could do an analysis, a
12 cursory analysis and report back to you on a
13 potential study that would limit future development
14 view impacts, that kind of thing.

15 COMMISSIONER STARR: Okay. Thank you. Do we
16 need to do action to make that happen or is that --

17 DIRECTOR HUNT: We can do a cursory report with
18 what you just said.

19 CHAIRPERSON AMORIN: Thank you, commissioners,
20 for your comments. At this time the Chair will open
21 up for public testimony on this project. We welcome
22 any comments from the audience. Do we have anyone
23 that wants to step forward? Please state your name.

24 MR. REILLY: Good afternoon. My name is Jim
25 Reilly. I am a partner in the partnerships that

1 purchased both the Olowalu property and the
2 Launiupoko and Makila property. I just have a
3 couple of comments just to get them out in public.

4 We also very, very, very much think this land
5 is spectacular. We have purchased this land from
6 Pioneer Mill and we've been in ownership of it for
7 six to eight years. And we have done numerous
8 studies, plannings, what ifs, and we have a lot of
9 input that we think would be helpful for the county
10 government to consider.

11 I would like to make a couple of comments. The
12 West Maui Community Plan that was written sometime
13 in the early '90s, does not in any way, shape, or
14 form specify that this land should be set aside into
15 a park. It discusses a 30-acre park somewhere in
16 the Olowalu area if that land ever comes out of
17 agriculture. But that's the only specific reference
18 to a park along this parkway. And also only
19 references land makai of the highway becoming open
20 space if it is being inundated by flood. That is
21 the only reason that it says the highway should be
22 relocated and the land makai should be designated
23 open space.

24 There is an entirely different section of the
25 West Maui Community Plan that talks about a

1 different highway, mauka highway going in. And in
2 that connotation, there is no discussion of the land
3 makai being open space. You can take the West Maui
4 Community Plan at probably 60 pages long and pull
5 out six or seven paragraphs and pretend to make it
6 say virtually anything you want it to say. But if
7 somebody would study the West Maui Community Plan,
8 it does not in any way discuss this concept or infer
9 this concept. It was never in there.

10 That's not to say it's not a good idea. And we
11 have spent a lot of time and a lot of money with
12 different planning groups trying to come up with
13 plans.

14 It was our idea to have this park be the entire
15 length of the property. The county's Pali to
16 Puamana Task Force came up with a really small park
17 at Launiupoko. It wasn't until they saw our plan
18 and they realized how lacking their plan was and
19 then kind of threw it in at the last second. And
20 they still couldn't get it to concur with our plan.

21 I would like you to consider the cost of this
22 project. You're talking about a very ambitious plan
23 to acquire for future use a phenomenal asset in
24 terms of potentially oceanfront property. This land
25 has quite a bit of value, phenomenally dwarfing the

1 \$4 million number that was purchased at Ukumehame.
 2 Somebody threw up a number, a hundred million
 3 dollars. We don't have that type of a number that
 4 we think the land is worth. But when you get -- and
 5 you can appraise this land. It's not that hard to
 6 find out how much this land is worth. You can get
 7 an appraiser. It would cost you seven to ten
 8 thousand dollars, and you can find out what this
 9 land is going to cost the county, today's money, to
 10 purchase. And it is going to be a staggering amount
 11 of money that the county is looking at committing.
 12 I guess my point is you can buy it, you can buy it
 13 all, you can buy the whole island. At some people
 14 point people are going to get tired of just paying
 15 money to buy all of the land on the island.

16 We do think there is the ability to work with
 17 the land owners, to work with the people that we
 18 have hired to plan certain areas. We think that
 19 there is opportunities for the county to get this
 20 land without having to expend money to buy the land.
 21 We think there is the opportunity to get the park
 22 possibly built. We think there is a lot of
 23 possibilities for the county to -- if what the
 24 county wants is the park, then there is every
 25 opportunity for the county to get that without huge

1 expenditures of money. Thank you very much.

2 CHAIRPERSON AMORIN: Thank you, Mr. Reilly.
 3 Any questions? Commissioner Hedani.

4 COMMISSIONER HEDANI: Mr. Reilly, the area in
 5 Olowalu, say there was 600 acres, 400 acres there.

6 MR. REILLY: Olowalu has about 730 acres total
 7 in the valley that we purchased.

8 COMMISSIONER HEDANI: Okay. The acquisition of
 9 that -- the acquisition of that property, was that
 10 acquired at \$1,500 an acre?

11 MR. REILLY: I don't know. It's public record.
 12 I can tell you if you want me to.

13 COMMISSIONER HEDANI: I know Pioneer was
 14 selling property at the rate of about \$1,500 an
 15 acre.

16 MR. REILLY: It's very public record. Anybody
 17 that wants to go to the tax office can identify that
 18 we paid \$11 million for that land. And we did offer
 19 the county 30 acres on the ocean at the time we
 20 purchased it for I think it was three and a half
 21 million dollars, and the county turned us down.

22 COMMISSIONER HEDANI: Which property was that?

23 MR. REILLY: It was 15 acres where you're
 24 looking at buying land that we now think is worth
 25 about \$20 million, and another 15 acres on the Camp

1 Pecusa side.

2 We offered the opportunity to buy 30 acres
3 oceanfront for about three and a half million
4 dollars. And we were not well received. It was
5 very awkward at the county.

6 COMMISSIONER HEDANI: 20/20 hindsight.

7 MR. REILLY: Yes.

8 CHAIRPERSON AMORIN: Commissioner Pawsat.

9 COMMISSIONER PAWSAT: You keep saying -- who is
10 "we" again?

11 MR. REILLY: There is a group of about five of
12 us that originally invested in the land acquisition
13 in different -- not all equally.

14 COMMISSIONER PAWSAT: Are you the primary?

15 MR. REILLY: No.

16 COMMISSIONER PAWSAT: Who's the primary?

17 MR. REILLY: The primary -- there would be two
18 individuals that would have relatively equal shares.

19 COMMISSIONER PAWSAT: Who?

20 MR. REILLY: I don't know if they all want
21 their names given. It's all public record.

22 COMMISSIONER PAWSAT: So I have to go look for
23 it?

24 MR. REILLY: I don't know how badly you want to
25 know.

1 COMMISSIONER PAWSAT: It's kind of
2 inconvenient. I mean, I will find it.

3 MR. REILLY: Well, I'm sure half the people in
4 the room know, so it's not that big of deal.

5 COMMISSIONER PAWSAT: Just your presentation
6 was a little peculiar. It was kind of couching in
7 legal --

8 MR. REILLY: Well, we take it as an affront
9 that -- we do take a little bit of an affront that
10 the county would look to master plan and --

11 COMMISSIONER PAWSAT: You take it as an
12 affront. There is plenty of things that people take
13 as an affront. That's what you need to understand.
14 So that's why the tone is so insulting. So.

15 CHAIRPERSON AMORIN: Thank you, Commissioner.
16 Commissioner Hedani.

17 COMMISSIONER HEDANI: Just as a comment, I
18 think rather than arguing with people that are
19 testifying, if we have questions, we should ask
20 questions of them and give them the opportunity to
21 answer.

22 In this particular case, when I look at
23 Olowalu, I think the primary values of Olowalu are
24 the areas that have height or that have view. The
25 furthest mauka properties in Olowalu are the ones

1 that are the most valuable from the standpoint of
 2 having the most spectacular views of the Pacific
 3 Ocean. Once you get down below the alignment of the
 4 highway, the land is essentially flat and you have
 5 no view of the ocean from that perspective. So the
 6 values drop radically from that perspective.

7 Have you folks done any master plans of this
 8 area? And if you were to look at that map, can you
 9 share with us what you think your vision would be of
 10 that area?

11 MR. REILLY: Yes. We have gone into
 12 partnership with a company called Frampton Ward.
 13 And Frampton Ward has brought in a planner, a town
 14 planner, that did workshops on Maui last -- year or
 15 so ago. And they came up with a very -- I don't
 16 want to say detailed, but a draft for a community at
 17 Olowalu. And it was and it is -- it's available to
 18 be reviewed. It's a town as opposed to a village.
 19 It's not -- it's not an extremely small, manini
 20 little development. It is a relatively significant
 21 town. I think it is approximately 1400 units which
 22 was proposed through this workshop. And it
 23 encompasses a good part of the Olowalu Valley, the
 24 entire land -- and it does have -- there are
 25 numerous parks, acreage-wise probably greater than

1 the acreage shown on this proposed, but not
 2 necessarily in the exact same places. But the parks
 3 aren't all mauka. The parks are oceanfront. The
 4 parks at the surf beach. The parks are towards Camp
 5 Pecusa and towards the 14-mile marker are the
 6 oceanfront park areas.

7 COMMISSIONER HEDANI: I think my comment is
 8 that I think there has been opportunity for a
 9 win-win solution in this particular case that would
 10 preserve use to the ocean, create opportunities for
 11 huge parks, as well as create opportunities for
 12 community development including affordable housing.

13 MR. REILLY: We very much agree.

14 COMMISSIONER HEDANI: Thank you.

15 CHAIRPERSON AMORIN: Thank you, Commissioner.
 16 Commissioner Iaconetti.

17 COMMISSIONER IACONETTI: Is there some sort of
 18 an association with your group and the group that
 19 was planning to develop the Olowalu Town?

20 MR. REILLY: Yes, yes, Olowalu Town is Dave
 21 Ward and Bill Frampton and they actually have
 22 purchased an interest in Olowalu and are going to
 23 end up being the ultimate developer and they are
 24 going to be the developer of Olowalu Town, they are
 25 going to end up taking us out of the equation at

1 some point in the future.

2 COMMISSIONER IACONETTI: Are you monetarily in
3 the equation at this point?

4 MR. REILLY: Very much so.

5 CHAIRPERSON AMORIN: Any more questions,
6 commissioners? Thank you so much, Mr. Reilly.

7 Do we have any other individual in the
8 audience? Please step forward, state your name.

9 MR. MARTIN: Good afternoon. My name is Peter
10 Martin. Just quickly to explain, we did pay
11 \$11 million -- actually, I think it was less than
12 that, we put in \$11 million, when we bought Olowalu.
13 That actually I think works out to more like \$15,000
14 an acre.

15 But I did a little calculation and we put in
16 \$46 million total so far. And I'll have to check,
17 but I believe we've had no distributions or very
18 little. So when you drill wells and you put in
19 water tanks and you build roads and you carry the
20 property, and you pay -- and that's, I think --
21 actually I'd say we're in the hole because we did
22 pay income tax, too. But we're in it for \$46
23 million. But I don't believe, again, that that has
24 a whole lot to do with anything, what we paid for
25 it. A & B, I think -- we bought it from then. I

1 think they paid -- not A&B. Pioneer Mill. I think
2 they paid a dollar an acre. But anyway, just is to
3 straighten that out.

4 And I am the major -- I was the major partner
5 of Olowalu, but only on a financial side. The
6 partnership of Olowalu is completely separate from
7 Makila other than similar ownership, but they are
8 very different the way they're governed and ruled.
9 Each -- I was influential in each of the land
10 purchases of Kaoma, Launiupoko, Kauula, Makila, and
11 Olowalu. And I'm a major partner in each one, but
12 not always the major partner. And I hope that --
13 and my final comment is I do believe if we, like you
14 said, it might sound a little cliché, but I believe
15 if we work together, you will get access for your
16 long board and short board and boogie board. If you
17 see some of our plans, we have many roundabouts
18 coming off. And actually, the mauka plan we drew,
19 which you can talk to Mr. Unemori, when we bought
20 both Olowalu and Makila, we asked Mr. Unemori, if
21 the state hired you -- if -- where would you put the
22 road. I don't want any input from me, I want to
23 know where the engineer would put the road. We know
24 where the archeology is, we know where the burials
25 are, we don't want another Akena Street. Which I

1 used to live in Lahaina in the '70s and didn't want
2 another Akena Street. So I said we're going to
3 design around a broad area, so we have the freedom
4 to do any of these roads. And so I think -- and we
5 didn't, we sold some on the ocean, we sold some
6 mauka, but we've left this corridor truly broadly
7 done. We do want to get moving, but this is the
8 perfect time with the general plan. Thank you.

9 CHAIRPERSON AMORIN: Thank you very much. Do
10 we have any questions for the testifier? Seeing
11 none, thank you very much, Mr. Martin.

12 Do we have any other individuals out there who
13 wish to step forward and comment on this project?
14 Please state your name.

15 MR. FRAMPTON: Hi. Good afternoon, commission
16 members. My name is Bill Frampton and I'm here on
17 behalf today of Olowalu Town LLC and Olowalu Ekolu
18 LLC who part of the discussion from the two previous
19 speakers covered some of the stuff that I wasn't
20 expecting.

21 But essentially this is the area dealing with
22 most of Olowalu and I would like to share a little
23 bit of information with you, available for any
24 questions you may have. But I would like to preface
25 all of what I'm going to talk about by sincerely

1 saying that we really support this vision of the
2 Pali to Puamana Parkway.

3 I happened to be working for Steve Goodfellow
4 when we presented the first concept to the former
5 mayor, Apana, we presented this idea of working with
6 all of the land owners, that we could do something
7 that's precedent-setting across the state, that
8 would really set the mark for how parks should be.
9 A continuous parkway, not interrupted by private
10 land owners, but what's best for the people of Maui
11 was at heart there. And I do also want to say as
12 far as my role and my partner Dave Ward, we are
13 sincerely looking out for what's the best we think
14 for Maui and a win-win solution. And I think there
15 is really a lot of opportunity for that.

16 However, I do want to say that we are concerned
17 about the preparation of this Draft EA. We really
18 think that this is an important decision that not
19 only yourselves but the county council will have to
20 make as to how will you implement this plan. How
21 will decisions be made as far as acquisition or not
22 acquisition? And what's lacking is the -- again,
23 it's been brought up earlier, but the real hard
24 economic feasibility, an analysis of the options.
25 And I think the EA is lacking.

1 And it was mentioned by the department, they
 2 have heard our comments, that really when you start
 3 is to start to look at the acquisition and how will
 4 you make certain pieces work, Ukumehame was a really
 5 neat example of how it can work. We helped again
 6 previously in my previous job, I helped get that
 7 process going and it was fun because I knew in the
 8 long run that that's what's best for my two boys
 9 that are growing up as well, and their kids that are
 10 going to grow up. It's important that we think
 11 again long term here, but also reality, if I would,
 12 that there are land owners out there and that can be
 13 challenging. And it can be, if not done properly,
 14 adversarial, which I don't think anybody wants to
 15 have happen. That's in no one's best interest.

16 There is a parcel of land, the
 17 triangular-shaped parcel of land that's been
 18 mentioned previously a couple times, about 16 acres
 19 of land. An example there is that parcel about
 20 two years ago my partner Dave and I came to the
 21 former planning director and were really excited.
 22 We had a concept that consisted of several homes
 23 that were going to be a little micro -- small
 24 village, if you will. But the concept there was --
 25 which we were excited about -- was pushing the homes

1 very far back mauka, if you will, and open up that
 2 shoreline so that you don't have homes right on top
 3 of you at the beach which we experienced down at say
 4 Keawekapu. These homes would be set back 350 feet
 5 or so. And the idea was how could we come up with
 6 something for the land owners that was fair, yet at
 7 the same time let's think about the public. And
 8 right now no one can get out there. There is a
 9 beautiful coastal state beach reserve that exists,
 10 but it's unimproved, and how the state's ever going
 11 to do it in competition with the dollars for
 12 everything else that goes on right now, it's going
 13 to be tough. And our idea was why doesn't the
 14 developer do it, why don't we come in and build it
 15 with private funds but make it available for the
 16 public and make it widely available so that if there
 17 are homes there, they're not right on top of you.
 18 And it was a neat plan.

19 The acceptance of that plan was pretty exciting
 20 at the first meeting with the planning director. We
 21 proceeded to prepare a draft EA that was never
 22 submitted --

23 CHAIRPERSON AMORIN: Bill, your three minutes
 24 are up. Can you conclude in 30 seconds?

25 MR. FRAMPTON: Yes, I would like to. The idea

1 there is the plans were changed on us very rapidly.
 2 We were surprised to find out about this draft EA.
 3 It really caught us off guard. And we have not been
 4 consulted with and we have asked over the past year
 5 countless times even in public to be consulted with
 6 because we do have an incredible master plan for the
 7 area that we're excited to share with the community,
 8 as well as a little plan for that small parcel.

9 And we're just really hopeful that we can get
 10 involved. We've been asking and asking. I would
 11 love to have that plan up on the map for you folks
 12 to consider, and it should be in the EA. It should
 13 be looked at for you folks to at least consider as
 14 you make decisions. And I'm more than willing, I
 15 would love to have more information to share, but
 16 I'll respect my time.

17 CHAIRPERSON AMORIN: Thank you. Mike might
 18 have a question for you. Commissioner U'u.

19 COMMISSIONER U'U: Mr. Frampton, I guess long
 20 range planning was saying that that area in Olowalu
 21 isn't as important as the other areas and they were
 22 willing to be flexible with you. And I was hoping
 23 that maybe they could consult with you guys at
 24 sometime. Is it possible?

25 MR. FRAMPTON: Oh, yeah. Yeah. The long range

1 division now and the current planning director since
 2 January has been very vocal about the willingness to
 3 want to participate and talk story, get together,
 4 which is exciting. It hasn't happened yet and it's
 5 April 24th. That was back in September of last year
 6 they guaranteed it. We just want it to happen
 7 because we're at a point where they're talking about
 8 acquisition. And some numbers were mentioned
 9 earlier that we don't want to go there again because
 10 I think a win-win can be done. There is really --
 11 it's such a great opportunity to do something really
 12 cool here for everyone to enjoy.

13 CHAIRPERSON AMORIN: Thank you very much.
 14 Anyone else in the audience wishes to come up and
 15 speak on this project, please state your name.

16 MR. FRAMPTON: Good afternoon, commissioners.
 17 My name is Rory Frampton. I'm a land planning
 18 consultant and I was hired by Makila Land Company.
 19 Makila Land Company owns the land from Puamana Beach
 20 Park all the way to the Olowalu Transfer Station.
 21 It's a distance of about two and a half miles. And
 22 you'll have to excuse my tone if it sounds
 23 appropriate, but I want to clarify a few things.
 24 And I'll hope to go through these really quickly.
 25 But the original P to P plan, even this plan, does

1 not include plans for an 8-mile park. There is a
 2 lot of sections that are open space, there are a lot
 3 of sections of this coastline that would not make
 4 sense to be a park per se. And specifically in the
 5 area -- I'll get to it later, but in the area where
 6 I've been working on for about the last year and a
 7 half to come up with a park plan. It wasn't --
 8 those plans have been altered largely the result of
 9 the work that we did.

10 At that community meeting in February, there
 11 were a lot of people speaking in support of the
 12 concept, but what I heard from almost all of those
 13 people was they wanted to see alternative approaches
 14 examined in this EA. This EA exams one approach,
 15 and the other approach would be to work as Jeff
 16 mentioned with a private/public partnership to see
 17 if this area can be created for future use for the
 18 public for generations for coastal access.

19 A follow up comment. I think Kathleen said
 20 that the community says that -- basically the
 21 community plans wants to acquire it, she kind of
 22 implied that it's unanimous that the community wants
 23 to acquire this land. That's not what I heard at
 24 that public meeting in February, and that's not what
 25 I heard happened with the P to P master plan

1 committee. The committee that came up with this
 2 plan was quite divided and there was a lot of debate
 3 on how to -- how much land should be designated for
 4 park and basically how to implement the park. And
 5 in fact, there was never a unanimous position or any
 6 kind of vote taken on this plan. The quote from the
 7 planning director, what he told me was I got the
 8 group together, I got their advice, I disbanded the
 9 group, and then I made my plan. So they got input
 10 from that group, but it wasn't a consensus even
 11 amongst that group on how they should move forward
 12 with this plan.

13 When I got on board Makila, the land area that
 14 was designated for park in Launiupoko was just a
 15 20-acre mauka expansion at Launiupoko. And I asked
 16 the planning director, why did you only go mauka
 17 there, how come you didn't go to both sides. And he
 18 said it's because of the location of the state
 19 highway and the state does not plan to abandoning
 20 that section of the highway. As long as that
 21 highway is in place, there ain't gonna have no park.

22 And so what we've been working on is a way to
 23 figure out how you can have the bypass built with
 24 enough capacity and have an additional coastal rode
 25 be built inland from the existing highway parallel

1 to the coastline to provide you with a closer
 2 connection point along the ocean that wouldn't be
 3 the bypass, it wouldn't be the main thoroughfare,
 4 but it would be more like a coastal parkway. And we
 5 do have that -- in our plans we have subdivision
 6 plans that have been turned in utilizing our
 7 allocation under the ag zoning law to do a coastal
 8 road that would have park on the makai side. We do
 9 have plans that are going to be going forth in the
 10 general plan process that would look at alternative
 11 options as well, but again with a parallel coastal
 12 road that would allow for the abandonment of the
 13 existing highway.

14 CHAIRPERSON AMORIN: Rory, your three minutes
 15 are up. Could you conclude in 30 seconds?

16 MR. FRAMPTON: I sure can. I guess my point is
 17 that there are a lot of options out there. I think
 18 what you see today is a plan that has morphed since
 19 the first committee actually -- or since the first
 20 report that came out in February 2005. Some of the
 21 big changes in the area of Makila came out because
 22 they were working with us. That's not really
 23 disclosed in the EA.

24 I think the EA, in order to better inform
 25 decision makers, should look at alternative

1 approaches and they should look at the economic
 2 commitments.

3 And it's not only the timing aspect, just to
 4 add a little bit more to what the director said.
 5 The director said it had more to do with you do want
 6 it now or do you want it later. To me it has to do
 7 with do you want it at all. Because if you're not
 8 going to work creatively to figure out a way to get
 9 the highway off the coastline, you're never going to
 10 have an expanded coastal park there. And my belief
 11 is that it's going to take a monumental effort
 12 between the county, between the state, and between
 13 the land owners in order to do all the steps
 14 necessary to get the highway off the coastline so
 15 you can have this coastal area that some of which
 16 may be developed as park, some of which may be in
 17 open space.

18 Thank you for allowing me to conclude.

19 CHAIRPERSON AMORIN: Thank you very much. We
 20 have a question. Commissioner Iaconetti.

21 COMMISSIONER IACONETTI: For those of us that
 22 are uninformed, who or what makes up the Makila
 23 group?

24 MR. FRAMPTON: The Makila group -- one of the
 25 principal investors is Peter Martin. It's a group

1 of local individuals, they're from Maui, and they
 2 invested in and bought -- originally it was over
 3 4,000 acres of Pioneer Mill land that goes quite a
 4 bit mauka as well. I would love to be able to give
 5 you the whole context of our planning endeavors. We
 6 have a lot of mauka lands, we have a lot of makai
 7 lands, we have a lot of former ag lands, and we've
 8 done a kind of a resourced based planning approach
 9 looking at that entire Makila area in total and came
 10 up with -- of course on the makai side a consistent
 11 goal at the county to try to open as much land on
 12 the coastline as possible for future generations.
 13 But in order to make that happen, like I said, there
 14 is many pieces that have to fall into place.

15 It took 30 years for the state to do -- to even
 16 start the Lahaina Bypass, which is mostly through
 17 former agricultural lands. The idea of then
 18 building a highway and building enough capacity and
 19 then getting enough capacity to go all the way to
 20 Maalaea so that they can abandon the existing
 21 roadway, without any help from the private sector,
 22 it's going to take -- it's going to take
 23 generations, multiple multiple generations in order
 24 for that to happen. So the timing is an important
 25 component. But I think it's also just the

1 complexity involved and the complexity and the -- I
 2 don't know, just the enormity of the things that
 3 need to take place in order for this to happen. You
 4 can't just go in there and designate and say we're
 5 going to buy it and then magically snap your fingers
 6 and it's going to turn into a park. And I think
 7 that's where we were coming from -- if you see our
 8 letters, the EA seems to state, well, you know,
 9 we're just going to zone it for park and at some
 10 point we'll buy it and at some point it will turn
 11 into a park. It doesn't provide enough information
 12 for the decision makers to truly make an informed
 13 decision.

14 COMMISSIONER IACONETTI: This is to the
 15 director. Can we expect that the suggestions or
 16 comments that have been made by both the Frampton
 17 brothers will be in the discussions and
 18 recommendations to the draft so that when you come
 19 up with an actual EA, that we will have those
 20 comments in there?

21 DIRECTOR HUNT: You should expect then. This
 22 is part of the public process. Even though the
 23 public comment period has been closed because it's
 24 on your agenda and this is a public meeting, we
 25 accept these comments and they will be addressed in

1 the final EA.

2 COMMISSIONER IACONETTI: Thank you.

3 CHAIRPERSON AMORIN: Thank you. Commissioner
4 Hedani.

5 COMMISSIONER HEDANI: Rory, I just got a notice
6 from the State DOT that they promise us that they're
7 going to start the first phase of the bypass in
8 August.

9 MR. FRAMPTON: Yes.

10 COMMISSIONER HEDANI: Seeing is believing. The
11 other thing that they suggested was that they want
12 to amend their first phase to include an extension
13 of the first phase, an extension of the -- I'm not
14 sure if it's the first phase or the second phase.
15 But an extension to connect back with the highway
16 beyond Launiupoko park. Were you aware of that?

17 MR. FRAMPTON: Yes, very much aware. The
18 bypass is -- Phase I(A) of the bypass actually
19 starts just north of Lahainaluna Road and it's going
20 to connect to Kiawe Street, as many of you may be
21 aware, so that the people coming from Napili can go
22 up Kiawe, go on 1(A) so you can bypass Lahainaluna
23 Road.

24 The Phase 2, which has now been broken up into
25 2(B) -- no, 2(B)1 and 2(B)2, it basically goes from

1 -- it goes from -- the next direction that they are
2 going is from Lahainaluna Road to the southern
3 terminus. And the southern terminus hits the
4 highway just pass Launiupoko Beach Park, just where
5 that point is showing right there.

6 We've been working with the State of Hawaii and
7 actually we're assisting them to prepare the
8 environmental studies and to help analyze the option
9 of shifting this terminus from Launiupoko Beach Park
10 to the Olowalu landfill and basically extending the
11 bypass so it goes all the way to the landfill.

12 As Mr. Koga noted, at the landfill you're kind
13 of pinched in along the shoreline. So the people
14 that have looked at it feel that that's a logical
15 point where you would connect to the existing
16 highway because you really don't have anywhere to
17 go, either makai or mauka.

18 So the proposal that's going to be discussed in
19 Lahaina Thursday evening is to -- is the southern
20 extension of the Lahaina Bypass. And it's to
21 basically take the terminus again, shift it about a
22 mile further south to get it mauka, and that's
23 basically to allow the state to go even further to
24 avoid another section of shoreline and to do it
25 under the context of this existing project.

1 The next project that they're working on that
 2 Kathleen referenced is the Maalaea to Launiupoko
 3 project. Now, they have got about a four year
 4 period to do just the environmental impact
 5 statement, let alone, design, construction, all that
 6 kind of stuff. So they can't start on any phase of
 7 that project until they have completed all of their
 8 environmental reviews. So by doing this amendment
 9 to the bypass alignment, it's hoped that they can
 10 move that much quicker under the context of the
 11 bypass project and speed it up.

12 COMMISSIONER HEDANI: So you're working on that
 13 extension.

14 MR. FRAMPTON: Yeah, we're working -- we've
 15 indicated a willingness to provide land for the
 16 alignment, for the corridor, and we're actually
 17 assisting funding the environmental studies that
 18 would allow then to incorporate that section into
 19 the bypass.

20 I was in Honolulu all day yesterday and been
 21 there every -- once a week for about three or four
 22 weeks now.

23 COMMISSIONER HEDANI: Thank you.

24 CHAIRPERSON AMORIN: Thank you very much. At
 25 this time for the sake of our stenographer, we'll

1 take a five-minute break.

2 (Brief recess.)

3 CHAIRPERSON AMORIN: Maui Planning Commission
 4 April 24, 2007 is back in session.

5 Commissioners, we have Rory Frampton up. Were
 6 there any more questions for Mr. Frampton? Not at
 7 this time. Thank you very much.

8 Do we have any other individuals in the
 9 audience who wishes to come forward and speak on
 10 this project? Please state your name.

11 MR. WARD: Hi, my name is David Ward and I am
 12 with Frampton & Ward and I want to represent Olowalu
 13 Town and Olowalu Ekolu. And I wasn't prepared to
 14 speak today, actually, but I just kind of wanted to
 15 make a quick point. And real quickly, Olowalu Town,
 16 there was some questions about our involvement in
 17 Olowalu Town. And the deal that is there is that
 18 Frampton & Ward have the right to entitle and an
 19 option to buy. That's the way that it works. So we
 20 are out talking to the community and trying to keep
 21 an open discussion about that area, the Olowalu
 22 area, about 620 acres.

23 And at the risk of not further confusing
 24 things, I just wanted to say that there is an awful
 25 lot of information. Both the Frampton brothers

1 talked about various pieces of information that are
2 out there. At Olowalu Town we've also been talking
3 to the State Department of Transportation about
4 building this portion of the highway and giving it
5 to the state.

6 I just think that I don't want to leave today
7 and have the commission feel that this is a negative
8 thing. This is a wonderful thing. Olowalu Town,
9 you know, we're looking at providing a lot more park
10 than even what is here. I just hope, again, that
11 what we really hope is that you guys can get all the
12 information. And I'm very happy, I think that the
13 planning department intends to do that in the final
14 EA, and I think that's the most important thing. If
15 you guys can get the information and make informed
16 decisions, that's the most important thing.

17 So I'm just really looking forward to getting
18 that information in the EA with the alternative
19 analysis and the economic analysis. I'm available
20 for questions also.

21 CHAIRPERSON AMORIN: Thank you very much. Any
22 questions? Commissioner Hedani.

23 COMMISSIONER HEDANI: It's not really a
24 question, it's more a comment. I think because the
25 subject that we're going over today has brought all

1 the major players together in the room at one time,
2 my personal feeling is that I think Olowalu can be a
3 very special place. And I think if it's properly
4 planned, it could be a very special community. And
5 I think some of the things that should go into the
6 thinking for Olowalu would be all of the things that
7 you've heard over the years. Smart growth, neo
8 traditional town planning, all of the intelligent
9 ways to do a community as opposed to more of the
10 same sprawl.

11 And if you could take those comments to heart
12 and come back with a plan that impresses everybody,
13 I think that would be a step in the right direction.

14 MR. WARD: Thank you very much for that
15 comment. We really hope to have these types of
16 things presented to you.

17 CHAIRPERSON AMORIN: Thank you very much. Any
18 more questions to our testifier? Thank you very
19 much.

20 Commissioners, do you have any more questions
21 or comments on this project? Commissioner Starr.

22 COMMISSIONER STARR: Just that I hope this is
23 able to move through as quickly as possible and I
24 really think that people who are doing the work are
25 on the right track. Thank you for what you're

1 doing.

2 CHAIRPERSON AMORIN: I just want to add my own
3 comments on the testimonies coming forth. I see a
4 lot of willingness to partner in this huge project
5 and from some major land owners. And it all looks
6 very positive. And yes, what it is is everybody
7 working together to make a dream come true. Thank
8 you very much. We have Commissioner Hiranaga.

9 COMMISSIONER HIRANAGA: I may be old-fashioned,
10 but just another concept, and I'm not sure if this
11 has ever been brought up, but to keep the existing
12 roadway where it is, make it a coastal roadway,
13 reduce the speed limit to maybe 30 miles an hour,
14 and create your bypass road as far mauka as you want
15 and make it a 55 mile an hour, so that people that
16 want to use the ocean can get close to the ocean,
17 can see the ocean, and the people that just want to
18 get somewhere can get there on the other roadway.
19 To me that would be what I would prefer from an
20 old-fashioned perspective.

21 I really don't want to go into another Ala
22 Moana Beach Park where you're -- where you've got to
23 walk 150 feet to get to the ocean from the roadway,
24 and the parking is limited, surf is up, you can't
25 find parking, and you're going to end up parking on

1 that mauka roadway because there won't be adequate
2 parking.

3 When you get a large swell, you're going to get
4 people that haven't surfed for a long time, they're
5 all going to show up, and you're not going to be
6 able to handle the parking. Those are my comments.
7 Thank you.

8 CHAIRPERSON AMORIN: Thank you. Do we have any
9 other individual out there who wishes to come
10 forward and speak on this agenda item? Seeing none,
11 public testimony is closed. Jeff Hunt.

12 DIRECTOR HUNT: The planning staff will compile
13 your comments and they will bring the final EA back
14 for your review since this is the accepting
15 authority for that document and you can check to
16 make sure all the comments that you think should
17 have been addressed have been addressed.

18 CHAIRPERSON AMORIN: Commissioners, I just want
19 to say thank you very much for all your comments on
20 this project.

21 Moving along with our agenda, Director's
22 Report. Okay. We have an agenda item that we need
23 to get back to Hawaiian Cement with the staff
24 planner. Calling the staff planner. Okay, Robyn,
25 it's your turn.

1 DIRECTOR HUNT: Madam Chair, before we got to
2 the next item, apparently we need to do a
3 concurrence on the previous item that there is an
4 anticipated FONSI, a finding of no significant
5 impact.

6 COMMISSIONER HEDANI: So moved.

7 COMMISSIONER U'U: Second.

8 CHAIRPERSON AMORIN: We have a motion on the
9 floor and seconded to provide concurrence on the
10 filing of the draft EA and anticipated finding of no
11 significant impact with EQC for publication.

12 DIRECTOR HUNT: Just to clarify for some of the
13 newer members. The way the EA process works is we
14 do an analysis with the draft and eventually if
15 there are significant impacts, it kicks over to a
16 final -- I mean an environmental impact statement,
17 which is a very lengthy, thick document. So
18 generally speaking on the less significant impact
19 projects, we just do it through an environmental
20 analysis and that's what this --

21 CHAIRPERSON AMORIN: Do you have any discussion
22 on this?

23 COMMISSIONER HIRANAGA: Question, Madam Chair.
24 How do you determine if there is significant impact
25 or insignificant impact? Is it a subjective

1 determination by each commissioner or is there an
2 objective criteria?

3 DIRECTOR HUNT: Well, the commission would vote
4 on that as a body, but there is an analysis that
5 goes into immediate impacts versus long-term
6 impacts, on-site impacts versus regional impacts,
7 the project impacts versus cumulative impacts, et
8 cetera. It was in the orientation Powerpoint that
9 we did.

10 In this particular project, there is no
11 specific development being proposed with the
12 project. It's a paper document in the sense that
13 we're proposing to change the zoning and the
14 community plan designations for those lands along
15 the park -- along the highway. So there is no
16 specific disturbance of land associated with it.

17 The actual highway itself will be subject to a
18 full on EIS and that's what Kathleen alluded to
19 earlier that they are going through the scoping
20 process right now. That will take I think four
21 years or something like that, they said the other
22 night in Lahaina.

23 COMMISSIONER HIRANAGA: Wouldn't the location
24 of the proposed new roadway determine how much land
25 has to be acquired? So the further mauka you go,

APPENDIX F

Planning Commission Meeting Minutes, April 22, 2008

Item E. New Business

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PURSUANT TO CHAPTER 92, HAWAII REVISED STATUTES AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE MAUI PLANNING COMMISSION

AGENDA

DATE: April 22, 2008 (Tuesday)
TIME: 8:30 A.M.
PLACE: Planning Department Conference Room, First Floor, Kalana Pakui Building,
250 South High Street, Wailuku, Maui, Hawaii 96793

Members: Wayne Hedani (Vice-Chair), William Iaconetti, Bruce U'u, John Guard IV,
Jonathan Starr, Kent Hiranaga, Joan Pawsat, Ward Mardfin, Donna Domingo

Public testimony will be taken at the start of the meeting on any agenda item in order to accommodate those individuals who cannot be present at the meeting when the agenda item(s) is (are) considered by the Maui Planning Commission. Public testimony will also be taken when the agenda item is taken up by the Maui Planning Commission. Maximum time limits on individual testimony may be established by the Planning Commission. A person testifying at this time will not be allowed to testify again when the agenda item comes up before the Commission, unless new or additional information will be offered.

Testifiers: Please be advised that applications for Community Plan Amendment, State District Boundary Reclassification, Change in Zoning, Conditional Permit, Type 3 Bed and Breakfast Permit require the approval of the Maui County Council. In order to be notified of future agendas of the Maui County Council please notify the Office of Council Services at (808) 270-7838 or by mail to the Maui County Council, 200 S. High Street, Wailuku, Maui, Hawaii 96793.

- A. CALL TO ORDER
- B. ELECTION OF OFFICERS FOR 2008-2009 YEAR - CHAIRPERSON AND VICE-CHAIRPERSON
- C. UNFINISHED BUSINESS
 - 1. WAILEA GATEWAY, LLC requesting a Step III Planned Development Approval for the Wailea Gateway Center and related improvements at TMK: 2-1-008: 144 (por.), Wailea, Island of Maui. (PD3 2007/0003) (P. Fasi) (Deferred at the April 8, 2008 meeting.)

The Commission may take action on the request.

- D. PUBLIC HEARING (Action to be taken after public hearing item.)

1. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 08-05 containing A Draft Bill to Authorize Home Occupations in Various Zoning Districts to the Lanai, Maui, and Molokai Planning Commissions. (J. Alueta)
 - a. Public Hearing
 - b. Action

2. PASTOR LARRY ELIES of LAHAINA CHRISTIAN FELLOWSHIP requesting a time extension of a Land Use Commission Special Use Permit for the Lahaina Christian Fellowship Sanctuary located on approximately 2.28 acres of land in the State Agricultural District at TMK: 4-3-010: 031, Kahana, Island of Maui. (SUP2 950005) (S. Bosco)
 - a. Public Hearing
 - b. Action

3. MR. JEFFREY S. HUNT, Planning Director transmitting A Bill for an Ordinance Repealing Chapter 19.02 of the Maui County Code and adding Chapter 19.02A regarding Interim Zoning Districts. (J. Alueta)
 - a. Public Hearing
 - b. Action

4. MR. JEFFREY S. HUNT, Planning Director transmitting A Bill for an Ordinance to modify and add definitions found in Chapter 19.04 of the Maui County Code. Definitions to be modified are: "basement," "building," "court," "apartment court," and "height." Definitions to be added are: "areaway" and "habitable room." (J. Alueta)
 - a. Public Hearing
 - b. Action

E. NEW BUSINESS

1. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Pali (Papalaua Park) to Puamana Project at TMK: 4-7-001 (various), 4-8-002 (various), and 4-8-003(various), Lahaina District, Island of Maui. (EA 2006/0020) (J. Hunt and K. Aoki) **(Draft EA was reviewed by the Maui Planning Commission on April 24, 2007.)**

As stated in the Draft Environmental Assessment, the EA triggers are for the use of County and State lands and County and/or State funds. A Community Plan Amendment is also contemplated as noted in the Draft Environmental Assessment. The accepting authority for the Environmental Assessment is the Maui Planning Commission.

The Commission may take action to issue a Findings of No Significant Impact (FONSI) or take some other action.

The public hearing on the anticipated Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

2. NONA LANI, LLC requesting comments on the Draft Environmental Assessment prepared in support of the Community Plan Amendment application from Multi-family to Hotel for the existing Nona Lani Cottages located at 455 South Kihei Road, TMK: 3-9-041: 001, Kihei, Island of Maui. (EA 2006/0002) (CPA 2006/0001) (CIZ 2006/0001) **(J. Dack) (Draft EAs circulated at the April 8, 2008 meeting.)**

The EA trigger is the Community Plan Amendment. The Maui Planning Commission is the accepting authority for the EA.

The Planning Commission is being asked to:

- a. Provide concurrence on the filing the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.
- b. Provide comments on the draft Environmental Assessment.

The public hearing on the Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

The Commission may act on the requests for concurrence and comments

3. J. ROBERT BREWER requesting comments on the Draft Environmental Assessment prepared in support of the proposed demolition of a one-story single family residential structure constructed in 1951 and its replacement with a two-story residence located in the National Historic Landmark District at 459 Front Street, TMK: 4-6-002: 017, Lahaina, Island of Maui. (EA 2007/0010) (SMX 2007/0306)(J. Prutch)

The EA trigger is the location of the property within the Lahaina National Historic Landmark District. The Maui Planning Commission is the accepting authority for the EA.

The Planning Commission is being asked to:

- a. Provide concurrence on the filing the Draft Environmental Assessment and the Anticipated Findings of No Significant Impact (FONSI) with OEQC for publication.
- b. Provide comments on the draft Environmental Assessment.

The review of the Special Management Area Assessment will be conducted at a future date after the Chapter 343 process has been completed.

The Commission may act on the requests.

F. DIRECTOR'S REPORT

1. Planning Department's Follow-Up Report on Matters raised by the Maui Planning Commission at the April 8 meeting.
2. Planning Commission Projects/Issues
3. 2008 Hawaii Congress of Planning Officials (HCPO) Conference - September 10-12, 2008, Grand Wailea Hotel, Wailea, Island of Maui.
4. EA/EIS Report
5. SMA Minor Permit Report
6. SMA Exemptions Report

G. NEXT REGULAR MEETING DATE: May 13, 2008

H. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE MAUI PLANNING COMMISSION MUST BE FILED WITH THE COMMISSION AND SERVED UPON THE APPLICANT NO LESS THAN TEN (10) DAYS BEFORE THE FIRST PUBLIC HEARING DATE. (Note: The calculation of time for deadlines ten days or less excludes weekends and State recognized holidays.) THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793. The deadline for the filing of a timely Petition to Intervene was on April 8, 2008 for the first public hearing date on April 22, 2008.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE MAUI PLANNING COMMISSION RULES OF PRACTICE AND PROCEDURE. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN

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(15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE MEETING.

DOCUMENTS ARE ON FILE WITH THE PLANNING DEPARTMENT.

THE ADDRESS OF THE COMMISSION IS C/O THE MAUI PLANNING DEPARTMENT, 250 S. HIGH STREET, WAILUKU, MAUI, HAWAII 96793.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7735 (Maui) OR 1-800-272-0117 (Molokai) OR 1- 800-272-0125 (Lanai) OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 S HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR FAX NUMBER 270-7634; AT LEAST TWO (2) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 5:00 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

PLEASE NOTE: **If any member of the Commission is unable to attend the scheduled meeting, please contact the Planning Department at least one day prior to the meeting date. Thank you for your cooperation. (S:\all\carolyn\042208.agenda)**

Mr. Starr: Okay, unanimously approved by the Maui Planning Commission.

Mr. Alueta: Thank you very much.

Mr. Starr: Okay good work, and good work Commissioners on moving it along. Members it's a quarter of 12:00 we have a complex item coming up next I understand lunch is ready perhaps we could recess, have our lunch and then come back with full stomachs and sharp brains for the next item. Is that okay with everyone? Okay, with that in mind 45 minutes or one hour.

Mr. Iaconetti: One hour.

Mr. Starr: Okay, we are in recess. We'll be back at fifteen minutes to 1:00 in the afternoon for Pali to Puamana.

A recess was called at 11:45 a.m., and the meeting was reconvened at 12:45 p.m.

Mr. Starr: We're moving onto our next item and hopefully Director is going to show up pretty soon. Who's the planner on this?

Ms. Kathleen Aoki: Good afternoon, my name is Kathleen Ross Aoki and I am a planner with the Long Range Division and I'll be handling it.

Mr. Starr: Go ahead Kathleen.

E. NEW BUSINESS

- 1. MR. JEFFREY HUNT, Planning Director requesting an Environmental Assessment Determination on the Final Environmental Assessment prepared in support of the Pali (Papalaua Park) to Puamana Project at TMK: 4-7-001 (various), 4-8-002 (various), and 4-8-003(various), Lahaina District, Island of Maui. (EA 2006/0020) (J. Hunt and K. Aoki) (Draft EA was reviewed by the Maui Planning Commission on April 24, 2007.)**

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The public hearing on the anticipated Community Plan Amendment and Change in Zoning will be scheduled for a future date after the Chapter 343 process has been completed.

Mr. Iaconetti: Point of order.

Mr. Starr: Yes Doc.

Mr. Iaconetti: I'm wondering, Corp. Counsel are we allowed to progress with the meeting without the Planning Director or his representative?

Mr. Giroux: Yeah, actually you can go without Corp. Counsel or the Director if you want.

Mr. Starr: I believe they're there to serve us, so we're the body.

Ms. Aoki: Okay members today we are going to be going over the final Environmental Assessment for the Pali to Puamana project. All of you should have gotten the final copy at the last meeting. I hope you have it with you today. I'm just going to do a really short power point to just recap the process that we have been through and I also have Chester Koga here from RM Towill, who's our consultant on this project. So moving right along.

Going back a few years back to 2002 when we initially started this project the overall purpose of the Pali to Puamana Parkway Master Plan which was finalized in February 2005 were primarily these things listed up here which for members I've been over this before so I don't want to be too redundant, but it's primarily as previous Director Foley stated was to preserve eight miles of park land or open space from the Pali to Puamana.

Here I just included a couple of slides just showing the – why this is an important thing to do. It's to protect the land. It's to make it safer.

In my last presentation to you last year I went through and every slide had sort of – I went through and I picked out all the things that West Maui Community Plan say that are appropriate to this project, but today I just put in this one. It's one of many and if anybody wants to know I can go over them with you privately or go over even the West Maui Community Plan.

The original Pali to Puamana Master Plan we had three alignments that we looked at and the mid alignment was chosen because it shared features that we liked from both plans and it required a modest amount of acquisition so it seemed feasible.

This is the original Pali to Puamana Parkway Master Plan that Kent you were asking about. So there it is there.

In order to fulfill the dream of this project the next thing we had to do was this environmental assessment because we're asking for community plan amendments so that was a trigger.

Once we get the FONSI, the next step would actually to go through with the community plan amendment and a change in zoning.

So your final map looks like this. It's pretty similar to the original plan but there are a few differences.

Comments for the draft Environmental Assessment closed on March 8, 2007 and then I came before you as a body on April 24, 2007. And at that time, we'd already had these public comments that I shared with you and some of things were, the need to explain the differences in the map. And I just want to make it clear that Pali to Puamana Parkway Master Plan is just that, it's a master plan. You have to start somewhere. You have to come up with a plan. It was not adopted by Council. Is it in essence not really a legal document but it did share the views and opinions that were expressed in the West Maui Community Plan and that's why it was done. It's just like the Upcountry Greenways Master Plan.

So the map that you'll see is little different because when we went to do the EA, the EA kind of addresses this vision and might take it a little bit step further, might take it back depending on what the EA shows. EA might say, you know what it's not so good to put that there. Now that we've looked at it, lets put it somewhere else. The difference in the map is that we added a 400-foot buffer from Kaheleku Street up north towards Puamana Beach Park. So there's that 400-foot strip that we added, that we wanted some kind of separation between if there is to be ag development that it didn't come right down to the original highway. So that's what was added.

Some of the other things was to expand the State DOT's planning effort. So you'll find in the final we talk about their proposal to extend the bypass to Olowalu. I'm still talking with DOT. I talk to them constantly. So I want to make you guys rest assured that we are in communication with one and another.

And then one of the last things that came up with some of the testifiers talked about and some of you commissioners asked that we look at was alternatives for implementing this plan and that was working with the developers. We talked with the developers. I went out with Rory. Jeff and I went out, we did site visits right after we did this April 24th meeting. There was some movement and then I was tasked to doing the General Plan. So for seven, eight months I did not work on this. I was told it was not my priority. I did Molokai, I did Lanai, I did Maui, so now I'm back and I did jot down all the meetings that I've had on this plan with the developers and also the Parks Department and also the State DOT.

In the final assessment you will see that we do talk about the alternatives. There are proposals out there by the developers. We also state in there that these proposals come with the desire for them to increase density. So I'm here to make that decision. I'm just saying that it's in there as an alternative. The point is either we buy it or we work with them but I mean, that's ongoing. The point is, it's in there.

Findings and determination of the final draft is beneficial. We're adding open space and recreational opportunities of nearly 200 acres. We increase public safety. There's minimal impact to infrastructure and it addresses the West Maui Community Plan.

Adverse impacts could be, it could be potentially costly and it could be time to acquire if that's what we end up doing or working with the developers and it could reduce property values for private ownership because you're talking ag land you're changing it to open space or park.

Overall we found, the consultant found that there were no significant impacts. The benefits

outweigh the adverse impacts as these can be mitigated. So we ask that you please find and recommend a Finding of No Significant Impact. Thank you.

Chester did you want to add anything or? Is that okay with the Chair?

Mr. Starr: Yeah, but please introduce yourself and let us know how you're involved in the process.

Mr. Chester Koga: My name is Chester Koga. I'm with the firm RM Towill Corporation and we were hired by the County Planning Department for purposes of assisting in the development of the environmental assessment and we also did the preparation of the master plan.

I just want to add a few comments, ...(inaudible)... statements made by former Director Foley that the plan does not specifically look at, you might say, the development of manicured park for the entire area. A lot of the areas, we'll call it, you know, naturalized state. For someone else, will just call it looks like a bunch of kiawe trees and haole koa, but the idea is that it's part of the charm, it's part of the appearance and it looks – and it's not the intention to manicure the entire eight miles. Where areas around like Launiupoko Park, you know, it's an area that on any given weekend any of us who have gone by there you can see that this place is very well used. Other areas are needing some help like Papalaua Park. You know it's a very popular camping area but for those who live on the west side you know that every time it rains hard, there's a large lake that running parallel to the road. So those kinds of things we'd want to fix but obviously the rest of it we can leave the way it is.

Kathleen did mention there is going to be a severe price tag if the County decides wants to acquire all of it. We are looking at \$60 million plus if we bought it at the current County of Maui tax assessed value. It's not a cheap thing.

But again, the West Maui community saw it back in 1995 when the passed, approved the West Maui Community Plan that this is something that people want. This is not just for the folks of West Maui but this is all of Maui County and it's a vision that they wanted to share with everybody else. With that, thank you.

Mr. Starr: Members, questions? I do have a question which is that there's been a lot of confusion in the community about the ramifications of this. You know, I've heard people say that we'll this will allow, you know, there to be subdivisions below the road and that you know, it's being done to allow development and then today, I also saw a written testimony by the group involved with the Olowalu Lanakila Hawaiian Church who are fearful that this process would make their church I guess nonconforming and they would lose that facility. Could you comment on the ramifications?

Ms. Aoki: Sure, I'd be happy to.

Mr. Starr: On the ramification in regarding this.

Ms. Aoki: It is our intent with this plan to preserve and protect not to take away. So met with the Olowalu people, some of them this morning because I had heard these concerns as well. I informed them that if changing their zoning to open space, one, precludes them from building a new

church that I don't think it's the county's intent to do that and we would not go forward with changing that zoning. We could look at the property and I don't know the property well, so I'm just ab libing here but say for example the burials are in the back part of the property and they want to build a new church in the front part of the property, I don't think the county – I can't say what we would do because I'm just a planner, but my proposal would be to help them change the back part of the property open space so nobody can touch those burials, so nobody can touch those archaeological features. That was the intent of this plan was to help them. If the front part of the property remained in ag, and they could get a special use permit to build a church I mean, that would be for them to do, but it is not our intent to make things more difficult for them. It was always our intent to help them.

As for this plan supporting development makai of the alignment that could be further from the truth because the whole intent of the plan is to protect and preserve open space and park. Whereas right now it's in ag, certain areas are in ag which does allow development. Granted not much, but it does allow it. So you know, I talked to a fellow from Olowalu last night who told me the same thing that he's like, "Kathleen you have our parcel in open space, is that going to –" and I went, "oh you know, when we go forward with the community plan amendment and the change in zoning and we actually have to do the metes and bounds of the property, lets go out together. You tell me where you want protected and where you don't." You know what I mean? It's like if they own that property and it's a church on there it is not the county's intent to take that away from them. I mean, I don't know I'm just speaking. That just bothers me.

Mr. Starr: I perhaps the director could help us understand because my understanding this is a broad brush thing. Jeff, why don't you give us a couple of comments and then we'll go to the members.

Mr. Hunt: I'd like to reiterate what Kathleen said is this is plan that's intended to preserve the coast line for the citizens of the county to have access and to prevent development. It's not intended to infringe upon the church. The church's particular parcel we could analyze that and see how that fits into this plan but this is just a long term master plan. There may be individual parcels that the county doesn't intend to buy, that the county doesn't zone, we can look into that in the future. That's not the intent of this plan. The intent of this plan is open space parkway along the edge of the shoreline to help preserve it for the citizens of the county and not to facilitate development makai of the highway. On the contrary, it's intended to discourage or even prevent development makai of the highway.

Mr. Starr: Thank you. Commissioner Pawsat.

Mr. Pawsat: So yeah, I guess I don't understand what we're really approving. I mean, she seems vague about like what will happen in this path so I mean, she's vague about it and I'm vague about it. Is this the last time we're going to – is this like we approve this and we'll never see this again or have any say on where this path lands? I mean, I think we're all – I mean, at least I'm all for moving the highway back, you know, and preserving park, but then why aren't all these other things on this map. You know, it seems it agrees to more and so if you could elaborate on you know, or summarize what this agrees to? Like why is there all this other stuff? Like all the developments and stuff? You know, I mean, if we were just talking about moving the road back?

Ms. Aoki: Okay, I can address some of your question but the other part I'm going to have to ask for clarification. This is not the last time you will see this. You as a commission have to recommend the community plan amendments and changes in zoning before it goes to Council. So the next step would be for us to go out, do the metes and bounds of the parcels that we would like to change to open space or park. That's where like the church comes in. On your current map it shows it being changed to open space. But once we go out and do the metes and bounds and decide where it is that we actually want to change the zoning, we would come back to you. We can do less than what's on this EA. We just can't do more. If that makes sense to you commissioner.

Ms. Pawsat: Okay.

Ms. Aoki: As for the other stuff that's on the map and the development I'm sorry, I'm unclear what development you're referring to on the map.

Ms. Pawsat: Well, the whole Olowalu, proposed Olowalu development it's on there, correct?

Ms. Aoki: No. The subdivision that you're seeing is the current subdivision.

Ms. Pawsat: That's already there?

Ms. Aoki: Yes. Are you looking at the parcels that are –

Ms. Pawsat: The Figure 2.

Ms. Aoki: Yes. What you see on there is whatever is currently subdivided and approved. It's a TMK map.

Ms. Pawsat: It's all built.

Mr. Starr: I'd like to clarify that what's before us is this, is specifically the environmental assessment.

Ms. Aoki: Correct.

Mr. Starr: I think, you know, those were submitted by other parties, but the environmental assessment which is looking specifically at whether there would be negative environmental or cultural impacts associated with it and not – we're not doing change in zoning, we're not doing SMA, we're not doing anything like that.

Ms. Aoki: That's correct, sir.

Mr. Starr: Commissioner Hiranaga.

Mr. Hiranaga: Just from a general statement I guess, since the general plan is currently being updated why do you feel it's appropriate for this to be moving on its own schedule versus waiting for the plan to be updated because with that, you'll have much more community input, you'll have

a lot more publicity regarding this proposed change. I don't think this particular planning commission meeting really caught the attention of the public. So I'm just kind of wondering why you feel it necessary to move this along on its separate schedule?

Ms. Aoki: Several reasons. One being that we've been working on this for the last five years and it's the momentum of the plan and you need to get things – you have to continue on with the process. Second thing is in the General Plan and the Maui Island Plan, P to P is recognized so it is already included in the Maui Island Plan. The third thing is, you know, it could, the process for the General Plan update is a long period of time, six months, six months, a year when – you're right about the timing, it does kind of come into play but it's the chicken or the egg. You know, do you wait for three, four years to go by, two years to go by? So I would just say that, you know, this is something that we have been working on, we've been asked to continue in it, it's been the past administration and this administration's focus. They fully support this plan. I don't know if that answers your question, but –

Mr. Hiranaga: Yeah, I can see when you first started this project it was running its own course, it's separate. But now it seems that the timing is starting to overlap the General Plan update and basically we're going to be doing the same exercise twice it appears. It's just that you're trying to do this like a year sooner than would be if it was to wait for the General Plan update is a year, 18 months. Because you're going on what is currently the plan, right? Which was created in 1992 or adopted in 1992.

Ms. Aoki: The West Maui Community Plan, yeah in '96 I think it was.

Mr. Hiranaga: And they're going through the process now of updating that. So –

Ms. Aoki: Well, they're going through the process of updating the Countywide Policy Plan but not the West Maui Community Plan.

Mr. Hiranaga: They will eventually.

Ms. Aoki: They will eventually that's correct. That's correct.

Mr. Hiranaga: So you don't feel – I guess you've been directed to continue forward.

Ms. Aoki: Well, I've been directed and I support it.

Mr. Hiranaga: Thank you.

Mr. Starr: Commissioner Mardfin.

Mr. Mardfin: My understanding is that the general purpose of this is one, to do an environmental impact assessment so that part will be done and won't have to be done again in the future.

Ms. Aoki: Correct.

Mr. Mardfin: The second major purpose of this it seems to me is to show an interest of the County in creating such a park so that we – this body would take cognizance of that if anybody came in with development plans that dealt in this area is that correct?

Ms. Aoki: It would make you – definitely it would make you aware of what the county's intention is. How you use that information is up to you, but you're right.

Mr. Mardfin: Thank you.

Ms. Aoki: You're welcome.

Mr. Starr: Okay, members any questions?

Mr. Hunt: Just to reiterate what Mike Foley said this morning. One of the ideas is to try and preserve this land before it gets developed. If we wait until the West Maui Community Plan process is completed it may be too late is the fear. So, that would be an option honestly you could recommend that we just simply wait until the West Maui Community Plan process convenes. The fear or the downside of that is perhaps that land gets committed to development already.

Mr. Starr: Go ahead Commissioner Hedani.

Mr. Hiranaga: I don't oppose the intent of this plan, but I guess my major objection and I've voiced this previously is why does the road have to be so far from the ocean? I've been looking at this and it seems like to me if you took the road out of the tsunami inundation area which is 400 feet, and the erosion rate's 70 feet, I mean, you're taking it out for 200 years from – so why do you have to go so far inland? I mean, you talk about, you know, view vistas and I prefer to see you know, turtles popping their heads out of the water and seeing the waves actually hit the shoreline versus being that far from the ocean. So that's my major objection is why the roadway is being proposed so far from the ocean?

Ms. Aoki: Well, I'd just like to clarify that this is a conceptual proposal. The State DOT comes in and decides where that road is going not us. So when we did this alignment the idea behind it was one, to avoid all the dangers and two, to create that open space and park in between the highway and the road because if you don't do that what happens in 50 years or a hundred years when you got to move that road again or 200 years. You have development that's come right up to that road so you need to preserve – you know, the idea was to create that open space. This road may not go where we propose. I have no guarantee on that. They're doing their EIS corridor study. Where we have it, it might be that we've gone right through a marsh land somewhere, you know. But the idea is, anything makai that we've identified of our proposed road gets preserved. So that's the intent.

Mr. Starr: Commissioner Pawsat.

Ms. Pawsat: Yeah, I just have a question about something you said, like that's the part I don't understand is, where you said about this state – what – does State Department of Transportation, they come in, they just get to determine everything? Like why is there that disconnect, you know?

Ms. Aoki: This is a state highway. So five, six, seven years ago we were asked by the developers at Ukumehame because everybody kind of knew that the road would have to get moved one day but the State wasn't moving on it, so we funded a study which was the original Pali to Puamana Master Plan to kind of determine if you were to put a road and to take all these things into consideration where would you put it? So it was kind of – you could look at it two ways, either we were being proactive or we were stepping on the DOT's toes. Depends how you look at it.

Essentially the DOT now has come in and has funding to do a corridor alignment but it is – you know, we've talked with them, we work with them, there's communication going on constantly, but ultimately because it's a state road, they decide where to put it.

Mr. Starr: Members any other questions? Go ahead Commissioner Guard.

Mr. Guard: There's probably people here that have a little more intimate knowledge that might create more questions that we would have, it might be good to listen to some of the public comment.

Mr. Starr: Yeah, as soon as there's no more questions from the members, we'll take public testimony and then we'll have another opportunity at it again. Commissioner Hiranaga.

Mr. Hiranaga: I just have a couple more questions. So what happens to the existing uses? They become non conforming if their community plan designation is changed? Like you know, there's some residential homes there.

Ms. Aoki: We are not touching any properties with residential – with homes on them. The only lands we're touching or what to change are right now in ag and they don't have — see that's a fallacy.

Mr. Hiranaga: No farm dwellings?

Ms. Aoki: No.

Mr. Hiranaga: So any type of dwelling would exempt that property from the --

Ms. Aoki: We wouldn't go in and change it. It would remain in ag.

Mr. Hiranaga: Or a residential.

Ms. Aoki: Or residential in Olowalu, yeah. We're not proposing to change anybody's private residence into open space or park at all.

Mr. Starr: Dr. Iaconetti.

Mr. Iaconetti: There's one thing that I'm finding difficult to comprehend. You're asking us to declare that there's no fundamental environmental changes that we have to worry about. In other words, you're asking us to declare a FONSI, but we don't know where the new road's going to be, so how

can we declare something nonenvironmentally impacting if we don't even know where the road's going to be?

Ms. Aoki: I understand your question but you have to look at the EA commissioner. The EA is not about the road. The EA does not address where the road is going to go, where the road is going to make the impacts whether it's noise, whether it's on a marsh. It is about those parcels that are identified below our conceptual alignment and whether or not changing that parcel from ag to open space is going to make an environmental impact.

Mr. Iaconetti: At the present time we know where the road is don't we?

Ms. Aoki: Correct.

Mr. Iaconetti: And we know that there are a few areas along that road that are being impacted by the ocean.

Ms. Aoki: Correct.

Mr. Iaconetti: But this is a small, small part of that road. There's a very small area that's really being impacted and that – the present road can be moved away from that area without having to change the entire –

Ms. Aoki: Right. And that could happen. That could be what the State DOT, you know, decides. I can't tell you what the State DOT Task Force or what, you know, they have said that has come up in the meetings. Why are you moving the whole road? You can just kind of put elbows or you know. That doesn't negate what it is that we're trying to do to protect and preserve the shoreline and the open space regardless of where the road goes.

Mr. Iaconetti: Well, all right, let us talk about protecting the open space then. What assurance does the public have, what assurance can you give me that that area makai of the road will not be developed?

Ms. Aoki: Well as Foley stated and I believe you asked that question at the last meeting last year.

Mr. Iaconetti: But I didn't feel assured after he said it.

Ms. Aoki: Well because as I mentioned to you, I have no control over the future. All I can tell you is that if you go in and change it to open space or park you're going in the right direction. And it would be a lot harder to come back and change it back to an urban use. So, but, you either leave it in ag now and there's definitely the opportunity of development or we move forward, go with the change in zoning, make it open space, make it park which prevents the development.

Mr. Iaconetti: Permanently?

Ms. Aoki: Well, as long as it's in – I mean, it prevents residential development. I'm not going to say it prevents all development because that's – you know, we want to build bathrooms or you know,

barbeque pits for the duration that it's in that. It does prevent it. Director Hunt.

Mr. Hunt: Dr. Iaconetti, let me answer or let me try to add a couple comments. In regards to the highway there'll be a separate complete EIS for that highway and so all those issues will be resolved at that point.

In terms of the long term protection, there's no guarantee that the County or somebody else couldn't change the zoning after we designate it open space. But there are mechanisms that you can implement to help prevent that. Perhaps get a third party involved, a land trust so you would have to have the land trust and the County to okay some kind of change in designation. You can't absolutely say that forever and ever that land will be in open space, but there's mechanisms you can adopt to say that there's a really good chance it will be. And it's certainly more protected than leaving it in agriculture as it is now.

Mr. Iaconetti: How difficult is it to get it into a land trust? What would that entail?

Mr. Hunt: You'd have to get the land trust involved and there would have to be some interest in them and to their benefit. Essentially they become a part owner in essence.

Mr. Iaconetti: Do you conceive that this is a possibility?

Mr. Hunt: Well, I think it would be a tool that's worth exploring. We've had conversations with the land trust about some of these pieces of land along here. It's complex, but that's one of the standard tools that people use for or jurisdictions use to assure the long term preservation of land because you don't just leave it in the hands of the county officials.

Mr. Starr: Okay, yeah, I believe we'll be hearing from some of the land trust people in a few minutes they're sitting out there. Commissioner Hedani.

Mr. Hedani: Kathleen, how come everything makai of the highway isn't yellow?

Ms. Aoki: Well, at Olowalu you have parcels that have already been subdivided and have residences on them. So Olowalu is probably the more apparent place where we haven't gone in. I mean, there's a couple, but in this area here there's already two-acre lots that have been subdivided and sold and are private residences. All in the Ukumehame parcel which the County now owns we would change. And there's a little area – I mean, essentially it's only around here that we haven't identified. Along here is that 400-foot buffer that I mentioned to you folks that we added and then there's the extension of Launiupoko Beach Park, then there's open space. This map is kind of hard to tell but it's supposed to be all yellow. So commissioner I'm not sure where if you were referring to this or somewhere else.

Mr. Hedani: Yeah, if you look at Figure 2, the section that you have that between Puamana and Launiupoko Park is white which to me indicates that that would be open to development if the plan is from the Pali to Puamana –

Ms. Aoki: This section here?

Mr. Hedani: Right.

Ms. Aoki: Yeah, it's hard to see but there is a 400-foot buffer. So there is a 400-foot swath that we've identified. So if you look – I handed out to all of you a revised page 12, and on that table which is for Launiupoko, you'll see that lots, the first one 26B portion, and also 30B portion, proposed zoning is open space, open space. Proposed West Maui Community Plan is open space, open space. In your original document, it actually shows it as park, but that's incorrect. It should be open space. So that area there commissioner is where that yellow 400-foot swath would be. Actually there's a detail – Figure 3 on page 13, identifies that area sort of in detail. So you can see there commissioner that there is a continuation of the – does that help you?

Mr. Hedani: Well, yeah, the question would be at that point it would have 400 feet of open space that will be separated between the highway and would be bounded in between the highway and the open space with houses so you wouldn't be able to see the open space because of the houses, right?

Ms. Aoki: The houses if there were any, would be, because here you have the Lahaina bypass and that's pretty much set, that's where it's going.

Mr. Hedani: Are you positive?

Ms. Aoki: Yeah, the EIS has been adopted. There's funding for it. I can't tell you when they're going to do it, but –

Mr. Hedani: I guess my question would be if the 400-foot setback from the ocean is for the purpose of preserving open space views to the ocean, wouldn't you align the highway along the edge of the 400-foot buffer?

Ms. Aoki: There is a proposal from Malika to do a coastal road that would be on the mauka side of that. It's very close to what we have but their proposal is to cut out a piece of their subdivision for the park and make a coastal road on the mauka side of that parcel. So you would have the coastal road on the mauka side and the park below.

Mr. Hedani: It just wouldn't tie to the bypass highway alignment?

Ms. Aoki: It would eventually at Kaheleku.

Mr. Hedani: I'm confused.

Ms. Aoki: I am sorry. That's come up. What's going to happen to this road? What happens to the original highway? Again, from what the state has told us, they would turn it over to us once four lanes are built for the other highway and that's what we would turn into the bikeway, or green –you know, pedestrian path. There has been talk about, well, do you make another coastal road that's along this 400-foot swath which is what Makila Land has proposed. That's something the county could consider.

You know, as Mike Foley mentioned, this plan is conceptual and it's to preserve this area so that you can go in later and decide exactly what's the best use, not what's the best use, but should we have a coastal road. From what I've been told, this existing Honoapiilani Highway is going to be around for a long time. You know, I've been told that by State DOT. Even when they build the bypass this is going to stay. This doesn't negate the capacity that is needed by building the bypass until four lanes are built and they have no intention of building four lanes yet. So for a while, you may have a situation where – well, you will, you have two lanes and two lanes.

They've also talked about keeping this two lanes going one way and building a two-lane new road mauka going two lanes the other way until they have the funding to do another two lanes at which point they would shut this down. There's also the proposal that they're not going to even build another road that they're just going to widen this road.

Okay, so like I say there is as Commissioner Pawsat, there's a lot of unknowns. There is a lot of unknowns what's going to happen with this road. But the known is, this can be developed and there's two issues here. One, do you we preserve the land now for the communities use. Two, and I've talked to DOT about this, if we don't go in and preserve at least this, they could build houses and when they decide to build the road, they're going to have to go through houses and condemn everything because they didn't take the opportunity now, and that's come up with the GPAC these transit corridors that we need to go and start protecting these corridors. So that's kind of what we're looking at too. I mean, this plan is very multi facet so perhaps that makes everybody confused. But I'm not here to tell you, I can't tell you, what the State DOT is going to do. All I can tell you is that if we don't preserve it now then we've lost everything. You have the potential to lose any plans that we have of trying to preserve and protect what the community needs and has asked for.

Mr. Starr: Members can we go to testimony? Looks like no objections.

Mr. Hiranaga: Could I ask one follow up question?

Mr. Starr: Yeah, go ahead.

Mr. Hiranaga: So what's happening with that – on Figure no. 3 you have where the proposed road links up to the proposed Lahaina Bypass and there's a section that's 400 feet that's in green and above it is white between the proposed road – I think that's what Commissioner Hedani was speaking about.

Ms. Aoki: Through here, it just doesn't look like that. The landowners developers have submitted a subdivision proposal to do 15-acre ag lots through that area.

Mr. Hiranaga: So you've taken it out of the redesignation area?

Ms. Aoki: They have the 15-acre lots and like I say where the 400-foot swath is they've identified a park parcel. It doesn't match up exactly to this but it's very close. It kind of meanders. So there are areas where our 400-foot setback would go into some of those 15-acre lots. Not a lot, but there are areas where it would.

Mr. Hiranaga: Thank you.

Mr. Starr: Okay, lets move to public testimony. I'm going to start with Dale Bonar. Please give us our name slowly and who you represent if any and I'm going to ask everyone to keep it as brief as possible and in no case more than three minutes.

Mr. Dale Bonar: Thank you my name is Dale Bonar. I'm the Executive Director of the Maui Coastal Land Trust. I apologize to jumping in the front of the line but I have a conference call to go hit.

We've been a strong supporter of the Pali to Puamana project since our founding seven, eight years ago. The notion of having a coastal park the whole length of the basically Maalaea out to Puamana there has been very attractive to a great many people. The road will need to be moved. I mean, to answer your question about the 400 feet buffer there, those who were involved in climate studies and I've been involved in a lot of these things all of the worst case scenarios that the climate scientists have proposed, the data that's accumulating now is even worse than the worst case scenarios and up until recently we've been told we can expect at least three-foot sea level rise by the end of the century. The current statement coming from the IPCC is it's more likely to be a 10 to 12-foot rise. The Honoapiilani Highway will last for a while but within the lifetimes at least a number of us in this room major sections of that are going to be gone. And so my strong recommendation is getting that highway back as far as we can. I'd also love to see everything makai of that kept in open space, park available for all of those uses that the public needs.

We have worked with various land owners along there. We worked with voluntary willing land owners to protect land. Our personal philosophy is not to be involved in situations where there may be condemnation of land, that there are ways to do things in a win-win manner. And so we have regular contact with all the land owners to try and determine how to do this.

I should say that if land is set aside like that, if conservation easements are put on it with an organization such as ours or could be the county, those things are perpetual, however the point that Kathleen made is eminent domain trumps everything. Should someday a hundred years from now the county decide they just wants a sewage treatment plant along the whole coast or the state or whatever, they can trump even these kind of protections. Our strength is that we rally the public. We get strong public support to do these. The things that we have been involved in protecting and the land trusts around the nations are involved in protecting in do have a extremely high level of permanence. For some strange reason there's a lot of people who don't trust the government and consequently land trusts take a great deal of action in helping protect lands because they bring another layer in there that challenge government should they want to change things.

So I strongly support the plan. Get the road back as far as you can. We will work with the county, with the land owners, with fundraisers to try and help identify the funds to reimburse the land owners for what they are giving up by doing this but the more we do now the better we're going to be respected by our great great grandkids in the future. Thank you.

Mr. Starr: Questions? I actually have one. Dale, could you mention some of the mechanism and tools you use to preserve coastal lands?

Mr. Bonar: Okay, typically land trusts work three ways. One is you buy the land outright. That's what we did with Waihee Refuge which is now being restored for cultural educational center. The second and most common way is a land owner will give or sometimes sell an easement on their property. It's a conservation easement. It's kind of the opposite of an access easement. It defines what can and cannot happen on that property. So for example the first easement we took was on some 40 plus acres of land out in Hana that Hana Ranch had, coastal land, seven different TMKs, could have been 14 mega and mini mansions there. The easement says they can use it for pasture and it's there for scenic views. It can't be built on, it can't be subdivided, they can't sell the pieces individually. Our job as a land trust is to make sure that the current landowner and all future landowners stick to that agreement. And so it's in perpetuity. That's why we're working to build an organization that will be here in perpetuity to look after that. That's the most common way.

The third way is sometimes brokering a deal where the land ultimately gets turned over to a county park or national park system or some other protective type of an agency. Seventy percent of the land protected in the United States now and there's something like 37 million acres as the end of last year had been protected this way. Seventy percent of those protected with conservation easements. So the owner still owns the land, can use it for approved purposes.

Mr. Starr: What benefit does the owner get? Why would they do that?

Mr. Bonar: Well, when you give up your development rights, you're giving up real value. The IRS recognizes that as a donation. So if your land goes from being worth a million dollars to a hundred thousand dollars, that's the same as if you wrote a check for \$900,000 to a nonprofit and so it's a deduction across the board and there are very attractive tax advantages to doing that and they're more working their way through the state senate or state legislature and through the federal congress as we speak.

Mr. Starr: Dr. Iaconetti.

Mr. Iaconetti: How likely would it be that that property along the coast there would be turned into a land trust?

Mr. Bonar: I don't know, I beat Peter over the head regularly about here.

Mr. Iaconetti: Peter who?

Mr. Bonar: I mean, we're in discussion. One of the land owners there. I mean, we're in discussion. The reality is we're talking current value of that land with current ...(inaudible)... is substantial. I mean, whether it's \$60 million or \$40 million or \$100 million I don't know. It's got to be – our take is things have to be fair to everybody and so if we can come up, we, the greater we can come up with lets say \$60 million to be able to purchase it and the land owners are willing to sell it, that's one way of doing it.

Mr. Iaconetti: So the likelihood is pretty small?

Mr. Bonar: That would be my evaluation. The reality is, out there – there's not a lot of other funding

out there whether you're looking at federal funding or state or whatever. I also happen to be Chair of the Legacy Lands Commission, the State Legacy Lands Commission and there's \$4.7 million a year that gets allocated out to purchase things. So those things don't go very far. They help leverage but –

Mr. Iaconetti: So in your – your feeling, the best way of preserving that area in perpetuity is what? That's feasible, you could see happening.

Mr. Bonar: Well, the best way, the best possible way is for it to be under the outright control of an agency or an organization that's never going to develop it. How do we get to that point? I frankly think given the market nowadays, given the reality of the economy, given the cost that it would be to do it in an adverse possession mechanism, it's working with the landowners to find a middle of the road win-win, where either we're sort of equally happy or equally unhappy. Our democracy.

Mr. Iaconetti: Thanks.

Mr. Bonar: I should say, this isn't shared by all of my board, but it's the way – it's the reality that we deal in when we have land that is worth such an extraordinary values that we see in Hawaii today.

Mr. Starr: Commissioner Mardfin.

Mr. Mardfin: Do I take that you're totally in support of this EA and the acceptance of a FONSI?

Mr. Bonar: I have not read through the thorough EA. There are a lot of mistakes in EA that as it currently exist. Some of the maps are wrong and some of the areas are wrong there. I would like to see all of those corrected. In a general sense, yes, I am in support of it and would give it a FONSI.

Mr. Starr: Commissioner Hedani.

Mr. Hedani: One of the things that was done way back I guess in the '50's or '60's when they laid out the alignment of the highway for West Maui was they aligned the highway pretty much as close to the ocean as they could get it. Following the thinking that Commissioner Hiranaga brought up that what they were creating by doing that was consistent beach access for the entire length of the roadway which allowed the public access to the ocean narrow enough that you couldn't develop anything between the ocean and the highway. So what you have was preserved open space by the alignment of the highway. By moving it back 800 feet or a thousand feet or whatever we do it – unless the nails are down super tight it creates two problems. One is that you'll have development occurring between the highway and the ocean preventing access of the public to the ocean and the second problem would be, the actual access to the ocean would be difficult because you would have to create accesses to the ocean from the highway and it wouldn't be continuous. From your perspective in managing land say if it was in a coastal land trust how would you manage those lands so that you can preserve access to the ocean without say, creating a 10-mile long homeless refuge.

Mr. Bonar: We're painfully aware of this. You do it a number of ways, you do it through

partnerships. You do it by having whether it's a canoe halau that utilizes part of it, whether you have some public park areas there and there's some successful examples of this in the other islands where the local communities, you know, even the homeowners association will support that local park there. And you build an endowment that enables taking care of the land. The current budget – I was over at budgetary hearings in Honolulu yesterday. The state budget for the parks, state parks is likely to be cut a million and a half dollars and you know, as bad as things are now, it's going to get worse. You have to have either local community groups taking responsibility to help do it or you have the private side do it and as a land trust even though we're nonprofit we're private ...(inaudible)... you build up those endowments by which you can afford to help take care of it. There's other things that I personally would see as being adequate. Running a campground for example, and you know, it could be sort of a quasi public or private campground. You know, if you have your select a mainland style KOAs and people want to pay the higher end there but you got the local \$2.00 a night tent sites there. There's a number of different kinds of things like that could be done. And that would rely on the greater community effort.

Mr. Starr: Okay, thank you Dale. I'm going to go down our list here. George Lavenson. Please try to keep it fairly short.

Mr. George Lavenson: Yes sir. Mr. Chairman and Members, I'm on the Board of Directors of Maui Unite and we share some of the concerns that you all have already expressed that are a concern not only to us but to the public and the first is, that this really is a world class beautiful highway. This book, "Maui Revealed" one of the books that people read before coming to Maui actually has a beautiful picture of the shoreline drive and they advise you when coming here from Honolulu even if coming to West Maui not to fly into Kapalua Airport but rather Kahului and don't miss this drive and if I may quote, "because during your drive along the coastline to the West Maui you realize that this island more than any other Hawaiian island has an extremely intimate relationship with the water. No other Hawaiian island has highways that embrace the ocean so much." That is our concern.

The movement right now you can drive along, people of Maui that have high cost of living and don't have a lot else have the ocean. They can get out. They can beach, surf, fish, take pictures, paint, they're intimate to the ocean. But these alignments, this realignment which I think is misleading is really moving it. DOT has told me the old highway will not be there. The task force is bringing down ...(inaudible)... roads perpendicularly from the proposed new realigned or moved highway to the existing parks and so people can't stop and get out where they want or carry a surfboard or beach chairs or kids. What amounts to one and a half to 10 or 15 football fields down to the ocean. And that's our concern.

We've been hearing about this wonderful parkway that will go all the way and frankly it seems a bit of a fairy tale and may be misleading. There is no money in the Parks Departments. It would take contributions from land owners and developers who are very interested in all this for an obviously good reason and tradeoff and we're concerned there would be development there rather large perhaps like from Lahaina to Kapalua with a few accesses for the public from what used to be beautiful ocean for visitors and for them.

The Long Range Planning Committee does have even more detailed maps than these which does

show both approved and proposed developments on the makai side of the proposed realignment almost the whole way. I agree with – we agree I would say with some of the comments too, and I have also gone to my car and checked it out and of the 8 to 10 miles there's only about 10% that's in real risk and could be fixed by elbowing it.

Mr. Starr: Please finish up, it's over three minutes.

Mr. Lavenson: All right you don't have to move the whole highway. And so we would – I just want to make sure I got my points. Really quickly I was on the Pacific Tsunami Committee, that's very rare every 60 years, this is protected here and so we would recommend reconsideration of this whole thing from the very beginning and no losing what is a – one of the world's greatest treasures. Well thank you for your attention. I'm sorry I went a little long.

Mr. Starr: Thank you. Any questions? Okay, thank you George. Next is Bill Johnston.

Mr. Bill Johnston: Thank you Chairman and fellow commissioners for allowing us to testify. My name is Bill Johnston. I'm a very nervous five-year resident of the town of Olowalu and I am also the elected treasurer of Olowalu Lanakila Hawaiian Church. I've submitted a letter to you and I think my letter says everything I want to say today in this testimony and I beg and pray that you'll read this letter.

But I'd like to start off, I came to Olowalu the first time in 1973. I stayed with my mother-in-law and father-in-law, Adeline and Vincent Rodrigues to ask for their daughter's hand in marriage and they consented thankfully and shortly thereafter I found that when you marry a local girl, you marry the family and most of our family is here today as well.

On of my fondest recollections of coming to Olowalu in '73 was that you could get up in the morning, put a bathing suit on literally almost crawl across that highway to go to the beach and you worry more about burning your hands and knees than you would about getting hit by a car. It was that quite in those days.

I can tell you that I'm personally and our church is also an advocate of realigning the highway but our conclusion here is that we ask this commission to reject this plan. I hope you can understand why we'd be a little hesitant to believe Kathleen's and the Planning Director Heads comments that this could be changed, that our property won't be bought while it is in black and white in this document that they plan to buy or condemn our facility and put us out of business as a church. That's a big concern to us. I beg you again, please consider rejecting this and asking the Planning Department come into our community, don't hold meetings in Wailuku where Wailuku residents dominate conversation and the Lahaina, where Lahaina residents dominant conversations. Come to Olowalu, talk to the people in Olowalu about what we want for our church and for our community. Thank you.

Mr. Starr: Go ahead Commissioner U'u.

Mr. U'u: Were you guys involved in any of this during the process?

Mr. Johnston: You know it's interesting if you go through this 500-page document you'll see that my mother-in-law and my brother-in-law, Hinano, were referenced many times in the appendix, yet there was never any discussion about the church. You know, they submitted documents related to the historical significance of this church. The church was founded as far back as the 1830's and nobody ever asked us about that. The fact is the only why I found out about this meeting today was from a friend of our church calling us and telling us hey, you've got a problem.

Mr. Starr: Can you speak in the mike please?

Mr. Johnston: Sorry. You have a problem. Your church is going to be put out of existence. Now I've heard the assurances that that's not true, but you know, I'm reminded of things that happened in Lahaina when the bypass came through. How many years ago was it about 10 where those people were eminent domained out of their homes, the government didn't step and we're what another 10 to 20 years away from that becoming a reality. So those people are out of their houses for 30 years before the actual event occurred. It's frustrating.

Mr. U'u: So the answer is no?

Mr. Johnston: I'm sorry, yes.

Mr. Starr: Okay, thank you very much.

Mr. Johnston: Sure, thank you.

Mr. Starr: Moving right along. Bill Frampton.

Mr. Johnston: This was attached the letter that I submitted and it is a 1996 article that mentions the existence of this –

Mr. Starr: Hold a second. George Johnston come on up. Commissioner Mardfin.

Mr. Mardfin: Are there any possible assurances that the Planning Department could give you that they were not going to condemn your church, that you'd find creditable?

Mr. Johnston: I'm a citizen. What I see in writing scares the, you now, it just scares us to death. You know, the people sitting here today won't be in this room five years from now when this comes to reality. I hate to say it, no. Again, a long answer that say no.

Mr. Mardfin: Would you be satisfied if your particular piece of property were deleted from the plan?

Mr. Johnston: Well, I mentioned in my conclusion of this article, if this huge mistake about our church as occurred what else has occurred in this community?

Mr. Mardfin: That's not my question to you. My question to you was, if your piece of property were deleted, would that satisfy your concerns?

Mr. Johnston: It would be more satisfactory to us. But would there be preventions on, you know, we're small church, a very poor church. We've raised a half a million dollars over the past 14 years to build a church. Would we be prevented from building? I mean, would we have to exist in the facilities we're in? It's hard to answer that question. I would say we would be more satisfied if that was a fact.

Mr. Mardfin: Thank you.

Mr. Starr: Commissioner U'u.

Mr. U'u: Yeah, just a comment. You know, how we respect Hana Advisory Committee at times we take into consideration what they have to say and at times it's not even taking place in that area yet we fail to meet with the residents of Olowalu here and I, too, have some concerns about what might be happening in their own backyard and I can see the concern on you and it would concern me too if it was happening in my place. If they moved the road, you know Hana Highway behind me, I would have a lot of concerns. So I understand where you're coming from.

Mr. Johnston: Thank you.

Mr. Starr: Thank you. Mr. Frampton. Please try to be brief and state your name and who you're representing.

Mr. Bill Frampton: Thank you very much. Aloha Chair and Members of the Planning Commission. I'm handing out a letter today. My name is Bill Frampton. I'm here on behalf of Olowalu Town and Olowalu Ekolu.

I want to preface my statements again as I did previously before that I don't think any one of us here in this room today thinks that these ideas, this value is the spirit of what we're trying to do isn't something wonderful and special. But nine years ago I was with Steve Goodfellow when we were in Mayor Apana's office and we came up with this idea and proposed this idea. It was a unique opportunity. There was essentially two land owners that owned the large three chunks of land, Olowalu, Ukumehame and Launiupoko. So we've always thought that this was wonderful. Since then the former Planning Director, and existing Planning Director has sort of taken the process, concept from there and moved forward.

I have a lot to say, you know, and it's said in our letter but there's several things that just keep coming to mind based on statements made earlier. There's a reason why a lot of us are confused today. It's because this environmental assessment document is flawed in many ways. I believe there's specific rules and regulations in the Hawaii laws that govern environmental assessments.

One of the primary rules is piecemealing, segmentation. This project has been admitted today numerous times and in the document that they're piecemealing this approach. They say we're only going to talk about the land use designations. We're not going to talk about anything else. But from its inception, this plan has always considered the relocation of the highway as an integral part and then what happens between the highway and the land like everyone's brought up today. Those are very valid points. They should be discussed. Not every one of them has to be the preferred

discussion but they need to be included so that decision makers can an informed decision. It's the purpose of the rules of the EIS and rules.

That was very much recently told to us by the Supreme Court if we recall the Superferry. They tried to piecemeal and do segmentation, that didn't fly with the Supreme Court. It shouldn't fly in this case. We cannot piecemeal this project. We should assess everything from the location of bathrooms, wastewater, you know, the highway itself, resource management plans. Again, we think this is an incredible opportunity but it needs to be done right. That's just far as the consistency goes.

Secondly, is the alternative section. I do like, what to say from the beginning I heard comments that they said they have talked to developers and land owners. We have tried and tried for the past three years to get across to the department and at these types of meetings and in letters that we've submitted similar to today that we want to share some alternative ideas. The Planning Department doesn't have to necessarily agree with our ideas but we think it's extremely fair and reasonable to ask that our alternatives be put in this document so that people can at least assess them. Have something to compare to in terms of a fair evaluation.

Olowalu Town for example –

Ms. Takayama-Corden: Three minutes.

Mr. B. Frampton: Has not been put in here.

Mr. Starr: Please finish up.

Mr. B. Frampton: And I will conclude by saying we have made a substantial formal submittal in the form of written documents, exhibits and the EA says that we haven't done so, I do take exception to that and so again, I do think it would be very premature for this body to accept a final environmental assessment as it is today that says there are no significant impacts.

Mr. Starr: Okay, thank you.

Mr. B. Frampton: Thank you very much.

Mr. Starr: Commissioner Guard.

Mr. Guard: I guess for your group as maybe even the prior land owners around Olowalu Mr. Johnston, are there any mechanisms to alleviate the concern without rejecting the document? I feel that there's other people that came in here that by rejecting the document setting it back two years they're nervous that people will just go ahead with ag subdivisions and all of a sudden private property owners will be right up against the existing highway. Is that a concern?

Mr. B. Frampton: Thank you Commissioner Guard. Absolutely and I think again it's why it is integral that we look at our alternatives. We presented an alternative in Olowalu for example, two. One for Olowalu Town it shows a master plan with close to 300 acres of parks and open space along the

shoreline. This document asked for about 30 acres that needed to purchase, we're talking 300 acres. We know and absolutely acknowledge that it does include – a proposed community would come along with that. But it should be at least acknowledged and discussed. So are there assurances? My assurance would be, I'm sad to say but a final EA and Corp. Counsel may answer this for you, but a final EA is a final EA. It can't say we accept the final EA but we're going to do some changes especially if they're substantial and the kind of changes we're talking about the church for example, a detailed map, a colored map that was done through looks like CAD system lines were drawn around the church, around the historical burials and I'm on the Burial Commission and I'm very concerned that it shows the highway alignment going through the burials. A map was deliberately made, decisions were made to put it on the map and then secondly on top of the table. Table 6, I believe, that shows the breakdown of what lands will be involved.

Again, I really hope that it's not coming across that Olowalu Town is against parks or we're against the Pali to Puamana. Again, I was there when we pitched the first idea because I believe in it. I want to see this happen for my kids, but what is integral Mr. Guard is that proper alternatives be discussed in this document. The rules require it, HRS 343, the Department of Health rules require it, you need to do an alternative analysis so that you folks can make a decision. In there you may we see Olowalu Town, for whatever reasons we don't like it, but at least you're able to tell the public you made a well-informed decision. I hope I answered your question.

Mr. Starr: Okay, Commissioner Hedani.

Mr. Hedani: Where's the 300 acres that you're talking about in parks and open in the Olowalu area?

Mr. B. Frampton: That acreage is identified in all of the submittals we gave to the department especially as part of the update of the General Plan of Maui. That, it's not included in that document. That document is for Olowalu Ekolu. I could try to show you but Commissioner Hedani, this is exactly what I'm talking about. We've provided very detailed submittals of wonderful, we think clear exhibits that show where this park system is and it's substantially along the coastline and it's along the culture reserve. There's a wonderful cultural reserve that exists today along the Olowalu Stream, it's not talked about in this project. It's a beautiful reserve that is there for perpetuity that should be at least mentioned as something that's there for you guys to consider about how much more parks should we or shouldn't we have. But to answer that question Mr. Hedani, we would hope that that alternative the examples of our detailed plans could at least have made it into there so that you folks could look at it and say hey, wow that's an interesting idea, work together with the land owners to try to accomplish this or you know what, those guys are too greedy and they don't care about the island, lets go condemn it.

Mr. Starr: Commissioner Pawsat.

Ms. Pawsat: When you talk about the segmentation or piecemeal approach not permitted, you group actions proposed by an agency shall be treated as a single action when the ...(inaudible)... actions or phases or increments of a larger total undertaking – actually this seems to be the description of what you guys are actually doing in Makena actually with – well around Makena Landing. So it's funny how you kind of flip it and then use it the other way now. But that's just a comment.

Mr. B. Frampton: I actually would hope you could expand on that because that's pretty far from the reality. Our environmental assessment assessed back in Makena which is really irrelevant here but it did cover every proposed possible action and mitigation measure. What we're saying is if you read the Superferry ruling there's really no comparison to our project in Makena. It clearly states in the laws, Corp. Counsel could be allowed to expand on it if he likes, you cannot piecemeal and segment out projects. This action, what you're being asked to look at today is the redesignation of lands. But while you're redesignate it, you're asking all the appropriate questions, I'm saying I would really –

Ms. Pawsat: Well, as an example of the piecemeal development is Makena Landing when that was approved for your development, part of it was the catchment basement which was going to be utilized later by Makena Landing right next door and I think that's clearly piecemeal.

Mr. B. Frampton: Actually it was to be utilized by our project.

Ms. Pawsat: Right, but you built it over capacity which I assumed is going to be used by Makena Resort.

Mr. B. Frampton: It was. And you know what, that was fully disclosed.

Ms. Pawsat: Well, I'm just saying the logic. I just want to make that comment.

Mr. B. Frampton: I'm just saying, it needs to be fully disclosed. You guys do not have a document in front of you that fully discloses all of the possible options and alternatives. And if you were to try to make a decision upon that a number was thrown out earlier about \$60 million, my partner will be up here later to tell you that's greatly below, well below the fair market value of the land. That's our concern. That's just Olowalu and we don't want to see it go that way. We want to see a win-win situation for Maui for my boy's sake, for all of our future generations sake. I think it warrants a proper fully assessed document.

Ms. Pawsat: Point of order. Point of order. I mean, he was asked a question and he's kind of waxing and waning and I don't even know what about.

Mr. Starr: Okay, why don't we call it that.

Mr. Mardfin: I have a question.

Mr. Starr: Commissioner Mardfin go ahead.

Mr. Mardfin: In this document, this final environmental assessment there's an Appendix C, Comments and Letter Received on the Draft EA. Had you submitted materials to them?

Mr. B. Frampton: Yes we have. Substantial.

Mr. Mardfin: Is it addressed in that Appendix?

Mr. B. Frampton: No, our letter is not included. The most recent letter was submitted on July 13th and I'll give you a small background there, at the last April 24th meeting that you held here Commissioner Iaconetti instructed the department to meet with us. Specifically said, will you meet with the Frampton brothers addressed to the director. The director said yes, he would. We did meet on May 9th. On May 9th in that meeting the Planning Department requested that we provide an economic feasibility analysis to share our alternatives. July 13th we did so. We submitted it. It's included as part of the submittal I just gave you as an Appendix. Out of just fundamentally we would have hoped that letter would have at least been put in there for you folks to read. When we got the document about a week and a half ago, we were stunned and surprised that it was not included and that's some basic requirements that OEQC requires. So my answer is, some of our –we've got maybe two letters in there. There's a very important letter that was more recently based upon a meeting with the department that was not included.

Mr. Mardfin: Okay, thank you.

Mr. Starr: Okay, thank you. Rory Frampton.

Mr. B. Frampton: Thank you.

Mr. Starr: Please try to be brief and tell us who you're representing and your name.

Mr. Rory Frampton: Good afternoon Commissioners. I'm Rory Frampton. I represent Makila Land Company and I just want to go to the map to show you where Makila is. Bill Frampton was here talking about Olowalu. Olowalu is a little bit more complex. There's homes and residences in the area. Makila goes from the Olowalu Landfill all the way to Puamana. It's about two and a half miles and the difference here is that all of the land that abuts the highway, everything behind it is vacant. There are no existing residences and the highway along this entire stretch is really close to the ocean. In other places it goes a little bit far back.

I have submitted a letter. I do want to – there's a couple exhibits that I want to go over. It's the letterhead Makila Land Company, but first I just want to comment on some things that were made earlier. I think we need to be really careful about this broad brush statements that people have made throughout this meeting. For instance, that the highway is in danger for the entire stretch of the shoreline. That's not necessarily true. That the Planning Department wants to have nothing but open space beneath this realigned road, that's not necessarily true because you got Olowalu. So we just need to be careful about that. There's a lot of details. This is a very complicated project. I've been working the section on Makila for two, two and a half years now and let me tell you there's a lot of moving pieces and it is fairly complex. But the one thing that is constant that we feel, we support and I think everybody around here supports is that there should be a continuous coastal preservation corridor along this section of shoreline. What you do within that coastal preservation corridor, how you do access, whether you do parks or leave it in an open space that has to be figured out. But the number one goal of having the coastline to be available to be used by the people I think is number one and we all agree to that.

Let me just show you real quickly some of the figures that I have in the attachment. Figure 2 is the original Pali to Puamana Plan and it's what's up on the board there. Kathleen showed it and really

in our area, in our two and a half miles, the main proposal was a mauka expansion of Launiupoko Beach Park. If you – when I came on board this board was adopted – well, not adopted was presented to Council. We tried to look for ways that we could not only meet that but exceed it and one of the things that we did if you turn the next page over was to try to figure out a way where we could designate a corridor along the entire frontage of our property. Again, to be used as some sort of coastal preservation. Some of it might be active beach parks, a lot of it might be just open space preservation. Anyways, that shows a rough concept. If you look at the next map, this was included in the draft EA and it basically is consistent with our revised plans, the plans that we submitted in '06. So we're fairly close to the Planning Department's concept. There are some details that I think need to be worked out. There might be some pushing and pulling of those lines but –

Mr. Starr: Can you please wrap up?

Mr. R. Frampton: But we are fairly close. I do have – I did want to make some comments about the coastal road and regional transportation if I may?

Mr. Starr: Can you wrap up please?

Mr. R. Frampton: Okay, just wrapping up, one of the core concepts that needs to be understood is the difference between coastal access and regional transportation and I think a lot of the things that people are talking about here, right now I'd like to see that that coastal road or something close to that coastal road be freed from its responsibility to provide regional transportation. So the idea of a regional transportation corridor inland and a coastal access along the shoreline I think makes a lot of sense and that's kind of what that middle figure shows there is that there would be a coastal road that would –

Mr. Starr: Okay, your time is up. Thank you.

Mr. R. Frampton: Yeah.

Mr. Starr: Commissioner Guard.

Mr. Guard: I think that was an important point so I'd actually like to follow up on that because you can go to other beach communities on the ocean beach in San Francisco, you can imagine if Highway 1 was along that beach, it would be a pretty slow moving area. So with these General Plan concepts of West Maui we might want to start looking at this. And if you want to go to the beach, you're saying you can get down there, drive the coast and take a look at the surf. But if you got to go to work, you can get to work one way and maybe on the way back and you have time, take the cruise. So you guys are talking about that in your potential concepts?

Mr. R. Frampton: Yes, that's the concept that we're kind of espousing and it's really trying – again, it's that main concept of you got – right now you've got one road with two functions. There's a function as a coastal access. You got surfers pulling off to the side of the road trying to unload their coolers, you also got guys trying to go to work and going to Costco and going to the airport, like 30,000 cars a day. So maybe you should pull those 30,000 cars and get them on an inland highway but still have either portions of the existing road or a new inland built coastal road run

parallel to the coast the whole way with nothing beneath it.

Mr. Starr: Commissioner Hedani.

Mr. Hedani: Rory, how many acres do you represent in Makila?

Mr. R. Frampton: The total acreage because Makila's land holdings once represented about close to 5,000 acres. So it goes mauka in the mountains then it comes all the way down along the coastline. And it – it basically surrounds the existing Launiupoko community. Along the coastline I think it's a 215-acre parcel and a 165-acre parcel. So just those two parcels on either side of Kaheleku are close to 400 acres.

Mr. Hedani: So roughly 5,000 altogether though?

Mr. R. Frampton: That's what it once was. Some of that's been sold off. So I think we're down to somewhere around 3,000 acres. Much of it in the conservation district.

Mr. Hedani: So the short answer would be 3,000 then, roughly?

Mr. R. Frampton: Roughly.

Mr. Hedani: Okay, I respect your, you know, ability as someone that's been involved in planning from the standpoint of representing a major land owner I think it's important that we hear, you know, what you have to say because what the commission wants, what the public wants may happen. What you want may happen. But what we both want can happen or will happen you know, in the future and I think that that's the thing that we're looking for down the line. I'm happy that you're saying things like, you know, preservation of open space continuously from the Pali all the way to Puamana in some form and I think we're kind of like on the same page from that perspective. At the same time, I'm concerned when I see things like the development that's going on on the ridges above Makila as part of the Launiupoko Subdivision that to me really takes away from what can be the preferred future for the island and it really saddens me to see stuff like that happen. And I wanted your comment, I don't know if you're responsible for that development or if you controlled that particular development that occurred but some of the desecration that I see of scenic assets it really breaks my heart. You have a comment on that?

Mr. R. Frampton: Yeah, I have two comments. First, we are – yeah, I've been on board now I left Chris Hart and Partners to be an independent consultant but with my prior, my major commitment to be working with Makila and that was about two years ago. There were a lot of things that were kind of already set in motion. It's hard to go back and be an armchair quarterback. There were a lot of decisions that were made along the way sort of incrementally. I think the approach now is to look at the entire – to step back, look at the big picture, look at the areas that should be set aside kept in like watershed protection, look at the coastline, set aside the areas that should be as a coastal preservation area.

The project that you're referring to was a difficult one. That one house site I think no one anticipated the owner doing the extensive amount of site work that he actually did, but that's part of a larger

250 acre subdivision where we entered into a third party agreement with Dale Bonar and Maui Coastal Land Trust and we identified certain sensitive habitat areas on top of the pu'us, both of the pu'us in that area and along a lot of the ridges and coming down from the conservation area basically we recognize that there's agricultural lands that are near the conservation district that actually have conservation value. So we put a conservation easement on, I want to say, if it was 250 acres we have a 220 or 200-acre conservation easement. We did leave open certain building pads to be sold as part of a large lots. That one particular parcel that you mentioned, it was about a – I want to say a 40-acre parcel with a three to four acre building envelope. Like I said, there were some design controls, however, the person who came in and purchased the property really did a significant amount of grading that was far – we never envisioned that something like that, that extreme would happen once that lot got sold. But there are, there is in place a larger conservation easement around all that surrounding acres that pretty much will keep the remaining area on that side of the stream in tact.

So like Dale mentioned earlier, there's trade offs and I've been facing that every day I've been working for this company. It's like how do we do things that are mindful, responsible development, but how do we also do it in a way that's economically feasible and then where we can look for benefits that are long term benefits, when we look at the shoreline area, I think that swath of green that map I show right there, in order to actually achieve some of those – in order to actually achieve implementation of some of those parks, you know right now under an ag subdivision – well, lets just say if we did nothing and the County came in and condemned it, it would cost the county tens of millions of dollars. That's option number one. Option number two –

Mr. Starr: Could you stick to the question you were asked?

Mr. R. Frampton: It's to do, it's part of the whole – the idea is – the response is –

Mr. Starr: Okay, thank you Mr. Frampton.

Mr. R. Frampton: Is how do you balance –

Mr. Starr: Commissioner Guard.

Mr. Guard: That was a good question on those properties. I think that takes away from the overall project for you guys. If we reject the EA because of whether the broad brush and whatnot, there's really no assurances that your company and other companies and we saw in this one, I'm seeing I didn't realize there was a building permit or something for ocean front homes on those sections. So I don't know if there's any assurances that this 400-foot setback of park, like if we take away the road, we're actually looking to see if we want to make this 400 strip eligible for a park and if by rejecting the EA are there assurances that your company or other companies aren't going to try to build right up to the highway like they have the right to do right now. Because other companies are saying oh, no it's too sloppy we need to master plan the entire park. But by saying to do that in this document, we send it back for two years and would be frightened of the fact of you sell it to a land owner and you had no idea that he was going to put in the house right on the street.

Mr. Frampton: Yeah, well we've been working with the Planning Department. We have plans in the

county right now that sets aside a 70-acre or two parcels that total about 70 acres roughly following that green map on this thing. It more closely follows the shaded green area on that middle figure that I gave you on in my handout, but what's currently been submitted, formally submitted to the county, it's received preliminary subdivision approval has two lots as unbuildable or nondevelopable lots as a set aside. So that's what we've put in writing. That's what we've submitted before this draft EA even came out. It was based on a number of meetings with previous Director Foley and Kathleen Aoki. The previous subdivision plans had been rejected. We came in, we sat down, we worked with them, we came up with this alternative and that's what's been submitted. It's been in the County now for a year and a half. So that's what I can say for right now. We've shown a substantial commitment to proceeding in this direction.

Mr. Starr: Okay, thank you Rory. Oh wait a second.

Mr. Mardfin: I'm sorry, you said there are two lots you're going to say are unbuildable. That sort of implies that there's one or more lots that are going to be buildable?

Mr. Frampton: Correct.

Mr. Mardfin: Right on the ocean?

Mr. Frampton: No. setback behind those nondevelopable lots. So there would be two –

Mr. Mardfin: How far from the ocean?

Mr. Frampton: From the ocean, an average of 400 feet. That's where the 400 foot number came in. When we were meeting with Kathleen, we said basically our strip is about 400 feet deep from the shoreline. When Kathleen asked Chester to go ahead and map that, she said make an open space strip 400 feet from the highway. I think she thought that she was doing something that did our plan. So the difference is about the width of the highway. And in our subdivision plans like Kathleen said, there's portions of some of our parcels that would become within her open space area, we could do some pushing and pulling but it's awfully close to –

Mr. Mardfin: But these – assuming DOT goes ahead with their alignment the way they were talking it would be – these would be makai of the highway, of a real ...(inaudible)... highway.

Mr. Frampton: There's something important that came up a little earlier it was a little cause for confusion. The Lahaina bypass comes in right now, it's an approved alignment, accepted final EIS, accepted record of decision for the bypass to come in and to terminate or to connect to the existing coastal highway just past Kaheleku. So from here to here, it's a bypass and the existing highway remains under their plans. If you want to do anything – what we've done is we set land aside behind that highway if they ever want to meander that, do the elbows that were talked about previously, or if they want to eliminate it altogether we've actually proposed building a coastal road just back of that coastal reserve lot and that would be continuous access along that entire stretch of shoreline with nothing beneath it.

From here on out is where you have the actual highway relocation. And this part, from here all the

way down to where the bypass is what DOT is considering. So on our land it's a little confusing, you have an approved alignment and then you pick up the realignment of the coastal highway or they call it Honoapiilani Highway realignment/widening. They don't know what it's going to be yet. They don't know if they're going to realign it inland or if they're going to widen it to four lanes and even six lanes right on the coastline.

Mr. Mardfin: But the realignment on the far left side of the diagram, your properties would be makai of that realignment?

Mr. Frampton: This is not the realignment. This is the Lahaina bypass. This is the bypass that goes all the way to Honokowai.

Mr. Mardfin: So that you'd be makai of that bypass is that –

Mr. Frampton: Makai of that bypass there's the existing coastal highway and between that land along the coastal highway we've set aside land abutting the highway for this coastal reserve to do whatever – to move the highway, to do a park.

Mr. Mardfin: Thank you.

Mr. Starr: Okay, thank you Mr. Frampton. Next testifier, Helen Nielsen. Yeah, go ahead Kent.

Mr. Hiranaga: Are you for the final EA or against it?

Mr. R. Frampton: Obviously we're for the concept. I think the EA, you know, I noted in my letter some inaccuracies and especially I'd almost call it sloppiness with regards to the natural hazards and how they describe the tsunami inundation zone and the confuse the civil defense map with what the tsunami inundation coastal flooding area would be and they use this as a basis to say that the highway has to be relocated 400 feet inland or more. Well, it just simply not true and so to the extent that there are facts and information in this EA that are false and inaccurate it could lead to junker decisions down the road. So I have a problem with, it's more of a technical nature. I want to see what's in this EA be accurate. I've outlined some of the – and there's no discussion of roadways and the circulation plan. So the thing on natural hazards, a little bit more description on the roadway network, the project segmentation and there's some inaccurate statements about our land owner plans. I mean, not all of our plans involve requesting an increase in what's allowed by current zoning. Our plans we've looked at what's allowed by current zoning. We've also looked at some additional like the Cadillac version where we'd get a lot more homes but we'd build a lot more parks. So you know, there's that version, there's the scaled down version and then there's the county version where the county pays for everything. So there's kind of a spectrum of opportunities and getting back to your question on the EA, sorry, Chairman, this is a – it's a complex project and I've been working on it a lot and there's a lot of issues. But getting back to the EA –

Mr. Starr: Okay, please wrap up.

Mr. R. Frampton: Getting back to the EA, I think it needs some work. Some of it could be done

probably with some amendments but there are some other things that I think maybe you should hear from all the speakers before you weigh in on that. My personal feeling is it's close but not quite there.

Mr. Starr: Okay, Commissioner Hedani.

Mr. Hedani: I have one more question that I have to ask you Rory. The subdivision at Launiupoko that was a Makila Land project?

Mr. R. Frampton: No.

Mr. Hedani: Who did that?

Mr. R. Frampton: It was a company that has – there's some of the same principles involved but the original purchase at Launiupoko was about 400 some odd acres that where you see most of the homes right now. The Makila purchase – the Makila lands actually surround a lot of that and the Makila – some of the Makila parcels have been subdivided, but the majority of the density in Launiupoko right now is from a previous, a different partnership, Mahanaluanui was the name of the partnership.

Mr. Hedani: Okay.

Mr. Starr: You have another one?

Mr. Hedani: Yeah, my point was that in the Launiupoko subdivision it's basically taking advantage of an agricultural subdivision and I don't see agriculture happening there. I don't know if it's poor land quality but the farmers are doing really well because they're driving Escalades and there's no agricultural activity really taking place there.

Mr. R. Frampton: I think that's characteristic of many areas on Maui and the issue of, basically I would call that rural development with a small r, I mean, it's rural is homes and farms because there are some farms up there. What you're talking about it's something that if you've ever driven through Haiku or Kula or Makawao or anyplace on the Big Island or Kauai. It's something that really needs attention I think statewide and this saying that you're going to put half of the land in the State of Hawaii into the ag district and force everybody who lives there to farm in order to do a dwelling I think is just a whole – there's a big problem with that.

Mr. Hedani: From my perspective I think what should have happened in that case is they should have come in for a rezoning of the property for residential use if the residential use is what they were pursuing.

Mr. R. Frampton: And that's easier said than done.

Mr. Starr: Okay, thank you. Doc, did you have one? Go ahead.

Mr. Iaconetti: The final environmental assessment that we're being asked to vote on today is simply

to change – well, this is confusing to me. Are we talking about the change of where the road goes? Or are we talking about changing the zoning?

Mr. Starr: Director.

Mr. Hunt: The environmental assessment is purely for change in land entitlements, the community plan designations and the zoning designations. If the highway were ever to be constructed, it would require its own separate environmental impact statement.

Mr. Iaconetti: Well then why is it that we're spending all of our time talking about the highway location?

Mr. Hunt: The Planning Department isn't talking about that. There's a lot of people who are either confused or purposely trying to confuse us, but –

Mr. Iaconetti: Well, I'm among the people that are purposely confused because I can see the point of changing if what you're telling me is true, I can see the point of changing it from ag to park, that's fine.

Mr. Hunt: That's what the EA is about is to change the land designations for these properties to try and preserve them for a future use by the citizens and to lock them up so they're not developed. That's in a nutshell. It is a complex situation. It doesn't apply across the whole eight-mile section. There's already some development. But again, this isn't about the highway. The highway is involved and so it's understandable how some people might start asking questions about that but you need to focus on what this document is about and it's just land entitlement from agricultural to park or open space.

Mr. Iaconetti: The highway is involved because by moving it mauka it creates a bigger area that can become park. Is that true?

Mr. Hunt: The final location of the highway has yet to be determined. That's a whole separate issue, except for the one section through the Makila Subdivision. That has a final determination on the EIS. Did I answer your question?

Mr. Iaconetti: So when we approve the final EA here we are only approving that portion of the highway.

Mr. Hunt: We're not talking about the highway.

Mr. Iaconetti: Not talking about it at all.

Mr. Hunt: The highway will be a separate process. It will come before this board for comments and then there's all sorts of scenarios that are being discussed by that task force that is involved with that and you know, one of them is to relocate it, how far, how far inland. Would we relocate it and build two lanes, relocate it and build four lanes, relocate it and build two lanes and then keep the coastal lanes. And so there's lots of different possibilities but that's not before you today. All the

Planning Department is trying to do is to designate park land along the coast so it will be preserved for future generations. We're not talking about the highway.

Mr. Starr: Lets finish public testimony.

Ms. Pawsat: I just want to really – I think the confusion was he was thinking like what determines the boundary. Does the road determine the boundary of the land use change?

Mr. Hunt: In some sections the plan is going off the approved alignments. That alignment may be changed in other areas. The proposed strip of park land or open space doesn't go along the entire highway as has been noted. There's a gap between the proposed alignment near Puamana and the coast so there would just be a strip there and in between strip of the open space there's developable land. So the highway could influence the park land but it's not the deciding factor. We're trying to get a strip of land along the coast.

Mr. Starr: Okay, thank you and thank you Rory. Next testifier, Helen Nielsen.

Ms. Helen Nielsen: Good afternoon Chair and Commissioners my name is Helen Nielsen and I'm here to testify on own behalf as a citizen of Maui County even though I am married to the Chair and I am a founding member and current board member of the Maui Coastal Land Trust. I'm not in any way influenced by those outside forces. But I'm speaking on behalf of going ahead and approving this plan, this EA.

I must disagree with some of the previous testifiers. I don't see this as a piecemeal approach planning. I see this as a very forward thinking positive way to go into the future and I feel like a lot of our plans have been piecemeal in the past and we've had a lot of problems trying to fix things that we've done wrong in the past and I think this is, you know, something that its time has come.

When I did begin the Maui Coastal Land Trust we were researching on how we could best work in a positive manner with landowners and the public. I specifically had pictures of Honoapiilani Highway when I was trying to get...(inaudible - changing of tape)... but, I was really eight years ago, I was really trying hard to see how we could get funding to move that highway up.

I think a lot of the problems that were addressed today will be addressed with the EA that comes with the realignment of the highway. Say for the group that wants to keep the highway where it is which I outright don't agree with, but I really hope you'll consider the bigger picture. I think a lot of the specific problems will be addressed in the future, but I think you have to really be visionaries. I think that's what everyone is looking forward to this commission for. So I'm speaking on behalf of it and thanks.

Mr. Starr: Any questions? Okay, thank you. We're going to take a recess, but just before then is there other public testimony if so raise some hands. Okay, we're going to take a 10-minute recess. We'll be back in 10 minutes exactly.

A recess was called at 2:30 p.m., and the meeting was reconvened at 2:40 p.m.

Mr. Hinano Rodrigues: ...(inaudible)... and not as an employee of the State. I am from Olowalu and Ukumehame. I do have taro patches in Ukumehame and I live part-time with my parents in Olowalu therefore I consider myself to be a stakeholder. Thank you for the opportunity to comment on the determination above. At this point, I have serious concerns regarding the thoroughness of this EA in the following areas:

3.3 Water Resources, Streams. In light of the fact that there is no county water sources in either Ukumehame or Olowalu water will have to be provided by the private water services in that area. How will the additional need for water affect the stream flow thus affecting its ecology. Water service same as above.

Sewer system. Since there will be a need for additional rest area facilities what kind of system will be provided and what will be its effect upon the environment that is to say the wetlands, the ocean and ground water.

Solid waste. With the increase of the use of the area how will this be handled? Currently there is a major problem with just the weekend use.

Flooding. Under the existing roads are culverts that help prevent flooding. In Rodrigues v. State the court ruled that the maintenance of those culverts were mandatory not discretionary. Who will assume the responsibility for those culverts.

Biological and Natural Resources. What of the wetlands environment? With road construction and eventual increase in usage what are the effects. Your report only addresses the nene, aren't there other birds there? What of the Auku'u? What of the Kolea?

Noise Impacts. You stated no impact, but if the road is moved mauka would not the wind carry the noise makai to those using the parks, beaches and how about the residents?

Air quality. With the winds blowing mauka to makai would not the car emissions affect air quality and the environment.

Cultural Historical, 3.13. What of access rights? Will the new ownership or stewardship affect our access to the ocean and mountain.

So in conclusion while I support the concept of a Pali to Puamana parkway, I don't find your EA sufficient such that it would warrant an EIS unnecessary. And finally, if the rest of the stakeholders on Maui are pending their plans so as to wait to the General Plan outcome, should not the County of Maui do so as well?

Mr. Starr: Okay, thank you. Questions? Commissioner Pawsat.

Ms. Pawsat: I guess this is for the Planning Department and for you. I feel like what he's talking about all the EIS that will be addressed when the road comes through. I mean, about the EIS with the actual road as opposed to an EIS of just changing that it becomes park. Because it seems like by changing the park it makes it easier because all these development like land use about

detriment to the land, it lessens the effect and were it to remain in its current zoning. Actually if it's in its current zoning it would be worse as far as development.

Mr. Rodrigues: Actually I see it quite the opposite.

Ms. Pawsat: Well, that's why I'm confused because that's how I'm seeing it. So I'm kind of, so I don't get it. If you know, if you're seeing it the opposite.

Mr. Rodrigues: It's easier to – and I work for the government yeah, it's easier to work with a private land owner, lets say with respect to the treatment of the wetlands, etc., etc, than it is to work with government agencies. And so when you create more open space, people have the idea in their mind that, oh now it's open space. The government said it's open space now I can go. So where you might have had 15 people going to an area on the weekend, you'll another 300 every day. It's, I know because I'm a little bit weird because I see things the way people don't see it but it's really the opposite. When something belongs to the government it becomes more detrimental.

Mr. Starr: Okay, Commissioner Guard.

Mr. Guard: We're not taking over the property. I mean, I'd say we as a taxpayer, etc. It stay under the current ownership correct in the EA or is this EA saying we're condemning it right now. It's just saying we're not allowing development there.

Mr. Rodrigues: With respect to your park lands you are because I understand there is discussion as to the valuation of the park lands that you are going to acquire. With respect to the open space you are in the sense that, you are accepting lets say stewardship by changing the use of that area.

Mr. Starr: Commissioner Pawsat.

Ms. Pawsat: Well, I think at this point though I think I disagree with like who's hands is it. I don't think it's safe in either of those two hands. I mean, quite honestly. And so right now it just seems like this is like a small baby step into the community interest even though you know, but it's just like – but everyone still needs to make sure their fingers are on it before it goes anywhere or something. So that's what I you know –

Mr. Rodrigues: And I have to agree with you personally. But you know, I hear this argument. I heard this argument going on for the last hour and a half that, oh you know what, we need to save this area because we don't know what's going to happen in the future. When it's time to go in to save this area as open space it might not be available. But you got to keep in mind that that kuleana to make sure it's available rests on the county's shoulders so I can't agree that people can say well, you know, we might lose it because the county is the one who makes the final decision. So they're there. They have the power. They're empowered to say yes or no or to say if somebody came in, they can say, you know what, we're planning to have open space and park so no, I don't think you should develop here. In other words, I don't see the risk because the county is the one who makes the final decision as to whether or not there is development.

Ms. Pawsat: And wouldn't the idea of the land trust alleviate a lot of these suspicions?

Mr. Rodrigues: You know with my job at State Historic Preservation I really like what Dale Bonar them are doing with respect to the land trust but I don't know enough about land trusts and I'm not sure – you know, because I'm half native Hawaiian, I'm not too sure what my role is in the land trust scheme. And that's what I'm worried about because you can have land trust, you can have rules and then they can say, Hinano I'm sorry, this is a land trust you cannot go get a'ama tonight. You cannot go fishing, you know, and that's where I'm really, really unsure.

Ms. Pawsat: But that's something you could talk – I mean, you know sure about it but that could amicable to what you're talking about as well just as much as any developer, right?

Mr. Starr: Commissioner U'u.

Mr. U'u: I share some of the same concerns. I am not educated enough to foresee it helping or hindering the land trust. I know the – it sounds like a great idea, but would that hinder me from going to places where I want to go. I don't know, I don't know how does the Waihee Dairy work. Am I allowed access on the dairy? No. So that's a hindrance for me and I know this, the people who on the Coastal Land Trust they are able to go to the Waihee Dairy and I cannot. So who's it benefitting. Maybe not me directly or indirectly but I have concerns about you know, who's the benefit for and who is like Dale Bonar said, the greater good of the community? Am I part of that greater good or am I not? Or who decides who's on the greater good? I don't think I was involved in the discussion so I guess I'm out. That's some of my concerns.

Mr. Rodrigues: And I share the same concerns Commissioner U'u and I share those concerns as a native Hawaiian. Can I make a very, very short comment about Olowalu Church?

Mr. Starr: No.

Mr. Rodrigues: Okay.

Mr. Starr: Thank you very much. Yeah, Commissioner Hedani.

Mr. Hedani: Do you have a comment on Olowalu Church?

Mr. Starr: No, it's okay.

Mr. Rodrigues: Yes, I do. Thank you. The existing, and I talked this over with Kathleen assured me that I don't have that much to worry about, but you know, again, being trained in the law, I like see um in writing yeah. But with respect to Olowalu Church the original location of the church was actually two acres from the front of the church back. In the early 1900's because of the way the Big 5 controlled this at that time the territory they stole the back from us and they shoved us two acres forward. So what is in the back two acres are the burials of my ancestors. Okay. But in those days we couldn't do anything. So that's theft number one.

In number two, in 1931, Olowalu Sugar Company was burning the sugar cane and the cane fire hit the church roof and it burned to the ground and Olowalu Sugar Company said oh you know what Olowalu Church you guys buy the material, we provide the labor, we rebuild the roof for you. Six

months later Olowalu Sugar Company was bought out by Pioneer Mill. Pioneer Mill came in and said there's no written agreement. We will not rebuild your church for you. So that's theft number two.

Now we're facing a possible theft number three. We're not going to put up with it. You've heard of the Olowalu massacre, this going to be the second one.

Mr. Starr: Okay, thank you very much.

Mr. Rodrigues: Thank you.

Mr. Starr: Okay, I didn't see this before, Kenny Hulquist. Change your hat or turn it around backwards and go on up and testify Kenny. You got to wear a different hat, right?

Mr. Kenny Hulquist: Yeah, I haven't testified in front of the commission for quite a while. In fact like the Planning says and like the Coastal Land Trust said that this is really going to save the land, the coastal land for – at least certain portions of it and make it a complete beach all the way from the Pali to Puamana then that's really great. But then there were a lot of other people that got up there and I have to say that some of them were developers that have a vested interest and I've got to also add to that that scares me a little bit because obviously they wouldn't be taking the time to come here if they didn't have some sort of a financial stake in rehashing this or changing it. So I would, you know, having said that, I would be – if I was you guys I'd be leaning more towards, you know, trying to pass this but there are a heck of a lot of variables that I heard today that make it – I don't know if you guys are going to vote to pass this, defer it or deny it today, but I would like to see that land saved, the coastal land saved whatever way, shape or form that it happens, Coastal Land Trust, you guys taking it over or whatever, that would be one of the greatest things that would happen for the Pali to Puamana area. So thank you.

Mr. Starr: Questions? Bruce.

Mr. U'u: Eh Kenny, nice to see you testifying. So say we pass the EA, say we approve and pass the final EA, what do we do about the people in Olowalu, the residents there? We deal with it at a later time or we hash it out as we go or you know, at times when we have say, the developers in front of us and not the county that's putting out the EA, we've asked them thorough questions and we grill them to the bone and I feel when it's in a reverse when the pendulum is swing and it's on the county now we're assured that we have to wait. Perfect example, today was the A&B we asked for pictures, a visual, they came back, got us the visual, they got their approval today. So I don't know who we holding who hostage at times or who's going to be accountable for the people of Olowalu, the true residents. The pure people, the true people and I have a hard time swallowing that.

Mr. Hulquist: Those do seem like everyday normal hard working people and their concerns need to be addressed I concur with that, yes. Absolutely.

Mr. U'u: That's the problem I have a hard time swallowing right now.

Mr. Hulquist: And if passing this is going to affect them in an adverse way, I would say that you guys need more information before you can do anything. So I would just say, defer it. I know deferral you know, just puts more stuff on your agenda and believe me, I know how much stuff is on your agenda. I'm here all the meetings. I don't know how you're going to get through today's actually.

Mr. Starr: Go ahead.

Mr. U'u: I like the vision of the Planning Department, but the way about we going about it to attain to get the end vision is what I'm worried and that's part of the process. And so we're dealing with it a step at a time. But I like to see you up there Kenny. It's all good man.

Mr. Hulquist: I appreciate your appreciation. Thank you.

Mr. Starr: And thank you Kenny and thank you for the good work you do filming and the Ken Productions rocks.

Mr. Hulquist: It's my pleasure, thank you.

Mr. Starr: Okay, who's next. Come. Tell us who you are and if you represent a group and try to keep it for three minutes.

Ms. Adeline Kaahui Rodrigues: My name is Adeline Kaahui Rodrigues.

Mr. Starr: Use the mike. Bend it down.

Ms. Rodrigues: My name is Adeline Kaahui Rodrigues. I am the Moderator for Olowalu Lanakila Church. You heard everything about Olowalu Lanakila Church. And I just wanted to say this, I want the Planning Commission to tell the Planning Department to go back to board and do their homework.

Changing the church property to open space and buy the property it's not a significant impact? It is. How come nobody ever came to my house and knocked on the door. "Mrs. Rodrigues we'd like to talk to you about Olowalu." Nobody came. Somebody said today they talked to the Lahaina community. Lahaina is Lahaina. Olowalu is Olowalu. Come see us. So I think you folks should tell them to go back and come talk to us. I don't want that, "oh, we can move the Olowalu Church away from that green lines that they make on that map." No, I want to see it on paper. On paper.

We have been in Olowalu. I was born there. I have been a resident there for many years. Where, if they take the church away from us where are we going to hold our church services. Somebody didn't know we hold church services every Sunday. Somebody from the county told me that. It's right in here. My son talked about the burial and cemetery. What arrogance did the plantation have to take away our church, move it down and what, plant sugar cane on it.

My dad told me before he died, "Addie there are old burials in the old church property." And my dad also said the plantation relocated the church further down. However, they did not relocate the burial ground or cemetery but planted sugar cane on it which showed a great disrespect to my kupunas.

Again, what arrogance.

Olowalu Master Plan. What happened to the Olowalu Town Plan? What happened to the Olowalu Town Plan? I'm for the Olowalu Town Plan I tell you. We need something in Olowalu. We can't stay like that forever. There are many significant impacts surrounding the environment. Shoreline resources, overuse of parks and coastal land. I see it happen every day. I even smell that what do you – sunscreen. I can't even go down to the beach and bamboo any more. The fish is not there.

Mr. Starr: Can you please finish up?

Ms. Rodrigues: That's all I'm going to say. Thank you.

Mr. Starr: Okay, thank you Addie, any questions? Yeah, Commissioner Mardfin.

Mr. Mardfin: Mrs. Rodrigues, if the designation for the church and the burial area were removed from the plan would that satisfy your needs?

Ms. Rodrigues: Yes, but it has to be on paper.

Mr. Starr: Okay, thank you very much. Anyone else wishing to testify? No, you testified already. Oh, I'm sorry. Sorry about that.

Mr. Dave Ward: Thank you though for letting me testify. My name is Dave Ward not Frampton and I'm here to testify on behalf solely of Olowalu Ekolu LLC which are the owners of the 16-acre parcel on the makai side of the highway just on the Lahaina side of Olowalu Stream which is shown in green on that map there.

It's important to understand that this ownership group is a hui of owners. This is the only property that they own in the Olowalu area. Okay, so that's the perspective that we're looking at.

When I was here last time I stated that I felt the most important thing was to provide accurate information so the decision makers can make good decisions. I don't see that in this EA. And thus, I ask you to ask the Planning Department to get this right before you adopt it.

I only got three minutes. I'd like to focus on one thing. I'd like to focus on Table 6 which is in your EA. It is a list of the properties that the Planning Department proposes to purchase. In that table is where the church is labeled as being public – I'm sorry private land thus being purchased. In that Table, the Olowalu Ekolu property is mislabeled. It's labeled as state land. It's labeled that it's state land use is conservation. It's labeled that it's community plan is open space. These are inaccurate.

What that does is it greatly impacts the economic analysis. Because it's not in there as private land it's not analyzed as being purchased. The analysis shows 32 acres being purchased in Olowalu. In fact, the description of the land talks about this 16-acre lot being purchased. If the 16 lot were included it would be 48 acres. That's a big discrepancy. Not a small item.

Furthermore, the dollar amount per acre that is utilized in this is grossly inaccurate. There was a third-party independent appraisal that was done relatively recently for land in this area and while this purports \$300,000 to \$400,000 per acre, the third-party independent appraisal identified this land as being somewhere, a 25-acre parcel somewhere in the neighborhood of about \$800,000 per acre. A two-acre parcel somewhere in the neighborhood of almost \$2 million per acre. These are large orders of magnitude. It's the kind of stuff that people need to think about when they're making decisions.

I ask, I'm not going to go into a lot of other details, but I do ask that this report be cleaned up before it is adopted.

Mr. Starr: Okay, thank you. Commissioner Mardfin first.

Mr. Mardfin: Mr. Ward, is the parcel you're talking about tax map key 4-8-003:124?

Mr. Ward: That is correct.

Mr. Mardfin: Okay.

Mr. Starr: Commissioner Guard, I think you had your hand up.

Mr. Guard: Has your company identified this as future park or you guys want to go forward with this proposed development on the house and pool, cottage that was given to us.

Mr. Ward: Yes. I think that's a good question and I think that while my testimony was limited really to one example because I wanted to keep to three, I think that an alternative analysis is critical to this EA. I think that having the alternatives out there is a very important part so that people can actually look and make appropriate decisions. And the information that you're referring to Commissioner Guard is in the attachment that was provided by Bill Frampton earlier and in that analysis it shows various alternatives for this land. One being a single – I'm sorry, a residential farm dwelling for this lot.

Mr. Starr: Okay, thank you very much.

Mr. Guard: Sorry, one more question.

Mr. Starr: Oh, go ahead J.B.

Mr. Guard: And then in your GPAC proposed boundary that area seemed to be I guess cut up.

Mr. Ward: Combination, yeah, exactly. A combination and I don't want to take a lot of time but I think –

Mr. Guard: Well, this is important because I believe in the county this is a very prime park component of it.

Mr. Ward: For the existing highway location and the existing use this parcel is a piece that's the first piece sits on the makai side of the highway as you approach Olowalu. If the General Plan Advisory Committee determines that Olowalu is an appropriate place for growth for a small community and the highway is relocated, this parcel changed very much in its nature just in physical components. As you entered Olowalu and left Olowalu with a relocated highway there would be large parks, very large parks. Larger than the ones that are talked about in here. So I think it's hard to say one or the other it's good. That's why I think again, very important lets look at the alternatives. Lets get the information in this report so that people can make accurate decisions. Thank you.

Mr. Starr: Okay, thank you. Come on up Peter. Identify yourself and who you represent and try to keep it as brief as you can.

Mr. Peter Martin: Good afternoon, my name is Peter Martin. I am speaking both as a citizen and a land owner. Primarily land owner of Makila. I think first big picture we should just count our blessings. I don't think there's anybody that isn't ...(inaudible)... with the concept of the park. The problem is is when you get enough people how do we get there and I actually understand this first step. I think it's a mistake this first step but I just think we should count our blessings and really aim at trying to do everything we can to get a park for eight miles from Puamana to the Pali. It's just wonderful.

I do think that as land owners we do things that believe or not are actually good for the public. I thought about this when we sold the lot to Michael Moore. He's the luau fellow. We had a land commission award in Olowalu and we sold that piece and it's very frustrating to him that we put a 10-foot strip in front of his property for people to walk on and the county didn't make us do it. And we did it, and thought ahead and we planned for it. So the lateral access is intact all the way across much of it is government reserve, but much of it was thought through by us because there's – it's weird little jogs and every time we have the opportunity we make a strip. So that's one.

Second thing is how great it is that I – we didn't block all the choices where you can put this highway. We don't houses in Ikena Street. Does anybody notice if you look at Olowalu the houses are way mauka and way makai. So all these ranges for the highway have not been done and we've made an agreement with Dave Goode in things that we would wait a while and try to figure out where this highway to go and give broad lateral. We didn't build houses on the ocean, we could have a long time ago. So this area that you're talking about for the swap of the highway, we've purposely not done anything there for a long time. We are concerned that if you adopt this document it devalues our property and one of our strongest arguments is hey, if you really want to protect the property if you really care about it for this you don't need it, just go by it, but nobody has this money. So why are we even doing this – once you start on this, I think J. B. asked a very good question, he goes, "we're just designating it, it doesn't mean anything." or it doesn't mean much. But it does, it's starts down this slope. If you really want to protect the property buy it, but you don't have the money. So lets get together because we're willing to basically work with the county and they'll end up donating the land, they won't spend \$60 or \$70 million, the park will be done and we'll work together to make the dream come true. That's about all I have.

Mr. Starr: Okay, thank you. Commissioner Mardfin go ahead.

Mr. Mardfin: Excuse me sir, would you be willing to engage in discussions with the people from the Maui Coastal Land Trust about ways you could recover some of your investment by engaging in some sort of conservation easements?

Mr. Martin: Yeah, we'd rather broaden it to showing some many alternative ideas which I don't – I mean, Rory would work with them on it. So, the answer I think is broader than that. Again, I think the Maui Coastal Land Trust should – they only have so much money, why be buying any land that might be given to him. I think the plans we have – there is trade offs but I think if people – the minute they hear the word development, the answer's no. I think if they actually saw the master plan and really could feel it, it's a wonderful thing.

Mr. Mardfin: Thank you.

Mr. Starr: Thank you. Any other testifiers? Come on up

Ms. Patricia Nishiyama: Aloha, my name is Patty Nishiyama. I'm with Na Kupuna O Maui as you see and we are here to support the Kupuna of Olowalu and the families who live and born there. So this is our manao and we are here to support that project with them. Thank you. Mahalo.

Mr. Starr: Yeah, thank you Aunty. Any questions? Ward.

Mr. Mardfin: You're presenting the plan as presented by the –

Ms. Nishiyama: We're supporting whatever the kupuna of that area and the families of Olowalu because we have sat with them and we have looked into this plan and we feel that these are the people of Olowalu, the kupuna who born and raised there is the one that wants what they want for their pua'a. So we're here to support the kupuna and the families of Olowalu.

Mr. Mardfin: So I asked earlier testifiers from some members at least of that community who were involved in the church if they would be – if it would satisfy them if the church lands and cemetery were taken out of this designation. That would be something that you would be supportive of.

Ms. Nishiyama: What aunty has decided this is what we have, we are for, for her decision only. Because like we said, we honor and respect the kupuna of that area and the family who born and raised there.

Mr. Mardfin: Mahalo nui loa.

Ms. Nishiyama: Thank you.

Mr. Starr: Okay, mahalo aunty. Anyone else? Seeing no – yeah, you didn't come up before, okay come up. I'm sorry, I've been looking at you all day.

Ms. Thelma Kaahui: I'm scared.

Mr. Starr: No, no, it's like family, it's okay.

Ms. Thelma Kaahui: My name is Thelma Kaahui and I reside in Olowalu. I'm a resident there, also a member of the Olowalu Lanakila Hawaiian Church. Earlier you mentioned it's a dream, your plan is a dream. Yeah, who's dream is that? It's not mine. And then I hear a lot about Mike Foley. Who's Mike Foley? Where is he to answer the questions she cannot answer and I'm against that because to me they're stealing my church. On the mainland they burn church, over here they want to steal my church and I'm against that.

Nobody even asked me anything. Nobody knocked on my door and nobody said anything. Next thing you know there's a plan just like it's ready to go, it's finished, but I am against stealing my church. That's all I have to say. Thank you.

Mr. Starr: Okay, go ahead, Commissioner Mardfin.

Mr. Mardfin: Mrs. Kaahui if the church lands and cemetery were deleted from this plan and not changed in any way would that satisfy you?

Ms. Kaahui: Yes, like my sister said it has to be on paper, black and white.

Mr. Mardfin: Thank you very much.

Ms. Kaahui: You're welcome.

Mr. Starr: Okay, thank you aunty, and you know, I think I speak for a lot of the commission members I don't think anyone in this room who would stand by and watch the church get taken away. I think we would all fight it as strong as you would and I don't think that that's part of this plan. Any one else please? Okay, thank you. Seeing any other testifiers the public hearing is now closed. And, like to see members what's your pleasure.

Ms. Pawsat: I make a motion to approve.

Mr. Starr: Okay, we have a second?

Mr. Mardfin: I'll second it.

Mr. Starr: Okay, motion to approve the acceptance of the EA by Commissioner Pawsat and seconded by Commissioner Mardfin. Any – Commissioner Mardfin.

Mr. Mardfin: Were we premature in making that motion? Should we have heard from the department first?

Mr. Starr: No, I think that that's a, you know, a fine motion. If anyone wants to make amendment to change anything that's in order.

Mr. Mardfin: Could I ask the department to comment on the things that have been brought up during public testimony and in particular about the church.

Ms. Aoki: Sure. First of all, I'd just like to say that today's decision is not a land use entitlement

decision. So whatever decision you make today is not going to effectively change the properties to open space or park. It's a change in zoning and a change in community plan amendment that has to come back to you and it has to be approved by you and it has to be approved by Council. It is not the Planning Department that is the authoritative body to make that decision. It is you and it is the Council.

My assurance to the people of Olowalu and the church is my sincere apology that this mistake was made and that when we come back to you with the actual change in zoning and community plan amendment that their parcel will not be on that recommendation. It will not be on that application. Again, that is something that still has to be approved by you, but it being on the map here today doesn't mean that that's going to happen.

It is not a decision as Dr. Iaconetti is confused about, it's not a decision about moving the road or where it will go. It is a decision to see if there are significant environmental impacts on preserving designated parcels and to open space and park.

So the idea is we could remove the parcel that's being – the contentious parcel that's going on right now. That's your purview. My only offer to you would be that again, it would have to come back to you in the community plan amendment and change in zoning and it would not be on there. What we would do is that we would essentially work with them and find out you know, where the parcel is, who owns it, who owns what. I mean, I can't make a blanket statement here today to say because I don't know. I don't know what it is that they want, but when we do the community plan application and change in zoning that's all going to be reflected in that application.

Mr. Starr: I have a question for the director which is it's a process question. I think that there is a very real concern regarding the church property, the cemetery site and the location where the church will be reborn and is there a way that if there was a desire by commission members to approve this today that as part of that, we could approve it with like a condition that would remove those lots from it and also correct an error which we've been made aware of in that table?

Mr. Hunt: In the past the commission has accepted documents and technically that's the term is you accept it with changes to that final document. So the way the process works is if you accept the document then we have to post it with OEQC and we would post a corrected final environmental assessment. So you have the ability to affect the document and amend it.

Another option would be to defer and have us come back with the document.

Mr. Starr: Commissioner Guard.

Mr. Guard: That's why I was wondering about that amendment. Some of these are fairly significant so I don't know if all of – I didn't write down all the items. I wrote down some of my key ones. So I don't know if we have a pretty detailed list of items that need to be changed. I mean, I feel the assessed value question that came up is a big one for the county to review. I think ag land in Haiku is assessed around that price not necessarily ocean front land. That 16-acre parcel is – that significantly changes that if that wasn't part of the package. We have this fairly detailed map of Olowalu. I would actually like to know where the church is in question. I don't know if Mr.

Rodrigues could come back and show us. On Figure 4, it looks like we have a pretty good is it a GIS map is that the correct term? It's not the TMK map. And I don't know if we have that on the screen or not.

Mr. Hinano: Rodrigues: That would be –

Mr. Starr: Speak in front of the mike and identify yourself.

Mr. Hinano Rodrigues: That would parcel 18 in the TMK for 4-8-003:018 would be the parcel.

Mr. Starr: And identify yourself for the record.

Mr. Rodrigues: I'm sorry. Hinano Rodrigues.

Ms. Aoki: Do you guys see it?

Mr. Guard: Yes. And so you've noticed that, obviously take out whether this moves forward or not, okay? And then the archaeological site next to it also part of that?

Ms. Aoki: I believe it's all on the same parcel? No?

Mr. Rodrigues: No.

Mr. Guard: 18c that says, it looks like it says archaeological site.

Mr. Rodrigues: Hinano Rodrigues again. I'm sorry. I gave you guys half an errored statement. See remember I told you the story about where the church property there's a question as to what the true church property is. So the church property that is on paper is 4-8-3:18, however, under the good grace of the land owners, they've offered, I don't know whether it's an easement or an outright grant to the portion that was taken away from us a hundred years ago. So my understanding is that that portion that was taken away from us has a separate TMK.

Mr. Mardfin: Which is what?

Mr. Rodrigues: Yes, you know, I think Mr. – I think Bill Frampton might be a better person to answer that question.

Mr. Starr: Just identify yourself.

Mr. Bill Frampton: Hi, thank you. Hinano is correct. The parcel 4-8-03:18, that's the two-acre parcel where the church physically sits today, that's two acres. However, the burials when you look at the Figure 4, the important part to call is that highway line it goes through that burial area, that's actually encroaching upon one, two, two separate other TMKs that are owned by –

Mr. Starr: Identify yourself.

Mr. Frampton: I'm sorry, my name is Bill Frampton.

Mr. Mardfin: Which are those TMKs?

Mr. Frampton: The TMKs identified as lot 18c, which is to the – if you're looking at Figure 4 to the left, 4-8-03: parcel 101 and then the second TMK isn't identified on this map, 4-8-03 looks like parcel 102, I would like to confirm that. Anyways, it does affect several TMKs. I hope that helps.

Mr. Guard: Okay, I have a question then. So I guess it obviously doesn't have anything that resembles your previous map that you gave us in this Olowalu Ekolu, right? And then the green triangle on the fringe is that part of that 16-acre lot.

Mr. Frampton: I'm sorry Mr. Guard, I don't understand.

Mr. Guard: This is your GPAC presentation that you gave us September 20, 2007.

Mr. Frampton: Yeah, that was a submittal we gave to the GPAC for the – are you asking the acreage there?

Mr. Guard: I'm just wondering – I assuming like in this scenario the county in the EA scenario they actually have to buy all this land versus this was a more a dedicated thing on your presentation.

Mr. Frampton: Correct under that option that is correct Mr. Guard. I hope that helps.

Mr. Starr: Okay, go ahead.

Mr. Mardfin: I'd like to ask your planner, earlier we heard public testimony that were a number of concerns that were expressed. Were they submitted during the comment period?

Ms. Aoki: The comments that were submitted during the comment period which was up until March 8, 2007, are all in the EA. So anything that was submitted after that was not included in the EA.

Mr. Mardfin: Thank you.

Ms. Aoki: And just for the record, the EA comment period was extended by an additional 90 days.

Mr. Mardfin: Thank you.

Ms. Aoki: You're welcome.

Mr. Mardfin: Could I ask the director something? I think it's probably the director or maybe you. If – you outlined a couple of things we could do. One would be to make an amendment to this with regard to the church that be deleted in a corrected copy. The second possibility was that we defer action today. If we deferred action at what – what would be earliest that it could come back to us for full acceptance as a FONSI?

Mr. Hunt: If you defer it we would ask that you tell us specifically what kind of information you want added. Again, this is an informational document. If there's more information that board wants let us know what that is and then our response time is dependent upon the amount information you want.

Mr. Mardfin: But if it's not more information we want, it just that we want the church deleted then that wouldn't – we could do that – it would be better to do that with an amendment?

Mr. Hunt: I think that if the information that you desire is simple and easily accomplished then we can do that with revising the document and sending a revised document the OEQC. If there's other information you want, there's been a lot of talk, a lot of testimony – if your information list gets longer and longer then at some point you need to say, well I think we need to review the document one more time. I don't know where the comfort level is on this board. Where do you draw that line, that's up to you folks.

Mr. Starr: Go ahead Commissioner Hiranaga.

Mr. Hiranaga: This is going back a little bit, but how is the upper mauka boundary of the lands to be redesignated determined?

Ms. Aoki: I'm sorry, I don't understand your question. It was based on the proposed alignment that we came up with.

Mr. Hiranaga: The proposed alignment ..(inaudible)...

Ms. Aoki: Of realigning the highway.

Mr. Hiranaga: Okay, so you used that as a guide. The potential future state highway realignment.

Ms. Aoki: Correct.

Mr. Hiranaga: Now in Figures 3, 4 and 5, certain parcels are I guess there's hashing on it or – those are the ones that are going to be redesignated?

Ms. Aoki: Those are the ones that – right, that were initially studied as far as the impacts were concerned, the environmental impacts if land use designations were made.

Mr. Hiranaga: And so when looking at Olowalu, Figure 4, we see a lot of parcels that have TMK numbers in green. What does that signify?

Ms. Aoki: They're just private parcels.

Mr. Hiranaga: So they're not going to be part of the redesignation?

Ms. Aoki: No.

Mr. Hiranaga: So there's no significance that you colored them green, the TMK numbers?

Ms. Aoki: Just to indicate – why we identified those particular parcels?

Mr. Hiranaga: Well, you said they're privately owned. So they're not going to be redesignated?

Ms. Aoki: No. Only the one with the hash marks, the striped figures will be.

Mr. Starr: I have a question which is why is, what is the necessity for having a dollar valuation in this document? It would seem that that is something that would better be left to, you know, market, or you know the will of the parties involved?

Ms. Aoki: Well, one of the comments that we got was that the developers, land owners felt that the EA was inadequate that it did not have a financial element to it, the social impact. In other words, how much is it going to cost to do this. So that was one of the things that changed from the draft EA to the final EA. So we went in. We had our consultant look at assessed values because the market is very variable. You can't make an – the best guess is to look at the assessed values. So that's why that was added in.

Mr. Starr: So that number is based on assessed value.

Ms. Aoki: Correct.

Mr. Starr: And I think everyone knows that assessed value is not directly related to market value in many cases.

Ms. Aoki: It's not. And the other consideration is that it's based on ag use. So if one were to go in and change the zoning to open space or park. That would probably in all likelihood decrease the value of that property because it is no longer developable.

Mr. Starr: Okay, members we have a motion on the floor before us and you know, it would be the preference of the chair if we could dispose of this item one way or another. You know, if we can deal with the issues as part of amendments to the motion then it would save us going through and spending many hours another time and it would allow the item to be posted. Now, you know, we have to do keep in mind that this document will not in itself do anything, all it does is open a door of possibilities and allows the department staff to move onto other things and at some point maybe some additional process in this area. Commissioner Mardfin.

Mr. Mardfin: I would like to amend the motion to have the environmental assessment delete the church properties and the burial site, the cemetery from the areas to be acquired and/or have zoning changes on. And with that amendment, that's my amendment.

Mr. Starr: Before looking for a second. I just want a clarification. Does that include the additional parcel that the land owner was willing to return?

Mr. Mardfin: It would be – I would expect that the planner would meet the people from the church

and determine the precise metes and bounds or that's too precise, identify the lot areas which should not be included in this proposal.

Mr. Starr: Okay, so that would be the existing church site plus the grave yard plus the area that is added to it.

Mr. Mardfin: Yes.

Mr. Starr: Is there a second for this motion, this amendment?

Ms. Pawsat: Second.

Mr. Starr: Okay we have a motion, an amendment that's been seconded that would delete from EA any prospect of change in entitlements for the church, existing church property, the grave yard and the property that is intended to be returned to use for the church. Commissioner Guard.

Mr. Guard: In the beginning of your presentation it sounded like we're asking for the 400 feet because we can't go for more than that. We can always go for – like it may not all become park. I believe that's kind of – like we're asking for the 400 feet because we can't go outside of that and say, oh now it's 500 feet.

Ms. Aoki: Yeah, I mean, once we move forward with the change in zoning and the community plan amendment, yeah, you cannot extend what's been identified in the EA.

Mr. Guard: Okay so in this EA similar to the church or maybe next week find out some neighbor is on the mainland right now and didn't know that her property is here too and is all of a sudden park, right we could subsequently remove those properties the next step is a community plan amendment if this goes through.

Ms. Aoki: Right.

Mr. Guard: Okay I guess, to me Figure 3 seems a little easier to digest. There's no houses there. It's not a community. Figure 4, just seems to have quite a few hairs on it that might need to be addressed before we really move forward whether it be the parks, the addition of – I mean, some of the pricing – I guess I'm nervous to move forward if the owners of the property aren't real happy with it and all of sudden we're in a room trying to negotiate with two people that aren't happy working together. Right is that – that sum it up at all?

Ms. Aoki: Well, I guess I'm unclear which, you know, what you're referring to, what needs to be cleaned up.

Mr. Guard: Well, on some of these, these proposed other areas with the larger parks, maybe a smaller one out right on the coast.

Ms. Aoki: Are you talking about just the assessed value?

Mr. Guard: Well, the valuation of it. How the county is going to purchase this for \$70 maybe up to a \$100 million I don't know. And that's for scrub land. We ran into that up at Ukumehame that we have kind of nomads land is county park right now versus I believe I've heard talk oh, let us do this and we'll outfit the park with the campground. And I don't know if that's _- I would I guess – it sounded like everyone wants to see the park or some form of it be preserved, but I would rather see a park that usable versus what I'm seeing at Ukumehame right now. And I don't know if that needs to be addressed in this and if we could do that as a today or to defer it. I don't know.

Mr. Hunt: You're suggesting you'd be more comfortable with an improved park as opposed to just open space or unimproved land?

Mr. Guard: Well, currently right now do we own that Ukumehame Park?

Mr. Hunt: The one that we purchased for \$4 million?

Mr. Guard: Yeah.

Mr. Hunt: Yes.

Mr. Guard: Is anyone using it as a park?

Ms. Aoki: Some people are. I mean, that's sort of again –

Mr. Guard: Do kids go to play, like would I – is it a destination park right now?

Ms. Aoki: The plans, that all ties in with this whole conceptual plan. You need to acquire the land or work with the developers. And so with Ukumehame that was the first step. Okay, lets buy this land. It's preserved in perpetuity for us, the county. The Parks Department then comes in and they have to make a master plan for that area. They haven't done that yet. It's not a priority for them. We just got it. One day the idea is if and when the road moves more mauka then you have that land that's now makai that can become a park. So as director, previous Director Foley mentioned this plan does not go in and identify okay, this area is going to be a parking lot, this area is going to be this. That's another, again, another step after you do the change in zoning and community plan amendment. So one day, yes hopefully there will be an expanded park there for Papalaua. That was the point of buying that land.

Mr. Starr: Okay, Commissioner U'u.

Mr. U'u: Just a comment. I'm all for a change in zoning when you go from ag to open space as long as it's not my property.

Mr. Starr: Okay, Commissioner Hiranaga.

Mr. Hiranaga: Just to clarify. So if this EA is adopted, what's the next step? It gets – what's the next step if this is approved?

Mr. Hunt: I think the technical term is you would accept the document, issue a FONSI, a Finding of No Significant Impact and the Planning staff would start working on community plan amendments and change in zonings to reflect this plan.

Mr. Hiranaga: Which would entail public hearings.

Mr. Hunt: To reflect this environmental assessment.

Mr Hiranaga: Which would entail public hearings?

Mr. Hunt: Definitely.

Ms. Aoki: That's another thing I'd just like to mention is that when you do the community plan amendment and change in zoning, any parcel and I believe Corp. Counsel can correct me if I'm wrong, but you need to notify everyone within 500 – you need to notify people because it's a public hearing.

Mr. James Giroux: I believe the change in zoning definitely has a, I believe it's a 500 foot radius. But the community plan amendment I'm not sure if – I'd have to check your guys process, but it's going to be on an agenda that comes here and that's going to be a notice. But I'm not sure if – you're talking personal notice to the surrounding area.

Ms. Aoki: I know for change in zoning you have to notify the property owner in 500, so you know, somebody that lives in the mainland if we mistakenly identify their property they're going to be notified.

Mr. Starr: Okay, members, we have a – okay before we vote on the amendment, Commissioner Hiranaga.

Mr. Hiranaga: Is there opportunity for a private individual to challenge the acceptance of this EA which would then delay the process further?

Mr. Hunt: Yes, there's that opportunity. They can appeal I believe the completeness of it.

Mr. Hiranaga: Has that happened very often?

Mr. Hunt: Not that I'm aware of.

Mr. Starr: Okay, Commissioner Guard.

Mr. Guard: Last question. So what items do we have written down that would be part of this amendment that if it went that direction for OEQC?

Ms. Aoki: The only amendment I have actually written down is the one provided regarding deleting the church property, the cemetery and what I've written down is the stolen land which is what I will confer with them because it might be that part of the TMK that Bill Frampton identified is not even

part of this. It's in the white section so it's not something we're trying to change anyway. I mean, with yours I just wrote the assessed values and how to purchase and the various alternatives.

Mr. Guard: But was the discussion of making sure all the parcels were actually identified and if the County thought they already owned it versus it was still in private ownership that would be significant difference if it went that route?

Ms. Aoki: Identify the county owned properties? I'm sorry, private –

Mr. Guard: I thought that one thing that was identified. Accuracy of who owns the property and if it's part of this potential acquisition I guess.

Ms. Aoki: Okay.

Mr. Starr: Yeah, Commissioner Guard I don't think that was part of the amendment as stated, but the Chair would welcome a further amendment after we dealt with the first one.

Ms. Aoki: So I have three.

Mr. Starr: So okay, let's deal with the first amendment and then we can deal with any other issues if that's acceptable. So voting on the amendment which is to exclude the church and related parcels. All in favor in that amendment only please raise your hand? Those opposed.

It was moved by Mr. Mardfin, seconded by Ms. Pawsat, then

**VOTED: To Approve the Amendment to Exclude the Church Property, the Cemetery and Related Parcels, as Discussed.
(Assenting - W. Mardfin, J. Pawsat, K. Hiranaga, J. Guard, B. U'u, D. Domingo, W. Iaconetti, W. Hedani, J. Starr)**

Mr. Starr: Okay, the motion passes looks like unanimously. So the amendment has passed and now we're back to the main motion as amended and we can either comment or add any additional amendment that's so desired. Commissioner Hiranaga.

Mr. Hiranaga: Yeah, I'd like to comment, I guess for the overall purpose, intent of this project I agree with it. I think if a private entity was submitted this to us it probably would not get my okay on it. But since the county is trying their best to accomplish this, I'll probably be voting for it. But I think a much better job could have been done. But I think we have more opportunity to fine tune this before it becomes law. So I'll probably be voting for it.

Mr. Starr: I know Chair would welcome an amendment that would – before posting that the county would ascertain that all of the TMKs listed in the various charts and various locations be truthed out and that it be published with the correct data. Commissioner Hedani.

Mr. Hedani: So move.

Mr. Mardfin: Second.

Mr. Starr: Okay, Commissioner Guard.

Mr. Guard: I really only went with the first amendment just to protect the church in case the EA did go through. I feel like there quite a few hairs on the EA that maybe addressed with whether it be two weeks, one month versus trying to get it through today. And I have concerns about how we're acquiring the property. It sounded like everyone wants the parks public and private side. That's not the issue, it's just how we move forward and once I heard people saying that hey we're willing to offer this completed product especially in Figure 3, that spot from Puamana on down is a excellent example of either creating a nice bikeway one day, pedestrian corridor and I just don't want to lose those opportunities by trying to force this through.

Mr. Starr: Commissioner Hedani.

Mr. Hedani: I think that what we heard today in the testimony included questions of fact and that bothers me. I think what we need to do is go through the minutes of today's meeting, try to pick out those items from the testimony that we heard where there were errors that need to be corrected and to have those errors addressed somehow in the document before it goes forward.

Mr. Starr: I think that that was the intent of the motion you made.

Mr. Hedani: Right.

Mr. Starr: Was that, you know, any knowledge up to the minute that we've received, that the department receives will be included in the document.

Mr. Hedani: Right.

Mr. Starr: Commissioner Iaconetti.

Mr. Iaconetti: I feel very uncomfortable in approving this. There are too many dangling items that have been brought up today that we can't possibly get amended today or expect to get amended. I just can't see how we can possibly do that with their improving their document. I intend to vote against it.

Mr. Starr: Yeah, that would be the proper course and then to vote to defer. But Commissioner Mardfin.

Mr. Mardfin: Just in connection – talking about the amendment at this point. The Olowalu Ekolu property that was TMK 4-8-03:124 was labeled S in the table but I notice on map 4 it's labeled green which was private property. So it was right on the map, and just wrong on the table. And so, if you find little or small factual things they ought to be corrected in a revised, not revised by the one that would go to the OECQ.

Mr. Starr: And that would be included in the amendment on the floor.

Mr. Mardfin: Yes, I believe so. The other thing I wanted to mention is that I listened carefully to

what Mr. William Frampton said and I noticed his letter where he was of December 28, 2006, and he raised a lot of I think some legitimate concerns but they seem to have been dealt with at least to my satisfaction in the response by the Planning Director on April 19th, and some of the things he raised today had missed the comment period. So I feel comfortable in supporting the acceptance of a FONSI at this stage.

Mr. Starr: Okay, can we move forward with the amendment? Commissioner Hiranaga.

Mr. Hiranaga: Earlier in the day you mentioned that if this is accepted the boundaries cannot be moved further mauka? Is that correct?

Ms. Aoki: We can't make the boundaries larger than what they've been identified in this document.

Mr. Hiranaga: Further mauka or –

Ms. Aoki: Makai, whichever way it goes. Left, right, north, south, east, west.

Mr. Hiranaga: This is it?

Ms. Aoki: Yes.

Mr. Hiranaga: So we can't redesignate other properties?

Ms. Aoki: No. If we wanted to do that, we would have to go and either do a supplemental EA or do whole other EA.

Mr. Hiranaga: That kind of raises a question as to the importance of the accuracy of the parcels being designated or identified for redesignation. That kind of raises a big concern for me.

Mr. Starr: Commissioner Hedani.

Mr. Hedani: Yeah, it's one of those things where everybody is in favor of it until you get down to the details and then nobody can agree at that point, right? I have a couple of questions actually. When we designate open space, can you develop in open space?

Ms. Aoki: There are –

Mr. Hedani: Because I've heard of projects coming forward for a development in open space.

Ms. Aoki: I don't have the code in front of me but there's two different, there's OS, open space 1 and open space – open space and open space 1 or open space 1, open space 2, anyway, OS1 and OS2, and they each have their parameters on what you're allowed to do. We chose to do the more conservative open space which would essentially allow us to do a restroom but it wouldn't let you go in and build a full fledged, you know, municipal park or anything like that. I don't know if Jeff has the ordinance there for open space.

Mr. Hunt: There's two types of open space. The open space 1 is passive, and then the open space 2 is active and as the terms convey the first one's more preservation and the second one's more recreational. The second one would allow parks, the first one –

Ms. Aoki: I think you're allowed to do it with a special use. There's exemptions.

Mr. Hunt: Yes. Yeah, it would be a special use.

Ms. Aoki: Right. So that was our intent was to try to make it passive and keep it as is as much as we could.

Mr. Hedani: The second question was, from my perspective where you have land developers that are talking about donating land, large acreages of land, 300 acres versus 30 acres, it doesn't make sense to me to try to buy it at \$800,000 or \$300,000 per acre when they're willing to give it to you for free.

Ms. Aoki: I agree. I would just like to point out to the commission that we, as been explained we've met with Makila Land and they have identified these two parcels. In every meeting I've had with them, I have never heard them say that they would donate that land to us. Yes, they've talked about separating it out which is to be commended because that wasn't the first original plan, but the terms that have been used is the county can buy it from us. That's the first point I'd like to make.

Secondly, with Olowalu and Associates, again, they have a great plan that has a lot of park acreages, it becomes a community value on whether or not we are willing to increase density in order to get that land. So I'm not here to make that decision. It's a community's decision on whether or not you – it's a trade, it's you know –

Mr. Hedani: Well, that relates to Kent's question on, you know, are we just spinning wheels at this point if we cannot expand the area from 30 to 300, if there comes down the line a proposal to donate 300 acres of land for park purposes or whatever.

Ms. Aoki: If that was your question about expanding it, if they came in with a proposal to do Olowalu Town then that would be comprehensive on their part. That doesn't mean that they can't add on more park space. They would be completely free to do that.

Mr. Hedani: So it doesn't close that option is what you're saying?

Ms. Aoki: Not at all. Not at all. You could end up with more.

Mr. Starr: Members can we dispose of the amendment with a vote? Is that acceptable? Looking so, okay we have an amendment on the floor which is that the charts and tables and TMKs be truth for accuracy and any information that's been received including today's testimony be utilized in that. All in favor of that amendment and that amendment only, please raise your hand. Raise your hand a little higher just so I can see. One, two, three –

Mr. U'u: Amendment is to what, say?

Mr. Starr: Just to check and truth out all the TMKs.

It was moved by Mr. Hedani, seconded by Mr. Mardfin, then

**VOTED: That All Tax Map Keys, Charts and Tables be Checked for Accuracy and All Information Received Including Testimony Received be Utilized.
(Assenting - W. Hedani, W. Mardfin, K. Hiranaga, B. U'u,
D. Domingo, J. Pawsat, J. Starr)
(Dissenting - J. Guard, W. Iaconetti)**

Mr. Starr: So the amendment passes. Now we're on to the main motion which is to accept the Finding of No Significant Impact of the EA document as prepared by the County with the two amendments that have been passed. That's open for discussion or possible further amendments. Dr. Iaconetti.

Mr. Iaconetti: Point of order. You didn't ask for the negative votes and if you don't, those that you didn't count are going to be considered positive. There are some of us that don't agree with that and I would rather even though we have lost I would like at least to show there were some negative votes.

Mr. Starr: That's correct action. So those voting against please raise your hand. One, two again. Okay, so let the record show there was seven votes for, two votes against and I apologize for lack of proper access on that. Okay, Commissioner Hiranaga.

Mr. Hiranaga: I keep having to ask this question but so if a parcel is not designated, is not identified for redesignation, it's not considered part of this action.

Ms. Aoki: Correct.

Mr. Hiranaga: So it would have to be a separate plan amendment, community plan amendment.

Ms. Aoki: Correct.

Mr. Hiranaga: And I guess the question is are you satisfied that you're – you've designated all the properties that you should be designating?

Ms. Aoki: Yes, I am.

Mr. Starr: Okay, members are we ready for a vote on the main – Commissioner Hedani.

Mr. Hedani: I have a question for staff. Kathleen on Figure 2, there's an area that's kind of like rectangular, square, a large yellow area called Awalu View area.

Ms. Aoki: Right.

Mr. Hedani: Is that the old dump site, it's talking about?

Ms. Aoki: Yes it is.

Mr. Hedani: And the pu'u that's around it?

Ms. Aoki: Right.

Mr. Hedani: How come it's only restricted to that? Is that only land that county owns?

Ms. Aoki: Correct. It's a state parcel. So it's government parcel so that's why it's identified.

Mr. Hedani: What about the property around it?

Ms. Aoki: It's all private.

Mr. Hedani: And you didn't –

Ms. Aoki: If you go up that line on the left-hand side of that, everything to the left is Makila, well, West Maui Land Makila, on I think one of them and to the right of it, is actually – is that state or it's state. I'm sorry. It's state, but that parcel was identified because in the Pali to Puamana Master Plan, the original master plan the idea was to maybe be able to make that a lookout site for people to watch whales or make something up there. Essentially to preserve that pu'u into open space so that it doesn't get touched. That was the idea behind it. A lot of the land more mauka of that is already in state conservation.

Mr. Starr: Okay, we're ready for the vote on the main motion unless anyone has any further comment. Seeing none, the main motion which is once again to acceptance with a FONSI with the two amendments by this body. All in favor please raise your hand. Six. All opposed, please raise your hand.

It was moved by Ms. Pawsat, seconded by Mr. Mardfin, then

VOTED: Acceptance of a Findings of No Significant Impact (FONSI) with the Two Amendments.
(Assenting - J. Pawsat, W. Mardfin, K. Hiranaga, D. Domingo, W. Hedani, J. Starr)
(Dissenting - J. Guard, B. U'u, W. Iaconetti)

Mr. Starr: So let the record show six in favor, three opposed. And thank everyone for their patience, for the good questions and staff for the hard work on this. Want to take a short recess not intermission. It's the Chair's heartfelt desire to adjourn sharp at 5:00 p.m. Lets recess for a short as possible, hopefully less than 10. As soon as most of us are back, we'll start again.

A recess was called at 4:00 p.m., and the meeting was reconvened at 4:05 p.m.

Ms. Bosco: Didn't come up in any of the extensions as something that the commission wanted and I don't normally – you know, I can't say, this was in 2001. If you would like we can add something like that, yeah.

Mr. Hedani: I don't think it's necessary since it's already built at this point.

Ms. Bosco: Okay.

Mr. Starr: Okay, Commissioner U'u.

Mr. U'u: Motion to approve.

Mr. Hedani: Second.

Mr. Starr: Just for clarification does the motion include the conditions as amended?

Mr. U'u: Yes, amended.

Mr. Starr: So any further discussion? Seeing none, all in favor of the motion to approve with conditions as amended and with the new project specific condition added by staff, please signify by raising your hand. Okay, it's unanimously. There's obviously no opposed since everyone is for.

It was moved by Mr. U'u, seconded by Mr. Hedani, then unanimously

**VOTED: To Approve the Time Extension of the Land Use Commission Special Use Permit, with Conditions as Amended.
(Assenting - B. U'u, W. Hedani, K. Hiranaga, J. Guard, W. Mardfin, D. Domingo, W. Iaconetti, J. Pawsat, J. Starr)**

Ms. Simone: Okay, thank you. I'm sure the church is very happy, so thank you.

Mr. Starr: And welcome Staff Planner Simone, but I know you'll be missed on the other side.

Before we proceed with our next three items, I had a request during the break by our former Planning Director, Mike Foley, who could not be with us earlier and cannot be with us later and he had, was wishing to give a short testimony on the Pali to Puamana and had made a request that he be allowed to testify out of order. I know that's unusual and certainly if any member objects to that we will not do it. Is there support for allowing previous Director Foley to give us his manao on this? Yeah, go ahead Wayne.

Mr. Hedani: I'd like to encourage us to go ahead and take his testimony at this time as long as his knees aren't visible on the camera.

Mr. Starr: I think that's a fair condition. Does anyone have a problem with this? Go ahead, you've got three minutes.

Mr. Mike Foley: I'm speechless. Thank you very much for allowing me to speak out of order. I had no idea that you had moved the meeting start from 9:00 a.m. to 8:30 a.m. I always had trouble getting here at 9:00 a.m.

My name is Mike Foley and I'm speaking as an individual. I live in Lahaina and I'm not representing any organization. So Chairman Starr, Members of the Commission, Director Hunt and staff, I want to briefly address the final Environmental Assessment for the Pali to Puamana Parkway project. I encourage you to adopt the environmental assessment. The commission last reviewed it almost exactly a year ago and I hope that you will accept the environmental assessment and I also want to encourage the commission to proceed as soon as possible with the community plan amendment for the Pali to Puamana Parkway and the change in zoning for the parkway area from agriculture to park.

I hope that you will not wait for the adoption of the Maui Island Plan and the new West Maui Community Plan before you change this area from agriculture to park because there will be parcels of land sold during that time that may be acquired by State or Federal or County or private non profits to help create this park. So it's important that this project proceed as soon as possible. It's been a long time in the making, the parkway.

I also wanted to very briefly correct a couple of mistakes that are in the paper this morning. There's a letter to the editor that includes a couple of mistakes about this project. The most significant of which is that from the beginning the goal of this project has been to create eight miles of open space from the Pali to Puamana or the Pali to Lahaina. It's never been the intention of having manicured parks during that whole area. There would be individual beach parks operated by the County and State as there are now with the majority of the land would be open space for surfing and fishing and public access not manicured parks. And it's never been goal for the area to be all maintained by the County. It seems like it would be an impossible solution, but rather that it be a combination of State maintenance of their parks, County maintenance of some parks and private adoption perhaps by homeowners associations of some of the areas along the eight-mile stretch and maybe a bike club would like to adopt the bike path for eight miles.

Mr. Starr: Okay, try to wrap Mike.

Mr. Foley: That's all I have unless there are any questions?

Mr. Starr: Questions for the testifier? Doc Iaconetti.

Mr. Iaconetti: Mike, I'm sure you've heard the same concerns I've heard about the likelihood that much of the shoreline will be developed by developers and rather than having it – leaving it in ag and switching it to park does that prevent development in that area?

Mr. Foley: It would be a strong step in that direction. Right now the majority of the property is zoned agriculture and it's being divided up as we speak into ag subdivisions which don't require any public hearings or any planning commission review and it's possible that parcels along Launiupoko, Makila and Olowalu would be sold and developed while, you know, we're waiting for this community plan amendment to happen and change in zoning. So changing it to park is putting people notice that

it's the intention of the County and State and the Feds to buy this property for a parkway. So yes, it would be a step in the right direction to preventing development along the shoreline. We don't know exactly how far mauka the highway will be moved, that's being studied as you know by a Department of Transportation Taskforce. I've been attending those meetings as have County representatives. But the plan is to have a parkway from the ocean up to that new alignment if possible for the entire eight miles. There would be some difference in Olowalu because there would be some development between the new highway and the old highway. But the goal is to avoid any more development right along the coastline for that eight miles.

Mr. Iaconetti: And then I'm clear that changing it to park would make it less likely or very unlikely to have private development along here?

Mr. Foley: Yes.

Mr. Iaconetti: Thank you.

Mr. Starr: Any other questions? Okay thank you for – Oh, Commissioner Hedani, please.

Mr. Hedani: Hi, you know, the concern over development on the makai side of the highway I think is a very significant one and I think the step that we're taking is in the right direction. The other thing that I noticed that's disturbing is that in the agriculturally zoned areas there's a very precious view towards the mountains that should be preserved and I'm seeing development occur in the most bizarre fashions where they're actually chopping up the top of bridges, they excavating into the side of mountain with a driveway for an agricultural use that is shibai. I mean, it's not real, it's baloney.

Mr. Foley: Right.

Mr. Hedani: And I was wondering if you had a comment on that?

Mr. Foley: Yeah, basically the problem is that there are inadequate standards or inadequate process for the review of ag subdivisions they should be reviewed by a public hearing before the planning commission. There was legislation to that effect three years ago but there was disagreement about who would have the public hearings and how large the subdivisions would have to be before they would be reviewed by the planning commission so the whole idea of having public hearings on ag subdivisions just basically got shelved about three years ago.

There are also inadequate standards regarding grading. I notice the Public Works Department is represented here but the County doesn't really have any strong standards allowing or prohibiting the grading of very steep property even if it creates future drainage problems. And only in the last six months or so have there been roads carved into that hillside above Launiupoko and above Makila and I think a lot of people are alarmed that grading was allowed. But those are private driveways and the County doesn't really have adequate regulation for grading on steep slopes. But the main thing we need is public hearings and planning commission review of large agricultural subdivisions, not one or two or three lots, but large agricultural subdivisions with, you know, 10 more lots.

I wanted to mention also that the County did purchase a hundred acres at Ukumehame for \$4 million about three years ago and the County, it would be really nice if the County put some money in the budget every year to buy a parcel or two along this eight-mile stretch because the view of the mountains is every important as well as the view of the ocean and the view is going to be changed really dramatically when the highway is moved 800 or 1,200 feet mauka.

Several years ago the taskforce on this parkway and the consultants and the staff walked the proposed alignment and we were really surprised to see how different the coastline looks when you're 800 or 1,200 feet away from it instead of right now when you're being washed by the waves.

Mr. Starr: Okay, any other questions? Okay, thank you Mike. And thanks for your work in helping preserve the shoreline.

Mr. Foley: Thank you. And thank you for letting me speak out of turn.

Ms. Starr: Okay, Director next item.

Mr. Hunt: Next item involves the Planning Department transmitted Council Resolution No. 08-05 containing a draft bill to authorize Home Occupations in various zoning districts to the Lanai, Maui and Molokai Planning Commissions. The planner in charge of this is Joe Alueta.

D. PUBLIC HEARING (Action to be taken after public hearing item.)

- 1. MR. JEFFREY S. HUNT, Planning Director transmitting Council Resolution No. 08-05 containing A Draft Bill to Authorize Home Occupations in Various Zoning Districts to the Lanai, Maui, and Molokai Planning Commissions. (J. Alueta)**

Mr. Joe Alueta: Good morning Commissioners as you know I'm your administrative planning officer and I handle your legislation and rule changes for all the commissions as well as when you get like resolutions. So there's two methods that which we could get bills or laws adopted. One can be by resolution which comes down from the County Council or one is initiated by our department. With regards to amendments to Title 19, the Charter requires that all three commissions or the commissions that are impacted by the rule change to Title 19 review it. You're allowed, there's a 120-day window in which you get to have it, where you have to hold the meeting within a certain period but you must return comments within a 120 days back to the County Council. As I like say, we don't have a zoning jail so if you don't make the 120 days no one is going to come and arrest your or me, thank you, but they do have the ability to act without your comments. So that's all.

Today we actually have one resolution from the County Council dealing with home occupation and then we also have two other ordinances that are initiated by our department. The first one is, again, is the resolution coming out of the County Council. You have till June 4, 2008 based on my calculations to return comments back to them.

Basically what this bill does is establish home occupation. There's currently a definition within the Maui County Code called defining what a home occupation is. I copied that out to give you an idea

LOWALU LANAKILA HAWAIIAN CHURCH

P. O. Box 1564, Lahaina, HI 96767

April 22, 2008

Maui Planning Commission
c/o Department of Planning
250 South High Street
Wailuku, HI 96793-2155

RE: Final Environmental Assessment – Community Plan Amendments and Change in Zoning – Papalaua to Puamana, Lahaina District, Island of Maui TMK (3) 4-7-001 (various); 4-8-002 (various) and 4-8-003 (various) dated March 19, 2007

To Whom It May Concern:

We respectfully request that the Planning Commission reject the above referenced Environmental Assessment on the grounds that acceptance, contrary to Planning Department assertions, will indeed have **significant negative impact** on the members of our church and the Olowalu community - socially, culturally and historically.

Our “Hawaiian-Christian” church has formally existed in its current form on the property shown as TMK # 4-8-003: 018 since 1994 on land that is owned by the United Church of Christ – Hawaii Conference Foundation. In fact however, a “Hawaiian-Christian” church in some form and structure has existed on this property since the 1830’s (please see attached Maui News article dated November 24, 1996 for a reference story). Our church moderator, or president, can tell you that she has attended church services on this property throughout the nearly 80 years that she has spent in Olowalu.

Imagine our surprise this past weekend, when we were notified by friends of the church, that today’s meeting would result in the elimination of our church – that the Planning Department, with no notice to anyone in our congregation, let alone the owners of the property, intended to change the zoning for our property to “open-space”. A designation that would clearly prevent us from continuing our services in our beloved church.

During my short, but active involvement with this church I can tell you that it has been the scene of many christenings, weddings, funerals, burial services, community meetings and gatherings. On the night of the horrific fire in Olowalu this past year, the grounds and facilities were opened up to residents of Olowalu who had lost their homes to provide them shelter. Within the past few months, the church hosted a lunch for the 50 or so members of our community who participated in “Olowalu clean-up” day that was organized by the West Maui Land hui.

I can tell you, as I attempted over the past two days to digest some of the 537 pages of this assessment I was surprised to see that there were multiple references to our church by the Department’s hired experts in the Appendices. Yet there is no evidence that any

LOWALU LANAKILA HAWAIIAN CHURCH

P. O. Box 1564, Lahaina, HI 96767

effort was made by anyone in the Department to investigate what impact would result by this zoning change.

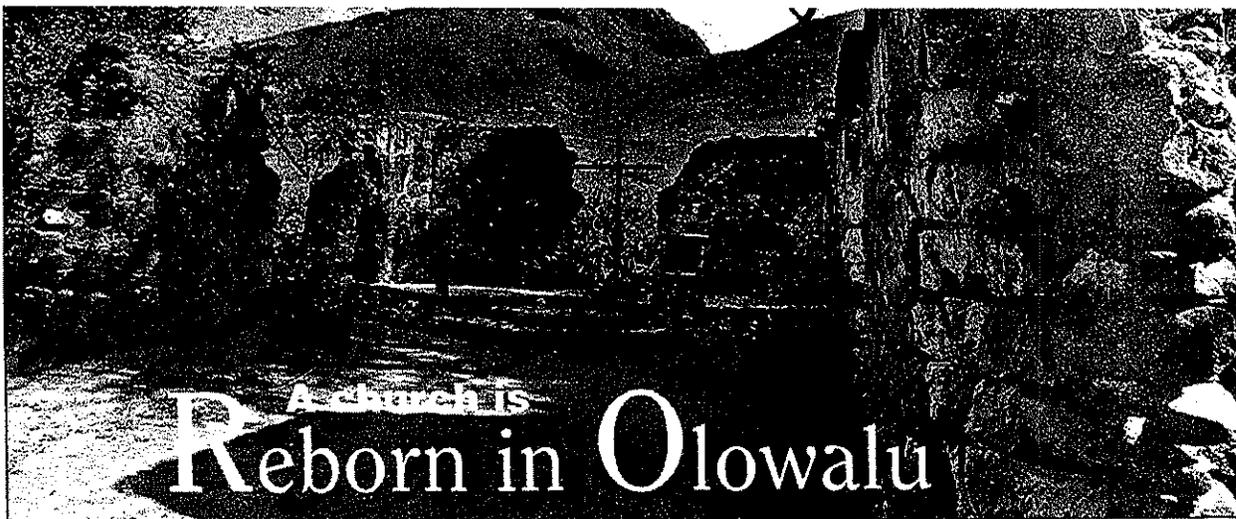
I can also tell you that the members of our church have scrimped and saved for years to build up a fund for the restoration / rebuilding of our chapel, that was burned nearly to the ground by a cane fire back in the 1930's. The member's of our church are not wealthy by any means, but over these past 14 years of existence, we have accumulated nearly \$500,000.00 for this purpose.

In conclusion, please send the Planning Department back out to the community to truly investigate the negative and positive impacts of this Assessment. Tell them to hold meetings in the community that is being affected (Wailuku meetings are dominated by Wailuku residents – Lahaina meetings are dominated by Lahaina residents). Hold future meetings in Olowalu (the multi-purpose room at our church is open for such a gathering). Given the huge mistake the Department is making related to our property, what else have they blown it on???

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Johnston", with a long horizontal flourish extending to the right.

Bill Johnston
Church Treasurer



Reborn in Olowalu

By LIZ JANES
Staff Writer

11-26-96

The spirit moves among the ancient stones. The mountains, more inspiring than any stained glass could be, provide a backdrop to a simple, white wooden cross. The floor is earth; there are no doors or windows, not even a roof to hamper the wind that sweeps down the West Maui valleys like the breath of God.

Olowalu Lanakila Hawaiian Church is a small treasure nestled between Teen Challenge and acres of sugar cane. The church is very old, built in 1835 under the direction of the Rev. E. Spalding, and dedicated in 1836.

Abe Kaahue and Adeline Rodrigues are brother and sister whose lives are entwined with the church. They talked about the history of the place, sitting on plastic chairs in the midst of ancient walls and ancestral memories.

Both live in Olowalu, just about a block from the church. Adeline is the Church Council president and Abe is a member of Waiola Church in Lahaina, but has acted as advisor for the reactivation of the church and its reception into the United Church of Christ in ceremonies last month.

When Olowalu Lanakila Hawaiian Church was first built, Olowalu and Ukumehame were large, thriving communities of mostly taro farmers, Adeline explained.

The building stones were passed hand to hand in a human chain from the mountains to the building site, the same mountains that protect the tiny church today. The mortar was created from coral, crushed and boiled, and the roof made from pili grass.

"Sometimes as I sit here, I have a vision of the people who handed the stones hand to hand," Adeline said. "It almost makes me cry."

David Malo preached at the church in 1840. Over the years, so did Kihiko'i, Puuloa, Keapuni and Kamakahiki, one of Queen Kaahumanu's spiritual advisors.

In 1868, with nearly 250 members, the Olowalu church separated from the mother church, Waieae in Lahaina, and became an individual entity. The services were held in Hawaiian.

At some time the pili grass roof was replaced with a wooden one, but

Membership dwindled as members of the community died or moved away. There was no longer enough water for taro farming and people migrated into Kahului or Lahaina where there was work. Only the Kaahue family remained.

Church services were held once a month in the Kaahue home. The church remained empty.

In 1957, members of the church sent a letter to the Hawaiian Evangelical Association (now the United Church of Christ) to use the property for a camp for youth groups and retreats.

"My dad (John Hookii Kaahue) dreamed of building cottages," Adeline said.

The dream was realized when permission was given to turn the area into a retreat and camp center with individual (then) Congregational churches throughout Maui, Molokai and Lanai building their own cottages. Many did.

In the early 1970s, the tri-isle church council, Aha Moku-puni O Maui Molokai A Me Lanai, took over jurisdiction of the church property and it has remained under that aegis ever since.

The last minister to serve the small membership at Olowalu was the Rev. John Kukahiko, a circuit preacher who served parishes from Honolulu Valley to Kahakuloa.

The church was left to the wind and the mountains. Birds sang where once Hawaiian hymns echoed. The keawe tree that had grown out of Abe and Adeline's great-grandfather's grave grew tall and spread its branches in a natural roof and sent its roots through the final resting places of a number of those who had worshipped inside the walls.

Most of the graves are the old style, marked only by borders of the same stones of the church walls. Two newer, marked graves, dating from the 1940s, belong to Lily and Junsaburo Fujishiro, Abe and Adeline's grandparents. Adeline knows who some of the graves belong to, but the names of others who rest beside the old church have been lost.

But in 1994, the move began to reactivate the church and services were held there again. A letter was sent to the president of the tri isle council and last month, the Olowalu Lanakila Hawaiian Church was officially reborn.

"They come from all over," Adeline said of the current church membership. "From Kihei, Lahaina, Hana, Wailuku. Some were members before, like my children. They come with their families."

Young people are joining the church which now has 31 members, nine of them children.

"They say they were looking for a church that appealed to younger people," Abe said. "They like the informality, the warmth."

Many of the members want to keep the church just the way it is, without a roof, open to the sky and the mountains. The long-range plan is to build a multi-purpose building to use for worship during bad weather, for classes and for meetings.

"Our primary purpose is to evangelize," Abe said. "To reach out into the community and touch the hearts and minds of people to become rooted in this church."

The church has no pastor. Albert Fujishiro and Abe take turns delivering the sermon at the twice monthly services. Many of the hymns are sung in Hawaiian and some scripture is read in Hawaiian, but the sermons are always in English.

For more than 160 years, the mountains have kept an ancient vigil over the church born of their own stones and the coral of the eternal ocean.

The little church is growing again and the reason is simple. To enter Olowalu Lanakila Hawaiian Church is to look upward. It's as if the psalmist were thinking of this very place when he wrote, "I will lift up mine eyes unto the hills ..."



Brother and sister, Abe Kaahue and Adeline Rodrigues, are leading efforts to bring the historic church back to life.



This photo from Adeline's collection shows the church sometime prior to the fire that destroyed its roof in 1930.

in 1930, the roof caught fire from a cane spark and burned. A few remnants of charred wood remain among the stone walls. Before the fire, Adeline was one of the last people to be baptized in the old church by the Rev. Kamae Opili.

The Olowalu Sugar Company agreed to provide the labor to replace the roof if church members would supply the material, Adeline said. But Pioneer Mill took over Olowalu Sugar around that time and since there was no written agreement, the roof was never replaced.

The church building was left idle, but services went on. In 1934, the church bought the former Olowalu government school nearby and, until 1948, held services in the teacher's cottage, the place where Adeline had been born.



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April 22, 2008

Maui Planning Commission Members &
Jeff Hunt, Director
Planning Department
County of Maui
250 S. High Street
Wailuku, Hawaii 96793

Subject: Final Environmental Assessment for Community Plan Amendments and
Change in Zoning, Papalaua to Puamana, Lahaina District, Island of
Maui

Dear Mr. Hunt and Maui Planning Commission Members:

Thank you for the opportunity to provide comments on the above referenced
Final Environmental Assessment (EA). These comments are provided on behalf of
Makila Land Co., LLC (Makila).

I have been retained by Makila to focus on long range planning alternatives for
land holdings in West Maui. Makila's makai properties abut Honoapiilani Highway for a
distance of approximately 2.5 miles along the shoreline in the Launiupoko area.

Makila is in general support of the Pali to Puamana (P2P) Plan. The
question is not IF a continuous coastal preservation corridor along this stretch of
shoreline will be created, the question is HOW and WHEN? As outlined in our previous
comments on this Environmental Assessment, all of Makila's plans provide for the
establishment of a coastal preservation zone, which could accommodate coastal road
realignment and/or coastal park expansion.

P2P Plan. Figure 2 in the Final Environmental Assessment represents the "Pali
to Puamana Plan", dated February, 2005. In the Launiupoko area between the Olowalu
landfill and Puamana, ie, the Makila lands, the P2P Plan recommends a mauka
expansion at Launiupoko Park with the existing coastal highway remaining in place.

Makila Plan. As a way to address this plan, Makila first discussed and then
submitted to the county concept plans which would create lateral park/open space
expansion along this 2.5 mile stretch of coastline, not just at the Launiupoko Park
expansion. Makila formally submitted these plans in August 2006.

Draft EA, December 2006. Consistent with Makila's plans, the land use
designation maps in the P2P Draft EA were amended to show the possibility of this
lateral expansion. Although the 2006 land use designation maps differ from Makila's
maps in detail, the general concept of a continuous coastal preservation corridor



Mr. Jeff Hunt, Director
Re: P2P Draft EA Comments
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remains the same and we are hopeful that we can work with the county to make this dream a reality.

Draft Final EA, March 2008 – Inadequate Decision Making Tool. The purpose of an Environmental Assessment is to provide accurate information and analysis upon which to base future decisions. It is a disclosure document, which should provide sufficient information to analyze alternative courses of action and the full impacts associated with the preferred course of action. Unfortunately, the Final EA which is before the Commission today, is somewhat lacking in terms of technical details, consistency and the lack of adequate responses to comments received during the Draft EA process. In this regard, we offer the following:

Lack of discussion on the proposed roadway network and circulation plan. The proposed expansion of coastal recreational areas along the P2P corridor is not complete without a discussion of transportation facilities. Transportation facilities and coastal access along the P2P coastline are inextricably linked. In commenting on the Draft EA, the State Department of Transportation asked the Planning Department *“to expand on the proposed roadway network and circulation plan envisioned for local roads and the highways that is to serve and connect to the various land use areas”*. Makila offered similar comments. Despite these requests, there is conflicting or unclear plans for local roadways.

Inaccurate characterization of Natural Hazards. The discussion on Natural Hazards is inaccurate. First, the Civil Defense tsunami evacuation maps are not evidence of risk of direct impact from tsunami and are not intended to be used as building setback lines as suggested in the EA. Rather, it is the FEMA Flood Zone maps that indicate areas prone coastal flooding from tsunami. It is also the FEMA maps which are used by the County to establish building guidelines within designated flood zones, not the Civil Defense evacuation maps.

Second, the FEMA Flood Zone maps do not consider risk from storm surges or “run up of the ocean during storm events.” The statement in the EA that says the current coastal flood zones designated by FEMA represent potential inundation from storm surges is **WRONG** and could actually **UNDERESTIMATE** impacts from coastal processes. Given the importance that this document (and the public) places on avoidance of natural coastal hazards, these inaccuracies are troubling.

Project Segmentation. While the EA does provide costs estimates necessary to proceed with land acquisition, the document does not address the many steps necessary to implement the plan. Planning’s response to Makila stated: *“You are*

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Mr. Jeff Hunt, Director
Re: P2P Draft EA Comments
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correct that the proposal forwarded in the EA has many steps and phases beyond this EA phase and we will attempt to detail these steps and phases in order that decision makers have complete view from the policy making level, through the development planning and design phases, and finally construction", but, there is no attempt by the Planning Department to address these steps in the March 2008 document.

Inaccurate statements regarding landowner plans. The document makes generalized statements that private landowners have not submitted formal proposals to the county. The document also summarily categorizes all such proposals as involving a request for higher densities than what current zoning. Both of these statements are false and are contradicted by Makila's EA comment letter dated 3/8/07.

In closing, Makila endorses the concept of a coastal preservation zone along this section of Maui coastline, however, we also recognize the complex sequence of actions which must be taken to make this vision a reality. We hope that careful consideration will be given to the many important issues involved. We look forward to working in a positive manner with the Planning Department and Planning Commission for the benefit of future generations of Maui residents.

Respectfully submitted,

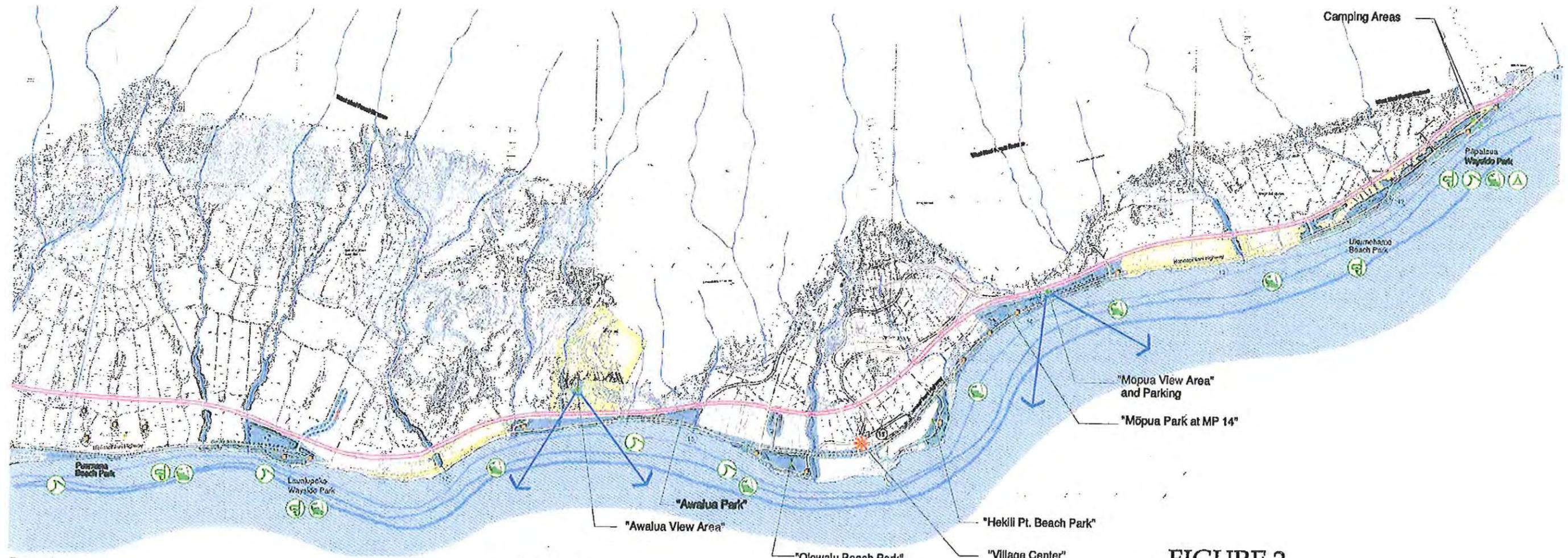


Rory Frampton
Land Planning Consultant
Makila Land Co., LLC

Cc: Chester Koga, RM Towill
Brennan Morioka, State DOT
Kathleen Aoki, Maui Planning Department

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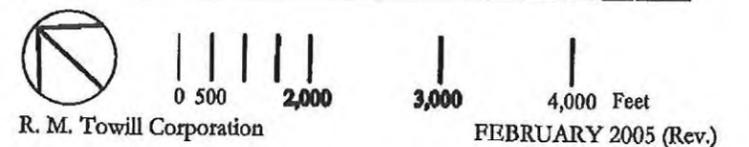
Legend

- | | | |
|--|--------------------|-----------|
| Proposed By-Pass Road | Park Landscape | Forest |
| Exstg. Honopiʻilani Hwy | Natural Open Space | Surf |
| Proposed Multipurpose Pathway (Honopiʻilani Hwy Alignment) | Trees | Fish |
| Main-Makai Access | Streams | Mile Post |
| | Park Structure | Views |
| | Camping | |

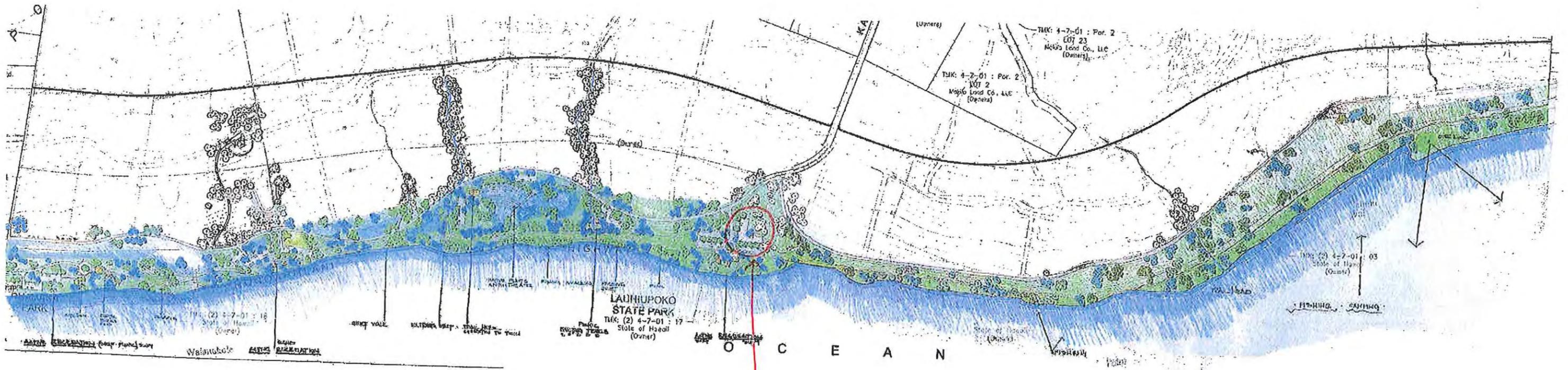
Typical Section



FIGURE 2
Change in Zone and Community
Plan Amendment Proposal
Pali to Puamana Parkway
 County of Maui, Hawai'i

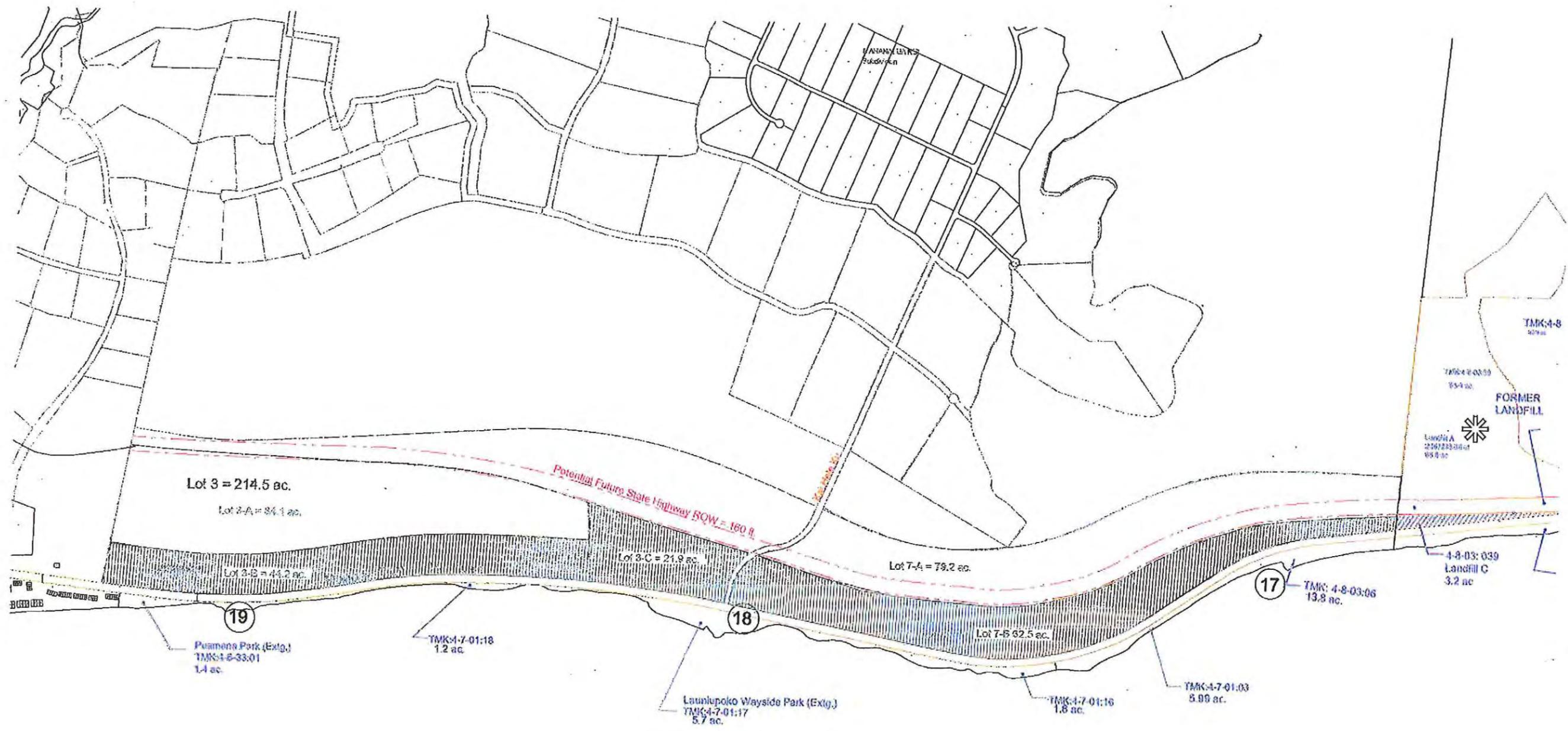


MAKILA LAND CO., LLC



Existing Launiupoko Overflow Beach Parking

May 2006



LEGEND

- Potential Future State Highway Realignment
- Existing Highway
- Milepost
- State/County Lands - Land Use Change Proposed
- Private Property - Land Use Change Proposed

FIGURE 3
Proposed Land Use - Launiupoko
Pali to Puamana Parkway
County of Maui, Hawaii

0 500 1,000 2,500 Feet

R. M. Towill Corporation
 November 2006
 13

OLOWALU EKOLU

2073 Wells Street - 101
Wailuku, Hawaii 96793
ph: 249-2224 / fax: 249-2333

APR 22 10:01

April 21, 2008

Maui County Planning Commission
c/o: Mr. Jeffery Hunt, Director
Planning Department,
250 South High Street
Wailuku, HI 96793

SUBJECT: Final Environmental Assessment for Land Use Redesignation - Community Plan Amendment and Change in Zoning; Papalaau to Puamana; Lahaina District, Island of Maui. Tax Map Key: (II) 4-7-001 (various); (II) 4-8-002 (various); and (II) 4-8-003 (various).

Dear Jeff Hunt,

Olowalu Ekolu, LLC (Ekolu) is a hui of land owners who own a single parcel of land which is situated between the shoreline and the Honoapiilani Highway, approximately 1,500 feet north of Olowalu General Store. Ekolu's property has an area of 16.086 acres and is specifically identified as Tax Map Key: (II) 4-8-003:124. See **Exhibit No. 1**. We have reviewed the above-referenced Final Environmental Assessment (EA) and we are submitting this letter to inform you that we have significant objections to the subject Final EA due to multiple critical errors that remain unaddressed.

The Final EA has been prepared in support of the County's proposed land use redesignations, specifically a Community Plan Amendment (CPA) and a Change in Zoning (CIZ). The proposed land use redesignations are being proposed by the County in order to implement their proposed Pali to Puamana Master Parkway Plan (P2P). The subject Final EA is flawed inasmuch as it does not fully adhere to the rules and requirements of Hawaii's environmental review system, including Hawaii Revised Statutes Chapter 343, as well as, Hawaii Administrative Rules (HAR) Title 11, Chapter 200. In addition, the purpose and need analysis in Section 2.3 of the Final EA is not accurate and presents an incorrect conclusion. As we will outline below, the formal "Acceptance" of the Final EA, and the simultaneous determination of a "Finding of No Significant Impact" (FONSI) would be incorrect and misleading to the public and our decision makers.

Background - We note that this is not the first time that Ekolu has expressed concerns related to the proposed actions described within the Final EA. Rather, this letter serves as a follow-up and continued effort dating back to 2004, including meetings and letter correspondences with the Planning Department. See

Exhibit Nos. 2. During all of our earlier meetings and letters, we have expressed concerns regarding both the subject EA, as well as the conceptual plans for the P2P.

Analysis - The following will identify and describe how the Final EA is defective and not in compliance with specific sections of the rules and requirements which govern environmental assessment in Hawaii, including HRS Chapter 343, as well as, HAR Title 11, Chapter 200.

I. Segmentation or Piecemeal Approach Not Permitted - The rules and requirements which govern the preparation and processing of environmental assessments prohibit the segmentation or “piecemeal approach” of proposed actions which are part of a much larger action. Specifically, HAR §11-200-7 notes that:

“a group of actions proposed by an agency shall be treated as a single action when:

- a) The component actions are phases or increments of a larger total undertaking;*
- b) An Individual project is a necessary precedent for a larger project; and,*
- c) An Individual project represents a commitment to a larger project.”*

Section 2.1 in the Final EA clearly notes that *“this Final EA assesses the impacts of **one of the methods** of corridor protection available to the County, namely its power of land use designation”* (emphasis added). Section 2.2 includes the statement *“this Final EA is **limited** to the proposed land use changes and does **not** address the development of the redesignated lands for open space or recreation uses. Separate environment documents will be prepared to address specific development proposals”* (emphasis added).

However, as noted in the Final EA, the proposed land use redesignations are being proposed by the County in order to implement their proposed Pali to Puamana Master Parkway Plan (P2P). The Final EA notes the P2P plan included the possibility of the State Department of Transportation (SDOT) widening and relocating a portion of the Honoapi’ilani Highway. The Final EA includes colored renderings of conceptual plans which clearly identify future park land, including names of parks, along with proposed uses and structures. In addition, the colored exhibits identify a new corridor for the relocated Honoapi’ilani Highway. This new highway alignment is drawn to scale and is shown further inland and mauka of the existing Honoapi’ilani Highway, which is essential to the carrying out the plans for P2P.

From its inception, an integral part of the P2P has included the relocation of the Honoapi’ilani Highway to a more mauka alignment, and the subsequent physical improvements of a substantial portion of the land below this new alignment into park land to be available to the community for recreational activities. As such, rather than try to segment out or piecemeal the above related group of actions, the Final EA must include in its environmental assessment all of the related actions as part of a single action. The Hawaii Supreme Court, in the recent decision about the Hawaii Superferry held that an action could not be viewed in a narrow light, and that all secondary impacts of a

proposal must be considered. By segmenting out the land use redesignations from part of the larger action, the Final EA erroneously limits its scope and assessment to a “single action.”

Inasmuch as the proposed action as described in the Final EA reasonably appears to be part of a larger project a determination of “Finding of No Significant Impact” (FONSI) for a Final EA which only assesses one aspect of a project would be incorrect and misleading to the public and our decision makers.

II. Failure to Include Reasonable Alternatives - On July 13, 2007 we submitted to your department a letter in which we respectfully requested that your department include in the EA an economic analysis and feasibility assessment related to the purchase privately owned coastal lands in Olowalu, and examine possible alternatives to the proposed action including continued discussions with Ekolu regarding a possible joint public/private partnership to accomplish the goals and objectives of the P2P Plan. We are including this July 13, 2007 letter to be part of this subject letter, and as such, it is attached to this letter as **Exhibit No. 2**. Included within the July 2007 letter were an overview of Ekolu’s proposed plans for their property in Olowalu and a brief analysis of how Ekolu’s plans include the implementation of a portion of the proposed P2P improvements which could ultimately result in substantial cost savings to the taxpayers of Maui. We have not received a response to our July 13, 2007 letter, nor is it referenced or included within the Final EA. While we recognize that the deadline for comment letters for the Draft EA was **March 8, 2007**; we note that our July 13, 2007 letter was submitted in response to our May 2007 meeting with the Planning Department in which you requested that Ekolu provide you with further information related to Ekolu’s proposed plans. Further, the May 9, 2007 meeting was a direct result of the **April 24, 2007** Maui Planning Commission meeting, in which a member specifically requested that the Planning Department meet with Ekolu to discuss various alternatives for the P2P to be included within the Final EA. As such, we feel it is reasonable and rational to anticipate that the July 13, 2007 would be included as a legitimate comment received as part of the Draft EA, and as such, it would warrant a response. However, Ekolu has not received a response from the planning department or its consultant; and the Final EA does not include a reference or any acknowledgment of our July 13, 2007 letter.

Instead, Section 3.7 of the Final EA notes that the Planning Department has not received any formal request or submittal of proposed plans for the Olowalu projects. This is an erroneous statement. In fact, on several occasions, Ekolu has provided to the Planning Department details of its proposed alternative development plans. Most recently, Ekolu submitted such information in its July 13, 2007 letter (see attached); and further, on **September 6, 2007** a detailed description of Ekolu’s plans were submitted to the Long Range Planning Division at their request as part the update of the General Plan for Maui. (**See Exhibit No.2&3 - General Plan Update Submittal from Ekolu**).

Section 2.6, Alternatives Considered, of the Final EA is very limited in scope and does not provide an adequate assessment of other reasonable and viable alternatives. While the Final EA technically lists four (4) alternatives; including the preferred alternative, the Final EA does not include other reasonable and viable alternatives which could attain the objectives of the proposed action. In each case, or alternative, the

analysis of the options should include a comparative evaluation of the environmental impacts and/or benefits, the financial costs, and risks associated with the proposed action and each reasonable alternative. The Planning Department has received adequate information from Ekolu which warrants that it be included in the discussion and assessment of viable and reasonable alternatives to the proposed action.

III. Failure to Assess Cumulative Impacts - Section 9, Findings and Conclusion, of the Final EA notes “*it is anticipated that an Environmental Impact Statement (EIS) will not be required, and that a Finding of No Significant Impact (FONSI) will be issued for this project.*” Yet, according to the definitions contained in HAR §11-200-2, Cumulative impact “*means the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over time.*” As noted in the previous section above, the Final EA reasonably appears to be part of a larger project; however, the Final EA only provides a limited assessment of possible environmental impacts of an initial segment, or first phase, of a larger project.

When added and combined to the other reasonably foreseeable future actions which have been an integral part proposed P2P from the onset; such as, but not limited to, the proposed physical relocation of a significant highway, the proposed physical park improvements (i.e. park structures, parking lots, potable/non-potable water, bathrooms, etc...), it is likely that there could be significant cumulative environmental impacts. Thus, it is erroneous for the Final EA to conclude that it is anticipated that an EIS will not be required, and that a FONSI will be issued for this project since the Final EA fails to address possible or likely cumulative impacts.

IV. Lack of Financial Feasibility and Risk Assessment - The definitions contained in HAR §11-200-2 note that “*Significant Effect*” includes “*economic effects.*” Section 3.7, Social-Economic Characteristics, in the Final EA attempts to determine whether the proposed action will have an adverse effect upon the social and economic characteristic of the community. The Final EA tries to demonstrate this possible impact by including an abbreviated and shortened financial assessment of the valuation of privately owned shoreline property along the project area. In the area of Olowalu, the Final EA proposes it should purchase the privately owned shoreline property as a form of mitigation towards the reduction in value of land caused by the redesignation of the land uses. The Final EA uses the 2007 Real Property Tax Assessment to establish a “market value” of the shoreline property on a per acre basis. The values stated in the Final EA range between \$300,000 to \$400,000 per acre. However, these numbers are drastically below the real market value of shoreline front property. In stark contrast to the Final EA’s valuation used for shoreline front property, a recent real estate appraisal prepared by a third party Professional and Licensed Real Estate Appraiser established two land values in Olowalu. The first was \$736,000 per acre based upon market value of a 25 acre parcel, and the second was \$1,945,000 per acre based on a 2 acre shoreline parcel. To simply rely upon dated Real Property tax assessments to establish a value for which the

taxpayers of the County of Maui would have to pay to private land owners is misleading and careless. The total estimated amount of money the Final EA claims would be required to purchase the privately owned land is \$12,500,000 for a total amount of 32.1 Acres. The values reported in the Final EA are not realistic and is therefore misleading. At a minimal, an real estate appraisal prepared by third party Professional and Licensed Real Estate Appraiser should have been included as part of the Final EA in order to establish realistic market values for the land within the subject corridor. This would have gone a long way towards providing the public and decision makers with adequate information as it relates to both feasible alternatives, as well as, to make informed decisions.

Of critical importance is that Table 6 in the Final EA contains inaccurate information; and as such, the total acreage, the ownerships, and the land use designations are incorrect and confusing. Table 6 incorrectly identifies Ekolu's 16.086 acre property (i.e. TMK: 4-8-124) as being owned by the State of Hawaii. Thus, the total acreage that the Planning Department proposes to redesignate and purchase (i.e. 32.1 acres) may be off by approximately 50%, which would significantly affect the accuracy of the suggested tax payer's purchase price for the private property in Olowalu. Moreover, the property values of the shoreline property provided in the Final EA are significantly under valued and are not realistic. The Final EA has failed to provide an adequate financial feasibility and risk assessment of the preferred alternative in order for the general public to comprehend the likely economic and social impacts of the financial feasibility and responsibility of the County trying to acquire the shoreline property in Olowalu. Furthermore, the Final EA does not accurately set forth a complete or accurate picture of the economic impact of the P2P Plan because there is no consideration for the present cloud placed over Ekolu's property by the County's actions. The P2P Plan has not been adopted, yet the County has treated the Plan as if it has the force and effect of adopted law. Treating Ekolu's fully-entitled property as open space or park results in a taking of this property at its fully-entitled value. Consideration must be given in the Final EA to the economic impacts of these actions.

Taking into account the foregoing, we believe that the EA for the P2P Plan should include an economic impact analysis related to the above possible options as compared to the taxpayer dollars and resources which would be required to implement the P2P Plan. The inclusion of such an analysis and information in the EA would provide our County decision makers with valuable information to be used to make well informed decisions. In the spirit of cooperation, our earlier referenced July 13, 2007 letter offered to your department information that we have related to the financial feasibility and analysis of land acquisitions in the Olowalu area. In view of the fact that the proposed project could require a substantial amount of public funds and resources to put into action, we are stress the importance that your department include in the Final EA an economic analysis and feasibility assessment related to the purchase privately owned coastal lands in Olowalu and examine possible alternatives to the proposed action including continued discussions with us regarding a possible joint public/private partnership to accomplish the goals and objectives of the P2P Plan.

V. Assessment of Purpose and Need of Proposed Action - The following is an examination and summary of our concerns related to the six descriptions of the P2P objectives as featured in Section 2.3, Purpose and Need for Proposed Action, in the Final EA. This detailed consideration of each of the six objectives reveals major flaws with each justification for the purpose of this Final EA application.

1) “to implement the goals and objectives of the Pali to Puamana Master Plan” - The Pali to Puamana Master Plan has not been adopted by any governmental authority, including citizen advisory groups. The origins of the plan stem from the work of an advisory group formed by the prior Planning Director, Michael Foley. This advisory group never reached official consensus on the Pali to Puamana Master Plan. In fact former Planning Director Michael Foley has publicly stated that the group was strictly set up as an advisory group and that consensus on the plan was not reached. We want to be clear that while we do not disagree with some of the goals within the P2P; however, we are concerned about how it gets implemented. Since the Pali to Puamana Master Plan has not been adopted by any governmental authority, the document should only be viewed as an opinion advanced by a single Department of Maui County and not an adopted plan which would include review and approval in a “public forum.” To reiterate this Plan has not been adopted or approved by any official governmental Board or agency outside of the Maui County Planning Department.

2) “to implement the goals and objectives of the General Plan of the County of Maui” - As discussed on pages 51-55, the existing General Plan was adopted September, 27, 1991. The goals and objectives outlined on these pages do not require a change in zoning for TMK (2) 4-8-003:124. The land is currently designated Agriculture (State Land Use Designation – Agricultural, Community Plan – Agricultural, and County Zoning – Agricultural). The existing Community Plan goals and objectives will be met under the existing Agricultural entitlements. Due to the existing Agricultural Ordinance, this property has no future subdivision potential. All of the goals and objectives of the existing General Plan are met with the existing zoning of Agriculture.

In addition, a new Maui County General Plan is currently being produced by the General Plan Advisory Committee. It seems prudent to wait for the results of the update of the General Plan to confirm the P2P plan’s adherence to it.

3) “to implement the goals and objectives of the West Maui Community Plan” - The West Maui Community Plan was adopted in 1996. The subject property was designated Agricultural in the 1996 West Maui Community Plan. Given the significant 16 acre size and location makai of the existing Honoapi’ilani Highway, the West Maui Community Plan would have specifically referenced this parcel or designated it Park if that was the intent of the goals and objectives of the West Maui Community Plan. To be more specific, the WMCP in its *Social Infrastructure* section point number 3 (page 45) states that “*resource-oriented regional park facilities and public access along the shoreline*” should be provided “*except for the agriculture*

designated lands makai of the highway at Olowalu” (emphasis added). The subject Final EA actually states, in its *Alternative Land Use Proposal* section (page 10), “if an existing parcel is currently designated Agriculture...and is makai of the existing highway and the proposed highway, the parcel designation will be changed to Park.” It is disingenuous for the Planning Department to assert that it intends to implement the goals and objectives of the WMCP when it plainly states in the subject EA that it proposes to controvert the WMCP’s stated aims. The fact that the land was designated Agricultural and that preservation of this use was specifically described is concrete evidence that the 1996 update to the West Maui Community Plan did not intend to designate this area Park. The Planning Department’s contention to the contrary is factually incorrect.

The language of the Community Plan even contemplated the idea that large scale agriculture would possibly be eliminated in this area, but specifically states that an agricultural use should be maintained makai of Honoapiilani Highway at Olowalu. The existing designation of Agriculture clearly implements the goals and objectives of the West Maui Community Plan. The specific reference to development of a public park in the Olowalu area is located around the “Camp Pecusa” site which is also makai of the highway on the opposite end of Olowalu located approximately 1 mile to the South of the subject property.

However, as stated above, the General Plan and Community Plans are now in the process of being updated. The update of the General Plan is underway and will include designation of Urban and Rural Growth Boundaries. The owners of the subject property have provided information to the Planning Department and the General Plan Advisory Committee (GPAC) requesting a change in the land use designations to include Urban, Rural, Agricultural and Park on this property. The only reason that the owners of the subject property have not yet formally submitted entitlement applications to seek changes to its land use designations is that they are respectfully waiting for the work of the GPAC to be completed. However; it is important to remind the department, as noted earlier, that we have formally submitted detailed proposed plans for the property.

4) “to limit development makai of the proposed Honoapi’ilani Highway realignment” - The subject property is currently makai of the existing Honoapi’ilani Highway. As stated above, the Community Plan designates this parcel Agricultural. Limiting development makai of the proposed Honoapi’ilani Highway is not discussed in the General Plan, Community Plans, or Zoning Ordinances.

In addition, the Honoapi’ilani Highway’s future corridor has not yet been determined by the State of Hawaii Department of Transportation and is still in a very active phase of discussion. In fact a State DOT Committee called the “Honoapi’ilani Highway Widening/Realignment Task Force” is currently meeting to discuss various alternatives for the future of the Highway. The P2P Plan has not been adopted, and has no present validity. As such to contend that there is a single proposed Honoapiilani Highway realignment corridor on which to base a park plan is error.

5) “protect public health and safety by limiting development within the tsunami inundation zone and areas subject to flooding” - The County of Maui protects health and safety within tsunami inundation zones and areas subject to flooding through the implementation of Maui County Code Chapter 19.62 Flood Hazard Areas. Within the Chapter 19.62.010 Legislative Intent, the chapter is specifically designated to “1. Protect human life and health and promote the general welfare”. As such, these rules govern the use of lands within various tsunami and flood limits. Chapter 19.62 does not utilize the tsunami evacuation zones referenced in Section 3.5.1 of the Final EA. The adopted limitations (Chapter 19.62) within tsunami zones utilize the FEMA regulations which qualify the “V” zone as areas facing threats of tsunami inundation. The subject property has no areas which are qualified as “V” zone or subject to potential tsunami inundation under Chapter 19.62. The subject property is split between Zones “C”, “B”, and “AO 1ft.”. All of these flood zones allow some buildings within their respective flood zones. Further, any future buildings would be required to obtain a building permit. During this process the Planning Department’s Zoning and Enforcement Division evaluates the possible flood and tsunami issues facing all proposed buildings. As such public health and safety will not be improved by the creation of the Pali to Puamana Park as opposed to the construction of agriculture related buildings in accordance with relevant Maui County Code and FEMA regulations.

6) “to protect property by limiting development within coastal erosion zone” - As described in Section 3.5.3 *Coastal Erosion*, Shoreline Setback Rules have been adopted by the County of Maui based on Coastal-Beach Erosion information modeled by the County of Maui in association with the University of Hawai’i that determines the extent that erosion impacts specific coastal areas. As depicted in Figure 8, the subject property has minimal erosion. Approximately half of the shoreline has an annual erosion hazard rate of zero, with some areas even experiencing accretion; while the other half varies from between .2 to .5 feet per year. The maximum AEHR based shoreline setback would be 50 feet, which would be outside of the TMK (2) 4-8-003:124 and only affect a 100 foot wide government beach reserve fronting it. Structures on the subject property will be governed by the Shoreline Setback Rules which protect property. As such, the proposed change in community plan from Agriculture to Park in order to limit development within coastal erosion zones is not warranted.

Additionally, in the Section 2.1 Introduction the Final EA states the P2P Plan proposes methods of “preserving coastal areas while continuing to maintain open access to coastal areas that many visitors and residents currently enjoy.” As stated above, the subject property is currently utilized for agricultural purposes. As such, visitors rarely engage in recreational activities on the subject property, while there are local residents who utilize the area for cultural subsistence-type practices such as fishing and diving.

Conclusion - Hawaii's environmental review process is supposed to help alert the public and decision makers of any and all possible environmental impacts which may result from the implementation of certain actions. The environmental review system is designed to ensure that all environmental concerns are given appropriate consideration in decision making along with economic and technical considerations.

In order for public to be fully informed, and for decision makers to formulate sound decisions, the Final EA should include a detailed explanation of the environmental consequences of the proposed action full range of alternatives and discussions of possibilities.

As we have noted above, the subject Final EA is flawed inasmuch as it does not fully adhere to the rules and requirements of Hawaii's environmental review system, including Hawaii Revised Statutes Chapter 343, as well as, Hawaii Administrative Rules (HAR) Title 11, Chapter 200. In addition, the Final EA contains factual errors and misleading information. Further, the purpose and need analysis in Section 2.3 of the Final EA is not accurate and presents an incorrect conclusion. The formal "*Acceptance*" of the Final EA, and the simultaneous determination of a "Finding of No Significant Impact" (FONSI) would be incorrect and misleading to the public and our decision makers.

We have verbally offered several times and provided written testimony expressing our willingness and desire to work with your department towards seeking viable and feasible solutions. We sincerely note that this same offer is still available. If you have any questions or require additional information, please feel free to contact me or my partner David Ward at 249-2224. Thank you for your time and consideration.

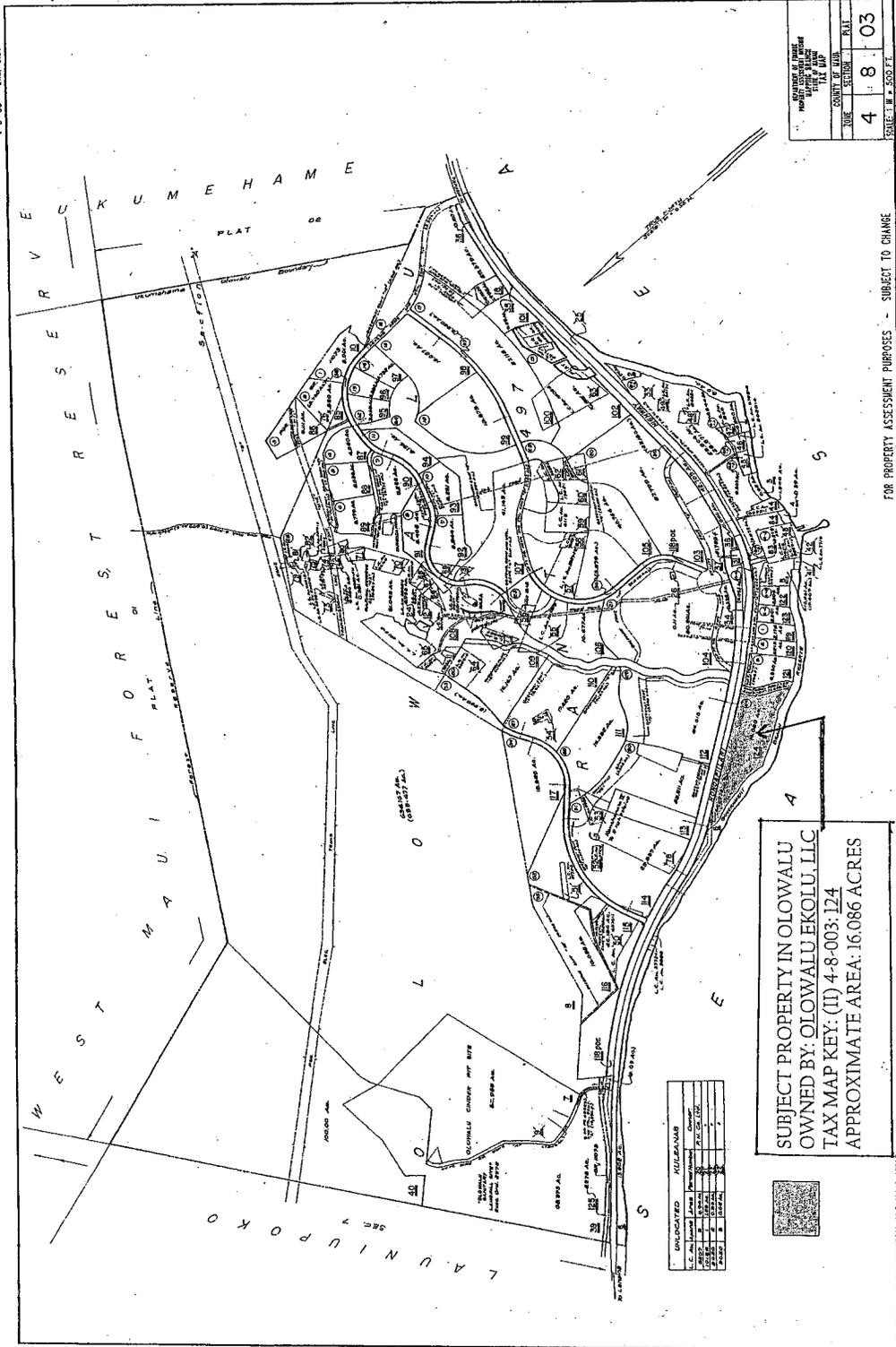
Sincerely,
Olowalu Ekolu, LLC



fa William Frampton
Manager

CC: State Department of Health - OEQC
Mr. Chester Koga - R.M. Towill Corporation
Mr. Robert Thomas - Esq.

4-8-03 P.M.S. 5131



PLAT	4
SECTION	8
RANGE	03

SUBJECT PROPERTY IN OLOWALU
 OWNED BY: OLOWALU EKOLU, LLC
 TAX MAP KEY: (II) 4-8-003: 124
 APPROXIMATE AREA: 16.086 ACRES

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FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

EXHIBIT NO. 1

LOWALU EKOLU, LLC

2073 Wells Street - Suite 101, Wailuku, HI 96793
Phone: 249-2224 / Fax: 249-2333

July 13, 2007

Mr. Jeff Hunt - Director
County Maui Department of Planning
250 South High Street
Wailuku, HI 96793

DEPT OF PLANNING
LONG RANGE DIV
RECEIVED

07 JUN -7 8:40

RE: Draft and Final Environmental Assessment for the proposed Land Use Redesignation (Community Plan Amendment and Change in Zoning) for the Pali to Puamana Parkway Master Plan; Lahaina District, Island of Maui Tax Map Key: (II) 4-7-001, (II) 4-8-002; (II) 4-8-003.

Dear Mr. Hunt,

We wanted to thank you for taking time in May to meet with myself and my partner David Ward to discuss the Environmental Assessment (EA) for the proposed Pali to Puamana Parkway Master Plan (P2P Plan) as it relates to our Proposed *Olowalu Ekolu Plan*. This letter serves as a follow up to our May 2007 meeting, as well as, our earlier December 28, 2006 letter. In both the letter and the meeting, we expressed some of our concerns regarding the subject EA for the P2P Plan. As you are aware, a key purpose of the subject EA is to properly document and disclose information related to the project's potential impacts and to provide viable alternatives of a project so that public officials are then able to make well informed decisions regarding public policies and the use of public funds and resources.

The P2P Plan involves the proposed redesignation and acquisition of a significant amount of privately owned property which is situated on, and in close proximity to, the shoreline in Olowalu. In view of the fact that the proposed project could require a substantial amount of public funds and resources to put into action, we are respectfully requesting that your department consider including in the EA an economic analysis and feasibility assessment related to the purchase privately owned coastal lands in Olowalu and examine possible alternatives to the proposed action including continued discussions with us regarding a possible joint public/private partnership to accomplish the goals and objectives of the P2P Plan. In light of the foregoing request, we are providing you with an overview of our proposed plans for our property in Olowalu and a brief analysis of how our plans include the implementation of a portion of the proposed P2P improvements through Olowalu which could ultimately result in substantial cost savings to the taxpayers of Maui. We hope this information will assist you during the finalizing of the Draft EA.

Background: In Late 2004, we met with the previous Planning Director and staff to explain that we are the Project Managers and Representatives of Olowalu Ekolu, LLC (Ekolu), and, to also present a our conceptual plans for Olowalu Ekolu 12-unit single family residential project located in Olowalu, Maui, Hawaii. Ekolu is the land owner the subject property specifically identified as Tax Map Key: (II) 4-8-003:124. This subject parcel of land, having an area of 16.086 acres, is situated between the shoreline and the Honoapiilani Highway, approximately 1,500 feet north of Olowalu General Store. See **Exhibit No. 1.**

Conceptual Plans: During our initial meeting in 2004, we presented draft plans to Mr. Michael Foley (former Planning Director) showing our proposed 12-unit residential project which includes the development of a sizeable public coastal park and related improvements such as improved shoreline access, public coastal trails and other park related facilities. The parks would be built and maintained by the project's homeowner's association. **See Exhibit No. 2 for the Conceptual Plans for the 12-unit Project.** We acknowledge that your department did discuss and share with us conceptual ideas of the proposed P2P Plan during the initial 2004 meetings, specifically the discussion of Olowalu Beach Park - a proposed 17 acre park within the P2P Plan. However, when we explained to Mr. Foley that approximately half (50%) of the proposed project would be designated for various public park uses and open-space at no financial cost to the County; the Planning Department indicated that he could support the project because the project was "balanced" in terms of both public and private benefits. As such, we proceeded with the preparation of land use entitlement documents.

Community Outreach and Entitlement Process: In 2005, we invited the residents of Olowalu to meet with us to discuss the planning of a single-family residential development to be located on the subject property. Numerous long-time residents attended our meeting and provided us with positive comments towards proceeding with the plans and approval process. We committed to the residents that we would not proceed with the project if there was strong opposition to our proposed plans. Being none, we proceeded with preparing formal entitlement documents, including the preparation of a Draft Environmental Assessment, along with several technical studies (i.e. traffic impact assessment report, civil engineering report, flora/fauna study, archaeological inventory assessment, cultural impact assessment report, etc...). Subsequently, an early notification letter was sent out to County and State governmental agencies requesting early consultation comments towards the proposed Draft EA.

Alternative Plans for Ekolu: Subsequent to the early meetings of 2004, the Planning Department indicated to us via letters that they could not support our proposed 12-unit project for various reasons, including the fact that they were proceeding with the P2P Plan and that the subject property was going to be designated as "Park" or "Open Space." As such, the investors and partners of Ekolu elected to explore options to protect their financial investment. Two options were subsequently pursued by Ekolu to protect their investments: 1) the filing of County Building Permit Applications for plans to construct two (2) residential farm dwellings and related structures; and 2) the listing of the subject property for sale on the Multiple Listing Service (MLS).

1. **Residential Farm Dwellings:** In 2006, Ekolu prepared plans for two residential farm dwellings, along with a barn structure and submitted the plans for a County Building Permit. **See Exhibit Nos. 3 and 4 for Plans and Building Permit application.** In October 24, 2006, the Planning Department determined the farm dwellings and related structures to be an "Exempted Action" per the Special Management Area rules and regulations. **See Exhibit No.5.** Additionally, a County of Maui Farm Plan was approved for the same buildings. **See Exhibit No.6.** Final Approval of the Building Permit is pending approval of fire protection with Maui Fire Department, which is expected within the next month or two. Ekolu may decide to sell the plans or build the project out then sell the dwellings.
2. **Property for Sale** - As noted above, the property was listed for sale on the MLS for a sale price of \$25,000,000. **See Exhibit No. 7.** Many buyers expressed interest. However, since then, the property has been removed from the MLS; however, Ekolu continues to receive interest from perspective buyers who are interested in purchasing the property.

Brief Analysis of Ekolu Plans and P2P Plan: The following is a brief analysis of the three possible outcomes of Ekolu's plans:

- **12-Unit Single-Family Project** - Ekolu would develop a 12-unit project and also include design and construction of Public park facilities, including trails, on-site parking, and restroom/shower facilities. Benefits include the public acquiring coastal parks and resources at a substantial savings in the public's time, resources and taxpayer's dollars. A win/win scenario is very possible for Public and land owner (i.e. coastal parks at no cost to County and private land owner has opportunity to secure a reasonable return on their original financial investment).
- **Residential Farm Dwellings:** Ekolu is able to possibly secure a reasonable return on their original financial investment by building and then selling the dwellings. Negative outcome is that the Public has likely lost a good opportunity to obtain a coastal park at no cost to County. The option for the County to purchase through negotiation or eminent domain remains; however, both of these approaches are likely to be very costly options.
- **Sell Property "as is":** The investor is continuing to entertain offers from perspective buyers. Under this scenario, as is the case with the residential farm dwelling option, the County always has right to make an offer to purchase through negotiation or eminent domain; however, both of these approaches are likely to be very costly options.

Ekolu would like to continue to meet with and discuss with the County ways to seek a win/win scenario – the public is able to have a coastal park for enjoyment of all of our residents and the private owners are able to have an opportunity to secure a reasonable return on their original financial investment. Ekolu is committed to designing and building a project which would include a public park, trails, open-space, and park facilities which would be built and maintained by the project's homeowner's association. These facilities would be established for public enjoyment and at no cost to the County or State. We do acknowledge the design and building of these new parks is in conjunction with the approval and building of the Olowalu Ekolu 12-unit project¹. However, under our proposed option, we believe that the County of Maui and our residents will avoid spending a substantial amount of time, money, and resources which would be required if the County were to choose to acquire the privately owned lands by through purchase and negotiations or eminent domain.

In conclusion, we are respectfully requesting that your EA for the proposed P2P Plan take the above noted information into consideration when assessing viable options for the implementation of the P2P Plan. We believe that the option proposed in our Olowalu Ekolu 12-unit plan is the most viable and would result in substantial cost savings to the residents of Maui. Thus, public benefits in terms of coastal parks and greenways to be used for surfing, swimming, hiking, walking, biking, fishing, sight seeing, etc..., will be preserved for generations to come in the Olowalu Town Plan. Taking into account the foregoing, we believe that the EA for the P2P Plan should include an economic impact analysis related to the above possible options as compared to the taxpayer dollars and resources which would be required to implement the P2P Plan. The inclusion of such an analysis and information in the EA would provide our County decision makers with valuable information to be used to make well informed decisions. In the spirit of cooperation, we would be pleased to offer to your department information that we have related to the financial feasibility and analysis of land acquisitions in the Olowalu area. Please let us know if you would like us to submit this information.

¹ Olowalu Ekolu, LLC's commitment to build the park and related facilities is contingent upon the approval of the plans by, but not limited to, the General Plan Advisory Committee, the Maui Planning Commission, the Maui County Council, and the State Land Use Commission. This commitment assumes that the approval process will not result in significant changes in the plans or include conditions which would cause the project to no longer be financially feasible. Lastly, new rules, policies or ordinances may also render the project to be financially impractical.

Mr. Jeff Hunt
P2P Environmental Assessment
July 13, 2007
Page 4 of 4

Lastly, as we have previously mentioned to you in the past, we sincerely support and are in favor of the concept of P2P Plan, and we are hopeful that we will continue to have opportunities to work with the County and other entities to insure the proposed P2P Plan becomes a reality. We are committed to demonstrating how government and the private industry can work in cooperation to accomplish beneficial improvements for the residents of Maui.

We look forward to having the opportunity to meet and work with you. If you have any questions or require additional information, please feel free to contact me or my partner David Ward at 249-2224. Thank you for your time and consideration.

Sincerely,
Olowalu Ekolu, LLC



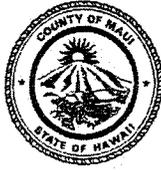
William Frampton
Manager

CC: State Department of Health - OEQC
Mr. Chester Koga - R.M. Towill Corporation
Mr. Robert Thomas - Esq.
Olowalu Ekolu, LLC

ALAN M. ARAKAWA
Mayor

MICHAEL W. FOLEY
Director

Don Couch
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

October 24, 2006

Mr. John Bendon
Malama Consulting LLC
316 Paani Place
Paia, Hawaii 96779

Dear Mr. Bendon:

Re: Special Management Area Assessment and Determination for the Proposed Construction of Two Farm Dwellings and Barn at the Olowalu Ekolu Farm at TMK 4-8-003:por. of 05 and 06, Olowalu Maui, Hawaii (SMX 2006/0340) (SM5 2006/0424)

We have reviewed the above referenced application and find that the two farm dwellings, one of which is limited to 1000 sq. ft., qualifies as "construction of a single family residence". Also development does not include the "use of any land for the purpose of cultivating, planting, growing, and harvesting plants, crops, trees, and other agricultural horticultural, or forestry products or animal husbandry, or aquaculture or mariculture of plants or animals, or other agricultural purposes". Although not specifically identified, it is reasonable that the existing agricultural operation would include supporting farm structures such as barns, silos, storage sheds, equipment sheds, etc. necessary to farming. Pursuant to the foregoing, it is reasonable to determine that the barn used in the farm operation would qualify as "other agricultural purposes".

Further, the potential environmental and ecological effects of the above-referenced project have been reviewed in accordance with the significance criteria set forth in Section 12-202-12(e) of the Special Management Area (SMA) Rules for the Maui Planning Commission, as set forth in the enclosed assessment report.

Based upon this review, the Department finds that the project will not have a cumulative impact, or a significant environmental or ecological effect on the SMA within which the project site is located. As such, the project is not a development and is therefore, exempt from the permit procedures of the SMA Rules for the Maui Planning Commission.

Further, the property is a shoreline property subject to the Shoreline Setback Rules of the Maui Planning Commission. However, the structures have been sited in excess of

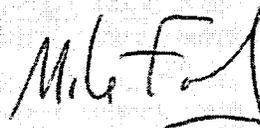
Mr. John Bendon
October 24, 2006
Page 2

150 ft. from the shoreline certified on March 8, 2006, and therefore are outside of the shoreline setback area.

This application was reviewed as two farm dwellings and a barn associated with a farm pursuant to Farm Plan Permit No. 2006/0097 approved on August 22, 2006. Any change in use of the structures may require a new special management area assessment and determination.

Thank you for your cooperation. If additional clarification is required, please contact Ms. Colleen Suyama, Staff Planner, of this office at colleen.suyama@co.maui.hi.us or 270-7512.

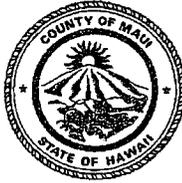
Sincerely,



MICHAEL W. FOLEY
Planning Director

MWF:CMS:sls

c: Clayton I. Yoshida, AICP, Planning Program Administrator
Aaron H. Shinmoto, PE, Planning Program Administrator (2)
Colleen M. Suyama, Staff Planner
William Frampton, Frampton & Ward, LLC
Olowalu Elua Project File, TMK 4-8-003: 005 and 006
General File
(K:\WP_DOCS\PLANNING\SM5\2006\0424_OlowaluEkoluFarm\Exemption.wpd)



06 JUL 20 P3:00

DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED

COUNTY OF MAUI
DEPARTMENT OF PLANNING
250 South High Street, Wailuku, Hawaii 96793

FARM PLAN PERMIT

DATE: 7/12/06

TAX MAP KEY NO. (2) 4-8-003-005 per. 05-406 CPR/HPR.NO. _____ LOT SIZE: 16.086

PROPERTY ADDRESS: Lot 4-D Olowalu Makai - Kamohana Subdivision, Olowalu Maui

OWNER(PRINT): Olowalu Ekolu, LLC PHONE: (B) 249-2224 (H) _____

ADDRESS: 33 Leno Ave. Ste 450

CITY: Kahului STATE: HI ZIP: 96732

OWNER SIGNATURE: [Signature], Manager Olowalu Ekolu, LLC

Please check appropriate box and print name:

OWNER: Olowalu Ekolu, LLC; David Ward, Manager
 AGENT/CONTACT: John Bender

ADDRESS: 316 Rani Pl.

CITY: Pala STATE: Hi ZIP: 96779

PHONE: (B) 808-214-4445 (H) 808-877-4041 FAX: 808-871-1514

APPLICANT/AGENT SIGNATURE: [Signature]

CURRENT STATE LAND USE DISTRICT BOUNDARY DESIGNATION: Ag

COMMUNITY PLAN DESIGNATION: Ag COUNTY ZONING: Ag

SUBDIVISION FILE NO(S): _____

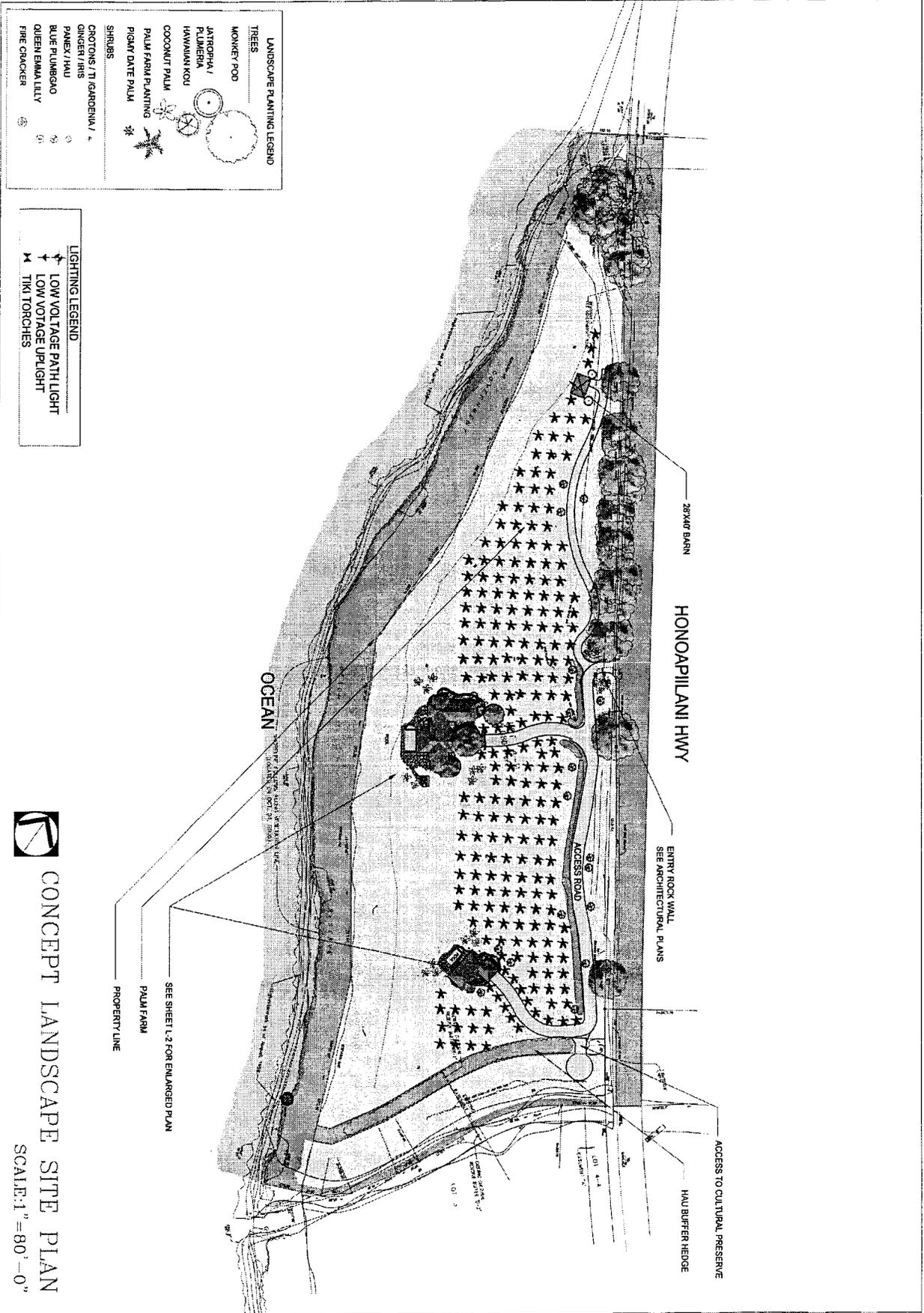
BUILDING PERMIT NO(S) & DESCRIPTION: _____

FOR COUNTY USE ONLY

Farm Plan Permit No. 2006/0097 Farm Plan Approval for _____

Approved by [Signature] Date 8-22-06

MICHAEL W. FOLEY,
PLANNING DIRECTOR



LANDSCAPE PLANTING LEGEND

TREES

- MONKEY POD
- JATROPHA / PLUMERIA
- HAWAIIAN KOU
- COCONUT PALM
- PALM FARMI PLANTING
- PISANG DATE PALM

SHRUBS

- CROTONS / TI (GARDENIA) /
- GINGER / IRIS
- PANEK / MAU
- BLUE PLUMBAGO
- QUEEN EKMA LILLY
- FIRE CRACKER

LIGHTING LEGEND

- LOW VOLTAGE PATH LIGHT
- LOW VOLTAGE UPLIGHT
- TIKI TORCHES



CONCEPT LANDSCAPE SITE PLAN
 SCALE: 1" = 80'-0"

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NANI KAI HOLDINGS, LLC
 OLOWALU MAKAI - LOT 4-D
 TMK : (2) 4 - 8 - 003 : por. 05 & 06
 LAHAINA, MAUI, HAWAII





NANI KAI HOLDINGS, LLC
 OLOWALU MAKAI - LOT 4-D
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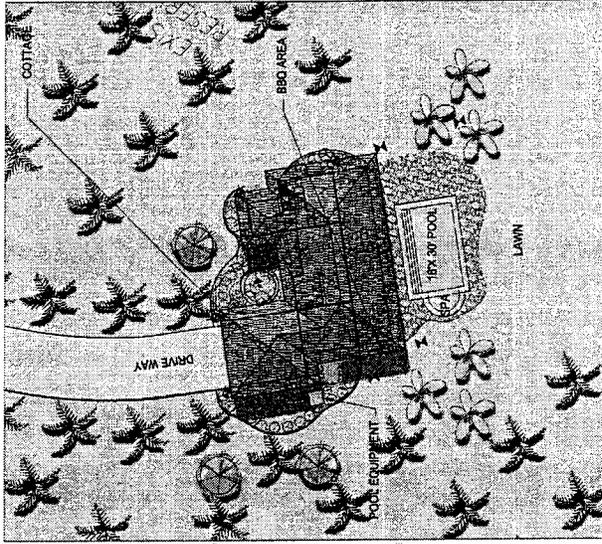
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LIGHTING LEGEND
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 TIKI TORCHES

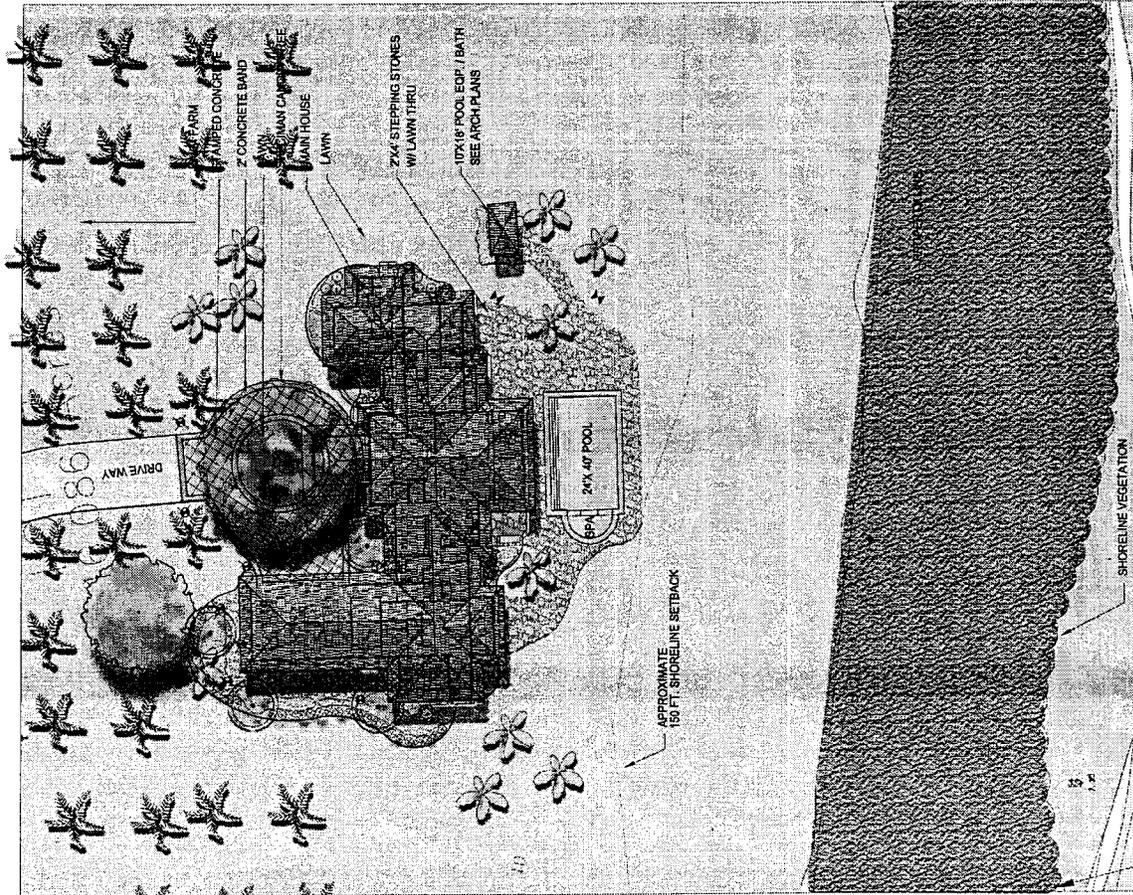
LANDSCAPE PLANTING LEGEND

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 MONKEY POD
 JATROPHA / PLUMERIA
 HAWAIIAN KOU
 COCONUT PALM
 PALM FARM PLANTING
 PIGMY DATE PALM

SHRUBS
 CROTONS / TI / GARDENIA /
 GINGER / IRIS
 PANEX / HAU
 BLUE PLUMBAGO
 QUEEN EMMA LILLY
 FIRE CRACKER



COTTAGE PLAN



MAIN HOUSE PLAN



CONCEPT LANDSCAPE SITE PLAN
 SCALE: 1" = 20' - 0"



EXCLUSIVE RIGHT-TO-SELL LISTING AGREEMENT
Hawaii Association of Realtors® Standard Form
 Revised 5/05 (NC) For Release 5/06



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Licensee in Brokerage Firm is is not a REALTOR® and member of the National Association of REALTORS®. Seller is aware that the National Association of REALTORS® holds its members accountable for their actions through a strict Professional Code of Ethics, which includes a grievance system to address complaints. Non-members are not required to participate in the grievance system.

Property Reference or Address: LOT 4-D OLOWALU MARAI, OLOWALU, HI

Tax Map Key: Div. 2 /Zone 4 /Sec. 8 /Plat 3 /Parcel 546 /CPR _____ (if applicable).

ROOS REALTY & WEST MAUI LAND CO. Brokerage Firm OLOWALU EKOLU, LLC Seller's Name

P.O. BOX 10518 Address LAHAINA, HI 96761 Seller's Name

THOMAS L. BRZOZOWSKI Real Estate Licensee 667-9163 Phone

- AGENCY:** The Buyer and/or Seller in a real estate transaction in Hawaii may retain a real estate Brokerage Firm as their agent. In such case, the Buyer and/or Seller is represented by the Brokerage Firm and all of its licensees. Hawaii law requires real estate licensees to disclose orally or in writing to Seller and/or Buyer whom the licensee represents. The form of representation may be one of the following:
 - Seller's Agent.** Brokerage Firm represents Seller only unless a disclosed dual agency exists. Seller's Agent owes the highest duties to Seller, including confidentiality, loyalty, and utmost care.
 - Buyer's Agent.** Brokerage Firm represents Buyer only unless a disclosed dual agency exists. Buyer's Agent owes the highest duties to Buyer, including confidentiality, loyalty, and utmost care.
 - Dual Agent.** Brokerage Firm represents both Buyer and Seller. This commonly occurs when licensees in the Brokerage Firm representing Seller have a Buyer client looking for types of property similar to Seller's property. In such event, the Brokerage Firm and all of its licensees represent both Buyer and Seller and are dual agents. Dual agents must remain neutral in negotiations and must not advance the interest of one party over the other. A separate written Dual Agency Agreement is required under Hawaii law.
 Seller agrees does not agree to Dual Agency

Customer. Seller's Agent can also assist Buyer as a customer. As a customer, Buyer is not represented by Seller's Agent. Seller's Agent can assist Buyer in writing the DROA, can present the DROA to Seller, and can report back any acceptance or request for changes to the DROA.

- OWNERSHIP, TITLE AND AUTHORITY:** Seller warrants that (i) Seller is the owner of the Property; (ii) no other persons or entities have title to the Property; and (iii) Seller has the authority to execute this Agreement and to sell the Property. Exceptions to ownership, title and authority are as follows: _____
- EXCLUSIVE RIGHT TO SELL:** "Exclusive Right To Sell" means that Seller shall list the Property with Brokerage Firm only and that Brokerage Firm is entitled to a commission if the Property is sold by Brokerage Firm, Seller, or anyone else. Seller hereby employs Brokerage Firm as its agent and grants Brokerage Firm the exclusive and irrevocable right to sell or exchange the Property identified above and described on the attached EXHIBIT A.
- LISTING PERIOD:** Begins (date) May 24, 2006 and ends at 11:59 PM (HST) on (date) June 7, 2007. Either party may end the listing with 30 calendar days advance written notice to the other. However, neither party may end this listing before 11:59 PM (HST) on (date) June 24, 2006 unless both agree, in writing, to an earlier date.
- PROTECTION PERIOD:** 120 calendar days after end of Listing Period or any extension thereof.
- ITEMS INCLUDED OR EXCLUDED:** Unless otherwise specified in the sales contract, all fixtures attached to the Property are included. Personal property items are excluded.
- LISTING PRICE:** The listing price shall be \$ 25,000,000.00
- COMPENSATION TO BROKER:** Seller agrees to pay Brokerage Firm, in US Dollars, FIVE PERCENT on the occurrence of any of the following:
 - Brokerage Firm, Seller, Cooperating Broker or any other person procures a Buyer (or Buyers) who offers to purchase the Property at the above price, or on any price and terms acceptable to Seller, during the Listing Period or any extension thereof, no matter who (including Seller) procures the Buyer.
 - Brokerage Firm procures a Buyer (or Buyers) ready, willing and able to pay the Listing Price and meet the other terms of this listing, even if Seller refuses to sign the written sales contract.

TO
 BROKER'S INITIALS & DATE

TO
 SELLER'S INITIALS & DATE

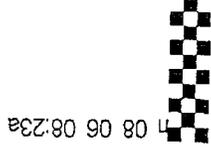
©Hawaii Association of REALTORS®
 Exclusive Right-To-Sell Listing Agreement
 RR101 Rev 5/05



roos realty p.o. box 10518, lahaina hi 96761
 Phone: 667-9163 Fax: 667-0664

THOMAS L. BRZOZOWSKI

OLOWALU



OLOWALU EKOLU, LLC
2073 Wells Street - Suite No. 101
ph: 249-2224 / fax: 249-2333

TRANSMITTAL

DATE: September 6, 2007

TO: Kathleen Aoki - Planner
Planning Department - Long Range
One Main Plaza
2200 Main Street
Wailuku, HI 96793

FROM: Bill Frampton *B.F.*
Project Manager
Olowalu Ekolu, LLC

SUBJECT: MAUI ISLAND PLAN
MAUI COUNTY 2030 GENERAL PLAN UPDATE
LANDOWNER / DEVELOPER PRESENTATION REQUEST FORM

Aloha Kathleen,

Per your Department's request, we are transmitting to you the following items related to our Olowalu Ekolu project:

Thirty-Two (32) copies of the completed Landowner/Developer Presentation Request Forms.

As we understand it, we will provide additional information/handouts to the GPAC members on September 20, 2007 which is the night that we are scheduled to present our project.

If you have any questions or require additional copies of the form, please let us know. Thank you for your time and consideration. Mahalo.

Maui Island Plan
Maui County 2030 General Plan Update
Landowner/Developer Presentation Request Form

A. Name of company or organization or organization: OLOWALU EKOLU, LLC

B. Project Name: OLOWALU EKOLU

C. Project Location (Community Plan Region): WEST MAUI COMMUNITY PLAN

PROJECT CHARACTERISTICS

D. Total acreage of Proposed Project: 16.0 Acres.

E. **Number and type of housing units proposed:** Olowalu Ekolu (OE) is proposing approximately 30 to 40 Housing Units. The project proposes a range of housing types including single-family and multi-family. The project will comply with or exceed the County's Workforce Housing ordinance. The project design incorporates smart growth planning principles through use of an efficient layout and design. The project design is shaped by high density development standards in order to preserve open space for public facilities and amenities. -

F. **Commercial and Industrial square footage proposed:** Olowalu Ekolu is not proposing any commercial or light industrial uses. However, in the context of a regional plan, it is conveniently located within close proximity to the proposed Olowalu Town neighborhood town centers which will offer a wide range of goods and services. The close location to the town centers of Olowalu Town will provide residents with the ability to satisfy many of their daily needs for goods and services without having to get in the car and drive.

G. **Public Infrastructure or Facilities Improvements proposed:** The majority of OE's infrastructure will be provided and supplied by the adjacent Olowalu Town's private infrastructure systems. These systems include private water and non-potable irrigation water from recycled wastewater. Other infrastructure systems, such as drainage systems to handle storm-water runoff will be designed and constructed by OE.

Also, the design of OE includes approximately 8 acres (approx. 50% of project area) dedicated towards providing ample space for public facilities such as beach parks, open-space, community gathering center/facility, coastal trails, and enhanced Olowalu Cultural Reserve access.

H. **Timeframe for construction and proposed phasing of development:** The proposed project would need to go through an approval process which would not begin until the General Plan Advisory Committee is completed with its review of the General Plan Update process. As such, if the project was located within an area for residential development by the GPAC, OE could possibly begin construction within 5 years.

I. Please explain how your proposed development addresses each of the Smart Growth principles listed below.

1. **Create a range of housing opportunities and choices:** As noted above, OE is proposing approximately 30 to 40 Housing Units. The project proposes a range of housing types including single-family and multi-family. The project will comply with or exceed the County's Workforce Housing ordinance.

In terms of regional context, this project is compatible and complimentary to the Olowalu Town master plan in that it relies upon the general values and principles of Traditional Neighborhood Design and Smart Growth to shape the design and layout of the project.

2. **Create walkable neighborhoods:** OE is designed and planned to be a pedestrian-friendly community. OE is located within one of Olowalu Town's "pedestrian sheds," which means that the residents of OE are no more than a 5-minute walk (1/4 - mile) to shops, stores, cafes, parks, or schools. Thus, residents have easy access to their daily household needs, as well as easy access to places to work, learn and play. Olowalu Town's pedestrian shed also includes a transit stop. The pedestrian sheds in Olowalu Town's plans offer residents a myriad of easy and safe walking paths and trails to access goods and services required for daily needs, thus reducing the number of daily cars trips. Walkable neighborhoods and communities are especially beneficial to those who are unable to drive or do not own vehicles, including seniors and children.

3. **Encourage community and stakeholder collaboration:** OE took time early on during the design and planning phase of the project to meet with residents or Olowalu to review and discuss the proposed project. Residents of Olowalu provided invaluable input and feedback regarding project issues such as shoreline setbacks, access to shoreline and park facilities, and coastal trails. In addition to the residents, OE met with government agencies as part of an early consultation process to review potential issues or possible impacts which could be addressed during the beginning phases of project design.

4. **Foster distinctive, attractive communities with a strong sense of place:** OE has designed and planned the project to be compatible and complimentary to the Master Plan of Olowalu Town. The project design incorporates smart growth planning principles through use of an efficient layout and design. The project design is shaped by high density development standards in order to preserve open space for public facilities and amenities. The project incorporates substantial setbacks from the shoreline and includes a coastal trail system creating a comfortable atmosphere for the public use and enjoyment.

5. **Make development decisions predictable, fair and cost effective:** As noted earlier, OE is based on the premise that the people of Maui should plan communities for Maui's people. Our comprehensive planning process for OE was guided by transparency and concurrency with the ultimate goal to build and attain community consensus.

The County of Maui, through the process of the update of the General Plan of Maui, has an opportunity to encourage smart growth in Maui County by making regulatory and planning decisions about Smart Growth communities more timely, cost-effective and predictable for developers. The government can make infrastructure and regulatory decisions that will create fair, predictable and cost effective smart growth. OE contributes to this conceptual process through its implementation of a transparent, comprehensive planning process which can put into place a Smart Growth community.

6. **Provide a mix of land uses:** As noted earlier in above sections, OE is proposing approximately 30 to 40 Housing Units. The project proposes a range of housing types including single-family and multi-family. The project will comply with or exceed the County's Workforce Housing ordinance. The project design incorporates smart growth planning principles through use of an efficient layout and design. The project design is shaped by high density development standards in order to preserve open space for public facilities and amenities
7. **Preserve open space, farmland, natural beauty and critical environmental areas:** The project design incorporates smart growth planning principles through use of an efficient layout and design. The project design is shaped by high density development standards in order to preserve open space for public facilities and amenities. The project incorporates substantial setbacks from the shoreline and includes a coastal trail system creating a comfortable atmosphere for the public use and enjoyment.
8. **Provide a variety of transportation choices:** As previously discussed, OE is designed and planned to be a pedestrian-friendly community which will allow residents to live within walking distance to corner stores, schools, parks, and community centers. OE is located within one of Olowalu Town's "pedestrian sheds," which means that the residents of OE are no more than a 5-minute walk (1/4 - mile) to shops, stores, cafes, parks, or schools. Thus, residents have easy access to their daily household needs, as well as easy access to places to work, learn and play. Olowalu Town's pedestrian shed also includes a transit stop. The pedestrian sheds in Olowalu Town's plans offer residents a myriad of easy and safe walking paths and trails to access goods and services required for daily needs, thus reducing the number of daily cars trips. Walkable neighborhoods and communities are especially beneficial to those who are unable to drive or do not own vehicles, including seniors and children.
9. **Strengthen and direct development towards existing communities:** It is clear from studying the historic settlement patterns of Maui that Olowalu has always been a location where people have chosen to live. Prior to Western contact it is estimated that up to 2,000 Hawaiians were living and thriving in Olowalu. A person born in the valley could learn a skill, raise a family, trade, and grow breadfruit, taro, sweet potato and coconuts. The sea provided fish, and the forest supplied wood for canoes and housing. An 1853 population distribution map of Maui (John Wesley Coulter, Population and Utilization of Land and Sea, 1853) showed significant residential activity at Olowalu. As recently as 1930, Olowalu was a complete and thriving plantation town, including housing for employees, a school, medical facilities, stores, theater, athletic programs and places of worship. However, in 1931 the sugar mill was dismantled and the milling process was consolidated and moved into Lahaina by Pioneer Mill. Of interest is the fact that in 1931 Olowalu plantation town, homes, jobs and community services were all within a 1/4 mile radius, or a 5-minute walk.
Today, Olowalu is a significant residential community of roughly 75 people with a store, restaurant, fruit stand, church, camping, and community gathering areas.
10. **Take advantage of compact building design:** OE provides an opportunity to incorporate more compact building design as an alternative to the suburban sprawl that consumes large amounts of land on Maui and destroys open space. OE is designed to make more efficient use of land and resources. OE's small scale, higher density community design is based upon the TND principle of building compact communities that are efficient and prevent sprawl. Sprawl is not efficient, is not compact, and therefore, is a wasteful use of our limited resources.

Additionally, as noted earlier in above sections, the steep valleys and slopes surrounding Olowalu serve as natural boundaries and help establish the size and scale of the community. Local shops/stores, parks, schools, and community centers will be within walking distance of homes.

Residential land use will comprise approximately 50% of the project. Because of the efficient use of compact design, the remaining approximately 50% of the total 16.0 acre OE project is dedicated to recreational areas, ocean front park, open space and civic/social purposes.

- J. If your project is outside of existing urban land use areas, please explain why this location should be a priority for development:** The proposed OE project is situated around an existing urban residential neighborhood and located within the context of an historic plantation village. The Olowalu area includes urban designated lands and contains a significant residential community of roughly 75 people that features a store, restaurant, fruit stand, church facilities, camping, and community gathering areas.

Additionally, as noted earlier in the sections above, it is clear from the historic settlement patterns of Maui that Olowalu has always been a thriving community and a location where people have chosen to live.

- K. Please identify any obstacles or infrastructure necessary to successfully completing your project that might be addressed in the Maui Island Plan (i.e. infrastructure improvements, financing, etc.):** We respectfully recognize and are aware that to become a reality, the OE project site needs to be designated by the General Plan Advisory Committee as an appropriate location for a smart growth community. Specifically, we are respectfully requesting that the Maui Island Plan designate OE as an appropriate location for mixed-use residential development (as indicated on OT Master Plan Exhibit). This designation on the Island Plan would subsequently need to be approved and adopted by the Maui Planning Commission as well as the Maui County Council. Ultimately, it is envisioned that during the entitlement process, all of Olowalu would be designated as a "TND Project District." The residential designation is in keeping with preserving the character of Maui and the nature of our small towns, while also applying the principles of TND and Smart Growth. Once approved the coastal park and trail system will be privately financed and maintained at no cost to the county.

The GPAC has identified four dates that will be utilized to entertain presentations. Please rank the dates below in order of your preference to present to the General Plan Advisory Committee (1 being most preferred date, 4 being least preferred date):

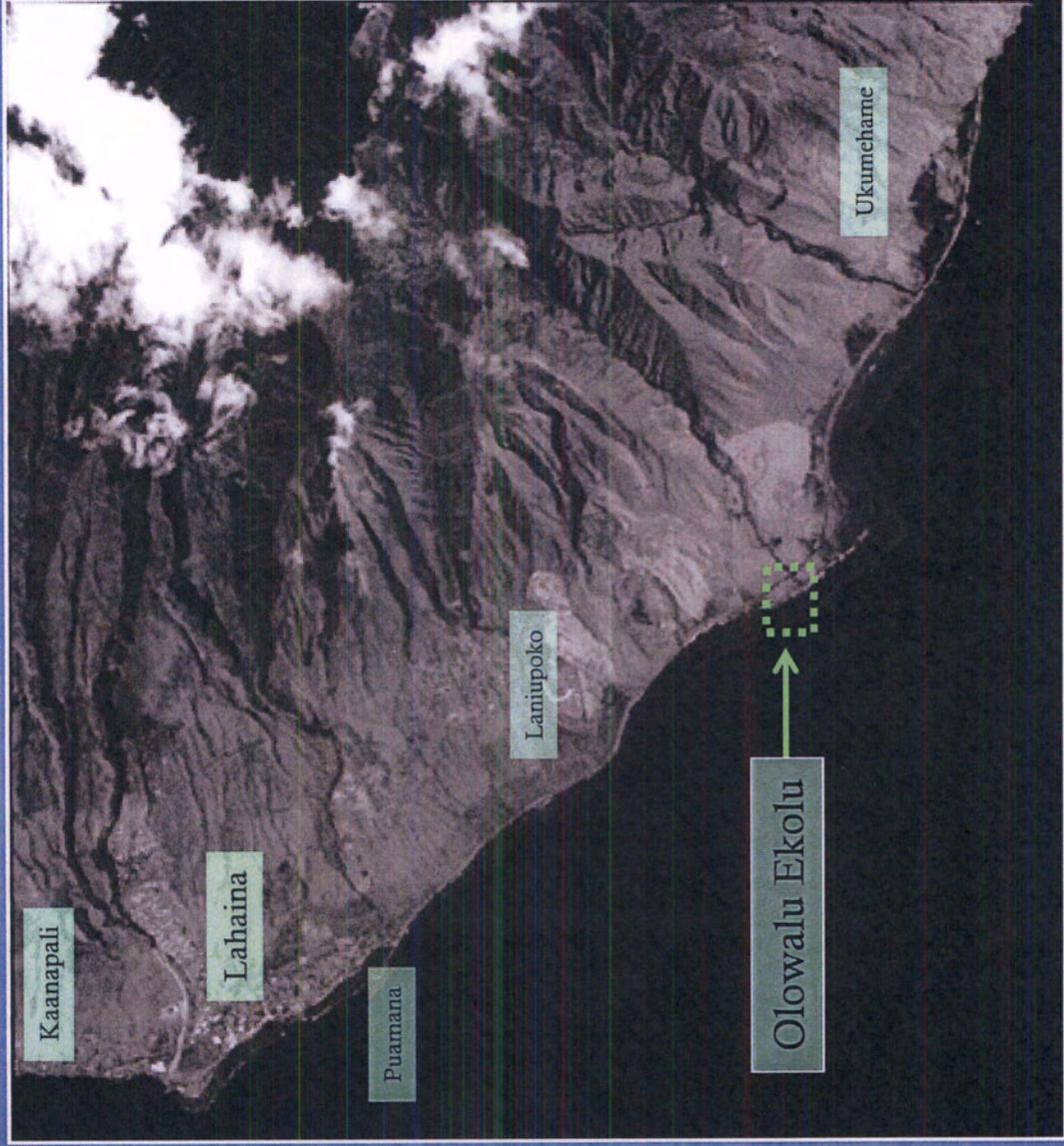
<u>4</u> September 8, 2007	<u>2</u> September 13, 2007
<u>1</u> September 20, 2007	<u>3</u> October 4, 2007

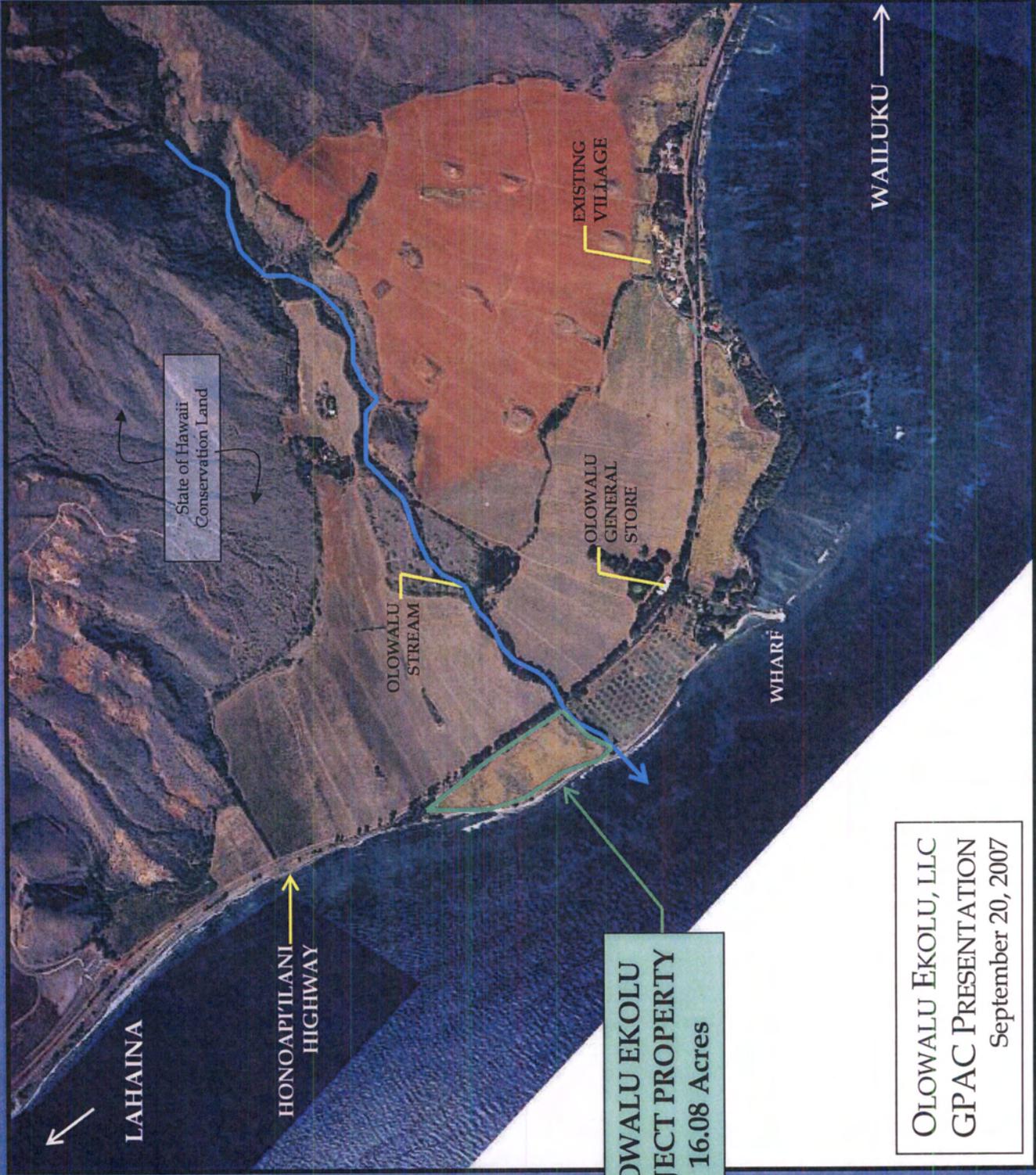
Names: BILL FRAMPTON or DAVID WARD - Project Managers

Company or organization: OLOWALU EKOLU, LLC

Email Address: bill@fwmaui.com or dave@fwmaui.com Phone: (808) 249-2224

REGIONAL LOCATION





State of Hawaii
Conservation Land

LAHAINA

HONOAPIʻILANI
HIGHWAY

OLOWALU
STREAM

EXISTING
VILLAGE

OLOWALU
GENERAL
STORE

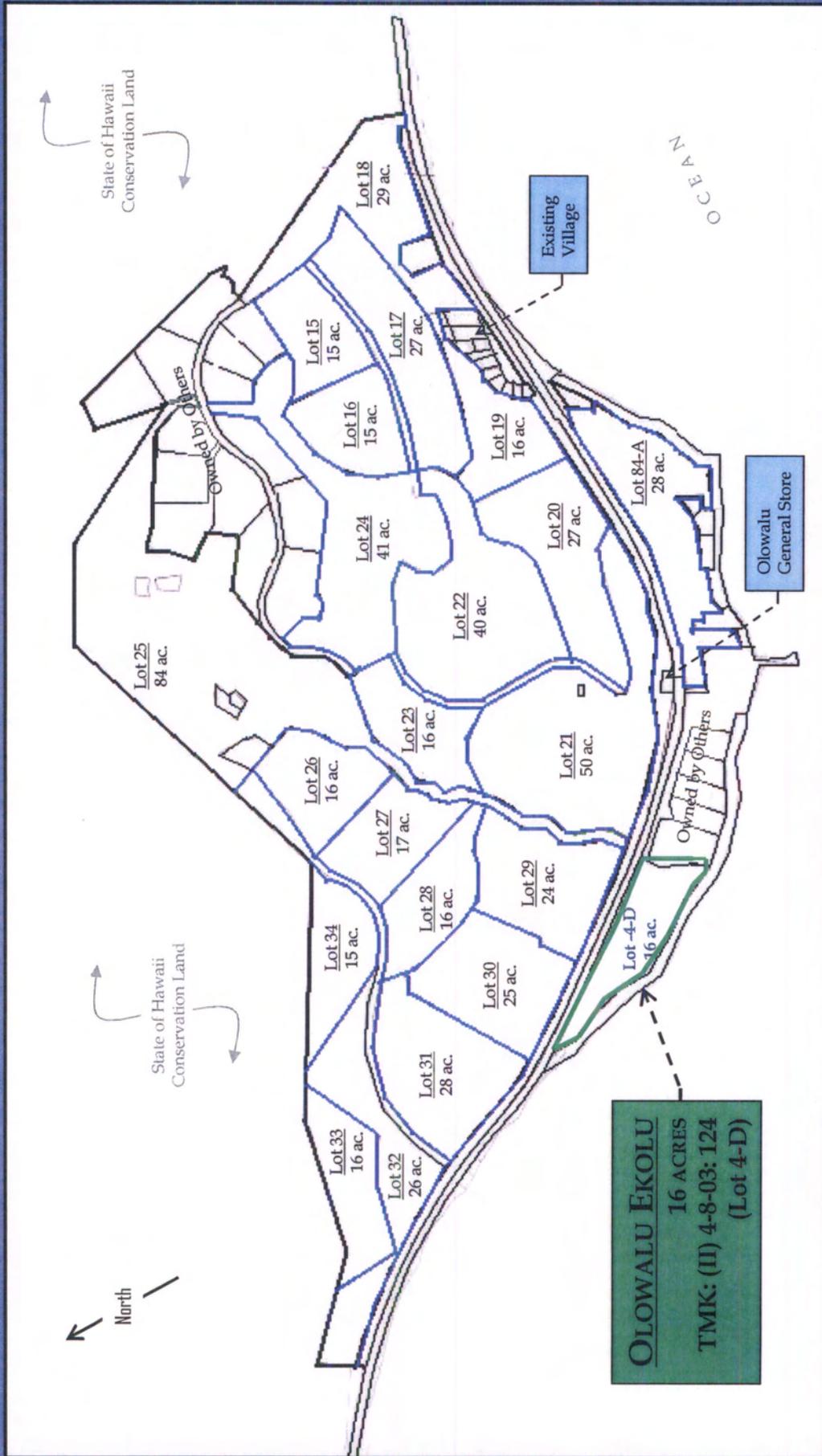
WHARF

WAILUKU

OLOWALU EKOLU
SUBJECT PROPERTY
16.08 Acres

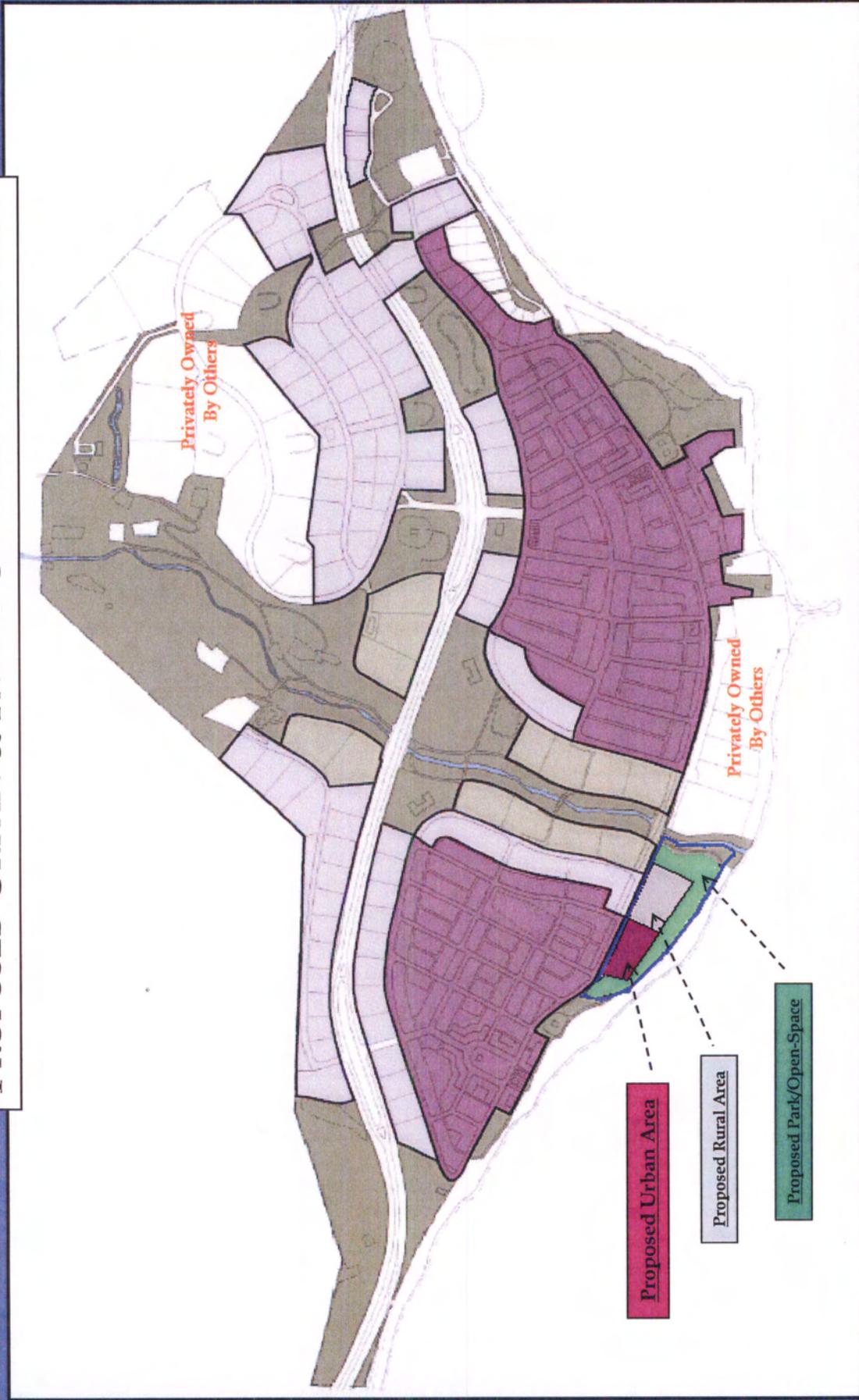
OLOWALU EKOLU, LLC
GPAC PRESENTATION
September 20, 2007

OLOWALU EKOLU - LOCATION MAP



OLOWALU EKOLU
 16 ACRES
 TMK: (II) 4-8-03: 124
 (Lot 4-D)

LOWALU EKOLU: PROPOSED URBAN & RURAL GROWTH BOUNDARIES



OLOWALU TOWN

2073 Wells Street - Suite 101, Wailuku, HI 96793
Phone: 249-2224 / Fax: 249-2333

Transmittal

Date: May 22, 2008

To: Mr. Chester Koga – Planner
R.M. Towill Corporation
2024 North King Street
Suite 200
Honolulu, Hawai‘i 96819-3470

RE: Draft and Final Environmental Assessment for the proposed Land Use Redesignation (Community Plan Amendment and Change in Zoning) for the Pali to Puamana Parkway Master Plan; Lahaina District, Island of Maui Tax Map Key: (II) 4-7-001, (II) 4-8-002; (II) 4-8-003.

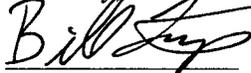
Dear Mr. Chester Koga,

Per your work on the Pali to Puamana Parkway Master Plan and the results of the Maui County Planning Commission’s consideration of the Pali to Puamana Parkway Master Plan Final E.A. the following documents are transmitted:

- One (1) copy of the June 05 2007 letter to PlanPacific detailing Olowalu Town’s proposed plan with map.
- One (1) copy of a detail of the Maui County Planning Dept.’s GIS map describing proposed projects in Lower West Maui.
- One (1) copy of the September 2007 color handouts submitted to the GPAC describing the Olowalu Town project.
- One (1) copy of the May 2007 letter detailing additional project information per the Long Range Division’s request.
- One (1) copy of the Sept. 2007 Information Form/Questionnaire describing the Olowalu Town project.
- One (1) copy of Spring 2007 Olowalu Town newspaper.

This documentation clearly established that we have furnished the Planning Dept. with a large volume of information related to the proposed Olowalu Town project over a lengthy course of time. The Pali to Puamana’s Final EA’s consideration of alternatives should at the very least be expanded to reflect the detailed information we have provided to the Planning Dept. Should you have any questions or concerns, please let us know. Thanks for your time and consideration. Mahalo.

Sincerely,



Bill Frampton, Planning Consultant for Olowalu Town

CC:

FRAMPTON & WARD, LLC

Real Estate Consulting • Project Management • Development

2073 Wells Street - Suite 101
Wailuku, HI 96793

Office (808) 249-2444
Fax (808) 249-2333

June 3, 2005

Ms. Julie-Ann Cachola
PlanPacific, Inc.
345 Queen Street - Suite 802
Honolulu, Hawaii 96813

**SUBJECT: Inventorying Proposed Developments for the Maui County General Plan Update -
 Master Planned Community of Olowalu**

Dear Ms. Cachola,

We received a copy of a letter from Mr. Michael Foley, Maui County Planning Director, dated April 28, 2005 regarding the Inventorying of Proposed Developments for the Maui County General Plan Update (GP). Specifically, Mr. Foley requested that Olowalu Elua Associates, LLC provide you with information regarding our future development plans which will assist you and the County of Maui to formulate a growth strategy for the Island of Maui. Thus, we are pleased to provide you with information regarding the future plans of Olowalu, which we hope will assist you in the formation of a sound General Plan for the Island of Maui.

LAND OWNERSHIP & DEVELOPER INFORMATION - Olowalu proper consists of 700 +/- acres. Olowalu Elua Associates, LLC (OEA), a Maui-based company, owns a majority of Olowalu proper and currently possesses 600 +/- acres. The remaining 100 +/- acres is owned by approximately 50-75 individuals.

Regarding the future plans for Olowalu, our company, Frampton & Ward, LLC (F&W) has recently entered into a Development Agreement with OEA. The agreement provides that F&W shall be the Developer for the proposed Master Planned Community of Olowalu with an option to purchase the land currently owned by OEA.

Thus, we are prepared and looking forward to working closely with PlanPacific and the County of Maui throughout the entire process of the update of the General Plan.

SUBJECT PROPERTY - The subject property is located on the west-side of Maui, flanked by the Pacific Ocean and the West Maui Mountains. As noted earlier, the subject property contains approximately 600 acres of land consisting of 22 parcels. See Attached Exhibit No. 1. The vast majority of OEA's property is designated as Agriculture, while a small portion of the land is designated Conservation, and even smaller portion designated as Residential. The subject property has recently gone through several consolidation and re-subdivisions; as such, the County has not yet provided OEA with "permanent" Tax Map Key parcel numbers. Thus, at this time we are providing you with the temporary TMK parcel numbers, subdivision lot numbers, and areas of each parcel - Please refer to the attached Exhibit No. 2 for this information.

EXISTING CONDITIONS - Olowalu, having an area of 700 +/- acres, is located on the leeward side of west Maui, and is bounded by the Pacific Ocean on the south and the dramatic West Maui Mountain

Range to the north. Honoapiilani Highway, a State-owned and operated highway, traverses the makai-portion of the property (along the shoreline). Olowalu Stream, a perennial stream, is a significant natural feature which traverses thru the mid-section of the property in a mauka-makai direction (mountain-ocean direction). The climate and weather of Olowalu is typical of most of Hawaii's leeward coastal areas. Rainfall is approximately 10-20 inches of rain per year; while, close by near the top of West Maui Mountains receives approx. 440+ inches of rain per year. Existing uses in the Olowalu region include: a small general store, an up-scale restaurant, a small private ocean-side camp site, a large private cultural reserve along the stream (80 +/- acres), residential homes, coastal resources: surfing, fishing, swimming, hiking, diving, snorkeling, etc...

The existing Olowalu community is serviced by a "dual" private water system (both potable and non-potable water). The private water system operates as a State PUC regulated utility. Olowalu is not serviced by County wastewater systems, the existing residences are dependant upon individual septic or cesspool systems. There are no police, fire, or medical services in the immediate vicinity of Olowalu, these public services are provided either in Lahaina or Wailuku/Kahului. MECO provides and services the region with electricity. Cable and phone are available to Olowalu residents as well.

Historically, Olowalu was once a thriving Sugarcane Plantation/Village, with a sizeable sugarcane industry, which included employee villages/homes; an exclusive manager's residence, stores, as well as a wharf used to ship out and receive goods. During the period of early 1900's thru 1930's, Olowalu had a population of 850 +/- people. Around 1940, the Olowalu Mill closed down and the existing Olowalu industry was sold to a larger regional plantation, AMFAC, located in the Historic town of Lahaina. In the mid 1990's, the Hawaiian sugarcane industry began to show a significant economic decline, and as such, the AMFAC sugarcane company began to decline as well. As the AMFAC Sugar Company started to decline, they made the decision to sell off large tracts of land to help the company's economic recovery process. The selling of large tracts of former sugarcane land came as a major surprise to most people living on Maui, as for the first time in recent history, large tracts of vacant land (former sugar cane fields) were sold to private entities or individuals. OEA is the entity which purchased the majority of Olowalu lands in 1996.

MASTER PLANNED COMMUNITY OF OLOWALU - AHUPUA'A ... Our vision is to formulate a comprehensive Master Plan which will be used to guide the design and development of the new Olowalu Community. Our goal for the Master Plan Community of Olowalu would be to incorporate sound land use planning principles, with an emphasis on a sustainable growth rate: seeking a balanced approach towards the development and preservation of natural resources. The Master Plan would seek to provide public benefits and insure adverse impacts to the existing natural environment are minimized. We intend to assemble a consultant team to help us through the required entitlement process in which we may be seeking a "Project District" zoning designation (or some other appropriate Zoning Designation) which allows for the flexibility to come up with innovative and creative growth patterns. In order to ensure that there is adequate public participation in the entitlement process, we intend to implement a sincere island-wide community outreach program which will include residents and governmental agencies alike.

PRELIMINARY/CONCEPTUAL PLANS AND LAND USES - Currently, we envision that the Master Planned Community of Olowalu will consist of approximately 1,500 residential units. The new Community could include a wide variety of single-family and multi-family residential units and would be sold to a wide range income levels (i.e. low income, mid-level income, high income, as well as senior living). We also envision the development of a country town-village core area for "country-town" uses to support residents and visitors alike. Other important features of the Master Plan would include the provision of ample shoreline and inland parks, coastal access-ways, lots of walking-biking trails, open spaces, cultural parks, County police and fire sub-stations, small medical facilities, visitor

accommodations, and construction of adequate infrastructure improvements and/or systems, such as: water, sewer, and drainage. Additionally, a critical component of the Master Plan is the proposed relocation of the Honoapiilani Highway to a more mauka alignment.

FUTURE CHALLENGES: The following is a bullet-point list of future challenges the proposed Master Planned Community of Olowalu faces:

- **Infrastructure Systems** – As Olowalu currently does not have a significant population, Olowalu is considered to be located “off of the grid” with the Honoapiilani Highway (State highway) being the only public-built infrastructure system in the region. Currently, a State PUC regulated private water system provides both potable and non-potable water to the area. Thus, a challenge for the new Master Planned Community of Olowalu will be the development of public and/or private infrastructure systems, including: wastewater systems, drainage systems, a pedestrian friendly network of transportation systems, and any other improvements that are required to insure the safety, health and well being of the residents. The development of these infrastructure systems will be integrated into the Master Plan Community of Olowalu.
- **Relocation of Honoapiilani Highway** – The relocation of Honoapiilani Highway from its existing makai alignment to a more mauka alignment will be an important issue related to the planning of the Master Plan Community of Olowalu. The realignment will be a significant challenge since it directly impacts vehicular flow between West Maui and Central Maui and into the Master Plan Community of Olowalu. Given the geographical conditions and likely realignment corridors, the relocation of Honoapiilani Highway within the Master Planned Community of Olowalu may be able to occur as a segment prior to the finalization of the entire Honoapiilani Highway relocation. We hope to be able to participate and assist with the relocation process and integrate the alignment into the Master Plan Community of Olowalu to ensure a practical and feasible alignment is utilized.
- **Sustainability of Growth and Natural Environment** – The Olowalu area includes many coastal and mountain natural resources. Many of these resources are currently utilized by the public for snorkeling, surfing, fishing, etc. A challenge of the Master Plan Community of Olowalu will be to integrate into the natural resources into a cohesive community that encompasses sustainability and accessibility of natural resources (i.e. the coastal and marine environments and activities, scenic view planes, open space and public parks/greenways for activities such as biking, hiking, etc.) Further, critical infrastructure components including drainage, roadway, and sewer systems must be designed and implemented in a way that preserves and sustains the region’s natural resources.
- **Public Involvement** – Another challenge is obtaining constructive community involvement into the planning process. We intend to implement a sincere community outreach program in conjunction with the Master Planned Community of Olowalu in order for the community to have direct impact into the planning process. We intend to reach a very broad spectrum of the community with the goal of integrating the “real” needs of island into this new community.
- **Existing Residences** – The existing residents of Olowalu will be impacted by the Master Plan Community of Olowalu. A challenge will be to include the residents into the planning process in order for the development to make a positive impact to their community and minimize any potential adverse impacts. The existing residents will be an important part of the community outreach program.
- **General Plan Update** – The General Plan Update and the planning for the Master Plan Community of Olowalu will occur simultaneously. The integration of these two processes will be a challenging. Communication with your team and the County will be vital in order to keep informed of the process and formation of the General Plan Update. We will want to make sure that we continually have open lines of communication and provide any information necessary to ensure a seamless integration of the two processes.

MASTER PLAN COMMUNITY OF OLOWALU

6/3/05

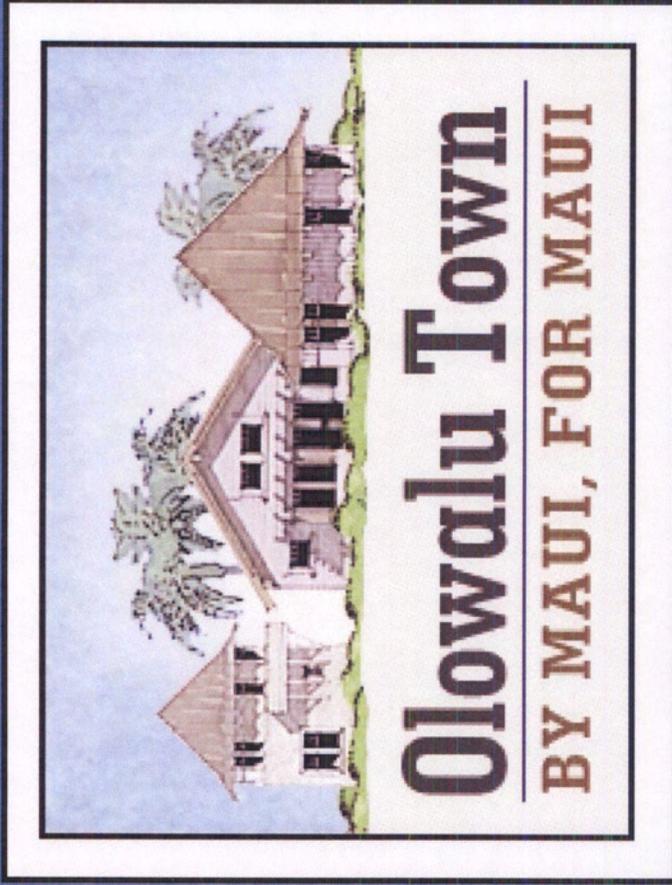
Page 4 of 4

We are pleased that you approached us and provided us an opportunity to submit the above information. We also look forward to having an opportunity in the near future to sit down with you and discuss our proposed project in more detail. After you have had a chance to review this letter, please feel free to contact me or my partner David Ward at 808-249-2224 and let us know if we can be of further assistance or if you require additional information.

Sincerely,
Frampton & Ward

William Frampton

CC: Michael Foley, Director of Planning
John Summers, Long Range Planning Program Administrator
Kathleen Ross Aioki, Staff Planner
Robin Foster, PlanPacific, Inc.
Olowalu Elua Associates, LLC
David Ward, Frampton & Ward, LLC



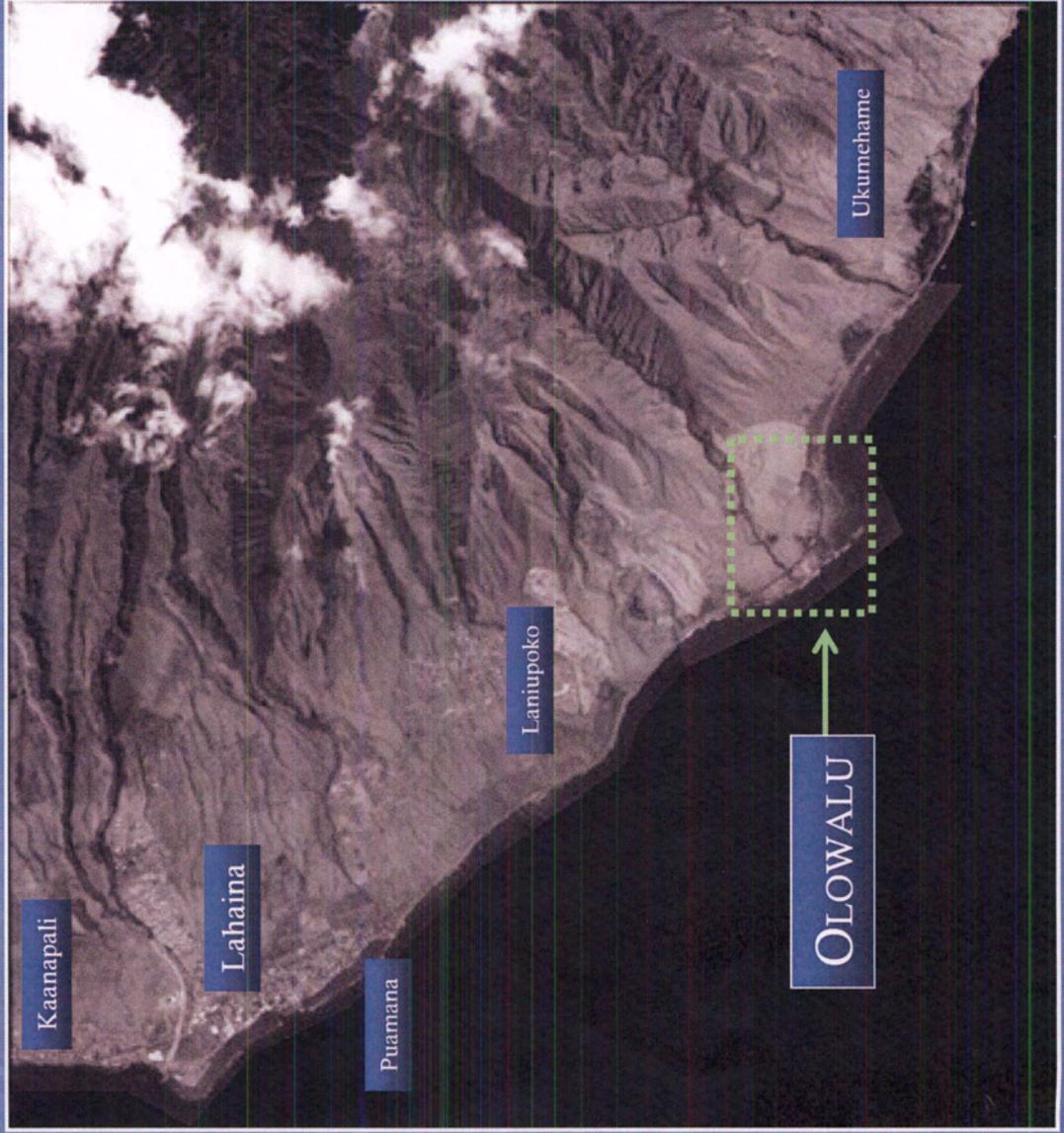
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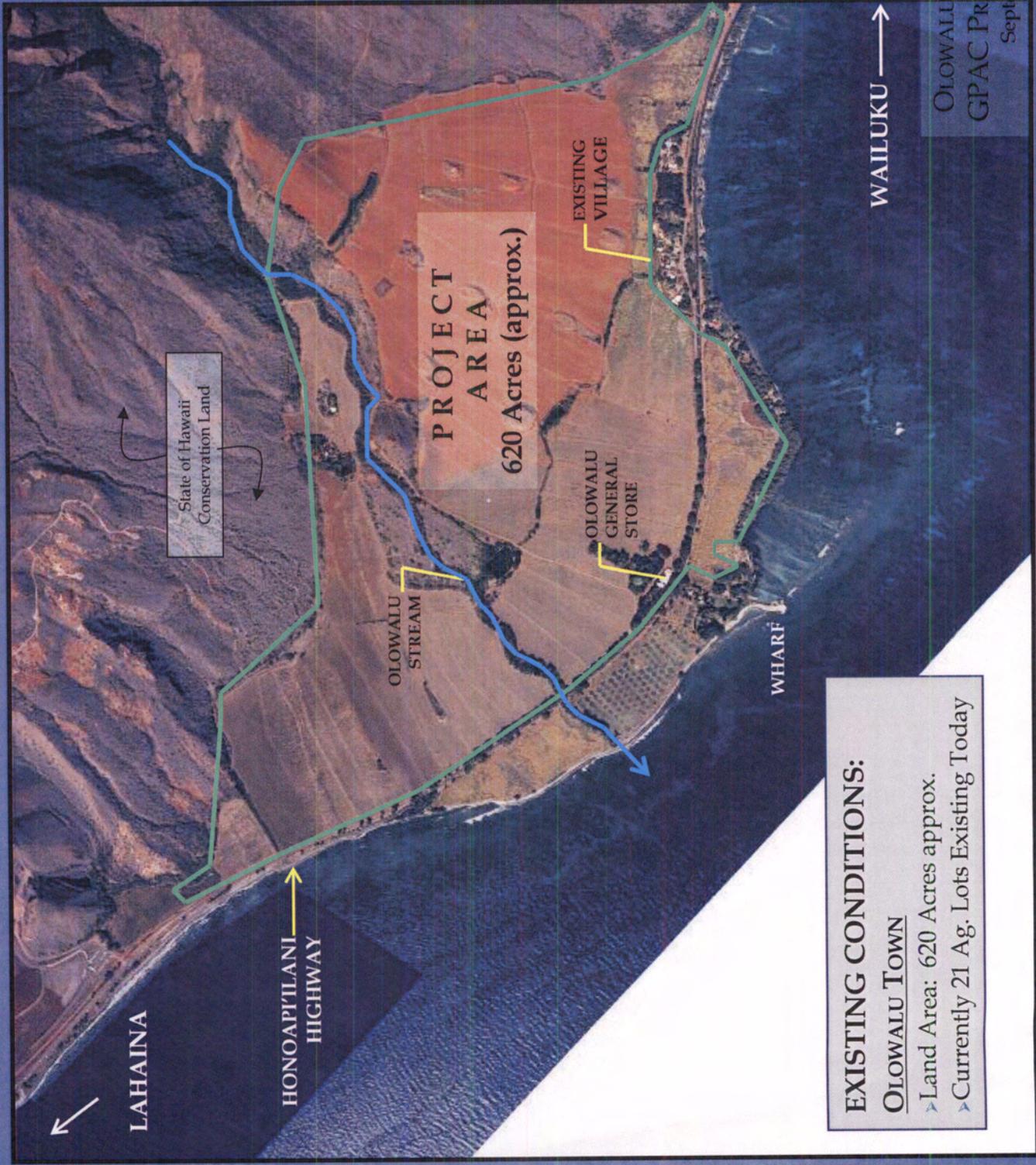
84, 98, 99, 100, 101, 102, 103, 104,
105, 106, 107, 108, 108, 110, 111,
112, 113, 114, 115, 116, 117, & 118

GPAC PRESENTATION

SEPTEMBER 20, 2007

REGIONAL LOCATION





State of Hawaii
Conservation Land

**PROJECT
AREA**
620 Acres (approx.)

OLOWALU
STREAM

EXISTING
VILLAGE

OLOWALU
GENERAL
STORE

WHARF

LAHAINA

HONOAPI'LANI
HIGHWAY

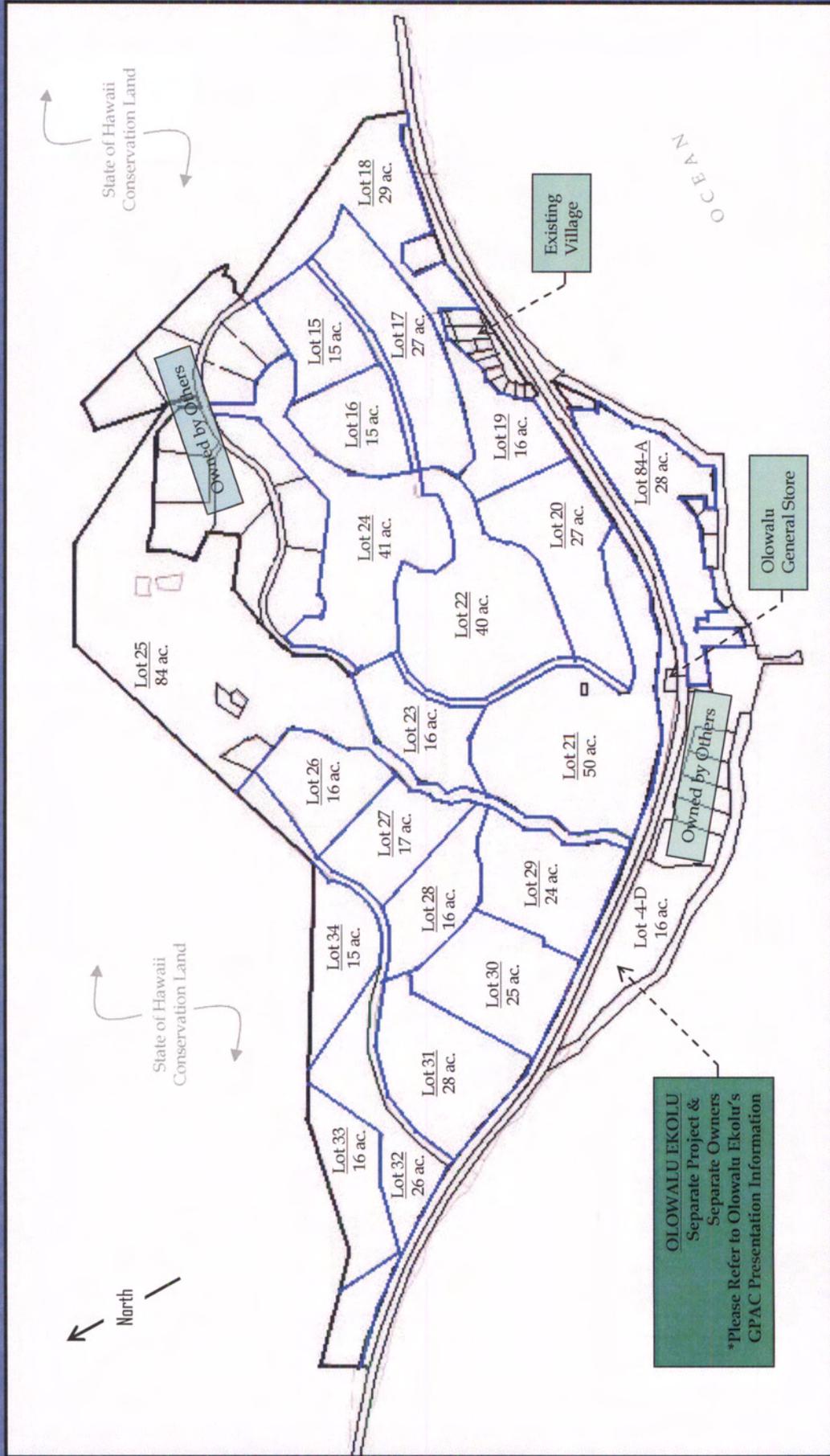
WAILUKU

EXISTING CONDITIONS:
OLOWALU TOWN
> Land Area: 620 Acres approx.
> Currently 21 Ag. Lots Existing Today

OLOWALU TOWN, LLC
GPAC PRESENTATION
September 20, 2007

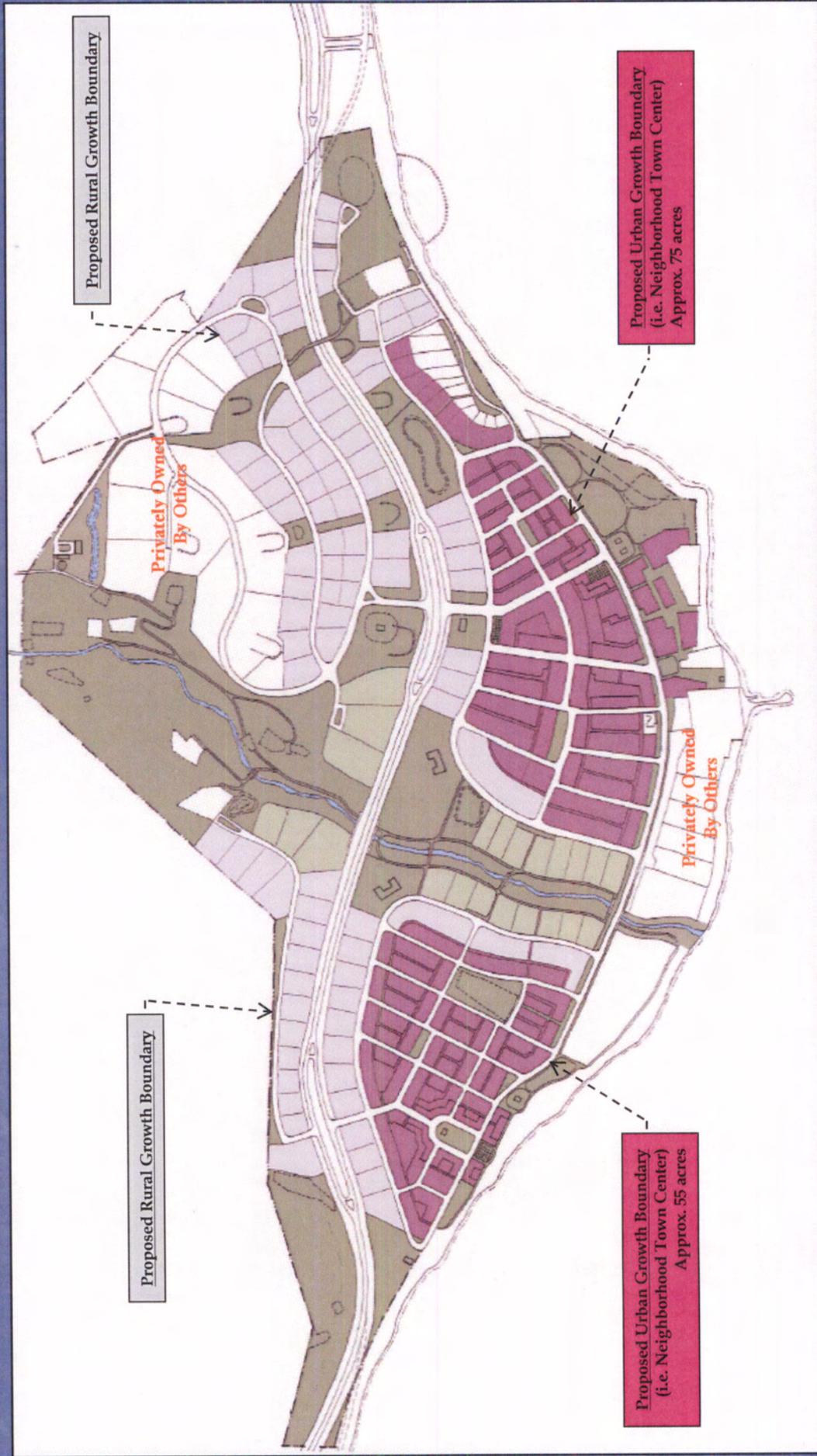
EXISTING SUBDIVISION

21 - Large Lots Exist Today



OLOWALU EKOLU
 Separate Project &
 Separate Owners
 *Please Refer to Olowalu Ekolu's
 GPAC Presentation Information

PROPOSED URBAN & RURAL GROWTH BOUNDARIES



LOWALU TOWN - A Traditional Community For Maui's Families

HOUSING UNITS

- > 500 Affordable Units
- > 500 Sub-Market Units
- > 500 Market Units

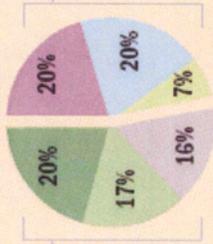
TOTAL: 1,500 Housing Units



Olowalu Town Land Use Breakdown

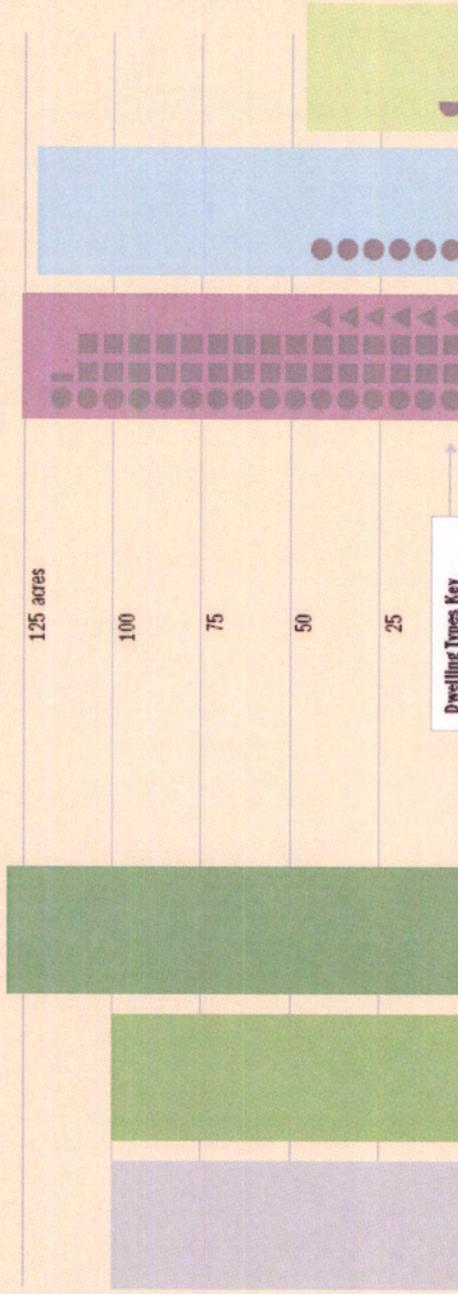
Parks, Open Space & Community Space: 53%

- Passive Parks, Open Space, Cultural Reserve: 20%
- Active Parks, Community Center, Schools, Police/Fire: 17%
- Highway and Roadway Corridors: 16%



Residential Land Use: 47%

- Urban Residential and Commercial Business: 20%
- Rural Residential: 20%
- Agricultural Farmsteads: 7%



Dwelling Types Key

- - 25 Single Family Lots
- - 25 Multi-Family/Apts
- ▲ - 25 Live/Work Units

Highways and Roadways
100 acres

Active Parks, Community Ctrs, Schools, Police/Fire
100 acres

Passive Parks, Open Space, Cultural Reserve
130 acres

Note: Preliminary figures based upon conceptual master plan.

Olowalu Acreage

Olowalu Town 620 acres
 Parks, Open Space and Community Space ... 330 acres
 Residential Use 290 acres

Passive Parks and Open Space

- Streamside Park
- Pocket Parks
- Cultural Preserve
- Archaeological Sites
- Neighborhood Parks

Active Parks/Community Services

- Coastal Parks
- Community Centers
- Schools
- Police/Fire Facilities

Roadway Corridors

- Tree-Lined Roadway
- Alleys
- Greenways
- Relocated Highway
- Trails
- Streets

Number of Units by Type

Single Family Lots 565
 Multi-Family / Apartments 785
 Live/Work Units 150

Commercial Business Space

25,000 sq. ft. in the Town Centers for:

- Surf Shop
- Restaurant
- Market
- Drug Store
- Doctor
- Dentist
- Video Store
- Bakery
- Bar
- Book Store
- Hardware Store
- Café

PROJECT HIGHLIGHTS & COMMUNITY BENEFITS

- Community Where Maui's Families Can Afford to Live.
- Wide-Range of Housing Types for Wide-Range of Income Levels.
- Over 300 Acres is Parks; Open-Space; Community Amenities; Roadways.
- Innovative Infrastructure/Green Technology at No \$ Cost to County (Water System; Wastewater Treatment Plants; Drainage, etc...).
- Live, Work, Play in Same Community - Minimize Use of Cars.
- Public Facilities/Social Services Included, Not just Houses.
- Pay For New Mauka Highway - Relocate High-Volume / High-Speed Corridor to New Mauka Alignment.
- Existing Highway preserved as Country-Town Road.
- Preserve of Character of Maui - Small Towns & Communities.

LOWALU TOWN

INTRODUCTION:

Fundamental Elements of Urbanism

The fundamental elements of a true urbanism are: 1) the Neighborhood, 2) the District, and 3) the Corridor. Neighborhoods are urbanized areas having a balanced range of human activity. Districts are urbanized areas organized around a predominant activity. Corridors are linear systems of transportation or green space which connect or isolate the neighborhoods and districts.

Neighborhoods, districts, and corridors are complex urban elements. Suburbia, in contrast, is the result of simplified "zoning" concepts that segregate activities into enclaves. It is composed of "residential subdivisions," "shopping centers," "office parks," and "open space."

- I. THE NEIGHBORHOOD:** The neighborhood can aggregate with other neighborhoods to form cities and towns, while a single Neighborhood, isolated in the landscape, is a village. The nomenclature may vary, but there is a general agreement regarding the composition of the neighborhood. The Neighborhood Unit of the 1929 New York Regional Plan, the Quarter identified by Leon Krier, the Traditional Neighborhood Development (TND), and the Transit Orientated Development (TOD) all share similar attributes:

The neighborhood has a center and an edge. The combination of a focus and a limit contribute to the social identity of the community. Both are important, but the center is essential. It is usually a public space, which may be a square, a green, or an important street intersection. It is located near the geographic center of the urbanized area unless compelled by a geographic circumstance to be elsewhere. Eccentric locations may be justified by a shoreline, a transportation corridor, or a promontory creating a view.

The center is the locus of the civic buildings. Commercial buildings such as shops and workplaces are usually associated with the center of the village. However, in the aggregations of neighborhoods which create towns and cities, commercial buildings are often at the edge, where they can intensify by combining with those of other neighborhoods.

The edge of a neighborhood varies in character. In villages, the edge is usually defined by land reserved for cultivation or conservation in a natural state. In urban areas, the neighborhood edge is often defined by boulevards or parkways.

The neighborhood has a balanced mix of activities: shopping, work, schooling, recreation, and dwelling of all types. This arrangement is particularly useful for those young, old, and poor people who cannot depend on the automobile for mobility. The housing stock of the neighborhood serves a range of incomes. Affordable housing types include backyard cottages, apartments above shops, and rowhouses. There should also be expensive houses to attract those most able to contribute time and wealth to civic causes.

The optimal size of a neighborhood is a quarter-mile from center to edge. This distance is the equivalent of a five-minute walk at an easy pace. The limited area gathers the residents within walking distance of many daily needs, including transit, which is ideally placed at a central node in conjunction with convenience retail.

The location of a transit stop within walking distance of a predictable population substantially increases the likelihood of its use. Transit-oriented neighborhoods create a regional network of villages, towns, and cities accessible to a population without singular reliance on cars. Such an aggregation can provide major cultural and social institutions, a variety of shopping, and the kind of broad job base that can only be supported by the substantial population of many neighborhoods.

Neighborhood streets of varying types are detailed to provide equitability for the pedestrian, the bicycle, and the automobile. The concurrent provision of sidewalks, street trees, and on-street parking slows the automobile and increases pedestrian activity, encouraging the casual meetings that form the bonds of community. Neighborhood streets are laid out to create efficient blocks for building sites and to shorten pedestrian routes. A fine network of streets and roads provides multiple routes that diffuse traffic. This pattern keeps the local traffic away from the long-range corridors.

The neighborhood gives priority to the creation of public space and to the appropriate location of civic buildings. Private buildings form a disciplined edge delineating the public spaces and the private block interior. Useful public spaces such as formal squares, informal parks, and small playgrounds provide places for gathering and recreation. Honorific sites are reserved for public buildings which reinforce the civic spirit of the community and provide places of assembly for educational, social, cultural, and religious activities.

- II. THE DISTRICT:** The district is an urbanized area that is functionally specialized. Typical examples are theater districts, capitol areas, and college and sports campuses. Other districts accommodate large scale transportation or manufacturing uses, such as airports, container terminals, and refineries. Although districts preclude the full range of activities of a neighborhood, they are not always the single-activity zones of suburbia. A district allows multiple activities to support its primary identity.

The structure of the district parallels that of its neighborhood: an identifiable focus encourages orientation and identity, and clear boundaries facilitate the formation of special taxing or management organizations. Like the neighborhood, attention to the character of the public space reinforces the community of recurrent users, which encourages the pedestrian, supports transit viability, and ensures security. Districts benefit from transit systems, and should be located within a regional network.

- II. THE CORRIDOR:** The corridor is the connector or the isolator of neighborhoods and districts. Corridors are composed of natural and technical components ranging from wildlife trails to rail lines. The corridor is not the haphazard residual "open space" buffering the enclaves of suburbia, but a proactive civic element characterized by its continuity. It is defined by the boundaries of neighborhoods and districts and provides entry to them.

The trajectory of a transportation corridor is determined by its intensity. Highways and heavy rail corridors should remain tangent to towns and cities and enter only the industrial districts. Light rail corridors and buses may be incorporated into the boulevards at the edges of neighborhoods. As such, they are detailed for pedestrian use and accommodate building sites. Bus corridors may pass into neighborhood centers on small conventional streets.

Green corridors or greenways can be formed by the systematic accretion of recreational open spaces, such as parks, playing fields, schoolyards, and golf courses. These continuous natural spaces should gradually flow to the rural edges, connecting the regional ecosystem. The transportation lines may be located within continuous parkways, combining both types of corridor and providing long-distance walking and biking trails.

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regional ecosystem. The transportation lines may be located within continuous parkways, combining both types of corridor and providing long-distance walking and biking trails.

B. TRADITIONAL NEIGHBORHOOD PRINCIPLES

There are two patterns of urbanism in North America: the Traditional Neighborhood, which was the model from the first settlements to World War II, and Suburban Sprawl, which has been the model since then. They are similar in their initial capacity to accommodate people and their activities; the principal difference is that Suburban Sprawl contains environmental, social, and economic deficiencies which inevitably choke sustained growth. The Traditional Neighborhood has many physical, social and economic attributes that do not exist in suburbia.

The Neighborhood is a comprehensive planning increment: when clustered with others, it becomes a town; when standing free in the landscape, it becomes a village. The Neighborhood varies in population and density to accommodate localized conditions.

The Traditional Neighborhood Has Several Positive Consequences:

By bringing most of the activities of daily living into walking distance, everyone (especially the elderly and the young) gains independence of movement.

By reducing the number and length of automobile trips, traffic congestion is minimized, the expenses of road construction are limited, and air pollution is reduced.

By providing walkable streets and squares of comfortable scale with defined spatial quality, neighbors can come to know each other and to watch over their collective security.

By providing appropriate building concentrations at easy walking distances from bus stops, public transit becomes a viable alternative to the automobile.

By providing a full range of housing types and work places, age and economic classes are integrated and the bonds of an authentic community are formed. Even affordable housing occurs naturally and in a highly integrated manner. The affordable housing looks like the market-rate housing, using similar exterior materials, windows, and building forms. Affordable housing is not segregated and is never clustered in large numbers. Housing can be provided above retail establishments. This type of dwelling can be provided for the cost of construction alone, because the cost of land can be assigned to the retail component of the building.

By providing suitable civic buildings and spaces, democratic initiatives are encouraged and the balanced evolution of society is facilitated.

The social and environmental benefits of a New Urbanist community, or Traditional Neighborhood Development (TND) results from certain physical and organizational characteristics. An authentic Neighborhood includes most of the following:

1. That development should preserve sensitive natural and cultural areas as permanent open space.
2. That the basic increment of development should be the walkable, diverse pedestrian shed, forming a neighborhood.
3. That each neighborhood should have a discernible center to serve as a community gathering place. This center would also contain a transit stop.
4. That the pedestrian shed be a five or ten-minute walk to the neighborhood center such that pedestrians may have access to transit. This distance averages one-quarter of a mile.
5. That there should be shops within, or in proximity to, the neighborhood, sufficiently varied to satisfy ordinary daily household needs. A convenience store is the most important among them.
6. That the neighborhood should incorporate a variety of places to work, including those that enables work at the dwelling.
7. That each neighborhood should incorporate a variety of dwelling types, such that younger and older persons, single households and families may be housed.
8. That each dwelling should be permitted to have an ancillary unit for use as a rental apartment.
9. That an elementary school should be available, or a site reserved, within one mile of most dwellings.
10. That there are small playgrounds quite near every dwelling, not more that one-eighth of a mile.
11. That thoroughfares within the neighborhood be a network, connecting wherever possible to adjacent thoroughfares in order to provide a variety of itineraries and disperse traffic.
12. That thoroughfares should be designed to slow traffic, creating an environment appropriate for pedestrians and bicyclists as well as automobiles.
13. That building frontages should collectively support pedestrian streetscapes and mask most parking lot.
14. That certain prominent sites are reserved for civic buildings. Buildings for meeting, education, religion or culture are located at the termination of street vistas or at the Neighborhood center.

C. THE TRANSECT

The Transect, in its origins (Von Humboldt 1790), is a geographical cross-section of a region used to reveal a sequence of environments. Originally, it was used to analyze natural ecologies, showing varying characteristics through different zones such as shores, wetlands, plains and uplands. For human environments, this cross-section can be used to identify a set of habitats that vary by their level and intensity of urban character, a continuum that ranges from rural to urban. In Transect planning, this range of environments is the basis for organizing the components of the built world: building, lot, land use, street, and all other physical elements of the human habitat.

One of the key objectives of transect planning is creation of immersive environments. Successful immersive environments are based on the selection and arrangement of all the components that contribute to a particular type of environment. Each environment, or Transect Zone, is comprised of elements that support and intensify its locational character. Through the Transect, planners are able to specify different urban contexts that have the function and intensity appropriate to their locations. For instance, a farmhouse would not contribute to the immersive quality of an urban core, whereas a high-rise apartment building would. Wide streets and open swales find a place on the Transect in more rural areas while narrow streets and curbs are appropriate for urban areas. Based on local practices, most elements can be locally calibrated to contribute to the regional and vernacular character of a given environment.

The continuum of the Transect, when subdivided, lends itself to the creation of zoning categories. Six have been identified. These Transect zones (T-zones) display more-or-less fixed identifiable characteristics, from the most rural and natural environment (T-1) to the most urban environment (T-6). The standards specified by the zoning categories overlap, reflecting the successional eco-zones of natural and human communities.

The Transect is evident in two ways: (1) it exists in place and (2) it evolves over time. Yet, the evolution of communities over time is the unforeseen element in urbanism. A hamlet may evolve into a village and then into a town; its T-zones increasing in density and intensity over a period of many years.

The Transect Zones impose the discipline of the distribution of densities and building types throughout the plan. They also create a high degree of flexibility as several building types can be applied in every Transect Zone. The Regulating Plan also shows the form and location of public open spaces.

Olowalu Town
Estimated Land Use Information
April 9, 2007

FOUR (4) PRIMARY LAND USE CATEGORIES	Project Data			Park Data		Unit Data	
	USE TYPES IN EACH CATEGORY	Project by Acres	Percent (%) by Acres	Park by Acres	Percent of Park by Acres	No. of Units	Percent Units in Urban
1							
2	AGRICULTURAL FARMSTEADS*	45	7%			15	
3	LOCAL RESIDENTIAL	120	19%			150	
4							
Total		620				1,500	1,335

* Estimated Areas Do Not Include Roadway Corridors

Based on Preliminary Conceptual Plan and Subject to Change

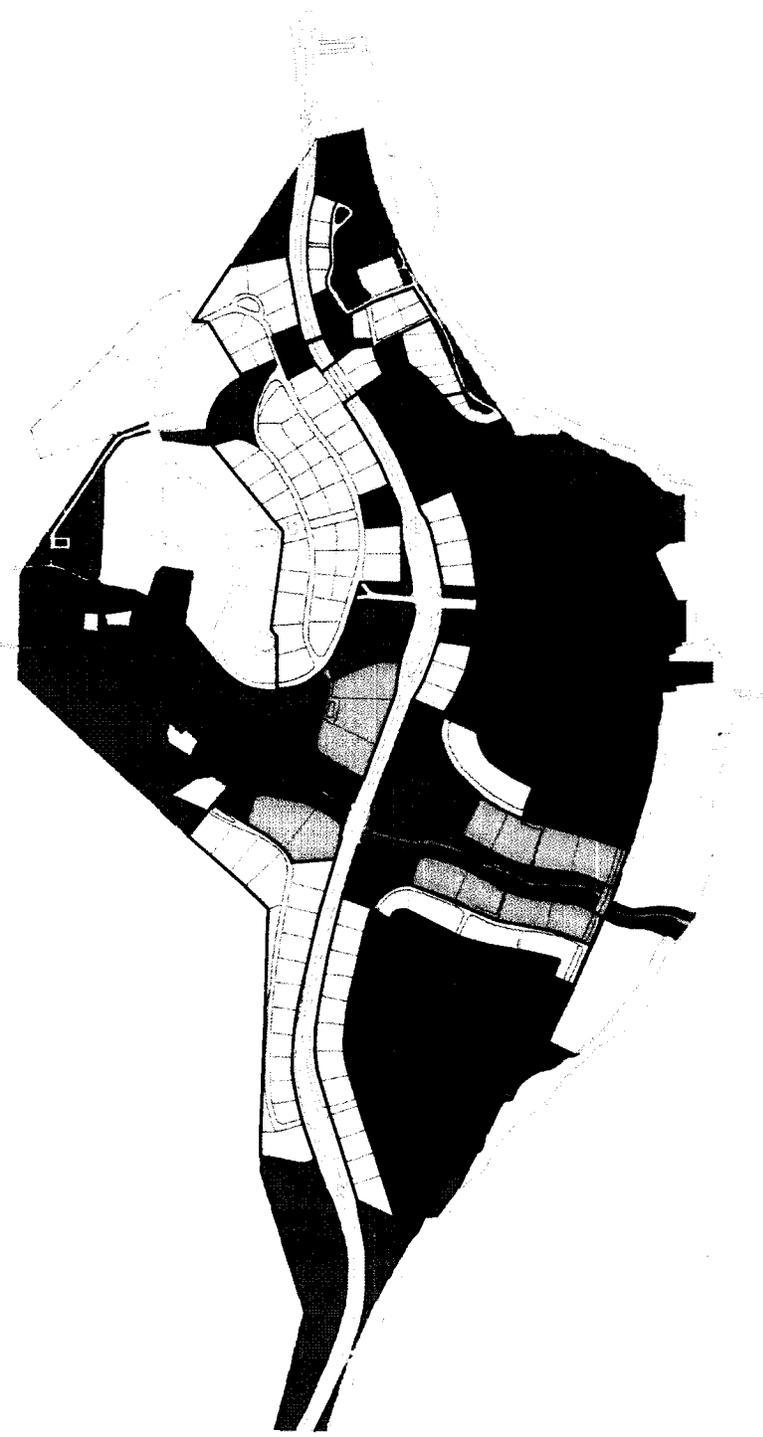
OLOWALU TOWN

MAUI, HAWAII

REGULATING STANDARDS

ZONING DISTRICT

-  PARK / OPEN SPACE / CULTURAL RESERVE
-  AGRICULTURAL FARMSTEAD
-  RURAL RESIDENTIAL
-  URBAN RESIDENTIAL / COMMERCIAL BUSINESS
-  PROPERTY ALREADY DEVELOPED



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Draft Date: October 2006 0521_Olowalu_Town.mxd

OLOWALU TOWN

MAUI, HAWAII

REGULATING STANDARDS

1.2 REGULATING PLAN BY TRANSECT ZONE

The Regulating Plan assigns the transect zones within the Master Plan. The transect zones impose the discipline of the distribution of lot sizes, setbacks, building types, frontage types, building heights and building function which allow flexibility within specific parameters. For example, several building types can be found in every transect zone the Urban Center transect zone can have apartments, townhouses, and/or five-story units.

TRANSECT ZONES

Park / Open Space / Cultural Reserve

- T1. Natural Zone
- CB. Civic Building Reserve
- CS. Civic Spaces

Agricultural Farmland

- T2. Rural Zone

Rural Residential

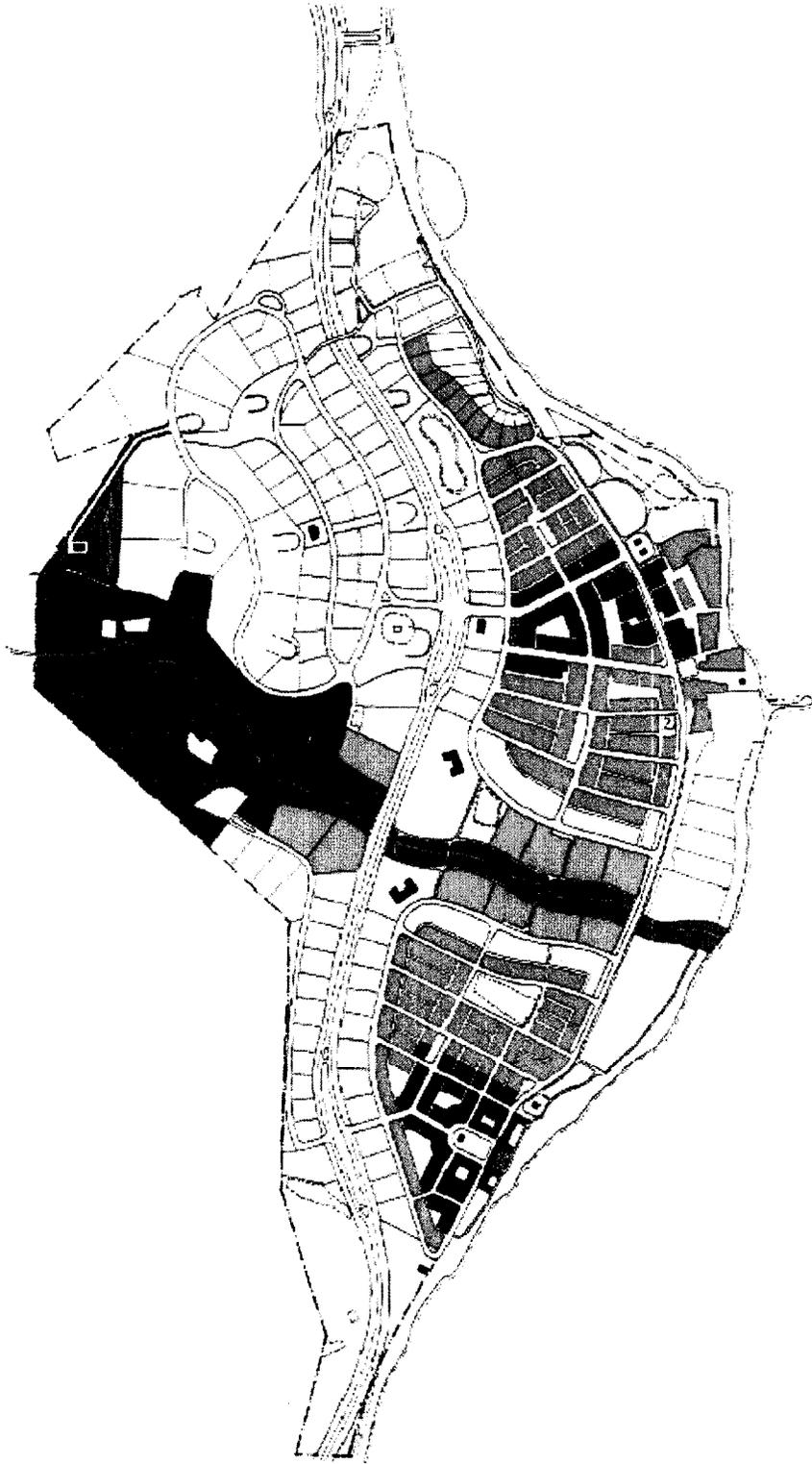
- T3. Sub-Linkin

Urban Residential / Commercial Business

- T4. General Urban
- T5. Urban Center
- T6. Required Retail Frontage

Property Owned by Others

- Already developed / planned by others



Maui Island Plan

Maui County 2030 General Plan Update

Landowner/Developer Presentation Request Form

A. Name of company or organization or organization: OLOWALU TOWN, LLC

B. Project Name: OLOWALU TOWN

C. Project Location (Community Plan Region): WEST MAUI COMMUNITY PLAN

PROJECT CHARACTERISTICS

D. Total acreage of Proposed Project: 618 Acres.

E. **Number and type of housing units proposed:** The community of Olowalu Town (OT) will provide a total of *1,500 Housing Units*. It is designed to be a community for Maui's families; where kama'aina can afford to live. OT will offer a diverse range of quality housing types to serve a wide range of income levels. The project will offer fee-ownership or rental options, and unit types including: townhouses, apartments, single-family dwellings, cottages/ohanas, and large houses on farmsteads. A substantial portion of the homes are planned for the much-needed affordable housing for local families. Overall, OT's land uses are divided into four distinct categories: (1) Urban - 20%; (2) Rural - 20%; (3) Agricultural - 7% and (4) Parks/Open-Space/Community/Roadways - 53%. The price ranges for all of the housing will be allocated into the following:

- 500 units or 1/3 of project for affordable (below 120% median income level);
- 500 units or 1/3 of project for gap-group/under-market (below existing average market prices); and
- 500 units or 1/3 of project for market (above average market prices).

F. **Commercial and Industrial square footage proposed:** OT is designed as a "mixed-use community" and is planned to be economically viable and sustainable. OT will provide a wide range of commercial/business establishments to provide residents with the ability to satisfy many of their daily needs for goods and services without having to get in the car and drive:

- 1) **Neighborhood Town Centers:** OT will include two (2) separate and distinct neighborhood town centers designed to embrace and sustain local businesses. Total combined commercial area for both town centers will be approximately 25,000 square feet. Commercial/Business uses within the town centers could include markets, health/organic foods, surf shops, drug stores, bakeries, bookstores, hardware stores, video stores. It is important to note that the neighborhood town centers serve as the focal points and gathering areas for the community. Also, the town centers are located within a 5-minute walk of resident's homes.
- 2) **Restaurant, Food Services, Small-Scale Lodging:** Approximately 15,000 square feet of restaurants, bars/cafes, snack shops, internet cafes, and other food outlets. Also, not included in this square footage could be small scale appropriate lodging or bed and breakfasts.

- 3) **Live-Work Units**: Approximately 150 innovative Live-Work units will be scattered throughout the neighborhood town centers. Live-Work units in Smart Growth communities have proven to create a wider, more diverse economic base and provide a substantial amount of business/commercial activity. These units typically provide professional opportunities in areas such as accounting, high-tech related, attorneys, insurance, wellness/fitness, art, and other appropriate small businesses. Residents can purchase a single structure to start a new business and live upstairs, or offer work and housing space to others.
- 4) **Public and Social Services**: Additional square footage will be necessary for OT's public and social services, such as police, fire, post office, non-profits, cultural center, and the educational facilities.
- 5) **Agriculture**: Agricultural land will be cultivated with the intent of growing food for local markets, food outlets, and educational facilities. There is also the possibility of a small agricultural park to supplement OT's intent of being a sustainable community by growing its own food.

G. Public Infrastructure or Facilities Improvements proposed: OT is designed and planned to be a complete, independent, and sustainable community. As such, OT will provide the following services:

- 1) **Public Infrastructure**: A significant component of OT includes the design and building of innovative Infrastructure Systems at no cost to the State or County. These systems are based upon sustainable technologies that minimize the adverse impacts upon the natural environment. Efficient "green" technologies modeled after natural systems are planned at OT with an emphasis on recycling, reducing, and reusing. Our team of Natural Resource Engineers conducted an Integrated Resource Planning Assessment in order to (1) determine the most efficient use of our natural resources, (2) determine appropriate infrastructure systems compatible with the environment, (3) minimize environmental impacts, and (4) provide safe economically feasible services. OT believes strongly in responsible development and will construct and pay for the following Infrastructure Systems:
 - a) **Highways & Roadways**: Instead of just planning streets for cars, OT is designed to provide many modes of transportation for people including walking, biking, mass transit, and automobiles. These different modes of transportation address movement within neighborhoods (*circulation*), between neighborhoods (*connectivity*), and to different parts of the island (*regional transportation*). To advance those goals OT will do the following:
 - i. **Honoapi'ilani Highway**: To improve regional transportation OT will pay for the relocation of the high-volume/high-speed traffic of Honoapi'ilani Highway to a new mauka alignment. The new highway will be designed and built according to state and federal standards. The highway will be built in conjunction with the first phase of OT. The design will preserve and enhance existing access to shoreline parks, beaches and ocean activities, including surfing and fishing. The new highway corridor is designed to accommodate mass transit alternatives when they become available. The existing road would be preserved with its Monkey-pod trees and returned to its original role as a country/town roadway with bike and walking paths built along its side.
 - ii. **Internal Roadways**: To create connectivity and circulation within and among the town, OT will build a connective/grided network of pedestrian friendly roadways. A grided roadway network provides "parallel redundancy" offering numerous routes/options for both pedestrians and drivers. Olowalu street dimensions will be guided by the principle of "*Context Sensitive Design*" which recognizes place making and pedestrian comfort as legitimate goals for roadway design. This is implemented by designing

narrow, slower moving streets, with on-street parking in town areas, landscaped medians, and tree-lined sidewalks. OT's small scale design and neighborhood block system shortens travel routes and encourages walking as an alternative to automobiles.

- b) **Drinking Water System (Potable):** OT's peak potable water demand (i.e. after full build out) is estimated to be 600,000 to 750,000 gallons per day (gpd). OT will utilize an existing private well system which draws from the *Olowalu Aquifer*. The Olowalu Aquifer has a *sustainable yield of 3.0 million gpd* as estimated by the State Commission on Water Resource Management. By integrating good water management techniques, including practical conservation measures within homes and businesses, OT will safely draw only 20% - 25% of the aquifer's sustainable yield for potable use, avoiding overdraw and salinity problems.
 - c) **Wastewater Treatment Plants:** State of the art decentralized wastewater treatment plants, designed by our Natural Resource Engineers, will produce clean recycled water for irrigation. OT's small treatment plants are compact, efficient and have little odor or other effects on the environment. It is estimated these plants will produce 600,000 gpd of clean recycled water at full build out which will be distributed to "green" areas for irrigation (see below).
 - d) **Irrigation:** OT's irrigation system will be supplied with clean recycled non-potable water from the treatment plants described above. This recycled water will provide irrigation water for parks, landscaping and agricultural activities. It may be practical to supplement the irrigation system with water from Olowalu Stream or with water captured storm-water runoff. However, use of native plants appropriate for Olowalu's drier leeward climate will significantly reduce the overall irrigation demand for landscaping.
 - e) **Olowalu Stream:** Currently, water from Olowalu Stream is diverted to a ditch system to provide water for non-potable irrigation needs to community of Olowalu. Historically, the draw for the irrigation of cane fields required substantial amounts of water. However, through OT's integrated resource measures of recycling, reducing, and reusing, the draw from Olowalu Stream is anticipated to be significantly reduced, thus, more water will remain in the stream to the benefit of environmental and cultural needs.
 - f) **Drainage Systems:** Drainage systems for storm-water runoff will meet or exceed government standards to ensure protection of near-shore water quality and coastal ecosystems. Systems will include creative designs for drainage basins, underground storage facilities, and use of innovative pervious pavement for parking lots/roadways to capture and filter pollutants and storm water runoff.
 - g) **Energy:** OT is exploring and investigating the use of solar energy to provide power/electric needs of community. The ideal geographic location of Olowalu along Maui's leeward side provides ample opportunity to capitalize on substantial amounts of sun exposure to generate solar energy/electricity. This advances the goal of OT becoming a sustainable community.
- 2) **Public Facilities and Services:** The design of OT includes over 330 acres (54% of project area) dedicated towards providing Public Facilities and Services to insure that residents have adequate support of daily needs and services for enhanced quality of life. These services include social services, non-profit organizations, educational facilities, police, fire, post office and medical facilities, as well as ample access to beach parks, playgrounds, hiking and biking from their homes. Specifically, the plans include the following:
- a) **Olowalu Cultural Reserve:** The existing Cultural Reserve, which runs in a mauka/makai alignment along central axis of property, will be increased in from approximately 78 acres to approximately 100+ acres in size, and will be enhanced with trail systems. The Reserve will provide educational opportunities for children and can be incorporated into the curriculum of educational programs.

- b) **Community Centers:** Land has been reserved for community centers close to homes and the shore. OT has provided easy access to a variety of civic, religious and non-profit facilities in its plan.
- c) **Parks/Camping:** The design of OT includes over 200 acres of parks, beaches, greenways, cultural reserve, and open-space. Places where residents can just hang out with friends and family and sit and relax. Additionally, the design and planning of parks emphasizes the enhancement and preservation of shoreline access and open-space views.
- d) **Walking/Biking/Greenways:** OT contains a series of interconnected greenways/bikeways for walking or biking. Healthy and active communities like Olowalu help provide for the social, spiritual, and cultural needs of their residents and enhance the quality of life.
- e) **Roadways/Highways:** Internal streets, parkways, alleys, and lanes designed to accommodate pedestrians, bikes, as well as cars to be built at no cost to the County. Also, OT proposes to relocate to high volume/high-speed traffic to a new re-aligned mauka highway at no cost to the State.

H. Timeframe for construction and proposed phasing of development: The OT project is to be implemented in phases, including entitlements and construction over the next 25 to 30 years. Important phases include:

- 1) **Community-Based Planning (3 yrs.):** Week-long *Olowalu Talk Story* in November 2005 with 1,350 participants, followed by 21 months of feedback and community suggestions/presentations on how to improve plan;
- 2) **Permitting and Entitlement (3 yrs.):** After Community-based planning, OT would request to designate the project as a "Project District" (includes Urban and Rural Designations). Includes thorough Environmental Impact Statement (EIS) with a detailed and comprehensive review of the project, technical studies, public meetings, and full disclosure of the project's impacts upon the natural and human environment. Also includes complete review and approval by the State land Use Commission, the Maui County Council and the Maui Planning Commission with public hearings and meetings.
- 3) **Infrastructure Design and Construction (3-5 yrs.):** Once entitled, the OT project will begin infrastructure design and construction, including the new mauka Honoapi'ilani Highway at Olowalu, internal roadways, parks/greenways, and water and wastewater systems. Ultimately, this phase will include the first families moving into a range of affordable, below market, and market homes.
- 4) **Neighborhood and Town Center Construction Phases (5-15 yrs.):** After infrastructure systems, OT's would initiate the first Neighborhood Town Center with neighborhood stores, parks, educational facilities with walking distance (within 5-minute walk) of homes, as well as affordable, Rental, Senior, Single Family, Multi-Family, Apartment and Live-Work housing options. Additional phases to follow.

I. Please explain how your proposed development addresses each of the Smart Growth principles listed below. *We would like to respectfully offer our view regarding the relationship and connection between *Smart Growth* and *Traditional Neighborhood Design (TND)*. Smart Growth are principles which focuses primarily on public policies, especially policies about the location on where government investments should be made and about how planning should shape cities, towns, and regions. TND concentrates mainly on specific design measures in order to implement the Smart Growth Principles, such as designing the size and scale of neighborhoods, pedestrian-friendly and transit ready communities, mixed-use neighborhoods, designing building setbacks and alignments, street widths, blocks, public spaces, neighborhoods, districts, and corridors. The two movements are intertwined; the application of Smart Growth is through the practice and principles of TND.

Additionally, OT's lead project architect, Mr. Andres Duany, is one of the co-founders of the Smart Growth and Sustainable movements across the country. He was intimately involved in the establishment of TND through the U.S. Green Building Council (USGBC), Congress of the New Urbanism (CNU), and U.S. Resource Defense Council (USRDC). Together, CNU, USGBC, and USRDC have worked in collaboration to compile specific strategies and principles which foster and support Smart Growth, including the creation of the 10 Smart Growth principles listed below. Additionally, the three entities collaborated to formulate the LEED certification concept, as well as compile the principles of TND. It is the aforementioned principles and standards which have been used by Mr. Andres Duany to guide the design and planning of OT.

1. **Create a range of housing opportunities and choices:** OT is designed to be a community where Maui's families can afford to live, offering a diverse range of quality housing types to serve a wide range of income levels, including opportunities for fee-ownership or rental of townhouses, apartments, single-family dwellings, cottages/ohanas, and large houses on farmsteads. A substantial portion of the homes are planned for much-needed affordable housing for local families. Overall, OT's land uses are divided into four distinct categories: (1) Urban - 20%; (2) Rural - 20%; (3) Agricultural - 7% and (4) Parks/Open-Space/Community - 53%. The price ranges for all of the housing will be allocated into the following:
 - 500 units or 1/3 of project for *affordable* (below 120% median income level);
 - 500 units or 1/3 of project for *under-market/gap-group* (below existing average market prices); and
 - 500 units or 1/3 of project for *market* (above average market prices).

2. **Create walkable neighborhoods:** OT is designed and planned to be a pedestrian-friendly community which will offer a wide-range of housing opportunities, and allow residents to live within walking distance to corner stores, schools, parks, and community centers. To accomplish this, OT will incorporate the design principles of Traditional Neighborhood Design (TND). TND has been successfully used around the country to stop or prevent sprawl. TND offers specific design principles that promote sustainable and walkable communities.

The primary design tool, or basic building block, for OT is the use of the *small-scale and mixed-use walkable neighborhood*, which is measured by a *5-minute walk* (i.e. "*pedestrian shed*"). This means that from the center to the edge of a mixed-use neighborhood should be no more than a ¼ mile walk. Each mixed-use neighborhood will have a defined center or significant place of interest, which typically includes shops, stores, cafes, or parks which provide residents with easy access to their daily household needs, as well as provide easy access to places to live, work, learn and play. The center will also include a transit stop. The *pedestrian sheds* in OT's plans offer residents a myriad of easy and safe walking paths and trails to access goods and services required for daily needs, thus reducing the number of daily cars trips. Each center will also include "transit" stops for buses or other appropriate mass transit options. Walkable neighborhoods and communities are especially beneficial to those who are unable to drive or do not own vehicles, including seniors and children.

Additionally, OT's walkability is enhanced through the use of Urban Growth Boundaries which contain growth and help maintain the small-scale and compact communities. OT's small scale and compact building design will help to reduce overall automobile dependency and vehicle congestion by: a) reducing the number of times people use their cars; b) reducing the average distance traveled in their cars; and c) by providing pedestrian-friendly network of walking and biking routes. Not only will residents reduce their reliance on imported gasoline and cut down on vehicle emissions, OT will provide residents access to beach parks, playgrounds, hiking, and biking all within a short walking distance from their homes (i.e. no more than a 5 minute walk).

Lastly, a significant reward of planning OT to be a small-scale walkable community is that the design is primarily focused on building at a *human scale* which fosters *social interaction* amongst neighbors which results in more physically and socially healthy communities. This ultimately helps to develop the strong bonds of community spirit.

Olowalu is planned as a community with multiple destinations within close proximity to resident's homes - a small town in which streets and sidewalks balance all forms of transportation, and create a framework to encourage walkability.

- 3. Encourage community and stakeholder collaboration:** OT is based on the premise that the people of Maui should plan communities for Maui's people - who better than the residents of Maui to plan a community for Maui. As such, in November 2005, we invited all of the residents of Maui to attend Olowalu Talk Story, a week-long community-based planning workshop. We mailed out 65,000 *Olowalu Talk Story* newspapers to every mailbox on the island to provide the residents with an opportunity to come together to help plan the re-establishment of a community at Olowalu. The workshop did not begin with a pre-determined plan; rather, it began with a blank-slate. We worked with the community to create a plan which was reflective of both Maui's small town values and innovative design concepts. Over 1,350 people came to Olowalu Talk Story and made our workshop a successful community-based planning effort. Participants came from all over the island of Maui and over 51% of the participants have been living on Maui for more than 20+ years.

In the week prior to the public meeting sessions, long-time families of Olowalu and some of Maui's most respected cultural and professional experts provided invaluable information relating to Maui's small town communities, natural environment, and cultural history to our Lead Architect and Planner, Andres Duany and his design team. This information helped the design team appreciate and recognize the significance of Olowalu. During the Olowalu Talk Story workshop, participants, professional town planners, and government agencies exchanged valuable knowledge and experiences. Olowalu site plans were continuously evaluated, assessed, and updated to incorporate the views of the participants and their stated desires: to preserve Maui's quality of life; provide affordable housing for local residents; and preserve our natural resources. Subsequently, Olowalu has engaged in 21 months of community meetings, meetings with elected and appointed government officials, community presentations, dialogue and feedback (including Internet access) on the plan and how to make improvements in it. This collaborative *transparent* community process will continue through the GPAC, public review of the Environmental Impact Statement (EIS), and government approval for land use entitlements. Recently, OT published a 12-page newspaper, mailed to every address on Maui that has updated the community on the results of "Olowalu Talk Story," and asked for additional feedback.

- 4. Foster distinctive, attractive communities with a strong sense of place:** To foster a distinctive, attractive community with a strong sense of place, OT proposes the use of Traditional Neighborhood Design (TND) guidelines and the use of Urban and Rural Growth Boundaries. Maui has been characterized as an island of small towns and communities, each separate and distinct. These small towns have been defined by boundaries that helped maintain their small size, scale, and unique sense of place. In each town, residents would know their neighbors and could walk to parks, stores, and schools. These towns helped bring us together and families looked out for each other.

However, over the past several decades, our towns have grown outward into surrounding agricultural lands and open-space. The distinct sense of place which characterized many of our towns has become blurred by this development trend, also known as sub-urban sprawl. Sprawl is a direct threat to the small town character of Maui and is a wasteful and inefficient form of growth that is not sustainable.

A significant source of this sprawling development pattern is Maui's existing conventional zoning and subdivision laws imported wholesale from the mainland. Our existing zoning and subdivisions laws promote sprawl which has many adverse effects, including a wasteful large land consumption rate, segregated and single-use pockets of growth, traffic congestion, pollution, loss of open space, and lack of public amenities or services. Since residents are required to drive anytime they need to go somewhere, it is easy to see why this growth and development pattern is dominated by the automobile. At Olowalu, we have an opportunity to reverse this pattern, and instead, start planning developments that are reflective of our island's small town character, sensitive to our natural environment, and can sustain a healthy and viable economy for generations to come.

As noted earlier, the design and planning of OT is guided by TND which uses specific design guidelines that blend and combine traditional settlement patterns (such as the historic patterns which existed at Olowalu) with sustainable ecological strategies. An example of a TND design guideline at OT which will help support a strong sense of place involves reversing conventional roadway design. Rather than design roadways for high mobility/high speed which serves only automobiles, OT roadway standards will include requirements for narrow/slower moving roads, measures for building setbacks and building orientation, landscaped sidewalks, and landscaped medians which will transform the conventional vehicle-friendly street into an enjoyable public corridor that is pedestrian-friendly and has an atmosphere and character of a great "outdoor room" (i.e. a sense of place) where people want to be.

Lastly, the design of OT incorporates the use of Urban Growth Boundaries (UGB) and Rural Growth Boundaries (RGB) to preserve and enhance Olowalu's sense of place. UGBs and RGBs are lines drawn around existing or proposed urban or rural areas beyond which urban or rural growth cannot occur. Once established, growth must take place within the boundaries. Additional highlights associated with UGBs and RGBs include: (1) the growth boundaries will maintain Olowalu's small-town scale and its compact design; (2) the growth boundaries will prevent the outward growth of OT into surrounding agricultural lands, open-space; and (3) the growth boundaries ensure that surrounding natural resources and habitats are preserved and protected.

In addition to the "man-made" UGBs and RGBs, Olowalu is blessed to be protected and sheltered by the steep mountain ridges running mauka to makai, which provide a significant natural boundary to prevent OT from sprawling outward. This large expanse of land is owned by the State of Hawaii and located within the State's Conservation District This awesome natural feature truly defines and enhances Olowalu's natural sense of place.

5. **Make development decisions predictable, fair and cost effective:** As noted earlier, OT is based on the premise that the people of Maui should plan communities for Maui's people. Our comprehensive planning process for OT was guided by transparency and concurrency with the ultimate goal to build and attain community consensus.

The County of Maui, through the process of the update of the General Plan of Maui, has an opportunity to encourage smart growth in Maui County by making regulatory and planning decisions about Smart Growth communities more timely, cost-effective and predictable for developers. The government can make infrastructure and regulatory decisions that will create fair, predictable and cost effective smart growth. OT contributes to this conceptual process through its implementation of a transparent, comprehensive planning process which can put into place a Smart Growth community.

6. **Provide a mix of land uses:** As noted earlier in above sections, OT's layout, structures, density, roadways, and other various land uses and components all contribute to creating a mixed-use, pedestrian-friendly community. OT will offer diverse range of quality housing

types to serve a wide-range of income levels, including opportunities for fee-ownership or rental of townhouses, apartments, single-family dwellings, cottages/ohanas, and large houses on farmsteads. A substantial portion of the homes are planned for much-needed affordable housing for local families.

Regarding commercial/business uses and opportunities, the two neighborhood town centers will feature facilities and amenities for the community, including retail and commercial spaces designed to embrace local businesses. Also, innovative Live-Work units will create a wider, more diverse economic base and provide a substantial amount space for professional opportunities in areas such as accounting, high-tech related, attorneys, insurance, wellness/fitness, art, and other appropriate small businesses.

Agricultural land will be cultivated with the intent of growing food for local markets, food outlets, and educational facilities. There is also the possibility of a small agricultural park to supplement OT's intent of being a sustainable community by growing its own food.

Space for Civic/Social facilities is included in the design of OT, including sites for Community Centers, social services/non-profit organizations, Police and Fire, educational facilities, and medical support facilities.

A substantial amount of land, over 54% of the project site, will be dedicated to recreational activities such as surfing, swimming, fishing, hiking and diving, as well as public open-space, and roadways.

7. **Preserve open space, farmland, natural beauty and critical environmental areas:** As noted earlier, the design of OT incorporates the use of Urban Growth Boundaries (UGB) and Rural Growth Boundaries (RGB) to preserve and enhance OT's sense of place. UGBs and RGBs are lines drawn around existing or proposed urban or rural areas beyond which urban or rural growth cannot occur. Once established, growth must take place within the boundaries. Additional highlights associated with UGBs and RGBs include: (1) the growth boundaries will maintain OT's small-town scale and its compact design; (2) the growth boundaries will prevent the outward growth of OT into surrounding agricultural lands, open-space; and (3) the growth boundaries ensure that surrounding natural resources and habitats are preserved and protected.

Also, Olowalu is blessed to be protected and sheltered by the steep mountain ridges running mauka to makai, which provide a significant natural boundary to prevent OT from sprawling outward. This large expanse of land is owned by the State of Hawaii and located within the State's Conservation District. This awesome natural feature truly defines and enhances Olowalu's natural sense of place.

In addition OT will preserve and enhance open space throughout community to provide important community space, habitat for plants and animals, recreational opportunities, working farm lands, places of natural beauty and important environmental and cultural areas. Built upon the principles of TND as a complete, connected and compact community, more than 330 acres (54%) of the total 620 acres OT project is dedicated to parks, beaches, and open space, civic/social purposes, and a privately constructed internal roadway network.

Open space at Olowalu, as defined by smart growth principles, will include large shoreline parks and coastal views for community enjoyment, two neighborhood town squares, an expanded Olowalu Cultural Reserve (currently at 75 acres) with a mauka-makai trail system, a comprehensive greenway system that runs throughout the community for exercise, biking and walking, a mauka community park connected to the greenway system, enhanced access to the existing state beach reserve, a Town Green with a possible cultural center, library, hula halau, or other non-profit uses, camping, an expanded streamside passive park, and farmstead lots along the Olowalu Stream that serve to separate the two neighborhood centers. Open space at Olowalu will also assist in protecting water resources by helping to filter pollutants in a less expensive and natural alternative before they enter the water system.

8. **Provide a variety of transportation choices:** As previously discussed, OT is designed and planned to be a pedestrian-friendly community which will allow residents to live within walking distance to corner stores, schools, parks, and community centers. To accomplish this OT will incorporate the design principles of TND. These design principles promote sustainable and walkable communities; for instance, communities are developed with a multi-modal approach to transportation which establishes a variety of transportation choices. OT will cluster community amenities, such as parks and a general store within close proximity to resident's homes. It is designed as a small town in which streets and sidewalks balance vehicular, pedestrian, and recreational traffic, thereby encouraging walkability.

The primary design tool, or basic building block, for OT is the use of the *small-scale and mixed-use walkable neighborhood*, which is measured by a *5-minute walk* (i.e. "*pedestrian shed*"). Practically speaking, this means that the distance from the center to the edge of a neighborhood should be no more than a ¼ mile walk - which can be walked in approximately 5 minutes. Each mixed-use neighborhood will have a defined center or significant place of interest, which typically includes shops, stores, cafes, or parks. These centers will provide residents with easy access to their daily household needs, as well as places to live, work, learn and play. The *pedestrian sheds* in OT's plans offer residents a myriad of easy and safe walking paths and trails to both access goods and services required for daily needs, and enjoy recreational activities thus reducing reliance on the automobile. Each center will also include "transit" stops for buses or other appropriate mass transit options. Walkable neighborhoods and communities are especially beneficial to those who are unable to drive or do not own vehicles, including seniors and children.

OT will help to reduce overall automobile dependency and vehicle congestion by: a) reducing the number of times people must use their cars; b) reducing the average distance traveled in their cars; and c) by providing pedestrian-friendly network of walking and biking routes. Additional benefits of TND include: less reliance upon imported fuel for vehicles, reduction of automobile emissions, and convenient access to beach parks, playgrounds, hiking, and biking all within a short walking distance from resident's homes.

An additional benefit of designing OT to be a small scale community is the increased social interaction amongst neighbors which results in more physically and socially healthy communities. This ultimately helps to develop the strong bonds of community spirit. OT public spaces will be places for people to meet informally as they shop or engage during recreational activities, enhancing community life.

OT will include a revitalized coastal Country/Town road and the relocation of the high-volume/high-speed traffic of Honoapi'ilani Highway (a regional corridor) to a mauka alignment, providing enhanced *safety* for beach and coastal access. This highway relocation includes the design and building of the innovative "O-Turn" highway by OT, LLC in accordance with federal guidelines at no cost to the county or state.

Additionally, the new mauka highway corridor is designed to be mass transit ready with significant right-of-way set aside for mass transit alternatives. The use of innovative O-Turns are also designed to provide adequate area for mass transit stops. These mass transit stops are designed and located to be within the "Transportation Shed" or a ½-mile radius from the two neighborhood town centers.

OT's walkable neighborhoods will expand transportation options and thereby serve a wide-range of users such as pedestrians, bicycle riders, mass transit users and automobiles which will strengthen community connectivity and resident's quality of life.

9. **Strengthen and direct development towards existing communities:** It is clear from studying the historic settlement patterns of Maui that Olowalu has always been a location where people have chosen to live. Prior to Western contact it is estimated that up to 2,000 Hawaiians were

living and thriving in Olowalu. A person born in the valley could learn a skill, raise a family, trade, and grow breadfruit, taro, sweet potato and coconuts. The sea provided fish, and the forest supplied wood for canoes and housing. An 1853 population distribution map of Maui (John Wesley Coulter, Population and Utilization of Land and Sea, 1853) showed significant residential activity at Olowalu. As recently as 1930, Olowalu was a complete and thriving plantation town, including housing for employees, a school, medical facilities, stores, theater, athletic programs and places of worship. However, in 1931 the sugar mill was dismantled and the milling process was consolidated and moved into Lahaina by Pioneer Mill. Of interest is the fact that in 1931 Olowalu plantation town, homes, jobs and community services were all within a ¼ mile radius, or a 5-minute walk.

Today, Olowalu is a significant residential community of roughly 75 people with a store, restaurant, fruit stand, church, camping, and community gathering areas.

10. **Take advantage of compact building design:** OT provides an opportunity to incorporate more compact building design as an alternative to the suburban sprawl that consumes large amounts of land on Maui and destroys open space. Olowalu is designed to make more efficient use of land and resources. OT's small scale, mixed use, higher density community design is based upon the TND principle of building compact communities that are efficient and prevent sprawl. Sprawl is not efficient, is not compact, and therefore, is wasteful use of our resources.

Additionally, as noted earlier in above sections, the steep valleys and slopes surrounding Olowalu serve as natural boundaries and help establish the size and scale of the community. The 620-acre project site is approximately 12% of the over 5,000-acre Olowalu Ahupua'a. Local shops /stores, parks, schools, and community centers will be within walking distance of homes.

Residential land use will comprise only 47% of the project. Because of the efficient use of compact design, more than 330 acres (54%) of the total 620 acres OT project is dedicated to parks, beaches, and open space, civic/social purposes, and a privately constructed internal roadway network.

OT's infrastructure systems are based upon innovative technology which emphasizes efficient use of resources by taking advantage of compact designed communities. The water, wastewater and drainage systems will be sized appropriately to meet the town's needs. In many cases, these infrastructure systems will be decentralized, which allows for less impact on the environment as well as has good cost benefit ratio - requires less transmission which is less costly and easier to maintain compared to the conventional much larger centralized systems on Maui. Olowalu will incorporate Traditional Neighborhood Design Principles (TND) with the ultimate objective to build compact towns and communities that are pedestrian friendly, comfortable, safe, and ecologically and economically sustainable.

The basic Olowalu increment will be mixed-use neighborhoods, and the neighborhoods will be designed and sized to be walkable. Each mixed-use neighborhood will have a discernible center to serve as a community-gathering place. The center will also include a transit stop. The neighborhood will be of small size and scale with a maximum 5-minute walk from the edge to the center. Educational facilities will be within walking distance of most dwellings. Small playgrounds or neighborhood parks will be situated with one-eight mile to all dwelling, a 2 to 3 minute walk. Sensitive natural resources and cultural areas are preserved as open space. Buildings for meetings, education, religion or culture will be located at the termination of street vistas or within neighborhood centers.

- J. **If your project is outside of existing urban land use areas, please explain why this location should be a priority for development:** The proposed OT project is situated around an existing urban residential neighborhood and located within the context of an historic

plantation village. The Olowalu area includes urban designated lands and contains a significant residential community of roughly 75 people that features a store, restaurant, fruit stand, church facilities, camping, and community gathering areas.

Additionally, as noted earlier in the sections above, it is clear from the historic settlement patterns of Maui that Olowalu has always been a thriving community and a location where people have chosen to live.

We would like to respectfully offer some ideas with regards to prioritizing the development on Maui. We believe that new development on Maui should be focused on *building communities* for the residents of Maui, as opposed to *only constructing new housing units*. In the big picture we are hopeful that our OT project will help change how all of us manage growth and make decisions regarding the future of Maui. We recognize and greatly respect that changing our approach to development is a bold proposal; however, we believe that it is necessary to step back and reconsider how we plan for growth and development on Maui. We need to be asking the hard questions: What are we doing to preserve the character of Maui? Are we building communities, or are we just continuing to encourage sprawl? Are we serious about creating a sustainable island? How do we manage and protect our natural resources, yet continue to sustain a healthy and viable economy for future generations to come?

At Olowalu Town, we have pledged to develop a community where Maui's residents can afford to live and raise families. A sustainable community designed and guided by the principles of Smart Growth and TND, which balances the needs of Community, Nature, and Economy. OT will be a community where schools, stores, community centers, parks, ball fields, beaches/shoreline, and other civic resources will be within walking distance of residents' homes. A place designed to offer residents an opportunity to live and work in the same community, reducing reliance upon cars.

K. Please identify any obstacles or infrastructure necessary to successfully completing your project that might be addressed in the Maui Island Plan (i.e. infrastructure improvements, financing, etc.):

We respectfully recognize and are aware that to become a reality, OT project site needs to be designated by the General Plan Advisory Committee as an appropriate location for a smart growth community. Specifically, we are respectfully requesting that the Maui Island Plan designate OT's two Neighborhood Town Centers as "Urban" growth areas, and the land surrounding and abutting these town centers as "Rural" growth areas (as indicated on OT Master Plan Exhibit). This Urban and Rural designation on the Island Plan would subsequently need to be approved and adopted by the Maui Planning Commission as well as the Maui County Council. Ultimately, it is envisioned that during the entitlement process, all of OT would be designated as a "TND Project District." The Urban and Rural designations are in keeping with preserving the character of Maui and the nature of our small towns, while also applying the principles of TND and Smart Growth. Once approved, innovative infrastructure systems (parks, roads, waste water treatment, water system, etc.) will be privately financed and maintained at no cost to the county. Olowalu will relocate mauka, design and build a portion of the existing Honoapi'ilani Highway which traverses Olowalu to State and Federal standards at no cost to the government.

The GPAC has identified four dates that will be utilized to entertain presentations. Please rank the dates below in order of your preference to present to the General Plan Advisory Committee (1 being most preferred date, 4 being least preferred date):

<u>4</u> September 8, 2007	<u>2</u> September 13, 2007
<u>1</u> September 20, 2007	<u>3</u> October 4, 2007

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