POLICE DEPARTMENT
COUNTY OF MAUI

ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

August 5, 2016

Scott Glenn, Director
Office of Environmental Quality Control
Department of Health, State of Hawai'i
235 South Beretania Street, Room 702
Honolulu, Hawai'i 96813

SUBJECT: FINAL ENVIRONMENTAL ASSESSMENT FOR PROPOSED MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY AT MĀHINAHINA WATER TREATMENT PLANT AT TMK (2)4-3-001:084 (por.) and (2)4-4-002:018 (por.), LĀHAINĀ, MAUI, HAWAI'I

Dear Mr. Glenn:

With this letter, the Maui Police Department (MPD) of the County of Maui hereby transmits the Final Environmental Assessment and Finding of No Significant Impact (FEA-FONSI) for the Proposed MPD Communications Facility at Māhinahina Water Treatment Plant situated at TMK No. (2)4-3-001:084 (por.) and (2)4-4-002:018 (por.), in the Lāhainā District on the island of Maui for publication in the next available edition of the Environmental Notice.

The MPD has included copies of comments and responses that it received during the 30-day public comment period on the Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA-AFONSI).

Enclosed is a completed OEQC Publication Form, two (2) copies of the FEA-FONSI, an Adobe Acrobat PDF file of the same, and an electronic copy of the publication form in MS Word. Simultaneous with this letter, we have submitted the summary of the action in a text file by electronic mail to your office.

17-055

If there are any questions, please contact Walter Pacheco at (808) 270-6400.

Very truly yours,

TIVOLI FAAUMU
Chief of Police

TF:
Attachments
cc: Walter H. Pacheco, Maui Police Department (w/out attachments)
John Sakaguchi, Wilson Okamoto Corp. (w/out attachments)
Marisa Fujimoto, Munekiyo Hiraga (w/out attachments)
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AGENCY
PUBLICATION FORM

Project Name:	Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant
Project Short Name:	MPD Communications Facility Māhinahina WTP
HRS §343-5 Trigger(s):	Use of State land and County funds
Island(s):	Maui
Judicial District(s):	Lāhainā
TMK(s):	(2)4-3-001:084 (por.) and (2)4-4-002:018 (por.)
Permit(s)/Approval(s):	Federal Communications Commission licenses/approvals; National Historic Preservation Act Section 106 approval; Endangered Species Act Section 7 approval; State Department of Health Noise Permit, as applicable; Department of Public Works Building Permit and related permits; Department of Public Works Grading Permit
Proposing/Determining Agency:	Maui Police Department County of Maui
Contact Name, Email, Telephone, Address	Walter H. Pacheco Walter.Pacheco@mpd.net (808) 244-6529 55 Mahalani Street Wailuku, Hawai'i 96793
Accepting Authority:	(for EIS submittals only)
Contact Name, Email, Telephone, Address	
Consultant:	Munekiyo Hiraga
Contact Name, Email, Telephone, Address	Marisa Fujimoto planning@munekiyohiraga.com (808) 244-2015 305 High Street, Suite 104 Wailuku, Hawai'i 96793

Status (select one)	**Submittal Requirements**
____ DEA-AFNSI	Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.
__X__ FEA-FONSI	Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.
____ FEA-EISPN	Submit 1) the proposing agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.
____ Act 172-12 EISPN ("Direct to EIS")	Submit 1) the proposing agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.
____ DEIS	Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.
____ FEIS	Submit 1) a transmittal letter to the OEQC and to the accepting authority, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.

____ FEIS Acceptance Determination	The accepting authority simultaneously transmits to both the OEQC and the proposing agency a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.
FEIS Statutory Acceptance	Timely statutory acceptance of the FEIS under Section 343-5(c), HRS, is not applicable to agency actions.
____ Supplemental EIS Determination	The accepting authority simultaneously transmits its notice to both the proposing agency and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.
____ Withdrawal	Identify the specific document(s) to withdraw and explain in the project summary section.
____ Other	Contact the OEQC if your action is not one of the above items.

Project Summary
Provide a description of the proposed action and purpose and need in 200 words or less.

The MPD-owned and operated facility will provide secure radio transmissions via microwave and land mobile radio (LMR) systems. It will support the County's voice and data network serving West Maui, Lāna'i, and Moloka'i, including transmissions for first responder emergency communications. The facility will also provide LMR coverage to the coastal areas of West Maui for County of Maui and State of Hawai'i agencies.

The proposed communications facility will be located at the County of Maui Department of Water Supply's (DWS) Māhinahina Water Treatment Plant, approximately 1.25 miles southeast of the Kapalua Airport. The proposed facility will include a small prefabricated single-story equipment building with a radio room approximately 160 square feet in area and a self-supported communication tower, approximately 60 feet in height. The facility will be built within the secured area of the Māhinahina Water Treatment Plant.

Final Environmental Assessment

PROPOSED MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY AT MĀHINAHINA WATER TREATMENT PLANT

(TMK (2) 4-3-001:084 (por.) and (2) 4-4-002:018 (por.))

Prepared for:

County of Maui, Police Department

August 2016

MUNEKIYO HIRAGA

CONTENTS

LIST OF FIGURES

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LIST OF APPENDICES

List of Acronyms

AFONSI	Anticipated Finding of No Significant Impact
AFI	Archaeological Field Inspection
ALISH	Agricultural Lands of Importance to the State of Hawai'i
amsl	above mean sea level
AV	Audiovisual
BMP	Best Management Practice
CMU	Concrete Masonry Unity
CO_2	Carbon Dioxide
CUP	County Special Use Permit
DLIR	Department of Labor and Industrial Relations
DLNR	Department of Land and Natural Resources
DOE	Department of Education
DWS	Department of Water Supply
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Findings of No Significant Impact
gpd	gallons per day
HAR	Hawai'i Administrative Rules
HCZMP	Hawai'i Coastal Zone Management Program
HRS	Hawai'i Revised Statutes
KbC	Kahana Silty Clay
LCC	Lāhainā Civic Center
LMR	Land Mobile Radio
LSB	Land Study Bureau
mg	million gallons
mgd	million gallons per day
MIP	Maui Island Plan
MPD	Maui Police Department
mph	miles per hour
NRCS	Natural Resources Conservation Service
NPDES	National Pollutant Discharge Elimination System
OED	Office of Economic Development
OEQC	Office of Environmental Quality Control
RGB	Rural Growth Boundary
SCS	Scientific Consultant Services, Inc.
SHPD	State Historic Preservation Division
STB	Small Town Boundary
TMK	Tax Map Key

UGB	Urban Growth Boundary
UH	University of Hawai‘i
UHMC	University of Hawai‘i Maui College
USFWS	United States Fish and Wildlife Service
WTP	Water Treatment Plant
WWRF	Wastewater Reclamation Facility

Executive Summary

Project Name:	Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant
Type of Document:	Final Environmental Assessment (EA)
Legal Authority:	Chapter 343, Hawai'i Revised Statutes (HRS)
Determination:	Finding of No Significant Impact (FONSI)
Applicable Environmental Assessment review "Trigger":	Use of State Lands and County Funds
Location:	TMK Nos. (2) 4-3-001:084 (por.) and (2) 4-4-002:018 (por.) Lāhainā, Maui, Hawai'i
Proposing and Determination Agency:	County of Maui, Police Department 55 Mahalani Street Wailuku, Hawai'i 96793 Contact: Chief Tivoli Faaumu Telephone: 244-6400
Consultant:	Munekiyo Hiraga 305 High Street, Suite 104 Wailuku, Hawai'i 96793 Contact: Marisa Fujimoto Phone: (808) 244-2015
Project Summary:	The Maui Police Department (MPD) proposes construction of a new communications facility that will meet departmental needs in terms of coverage, reliability, capacity, and security. The proposed action will enhance the existing communications infrastructure and provide a secure communications facility for governmental agencies that provide public, health, safety, and emergency services within the County of Maui. The proposed communications facility will be located at the County of Maui Department of Water Supply's (DWS) Māhinahina Water Treatment Plant,

approximately 1.25 miles southeast of the Kapalua Airport, at an elevation of approximately 650 feet above mean sea level. The proposed facility will include a small pre-fabricated single-story equipment shelter with a radio room approximately 160 square feet in area and a self-supported communication tower, approximately 60 feet in height. The facility will be built within the secured area of the Māhinahina Water Treatment Plant on a portion of TMK No. (2)4-3-001:084, owned by Maui Land & Pineapple Co., near the 2.0 million gallon clear well above-ground concrete reservoir. The proposed action also includes an 8-foot security fence connecting to the existing DWS fence, retaining walls, connection to electrical service in the existing DWS operations building and the existing emergency generator on TMK No. (2) 4-4-002:018 (owned by the State of Hawai'i, Department of Hawaiian Home Lands), and other related improvements, as needed.

The MPD-owned and operated facility will provide secure radio transmissions via microwave and land mobile radio (LMR) systems. It will support the County's voice and data network serving West Maui, Lāna'i, and Moloka'i, including transmissions for first responder emergency communications. The facility will also provide LMR coverage to the coastal areas of West Maui for County of Maui and State of Hawai'i agencies. A license from the Federal Communications Commission (FCC) will be required to operate the frequencies used by the MPD facility.

Construction of the new communications facility will be funded by the MPD. The use of County funding and State land are triggers for the preparation of an EA, pursuant to Chapter 343, HRS and Section 11-200-6, Hawai'i Administrative Rules.

I. PROJECT OVERVIEW

I. PROJECT OVERVIEW

A. PROJECT LOCATION, EXISTING USE, AND OWNERSHIP

The location of the proposed Maui Police Department (MPD) communications facility is within the secured area of the County of Maui, Department of Water Supply (DWS) Māhinahina Water Treatment Plant (WTP), located approximately 1.25 miles southeast of Kapalua Airport. See **Figure 1**. The Māhinahina Water Treatment Plant sits on four (4) parcels identified by TMK Nos. (2) 4-4-002:015 (por.) (Parcel 15); (2) 4-4-002:016 (por.) (Parcel 16); (2) 4-4-002:018 (por.) (Parcel 18); and (2) 4-3-001:084 (por.) (Parcel 84). Parcels 84 and 16 are owned by Maui Land & Pineapple Co. and Parcels 15 and 18 are owned by the State of Hawai'i, Department of Hawaiian Home Lands (DHHL). See **Figure 2**. The proposed communication facility would be located on Parcel 84 with underground electrical and communication connections to be located within an easement in favor of the County of Maui on Parcel 18. The WTP is surrounded by fields that were formerly in pineapple cultivation, but are now fallow and overgrown with trees, shrubs, and grasses.

In selecting a location for the proposed facility, MPD considered criteria pertaining to land-mobile radio (LMR) coverage on West Maui; line-of-sight microwave transmission to the Kapalua Airport and to other MPD communication facilities at Kā'anapali Beach Club, Waiakeakua on Lāna'i, and Pu'u O Hoku Ranch and Amikopala on Moloka'i; site accessibility; and impacts on environmental resources.

B. PROPOSED ACTION

The project site will occupy about 3,000 square feet and will consist of a pre-fabricated single-story radio equipment shelter to contain radio equipment, a 60-foot, 4-leg self-supported tower with a 15-foot lightning rod, a waveguide bridge between the tower and the shelter, retaining walls, security fencing, and electrical improvements to connect the project site to commercial power service, which also serves the nearby Department of Water Supply (DWS) facilities. Access to the MPD facility will be through the DWS facility which is secured at all times. See **Figure 3**. The site will be surfaced with gravel and concrete and enclosed with 8-foot high security fencing.

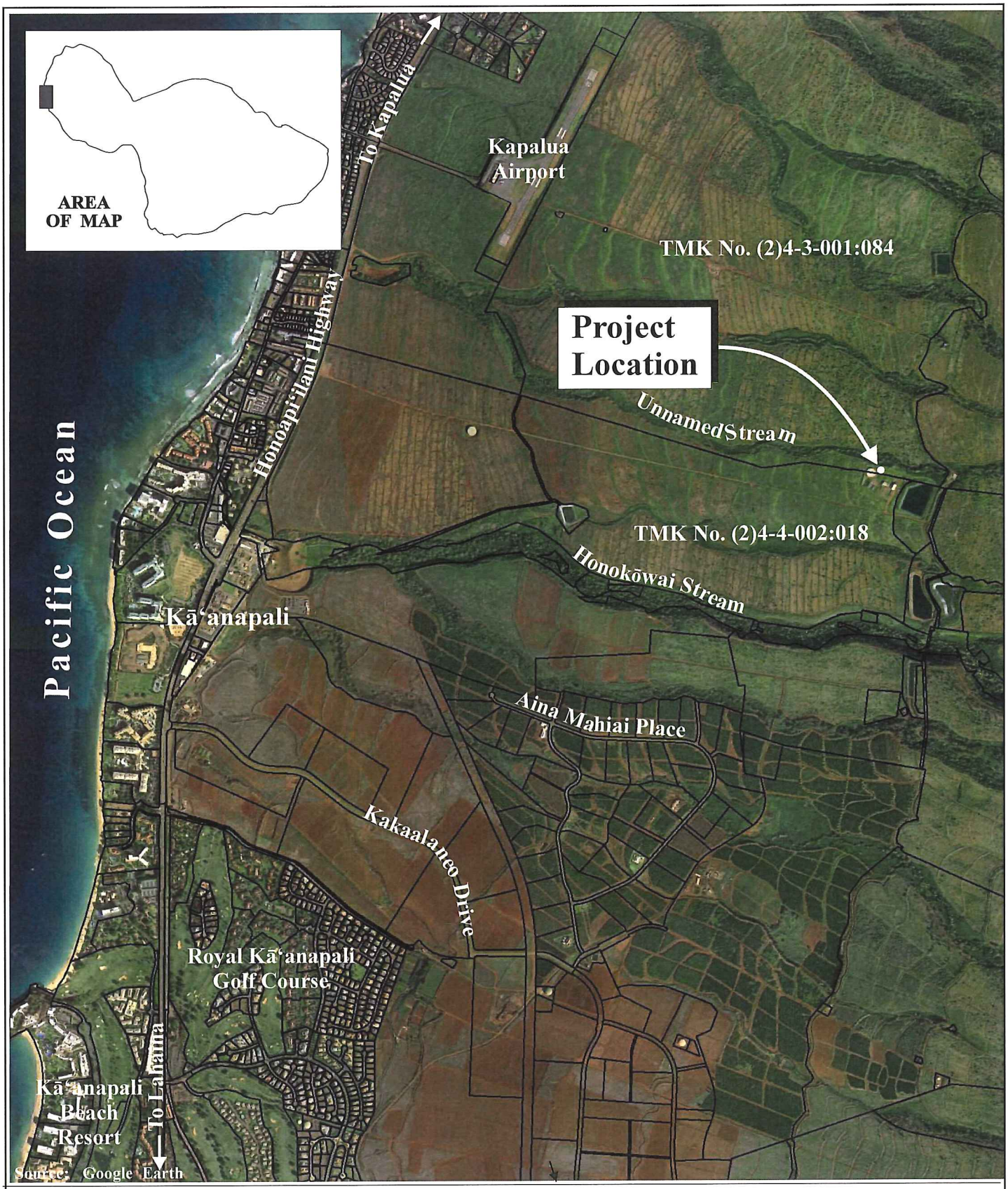


Figure 1 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

NOT TO SCALE

Regional Location Map

Prepared for: County of Maui, Police Department

MUNEKIYO HIRAGA

WOC\MahinahinaWTF 1842\RegionalLocation

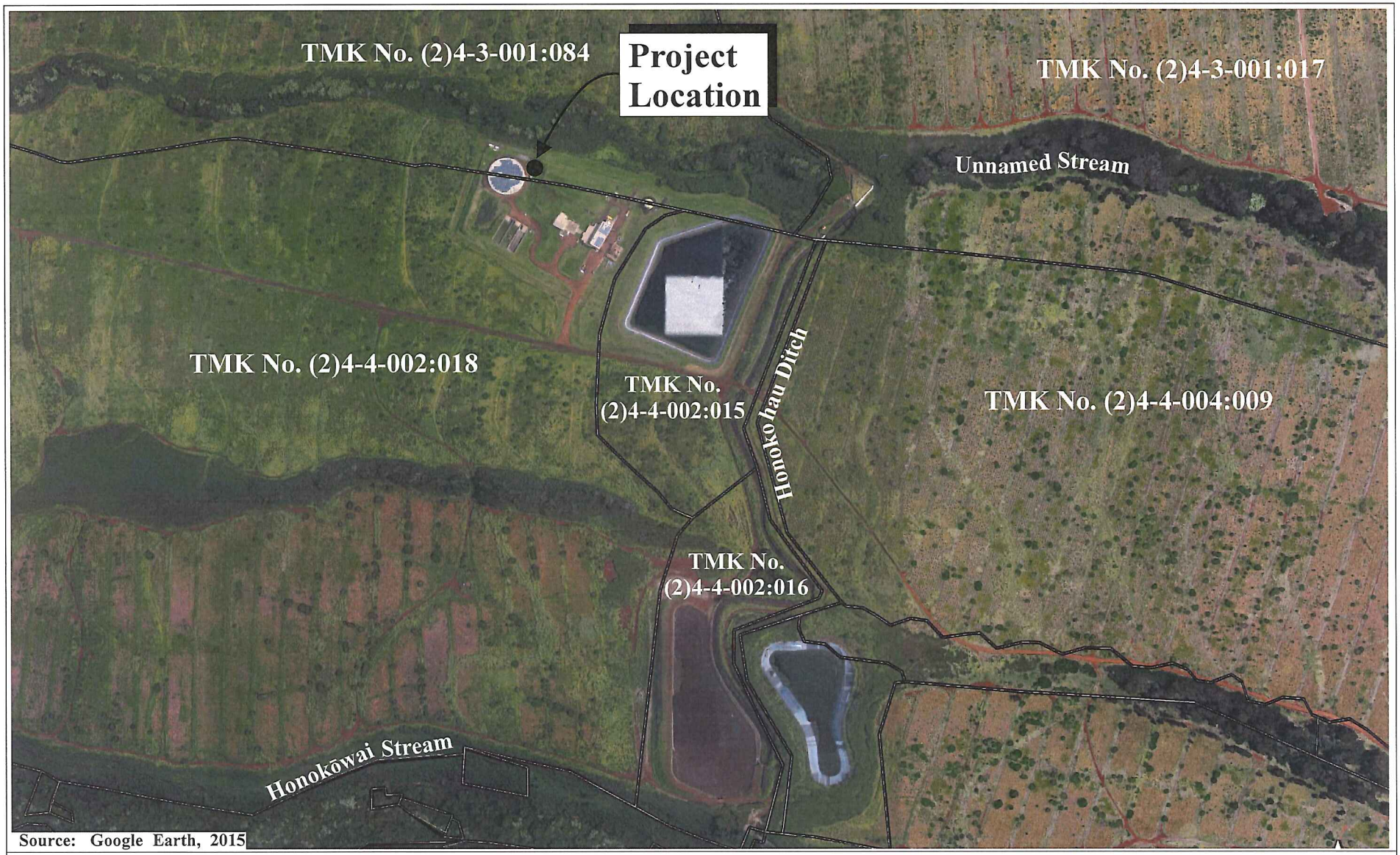


Figure 2

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Aerial Location Map

0 250 Feet
125 500

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/Project Location

Existing Chain Link Fence

Existing Concrete Pavement

Existing Water Tank

Concrete Finish to Match Existing A.C. Road Elevation

Limits of Grading/ Disturbance

Silt Fence, Typ.

Tower Coordinates
Lat: 20 56'59.2" N
Long: 156 39'30.4" W

Equipment Building

Retaining Walls

Property Line

PROPERTY BOUNDARY

Legend

641.50	Finish Ground or Pavement Elevation
686.18 TW / 686.00 BW	Finish Top and Bottom of Wall Elevations
640	Finish Contour
	Limits of Grading/Disturbance
	Filter Sock
	Silt Fence
	Drain Inlet Protection
638	Existing Contour
	Concrete Pavement

Source: Wilson Okamoto Corporation

Figure 3

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Site Plan

NOT TO SCALE

Prepared for: County of Maui, Police Department

MUNEKIYO HIRAGA

The MPD Māhinahina Communications Facility will be located about 250 feet west of the existing DWS Operation building and about 25 feet east of the DWS 2.0 million gallon clear well above-ground concrete reservoir in an existing open grassy area. See **Appendix "A"**. The MPD facility has been sited to avoid the existing DWS facilities and improvements, including the meter wall and panel box which are about 9 feet south of the project site.

An access driveway will be used to connect the MPD facility to the existing service road which surrounds the DWS 2.0 million gallon clear well concrete reservoir.

The communication facility site will not require County potable water services for domestic uses or for fire protection. Fire protection for the pre-fabricated shelter will include a fire suppression system and hand-held fire extinguishers.

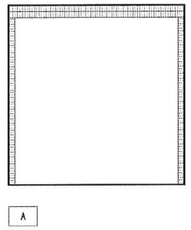
The communication facility will not include toilet facilities and will not require County wastewater services for treatment and disposal of wastewater.

MPD specifications require the building, tower, and antennas to remain operational at wind speeds of up to 110 miles per hour (mph) and the facilities survive wind speeds of up to 155 mph. Wind speeds of 110 mph are the highest sustained winds expected in a Safir-Simpson Category 2 hurricane. Wind speeds of 155 mph are the highest reached in a Safir-Simpson Category 4 hurricane.

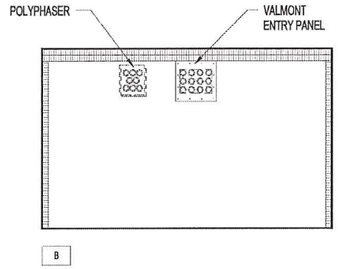
1. **Pre-Fabricated Equipment Shelter**

   The equipment building will be a pre-fabricated single-story 10-foot wide by 16-foot long by 10 ft. 6-inch high equipment shelter that will accommodate a total of six (6) 8-foot tall equipment racks and overhead cable trays which will hold the microwave waveguides and land mobile radio (LMR) coaxial cables. The shelter will include roof extensions that will provide protection over the entry door and air conditioning units. Entry ports will be provided for the waveguides and coaxial cables. See **Figure 4**.

   The shelter will use an air conditioning system (either a split air conditioning system or a package unit) to provide cooling for the radio equipment. The air conditioning system will be designed as a primary unit and backup unit. The design will allow a single-unit to provide the necessary cooling for the entire equipment room. Since the split system does not draw outside air into the equipment room, a small dehumidifier will be used to remove moisture, if needed. The package units rely on fresh outside air for their systems.



A



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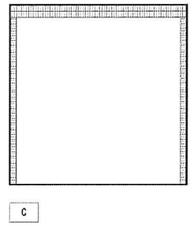

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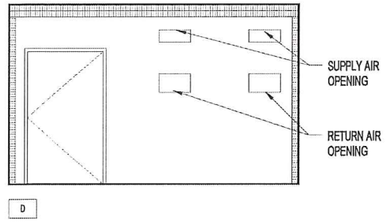
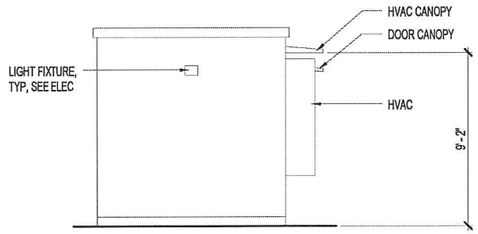
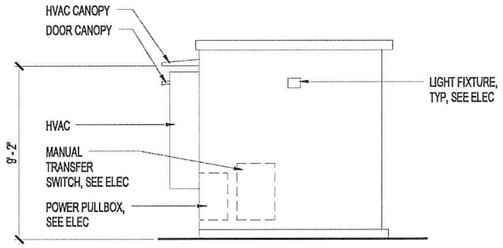


D

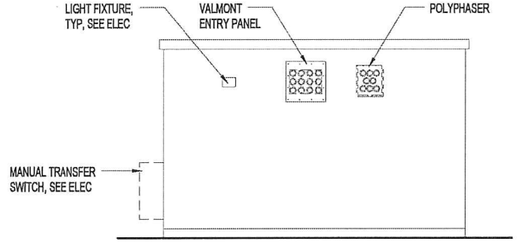
Interior Elevations



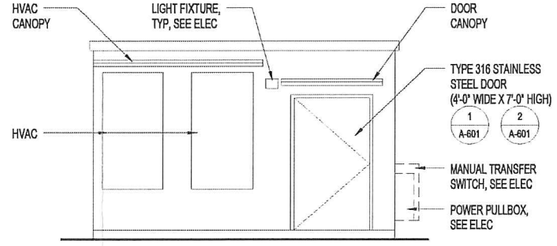
North Elevation



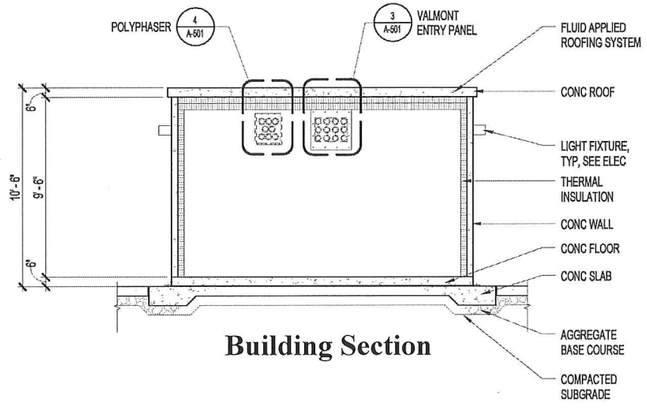
South Elevation



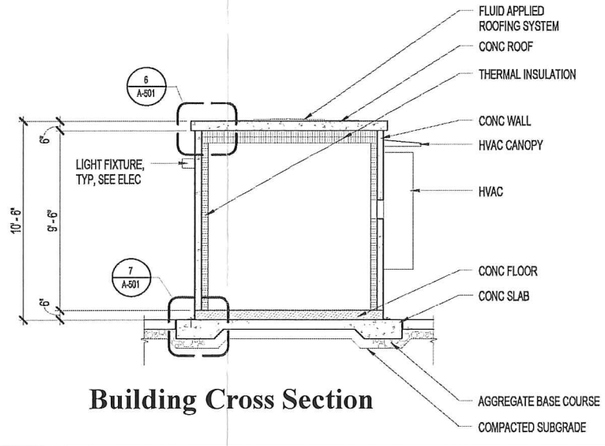
East Elevation



West Elevation



Building Section



Building Cross Section

Source: RM AIA Architects

Figure 4

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Equipment Building Elevations

NOT TO SCALE

Prepared for: County of Maui, Police Department

MUNEKIYO HIRAGA

The shelter will use 8-inch thick insulation on the ceiling comprised of two (2) layers of 4-inch insulation. The shelter and its supporting electrical and mechanical systems will be designed to comply with the County of Maui energy code.

An integrated approach will be taken to protect the entire facility, including the tower, from the damage caused by lightning strikes. An internal ground bus will be connected to the ground halo. Non-active metallic items, such as door frames, cable trays and racks, and fire protection equipment, will be connected to the ground halo or the internal ground bus. The tower, shelter, security fence, and ground systems will be connected to a buried ground grid system under the building and tower foundation. The grounding system will utilize buried copper wire and copper ground rods to ensure proper grounding.

Fire suppression system for the shelter will be suitable for use with electronic equipment. The fire suppression system will use a compound of carbon, fluorine, and hydrogen as the suppressant. This compound is non-ozone depleting and safe for use in occupied spaces. In addition, the shelter will be equipped with hand-held fire extinguishers suitable for use in rooms with electronic equipment. County of Maui fire protection will be needed at the project site to safely enter the shelter in the event of a fire and discharge of the fire suppression system.

Outdoor lighting will be kept to a minimum, will meet the County Code for exterior lighting, and will be down-shielded to reduce glare and light spill over from the site. The project site will not be lighted at night, unless required for night repair work at which time the light would be activated on an on-demand switch equipped with a timer. Additionally, the building will be equipped with a building alarm system to monitor and transmit door entry, high temperature conditions, fire alarms, and other environmental and security indicators.

2. Tower and Antennas

A 60-foot 4-leg, self-supported tower will be used to mount six (6) 10-foot solid high performance microwave antennas, two (2) 3-foot solid microwave antennas, and seven (7) whip LMR antennas. The tower has been sited to provide microwave links to Kapalua Airport and the MPD facilities at Waiakeakua on Lāna'i, Pu'u O Hoku Ranch on the western end of Moloka'i, Amikopala near the eastern end of Moloka'i, and the Kā'anapali Beach Club. The LMR antennas will provide radio coverage for the coastal areas of West Maui.

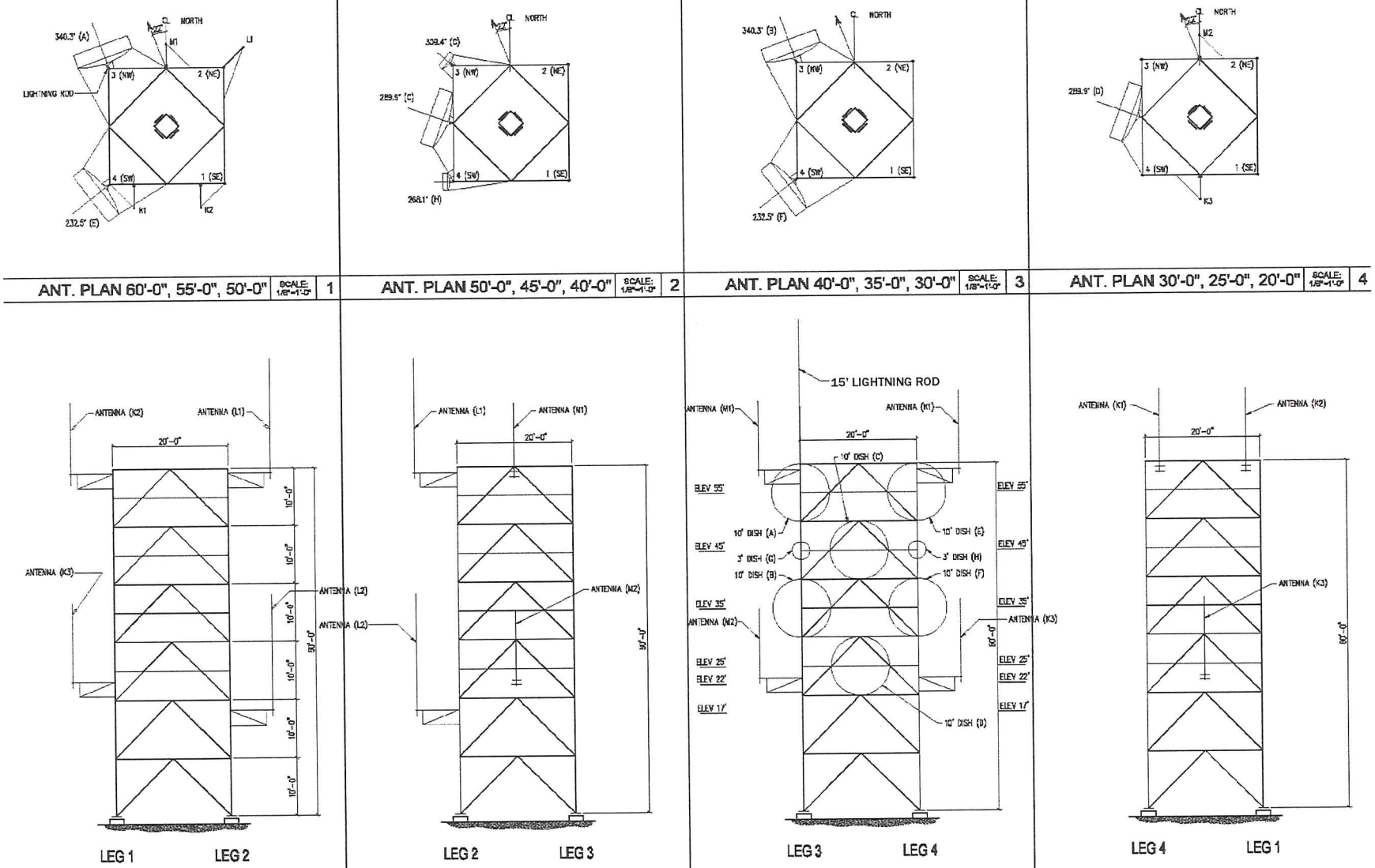
A 15-foot lightning rod would be attached to the top of the 60-foot tower. The lightning rod will be the highest of the tower's fixtures, rising about 75 feet above grade. See **Figure 5**. The tower will be anchored using four (4) 2½ foot diameter drilled shafts which will be about 25 feet deep. A 1-foot thick grade beam will be used to connect the four (4) drill shafts with 2-foot thick by 5-foot square caps. A 3-foot diameter pedestal will be connected to each cap. The tower leg base plates will be bolted to the pedestals using anchor bolts. The area surrounding the tower will be covered with a gravel surface or paved concrete surface.

The tower will also include a climbing ladder with a safety climb wire. A covered horizontal waveguide transmission line bridge will be used to carry the cables between the tower and the shelter entry ports. The tower will not require guy wires. The tower will be factory painted a light gray shade similar to the color of the galvanized finish which will ensure its visibility to seabirds in flight. A Federal Aviation Administration (FAA) Form 7460-1, Notice of Proposed Construction, was filed with the FAA to ascertain the need for obstruction lights and hazard markings on the tower. On June 1, 2016, the FAA determined that the proposed tower would not be a hazard to air navigation and further noted that marking and lighting are not necessary. However, the Department of Transportation has since requested that the tower be equipped with red obstruction lighting for safety purposes. As recommended by the U.S. Fish and Wildlife Service, a red flashing light will be used instead of a solid light, to minimize potential impacts to seabirds.

The tower will be designed to meet the guidelines set forth in the American National Standard Institute/Telecommunications Industry Association (ANSI/TIA)-222-G, *Structural Standard for Antenna Supporting Structures and Antennas*.

3. Electrical Improvements

Maui Electric Company, Ltd. (MECO) currently provides 3-phase electric power via overhead lines to the Māhinahina WTP. Electrical service to the MPD facility will be provided via underground lines connected to existing DWS automatic transfer switch located in the operations building approximately 350 feet away. About 300 feet of the underground lines will traverse Parcel 18, which is owned by DHHL. A checkmeter will be provided at the facility so that MPD can



Source: Wilson Okamoto Corporation

Figure 5

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Tower Elevations

NOT TO SCALE

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

determine their electrical usage. A manual transfer switch and external generator plug will be provided at the shelter to connect a portable generator to provide power to the MPD facility during maintenance for the DWS emergency generator or automatic transfer switch. The MPD facility will not include installation of any photovoltaic equipment.

4. **Maintenance**

Once the facility is operational, routine maintenance trips are expected to occur at an interval of approximately one (1) trip per month. MPD or contracted personnel will conduct tests and maintain the radio equipment and related systems. No MPD personnel will be assigned to the facility.

The proposed facility will be used exclusively by government agencies with MPD as the primary user. Other government agencies will be able to use surplus microwave bandwidth as part of the County of Maui Management Information Systems (MIS) program.

C. PROJECT PURPOSE AND NEED

The MPD proposes the construction of a communications facility at the Māhinahina WTP that will meet departmental needs in terms of coverage, reliability, capacity, and security. The MPD-owned and operated facility will provide a secure facility for transmissions via microwave connection to the Kapalua Airport and MPD facilities at Kā'anapali Beach Club, at Waiakeakua (Lāna'i), at Pu'u O Hoku Ranch (Moloka'i), and Amikopala (Moloka'i). The facility will also provide land mobile radio (LMR) coverage to the coastal area of West Maui and surrounding areas for first responders at the local, State, and Federal levels. The proposed action will enhance the existing communication infrastructure and provide a secure communications facility for governmental agencies that provide public, health, safety, and emergency services within the County of Maui.

D. CHAPTER 343, HAWAI'I REVISED STATUTES REQUIREMENT

The proposed project is located on lands owned by Maui Land & Pineapple Co. and DHHL. The project will be funded by the County of Maui. The use of County funds and State land are triggers for compliance with Hawai'i Revised Statutes (HRS), Chapter 343 requirements. Therefore, this Environmental Assessment (EA) is being prepared pursuant to Title 11, Chapter 200, Hawai'i Administrative Rules (HAR), Environmental Impact Statement Rules to evaluate the proposed project's technical characteristics, environmental and socio-economic impacts, and alternatives, as well as to advance

findings relative to the project's potential impacts and proposed mitigation measures. The MPD is the proposing and determination agency for the EA.

E. PROJECT COSTS AND IMPLEMENTATION CONSIDERATIONS

The project area falls within the State "Agricultural" District with soil classified by the land study bureau's detailed land classification as productivity rating class "A". Consultation with the Land Use Commission office has determined that communications equipment buildings and wireless communication antennas are allowed in the State "Agricultural" District according to HRS 205-4.5 (7) and (18), respectively.

The project area is designated "Agricultural" by the West Maui Community Plan and "Agricultural" by County of Maui zoning. Section 19.30A.060 of the Maui County Code cites major utility uses and telecommunications and broadcasting antenna as permitted uses in the Agricultural district with a County Special Use Permit (CUP). Accordingly, a CUP application will be filed with the Maui Planning Department. The approving authority for the CUP is the Maui Planning Commission.

Maui County Code, Section 19.30A.030, district standards for Agricultural zoned land specifies a minimum side and rear yard setback of 15 feet. In regards to maximum height limit, it states, *"Any nondwelling structure such as a barn or silo that is over thirty-five feet in height shall be set back one additional foot for each foot in structure height."* The 60-foot tower with a 15-foot lightning rod (75 feet in total height) is a non-dwelling structure over 35 feet in height; therefore, for the tower structure, the setback is calculated as follows:

Side yard setback + one additional foot for each foot in structure height (15 feet + 75 feet) = 90 feet

Due to the siting of the tower to connect to other MPD facilities and the configuration of the Māhinahina WTP across multiple lots, the tower is set back 25 feet from the nearest lot line, which satisfies the minimum side and rear yard setback of 15 feet. However, it does not meet the 90 foot setback specified under the maximum height limit. A setback of 90 feet from the adjoining property boundary would place the facility outside of the boundaries of the County-owned public facility, thereby negating the advantages of the proposed site. Thus, strict compliance with the setback requirement specified in the district standards, under maximum height limits in Chapter 19.30A.30 would render the project infeasible as a joint use of an existing County public facility. As such, an application for a height variance is being submitted.

An easement will be required from DHHL for the underground electrical and communications connections and utilization of the existing access road, which extends from Honoapi'ilani Highway to the project site.

Additionally, a license from the Federal Communications Commission (FCC) will be required to operate the frequencies used at the MPD facility.

The construction cost for the proposed project is approximately $2.2 million. The MPD intends to include the proposed project in its fiscal year 2017 budget which begins on July 1, 2016. Pending the receipt of all necessary permits and approvals, construction is anticipated to last approximately 12 months and is targeted for completion in late 2017.

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

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

A. PHYSICAL SETTING

1. Surrounding Land Uses

a. Existing Conditions

The project site is located at the existing County of Maui, Department of Water Supply (DWS) Māhinahina Water Treatment Plant (WTP) in the Honokōwai area, approximately 1.25 miles southeast of the Kapalua Airport. The Māhinahina WTP sits on approximately twelve (12) acres and includes a two-story operation and chemical building, a filter and flocculation structure, a two (2) million gallon (mg) clear well above-ground concrete reservoir, two (2) presedimentation reservoirs, and a septic tank and leach field for wastewater disposal. The WTP is secured with a 6-foot high chainlink fence along the site perimeter. Land uses surrounding the project site consist primarily of abandoned agricultural use. To the north and south of the project area are fields that were formerly in pineapple cultivation, but now lie fallow. The project area sits below the conservation designated foothills of the West Maui Mountains and is located outside the existing coastal urbanized areas of West Maui, approximately three (3) miles away.

b. Potential Impacts and Proposed Mitigation Measures

The proposed action is compatible with the adjacent water treatment plant and agriculture uses and is not anticipated to have an adverse impact on WTP operations or other land uses within the surrounding area.

2. Climate

a. Existing Conditions

Like most areas of Hawai'i, West Maui's climate is relatively uniform year-round. West Maui's tropical latitude, its position relative to storm tracts and the Pacific anticyclone, and the surrounding ocean combine to

produce this stable climate. Variations in climate among different regions on Maui are, therefore, dictated by the inherent characteristics of local terrain.

Average daily temperatures measured at the Kapalua–West Maui Airport near the project site typically range between 66 degrees and 85 degrees Fahrenheit. August is generally the warmest month, while February is the coolest (County of Maui, OED, 2014).

Rainfall in West Maui is highly seasonal in nature, with most precipitation occurring between the months of November and April when winter storms hit the area. Situated on the leeward side of the West Maui Mountains, this relatively dry region receives most of its rainfall in late afternoon and early evening, after seabreezes take moisture upslope during the day. Average annual rainfall amounts to just under 15 inches. Precipitation data collected at the Kapalua-West Maui Airport station show that on average, January is the wettest month with 3.15 inches of rain, while June is the driest, with just 0.8 of an inch (County of Maui, OED, 2014).

The winds in the West Maui area are predominantly northeasterly tradewinds with occasional Kona (southerly) winds. Wind patterns also vary on a daily basis, with tradewinds generally being stronger in the afternoon. During the day, winds blow onshore toward the warmer land mass. This process reverses in the evening when breezes blow toward the relatively warm ocean.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project is limited to construction of a communications facility and is not anticipated to impact the local climate. The facility will be designed to withstand exposure to severe weather. Specifications require the building, tower, and antennas to remain operational at wind speeds of up to 110 miles per hour (mph) and the facilities to survive wind speeds of up to 155 mph. Wind speeds of 110 mph are the highest sustained winds expected in a Saffir-Simpson Category 2 hurricane. Wind speeds of 155 mph are the highest reached in a Saffir-Simpson Category 4 hurricane. An integrated approach will be taken to protect the entire facility from damage caused by lightning strikes.

3. Topography and Soil Characteristics

a. Existing Conditions

The proposed project site is located within the existing DWS Māhinahina WTP, approximately 650 feet above mean sea level (amsl). Soils at the project site belong to the Waiakoa-Keahua-Molokai association. See **Figure 6**. The Waiakoa-Keauhua-Molokai Association is characterized by material moderately deep, nearly level to moderately steep, well-drained soils that have a moderately fine textured subsoil. These soil types are typically used for sugar cane, pineapple, pasture, wildlife habitat, and homesites. The specific soil type underlying the project site is Kahana Silty Clay (KbC, 7 to 15 percent slopes). See **Figure 7**. KbC is characterized by moderate to rapid permeability. This soil type is typically used for sugar cane, truck crops, and pasture (U.S. Department of Agriculture, 1972).

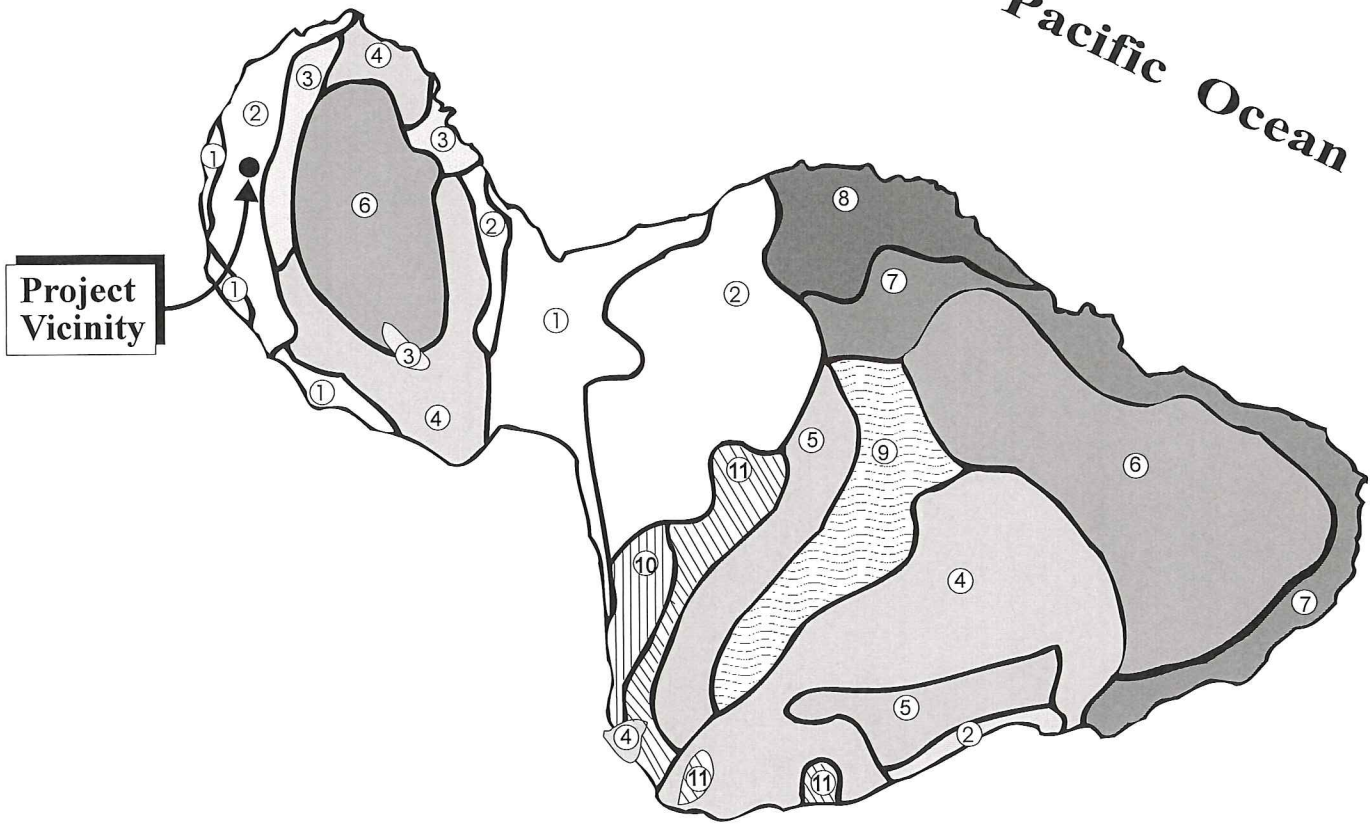
b. Potential Impacts and Proposed Mitigation Measures

The proposed project is not anticipated to have any substantial adverse impacts on topography or soil conditions. As discussed in Chapter I, Project Description, the drilled shaft and grade beam system for the tower will extend approximately 25 feet below the existing grade to meet the loading requirements of the antennas. The proposed action will require a limited amount of trenching, grading, and grubbing.

The construction plans and specifications for the project will include best management practices (BMPs) to minimize erosion on the project site during construction, including measures to contain runoff onsite during the construction period. Temporary erosion control measures will be used during construction to prevent runoff to nearby areas, including placement of silt fences, filter socks, or silt barriers, as appropriate, to prevent surface runoff from construction areas entering into adjacent areas. These measures will contain surface flows within areas of construction during the construction period.

LEGEND

- ① Pulehu-Ewa-Jaucas association
- ② Waiakoa-Keahua-Molokai association
- ③ Honolua-Olelo association
- ④ Rock land-Rough mountainous land association
- ⑤ Puu Pa-Kula-Pane association
- ⑥ Hydrandepts-Tropaquods association
- ⑦ Hana-Makaalae-Kailua association
- ⑧ Pauwela-Haiku association
- ⑨ Laumaia-Kaipoipoi-Olinda association
- ⑩ Keawakapu-Makena association
- ⑪ Kamaole-Oanapuka association



Source: U.S. Department of Agriculture, Soil Conservation Service

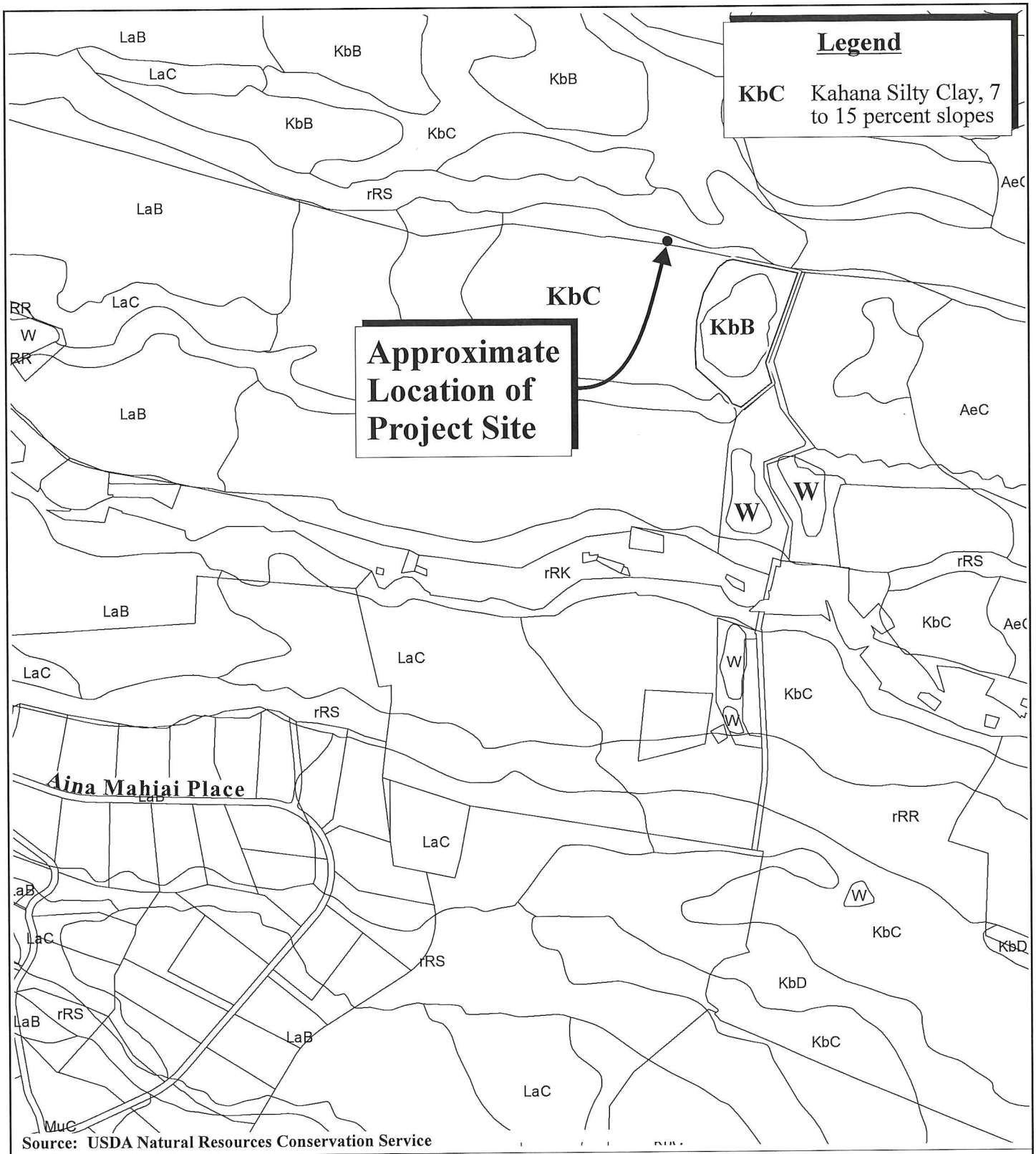
Figure 6 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant
Soil Association Map

NOT TO SCALE

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/SoilAssc



Source: USDA Natural Resources Conservation Service

Figure 7 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Soil Classification Map

0 250 500 1000 Feet

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/SoilClassification

The design drawings will include water pollution and erosion notes related to erosion and sediment control practices for exposed area and use of materials in the work areas. The contract specifications will also include sections on Environmental Controls and Pollution Control which set forth the requirements to be implemented during construction to protect adjacent areas from runoff and discharge of pollutants.

The project will comply with Hawai'i Administrative Rules (HAR), Chapters 11-54 and 11-55, as applicable, and discharges related to the project construction or operation activities will comply with the State's Water Quality Standards.

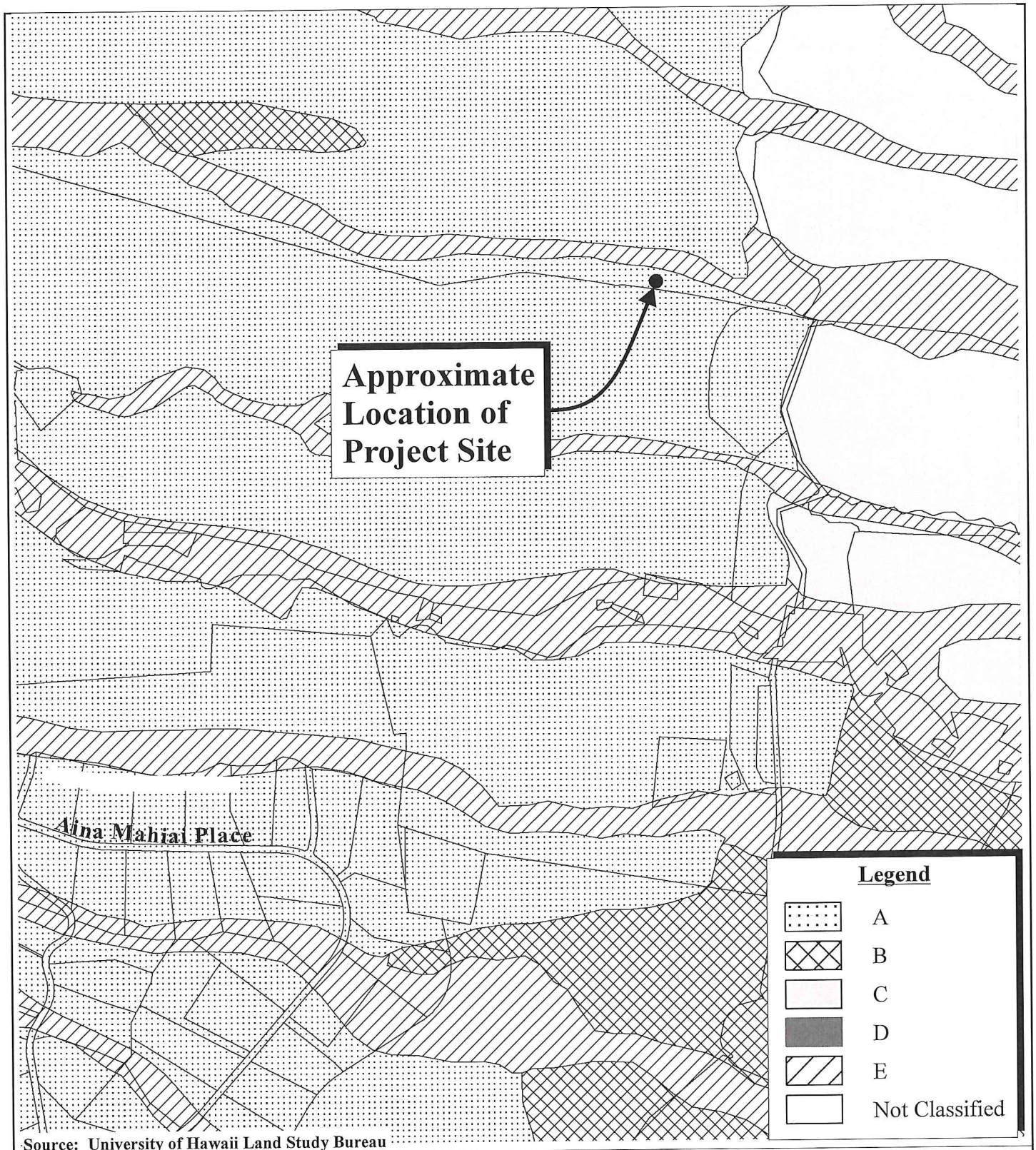
4. Agricultural Productivity Considerations

a. Existing Conditions

The lands underlying the subject property are located within the State "Agricultural" district. The coastal flatlands and plateaus of the West Maui Mountains are suitable for agricultural crop cultivation. Soils are dark reddish-brown, stony, well-drained, and deep in the areas north of Lāhainā, but stony in the areas south of Lāhainā. Slopes along the coastal flatlands are level, whereas slopes on the plateaus range from gentle to steeply sloping. These plateaus are typically separated by deep, steep-sided canyons.

With regard to agricultural productivity attributes, the University of Hawai'i Land Study Bureau (LSB) classifies lands with a productivity rating of "A" through "E", with "A" reflecting lands with the highest productivity and "E" the lowest. The lands underlying the project site are classified as "A". See **Figure 8**.

Additionally, the State Department of Agriculture has established three (3) categories of Agricultural Lands of Importance to the State of Hawai'i (ALISH). "Prime" lands are those lands which possess the soil quality, growing season, and moisture supply needed to produce high yields of crops economically and when treated and managed according to modern farming techniques. "Unique" lands have similar crop specific characteristics, while lands rated "Other" are not classified as "Prime" or "Unique", but are of Statewide or local agricultural importance. Lands not rated "Prime", "Unique" or "Other", are "Unclassified". "Unclassified"



Source: University of Hawaii Land Study Bureau

Figure 8 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Land Study Bureau Classification Map

0 500 Feet
250 1000

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/LandStudyBureauClass

lands include developed urban land over 10 acres and lands utilized for public purposes, among others. According to the ALISH map, the lands underlying the project site include "Prime" agricultural lands. See **Figure 9**.

b. Potential Impacts and Proposed Mitigation Measures

The proposed Maui Police Department (MPD) communications facility would be located within a small portion of the secured area of the existing Māhinahina WTP. It would not impact the inventory of lands available for agricultural cultivation or use, as it is proposed within the boundaries of an existing County public facility.

5. Flood and Tsunami Hazards

a. Existing Conditions

Early consultation comments from the State of Hawai'i, Department of Land and Natural Resources (DLNR) on the proposed project confirm that the project is located within Flood Zone X (areas determined to be outside the 0.2 percent annual chance flood plain), according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the project site. Furthermore, given that the project is located on the slope of the West Maui Mountains at approximate elevation of 650 amsl, risk of flooding at the project site is assumed to be low. In addition, the project site is located outside of the tsunami inundation area.

b. Potential Impacts and Proposed Mitigation Measures

The proposed action is not located within a flood hazard district and there are no flood-related restrictions on development. Moreover, the project site is located outside of the tsunami inundation area and tsunami evacuation zone. Existing drainage conditions, which are in keeping with County of Maui design standards, will be maintained. No adverse impacts to flood conditions are anticipated as a result of the proposed project.

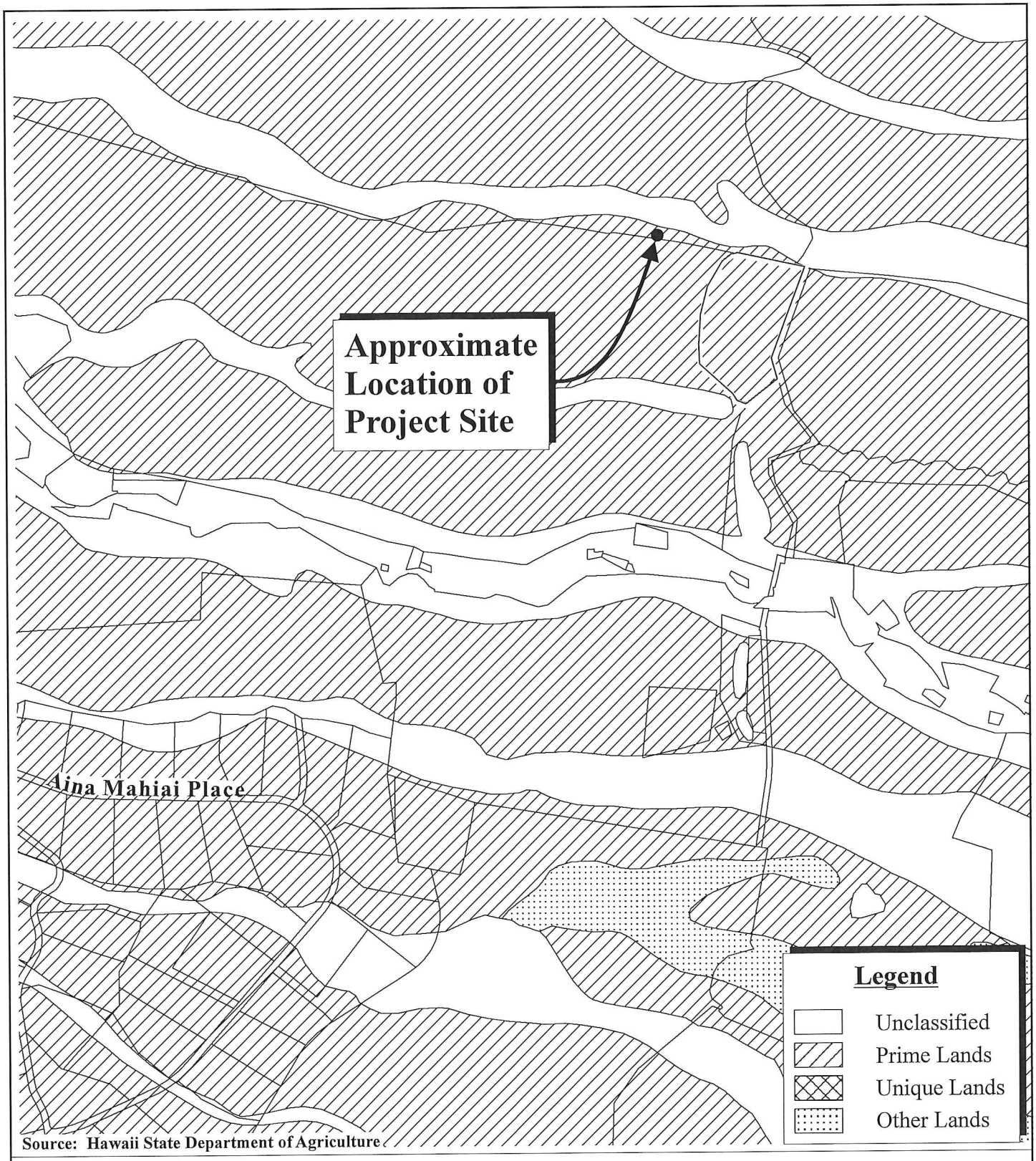


Figure 9

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

ALISH Map

0 500 Feet
250 1000

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/ALISH

6. Flora and Fauna

a. Existing Conditions

The project site is covered with buffel grass and maintained by the DWS. The project site does not contain any trees taller than 15 feet. Surrounding lands were previously under pineapple cultivation and now sit fallow. A flock of nēnē (Hawaiian geese) and a flock of cattle egret were observed at the WTP during a site visit on April 30, 2015.

Early consultation with the U. S. Fish and Wildlife Service (USFWS) indicates five (5) listed species in the vicinity of the project, including the endangered Hawaiian hawk (*Buteo solitarius*), Blackburn's sphinx moth (*Manduca blackburni*), Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma phaeopygia sandwichensis*), and the threatened Newell's shearwater (*Puffinusauricularis newelli*). The USFWS also noted that there is no critical habitat in the vicinity of the project site.

In June 2015, ABR Inc. conducted concurrent surveillance using vertical radar sampling and audiovisual (AV) sampling to detect overflights of the Hawaiian petrel and Newell's shearwater birds near the project site, which lies in the flight path of the Hawaiian petrel and Newell's shearwaters breeding sites in the West Maui mountains. The surveys covered ten (10) days during the evening periods from 7:00 p.m. to 10:00 p.m. and during morning period from 3:45 a.m. to 5:45 a.m., the peak activity periods for Hawaiian petrels and Newell's shearwaters. There were no AV observations of Hawaiian petrels or Newell's shearwaters, however, preliminary radar data indicates that Petrels or Shearwaters were observed flying over the project site during the survey periods. Over the ten (10) days of surveys, there was only one (1) petrel/shearwater target observed flying in a landward direction (mauka, from the ocean toward potential breeding sites in the West Maui mountains) and a total of twelve (12) targets observed heading seaward (makai, away from the potential breeding sites). See **Appendix "B"**.

Additionally, early consultation comments from the DLNR Division of Forestry and Wildlife (DOFAW) noted the occasional presence of nēnē geese in the vicinity of the WTP.

b. Potential Impacts and Proposed Minimization Measures

The USFWS recommended the following minimization measures to avoid impacts to listed species:

Hawaiian Hoary Bat

The Hawaiian hoary bat is known to occur across a broad range of habitats throughout the State of Hawaii. This bat roosts in both exotic and native woody vegetation and, while foraging, leaves young unattended in "nursery" trees and shrubs. If trees or shrubs suitable for bat roosting are cleared during the Hawaiian hoary bat breeding season (June 1 to September 15), there is a risk that young bats that cannot yet fly on their own could inadvertently be harmed or killed. As a result, the Service recommends that woody plants greater than 15 feet tall should not be removed or trimmed during the Hawaiian hoary bat breeding season. Additionally, Hawaiian hoary bats forage for insects from as low as 3 feet to higher than 500 feet above the ground. When barbed wire is used in fencing, Hawaiian hoary bats can become entangled. The Service, therefore, recommends that barbed wire not be used for fencing as part of this proposed action.

Blackburn's sphinx moth

The Blackburn's sphinx moth could potentially be in the vicinity of the proposed project area. Adult moths feed on nectar from native plants, including beach morning glory (*Ipomoea pes-caprae*), iliee (*Plumbago zeylanica*), and maiapilo (*Capparis sandwichiana*); larvae feed upon non-native tree tobacco (*Nicotiana glauca*) and native aiea (*Nothocestrum latifolium*). To pupate, the larvae burrow into the soil and can remain in a state of torpor for up to a year (or more) before emerging from the soil. Soil disturbance can result in death of the pupae. The Service recommends that a qualified biologist survey areas of proposed construction activities for Blackburn's sphinx moth and its host plants prior to work initiation. They recommend that these surveys be conducted during the wettest portion of the year (usually November-April or several weeks after a significant rain) and immediately prior to construction. Surveys should include searches for eggs, larvae, and signs of larval feeding (chewed stems, frass, or leaf damage). Any host plants of Blackburn's sphinx moth identified should not be cut or disturbed.

Seabirds

Hawaiian petrels and Newell's shearwaters (collectively known as seabirds) may transit over the project area when flying between the ocean and upland breeding colonies. Many bird species are known to strike objects, such as antennas or guywires, protruding above surrounding vegetation. In Hawai'i, seabirds are attracted to lights and are known to collide with buildings, light poles, wires, and other tall objects. To minimize impacts to seabirds in Hawai'i, the USFWS recommends minimizing the total surface area of the proposed tower and avoiding the use of guy wires. Any lights associated with the project should be cut-off, equipped with a motion sensor, or shielded so that the light cannot be seen from above. If the top of the tower must be lighted to meet Federal Aviation Administration (FAA) regulations, they recommend the use of a red flashing light versus the use of red or white solid light, if possible.

The required Federal Communications Commission (FCC) license is a trigger for the Endangered Species Act Section 7 review. The USFWS initially stated that implementation of the above measures will minimize, but did not ensure that take of listed species will be fully avoided. The USFWS recommended that the FCC or its designated representative consult with the USFWS to address potential project impacts with listed species.

Additionally, DOFAW was consulted on appropriate minimization measures to prevent negative impacts to nēnē geese during project construction. DOFAW stated that their only concern regarding the nēnē is that construction does not start during the nesting season, which can start as early as October through April. DOFAW requested to be involved in the preconstruction meeting to address any wildlife concerns or issues and also requested that they be notified if nēnē are present in the area during construction.

Applicable minimization measures recommended by the USFWS and DOFAW will be implemented for the project. On June 1, 2016, the USFWS concurred that the project may affect, but is not likely to adversely affect, the Hawaiian hoary bat, Hawaiian petrel and Newell's shearwaters, or Blackburn's sphinx moth. Further, the USFWS stated that unless the project description changes or new information reveals that the proposed project may affect listed species in a manner or to an extent not

considered, or a new species is listed or critical habitat designated that may be affected by the proposed action, no further action pursuant to Section 7 of the ESA is necessary. Therefore, the proposed project is not expected to result in adverse impacts to the biological resources in the region.

7. Streams, Wetlands, and Reservoirs

a. Existing Conditions

The project site is located within an existing fenced area of the Māhinahina WTP. According to the DLNR, Division of Aquatic Resources, there is an unnamed stream located approximately 100 feet north of the DWS fence in the vicinity of the project area. See **Figure 10**. The stream was not visible during a site visit on April 30, 2015. See **Figure 11**. Honokowai Stream is located more than 2,000 feet south of the project site. Refer to **Figure 10**. Within the project area is one (1) major ditch, the Honokōhau Ditch system which brings surface water into the Honokōwai area from a diversion of Honokōhau Stream. The Ditch provides surface water to various users, as well as to the existing Māhinahina WTP for treatment prior to placement into the DWS drinking water supply for West Maui. There are three (3) reservoirs at the Māhinahina WTP.

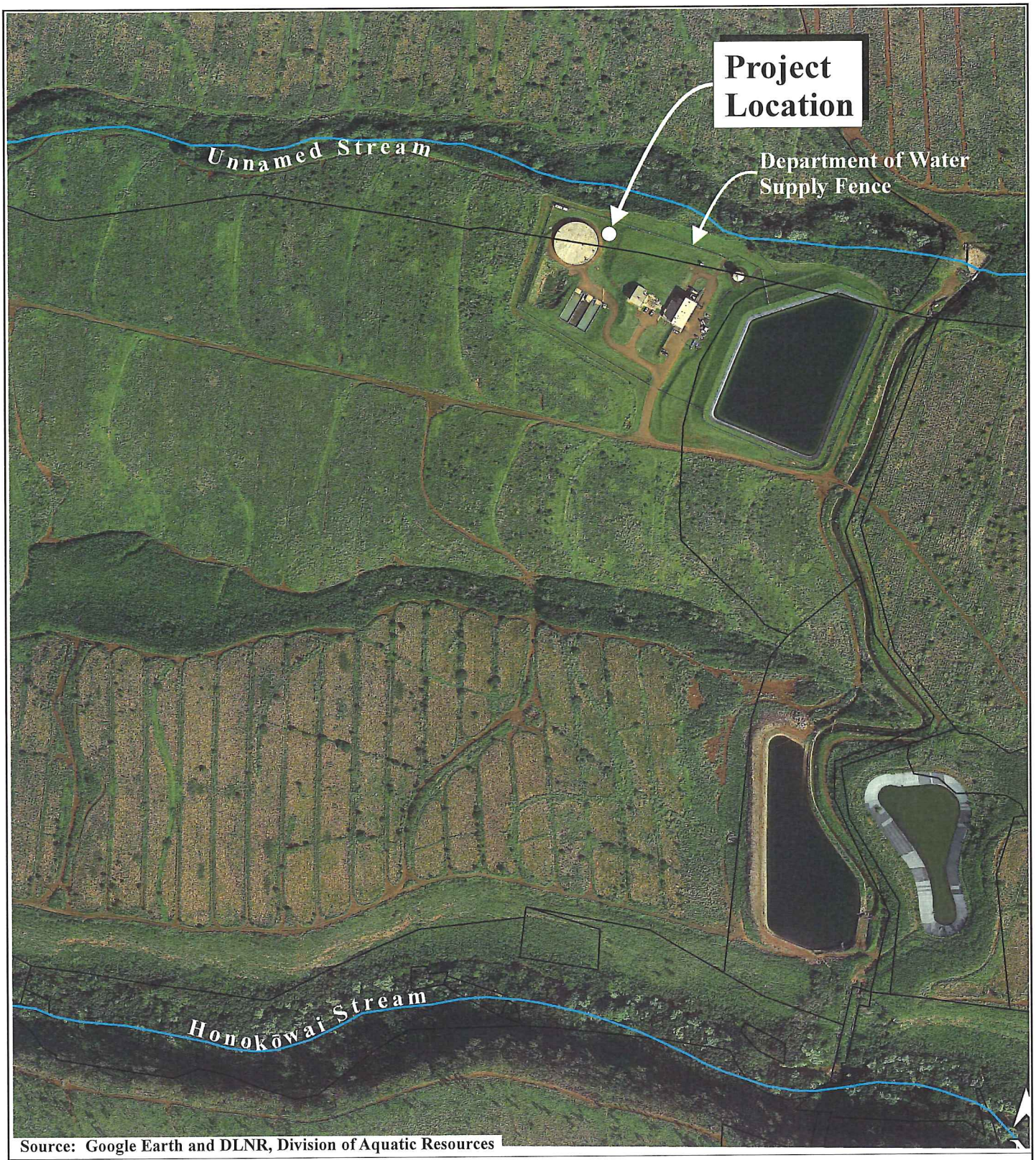
b. Potential Impacts and Proposed Mitigation Measures

The proposed action will occur within the existing WTP and is not anticipated to have any adverse effects on the Honokōhau Ditch System or nearby streams or reservoirs.

8. Air Quality

a. Existing Conditions

There are no point sources of airborne emissions in the immediate vicinity of the project site. Although minimal, airborne pollutants are largely attributable to windblown dust from fallow fields, however, intermittent and prevailing winds quickly disperse the particulates generated by this intermittent source. Overall, the air quality in the West Maui region is considered good.



Source: Google Earth and DLNR, Division of Aquatic Resources

Figure 10 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Streams and Reservoirs Map

0 250 500 1000 Feet

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/StreamsWetlands

Photo No. 1: Northwest view toward project site

Photo No. 2: West view toward project site

Source: Site Visit on April 30, 2015

Figure 11 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant Site Photos

NOT TO SCALE

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

WOC/MahinahinaWTF 1842/Site Photos

b. Potential Impacts and Proposed Mitigation Measures

In the short term, construction related activities for the proposed project will be the primary source of airborne pollutants affecting the surrounding area. Appropriate BMPs will be utilized to minimize air quality impacts associated with project construction, such as regularly sprinkling the project site, installation of temporary silt and dust screens, and covering of bare areas.

The proposed action is not anticipated to generate adverse long-term air quality impacts.

9. Noise Characteristics

a. Existing Conditions

There are no fixed noise generators in the vicinity of the project site. Existing background noise levels are primarily attributed to WTP operations.

b. Potential Impacts and Proposed Mitigation Measures

Ambient noise conditions may be temporarily affected by construction activities. Heavy construction machinery operations are anticipated to be the dominant noise-generative sources during the construction period. Appropriate BMPs will be employed to mitigate noise impacts generated by construction machinery and operations. Once completed, the proposed project itself is not anticipated to adversely alter noise conditions in the area.

10. Archaeological Resources

a. Existing Conditions

As previously mentioned, the proposed project is located within the secured area of the Māhinahina WTP. An Archaeological Field Inspection (AFI) of the project area was completed for the subject project by Scientific Consultants Inc. (SCS) in April 2015. See **Appendix "C"**. No historic properties or areas thought to potentially contain subsurface cultural materials were identified at the project site.

b. Potential Impacts and Proposed Mitigation Measures

The AFI conducted on April 30, 2015 did not identify any surface materials or areas thought to potentially contain subsurface cultural materials. Furthermore, the AFI report stated that WTP employees interviewed/advised that they watched the project area, excavated previously with only silty clays being noted; no artifacts or items of interest were noted. Refer to **Appendix "C"**. Previous uses, including agricultural and water treatment plant operations, have likely disturbed any previously existing sites or surface deposits. Therefore, the AFI concluded that the proposed project will not impact any archaeological sites or features.

Given the extensively disturbed condition of the project area, archaeological monitoring was not recommended during construction activities for the project. However, should the inadvertent discovery of significant cultural materials and/or burials occur during construction, all work in the immediate area of the find shall cease and State Historic Preservation Division (SHPD) will be notified.

Furthermore, the required FCC license to operate the communications facility is a trigger for the National Historic Preservation Act Section 106 review. As such, consultation with applicable agencies will be undertaken as appropriate.

11. Cultural Resources

a. Cultural Context

The Lāhainā District was considered to be a favorable place by high chiefs because of its natural resource qualities and proximity to Lāna'i and Moloka'i. Initial development of agricultural field systems likely occurred early in the Expansion Period, between AD 1200 and 1400. While onshore and offshore fishponds yielded abundant seafood, fertile alluvial terraces and dry land cultivation produced coconut, breadfruit, banana, taro, sweet potato, sugar cane, and other nutritious crops. Trails running mauka to makai fortified both social and economic linkages between mountain and coastal villages. In addition, the alanui or "King's trail" built by Kihapiilani stretched along the coast, connecting all major settlements between Lāhainā and Mākena (McGerty and Spear, 2008).

European explorers and traders began to frequent the Lāhainā District in the late 1700s, spurring considerable transformations in the local landscape and economy. The islands of Maui, Moloka'i, and Lāna'i encircle the Auau Channel, providing for relatively calm waters and safe anchorage for ships. The ancient Hawaiian name for Lāhainā was Lele, which means "to leap" or "to disembark" as from a canoe. In pre-contact times, Lāhainā's harbor was referred to as Keawaiki, "the small harbor" (Munekiyo & Hiraga, Inc., 2005). During the reign of Kamehameha I, Lāhainā thrived as a center for the lucrative and prospering sandalwood trade (McGerty and Spear, 2008). The whaling industry then boomed in the 1800s, and Lāhainā grew into a bustling port town, known worldwide as the whaling capital of the Pacific.

As the whaling industry began to decline, a new populace arrived, heralding the establishment of a new agriculturally-based economy. From the mid-1800s, traditional subsistence agriculture succumbed to commercial agricultural operations, namely sugar plantations. Over the years, a number of smaller mills coalesced into the hugely successful Pioneer Mill Company. By the early 1900s, Pioneer Mill cultivated an estimated 15,000 acres of sugar, blanketing the mountain slopes from Ukumehame to Honokōwai. During this time, pineapple was also established as a profitable crop, and the fruit was cultivated on lands stretching from Honokōwai to Honokōhau.

Lāhainā has played a significant role in the historical and political evolution of Hawai'i. As the sandalwood trade flourished, Lāhainā became an important commercial shipping port, establishing ties with China and Russia. Upon uniting the Hawaiian islands under his rule, Kamehameha I established Lāhainā as his residence and seat of Hawaiian government. Lāhainā would remain the capital of the Hawaiian Kingdom until 1843, meanwhile serving as a major hub for the prospering whaling industry.

In order to obtain in-depth cultural perspectives of the proposed project area, interviews with three (3) knowledgeable informants were conducted during the preparation of the Draft Environmental Assessment.

Mr. James "Kimo" Falconer

Mr. James "Kimo" Falconer has lived and worked in West Maui since 1979. He is a native Hawaiian with strong ties to the agriculture industry and the local community. He is President of the Friends of Mokuula and the Hawaii Coffee Growers Association, and he is on the Board of Directors for the West Maui Soil and Water Conservation District, Tri Isle Research Conservation and Development, West Maui Watershed Partnership, and the Hawaii Coffee Association.

Kimo's mother was born and raised in Lāhainā, where her family has been for eight (8) generations. Although he was born and raised in California, Kimo spent summers with his grandparents in Lāhainā. He has strong memories of spending time at the beach and of his grandparents picking limu kohu in Puamana.

After college, he moved to Hawai'i to work in the sugar industry. He worked for Amfac Sugar on Kaua'i for four (4) years, and then in 1982, he began working for Pioneer Mill Sugar Company as an agronomist. Although they offered him plantation housing, he chose to live with his grandfather at his home in Lāhainā. While working for Pioneer Mill, Kimo got involved in coffee farming as well. He started researching coffee in 1988 and started planting coffee just south of the Māhinahina Water Treatment Plant through Pioneer Mill's Kā'anapali Estate Coffee in 1992. He stayed with Pioneer Mill through the shut-down of their sugar operations in 1999 and their coffee operations in 2001.

In 2003, he received an agricultural grant which allowed him to lease more than 500 acres of the old Kā'anapali Estate Coffee farm land. He recalls that in the beginning he could only cultivate a fraction of the land, because he had to do all the work himself. He started harvesting his coffee in 2005 and eventually purchased the coffee mill from Pioneer Mill. This was the beginning of Maui Grown Coffee. After five (5) years of stewarding the land, Kimo entered into a partnership with the land owners. They subdivided 5-acre lots and developed a turnkey agricultural subdivision for other farmers.

Kimo shares that the West Maui Community used to be very focused on agriculture and notes two (2) changes to the water system that were devastating to the agriculture industry. He explains that the Māhinahina Water Treatment Plant was developed at its current location because of all the water that would flow through that area. He recalls that there used to be a camp or house just north of the large reservoir at Māhinahina for the person working at the gauging station, which measured the amount of water flowing per day. Instead of collecting a portion of the available water to treat, the Māhinahina Water Treatment Plant's system temporarily collected all of the water by diverting all of the ditch flow, therefore, cutting off the water supply for agriculture. The other significant change Kimo mentions that impacted agriculture was the decommissioning of Crater and Wahikuli Reservoirs, which were formerly used for ag water storage. He explains that this was actually a critical part of the agricultural water system, because when it didn't rain enough, water from these reservoirs could be used to replenish the aquifer. He notes that Māhinahina Reservoir is now used to store treated water for irrigation, but the current water system is not as effective as the original water system that was put in place for agriculture generations ago.

Kimo is not aware of existing problems in the area and does not foresee any issues with the proposed project. Other than the former agricultural significance of the project area, he is not aware of any cultural use or concerns that should be considered at the project site.

Mr. Neal Fujiwara

Mr. Neal Fujiwara was born and raised in Lāhainā with his three (3) sisters and two (2) brothers. His father was a carpenter superintendent at Pioneer Mill, and his mother was a housewife. His grandfather also worked for Pioneer Mill. His younger brother now lives in their family home where he grew up on Lahainaluna Road above the mill.

Mr. Fujiwara went away for college, but returned to Maui for about two (2) years after college. He worked for Pioneer Mill for

around six (6) months before moving to Moloka'i and later to Kaua'i while working for the Soil Conservation Service, now known as the United States Department of Agricultural Natural Resources Conservation Service (NRCS). He has also worked on Kaho'olawe, Ni'ihau, Lāna'i, and the Big Island. Mr. Fujiwara finally returned to Maui in 1990, where he worked another 15 years or so with the NRCS on Maui and retired in 2004. He currently resides in Wailuku with his wife, with whom he has four (4) children. He is still involved in the Lāhainā community through his church, the Lahaina Hongwanji Mission, and he goes out to Lāhainā a few times a week.

When asked about his connection to the project site, Mr. Fujiwara says that while working for NRCS, he worked with both Maui Land and Pineapple Company and the Department of Hawaiian Home Lands (DHHL) in the vicinity of the project area frequently between 1990 and 2004. He recalls that DHHL had a master plan for their Māhinahina lands. When asked about an example of a project he worked on in the area, he shares that he was involved in designing the soil conservation diversions on Maui Land and Pineapple land to mitigate effects from the runoff. He explains that when the lands were used for growing sugarcane, the beds create channels that help to control the runoff, but since the surface pineapple farms are smoother, runoff and erosion can get really bad, so diversions are created as mitigation.

Since Mr. Fujiwara did a significant amount of work involving West Maui agricultural lands with the NRCS, and is still connected to the Lāhainā community through his family and church, I ask if he foresees any issues that might arise with the project site. The only potential issue he can think of is that there are some steep areas, surrounding the project site, so there could be issues with runoff or erosion. He is not aware of any cultural practices that have been carried out in the vicinity of the project area or any cultural concerns that could arise, since the land has been used for agriculture so long.

Mr. Wes Nohara

Mr. Wesley Nohara was born in Lāhainā and has lived on Maui for 61 years. In 1901, his paternal grandfather moved from Lāhainā, where he worked at the sugar plantation, to Honolua Camp, where he worked at the pineapple plantation. His paternal and maternal grandparents were neighbors at Honolua Camp.

Mr. Nohara shares that he is familiar with the project area because he farmed pineapple there for 15 years, beginning in the 1990s. A modest answer, as he was the Plantation Superintendent for West Maui Farms from 1988 until 2001, when he was promoted to Plantation Manager. He has since retired from Maui Pineapple Co., Ltd. as the General Manager. He notes that Puka Camp road was and still is the main mauka-makai access to the project area.

When asked about any potential issues associated with the area, Mr. Nohara advised that the only issue he was previously aware of was related to the transfer of land from Maui Land and Pineapple and the Department of Land and Natural Resources (DLNR) to the County of Maui for the Māhinahina WTP. Prior to the Department of Hawaiian Home Lands, the land that did not belong to Maui Land and Pineapple was owned and managed by DLNR. He recalls that issues with the land transfer were ongoing and is not sure if they were resolved.

When asked if he was aware of any cultural or traditional uses or practices on or near the proposed project area, Mr. Nohara mentions Honolua Ditch, which is just mauka of the proposed project area. He advised that it has been there since around 1901. He notes that prior to pineapple farming, the land was used for farming sugar cane. He has not observed any uses or practices in the vicinity of the project area other than agriculture.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project area has been modified for sugar cane and pineapple cultivation and more recently, for the Māhinahina WTP operations. The Cultural Impact Assessment interviews revealed no indications of cultural practices, such as gathering, access, or religious traditions, known to be

associated with the existing Māhinahina WTP operations. In this regard, no adverse impacts to cultural resources, practices, and traditions are anticipated as a result of the proposed project.

12. Scenic and Open Space Resources

a. Existing Conditions

The project site is located at the existing Māhinahina WTP. The Kapalua West Maui Airport is located approximately 1.25 miles northwest of the project site and Honoapi'ilani Highway is located approximately 1.6 miles to the west. This highway is West Maui's principal access route to the central and southern areas of Wailuku, Kahului, and Kīhei. Open space resources in the region seen from public roadways and facilities include the vast expanse of vacant agricultural lands that lie between the mountains and the existing urbanized coastal areas that include Lāhainā Town and Kā'anapali.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project involves a self-supported 60-foot tower and a 160-square foot equipment building approximately 10 feet in height on an existing County facility. The proposed MPD communications facility will be located east of and immediately adjacent to the 2.0 mg clear well above-ground concrete reservoir which is approximately 20 feet high. Other structures at the WTP include a two-story operations and chemical building, a filter and flocculation structure, two (2) pre-sedimentation reservoirs, and a septic tank and leach field for wastewater disposal. Given the existing structures at the WTP, impacts to scenic and open space resources are not anticipated. The proposed project will be compatible with the surrounding character of this area. As the project is upland and east of Honoapi'ilani Highway, views from this major roadway are not expected to be adversely impacted. The project is not expected to have significant adverse impacts on scenic and open space resources.

B. SOCIO-ECONOMIC CONDITIONS

1. Land Use and Community Character

a. Existing Conditions

The majority of lands in West Maui are classified "Conservation" or "Agricultural" by the State Land Use Commission. Generally, higher elevations are deemed "Conservation" lands, while foothills of the middle elevations are designated "Agricultural". Much of the lower elevations, lands running along the coast areas are classified "Urban".

Lāhainā encompasses a diverse mix of land uses, including residential, business, light industrial, recreational, and agricultural uses. Lāhainā Town is the commercial center of West Maui, and the former first capital of the State of Hawai'i. Moreover, as the former whaling capital of the Pacific, Lāhainā Town has been designated a National Historic Landmark District. The town contains several shopping centers and business retail areas, serving as a core for the region's residential communities.

With a consistently warm, dry climate complemented by lengths of white sand beaches and scenic landscapes, West Maui is a popular visitor destination. A vast number of visitor accommodations are located in Lāhainā Town, as well as in the resort communities of Kā'anapali, Kapalua, Kahana, and Nāpili. The Kapalua-West Maui Airport, located approximately 1.25 miles northwest of the project site provides commuter air services which conveniently link West Maui with Oahu and neighbor islands.

Since the closure of its sugar cane operations in September 1999, Pioneer Mill Company has set aside approximately 1,200 acres of former agricultural lands in Kā'anapali to grow seed corn and coffee. Meanwhile, former Maui Land & Pineapple Company fields span the mountain lowlands of Kapalua.

The lands surrounding the project area are characterized by fallow agricultural land and natural open space.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project is compatible with the existing water treatment plant and surrounding agricultural uses and open space. It is not anticipated to adversely alter the community character of West Maui. In fact, the proposed MPD communication facility is anticipated to improve safety for the West Maui community as a whole, as it will improve the reliability of emergency communication systems in the area.

2. Population and Demography

a. Existing Conditions

The project site is located within the West Maui Community Plan region mauka of Honoapi'ilani Highway. The County of Maui, the Island of Maui, and the West Maui region have exhibited relatively strong growth over the past decade. In 2013, the population of Maui County was 160,880, compared to a 2003 population of about 137,596 (County of Maui, OED, 2014). According to U.S. Census Bureau, the resident population of Maui County was up to 163,019 in 2014. Just as the County's population has grown, the resident population of the Island of Maui has also increased.

West Maui's growth over the last two (2) decades has also kept pace with that of Maui County. Since 2000, West Maui has seen an increase in resident population growing from about 18,000 persons in 2000 to about 22,200 in 2010 (U.S. Census Bureau, 2010).

b. Potential Impacts and Proposed Mitigation Measures

The proposed action involves construction of a communications facility for the MPD. The proposed project is not a population generator, and as such, is not anticipated to adversely impact population or demographic trends of the West Maui region.

3. Economy

a. Existing Conditions

Maui's economy is heavily reliant upon the visitor industry, and this dependency is especially evident in West Maui, a major resort destination area. Non-seasonally adjusted unemployment rates for Maui County and

the Island of Maui in December 2015 were 3.1 percent and 3.0 percent, respectively. These rates both decreased from the December 2014 unemployment rates of 3.8 percent and 3.6 percent, respectively (State of Hawai'i, DLIR, March 2016).

b. Potential Impacts and Proposed Mitigation Measures

In the short term, during construction, the project will support construction and construction-related employment. This project, therefore, is anticipated to positively contribute to labor conditions in the West Maui region. There are no long-term effects on the economy attributable to the project.

C. PUBLIC SERVICES AND FACILITIES

1. Police and Fire Protection Services

a. Existing Conditions

The project site is within the service area of the MPD Lāhainā patrol district, which services the West Maui region. Built in the early 1970's, the Lāhainā Police Station is located in the Lāhainā Civic Center (LCC) complex, approximately 3.5 miles southwest of the project site. The Lāhainā patrol district includes management level officers, field police officers, and additional personnel, which consists of public safety aides and administrative support staff.

Fire prevention, suppression, and protection services for the West Maui region are provided by the County Department of Fire and Public Safety's Lāhainā and Nāpili Fire Stations. The Lāhainā Fire Station is located approximately 3.5 miles southwest of the project site at the LCC, while the Nāpili Fire Station is located approximately 2.5 miles north. The Lāhainā Fire Station includes an engine and a ladder company. It also has a boat for ocean rescues.

b. Potential Impacts and Proposed Mitigation Measures

In the event of a fire and/or discharge of the fire suppression system, assistance from the County of Maui Department of Fire and Public Safety will be needed to safely enter the equipment building.

The proposed action involves the construction of a new communications facility for the MPD. Therefore, the proposed project is anticipated to improve reliability of police and related emergency services in the area. No adverse impacts are anticipated as a result of the proposed project.

2. Medical Facilities

a. Existing Conditions

Maui Memorial Medical Center serves as the island's only major medical facility. Located in Wailuku, approximately 30 miles southeast of Lāhainā, the 214-bed facility provides general, acute, and emergency care services for the island's residents and visitors. In addition, the Kaiser Permanente Medical Clinic, West Maui Healthcare Center, Maui Medical Group, Lahaina Physicians, and other private medical and dental offices provide health care services for the region's residents and visitors.

b. Potential Impacts and Proposed Mitigation Measures

The proposed action involves the construction of a MPD communications facility for the Police Department. It will also support the County's voice and data network serving West Maui, Lāna'i, and Moloka'i, including transmissions for first responder emergency communications. Medical and emergency response service limits will not require expansion as a result of the proposed project. The proposed project, therefore, is anticipated to have a positive effect on medical services in the area.

3. Recreational Facilities

a. Existing Conditions

West Maui has numerous recreational facilities offering diverse opportunities for the region's residents. These facilities include several County and State parks and beach parks in West Maui. Approximately one-third of the County parks are situated along the shoreline and offer excellent swimming, diving, and snorkeling areas. In addition, Kā'anapali and Kapalua Resorts operate world-class golf courses available for public use.

Recreational facilities in Lāhainā Town include the Lahaina Aquatic Center, the West Maui Youth Center, the Lahaina Recreation Center, and

the LCC. The Lahaina Aquatic Center contains an Olympic-size swimming pool, a children's wading pool, a paved parking lot and office and storage space, as well as shower, restroom, and changing room facilities. The 15-acre Wainee Park includes fields, parking, and washroom facilities. The West Maui Youth Center has a building for youth activities, as well as paved parking, an outdoor playground, and a basketball court. The Lahaina Recreation Center includes baseball fields and playfields for soccer and football, as well as restrooms and paved parking facilities. The LCC includes a gymnasium, amphitheater, and tennis courts complex, as well as restrooms and paved parking facilities.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project involves construction of a MPD communications facility within a portion of an existing County facility. It is not anticipated to have an adverse impact on recreational facilities in the West Maui region.

4. Educational Facilities

a. Existing Conditions

The West Maui region is served by four (4) public schools (Lahainaluna High School, Lahaina Intermediate School, Princess Nahienaena Elementary School, and Kamehameha III Elementary School) operated by the State of Hawai'i, Department of Education (DOE). Two (2) smaller private schools (Sacred Hearts School and Maui Preparatory Academy) also serve the region. All four (4) of the public schools are located within Lāhainā Town and three (3) of those schools are located along Lahainaluna Road, mauka of Honoapi'ilani Highway. The enrollments in the four (4) public schools have grown in concert with the growth of residential development in the area. See **Table 1**.

Table 1. Actual and Projected Enrollments at DOE Schools

School	Capacity	Actual Enrollment SY 14-15	Projected Enrollment SY 19-20
Lahainaluna High School	1,078	1,014	1,091
Lahaina Intermediate	913	635	714
Kamehameha III Elementary	669	724	793
Princess Nahienaena Elementary	685	724	788
Source: State of Hawai'i, Department of Education, 2015.			

The University of Hawai'i Maui College (UHMC), which is located in Kahului, is a branch of the University of Hawaii (UH) system and the primary higher education institution serving Maui. The UHMC Lahaina Education Center offers distance learning and non-credit personal development classes.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project is not a population generator and, as such, is not anticipated to impact enrollments in educational facilities for the region.

5. Solid Waste Collection and Disposal Services

a. Existing Conditions

Residential refuse collection is provided by the County's Department of Environmental Management, Solid Waste Division. Private refuse collectors provide solid waste disposal services for commercial and institutional accounts. With the exception of the Hana region, residential and commercial solid waste from throughout the island is transported to the Central Maui Landfill at Puunene.

A refuse transfer station located at Olowalu, approximately seven (7) miles south of the project site, accepts household and green wastes, as well as used oil, for transport to the Central Maui Landfill in Puunene. However, the disposal of commercial and institutional refuse is not permitted at the Olowalu transfer station.

b. Potential Impacts and Proposed Mitigation Measures

As applicable, a solid waste management plan will be developed for the disposal of materials resulting from construction activities.

Aside from the waste generated during the construction period, the proposed action will not require solid waste collection and disposal capabilities and capacities. Therefore, no adverse impacts to solid waste collection and disposal services are required.

D. INFRASTRUCTURE

1. Roadways

a. Existing Conditions

The project area is located off Honoapi'ilani Highway, with access to the project area via a private agricultural road owned by Maui Land and Pineapple Company.

b. Potential Impacts and Proposed Mitigation Measures

The project area is located in a remote location and is removed from urbanized areas. It is about 1.6 miles away from Honoapi'ilani Highway and 1.25 miles away from the State's Kapalua West Maui Airport. The proposed project will not increase the MPD workforce in the area and only involve regular maintenance by existing MPD staff. As such, adverse impact on traffic or the existing roads is not expected.

Adverse traffic impacts during construction of the project are not anticipated. The project construction area is over one (1) mile away from public roadways, and the scope and scale of the proposed communications facility is not anticipated to generate a high volume of construction traffic.

2. Airports

a. Existing Conditions

The Kapalua Airport is located in West Maui, approximately 0.5 mile east of the West Maui Coast and 1.25 miles northwest of the project area. It was acquired by the State of Hawai'i in 1993 and is managed by the Maui Airport District. It consists of a single runway with terminal and support

facilities and only services commercial propeller air carriers and commuter/air taxi aircraft. There are no air cargo facilities at this airport. Operations are limited to daytime hours.

b. Potential Impacts and Proposed Mitigation Measures

Early consultation comments from the Department of Transportation (DOT) Airports Division indicated that a Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration" be submitted for the project, as well as any PV installation or tall equipment that may be used during construction, in accordance with Code of Regulations, Title 14, Part 77.9. A FAA Form 7460-1 was filed on April 6, 2016 and was assigned Aeronautical Study Number (ASN) 2016-AWP-3428-06. On June 1, 2016, the FAA determined that the proposed tower would not be a hazard to air navigation and further noted that marking and lighting are not necessary. However, the DOT has since requested that the tower be equipped with red obstruction lighting for safety purposes. Consistent with the USFWS recommendation, a red flashing light will be used instead of a solid light to minimize potential impacts to seabirds. As such, no adverse impacts on airport facilities are anticipated as a result of the proposed project.

3. Water

a. Existing Conditions

The West Maui region is served by the County DWS domestic water system which services the coastal areas of West Maui from Launiupoko to Kā'anapali and from Honokōwai to Nāpili. The County's system includes two (2) surface and nine (9) groundwater sources.

The sources of water for Lāhainā are the Nāpili Wells 1, 2, and 3, and Honokōhau Well A. These wells are supplemented by the Māhinahina Water Treatment Plant on the subject property and the Lāhainā Water Treatment Plant above Lahainaluna High School that draw surface water from the Honolua Ditch and Kahana Valley, respectively. Several miles of 12- and 16-inch water lines located in Lower Honoapi'ilani Road and two (2) in-line booster stations convey water from these sources to consumers in Lāhainā. Storage is provided by a 1.5 million gallon (mg) storage tank above Wahikuli and the 1.0 mg tank on Lahainaluna Road.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project is not anticipated to generate new water demand. Additionally, the installation of the proposed communication facility is not anticipated to affect operations of the existing water treatment plant. Therefore, no adverse impacts to water services are anticipated as a result of the proposed project.

4. Wastewater Systems

a. Existing Conditions

The County Department of Environmental Management's Wastewater Reclamation Division provides sanitary sewer service for the West Maui region.

Wastewater from the Kā'anapali and Lāhainā areas is treated at the County's Lāhainā Wastewater Reclamation Facility (WWRF). The WWRF's potential total treatment capacity is 9.0 million gallons per day (mgd), with 6.0 mgd for secondary treatment and 3.0 mgd for R-1 treatment. Presently, the facility treats about 5.4 mgd of wastewater. About 1.2 mgd of the R-1 treated effluent is used to irrigate the Kā'anapali Golf Courses, the landscaped areas along Honoapi'ilani Highway, the landscaped median of Kā'anapali Parkway, and landscaping at Honua Kai Resort. The remaining treated effluent (4.2 mgd) is disposed into four (4) injection wells located within the facility. Under the conditions of its Environmental Protection Agency (EPA) permit, the County is allowed to dispose a maximum flow of 6.7 mgd into the injection wells.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project does not require wastewater services. Therefore, no adverse impacts to the County's existing wastewater system are anticipated.

5. Drainage

a. Existing Conditions

The existing DWS site slopes gently to the west, which helps direct flows away from existing structures. The soils underlying the project area are well-drained soils with medium runoff and moderate erosion hazard.

Vegetation in the project area helps to minimize runoff and erosion across surfaces.

b. Potential Impacts and Proposed Mitigation Measures

Within the context of the parcel underlying the proposed site, post-development storm water runoff will be negligible. The areas of concrete pavement have been limited to the necessary widths for vehicular and maintenance access to the facility. Existing drainage conditions, which are designed to meet County standards, will be maintained.

The construction plans and specifications for the project will include best management practices (BMPs) to minimize erosion on the project site during and after construction and will also include measures to contain runoff onsite during the construction period. Temporary erosion control measures will be used during construction to prevent runoff to nearby areas, including placement of silt fences, filter socks, or silt barriers to prevent surface runoff from construction areas entering into adjacent areas. These measures will contain surface flows within areas of construction during the construction period.

The design drawings will include water pollution and erosion notes related to erosion and sediment control practices for exposed area and use of materials in the work areas. The contract specifications will also include sections on Environmental Controls and Pollution Control which set forth the requirements to be implemented during construction to protect adjacent areas from runoff and discharge of pollutants.

6. Electrical, Telephone, and Cable Television Systems

a. Existing Conditions

Electrical, telephone, and cable television services for the West Maui region are provided by Maui Electric Company, Ltd., Hawaiian Telcom, and Oceanic Time Warner Cable Company, respectively. These distribution systems, consisting of underground and overhead lines, are located along Lahainaluna Road.

b. Potential Impacts and Proposed Mitigation Measures

The proposed project will require connection to the electrical and telephone service and emergency generator at the existing WTP. The proposed action is not anticipated to have a significant impact on the existing electrical system.

There are no cable television connections required for the project. As such, there are no anticipated impacts to those utility systems.

E. CUMULATIVE AND SECONDARY IMPACTS

The proposed action is limited to construction of the MPD communication facility. While there are other MPD communication facility upgrades ongoing or proposed in other parts of the County, each of the other facilities are intended to create specific point-to-point communications linkages, which will broaden the field of communication coverage for the MPD and other first responders. Notwithstanding, the Māhinahina communication facility is considered a stand-alone project which contributes to the overall coverage of the MPD's communications system.

In this context, the proposed action does not involve a commitment to larger actions, nor will it produce secondary impacts. The associated structures are proposed within an existing County facility, therefore, the proposed project will not impact the physical environment, socio-economic conditions, public services and facilities, or infrastructure. Additionally, the proposed project is not considered to be a population generator. Therefore, this action is not anticipated to have significant adverse cumulative or secondary impacts.

III. RELATIONSHIP TO LAND USE PLANS, POLICIES, AND CONTROLS

III. RELATIONSHIP TO LAND USE PLANS, POLICIES, AND CONTROLS

A. STATE LAND USE DISTRICTS

Chapter 205, Hawai'i Revised Statutes (HRS), relating to the Land Use Commission, establishes four (4) major land use districts classifying all lands of the State of Hawai'i. These districts are designated as "Urban", "Rural", "Agricultural", and "Conservation". The subject property is located within the "Agricultural" district. See **Figure 12**. The proposed Maui Police Department (MPD) communications facility is a permitted use within the "Agricultural" district.

B. HAWAI'I STATE PLAN

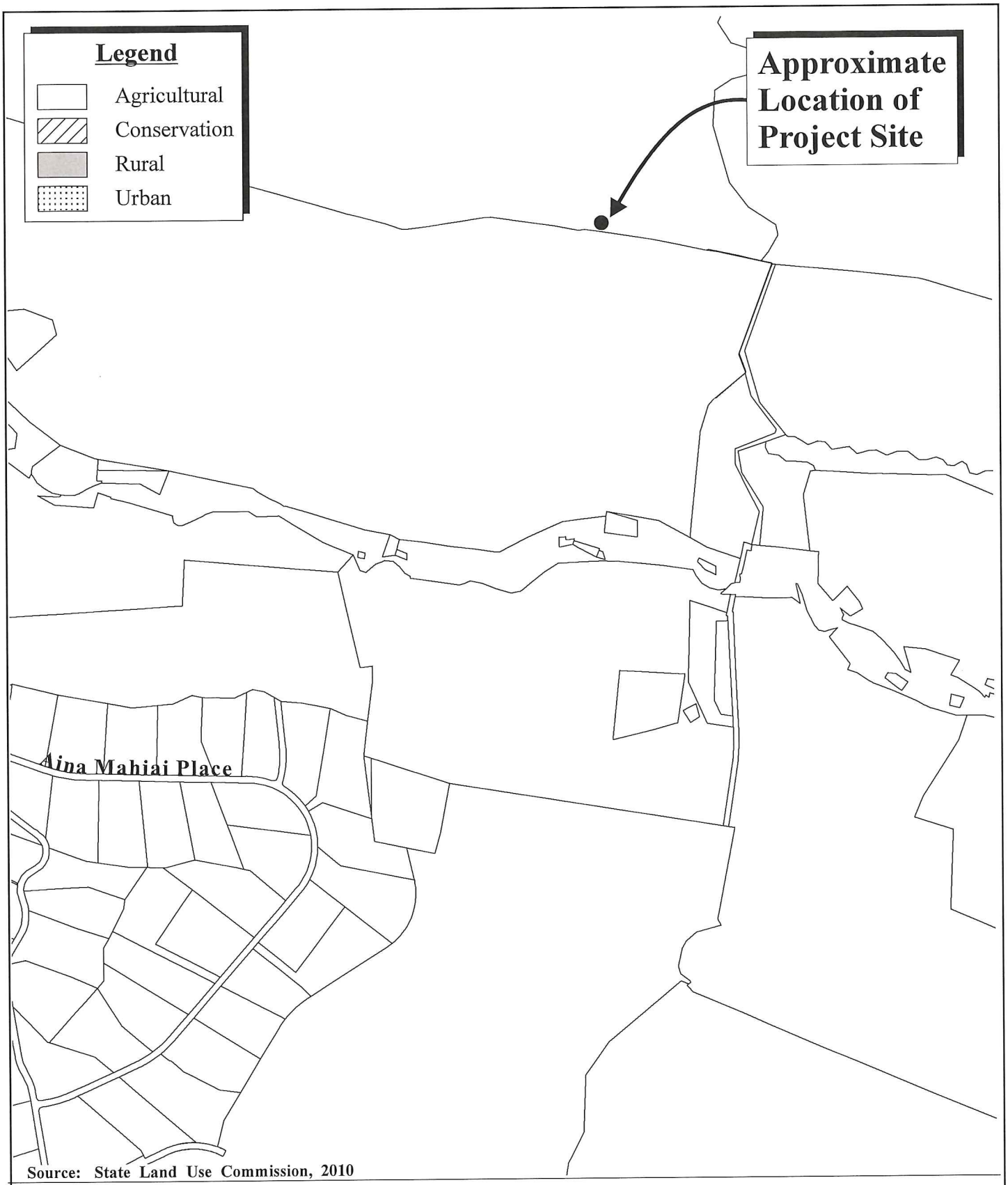
Chapter 226, HRS, also known as the Hawai'i State Plan, is a long-range comprehensive planning document which serves as a guide for the future long-term development of the State by identifying goals, objectives, policies, and priorities, as well as implementation mechanisms. The proposed MPD communications facility is in accordance with the following goals of the Hawai'i State Plan:

- A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawai'i's present and future generations.

- Physical, social and economic well-being for individuals and families in Hawai'i that nourishes a sense of community responsibility, of caring and of participation in community life.

1. Objectives and Policies of the Hawai'i State Plan

The following is a discussion on the proposed MPD communications facility's conformance with the following objectives and policies of the Hawai'i State Plan:



Source: State Land Use Commission, 2010

Figure 12 Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

NOT TO SCALE

State Land Use District Map

Prepared for: County of Maui, Police Department

MUNEKIYO HIRAGA

WOC\MahinahinaWTF 1842\SLUD Map

Table 2. Objectives and Policies of the Hawai'i State Plan

Objectives and Policies of the Hawai'i State Plan	Discussion
226-10.5 (b)(1), HRS: Encourage the continued development and expansion of the telecommunications infrastructure serving Hawai'i to accommodate future growth in the information industry; **226-10.5 (b)(3), HRS:** Encourage greater cooperation between the public and private sectors in developing and maintaining a well- designed information industry;	The proposed project will allow joint use of an existing public facility to improve the coverage and reliability for the telecommunications network for State and County agencies.
226-11 (a)(2), HRS: Effective protection of Hawai'i's unique and fragile environmental resources. **226-11 (b)(3), HRS:** Take into account the physical attributes of areas when planning and designing activities and facilities. **226-11 (b)(4), HRS:** Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage. **226-11(b)(8), HRS:** Pursue compatible relationships among activities, facilities and natural resources.	The proposed joint use of the Māhinahina WTP allows the County to leverage existing facilities and infrastructure, while preserving the physical environment and natural resources. Best Management Practices (BMPs) will be implemented to minimize infiltration and runoff and protect ground and surface waters.
226-13(b)(2), HRS: Promote the proper management of Hawai'i's land and water resources. **226-13(b)(6), HRS:** Encourage design and construction practices that enhance the physical qualities of Hawai'i's communities.	The proposed joint use of the existing Māhinahina WTP is an example of prudent use of Hawai'i's land resources. Additionally, BMPs in design and construction of the facility will be implemented to minimize impacts to land, air, and water quality.
226-14 (b)(1), HRS: Accommodate the needs of Hawai'i's people through coordination of facility systems and capital improvement priorities in consonance with state and county plans. **226-14 (b)(2), HRS:** Encourage flexibility in the design and development of facility systems to promote prudent use of resources and accommodate changing public demands and priorities. **226-14 (b)(3), HRS:** Ensure that required facility systems can be supported within resource capacities and at reasonable cost to the user.	The proposed joint use of the Māhinahina WTP allows the County to implement priority capital improvement projects at a reasonable cost while leveraging existing facilities and infrastructure and minimizing environmental impacts.
226-18.5 (c)(3), HRS: Encourage public and private sector efforts to develop means for adequate, ongoing telecommunications planning.	The proposed project will improve the coverage and reliability for the telecommunications systems for State and County agencies.
226-20 (a)(1), HRS: Fulfillment of basic individual health needs of the general public.	The proposed project supports socio-cultural advancement, as it improves the coverage and reliability of communications for first responders, including emergency medical services.
226-24 (b)(1), HRS: Provide effective services and activities that protect individuals from criminal acts and unfair practices and that alleviate the consequences of criminal acts in order to foster a safe and secure environment.	The proposed project will improve the efficiency and reliability of Police Department and other first responder communication, ultimately improving services and activities that protect individuals from criminal acts.

Objectives and Policies of the Hawai'i State Plan	Discussion
226-26 (a)(1), HRS: Assurance of public safety and adequate protection of life and property for all people. **226-26 (a)(2), HRS:** Optimum organizational readiness and capability in all phases of emergency management to maintain the strength, resources, and social and economic well-being of the community in the event of civil disruptions, wars, natural disasters, and other major disturbances. **226-26 (b)(1), HRS:** Ensure that public safety programs are effective and responsive to community needs. **226-26 (d)(1), HRS:** Ensure that responsible organizations are in a proper state of readiness to respond to major war-related, natural, or technological disasters and civil disturbances at all times. **226-26 (d)(2), HRS:** Enhance the coordination between emergency management programs throughout the State.	The proposed project supports socio-cultural advancement, as it improves the coverage and reliability of communications for first responders, including those related to public safety.
226-7 (a)(1), HRS: Efficient, effective, and responsive government services at all levels in the State. **226-27 (b)(1), HRS:** Provide for necessary public goods and services not assumed by the private sector. **226-27 (b)(2), HRS:** Pursue an openness and responsiveness in government that permits the flow of public information, interaction, and response.	The proposed joint use of the Māhinahina WTP allows the County to implement a priority capital improvement project that improves communication and responsiveness of State and County first responders at a reasonable cost.

The proposed project does not conflict with any of the objectives and policies of the Hawai'i State Plan. The objectives and policies not listed above are not applicable to the project.

2. Priority Guidelines of the Hawai'i State Plan

The proposed action is in keeping with the following priority guidelines of the Hawai'i State Plan:

Table 3. Priority Guidelines of the Hawai'i State Plan

Priority Guidelines of the Hawai'i State Plan	Discussion
226-103 (b)(8), HRS: Support law enforcement activities that provide a safer environment for both visitors and residents alike.	The proposed project is consistent with the economic priority guidelines, as it improves the coverage and reliability of communications for first responders, including those related to law enforcement.
226-105 (1), HRS: Support law enforcement activities and other criminal justice efforts that are directed to provide a safer environment.	The proposed project is consistent with the economic priority guidelines, as it improves the coverage and reliability of communications for first responders, including those related to law enforcement.

The proposed project does not conflict with any of the priority guidelines of the Hawai'i State Plan. The priority guidelines not listed above are not applicable to the proposed project.

C. MAUI COUNTY GENERAL PLAN

As indicated by the Maui County Charter, the purpose of the Maui County General Plan shall be to:

> *... indicate desired population and physical development patterns for each island and region within the county; shall address the unique problems and needs of each island and region; shall explain opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density; land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development.*

Chapter 2.80B of the Maui County Code, relating to the General Plan and Community Plans, implements the foregoing Charter provision through enabling legislation which calls for a Countywide Policy Plan and a Maui Island Plan (MIP).

1. Countywide Policy Plan

The Countywide Policy Plan was adopted as Ordinance No. 3732 on March 24, 2010. With regard to the Countywide Policy Plan, Section 2.80B.030 of the Maui County Code states the following:

> *The countywide policy plan shall provide broad policies and objectives which portray the desired direction of the County's future. The countywide policy plan shall include:*
>
> *1 A vision for the County;*
> *2 A statement of core themes or principles for the County; and*
> *3. A list of countywide objectives and policies for population, land use, the environment, the economy, and housing.*

Core principles set forth in the Countywide Policy Plan are listed as follows:

1. *Excellence in the stewardship of the natural environment and cultural resources;*

2. *Compassion for and understanding of others;*

3. *Respect for diversity;*

4. *Engagement and empowerment of Maui County residents;*

5. *Honor for all cultural traditions and histories;*

6. *Consideration of the contributions of past generations as well as the needs of future generations;*

7. *Commitment to self-sufficiency;*

8. *Wisdom and balance in decision making;*

9. *Thoughtful, island appropriate innovation; and*

10. *Nurturance of the health and well-being of our families and our communities.*

Congruent with these core principles, the Countywide Policy Plan identifies goals objectives, policies and implementing actions for pertinent functional planning categories, which are identified as follows:

1. *Natural environment*

2. *Local cultures and traditions*

3. *Education*

4. *Social and healthcare services*

5. *Housing opportunities for residents*

6. *Local economy*

7. *Parks and public facilities*

8. *Transportation options*

9. *Physical infrastructure*

10. *Sustainable land use and growth management*

11. *Good governance*

With respect to the MPD communications facility and related improvements, the following goals, objectives, policies and implementing actions are illustrative of the project's compliance with the Countywide Policy Plan:

Improve Physical Infrastructure

Goal: *Maui County's physical infrastructure will be maintained in optimum condition and will provide for and effectively serve the needs of the County through clean and sustainable technologies.*

Objective:

- *Improve the planning and management of infrastructure systems.*

Policy:

- *Locate public facilities and emergency services in appropriate locations that support the health, safety, and welfare of each community and that minimize delivery inefficiencies.*

The proposed project will improve the voice and data network in West Maui, Lāna'i, and Moloka'i and improve emergency land mobile radio (LMR) coverage in West Maui. In this regard, the proposed project is consistent with the themes and principles of the Countywide Policy Plan.

2. **Maui Island Plan**

The MIP is applicable to the Island of Maui only, providing more specific policy-based strategies for population, land use, transportation, public and community facilities, water and sewage systems, visitor destinations, urban design, and other matters related to future growth.

As provided by Chapter 2.80B, the MIP shall include the following components:

1. *An island-wide land use strategy, including a managed and directed growth plan*

2. *A water element assessing supply, demand and quality parameters*

3. *A nearshore ecosystem element assessing nearshore waters and requirements for preservation and restoration*

4. *An implementation program which addresses the County's 20-year capital improvement requirements, financial program for implementation, and action implementation schedule*

5. *Milestone indicators designed to measure implementation progress of the MIP*

The MIP addresses a number of planning categories with detailed policy analysis and recommendations which are framed in terms of goals, objectives, policies and implementing actions. These planning categories address the following areas:

1. *Population*
2. *Heritage Resources*
3. *Natural Hazards*
4. *Economic Development*
5. *Housing*
6. *Infrastructure and Public Facilities*
7. *Land Use*

Additionally, an essential element of the MIP is its directed growth plan which provides a management framework for future growth in a manner that is fiscally, environmentally, and culturally prudent. Among the directed growth management tools developed through the MIP process are maps delineating urban growth boundaries (UGB), small town boundaries (STB), and rural growth boundaries (RGB). The respective boundaries identify areas appropriate for future growth and their corresponding intent with respect to development character.

The MIP identifies West Maui as one of the fastest growing regions on the island. Therefore, it is important to ensure reliable communication systems for public services in the area. The proposed project is not located within a growth boundary. The location of the project site within the existing Māhinahina Water Treatment Plant (WTP) and is appropriate and does not conflict with the directed growth strategy defined via the growth maps adopted in the MIP.

In addition, the proposed project is consistent with the following pertinent goals, objectives, and policies of the MIP:

Goal: *Maui will have adequate public facilities that meet the diverse needs of residents.*

Objective:

* *More effective planning for public facilities to meet community needs.*

Policies:

* *Adequately plan and fund public safety facilities (fire, police, ambulance, civil defense) to meet community needs.*

* *Increase joint facilities utilization and program coordination between State and County agencies such as baseyards, communication centers, recreational facilities, etc., where feasible.*

D. WEST MAUI COMMUNITY PLAN

There are nine (9) community plan regions within Maui County. From a General Plan implementation standpoint, each region is governed by a community plan which sets forth desired land use patterns, as well as goals, objectives, policies, and implementing actions for a number of functional areas.

The project site, located within the West Maui Community Plan region, is designated "Agricultural", and the proposed project is compatible with this community plan designation. See **Figure 13**. In addition, the proposed project is in keeping with, among others, the following goals, objectives, and policies of the West Maui Community Plan.

SOCIAL INFRASTRUCTURE

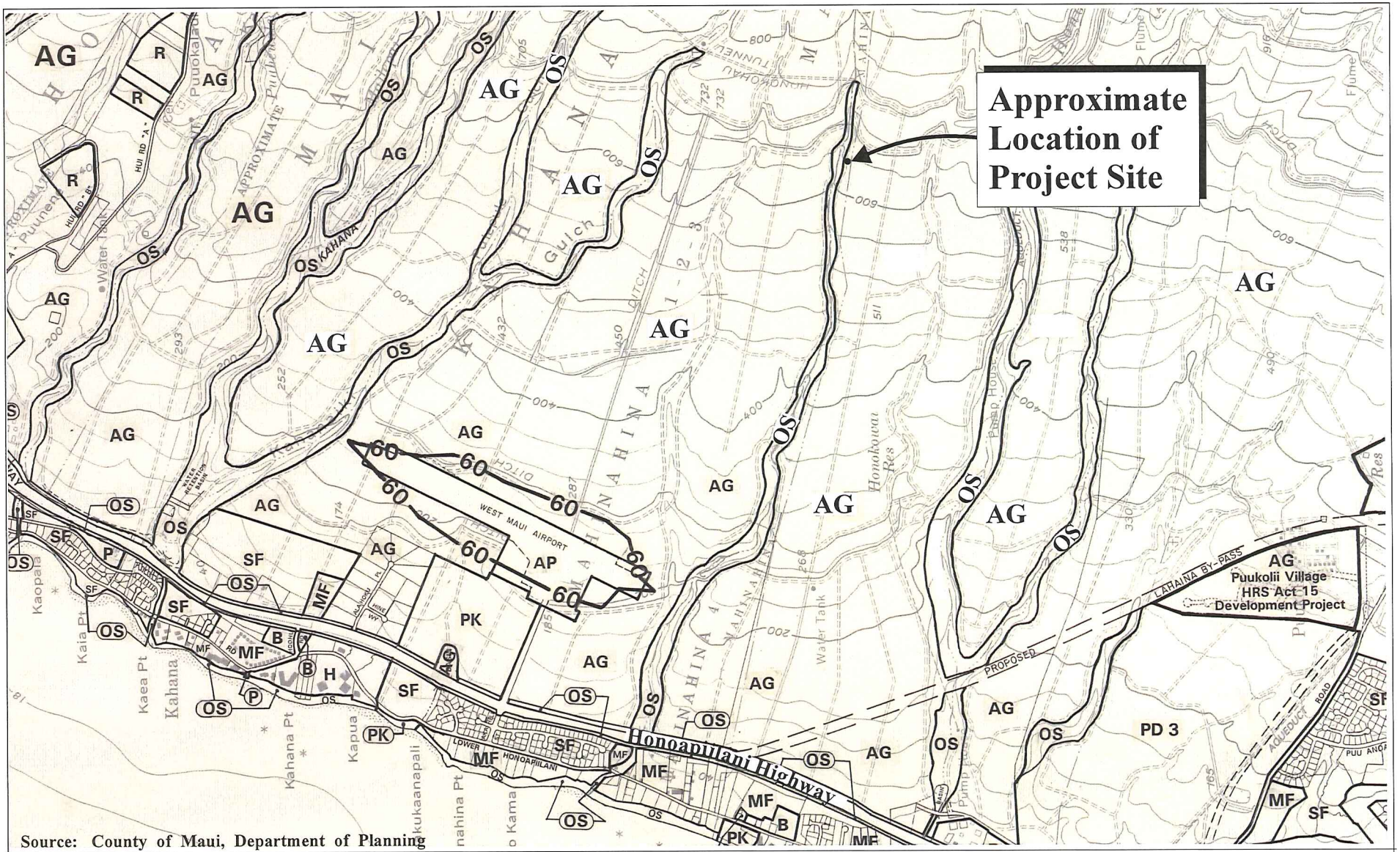
Goal

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.

Health and Public Safety Objectives and Policies

1. Support the appropriate level of police services in consideration of the region's resident and visitor population.

4. Continue to increase the visibility of police services in the region.



Source: County of Maui, Department of Planning

Figure 13

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Community Plan Map

NOT TO SCALE

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

As noted, the proposed project is in conformance with the health and public safety objectives and policies of the West Maui Community Plan. The proposed project will result in more reliable communications with MPD patrol officers, benefiting the West Maui region as a whole.

E. COUNTY ZONING

The lands underlying the project site is zoned "Agricultural" by Maui County zoning. According to Maui County Code Section 19.30.060, major utility facilities and telecommunications and broadcasting antenna are permitted uses within this district with a County Special Use Permit (CUP). An application for a CUP will be prepared and filed for consideration by the Maui Planning Commission. The Code also specifies any non-dwelling structure such as a barn or silo that is over 35 feet in height shall be setback one (1) additional foot for each foot in structure height. As such, an application for applicable variances will be prepared and filed with the Board of Variances and Appeals in accordance with Title 19.

F. HAWAI'I COASTAL ZONE MANAGEMENT PROGRAM - OBJECTIVES AND ENFORCEABLE POLICIES

The Hawai'i Coastal Zone Management Program (HCZMP), as formalized in Chapter 205A, HRS, establishes objectives and policies for the preservation, protection, and restoration of natural resources of Hawai'i's coastal zone. Section 205A-1 defines "coastal zone" as all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the United States territorial sea. The proposed communication facility project is not located within the County of Maui's Special Management Area (SMA). However, the project has been reviewed in the context of HRS 205A.

1. Recreational Resources

Objective:

Provide coastal recreational opportunities accessible to the public.

Policies:

a. *Improve coordination and funding of coastal recreation planning and management; and*

b. *Provide adequate, accessible and diverse recreational opportunities in the coastal zone management area by:*

i. *Protecting coastal resources uniquely suited for recreation 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 sandy beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*

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 use 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 non-point sources of pollution to protect and where feasible, restore the recreational value of coastal waters;*

vii. *Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches and artificial reefs for surfing and fishing; 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, County Planning Commissions and crediting such dedication against the requirements of Section 46-6 of the Hawai'i Revised Statutes.*

Response: Development of the proposed MPD communications facility will not interfere with coastal recreational opportunities. The proposed project is located approximately two (2) miles from the nearest shoreline. The construction and operation of the proposed project will not impede travel along any roads. As such, access to coastal recreational opportunities will not be impeded.

2. **Historical/Cultural Resources**

Objective:

Protect, preserve and where desirable, restore those natural and man-made historic and prehistoric resources in the coastal zone management 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.*

Response: An Archaeological Field Inspection (AFI) was conducted for the areas associated with the proposed project. No historic properties were identified during the field inspection. Refer to **Appendix "C"**. Cultural informant interviews conducted in conjunction with the project, indicate that prior to the construction of the existing WTP, the area was previously used for agriculture. It is further noted that the cultural interviews conducted for the project indicated that no traditional or cultural resources would be adversely impacted by the proposed action. Should cultural materials be found during construction, work shall stop in the immediate area of the find and the State Historic Preservation Division (SHPD) shall be notified to determine appropriate mitigation measures.

Furthermore, the required FCC license to operate the communications facility is a trigger for the National Historic Preservation Act Section 106 review. As such, consultation with applicable agencies will be undertaken as appropriate.

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 which are not coastal dependent to locate in inland areas.*

Response: The proposed communications facility will not be located in the shoreline area, and as such, does not affect views to and along the shoreline. In addition, the views of the West Maui Mountains will not be significantly impacted. The site will be located at the Māhinahina WTP approximately 1.6 miles from Honoapi'ilani Highway. The project site is otherwise surrounded by agricultural and open space areas. Given the existing structures at the WTP, the proposed project is not anticipated to have a significant adverse impact on scenic resources.

4. **Coastal Ecosystem**

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 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 which reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and non-point source water pollution control measures.*

Response: The construction plans and specifications for the project will include Best Management Practices (BMPs) to minimize erosion on the project site during construction, including measures to contain runoff onsite during the construction period. As applicable, temporary erosion control measures will be used during construction to prevent runoff to nearby areas, including placement of silt fences, filter socks, or silt barriers to prevent surface runoff from construction areas entering into adjacent areas. These measures will contain surface flows within areas of construction during the construction period.

The design drawings will include water pollution and erosion notes related to erosion and sediment control practices for exposed area and use of materials in the work areas. The contract specifications will also include sections on Environmental Controls and Pollution Control which set forth the requirements to be implemented during construction to protect adjacent areas from runoff and discharge of pollutants. Considering these factors, the impact of post-development storm water runoff is anticipated to be negligible.

5. **Economic Use**

Objective:

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

Policies:

a. *Concentrate coastal dependent development in appropriate areas;*

b. *Ensure that coastal dependent development such as harbors and ports, and coastal related developments such as visitor facilities and energy-generating facilities are located, designed and constructed to minimize adverse social, visual and environmental impacts in the coastal zone management area; 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.*

Response: In the short term, the project will provide employment for construction workers and will, as such, benefit the local economy. In the long term, the project will improve the public safety communication system servicing West Maui, Lāna'i, and Moloka'i. Located within an existing County public facility complex, the proposed communication facility is deemed to be within a suitable location.

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, 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.*

Response: The proposed site is situated approximately two (2) miles inland from the shoreline at an elevation of approximately 650 feet above mean sea level (amsl). The subject property is not located in any tsunami, flood, erosion, or subsidence area. As such, the project site is not subject to hazards resulting from tsunamis, storm waves, and stream flooding.

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 coastal zone development;*

b. *Facilitate timely processing of applications for development permits and resolve overlapping of conflicting permit requirements; and*

c. *Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life-cycle and in terms understandable to the general public to facilitate public participation in the planning and review process.*

Response: Opportunities for public review and consideration of the proposed action are provided through the Chapter 343, HRS Environmental Assessment (EA) process. Early consultation with agencies and interested parties was conducted for the preparation of the Draft EA for this project. Agency comments received in response to the early consultation letter and their responses are included in Chapter IX of the Draft EA. An announcement for the Draft EA was published in the Office of Environmental Quality Control's Environmental Notice on May 23, 2016. Comments received on the Draft EA and responses to substantive comments are included in Chapter X of this Final EA document.

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-related issues, developments, and government activities; and*

c. *Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.*

Response: Opportunities for public awareness, education, and participation pertaining to significant resources attributes of the coastal zone are provided through the EA process.

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.*

Response: The proposed project is situated inland, approximately two (2) miles away from the shoreline and at an elevation of approximately 650 feet amsl. As such, no adverse effects on beach processes are anticipated. Appropriate BMPs will be implemented to mitigate storm water runoff associated with the project and to ensure that downstream and adjoining areas will not be adversely affected.

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.*

Response: The proposed project is located at an elevation of approximately 650 feet amsl and approximately two (2) miles inland of the shoreline. As such, the development of the MPD communications facility is not expected to have impacts on the shoreline or marine resources.

IV. SUMMARY OF ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

IV. SUMMARY OF ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

In the short term, construction associated with the project will generate noise impacts. These impacts will be limited to the immediate vicinity of the project construction areas. Sound attenuating construction equipment and best management practices (BMPs) will be used, where practicable and necessary, to mitigate noise impacts caused by construction. Coordination with the Department of Water Supply will be undertaken by the applicant to ensure that operations of the WTP are not adversely impacted.

Unavoidable air quality impacts will also arise as a result of construction activities, such as the generation of dust. Appropriate BMPs will be incorporated in the construction process to mitigate impacts, such as frequent watering of exposed surfaces and regular maintenance of construction equipment to minimize construction-related impacts.

In the long term, the proposed project is not anticipated to result in any significant adverse environmental effects.

V. ALTERNATIVES TO THE PROPOSED ACTION

V. ALTERNATIVES TO THE PROPOSED ACTION

A. PREFERRED ALTERNATIVE

The proposed action described in Chapter I, Project Overview, represents the preferred alternative. This alternative entails the development and operation of a new Maui Police Department (MPD) communications facility consisting of a radio equipment building, a self-supporting 60-foot tower with fixtures and related improvements including grading and surfacing within the existing County of Maui Department of Water Supply (DWS) Water Treatment Plant (WTP). This alternative meets departmental needs and optimizes County resources. The proposed action will ultimately establish direct microwave transmission capabilities to the Kapalua Airport and MPD facilities at Kā'anapali Beach Club, Waiakeakua on Lāna'i, and Pu'u O Hoku Ranch and Amikopala on Moloka'i. The facility will also provide land mobile radio (LMR) coverage to the coastal area of West Maui and surrounding areas for first responders of the local, State, and Federal levels, and improve the reliability of the MPD communications system.

B. LOCATION ALTERNATIVES

The location selected by the MPD suits departmental needs in terms of the line-of-site propagation for microwave transmission and LMR coverage for MPD and emergency vehicles. The proposed site enables transmission to existing microwave transmission facilities in West Maui, Lāna'i, and Moloka'i.

In addition to offering the ideal breadth of coverage, the preferred site is located just off of the DWS access road, which will accommodate construction-related deliveries and maintenance trips without requiring the grading of new access roads. This reduces the environmental impacts associated with construction and the cost of construction and maintenance. At an alternative location that offers similar line-of-sight propagation, vehicular access for construction and maintenance may require extensive grading. Additionally, the development of new wilderness roads or use of alternative sources of transportation may be needed, thereby increasing potential environmental impacts and costs.

Finally, the location within the existing Māhinahina WTP allows the County to utilize an existing public facility for multiple purposes. The project site also provides access to electrical power while mitigating the costs and environmental impacts of clearing an access corridor for the installation of new transmission lines to connect the facility to the

Maui Electric Company, Ltd. grid. MPD is coordinating with DWS on the electrical to provide power for the proposed site. Situating the site in an alternative location would increase the cost of the project as well as the potential environmental and visual impacts associated with overhead electrical lines to the MPD communications site.

C. NO ACTION ALTERNATIVE

Under the no alternative scenario, reliability of MPD communications systems cannot be guaranteed, as the no action alternative does not allow for the establishment of direct microwave transmission to the MPD facilities at Kā'anapali Beach Club, Waiakeakua on Lāna'i, and Pu'u O Hoku Ranch and Amikopala on Moloka'i. This system requirement has been deemed a priority for the MPD. Under the no action alternative, the limitations of the existing system will remain unaddressed.

D. DEFERRED ACTION ALTERNATIVE

Similar to the no action alternative, the postponed action alternative does not address the current need for a reliable MPD communications system.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed project will result in the irreversible and irretrievable commitment of certain natural and fiscal resources for a needed public safety communications facility. Major resource commitments include funding, labor, fuel, and material resources. Impacts relating to the use of these resources should be weighed against the expected positive benefits to be derived from the project versus the consequences of taking no action. However, these commitments are considered appropriate as they improve police department and first responder communication systems, which improves public safety and health services for West Maui, Lāna'i, and Moloka'i.

VII. SIGNIFICANCE CRITERIA ASSESSMENT

VII. SIGNIFICANCE CRITERIA ASSESSMENT

Since the proposed action is within a County easement and County funds would be utilized, an Environmental Assessment (EA) has been prepared pursuant to Chapter 343, Hawai'i Revised Statutes (HRS), and Chapter 200 of Title 11, Administrative Rules of the State Department of Health.

The proposed action, expected consequences, both primary and secondary, and the cumulative, as well as the short-term and long-term effects of the action have been evaluated in accordance with the "Significance Criteria" of Section 11-200-12 of the Administrative Rules. Based on the analysis, the proposed project is not anticipated to result in any significant impacts. Discussion of project conformance to the "Significance Criteria" is noted as follows:

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

   Biological resources identified within the project area do not include rare or threatened species, nor are there any sensitive natural environments in the immediate vicinity of the project site.

   No cultural remains were identified during the Archaeological Field Inspection (AFI) conducted on April 30, 2015. Refer to **Appendix "C"**. According to cultural informant interviews conducted in conjunction with this project, no known traditional practices or cultural resources have been observed in the vicinity of the project. As such, the development of the site is not anticipated to significantly impact cultural resources.

   Furthermore, consultation with applicable agencies will be undertaken as part of the National Historic Preservation Act Section 106 review process.

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

   The proposed action improves, rather than curtails, the range of beneficial uses of the environment. The proposed Maui Police Department (MPD) communications facility is proposed within the existing secured area of Department of Water Supply (DWS) Water Treatment Plant (WTP). This allows for more efficient use of the existing County facility, since it will be used for multiple purposes. The proposed action does not limit or curtail other beneficial uses of the environment.

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 State Environmental Policy and Guidelines are set forth in Chapter 344, HRS. The proposed project is not in conflict with the environmental goals and policies of the State of Hawai'i.

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

The proposed MPD communications facility will not adversely affect economic, social and cultural elements important to Lāhainā residents. The proposed project will directly benefit the local economy by providing construction and construction-related employment in the short term. Development of the communications facility will enable direct microwave transmission to the MPD Lāhainā Police Station. In addition, the communications network also transmits emergency calls to the 911 Dispatch located in Wailuku, Maui. The land-mobile radio (LMR) antennas will improve radio coverage for first responder vehicles throughout West Maui, Lāna'i, and Moloka'i. As such, the project will improve emergency response and public safety for these communities.

5. **Substantially affects public health.**

The MPD communications facility will support point to point microwave radio transmitters. These microwave radio transmitters concentrate their emission in a narrow highly directional beam that does not move. The microwave radio transmitter output power is typically around or less than one (1) watt. Energy from these transmitters is not anticipated to reach or impact adjacent areas that are accessed by people, including the WTP. Therefore, adverse impacts to public health are not anticipated as a result of the project.

The development of the MPD communications facility will be a vital component of the County-wide communications network and will provide voice and data services needed for public safety and health emergencies. The improved LMR coverage will enhance the ability of first responder agencies to deliver emergency services. As such, the development of the proposed MPD communications facility will have a direct positive effect on public health.

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

The proposed project will provide benefits to the existing and future communities of West Maui, Lāna'i, and Moloka'i by enhancing and supporting police operations and other first responder agencies that play a role in health and public safety. The project is anticipated to benefit public services by improving police department communications. No adverse effects on medical, educational, and solid waste collection services are anticipated, nor will the proposed MPD communications facility have an impact on parameters for the West Maui population.

The proposed project is not anticipated to impact water and wastewater capacities and facilities. In the context of the parcel underlying the proposed site, post-development stormwater runoff will be negligible. Existing drainage conditions, which are designed to meet County standards, will be maintained.

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

Aside from the short-term impacts related to dust and noise generated during the construction phase, there will not be a degradation of environmental quality. Potential air and noise quality impacts will be mitigated through implementation of appropriate Best Management Practices (BMPs). Additionally, appropriate BMPs will also be implemented to mitigate potential impacts relating to drainage and runoff.

The proposed project is not anticipated to alter the open space and scenic character of the area. There are no sensitive environments (e.g., wetlands, streams, erosion prone areas, etc.) within the vicinity of the project site that could be affected by the proposed action.

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

The proposed project is specifically designed to improve MPD's data services on West Maui, Lāna'i, and Moloka'i and LMR coverage for emergency vehicles in West Maui. Other MPD communications sites may be developed, but are functionally discreet and are not committed with the development of the subject project. The proposed action is not anticipated to impact the environment, nor does it involve a commitment for larger actions.

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

Early consultation with the U. S. Fish and Wildlife Service (USFWS) indicates five (5) listed species in the vicinity of the project, including the endangered Hawaiian hawk

(*Buteo solitarius*), Blackburn's sphinx moth (*Manduca blackburni*), Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma phaeopygia sandwichensis*), and the threatened Newell's shearwater (*Puffinusauricularis newelli*). The USFWS also noted that there is no critical habitat in the vicinity of the project site.

Early consultation comments from the Department of Land and Natural Resources Division of Forestry and Wildlife (DOFAW) noted the occasional presence of nēnē geese at the WTP.

The minimization measures recommended by the USFWS and DOFAW outlined in Chapter II of this document will be implemented during construction. With the recommended minimization measures, no impacts to rare, threatened, endangered species, or critical habitat are anticipated as a result of the proposed action. As mentioned previously, the USFWS has concurred with a determination that the project is not likely to adversely affect protected or endangered species.

10. <u>Detrimentally affects air or water quality or ambient noise levels</u>

Construction activities will result in short-term air quality impacts. Dust control measures, such as regular watering and sprinkling, will be implemented to minimize wind-blown emissions. Appropriate BMPs will be utilized to reduce impacts on water quality from storm water runoff and its effects on adjacent and downstream areas. Existing drainage conditions, which are designed to meet County standards, will be maintained.

The construction plans and specifications for the project will include BMPs to minimize erosion on the project site during construction, including measures to contain runoff onsite during the construction period. Temporary erosion control measures will be used during construction to prevent runoff to nearby areas, including, as appropriate, placement of silt fences, filter socks, or silt barriers to prevent surface runoff from construction areas entering into adjacent areas. These measures will contain surface flows within areas of construction during the construction period.

The design drawings will include water pollution and erosion notes related to erosion and sediment control practices for exposed area and use of materials in the work areas. The contract specifications will also include sections on Environmental Controls and Pollution Control which set forth the requirements to be implemented during construction to protect adjacent areas from runoff and discharge of pollutants.

Short-term noise impacts will occur primarily from construction equipment. Equipment mufflers or other noise attenuating equipment, as well as proper equipment and vehicle maintenance, are anticipated to mitigate noise from construction activities. There are no long-term impacts on air, water, or ambient noise levels anticipated after construction has been completed.

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 proposed project is not located in an environmentally sensitive area and is in a remote area away from the shoreline and water bodies and as such, is not anticipated to suffer damage from hazardous occurrence.

12. **Substantially affects scenic vistas and viewplanes identified in county or state plans or studies**

The project site is within an existing public facility adjacent to existing WTP structures and is not located within an identified scenic vista or view plane. Scenic corridors and open space resources in the area will not be affected. Significant adverse impacts to the visual character of the area are not anticipated.

13. **Requires substantial energy consumption**

The proposed project will involve the commitment of fuel from construction equipment, vehicles, and machinery during construction activities. As a new communications facility, the development will result in a net increase in energy consumption. However, the additional energy demand will not be substantial or excessive within the context of the region's overall energy consumption.

Based on the foregoing findings, the proposed action is not anticipated to result in any significant adverse impacts. Accordingly, this Final EA for the proposed project will be published in the Office of Environmental Quality Control's (OEQC) Environmental Notice as a Finding of No Significant Impact (FONSI).

VIII. LIST OF PERMITS AND APPROVALS

VIII. LIST OF PERMITS AND APPROVALS

The following approvals will be required prior to implementation of the project:

Federal

1. Federal Communications Commission licenses/approvals
2. National Historic Preservation Act Section 106 Approval

State of Hawai'i

1. State Department of Health
   a. National Pollutant Discharge Elimination Permit, as applicable
   b. Noise Permit, as applicable

County of Maui

1. Maui Planning Commission
   a. Special Use Permit
2. Board of Variances and Appeals
   a. Title 19, Height Variance
3. Department of Public Works
   a. Building Permit and related construction permits

IX. PARTIES CONSULTED DURING THE PREPARATION OF THE DRAFT ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED AND RESPONSES TO SUBSTANTIVE COMMENTS

IX. PARTIES CONSULTED DURING THE PREPARATION OF THE DRAFT ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED AND RESPONSES TO SUBSTANTIVE COMMENTS

The following agencies and organizations were consulted during preparation of the Draft Environmental Assessment (EA). Agency comments and responses to substantive comments are compiled in this Chapter.

Land Use Consultation

1. Dan Orodenker, Executive Officer
   State of Hawai'i
   State Land Use Commission
   P.O. Box 2359
   Honolulu, Hawai'i 96804

Section 7 Consultation

1. Loyal A. Mehrhoff, Field Supervisor
   U. S. Fish and Wildlife Service
   300 Ala Moana Blvd., Rm. 3-122
   Box 50088
   Honolulu, Hawai'i 96813

2. Suzanne Case, Chairperson
   State of Hawai'i
   Department of Land and Natural Resources
   P. O. Box 621
   Honolulu, Hawai'i 96809

3. Lisa Hadway, Administrator
   Division of Forestry and Wildlife
   State of Hawai'i
   Department of Land and Natural Resources
   Kalanimoku Building
   1151 Punchbowl Street, Room 325
   Honolulu, Hawai'i 96813

Section 106 Consultation

1. Morgan Davis
   State of Hawai'i
   Department of Land and Natural Resources
   State Historic Preservation Division
   130 Mahalani Street
   Wailuku, Hawai'i 96793

2. Alan Downer, Administrator
   State of Hawai'i
   Department of Land and Natural Resources
   State Historic Preservation Division
   601 Kamokila Blvd., Room 555
   Kapolei, Hawai'i 96707

3. Dr. Kamana`opono Crabbe, Chief Executive Officer
   Office of Hawaiian Affairs
   560 N. Nimitz Highway, Suite 200
   Honolulu, Hawai'i 96817

General

1. Ron V. Simpson, Manager
   Federal Aviation Administration
   Honolulu Airports District Office
   Airports – Western Pacific Region
   Box 50244
   Honolulu, Hawai'i 96850

2. Ranae Ganske-Cerizo, Soil Conservationist
   Natural Resources Conservation Service
   U.S. Department of Agriculture
   77 Hookele Street, Suite 202
   Kahului, Hawai'i 96732

3. Sharon Wong, Acting Administrator
   Department of Accounting and General Services
   Information and Communication Services Division
   1151 Punchbowl Street
   Honolulu, Hawai'i 96813

4. Shelly Lynch, Chief, Regulatory Branch
U.S. Department of the Army
U.S. Army Engineer District, Honolulu
Regulatory Branch, Building 230
Fort Shafter, Hawai'i 96858-5440

5. Scott Enright, Chair
Department of Agriculture
1428 South King Street
Honolulu, Hawai'i 96814-2512

6. Luis P. Salaveria, Director
State of Hawai'i
Department of Business, Economic
Development & Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804

7. Dr. Virginia Pressler
State of Hawai'i
Department of Health
919 Ala Moana Blvd., Room 300
Honolulu, Hawai'i 96814

8. Patti Kitkowski
State of Hawai'i
Department of Health
Maui Sanitation Branch
54 South High Street, Room 300
Wailuku, Hawai'i 96793

9. Marvin Moniz, District Manager Islands of
Maui, Moloka'i and Lāna'i
State of Hawai'i
Department of Transportation
Airports Division
1 Kahului Airport Road, Unit 5
Kahului, Hawai'i 96732

10. Jobie Masagatani, Chair
Hawaiian Home Lands Commission
P.O. Box 1879
Honolulu, Hawai'i 96805

11. Jessica Wooley, Director
Office of Environmental Quality Control
235 S. Beretania Street, Suite 702
Honolulu, Hawai'i 96813

12. Leo R. Asuncion, Jr., AICP, Director
State of Hawai'i
Office of Planning
P. O. Box 2359
Honolulu, Hawai'i 96804

13. Senator Rosalyn H. Baker
Hawai'i State Senate
Hawai'i State Capitol, Room 230
415 S. Beretania Street
Honolulu, Hawai'i 96813

14. Representative Angus L.K. McKelvey
House of Representatives
Hawai'i State Capitol, Room 320
415 S. Beretania Street
Honolulu, Hawai'i 96813

15. Anna Foust
Maui Civil Defense Agency
200 South High Street
Wailuku, Hawai'i 96793

16. Kyle Ginoza, Director
County of Maui
Department of Environmental Management
2050 Main Street, Suite 1C
Wailuku, Hawai'i 96793

17. Jeffrey A. Murray, Chief
County of Maui
Department of Fire and Public Safety
200 Dairy Road
Kahului, Hawai'i 96732

18. William Spence, Director
County of Maui
Department of Planning
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793

19. David Goode, Director
County of Maui
Department of Public Works
200 South High Street
Wailuku, Hawai'i 96793

20. Honorable Elle Cochran
Maui County Council
200 South High Street
Wailuku, Hawai'i 96793

21. Michael Grider, Interim Manager,
Engineering
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Hawai'i 96733

22. Hawaiian Telcom
60 South Church Street
Wailuku, Hawai'i 96793

23. Joe Pluta, President
West Maui Improvement Foundation
P. O. Box 10338
Lāhainā, Hawai'i 96761

24. Donald Lehman, President
West Maui Taxpayers Association
P. O. Box 10338
Lāhainā, Hawai'i 96761

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850

In Reply Refer To:
01EPIF00-2015-SL-0409

SEP 28 2015

Ms. Marisa Fujimoto
Munekiyo Hiraga
350 High Street, Suite 104
Honolulu, Hawaii 96813

Subject: Species List for Maui Police Department Communications Facility at the Mahinahina Water Treatment Facility, Mahinahina, Maui

Dear Ms. Fujimoto:

The U.S. Fish and Wildlife Service (Service) received your correspondence on August 14, 2015, requesting a list of species listed under the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), near the proposed construction site of a communications facility at the Mahinahina water treatment facility in Mahinahina, Maui (TMK: [2] 4-3-001:084 (por.)). The proposed action is on land owned by the Maui Land and Pineapple Company within an easement for the County of Maui. The project includes erecting a 60-foot high, four-legged, self-supported tower with six 10-foot and two four-foot microwave antennas, a pre-cast concrete equipment building with radio room and generator, a driveway, eight-foot security fence, and retaining wall. The map provided with the original letter was not detailed enough for us to make a determination of which species could possibly be affected by the project, but a phone conversation on September 11, 2015 between Service biologist Jon Sprague and Reggie David of Rana Biological Consulting, who will be assisting in the Section 7 consultation for this project, clarified the location of the project.

Based on information you provided and pertinent information in our files, including data compiled by the Hawaii Biodiversity and Mapping Project, there are five listed species in the vicinity of the project area: the endangered Hawaiian hawk (*Buteo solitarius*), Hawaiian hoary bat (*Lasiurus cinereus semotus*), Blackburn's sphinx moth (*Manduca blackburni*) and Hawaiian petrel (*Pterodroma phaeopygia sandwichensis*), and the threatened Newell's shearwater (*Puffinusauricularis newelli*). There is no critical habitat in the vicinity of the project area. The Service recommends the following measures to avoid and minimize project impacts to listed species:

Hawaiian hoary bat
The Hawaiian hoary bat is known to occur across a broad range of habitats throughout the State of Hawaii. This bat roosts in both exotic and native woody vegetation and, while foraging, leaves young unattended in "nursery" trees and shrubs. If trees or shrubs suitable for bat roosting

are cleared during the Hawaiian hoary bat breeding season (June 1 to September 15), there is a risk that young bats that cannot yet fly on their own could inadvertently be harmed or killed. As a result, the Service recommends that woody plants greater than 15 feet tall should not be removed or trimmed during the Hawaiian hoary bat breeding season. Additionally, Hawaiian hoary bats forage for insects from as low as three feet to higher than 500 feet above the ground. When barbed wire is used in fencing, Hawaiian hoary bats can become entangled. The Service, therefore, recommends that barbed wire not be used for fencing as part of this proposed action.

Blackburn's sphinx moth

The Blackburn's sphinx moth could potentially be in the vicinity of the proposed project area. Adult moths feed on nectar from native plants, including beach morning glory (*Ipomoea pes-caprae*), iliee (*Plumbago zeylanica*), and maiapilo (*Capparis sandwichiana*); larvae feed upon non-native tree tobacco (*Nicotiana glauca*) and native aiea (*Nothocestrum latifolium*). To pupate, the larvae burrow into the soil and can remain in a state of torpor for up to a year (or more) before emerging from the soil. Soil disturbance can result in death of the pupae. The Service recommends that a qualified biologist survey areas of proposed construction activities for Blackburn's sphinx moth and its host plants prior to work initiation. We recommend these surveys be conducted during the wettest portion of the year (usually November-April or several weeks after a significant rain) and immediately prior to construction. Surveys should include searches for eggs, larvae, and signs of larval feeding (chewed stems, frass, or leaf damage). Any host plants of Blackburn's sphinx moth identified should not be cut or disturbed.

Seabirds

Hawaiian petrels and Newell's shearwaters (collectively known as seabirds) may transit over the project area when flying between the ocean and upland breeding colonies. Many bird species are known to strike objects, such as antennas or guywires, protruding above surrounding vegetation. In Hawaii, seabirds are attracted to lights and are known to collide with buildings, light poles, wires, and other tall objects. To minimize impacts to seabirds in Hawaii, we recommend minimizing the total surface are of the proposed tower and avoiding the use of guy wires. Any lights associated with the project should be cut-off, equipped with a motion sensor, or shielded so that the light cannot be seen from above. If the top of the tower must be lighted to meet FAA regulations, we recommend the use of a red flashing light versus the use of red or white solid light, if possible.

Implementation of these measures will minimize but does not ensure that take of listed species associated with this proposed action will be fully avoided. The Federal Communications Commission (FCC) has designated the licensees, applicants, tower companies and their representatives as non-Federal representatives for informal section 7 consultation with the U.S. Fish and Wildlife Service pursuant to the Endangered Species Act of 1973. We recommend the FCC or its non-Federal representative consult with the Service to address potential project impacts to listed species.

Thank you for your efforts to conserve listed species and native habitats. Please contact Fish and Wildlife Biologist Jon Sprague (808-792-9573) if you have any questions or for further guidance.

Sincerely,

Michelle Bogardus
Island Team Leader
Maui Nui and Hawaii Island

MUNEKIYO HIRAGA
Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Michelle Bogardus, Island Team Leader
United States Department of the Interior
Fish and Wildlife Service
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Ms. Bogardus:

Thank you for your letter which we received on September 28, 2015, providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant. We understand that Reggie David of Rana Biological Consulting is assisting the Maui Police Department with the Section 7 consultation for this project.

We appreciate your input and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. Should you have any questions, please contact me at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
K:\DATA\WOC\MahinahinaWTF 1842\Response Letters ECL\USFWSres.letter.doc

DAVID Y. IGE
GOVERNOR OF HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 9, 2015

Munekiyo & Hiraga, Inc.
Attention: Ms. Marisa Fujimoto, Senior Associate via email: planning@mhplanning.com
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

SUBJECT: Early Consultation and Section 7 Consultation Request for Proposed Maui Police Department Communications Facility at Mahinahina Water Treatment Plant

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 comments.

At this time, enclosed are comments from the Engineering Division on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

Russell Y. Tsuji
Land Administrator

Enclosure(s)
cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RECEIVED
LAND DIVISION
2015 SEP -4 AM 10:57
DEPT. OF L. & N.R.
STATE OF HAWAII

'15 AUG 19 AM10:49 ENGINEERING

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 18, 2015

MEMORANDUM

TO: FR.

DLNR Agencies:
___Div. of Aquatic Resources
___Div. of Boating & Ocean Recreation
_X_Engineering Division
___Div. of Forestry & Wildlife
___Div. of State Parks
_X_Commission on Water Resource Management
___ Office of Conservation & Coastal Lands
_X_Land Division – Maui District
_X_Historic Preservation

FROM: Russell Y. Tsuji, Land Administrator
SUBJECT: Early Consultation and Section 7 Consultation Request for Proposed Maui Police Department Communications Facility at Mahinahina Water Treatment Plant
LOCATION: Mahinahina, Island of Maui; TMK: (2) 4-3-001:084 (por.)
APPLICANT: County of Maui Police 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 **September 8, 2015**

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 Lydia Morikawa at 587-0410. Thank you.

Attachments

( ) We have no objections.
( ) We have no comments.
(✓) Comments are attached.

Signed: _____
Print Name: Carty S. Chang, Chief Engineer
Date: 9/3/15

cc: Central Files

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/ Russell Y. Tsuji
Ref.: Early Consultation and Section 7 Consultation Request for Proposed Maui Police Department Communications Facility at Mahinahina Water Treatment Plant
Maui.027

COMMENTS

( ) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone ___.

(X) Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.

( ) Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ___.

( ) Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ___.

( ) Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

( ) Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.

( ) Mr. Carter Romero (Acting) at (808) 961-8943 of the County of Hawaii, Department of Public Works.

( ) Mr. Carolyn Cortez at (808) 270-7253 of the County of Maui, Department of Planning.

( ) Mr. Stanford Iwamoto at (808) 241-4896 of the County of Kauai, Department of Public Works.

( ) The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.

( ) The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

( ) Additional Comments: _____

_____

( ) Other: _____

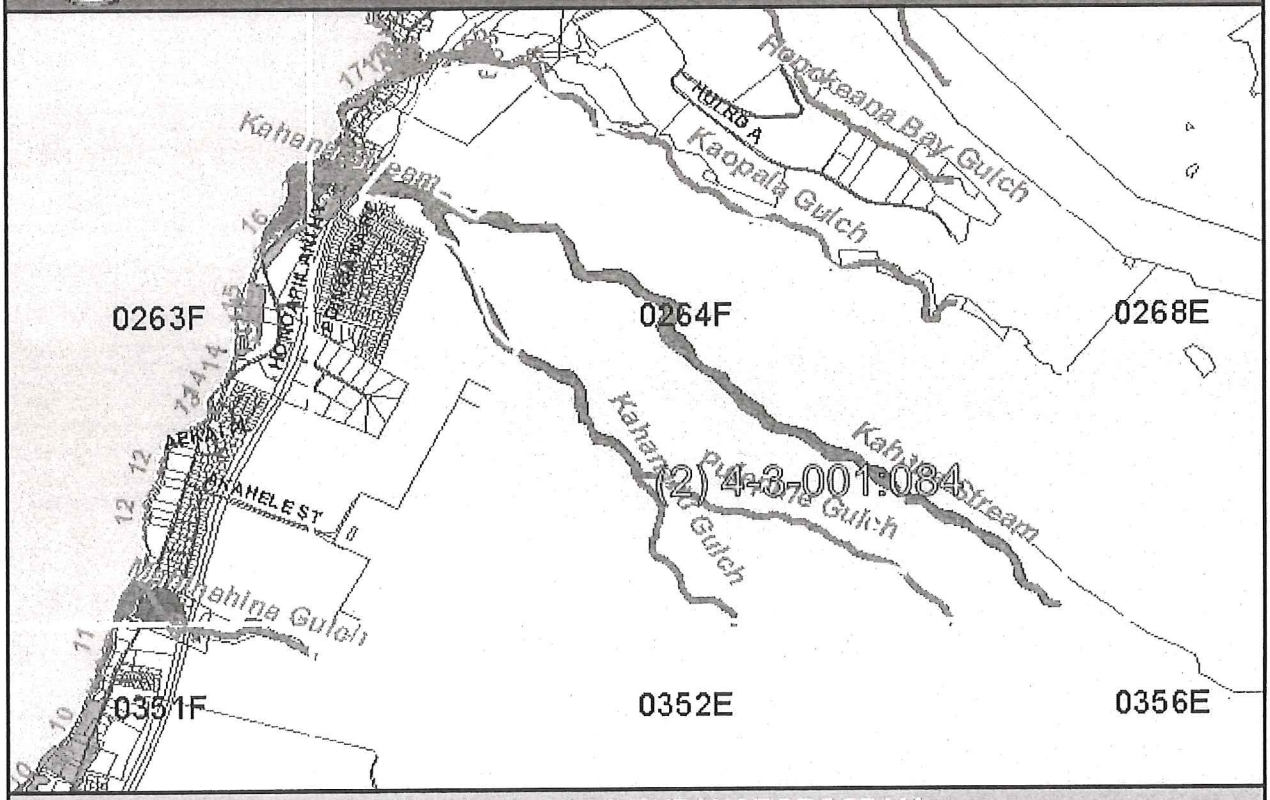
Should you have any questions, please call Mr. Dennis Imada of the Planning Branch at 587-0257.

Signed: _____
CARTY S. CHANG, CHIEF ENGINEER

Date: 9/3/15

State of Hawaii

FLOOD HAZARD ASSESSMENT REPORT



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD ZONE DEFINITIONS

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD – The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- **Zone A:** No BFE determined.
- **Zone AE:** BFE determined.
- **Zone AH:** Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- **Zone AO:** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- **Zone V:** Coastal flood zone with velocity hazard (wave action); no BFE determined.
- **Zone VE:** Coastal flood zone with velocity hazard (wave action); BFE determined.
- **Zone AEF:** Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA – An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- **Zone XS (X shaded):** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- **Zone X:** Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

- **Zone D:** Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

PROPERTY INFORMATION

COUNTY:	MAUI
TMK NO:	(2) 4-3-001-084
PARCEL ADDRESS:	HONOAPIILANI HWY LAHAINA, HI 96761
FIRM INDEX DATE:	SEPTEMBER 19, 2012
LETTER OF MAP CHANGE(S):	NONE
FEMA FIRM PANEL(S):	1500030264F-SEPTEMBER 19, 2012 1500030352E-SEPTEMBER 25, 2009

PARCEL DATA FROM:	JULY 2013
IMAGERY DATA FROM:	MAY 2005

IMPORTANT PHONE NUMBERS

County NFIP Coordinator	
County of Maui	
Carolyn Cortez	(808) 270-7253
State NFIP Coordinator	
Carol Tyau-Beam, P.E., CFM	(808) 587-0267

Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and shall not be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

MUNEKIYO HIRAGA
Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Russell Y. Tsuji, Land Administrator
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawaii 96809

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Mr. Tsuji:

Thank you for your letter dated September 9, 2015, providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). On behalf of the County of Maui, Police Department, we offer the following responses to your comments:

Engineering Division

1. It is noted that the project site is located in Flood Zone X and is not subject to regulation by the National Flood Insurance Program.

We appreciate your input and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. If you have any questions regarding this matter, please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
K:\DATA\WOC\MahinahinaWTF 1842\Response Letters ECL\DLNR Eng Response.doc

DAVID Y. IGE
GOVERNOR OF HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

March 28, 2016

Marisa Fujimoto, Senior Associate
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793
marisa@munekiyohiraga.com

Log No: 2015.03668
Doc No: 1603MD36
Archaeology

Aloha Ms. Fujimoto:

SUBJECT: **Chapter 6E-8 and 6E-42 Historic Preservation Review -**
Early Consultation for the Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plan
Māhinahina 4 Ahupua'a, Lāhainā District, Island of Maui
TMK (2) 4-3-001:084 [formerly TMK (2) 4-3-001:031 por.]

Thank you for the opportunity to comment on the proposed project. We received your first correspondence in August, 2015 and responded requesting additional information, which has been received. Scientific Consultant Services, Inc. prepared an Archaeological Field Inspection (AFI) in support of the County's application (Dagher and Dega August 2015; SCS Project Number 1734bFI-1). This letter replaces our earlier correspondence (Log No. 2015.03058, Doc No. 1508MD19).

The County of Maui Police Department is proposing to develop a new communications facility within lands currently occupied by the County of Maui Water Treatment Plant. It is anticipated that there may be federal funding available in the future. If the latter becomes the case then this project will be a federal undertaking as defined by 36 CFR 800.16(y), requiring historic preservation review under Section 106 of the National Historic Preservation Act (NHPA) and compliance with the National Environmental Policy Act (NEPA). At that point the federal agency will be responsible for the identification of both the project's area of potential effect (APE) and affected historic properties.

As detailed in the AFI, a site inspection was conducted on April 30, 2015 for the proposed new communications facility. This location would be leased from the County of Maui's Department of Water Supply. The project area is owned by the Maui Land and Pineapple Company and was previously in sugarcane cultivation but is now a manicured grass lawn adjacent to the existing water treatment plant. No historic properties were identified and no further archaeological work is recommended for the project site; we concur with that recommendation.

Please send one hardcopy of the field inspection report, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library. Please contact me at (808) 243-4641 or Morgan.E.Davis@hawaii.gov if you have any questions or concerns regarding this letter.

Mahalo,

Morgan E. Davis
Lead Archaeologist, Maui Section

cc: County of Maui
Department of Planning
(Planning@co.maui.hi.us)

County of Maui
Department of Public Works – DSA
(Renee.Segundo@co.maui.hi.us)

County of Maui
Cultural Resources Commission
(Annalise.Kehler@co.maui.hi.us)

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

August 20, 2015

Marisa Fujimoto, Senior Associate
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793
(marisa@munekiyohiraga.com)

Log No: 2015.03058
Doc No: 1508MD19
Archaeology

Aloha Ms. Fujimoto,

SUBJECT: **Chapter 6E-8 Historic Preservation Review – Maui County**
Early Consultation Request for the Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant
Māhinahina 4 Ahupua'a, Lāhainā District, Island of Maui
TMK (2) 4-3-001:084 (por.)

Thank you for the opportunity to provide comments on the proposed project which we received on August 10, 2015. The submittal explains that the County of Maui Police Department is proposing to develop a new communications facility within lands currently occupied by the County of Maui Water Treatment Plant. It is anticipated that there may be federal funding available in the future. If the latter becomes the case then this project will be a federal undertaking as defined by 36 CFR 800.16(y), requiring historic preservation review under Section 106 of the National Historic Preservation Act (NHPA) and compliance with the National Environmental Policy Act (NEPA). At that point the federal agency will be responsible for the identification of both the project's area of potential effect (APE) and affected historic properties.

We have no records available for parcel 084. It appears that this location may have originally been located within a portion of either parcel 017 or 031. We have no records for parcel 017; historic properties, including a burial and a petroglyph, have been documented within a portion of parcel 031.

At this time, we do not have enough information to determine any potential effects the proposed project may have on historic properties. We believe an archaeological survey is necessary in order to identify historic properties that may be within the APE.

Based on the information provided and a search of our records, we are unaware of the location of historic properties that may be present within the project area. Pursuant to Hawai'i Administrative Rule § 13-275 and 276, we recommend an Archaeological Inventory Survey be conducted. If historic properties are identified, mitigation measures may need to be proposed to avoid or minimize potential impacts to archaeological and cultural resources. Please contact me at (808) 243-4641 or Morgan.E.Davis@hawaii.gov if you have any questions or concerns about this letter.

Mahalo,

Morgan E. Davis
Lead Archaeologist, Maui Section

cc: County of Maui
Department of Planning
(Planning@co.maui.hi.us)

County of Maui
Department of Public Works – DSA
(Renee.Segundo@co.maui.hi.us)

County of Maui
Cultural Resources Commission
(Annalise.Kehler@co.maui.hi.us)

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Morgan E. Davis
Lead Archaeologist, Maui Section
State Historic Preservation Division
601 Kamokila Blvd., Suite 555
Kapolei, Hawaii 96707

SUBJECT: Section 106 and Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Ms. Davis:

Thank you for your letters dated August 20, 2015 and March 28, 2016, in response to our request for Section 106 and early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). On behalf of the County of Maui, Police Department, we offer the following responses to your comments in the order of your comments:

1. It is noted that your letter dated March 28, 2016 (Log No. 2015.3668, Doc N. 1603MD36) replaces your letter dated August 20, 2015 (Log No. 2015.03058, Doc No. 1508MD19).

2. The applicant will comply with federal requirements, as applicable.

3. The State Historic Preservation Division's concurrence that no further archaeological work is recommended is noted.

4. A hard copy of the field inspection report, along with a copy of your review letter, and a text-searchable PDF version on CD were sent to the SHPD Library on March 28, 2016.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. If you have any questions regarding this matter, please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:lh
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
K:\DATA\WOC\MahinahinaWTF 1842\Response Letters ECL\SHPD response.doc

SEP 14 2015

PHONE (808) 594-1888

FAX (808) 594-1938

STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HWY., SUITE 200
HONOLULU, HAWAI'I 96817

HRD 15-7586

September 3, 2015

Munekiyo & Hiraga, Inc.
Attn: Marisa Fujimoto, Senior Associate
305 High Street, Suite 104
Wailuku, Hawai'i 96793

Re: Early Consultation and Section 106 Consultation Request for Proposed Maui Police Department Communications Facility at Mahinahina Water Treatment Plant
Kahana Ahupua'a, Kā'anapali Moku, Maui Mokupuni
TMK: (2) 4-3-001:084

Aloha Ms. Fujimoto:

The Office of Hawaiian Affairs (OHA) received your letter dated August 10, 2015, requesting comments on the above-titled project. Given the project descriptions provided, our agency has no comments at this time. Should you have any questions, please contact Everett Ohta at 594-0231 or everetto@oha.org.

'O wau iho nō me ka 'oia 'i'o,

Kamana'opono M. Crabbe, Ph.D.
Ka Pouhana, Chief Executive Officer

KC: rg

Please address replies and similar, future correspondence to our agency:
Dr. Kamana'opono Crabbe
Attn: OHA Compliance Enforcement
560 N. Nimitz Hwy., Ste. 200
Honolulu, Hawai'i 96817

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Dr. Kamana'opono Crabbe
Attention: OHA Compliance Enforcement
560 N. Nimitz Highway, Suite 200
Honolulu, Hawaii 96817

SUBJECT: Early Consultation and Section 106 Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Dr. Crabbe:

Thank you for your letter dated September 3, 2015, providing early consultation and Section 106 comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant. On behalf of the MPD, we acknowledge that the Office of Hawaiian Affairs does not have any comments at this time.

We appreciate your prompt response and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. Should you have any questions, please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
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USDA

United States Department of Agriculture

Natural Resources
Conservation Service

Pacific Islands Area
Kahului Field Office

77 Hookele St., # 202
Kahului, HI 96732

Voice
808-871-5500 ext. 3
Fax
855-878-2454

August 19, 2015

Ms. Marisa Fujimoto, Senior Associate
Munekiyo Hiraga
305 High St., Suite 104
Wailuku, HI 96793

Subject: Early Consultation Request for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant (TMK: (2) 4-3-001: 084 (por))

Dear Ms. Fujimoto:

We highly recommend this project be constructed in phases to reduce the impact of erosion and drainage concerns. As soon as the area grading and construction in each single phase is complete, the area should be stabilized and vegetated. Locate potential non- point pollutant sources, erosion and drainage concerns away from ocean and critical areas.

Material stock piles, access roads and other land-disturbing activities should be located away from critical areas that drain directly into sensitive areas as mentioned above. Design parking lot/driveways which will direct and capture run off to landscape areas

Schedule inspections of temporary drainage and erosion control features during construction of the project to ensure the integrity and function of the Best management Practices.

If I can provide any further assistance, do not hesitate to contact me at 871-5500 extension 107.

Sincerely,

Ranae Ganske-Cerizo
District Conservationist

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Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Ranae Ganske-Cerizo
District Conservationist
United States Department of Agriculture
Natural Resources Conservation Service
77 Hookele Street #202
Kahului, Hawaii 96732

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Ms. Ganske-Cerizo:

Thank you for your letter dated August 19, 2015, providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). On behalf of the County of Maui, Police Department, we offer the following responses in the order of your comments:

1. The total area of the proposed project is approximately 1,400 square feet. Appropriate Best Management Practices (BMP) will be implemented during construction to minimize erosion and drainage impacts. Additionally, the area will be stabilized and vegetated, as appropriate, upon completion of construction. Therefore, due to the limited area of impact, the project will be constructed in a single phase. Potential non-point pollutant sources, erosion, and drainage concerns will be located such that the ocean, and critical areas are not impacted.

2. Material stock piles and other land-disturbing activities will be located away from sensitive areas as mentioned above. The existing Department of Water Supply access road, parking areas, and driveways will be used for construction access. The project will be designed to direct and capture runoff to landscaped areas.

3. Inspections of temporary drainage and erosion control features to ensure the integrity and function of BMPs during project construction will be scheduled, as appropriate.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. If you have any questions regarding this matter, please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
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SEP 0 8 2015

DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

September 2, 2015

SUBJECT: Request for Comments for Proposed Maui Police Department Communications Facility at Mahainahina Water Treatment Plant Mahinahina, Island of Maui, Hawaii, DA File No. POH-2015-00162

Marisa Fujimoto, Senior Associate
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

The U.S. Army Corps of Engineers, Honolulu District (Corps), is in receipt of your letter dated 10 August 2015 for the Proposed Maui Police Department Communications Facility located at Mahinahina Water Treatment Plant, Island of Maui, Hawaii. Your project has been assigned Department of the Army (DA) file number POH-2015-00162. Please reference this number in all future correspondence concerning this project.

We have reviewed your submittal pursuant to Section 404 of the Clean Water Act (Section 404) and Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 404 requires authorization prior to the discharge and/or placement of dredged or fill material into waters of the U.S., including adjacent wetlands. Section 10 requires authorization prior to installing structures or conducting work in, over, under, and affecting navigable waters.

Based on the limited information provided, it appears your proposed project may require a Department of the Army permit prior to beginning work. We have enclosed a permit application form for your convenience (Enclosure # 1). When we receive the completed application, we can further assess your permit needs.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions or wish to schedule a pre-application meeting, please contact Rebecca Frager of my staff at 808-835-4307 or via e-mail at Rebecca.M.Frager@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

Michelle R. Lynch
Chief, Regulatory Office

Enclosure

Department of the Army
Permit Application

Date received by CEPOH-RO

U.S. Army Corps of Engineers Honolulu District	**Send Completed Application to:** Honolulu District, U.S. Army Corps of Engineers Regulatory Office [CEPOH-RO] Building. 230 Fort Shafter, Hawaii 96858-5440 or email to: CEPOH-RO@usace.army.mil
DA File Number	

(1) APPLICANT AND LANDOWNER CONTACT INFORMATION

	Applicant	Property Owner (if different)	Authorized Agent (if applicable) ☐ Consultant ☐ Contractor
Contact Name Business Name Mailing Address 1 Mailing Address 2 City, State, Zip			
Business Phone Cell Phone Fax Email			

(2) PROJECT INFORMATION

A. Provide the project location.

Project Name	Tax Map Key (TMK):	Latitude and Longitude
Project Address / Location	City (nearest)	County
Brief Directions to the Site		

B. What types of waterbodies or wetlands are present in your project area? (Check all that apply.)

☐ River / Stream ☐ Non-Tidal Wetland ☐ Lake / Reservoir / Pond
☐ Estuary or Tidal Wetland ☐ Other ☐ Pacific Ocean

Waterbody or Wetland Name**	River Mile	Watershed	Island

C. Indicate the project category. (Check all that apply.)

☐ Commercial Development ☐ Industrial Development ☐ Residential Development
☐ Institutional Development ☐ Agricultural ☐ Recreational
☐ Transportation ☐ Restoration ☐ Bank Stabilization
☐ Dredging ☐ Utility lines ☐ Survey or Sampling
☐ In- or Over-Water Structure ☐ Maintenance ☐ Other:

* In decimal format (e.g., 44.9399, -123.0283)
** If there is no official name for the wetland or waterway, create a unique name (such as "Wetland 1" or "Tributary A").

(3) PROJECT PURPOSE AND NEED

Provide a statement of the purpose and need for the overall project.

(4) DESCRIPTION OF RESOURCES IN PROJECT AREA

A. Describe the existing physical and biological characteristics of each wetland or waterway. Reference the wetland and waters delineation report if one is available. Include the list of items provided in the instructions. Submit the biological survey with the application if one has been completed.

B. Describe the existing navigation, fishing and recreational use of the waterway or wetland.

(5) PROJECT SPECIFIC CRITERIA AND ALTERNATIVES ANALYSIS

Describe project-specific criteria necessary to achieve the project purpose. Describe alternative sites and project designs that were considered to avoid or minimize impacts to the waterway or wetland.

(6) PROJECT DESCRIPTION

A. Briefly summarize the overall project including work in areas both in and outside of waters or wetlands.

B. Describe work within waters and wetlands.

C. Construction Methods including any temporary work required, equipment/materials necessary, staging/access locations, location of stockpiles. Describe best management practices i.e. how the activities will be accomplished while minimizing impacts to waters and/or wetlands.

D. Describe source of fill material and disposal locations if known.

(6) PROJECT DESCRIPTION

E. Construction sequence and timeline.

What is the estimated project start date?

What is the estimated project completion date?

Is any of the work underway or already complete? ☐ Yes ☐ No

If yes, describe.

F. Fill Volumes and Dimensions (if more than 4 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name *	Fill Dimensions					Duration of Impact**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq.ft. or ac.)	Volume (c.y.)		

G. Total Fill Volumes and Dimensions

Fill Impacts to Waters	Length (ft.)	Area (sq. ft or ac.)	Volume (c.y.)
Total Fill to Wetlands			
Total Fill Below Ordinary High Water			
Total Fill Below High Tide Line			
Total Fill Below Mean High Water Tidal Elevation			

H. Removal Volumes and Dimensions (if more than 4 impact sites, include a summary table as an attachment)

Wetland / Waterbody Name*	Removal Dimensions					Duration of Impact**	Material***
	Length (ft.)	Width (ft.)	Depth (ft.)	Area (sq. ft. or ac.)	Volume (c.y.)		

I. Dredging Volumes and Dimensions

Dredging Impacts to Waters	Length (ft.)	Depth (ft.)	Width (ft.)	Volume (c.y.)
Total Dredging Seaward of Mean High Water Tidal Elevation				

* If there is no official name for the wetland or waterway, create a unique name (such as "Wetland 1" or "Tributary A").
** Indicate the days, months or years the fill or removal will remain. Enter "permanent" if applicable.
*** Example: soil, gravel, wood, concrete, pilings, rock etc.
****If the High Tide Line is not observable in the field, the Mean Higher High Water Elevation may be acceptable.

(7) ADDITIONAL INFORMATION

Are there any federally listed species under the Endangered Species Act on the project site?	☐ Yes	☐ No	☐ Unknown
Is the project site within designated or proposed critical habitat identified under the Endangered Species Act?	☐ Yes	☐ No	☐ Unknown
Is the project site within the 100-year floodplain?	☐ Yes	☐ No	☐ Unknown

*** If yes to listed species or critical habitat, submit a biological assessment with application if one has been prepared or explain in Block 4 and describe measures to minimize adverse effects to these resources in Block 5.**

Is the project site within a State or Federal marine managed area? (i.e. Marine Life Conservation Dist., Wildlife Sanctuary, or Fishery Management Area, etc.)	☐ Yes	☐ No	☐ Unknown
Will the overall project involve construction dewatering or ground disturbance of one acre or more? *** If yes, you may need an NPDES permit.**	☐ Yes	☐ No	☐ Unknown
Is the fill or dredged material a carrier of contaminants from on-site or off- site spills?	☐ Yes	☐ No	☐ Unknown
Has the fill or dredged material been physically and/or chemically tested? ***If yes, explain in Block 4 and provide references to any physical/chemical testing report(s).**	☐ Yes	☐ No	☐ Unknown
Are there known Cultural Resources in the project area? Has coordination with the State Historic Preservation Division occurred (or 6E completed)? *** If yes, provide a copy of any surveys and/or 6E with this application.**	☐ Yes	☐ No	☐ Unknown

Identify any other federal agency that is funding, authorizing or implementing the project.

Agency Name	Contact Name	Phone Number	Most Recent Date of Contact

List other certificates or approvals/denials required or received from other federal, state or local agencies for work described in this application. For example, certain activities that require a Department of Army permit also require 401 Water Quality Certification.

Approving Agency	Certificate/ approval / denial description	Date Applied

Other U.S. Army Corps of Engineers (Corps) Actions associated with this site? (Check all that apply)

☐ Work proposed on or over lands owned by or leased from the Corps

Other Corps Permits — Corps #

☐ Violation for Unauthorized Activity — Corps #

☐ Wetland and Waters Delineation — Corps #

- ☐ A wetland / waters delineation has been completed (if so, provide a copy with the application)
- ☐ The Corps has approved the wetland / waters delineation within the last 5 years

(8) IMPACTS, RESTORATION/REHABILITATION, COMPENSATORY MITIGATION

A. Describe unavoidable environmental impacts that are likely to result from the proposed project. Include permanent, temporary, direct, and indirect impacts.

B. For temporary removal or fill or disturbance of vegetation in waterways, wetlands or riparian (i.e., streamside) areas, discuss how the site will be restored after construction.

Compensatory Mitigation

☐ Permittee-responsible Onsite Mitigation

☐ Permittee-responsible Offsite mitigation

D. Provide a brief description of mitigation approach and the rationale for choosing that approach. If you believe mitigation should not be required, explain why.

(9) ADJACENT PROPERTY OWNERS FOR PROJECT AND MITIGATION SITE		
☐ Pre-printed mailing labels of adjacent property owners attached	**Project Site Adjacent Property Owners**	**Mitigation Site Adjacent Property Owners**

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

Contact Name
Address 1
Address 2
City, State ZIP Code

(10) List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.					
Agency	Approval Type	Number	Date Applied	Date Approved	Date Denied

(11) SIGNATURES	
Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby authorize the person identified in the authorized agent block below to act in my behalf as my agent in the processing of this application and to furnish supplemental information in support of this permit application. I understand that the granting of other permits by local, county, state or federal agencies does not release me from the requirement of obtaining the permits requested before commencing the project.	
Applicant Signature	
Print Name	Title
Signature	Date
Authorized Agent Signature	
Print Name	Title
Signature	Date
Landowner Signature(s)	
Landowner of the Project Site (if different from applicant)	
Print Name	Title
Signature	Date
Landowner of the Mitigation Site (if different from applicant)	
Print Name	Title
Signature	Date

(12) ATTACHMENTS

- [ ] **Drawings (items in bold are required)**
  - [ ] **Location map with roads identified**
  - [ ] **U.S.G.S topographic map**
  - [ ] **Tax lot map**
  - [ ] **Site plan(s)**
  - [ ] **Cross section drawing(s)**
  - [ ] **Recent aerial photo**
  - [ ] Project photos
  - [ ] Erosion and Pollution Control Plan(s), if applicable
- [ ] Pre-printed labels for adjacent property owners (Required if more than 5)
- [ ] Restoration plan or rehabilitation plan for temporary impacts
- [ ] Alternatives analysis
- [ ] Biological assessment (if requested by Corps project manager during pre-application coordination.)
- [ ] Other:
  - [ ]
  - [ ]

INSTRUCTIONS FOR PREPARING THE PERMIT APPLICATION

General Instructions and Tips

- Provide the information in the appropriate blocks of the application form. If you need more space, provide a summary in the space provided and attach additional detail as an appendix to the application.
- Not all items on the application form will apply to all projects.
- For most applications, binding and section dividers are not necessary and require additional handling.

The information requested on the form is necessary for the agency to begin the review. For complex projects or for those that may have more than minimal impacts, additional information may be necessary to complete the evaluation and make a permit decision. Alternative forms of permit applications may be acceptable; contact the Corps for more information.

Section 1. Applicant and Landowner Contact information

Applicant: The applicant is the responsible party. If the applicant is an agency, business entity or other organization, indicate the name of the organization and a person that has the authority to sign the application.
Authorized Agent: An authorized agent is someone who has permission from the applicant to represent their interests and supply information to the agencies. An agent can be a consultant, an attorney, builder, contractor, or any other person or organization. An authorized agent is optional.
Landowner: Provide landowner information if different from the applicant. The landowner must also sign the application.

Section 2. Project Information

Provide location information. Latitude and longitude can be found by zooming in to your respective project location and reading off the coordinates displayed on the bottom of the map on Google earth.
Provide information on wetlands and waterways within the project area. Indicate the category of activities that make up your project.

Section 3. Project Purpose and Need

Explain the purpose and need for the project. Also include a brief description of any related activities needed to accomplish the project objectives.

Section 4. Description of Resources in Project Area

For each wetland, include:

- Whether the wetland is freshwater or tidal, and the Cowardin class and Hydrogeomorphic (HGM) class.
- Source of hydrology and direction of flow (if any).
- Dominant plant species by layer (herb, shrub, tree).
- Refer to wetland delineation report if available, and provide copies to the agency (if not previously provided).
- Describe existing uses, including fish and wildlife use (type, abundance, period of use, significance of site).

For rivers, streams, other waterways, lakes and ponds, include a description of, as applicable:

- Streamflow regime (e.g., perennial year-round flow, intermittent seasonal flow, ephemeral event-driven flow). If flow is ephemeral, provide a stream flow assessment or other information that supports your determination.
- Field indicators used to identify the Ordinary High Water Mark (OHWM).
- Channel and bank conditions.
- Type and condition of riparian (streamside) vegetation.
- Channel morphology (structure and shape).
- Stream substrate.
- Assessment of the functional attributes including hydrologic, geomorphic, biological and chemical and nutrient related functions.
- Fish and wildlife (type, abundance, period of use, significance of site).

Section 5. Alternatives to Avoid and Minimize Impacts to Waters

Provide a brief explanation describing how impacts to waters and wetlands are being avoided and minimized on the project site. The alternatives analysis must include:

- Project-specific criteria that are needed to accomplish the stated project purpose.
- A range of alternative sites and designs that were considered with less impact.
- An evaluation of each alternative site and design against the project criteria and a reason for why the alternative was not chosen.
- If the project involves fill in an estuary for a non-water dependent use, a description of Alternative non- estuarine sites must be included.

Section 6. Project Description

Overall Description. Provide a brief description of the overall project, including:

- All associated work with the project both outside and within waters or wetlands.
- Include both temporary and permanent work.
- Total ground disturbance for all associated work (i.e., area and volume of ground disturbance).
- Total area of impervious surfaces created or modified by the project, if applicable.

Work within Waters and Wetlands. Provide a description of the proposed work within waters and wetlands, including:

- Each removal or fill activity proposed in waters or wetlands, as well as any construction or maintenance of in-water or over-water structures.
- The number and dimensions of in-water or over-water structures (i.e., pilings, floating docks) proposed within waters or wetlands.

Fill Material and Disposal. Provide a description of fill material and procedure for disposal of removed material, including:

- The source(s) of fill materials (if known).
- Locations for disposal area(s) for dredged material, if applicable. If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody.

Construction Methods. Describe how the removal and/or fill activities will be accomplished including the following:

- Construction methods, equipment to be used, access and staging areas, etc.
- Measures you will use during construction to minimize impacts to the waterway or wetland. Examples may include isolating work areas, controlling construction access and using specialized equipment or materials. Attach work area isolation and/or erosion and pollution control plans, if applicable.

Construction Timing. Provide the proposed start and completion date for the project. Describe project work that is already complete, if applicable.

Summary of removal and fill activities. Summarize the dimensions, volume and type/composition of material being placed or removed in each waterbody or wetland. Describe each impact on a separate row. For instance, if two culverts are being removed from Clear Creek, use two rows. Add extra rows if needed, or include an attachment.

Section 7. Additional Information

Any additional information you provide helps the reviewer(s) understand your project and the other approvals or reviews that may be required. Is the project located within any of the following:

Wetlands, mudflats, vegetated shallows/seagrass beds, coral reefs, riffle and pool complexes?

Section 8. Site Restoration/Rehabilitation and Compensatory Mitigation

Site Restoration/Rehabilitation. For temporary disturbance of soils and/or vegetation in waterways, wetlands or riparian (streamside) areas, discuss how you will restore the site after construction. This may include the following:

- Grading plans to restore pre-existing elevations.
- Planting plans and species list (native species only) to replace vegetation in riparian or wetland areas.
- Maintenance and monitoring plans to document restoration to wetland condition and/or vegetation establishment.
- Associated erosion control for site stabilization.

Compensatory Mitigation. Describe your proposed compensatory mitigation approach, or explain why you believe compensatory mitigation is not required. If proposing permittee-responsible mitigation for permanent impact to wetlands, see 33 CFR 332.4(c) for plan requirements. For permanent impact to waters other than wetlands, 33 CFR 332.4(c) for plan requirements.

Section 9. Adjacent Property Owners for Impact and Mitigation Site(s)

Names and addresses for properties that are adjacent to the project site and permittee responsible mitigation site (if applicable), are required. "Adjacent" means those properties that share or touch upon a common property line or are across the street or stream. If more than 5, attach pre-printed labels.

Section 10. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

Section 11. Signatures

The application must be signed by the responsible party, landowner and agent, as identified in section 1.

Section 12: Attachments

Project Drawings. A complete application must include a location map, site plan, cross-section drawings and recent aerial photo (See examples). All drawings should be clear, legible and formatted for 8.5 by 11 printing. Larger drawings may be submitted in addition to the 8.5 by 11 size. Use the fewest number of sheets necessary for your drawings or illustrations. While illustrations need not be professionally prepared, they should be clear, accurate, and contain all necessary information, as follows:

Location maps (with subject property identified):

- Location map with roads identified
- U.S.G.S. Topographic map
- Tax lot map (with subject tax lot(s) identified)

Site plan(s), including:

- Entire project site and activity areas
- Existing and proposed contours
- Location of ordinary high water, wetland boundaries or other jurisdictional boundaries (include wetland delineation report if not previously provided)
- Identification of temporary and permanent impact areas within waterways or wetlands
- Map scale or dimensions and north arrow
- Location of staging areas and construction access
- Location of cross section(s), as applicable
- Location of mitigation area, if applicable

Cross section drawing(s), including:

- Existing and proposed elevations
- Identification of temporary and permanent impact areas within waterways or wetlands
- Ordinary high water and/or wetland boundary or other jurisdictional boundaries
- Map scale or dimensions

Recent Aerial photo

- 1:200, or if not available for your site, highest resolution possible.

MUNEKIYO HIRAGA
Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Shane McCoy, Acting Chief
Regulatory Branch
Engineering and Construction Division
U.S. Army Corps of Engineers, Honolulu District
ATTN: CEPOH-EC-R
Fort Shafter, Hawaii 96858

SUBJECT: Jurisdictional Determination Request for DA File Number POH-2015-00162; Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Mr. McCoy:

Thank you for your department's letter dated September 2, 2015, providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). The MPD is proposing the construction of a communications facility that will meet departmental needs in terms of coverage, reliability, capacity, and security. The proposed action will enhance the existing communication infrastructure and provide a secure communications facility for governmental agencies that provide public, health, safety, and emergency services within the County of Maui. On behalf of the MPD, we offer the following responses to your comments in the order of your comments:

1. The communications facility and all construction staging will be located within the fenced area of the existing WTP. The WTP fence is approximately 100 feet south of the unnamed stream. See **Exhibit "A"**.

2. We are providing a site plan showing coordinates for the project area for your reference. See **Exhibit "B"**. The communications facility will occupy an area of 3,000 square feet within the existing fenced area of the WTP.

Maui: 305 High Street, Suite 104 • Wailuku, Hawaii 96793 • Tel: 808.244.2015 • Fax: 808.244.8729
Oahu: 735 Bishop Street, Suite 321 • Honolulu, Hawaii 96813 • Tel: 808.983.1233
www.munekiyohiraga.com

3. There will be no discharge or placement of dredged or fill material into waters of the U.S. or adjacent wetlands. No structures will be installed or work conducted in, over, under, or affecting navigable waters. Therefore, Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 are not anticipated to be triggered by the proposed project.

Given that the information provided herein shows that the project site is outside of and not anticipated to impact any waters of the U.S., adjacent wetlands, or navigable waters, we are respectfully requesting a determination from your office that a Department of the Army permit is not required for the project.

Should you have any questions or require additional information to fulfill this request please contact me at (808) 244-2015.

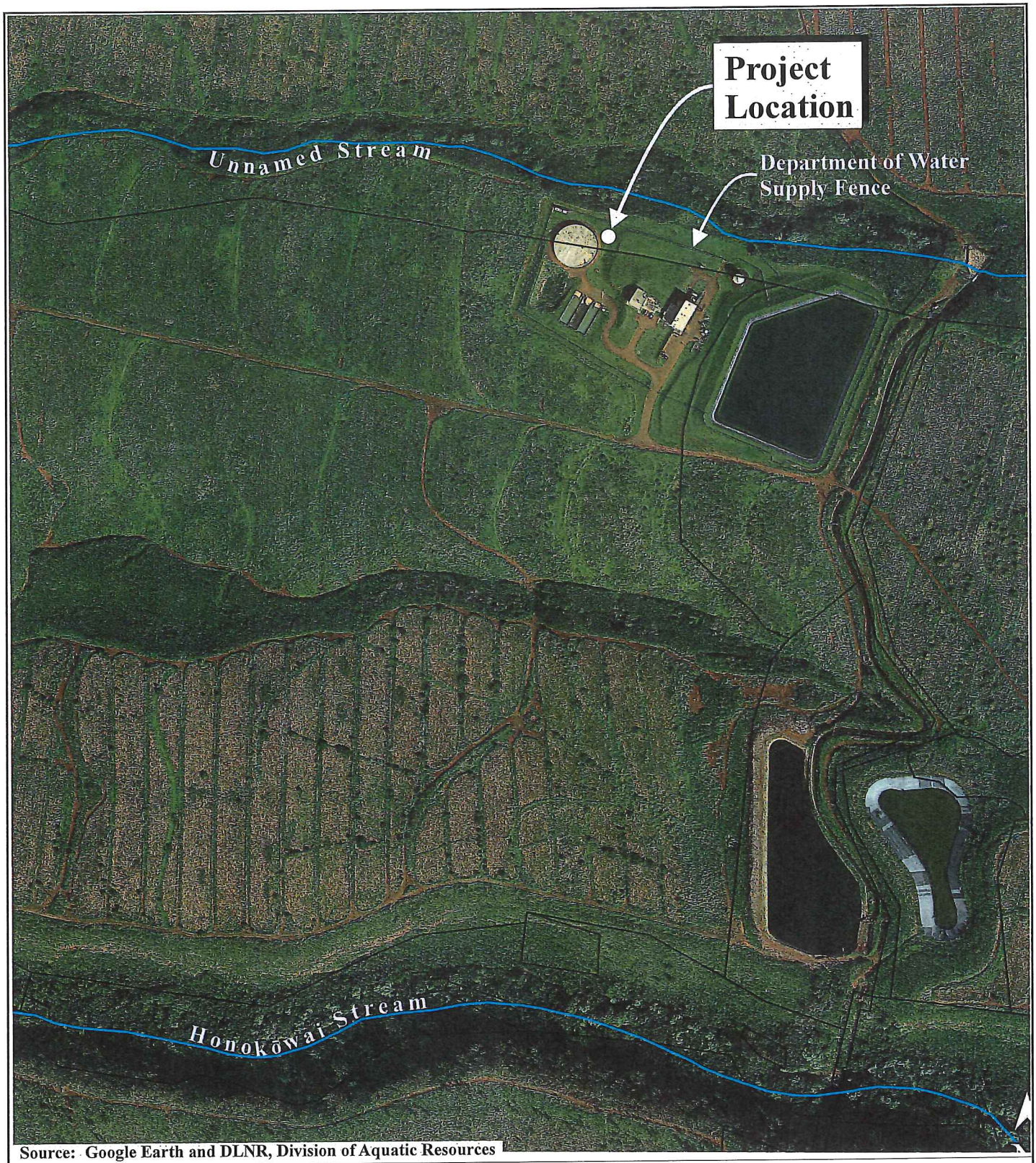
Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
Attachments
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
K:\DATA\WOC\MahinahinaWTF 1842\Response Letters ECL\Army response.doc

EXHIBIT "A"

Streams and Reservoirs Map



Source: Google Earth and DLNR, Division of Aquatic Resources

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Streams and Reservoirs Map

0 500 Feet
250 1000

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

K:\DATA\WOC\MahinahinaWTF 1842\Response Letters ECL\Streams\Wetlands

EXHIBIT "B"

Site Plan with Coordinates

Existing Chain Link Fence

Existing Concrete Pavement

Concrete Finish to Match Existing A.C. Road Elevation

Existing Water Tank

Limits of Grading/ Disturbance

Silt Fence, Typ.

Tower Coordinates
Lat: 20 56'59.2" N
Long: 156 39'30.4" W

Equipment Building

Retaining Walls

Property Line

Legend

641.50	Finish Ground or Pavement Elevation
686.18 TW / 686.00 BW	Finish Top and Bottom of Wall Elevations
640	Finish Contour
	Limits of Grading/Disturbance
	Filter Sock
	Silt Fence
	Drain Inlet Protection
638	Existing Contour
	Concrete Pavement

Source: Wilson Okamoto Corporation

Figure 3

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Site Plan

NOT TO SCALE

Prepared for: County of Maui, Police Department

MUNEKIYO HIRAGA

WOC/MahinahinaWTF 1842/Site Plan

DEPARTMENT OF THE ARMY
HONOLULU DISTRICT, U.S. ARMY CORPS OF ENGINEERS
FORT SHAFTER, HAWAII 96858-5440

June 16, 2016

SUBJECT: Approved Jurisdictional Determination and No Permit Required for EC Proposed Maui Police Department Communications Facility at Mahinahina Water Treatment Plant, Maui, HI. DA File No. POH-2015-00162

Munekiyo Hiraga
Attention: Ms. Marisa Fujimoto
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

We have received your letters dated May 5, 2016 and May 20, 2016 for the proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant at TMK (2)4-3-001:084, Lahaina, Maui, Hawaii. We have assigned your project Department of the Army (DA) file number POH-2015-00162. Please reference this number in all future correspondence concerning this project.

We have reviewed your submittal pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 requires that a DA permit be obtained for certain structures or work in or affecting navigable waters of the United States, prior to conducting the work (33 U.S.C. 403). Section 404 requires that a DA permit be obtained for the discharge of dredged and/or fill material into waters of the U.S., including wetlands and navigable waters of the U.S, prior to conducting the work (33 U.S.C. 1344).

Based on our review of your submittal, we have determined that there are no waters of the United States, including wetlands, under the regulatory jurisdiction of the Corps within the review area as described above and depicted on the attached map (Enclosure 1). Assuming your project is conducted only as set forth in the information provided, this office has determined the proposed activity does not affect the course, capacity, condition, or location of a Navigable Water of the U.S. as defined by Section 10 and would not result in the discharge of dredged or fill material into waters of the U.S. as defined by Section 404. Therefore, a DA permit will not be required.

This letter contains an approved JD that identifies the basis for not asserting jurisdiction (Enclosure 2). The approved JD is valid for a period of five (5) years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an Administrative Appeal under 33 CFR 331. We have enclosed a Notification of Appeal Process and Request for Appeal (NAP/RFA) form. If you request to appeal this determination you must submit a completed RFA form, according to instructions in the RFA, to the Corps' Pacific Ocean Division office at the following address:

Civil Works and Regulatory Program Manager
U.S. Army Corps of Engineers
Pacific Ocean Division, ATTN: CEPOD-PDC
Building 525
Fort Shafter, HI 96858-5440

This JD and statement of no permit required does not relieve the Maui County Police Department of any need to obtain other federal, state, or local authorizations required by law, ordinance and/or regulation.

Thank you for your cooperation with the Honolulu District Regulatory Program. Should you have any questions related to this determination, please contact Ms. Vera Koskelo of my staff at 808-835-4310 or via e-mail at Vera.B.Koskelo@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Office by accessing our web-based customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Sincerely,

Digitally signed by MCELWAIN.TUNIS.W.1239553008
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA, cn=MCELWAIN.TUNIS.W.1239553008
Date: 2016.06.16 12:12:41 -10'00'

Tunis W. McElwain
Acting Chief, Regulatory Office

Enclosures

cc: State of Hawaii DOH-CWB (Darryl Lum)

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 16 June 2016

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Honolulu District, POH-2015-00162 (EC Proposed Maui Police Department Communications Facility at Mahinahina Water Treatment Plant, Maui, HI)

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State:Hawaii County/parish/borough: Maui City: Lahaina
Center coordinates of site (lat/long in degree decimal format): Lat. 20.949777° N, Long. -156.658444° W.
Universal Transverse Mercator:
Name of nearest waterbody: unnamed stream

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: no aquatic resource located within the review area; the unnamed stream to the north of the review area flows north to the Pacific Ocean
Name of watershed or Hydrologic Unit Code (HUC): 2002000

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: 16 June 2016
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** *"navigable waters of the U.S."* within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

☐ Waters subject to the ebb and flow of the tide.
☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are no** *"waters of the U.S."* within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
      ☐ TNWs, including territorial seas
      ☐ Wetlands adjacent to TNWs
      ☐ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
      ☐ Non-RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
      ☐ Impoundments of jurisdictional waters
      ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
      Non-wetland waters: linear feet: width (ft) and/or acres.
      Wetlands: 0.0 acres.

   c. **Limits (boundaries) of jurisdiction** based on: **Pick List**
      Elevation of established OHWM (if known): .

2. **Non-regulated waters/wetlands (check if applicable):**[3]

[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: .

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. **TNW**
   Identify TNW: .

   Summarize rationale supporting determination: .

2. **Wetland adjacent to TNW**
   Summarize rationale supporting conclusion that wetland is "adjacent": .

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. **Characteristics of non-TNWs that flow directly or indirectly into TNW**

   (i) **General Area Conditions:**
   Watershed size: **Pick List**
   Drainage area: **Pick List**
   Average annual rainfall: inches
   Average annual snowfall: inches

   (ii) **Physical Characteristics:**
   (a) Relationship with TNW:
   ☐ Tributary flows directly into TNW.
   ☐ Tributary flows through **Pick List** tributaries before entering TNW.

   Project waters are **Pick List** river miles from TNW.
   Project waters are **Pick List** river miles from RPW.
   Project waters are **Pick List** aerial (straight) miles from TNW.
   Project waters are **Pick List** aerial (straight) miles from RPW.
   Project waters cross or serve as state boundaries. Explain: .

   Identify flow route to TNW[5]: .
   Tributary stream order, if known: .

[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.
[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☐ Natural
☐ Artificial (man-made). Explain: inflow is diversion structure.
☐ Manipulated (man-altered). Explain: impoundment created from UPLANDS.

Tributary properties with respect to top of bank (estimate):
Average width: feet
Average depth: feet
Average side slopes: **Pick List.**

Primary tributary substrate composition (check all that apply):

☐ Silts	☐ Sands	☐ Concrete
☐ Cobbles	☐ Gravel	☐ Muck
☐ Bedrock	☐ Vegetation. Type/% cover:	
☐ Other. Explain: .		

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: .
Presence of run/riffle/pool complexes. Explain: .
Tributary geometry: **Pick List**
Tributary gradient (approximate average slope): %

(c) Flow:
Tributary provides for: **Pick List**
Estimate average number of flow events in review area/year: **Pick List**
Describe flow regime: .
Other information on duration and volume: .

Surface flow is: **Pick List.** Characteristics: .

Subsurface flow: **Pick List**. Explain findings: .
☐ Dye (or other) test performed: .

Tributary has (check all that apply):
☐ Bed and banks
☐ OHWM[6] (check all indicators that apply):

☐ clear, natural line impressed on the bank	☐ the presence of litter and debris
☐ changes in the character of soil	☐ destruction of terrestrial vegetation
☐ shelving	☐ the presence of wrack line
☐ vegetation matted down, bent, or absent	☐ sediment sorting
☐ leaf litter disturbed or washed away	☐ scour
☐ sediment deposition	☐ multiple observed or predicted flow events
☐ water staining	☐ abrupt change in plant community
☐ other (list):	

☐ Discontinuous OHWM.[7] Explain:flow from reservoir to receiving tributarydependent on storage capacity of reservoir.

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☐ High Tide Line indicated by:	☐ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects	☐ survey to available datum;
☐ fine shell or debris deposits (foreshore)	☐ physical markings;
☐ physical markings/characteristics	☐ vegetation lines/changes in vegetation types.
☐ tidal gauges	
☐ other (list):	

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Explain: .
Identify specific pollutants, if known: .

---

[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7]Ibid.

(iv) Biological Characteristics. Channel supports (check all that apply):

- ☐ Riparian corridor. Characteristics (type, average width): .
- ☐ Wetland fringe. Characteristics: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain: .

Wetland quality. Explain: .

Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain: .

Surface flow is: **Pick List**

Characteristics: .

Subsurface flow: **Pick List**. Explain findings: .

- ☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:

- ☐ Directly abutting
- ☐ Not directly abutting
  - ☐ Discrete wetland hydrologic connection. Explain: .
  - ☐ Ecological connection. Explain: .
  - ☐ Separated by berm/barrier. Explain: reservoir is artificial wetland.

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List.**

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: .

Identify specific pollutants, if known: .

(iii) Biological Characteristics. Wetland supports (check all that apply):

- ☐ Riparian buffer. Characteristics (type, average width): .
- ☐ Vegetation type/percent cover. Explain: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately ( ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)

Summarize overall biological, chemical and physical functions being performed: water and sediment retention.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - ☐ TNWs: linear feet width (ft), Or, acres.
   - ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   - ☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: artificial impoundment has potential to release excess waters to RPW tributaries.

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**
☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.[9]**
As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
☐ Demonstrate that impoundment was created from "waters of the U.S.," or
☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]
☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain: .
☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

---

[8]See Footnote # 3.
[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
[10] **Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.***

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .
☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
☐ Other: (explain, if not covered above): .

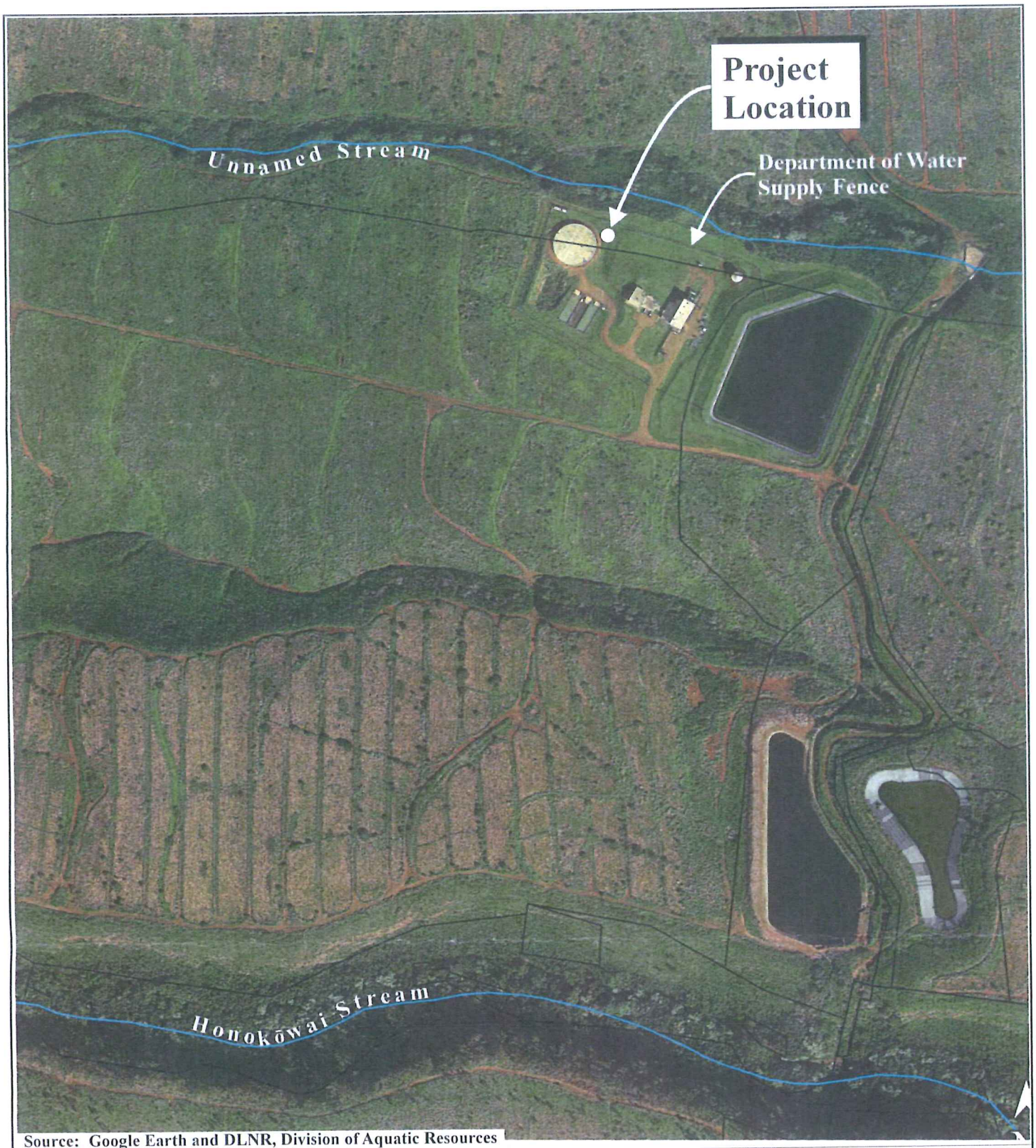
Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:05 May 2016.
☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☐ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☐ U.S. Geological Survey Hydrologic Atlas: .
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
☐ U.S. Geological Survey map(s). Cite scale & quad name: .
☒ USDA Natural Resources Conservation Service Soil Survey. Citation:NRCS Soil Mapper Data Layer in GoogleEarth Pro, http://casoilresource.lawr.ucdavis.edu/soilweb-apps, accessed on 6-16-16.
☒ National wetlands inventory map(s). Cite name:NWI mapper, http://www.fws.gov/wetlands/Data/Mapper.html, accessed on 6-16-16.
☐ State/Local wetland inventory map(s): .
☐ FEMA/FIRM maps: .
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date):aerial photo, 2000 from GoogleEarth Pro; Bing Birds Eye view aerial photographs, aerial photographs provided with letter dated 05 May 2016.
or ☒ Other (Name & Date): included in letter dated 20 May 2016.
☐ Previous determination(s). File no. and date of response letter: .
☐ Applicable/supporting case law: .
☐ Applicable/supporting scientific literature: .
☒ Other information (please specify): Topographic map from topozone.com, accessed 6-16-16, http://www.topozone.com/map-print/?lat=20.87429&lon=-156.67663&title=Lahaina Topo Map in Maui County Hawaii; EPA My Waters data layer in GoogleEarth Pro, accessed 6-16-16 http://www.epa.gov/waterdata/my-waters-mapper.

B. ADDITIONAL COMMENTS TO SUPPORT JD:



Source: Google Earth and DLNR, Division of Aquatic Resources

Proposed Maui Police Department Communications Facility at Māhinahina Water Treatment Plant

Streams and Reservoirs Map

0 500 Feet
250 1000

MUNEKIYO HIRAGA

Prepared for: County of Maui, Police Department

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DAVID Y. IGE
GOVERNOR OF HAWAII

AUG 31 2015

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H..
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378
August 27, 2015

Ms. Marisa Fujimoto
Senior Associate
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

Subject: **Early Consultation Request for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Mahinahina, Maui, Hawaii**
TMK: (2) 4-3-001:084 (por.)

Thank you for the opportunity to review this project. We have no comments to offer.

It is strongly recommended that the Standard Comments found at the Department's website: http://health.hawaii.gov/epo/home/landuse-planning-review-program/ be reviewed and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please contact me at patricia.kitkowski@doh.hawaii.gov or 808 984-8230.

Sincerely,

Patti Kitkowski

Patti Kitkowski
District Environmental Health Program Chief

c EPO

MUNEKIYO HIRAGA
Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Patti Kitkowski
District Environmental Health Program Chief
Department of Health
Maui District Health Office
54 High Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Ms. Kitkowski:

Thank you for your letter dated August 27, 2015 providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). On behalf of the County of Maui, Police Department, we acknowledge that the Department of Health Maui District Health Office does not have any comments at this time. Additionally, applicable comments from the Department's website will be adhered to, as applicable.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. Should you have any questions, please contact me at 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department

DEC 1 4 2015

DAVID Y. IGE
GOVERNOR

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
AIR-EP
15.0107

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
AIRPORTS DIVISION
400 RODGERS BOULEVARD, SUITE 700
HONOLULU, HAWAII 96819-1880

December 11, 2015

Ms. Marisa Fujimoto
Munekiyo Hiraga
305 South High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

Subject: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, TMK (2) 4-3-001:084 (por.), Mahinahina, Maui, Hawaii

We have reviewed the proposed project have the following comment to provide at this time.

A Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration", in accordance with Code of Federal Regulations, Title 14, Part 77.9, should be submitted if construction of alteration is within 20,000 feet of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 feet. The proposed project is located approximately 6,500 feet from the end of Runway 2 at Kapalua Airport. In addition, a FAA Form 7460-1 should be submitted for any PV installation, or tall equipment, such as cranes, that may be used during construction. This form and criteria for submittal can be found at the following website:
https://oeaaa.faa.gov/oeaaa/external/portal.jsp
If a FAA Form 7460-1 is filed, we request a copy be provided to us when they receive the FAA determination.

Thank you for the opportunity to provide comments. Please contact Ms. Lynette Kawaoka, Planner at (808) 838-8818, if you have further questions.

Sincerely,

ROSS M. HIGASHI
Deputy Director – Airports

c: Mr. Gordon Wong, Federal Aviation Administration

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Ross M. Higashi, Deputy Director-Airports
Department of Transportation
Airports Division
400 Rodgers Boulevard, Suite 700
Honolulu, Hawaii 96819-1880

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Mr. Higashi:

Thank you for your letter dated December 11, 2015, providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). On behalf of the County of Maui, Police Department, we offer the following responses in the order of your comments:

1. On April 6, 2016, a Federal Aviation Administration Form 7460-1 "Notice of Proposed Construction or Alteration" was filed in accordance with Code of Federal Regulations, Title 14, Part 77.9. The filing was assigned Aeronautical Study Number (ASN) 2016-AWP-3428-06.

2. A copy of the FAA determination will be provided to you by the MPD.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. If you have any questions regarding this matter, please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
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DAVID Y. IGE
GOVERNOR OF HAWAII

SEP 14 2015

JESSICA E. WOOLEY
DIRECTOR

STATE OF HAWAI'I
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
Department of Health
235 South Beretania Street, Suite 702
Honolulu, Hawai'i 96813
Telephone (808) 586-4185
Facsimile (808) 586-4186
Email: oeqchawaii@doh.hawaii.gov

September 9, 2015

Munekiyo Hiraga
Attn: Marisa Fujimoto, Senior Associate
305 High Street, Suite 104
Wailuku, HI 96793

Dear Ms. Fujimoto,

SUBJECT: Chapter 343, Hawaii Revised Statues Early Consultation Request Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Mahinahina, Maui, Hawaii.

The Office of Environmental Quality Control has reviewed the information contained in your August 10, 2015 letter about the subject project, and offers the following standard comments for your consideration.

Pursuant to Chapter 343, Hawaii Revised Statues, and the provisions of Chapter 11-200, Hawaii Administrative Rules, as an Agency Action by the County of Maui Police Department, this agency is the "Proposing and Determination agency" that implements the environmental review process for this project by either 1) anticipating a Finding of No Significant Impact and then preparing a Draft Environmental Assessment (EA) for public review and comment, or 2) based on their judgment and experience, deciding to by-pass the EA step and proceeding directly to the Environmental Impact Statement (EIS) Preparation Notice step if significant effects may or will occur from the project.

In the event that the agency makes a determination to prepare an EIS, either initially or if significant impacts are identified in the Final EA, then the Mayor or his designated representative would determine the acceptability of the subsequent Final EIS.

As to specific comments on the proposed project, at this time we suggest the consideration of using the industry appropriate best practices while working on the new facility. We also recommend a detailed assessment of how the communications tower and its various transmissions will affect all wildlife in the area.

We look forward to reviewing a Draft EA that includes sufficiently thorough information to enable recipients and the public to understand the project and to be able to provide substantive feedback.

Thank you for your role in Hawaii's environmental review process and for the opportunity to comment at this early stage of this project. As you prepare to submit documents for publication and public review in The Environmental Notice, we appreciate your diligence in using current and correct publication forms available online. If you have any questions as you navigate this process, please consult our website at http://health.hawaii.gov/oeqc (see in particular the link to the Environmental Assessment Preparation Toolkit on the right panel) or contact our office at (808) 586-4185.

Sincerely,

Jessica E. Wooley, Director

MUNEKIYO HIRAGA
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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

December 18, 2015

Scott Glenn, Director
Office of Environmental Quality Control
Department of Health
State of Hawaii
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Mr. Glenn:

Thank you for your agency's letter dated September 9, 2015, providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant. On behalf of the MPD, we offer the following responses in the order of your comments:

1. The MPD will be identified as the "Proposing and Determination agency" in the Draft Environmental Assessment (EA).

2. Industry best management practices will be used while working on the new facility. The Draft EA will also include an assessment of anticipated impacts from the proposed project on wildlife in the area.

We appreciate your input and will include a copy of your comment letter along with this response letter in the Draft EA for the proposed project. If you have any questions regarding this matter please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
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AUG 2 1 2015

ALAN M. ARAKAWA
Mayor

KYLE K. GINOZA, P.E.
Director

MICHAEL M. MIYAMOTO
Deputy Director

MICHAEL RATTE
Solid Waste Division

ERIC NAKAGAWA, P.E.
Wastewater Reclamation Division

COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
2050 MAIN STREET, SUITE 1C
WAILUKU, MAUI, HAWAII 96793

August 19, 2015

Ms. Marisa Fujimoto
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

SUBJECT: MAUI POLICE DEPARTMENT COMMUNICATIONS FACILTY AT MAHINAHINA WATER TREATEMENT PLANT EARLY CONSULTATION TMK (2) 4-3-001:084 (POR.), LAHAINA

We reviewed the subject application and have the following comments:

1. Solid Waste Division comments:

   a. None.

2. Wastewater Reclamation Division (WWRD) comments:

   a. None.

If you have any questions regarding this memorandum, please contact Michael Miyamoto at 270-8230.

Sincerely,

for KYLE K. GINOZA, P.E.
Director of Environmental Management

MUNEKIYO HIRAGA
Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Stewart Stant, Director
Department of Environmental Management
2050 Main Street, Suite 2B
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Mr. Stant:

Thank you for your Department's letter dated August 19, 2015 providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant (WTP). On behalf of the MPD, we acknowledge that the Department of Environmental Management does not have any comments at this time.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. Should you have any questions, please contact me at 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
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OCT 15 2015

ALAN M. ARAKAWA
MAYOR

JEFFREY A. MURRAY
FIRE CHIEF

ROBERT M. SHIMADA
DEPUTY FIRE CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY
FIRE PREVENTION BUREAU

313 MANEA PLACE • WAILUKU, HAWAII 96793
(808) 244-9161 • FAX (808) 244-1363

October 9, 2015

Munekiyo & Hiraga, Inc.
Attn: Marisa Fujimoto, Senior Associate
305 High Street, Suite 104
Wailuku, HI 96793

Re: Proposed Maui Police Department Comm. Facility at Mahinahina
Early Consultation
Mahinahina, Maui, HI
(2) 4-3-001: 084 (por.)

Dear Marisa:

Thank you for the opportunity to comment on this subject. At this time, our office provides the following comments:

- Our office does reserve the right to comment on the proposed project during the building permit review process when fire department access, water supply for fire protection, and fire and life safety requirements will be addressed.
- When the mentioned fire protection system (FM 200 system) is installed, our office would like to be a part of the acceptance testing associated with these systems.

If there are any questions or comments, please feel free to contact me at (808) 876-4693.

Sincerely,

Paul Haake
Captain, Fire Prevention Bureau

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

May 5, 2016

Paul Haake, Captain
County of Maui
Department of Fire and Public Safety
313 Manea Place
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lahaina, Maui, Hawaii, TMK (2) 4-3-001:084 (por.)

Dear Captain Haake:

Thank you for your letter dated October 9, 2015 providing early consultation comments on the proposed Maui Police Department (MPD) Communications Facility at the Mahinahina Water Treatment Plant. On behalf of the MPD, we offer the following responses in the order of your comments.

1. It is noted that your office reserves the right to comment on the proposed project during the building permit review process.

2. The MPD will coordinate with your office regarding testing of the fire protection systems.

We appreciate your input and will include a copy of your comment letter along with this response letter in the Draft Environmental Assessment for the proposed project. Should you have any questions, please contact me at 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: John Sakaguchi, Wilson Okamoto Corporation
Walter Pacheco, Maui Police Department
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X. LETTERS RECEIVED DURING THE DRAFT ENVIRONMENTAL ASSESSMENT REVIEW PERIOD AND RESPONSES TO SUBSTANTIVE COMMENTS

X. LETTERS RECEIVED DURING THE DRAFT ENVIRONMENTAL ASSESSMENT REVIEW PERIOD AND RESPONSES TO SUBSTANTIVE COMMENTS

The Draft Environmental Assessment (EA) for the subject action was filed and published in the Office of Environmental Quality Control Environmental Notice on May 23, 2016. The following agencies were sent a copy of the Draft EA. Comments on the Draft EA were received during the 30-day public comment period. Letters received as well as responses to substantive comments are included in this Chapter.

1. Ranae Ganske-Cerizo, Soil Conservationist
Natural Resources Conservation Service
U.S. Department of Agriculture
77 Hookele Street, Suite 202
Kahului, Hawai'i 96732

2. Shane McCoy, Acting Chief, Regulatory Branch
U.S. Department of the Army
U.S. Army Engineer District, Honolulu
Regulatory Branch, Building 230
Fort Shafter, Hawai'i 96858-5440

3. Kristi Young, Acting Field Supervisor*
U. S. Fish and Wildlife Service
300 Ala Moana Blvd., Rm. 3-122
Box 50088
Honolulu, Hawai'i 96813

4. Ron V. Simpson, Manager
Federal Aviation Administration
Honolulu Airports District Office
Airports – Western Pacific Region
Box 50244
Honolulu, Hawai'i 96850

5. Sharon Wong, Acting Administrator
Department of Accounting and General Services
Information and Communication Services Division
1151 Punchbowl Street
Honolulu, Hawai'i 96813

6. Scott Enright, Chair*
Department of Agriculture
1428 South King Street
Honolulu, Hawai'i 96814-2512

7. Luis P. Salaveria, Director
State of Hawai'i
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804

8. Dr. Virginia Pressler
State of Hawai'i
Department of Health
919 Ala Moana Blvd., Room 300
Honolulu, Hawai'i 96814

9. Patti Kitkowski*
State of Hawai'i
Department of Health
Maui Sanitation Branch
54 South High Street, Room 300
Wailuku, Hawai'i 96793

10. Suzanne Case, Chairperson*
State of Hawai'i
Department of Land and Natural Resources
P. O. Box 621
Honolulu, Hawai'i 96809

11. Lisa Hadway, Administrator
Division of Forestry and Wildlife
State of Hawai'i
Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street, Room 325
Honolulu, Hawai'i 96813

12. Alan Downer, Administrator
State of Hawai'i
Department of Land and Natural Resources
State Historic Preservation Division
601 Kamokila Blvd., Room 555
Kapolei, Hawai'i 96707

13. Morgan Davis*
State of Hawai'i
Department of Land and Natural Resources
State Historic Preservation Division
130 Mahalani Street
Wailuku, Hawai'i 96793

14. State of Hawai'i*
Department of Transportation
Statewide Planning Office
869 Punchbowl Street
Honolulu, Hawai'i 96813

15. Marvin Moniz, District Manager Islands of Maui, Moloka'i and Lāna'i
State of Hawai'i
Department of Transportation
Airports Division
1 Kahului Airport Road, Unit 5
Kahului, Hawai'i 96732

16. Senator Rosalyn H. Baker
Hawai'i State Senate
Hawai'i State Capitol, Room 230
415 S. Beretania Street
Honolulu, Hawai'i 96813

17. Representative Angus L.K. McKelvey
House of Representatives
Hawai'i State Capitol, Room 320
415 S. Beretania Street
Honolulu, Hawai'i 96813

18. Jobie Masagatani, Chair
Hawaiian Home Lands Commission
P.O. Box 1879
Honolulu, Hawai'i 96805

19. Scott Glenn, Director*
Office of Environmental Quality Control
235 S. Beretania Street, Suite 702
Honolulu, Hawai'i 96813

20. Dr. Kamana'opono Crabbe, Chief Executive Officer*
Office of Hawaiian Affairs
560 N. Nimitz Highway, Suite 200
Honolulu, Hawai'i 96817

21. Leo R. Asuncion, Jr., AICP, Director*
State of Hawai'i
Office of Planning
P. O. Box 2359
Honolulu, Hawai'i 96804

22. Dan Orodenker, Executive Officer*
State of Hawai'i
State Land Use Commission
P.O. Box 2359
Honolulu, Hawai'i 96804

23. Anna Foust*
County of Maui
Civil Defense Agency
200 South High Street
Wailuku, Hawai'i 96793

24. Stewart Stant, Director*
County of Maui
Department of Environmental Management
2050 Main Street, Suite 1C
Wailuku, Hawai'i 96793

25. County of Maui*
Department of Finance
Real Property Division
Kahului, Hawai'i 96732

26. Jeffrey A. Murray, Chief*
County of Maui
Department of Fire and Public Safety
200 Dairy Road
Kahului, Hawai'i 96732

27. Ka'ala Buenconsejo, Director*
County of Maui
Department of Parks and Recreation
700 Halia Nakoa Street, Unit 2F
Wailuku, Hawai'i 96793

28. Tivoli Faaumu, Chief*
County of Maui
Maui Police Department
55 Mahalani Street
Wailuku, Hawai'i 96793

29. David Goode, Director*
County of Maui
Department of Public Works
200 South High Street
Wailuku, Hawai'i 96793

30. Don Medeiros*
County of Maui
Department of Transportation
200 South High Street
Wailuku, Hawai'i 96793

31. Dave Taylor, Director*
County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawai'i 96793

32. Honorable Elle Cochran
Maui County Council
200 South High Street
Wailuku, Hawai'i 96793

33. Hawaiian Telcom*
60 South Church Street
Wailuku, Hawai'i 96793

34. Michael Grider, Interim Manager,
Engineering*
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Hawai'i 96732

35. Joe Pluta, President
West Maui Improvement Foundation
P. O. Box 10338
Lāhainā, Hawai'i 96761

36. Rick Nava
West Maui Taxpayers Association
P. O. Box 10338
Lāhainā, Hawai'i 96761

* Agencies that reviewed the Draft EA together with the County Special Use Permit Application for the project.

DAVID Y. IGE
GOVERNOR OF HAWAII

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

EPO 16-162

June 1, 2016

Ms. Marisa Fujimoto
Munekiyo Hiraga
305 High Sreet, Suite 104
Wailuku, Hawaii 96793
Email: planning@munekiyohiraga.com

Dear Ms. Fujimoto:

SUBJECT: **Draft Environmental Assessment (DEA) Maui Police Department Communications Facility at Mahinahina Water Treatment Plant, Lahaina, Maui**
TMK: (2) 4-3-001:084 (por.) and (2) 4-4-002:018

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your DEA to our office via the OEQC link:
http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Maui/2010s/2016-05-23-MA-5B-DEA-MPD-Communications-Facility-Mahinahina-WTF.pdf

EPO strongly recommends that you review the standard comments and available strategies to support sustainable and healthy design provided at: http://health.hawaii.gov/epo/landuse. Projects are required to adhere to all applicable standard comments. EPO has recently updated the environmental Geographic Information System (GIS) website page. It now compiles various maps and viewers from our environmental health programs. The eGIS website page will be continually updated so please visit it regularly at: http://health.hawaii.gov/epo/egis.

EPO also encourages you to examine and utilize the Hawaii Environmental Health Portal at: https://eha-cloud.doh.hawaii.gov. This site provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings.

You may also wish to review the draft Office of Environmental Quality Control (OEQC) viewer at: http://eha-web.doh.hawaii.gov/oeqc-viewer. This viewer geographically shows where some previous Hawaii Environmental Policy Act (HEPA) {Hawaii Revised Statutes, Chapter 343} documents have been prepared.

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design. Thank you for the opportunity to comment.

Mahalo nui loa,

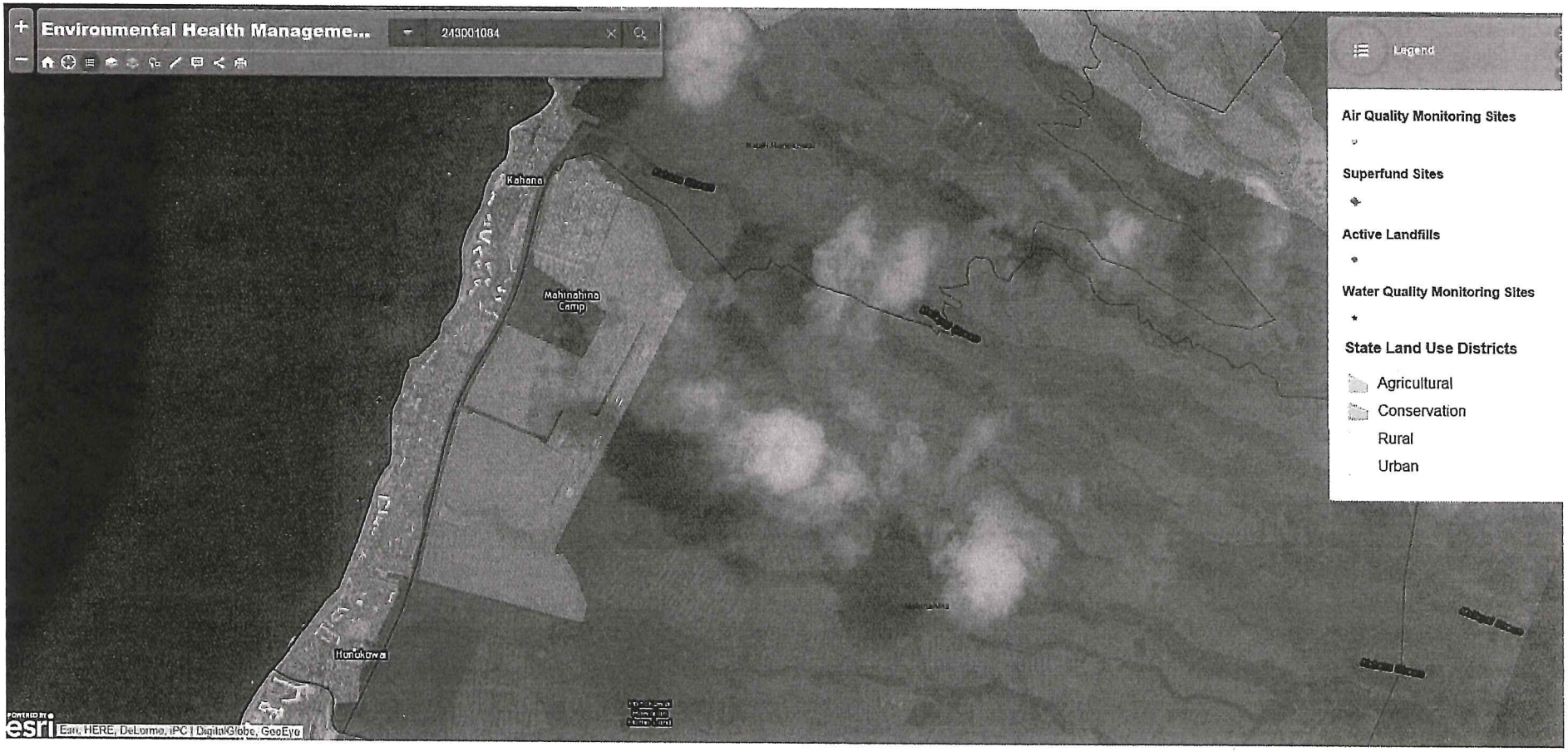
Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

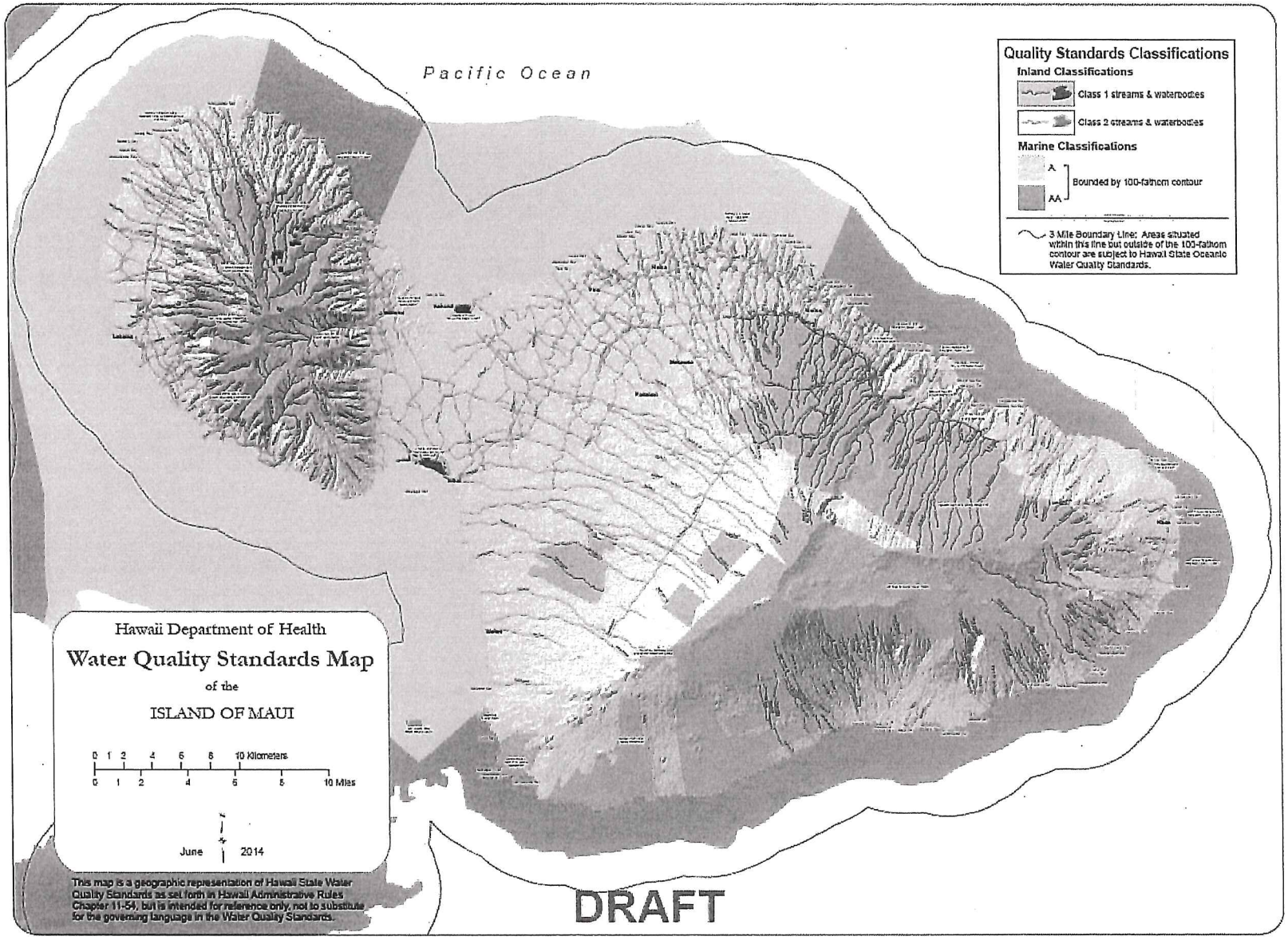
LM:nn

Attachment 1: EPO Environmental Health Management Web App Map
Attachment 2: Clean Water Branch: Water Quality Standards Map - Maui
Attachment 3: Wastewater Branch: Recycled Water Use Map of Project Area
Attachment 4: OEQC Viewer Map of Project Area

c: Walter H. Pacheco, Maui Police Department {via email: Walter.Pacheco@mpd.net}
DOH: DHO Maui {via email only}

EPO Draft Environmental Health Management Map: http://health.hawaii.gov/epo/egis




Pacific Ocean
Quality Standards Classifications
Inland Classifications
Class 1 streams & waterbodies
Class 2 streams & waterbodies
Marine Classifications
A
AA
Bounded by 100-fathom contour
3 Mile Boundary Line: Areas situated within this line but outside of the 100-fathom contour are subject to Hawaii State Oceanic Water Quality Standards.
Hawaii Department of Health
Water Quality Standards Map
of the
ISLAND OF MAUI
0 1 2 4 6 8 10 Kilometers
0 1 2 4 6 8 10 Miles
June 2014
This map is a geographic representation of Hawaii State Water Quality Standards as set forth in Hawaii Administrative Rules Chapter 11-54, but is intended for reference only, not to substitute for the governing language in the Water Quality Standards.
DRAFT


Recycled Water Use Maps
243001084
Legend
Hawaii Statewide Parcels
Water Reuse Management Zones
No Restrictions
Conditional
Restricted
Kahoma
Mahinahina Camp
Honokowai
Esri, HERE, DeLorme, IPC | DigitalGlobe, GeoEye


hawaii.gov
Stay Connected
OEQC Viewer
mahinahina water treatment plant
15 sites found
Results
Filter
Ahualoa Water (DEA-AFNSI)
Environmental Assessment (Agency)
Field Release of Eurytoma Erythrina Gall Wasp BioControl (FEA-FONSI)
Environmental Assessment (Agency)
Kauai Water System Conservation at Kahili (EISPN)
Environmental Impact Statement (Agency)
Kona Blue Water Aquaform (DEA-AFNSI)
Environmental Assessment (Applicant)
Kona Blue Water Aquaform (FEA-S)
Environmental Assessment (Applicant)
Waiaha Water Systems (FEA-FONSI)
Environmental Assessment (Applicant)
Ahualoa Waterline (FEA-FONSI)
Environmental Assessment (Agency)
WAIOHINU PRODUCTION WELL RESERVOIR (FEA-FONSI)
Environmental Assessment (Agency)
KULAIMANO WELL DEVELOPMENT (FEA-FONSI)
Environmental Assessment (Agency)
Queen Kaahumanu Highway Waterline (FEA-FONSI)
Environmental Assessment (Agency)
Hybrid
Google
Report a map error

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

August 3, 2016

Laura Leialoha Phillips McIntyre, AICP
State of Hawai'i
Department of Heath
Environmental Planning Office
P.O. Box 3378
Honolulu, Hawai'i 96801-3378

SUBJECT: Draft Environmental Assessment and County Special Use Permit for Proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant, Lāhainā, Maui, Hawai'i, TMK (2) 4-3-001:084 (por.) (CUP 2016/0002)

Dear Ms. McIntyre:

Thank you for your letter dated June 1, 2015 providing comments on the Draft Environmental Assessment (EA) for the proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant. On behalf of the County of Maui, Police Department, we note that the Department of Health Environmental Planning Office acknowledges receipt of the Draft EA for the proposed project. Additionally, applicable comments from the Department's website will be adhered to, as appropriate.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Final EA for the proposed project. Should you have any questions, please contact me at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:me
cc: Walter Pacheco, Maui Police Department
John Sakaguchi, Wilson Okamoto Corporation
Evelyn Aako, Department of Planning
K:\DATA\WOC\MahinahinaWTF 1842\DEA Responses\DOH-EPO.DEAresp.ltr.doc

JUN 2 9 2016

DAVID Y. IGE
GOVERNOR OF HAWAII

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H..
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378

June 7, 2016

Mr. William R. Spence
Director
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawai`i 96793

Attn: Evelyn Aako

Dear Mr. Spence:

Subject:	Maui Police Department Communications Facility at Mahinahina Water Treatment Plant
Applicant:	County of Maui, Police Department
Permit No.:	CUP 2016/0002
TMK:	(2) 4-3-001:084-0000
Project Description:	A new communications facility to include a radio equipment shelter, antenna tower, retaining walls, security fencing and related improvements.

Thank you for the opportunity to review this project. We have no comments to offer.
It is strongly recommended that the Standard Comments found at the Department's website: http://health.hawaii.gov/epo/home/landuse-planning-review-program/ be reviewed and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please contact me at patricia.kitkowski@doh.hawaii.gov or 808 984-8230.

Sincerely,

Patti Kitkowski

Patti Kitkowski
District Environmental Health Program Chief

c EPO

16 JUN -7 P3:56
COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED

JUN 23 2016

DAVID Y. IGE
GOVERNOR OF HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 20, 2016

County of Maui
Maui Police Department
Mr. Tivoli Faaumu, Chief
Attention: Mr. Walter Pacheco
55 Mahalani Street
Wailuku, Hawaii 96793

Dear Mr. Pacheco:

SUBJECT: Draft Environmental Assessment (DEA) and County Special Use Permit Application (CUP 2016/0002) for the Maui Police Department Communications Facility at Mahinahina Water Treatment Plant

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 comments.

At this time, enclosed are comments from the Engineering Division on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

Russell Y. Tsuji
Land Administrator

Enclosure(s)

cc: Evelyn Aoko; County of Maui, Department of Planning
Marisa Fujimoto; Munekiyo Hiraga
Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 26, 2016

MEMORANDUM

'16 MAY 26 RM 0152 ENGINEERING
LAND DIVISION

2016 JUN -3 AM 10: 52
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

TO: **DLNR Agencies:**
___Div. of Aquatic Resources
___Div. of Boating & Ocean Recreation
X Engineering Division
___Div. of Forestry & Wildlife
___Div. of State Parks
X Commission on Water Resource Management
___ Office of Conservation & Coastal Lands
X Land Division – Maui District
X Historic Preservation

FROM: Russell Y. Tsuji, Land Administrator
SUBJECT: Draft Environmental Assessment (DEA) and County Special Use Permit Application (CUP 2016/0002) for the Maui Police Department Communications Facility at Mahinahina Water Treatment Plant
LOCATION: Mahinahina, Island of Maui; TMK: (2) 4-3-001:084 (por.) & 4-4-002:018 (por.)
APPLICANT: County of Maui, Police Department

Transmitted for your review and comment is information on the above-referenced permit. We would appreciate your comments on this permit. Please submit any comments by **June 17, 2016.**

Only one (1) copy of the CD is available for your review in Land Division office, Room 220.

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 Lydia Morikawa at 587-0410. Thank you.

Attachments

( ) We have no objections.
( ) We have no comments.
(✓) Comments are attached.

Signed: _____
Print Name: Carty S. Chang, Chief Engineer
Date: 6/2/16

cc: Central Files

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

To: Land Division
Ref: DEA & CUP 2016/0002 for the Maui Police Dept Communications Facility at Mahinahina Water Treatment Plant, Maui, Hawaii

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a designated Flood Hazard.

The owner or the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zone designations can be found using the Flood Insurance Rate Map (FIRM), which can be accessed through the Flood Hazard Assessment Tool (FHAT) (http://gis.hawaiinfip.org/FHAT).

National Flood Insurance Program establishes the rules and regulations of the NFIP - Title 44 of the Code of Federal Regulations (44CFR). The NFIP Zone X is a designation where there is no perceived flood impact. Therefore, the NFIP does not regulate any development within a Zone X designation.

Be advised that 44CFR reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may take precedence over the NFIP standards as local designations prove to be more restrictive. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7253.
- Kauai: County of Kauai, Department of Public Works (808) 241-4846.

Signed: _____
CARTY S. CHANG, CHIEF ENGINEER

Date: 6/2/16

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

August 3, 2016

Russell Y. Tsuji, Land Administrator
State of Hawai'i
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawai'i 96809

SUBJECT: Draft Environmental Assessment and County Special Use Permit for Proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant, Lāhainā, Maui, Hawai'i, TMK (2) 4-3-001:084 (por.) (CUP 2016/0002)

Dear Mr. Tsuji:

Thank you for your letter dated June 20, 2016, providing comments on the Draft Environmental Assessment (EA) and County Special Use Permit for the proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant. On behalf of the County of Maui, Police Department, we offer the following responses to your comments:

Engineering Division:

1. It is noted that the project site is located in Flood Zone X and is not subject to regulation by the National Flood Insurance Program.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Final EA for the proposed project. If you have any questions regarding this matter please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:me
cc: Walter Pacheco, Maui Police Department
John Sakaguchi, Wilson Okamoto Corporation
Evelyn Aako, Department of Planning
E:\DATA\WOC\MahinahinaWTF 1842\DEA Responses\DLNR.DEAresp.ltr.doc

DAVID Y. IGE
GOVERNOR

JUL 18 2016

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
STP 8.1990

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

July 13, 2016

Ms. Evelyn Aako
Staff Planner
County of Maui
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Ms. Aako:

Subject: Maui Police Department Communications Facility at Mahinahina Water Treatment Plant
Draft Environmental Assessment (EA) and Special Use Permit Application (CUP 2016/0002)
Mahinahina, Maui, Hawaii
TMK: (2) 4-3-001:084 (Por.) and (2) 4-4-002:018 (Por.)

Our Department of Transportation's (DOT) comments on the subject project are as follows:

Airports Division

1. The proposed police communication facility is approximately 1.25 miles southeast of the Air Operations Area of the Kapalua Airport (JHM). The applicant filed the Notice of Proposed Construction (7460-1) with the Federal Aviation Administration (FAA) as requested. On June 9, 2016, the FAA completed their analysis with the finding of "Determination of No Hazard to Air Navigation". Although the FAA determined that there would be no hazard, the proposed antenna could pose a hazard to aircraft performing search and rescue or other low altitude work in the area, and thus in the interest of safety at night, we recommend that it be appropriately equipped with red obstruction lighting in accordance with FAA Advisory Circular (AC) 70/7460-1, Chapter 5.4d.

2. We are coordinating our review with the Maui Airports District Manager, Marvin Moniz, and his staff and with key contacts at the FAA Airports District Office and we will monitor the situation into the future.

Highways Division (DOT-HWY)

DOT-HWY is still reviewing the subject project. Supplemental comments will be sent as soon as the review is completed.

If there are any questions, please contact Mr. Norren Kato of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7976.

Sincerely,

FOR FORD N. FUCHIGAMI
Director of Transportation

Attachment: FAA AC 70/7460-1, Chapter 5.4d

c: Gordon Wong, Federal Aviation Administration
Walter Pacheco, Maui Police Department
Marisa Fujimoto, Munekiyo Hiraga

5.3 **Control Device.**

Red obstruction lights should be operated by an acceptable control device (e.g., photocell, timer, etc.) adjusted so the lights will be turned on when the northern sky illuminance reaching a vertical surface falls below a level of 60 foot-candles (645.8 lux) but before reaching a level of 35 foot-candles (376.7 lux). The control device should turn the lights off when the northern sky illuminance rises to a level of not more than 60 foot-candles (645.8 lux). The lights may also remain on continuously. The sensing device should, if practical, face the northern sky in the Northern Hemisphere. (See AC 150/5345-43.)

5.4 **Poles, Towers, and Similar Skeletal Structures.**

The following standards apply to radio and television towers, supporting structures for overhead transmission lines, and similar structures.

1. Top-Mounted Obstruction Light.
   a. Structures 150 Feet (46 m) AGL or Less. Two or more steady-burning red (L-810) lights should be installed in a manner to ensure an unobstructed view of one or more lights by a pilot.
   b. Structures Exceeding 150 Feet (46 m) AGL. At least one red flashing (L-864) light should be installed in a manner to ensure an unobstructed view of one or more lights by a pilot.
   c. Appurtenances 40 Feet (12 m) or Less. If a rod, antenna, or other appurtenance 40 feet (12 m) or less in height is incapable of supporting a red flashing light, then it may be placed at the base of the appurtenance. If the mounting location does not allow an unobstructed view of the light by a pilot, then additional lights should be added.
   d. Appurtenances Exceeding 40 Feet (12 m). If a rod, antenna, or other appurtenance exceeding 40 feet (12 m) in height is incapable of supporting a red flashing light, a supporting mast with one or more lights should be installed adjacent to the appurtenance. Adjacent installations should not exceed the appurtenance's height and be within 40 feet (12 m) of the tip to allow the pilot an unobstructed view of at least one light. If the rod, antenna, or other appurtenance is 7/8 inch wide or more, at least two lights must be installed on the supporting mast to provide the necessary unobstructed view.
2. Mounting Intermediate Levels. The number of light levels is determined by the height of the structure, including all appurtenances, as shown in Figure A-6 in Appendix A. The number of lights on each level is determined by the shape and height of the structure. These lights should be mounted to ensure an unobstructed view of at least one light by a pilot.
   a. Steady-Burning Lights (L-810).

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PRESIDENT
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EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

August 3. 2016

Ford N. Fuchigami, Director
State of Hawai'i
Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813

SUBJECT: Draft Environmental Assessment and County Special Use Permit for Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Lāhainā, Maui, Hawai'i, TMK (2) 4-3-001:084 (por.) and (2)4-4-002:018 (por.)(CUP 2016/0002)

Dear Mr. Fuchigami:

Thank you for your letter dated July 13, 2016, providing comments on the Draft Environmental Assessment (EA) and County Special Use Permit for the proposed Maui Police Department (MPD) Communications Facility at the Māhinahina Water Treatment Plant (WTP). On behalf of the County of Maui, Police Department, we offer the following responses to your comments:

Airports Division:

1. Your request that the antenna tower be equipped with red obstruction lighting for safety purposes is noted. As such, based on the U.S. Fish and Wildlife Service's recommendation to minimize impacts to seabirds, a red flashing light will be added to the tower.

2. It is noted that your review is being coordinated with Maui Airports District Manager, Marvin Moniz.

Highways Division:

1. It is further noted that the Department of Transportation, Highway Division (DOT-HWY) is still reviewing the project.

We appreciate your input and will include a copy of your comment letter along with this response letter in the Final EA for the proposed project. If you have any questions regarding this matter please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:tn
cc: Walter Pacheco, Maui Police Department
John Sakaguchi, Wilson Okamoto Corporation
K:\DATA\WOC\MahinahinaWTF 1842\DEA Responses\SDOT Response.doc

JUN 06 2016

OFFICE OF PLANNING
STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: http://planning.hawaii.gov/

Ref. No. P-15182

June 2, 2016

Mr. William R. Spence, Director
County of Maui, Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Attention: Ms. Evelyn Aako, Planner

Dear Mr. Spence:

Subject: Draft Environmental Assessment and County Special Use Permit (CUP 2016/0002), Maui Police Department's Mahinahina Communication Facility, Maui; Tax Map Key: (2)4-3-001: 084 (por)

Thank you for the opportunity to review the proposal for a County Special Use Permit. This application seeks approval to utilize 3,000 square feet of County owned land on the grounds of the County of Maui, Department of Water Supply Mahinahina Water Treatment Plant.

The Maui Police Department's Communication Facility site at the Mahinahina Water Treatment Plant will be located in the State Agricultural Land Use District, with soil classified by the Land Study Bureau as having a productivity rating class "A." Pursuant to Hawaii Revised Statutes § 205-4.5 (7) and (18), the proposed communications equipment buildings and wireless antennas are permitted uses within the State Agricultural District.

We have no further comments at this time. If you have any questions, please contact Lorene Maki of our Land Use Division, at (808) 587-2888 or Josh Hekekia of our Coastal Zone Management Program, at (808) 587-2846.

Sincerely,

Leo R. Asuncion
Director

c: Tivoli Faaumu, Maui Police Department
Marisa Fujimoto, Munekiyo Hiraga
Land Use Commission

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING
STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: http://planning.hawaii.gov/

Ref. No. P-15193

June 9, 2016

Ms. Marisa Fujimoto
Senior Associate
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Fujimoto:

Subject: Draft Environmental Assessment for the Proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Maui; TMK: (2) 4-3-001:084 (por) and (2) 4-4-002:018

Thank you for the opportunity to provide comments on the Draft Environmental Assessment (Draft EA) for the Maui Police Department Communications Facility project at the Mahinahina Water Treatment Plant, Lahaina, Maui. The Draft EA review material was transmitted to our office via letter dated May 20, 2016.

It is our understanding that the County of Maui Police Department proposes the development of a new communications facility within lands occupied by the County of Maui Department of Water Supply's Mahinahina Water Treatment Plant. The communication facility will enhance the county's voice and data coverage, increase reliability, expand capacity, and allow inter-agency communication to be more secure. The facility will boost coverage for county health, safety, and emergency service agencies in West Maui, Lanai, and Molokai.

This project calls for the construction of a radio transmission facility, a single-story equipment building, a microwave and land mobile radio communication tower, fencing, retaining walls, and an emergency generator.

The Office of Planning (OP) has reviewed the Draft EA and has the following comments to offer:

1. The Draft EA adequately addresses many of the plans, policies, and programs that fall under the jurisdiction of OP.

2. Section II. D., 5, pages 43-44 of the Draft EA examines drainage risks, erosion, and sediment loss impacts. It states that the underlying soils are well-drained with medium runoff and moderate erosion hazard risks. Vegetation helps minimize runoff

and naturally controls erosion. Concrete pavement will be limited to access roads to the facility and will be designed to meet County drainage standards. Best management practices will be used during the construction phase to minimize erosion and sediment loss.

Furthermore it states that the post development site is not expected to have an adverse impact from stormwater runoff. The project will maintain the land in its natural state, and keep hardened surfaces to a minimum. Natural vegetation, undisturbed areas, and natural contours will be maintained to the maximum extent possible.

3. Section III, B., pages 46-50 of the Draft EA examines the project's consistency with the Hawaii State Plan, HRS Chapter 226. It states the project is consistent with the followings goals and objectives found in the Hawaii State Plan:

   - HRS § 226-10.5 – the economy – information industry;
   - HRS § 226-11 the physical environment – land based, shoreline and marine resources, (a)(2), (b)(3), (b)(4), (b)(8);
   - HRS § 226-13 the physical environment – land, air, and water quality, (b)(2), (b)(6);
   - HRS § 226-14 facility systems – in general, (b)(1), (b)(2), (b)(3);
   - HRS § 226-18.5 facility systems – telecommunications, (c)(3);
   - HRS § 226-20, socio-cultural advancement – health, (a)(1);
   - HRS § 226-24, socio-cultural advancement – individual rights and personal well-being, (b)(1);
   - HRS § 226-26, socio-cultural advancement-public safety, (a)(1), (a)(2), (d)(1), (d)(2);
   - HRS § 226-27, socio-cultural advancement – government, (a)(1), (b)(1), (b)(2); and
   - HRS § 226-103, the economic priority guidelines, (b)(8)

   The analysis on the Hawaii State Plan should include a discussion on the project's ability to meet all of the objectives, policies, and priority guidelines or clarify where it is in conflict with them. If any of the themes listed in HRS Chapter 226 are not applicable to this project, then the analysis on HRS Chapter 226 should list them as

"not applicable." Summarizing these themes in tabular form is often the most efficient way to address this matter followed by write-ups of the themes.

4. Section III. F., pages 57-64 of the Draft EA adequately address the project's adherence to the Hawaii Coastal Zone Management program's objectives and policies as found in the Hawaii Revised Statutes (HRS) § 205A-2

We have no further comments at this time. If you have any questions regarding this comment letter, please contact Josh Hekekia of our office at (808) 587-2845.

Sincerely,

Leo R. Asuncion
Director

c: Mr. Walter Pacheco, Maui Police Department

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Michael T. Munekiyo
PRESIDENT
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Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

August 3, 2016

Leo R. Asuncion, Director
State of Hawai'i
Office of Planning
P. O. Box 2359
Honolulu, Hawai'i 96804

SUBJECT: Draft Environmental Assessment and County Special Use Permit for Proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant, Lāhainā, Maui, Hawai'i, TMK (2) 4-3-001:084 (por.) (CUP 2016/0002)

Dear Mr. Asuncion:

Thank you for your letters dated June 2 and 9, 2016, providing comments on the Draft Environmental Assessment (EA) and County Special Use Permit for the proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant. On behalf of the MPD, we offer the following responses in the order of your comments:

Comments from June 2, 2016:

1. It is noted that the proposed communications equipment building and wireless antennas are permitted uses within the State Agricultural District.

Comments from June 9, 2016:

2. Thank you for noting that the Draft EA adequately addresses many of the plans, policies, and programs that fall under the Office of Planning's (OP) jurisdiction.

3. The analysis on the Hawai'i State Plan will be updated to include discussion and clarification on the project's ability to meet all of the objectives, policies, and priority guidelines.

4. It is noted that Section III.F. of the Draft EA adequately addresses the projects adherence to the Hawai'i Coastal Zone Management program's objectives and policies.

We appreciate your input and will include a copy of your comment letter along with this response letter in the Final EA for the proposed project. If you have any questions regarding this matter please feel free to contact our office at (808) 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:me
cc: Walter Pacheco, Maui Police Department
John Sakaguchi, Wilson Okamoto Corporation
Evelyn Aako, Department of Planning
K:\DATA\WOC\MahinahinaWTF 1842\DEA Responses\OP.DEAresp.ltr.doc

AGENCY TRANSMITTAL RESPONSE e-FORM

FOR DEPARTMENT OF PLANNING, COUNTY OF MAUI

6/1/2016

AGENCY NAME	Department of Environmental Mgmt.	PHONE	270-8230
PROJECT:	Maui Police Department Communications Facility at Mahinahina Water Treatment Plant		
APPLICANT:	County of Maui, Police Department		
PERMIT NO:	CUP 2016/0002		
TMK:	(2) 4-3-001:084-0000		
STREET ADDRESS:			
PROJECT DESCRIPTION:	A new communications facility to include a radio equipment shelter, antenna tower, retaining walls, security fencing, and related improvements.		
SECURITY CODE:			

☐ COMMENTS/RECOMMENDATIONS ☒ NO COMMENTS

WASTEWATER RECLAMATION DIVISION COMMENTS

☒ COMMENTS/RECOMMENDATIONS ☐ NO COMMENTS

SOLID WASTE DIVISION COMMENTS

The contractor must apply to the Central Maui Landfill to dispose of any construction waste and obtain a project number. Information is available at www.mauicounty.gov or from the web with the inquiry, "Maui County C&D."

Signed:		
Print Name:	**Michael M. Miyamoto, Deputy Director**	**Date 06/01/2016**

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
EXECUTIVE VICE PRESIDENT
Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

August 3, 2016

Michael M. Miyamoto, Deputy Director
County of Maui
Department of Environmental Management
2050 Main Street, Suite 2B
Wailuku, Hawai'i 96793

SUBJECT: Draft Environmental Assessment and County Special Use Permit for Proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant, Lāhainā, Maui, Hawai'i, TMK (2) 4-3-001:084 (por.) (CUP 2016/0002)

Dear Mr. Miyamoto:

Thank you for your letter dated June 1, 2016, providing comments on the Draft Environmental Assessment (EA) and County Special Use Permit for the proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant. On behalf of the County of Maui, Police Department, we offer the following responses to your comments:

1. It is noted that the contractor must apply to the Central Maui Landfill to dispose of any construction waste and obtain a project number.

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Final EA for the proposed project. If you have any questions regarding this matter please feel free to contact our office at 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:me
cc: Walter Pacheco, Maui Police Department
John Sakaguchi, Wilson Okamoto Corporation
Evelyn Aako, Department of Planning
K:\DATA\WOC\MahinahinaWTF 1842\DEA Responses\DEM.DEAresp.ltr.doc

Marisa Fujimoto

From: Evelyn Aako <Evelyn.Aako@co.maui.hi.us>
Sent: Thursday, July 07, 2016 11:10 AM
To: Marisa Fujimoto
Subject: Fwd: MPD Comms. Facility at Mahinahina : CUP 2016/0002

Evelyn Aako, Staff Planner
Department of Planning, Current Division
(808) 270-7378
evelyn.aako@mauicounty.gov

>>> Paul Haake 6/10/2016 11:32 AM >>>
Hi Evelyn,

Below are our department's comments in regards to the referenced subject.

Let me know if any questions or comments.

Thanks,

Paul

****

June 9, 2016

Department of Planning
Attn: Evelyn Aako, Staff Planner
2200 Main Street, Suite 315
Wailuku, HI 96793

Re: MPD Comms. Facility at Mahinahina Water Treatment Plant
Mahinahina, Maui
(2) 4-3-001: 084
CUP 2016/0002

Dear Evelyn:

Thank you for the opportunity to comment on this subject. At this time, our office provides the following comments:

- Our office does not have any specific comments regarding the CUP associated with the referenced subject.
- Our office does reserve the right to comment on the proposed project during the building permit review process if permits for this project are routed to our office for review and approval. At that time,

fire department access, water supply for fire protection, and fire and life safety requirements will be addressed.

If there are any questions or comments, please feel free to contact me at (808) 876-4693.

Sincerely,

Paul Haake
Captain - Fire Prevention Bureau
Dept. of Fire & Public Safety
County of Maui

313 Manea Place Wailuku, HI 96793
876-4690 office
876-4693 direct line
244-1363 fax

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7955

GLEN A. UENO, P.E., P.L.S.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

LESLI L. OTANI, P.E., L.S.
Highways Division

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

June 9, 2016

MEMO TO: WILLIAM R. SPENCE, PLANNING DIRECTOR

FROM: DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS

SUBJECT: **DRAFT ENVIRONMENTAL ASSESSMENT AND COUNTY SPECIAL USE PERMIT APPLICATIONS FOR MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY AT MAHINAHINA WATER TREATMENT PLANT; TMK: (2) 4-3-001: POR. 084 AND (2) 4-4-002: POR. OF 018**

We reviewed the subject application and have no comments at this time.

If you have any questions regarding this memorandum, please call Rowena M. Dagdag-Andaya at 270-7845.

DCG:RMDA:da
xc: Engineering Division
S:\DSA\Engr\CZM\Draft Comments\43001084_44002018_maui_police_dept_mahinahina_comm_fac_cup.wpd

COUNTY OF MAUI
DEPT OF PLANNING
CURRENT DIV-RECEIVED
JUN 13 P2:46

ALAN M. ARAKAWA
Mayor

DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

June 14, 2016

Ms. Evelyn Aako, Staff Planner
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Dear Ms. Aako:

RE: I.D.: CUP1 2016/0002
TMK: (2) 4-3-001:084 (por.) and 4-4-002:018 (por.)
Project Name: Maui Police Department (MPD) Communications Facility at Mahinahina Water Treatment Plant Draft Environmental Assessment (DEA)

Thank you for the opportunity to offer comments on the above referenced project. The Department of Water Supply (DWS) understands that a new communications facility will provide much needed upgrades. We have no objection should the project be approved.

Pollution Prevention
The project area overlies the Honokowai aquifer with a sustainable yield of 6 million gallons per day according to the Commission on Water Resource Management. We are pleased to note that Best Management Practices (BMPs) designed to minimize infiltration and runoff will be implemented. In order to protect ground and surface waters, the mitigation measures below should be noted in the EA and practiced during construction:

- Prevent cement products, oil, fuel and other toxic substances from falling or dripping on the ground as this can cause them to leach into the ground. Store them in proper containers on non-porous surfaces and protect from the elements.
- Maintain vehicles and equipment to prevent oil or other fluids from leaking. Concrete trucks and tools used for construction should be rinsed off-site.
- Properly and promptly dispose of all loosened and excavated soil and debris material.
- Retain ground cover until the last possible date.
- Apply biocides only during dry periods of low rainfall to minimize chemical run-off.

Should you have any questions, please contact staff planner Marti Buckner at (808) 463-3104 or marti.buckner@co.maui.hi.us.

Sincerely,

Dave Taylor, P.E., Director
mlb

"By Water All Things Find Life"

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Michael T. Munekiyo
PRESIDENT
Karlynn K. Fukuda
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Mark Alexander Roy
VICE PRESIDENT
Tessa Munekiyo Ng
VICE PRESIDENT

August 3, 2016

Dave Taylor, P.E., Director
County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawai'i 96793-2155

SUBJECT: Draft Environmental Assessment and County Special Use Permit for Proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant, Lāhainā, Maui, Hawai'i, TMK (2) 4-3-001:084 (por.) (CUP 2016/0002)

Dear Mr. Taylor:

Thank you for your letter dated June 14, 2016, providing comments on the Draft Environmental Assessment (EA) and County Special Use Permit for the proposed Maui Police Department Communications Facility at the Māhinahina Water Treatment Plant. On behalf of the County of Maui, Police Department, we offer the following responses to your comments:

1. Thank you for your comments regarding pollution prevention. It is noted that the project site overlies the Honokowai aquifer. Your recommended mitigation measures will be forwarded to the design consultant for inclusion in the construction plans, as appropriate.

Maui: 305 High Street, Suite 104 • Wailuku, Hawaii 96793 • Tel: 808.244.2015 • Fax: 808.244.8729
Oahu: 735 Bishop Street, Suite 321 • Honolulu, Hawaii 96813 • Tel: 808.983.1233
www.munekiyohiraga.com

We appreciate your input, and will include a copy of your comment letter along with this response letter in the Final EA for the proposed project. If you have any questions regarding this matter please feel free to contact our office at 244-2015.

Very truly yours,

Marisa Fujimoto
Senior Associate

MF:me
cc: Walter Pacheco, Maui Police Department
John Sakaguchi, Wilson Okamoto Corporation
Evelyn Aako, Department of Planning
K:\DATA\WOC\MahinahinaWTF 1842\DEA Responses\DWS.DEAresp.ltr.doc

XI. REFERENCES

XI. REFERENCES

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U.S. Department of Agriculture (USDA), Soil Conservation Service, The Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai and Lanai, State of Hawaii, August 1972.

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APPENDIX A.

Preliminary Civil Plans

GENERAL NOTES

1. INVESTIGATE, VERIFY AND BE RESPONSIBLE FOR PROJECT CONDITIONS INCLUDING ELEVATIONS, UNDERGROUND OBSTACLES, GRADES AND DIMENSIONS. REPORT DISCREPANCIES TO THE OFFICER–IN–CHARGE BEFORE COMMENCING WORK.
2. VERIFY THE LOCATION OF EXISTING UTILITIES, WHETHER SHOWN ON DRAWINGS OR NOT, AND BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF THE SAME IN THE EVENT OF DAMAGE DUE TO CONSTRUCTION ACTIVITIES.
3. VERIFY DIMENSIONS AND CONDITIONS AND REPORT DISCREPANCIES IN WRITING TO OFFICER–IN–CHARGE BEFORE COMMENCING WORK OR ORDERING MATERIALS.
4. PERFORM EXISTING CONDITIONS SURVEY PRIOR TO BID. NO EXTRA COST WILL BE APPROVED BASED ON CONTRACTOR'S FAILURE TO OBSERVE CONFLICTING EXISTING CONDITIONS AND PROVIDE FOR THEIR CORRECTIONS.
5. NOTIFY THE OFFICER–IN–CHARGE OF DISCREPANCIES OF CONSTRUCTION DRAWINGS/SPECIFICATIONS OR CLARIFICATIONS NEEDED PRIOR TO COMMENCEMENT OF WORK.
6. FOR INSTALLATION OF NEW ITEMS TO EXISTING STRUCTURES, VERIFY THE EXISTING CONDITIONS AT PROJECT SITE AND INCLUDE ITEMS FOR A COMPLETE INSTALLATION, WHETHER SHOWN OR NOT.
7. BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES, FOR COORDINATION OF WORK INCLUDING TEMPORARY BRACING, SHORING, SCAFFOLDING, AND DEWATERING.
8. LAYOUT WORK WITH PRECISION AND ACCURACY THROUGHOUT PROJECT.
9. OBSERVE AND COMPLY WITH FEDERAL, STATE AND LOCAL LAWS REQUIRED FOR THE PROTECTION OF PUBLIC HEALTH AND SAFETY AND ENVIRONMENTAL QUALITY.
10. DO NOT TAKE ADVANTAGE OF APPARENT ERRORS OR OMISSIONS IN THE CONTRACT DOCUMENTS. ADVISE MAUI POLICE DEPARTMENT (MPD) FOR DIRECTION IF ERRORS OR OMISSIONS BECOME KNOWN.
11. BE RESPONSIBLE FOR INITIATING, MAINTAINING AND SUPERVISING SAFETY PRECAUTIONS AND PROGRAMS ON OR OFF JOBSITE.
12. DETAILS SHOWN ON DRAWINGS SHALL BE TYPICAL FOR SIMILAR CONDITIONS. CONTRACTOR SHALL MODIFY DETAILS FOR SPECIAL CONDITIONS AS DIRECTED BY THE OFFICER–IN–CHARGE.
13. WHEN EXCAVATION IS ADJACENT TO OR UNDER EXISTING STRUCTURES, FACILITIES, OR GUY ANCHORS, BE RESPONSIBLE FOR PROPERLY SHEETING AND BRACING THE EXCAVATION AND STABILIZING THE EXISTING GROUND TO RENDER IT SAFE AND SECURE FROM POSSIBLE SLIDES, CAVE–INS AND SETTLEMENT, AND FOR PROPERLY SUPPORTING EXISTING STRUCTURES AND FACILITIES WITH BEAMS, STRUTS OR UNDERPINNING TO FULLY PROTECT IT FROM DAMAGE.
14. IMMEDIATELY CORRECT WORK REJECTED BY THE OFFICER–IN–CHARGE OR WORK FAILING TO CONFORM TO REQUIREMENTS RELEVANT TO CONSTRUCTION DOCUMENTS OR INDUSTRY STANDARDS.
15. PERFORM CUTTING, FITTING, PATCHING, EXCAVATING AND BACKFILLING WHICH MAY BE REQUIRED TO MAKE WORK AND ITS PARTS, COME TOGETHER PROPERLY.
16. REPAIR/REPLACE DAMAGED OR LOSS TO PROJECT PROPERTY CAUSED BY CONTRACTOR OR ANYONE DIRECTLY EMPLOYED BY CONTRACTOR OR SUBCONTRACTORS.
17. PATCH, REPAIR AND RESTORE DAMAGED SURFACES TO MATCH ADJACENT FINISHED SURFACES. FINISHED SURFACES OR REPAIRED AREA SHALL BE FLUSH WITH ADJACENT SURFACES AND SHALL MATCH ADJACENT SURFACE AS CLOSELY AS POSSIBLE AS TO TEXTURE AND FINISH.
18. BE RESPONSIBLE FOR COMPLETE WEATHER TIGHT STRUCTURES SUITABLE UNDER LOCAL CONDITIONS.
19. UPON COMPLETION, RESTORE SITE TO ORIGINAL OR BETTER CONDITION, CLEAN UP WORK AREA AND DISPOSE DEBRIS OFF–SITE.
20. FIRE SAFETY DURING CONSTRUCTION OPERATION OR DEMOLITION SHALL COMPLY WITH ARTICLE 87, 1997 UNIFORM FIRE CODE.
21. PROVIDE PORTABLE FIRE EXTINGUISHER(S) (MIN 2A–10BC) IN ACCORDANCE WITH 1997 UFC SECTION 1002, 1997 UFC STANDARD 10–01.0
22. PROVIDE, ADJUST AND MAINTAIN TEMPORARY DUST AND WEATHERPROOF ENCLOSURES AT OPENINGS, WHERE WORK IS IN PROGRESS, TO PROTECT EXISTING WORK AND EQUIPMENT. WHEN CONTRACTORS WORKERS ARE NOT PRESENT, SECURE OPENINGS TO PREVENT UNAUTHORIZED OR FORCED ENTRIES INTO THE FACILITY. BE RESPONSIBLE FOR DAMAGES TO THE PREMISES AND EQUIPMENT DUE TO INADEQUATE PROTECTION.

GENERAL NOTES CONTINUED

23. PROVIDE, ADJUST AND MAINTAIN TEMPORARY DUST AND WEATHERPROOF ENCLOSURES AT OPENINGS, WHERE WORK IS IN PROGRESS, TO PROTECT EXISTING WORK AND EQUIPMENT. WHEN CONTRACTORS WORKERS ARE NOT PRESENT, SECURE OPENINGS TO PREVENT UNAUTHORIZED OR FORCED ENTRIES INTO THE FACILITY. BE RESPONSIBLE FOR DAMAGES TO THE PREMISES AND EQUIPMENT DUE TO INADEQUATE PROTECTION.

CONSTRUCTION NOTES

1. APPLICABLE CONSTRUCTION WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, SEPTEMBER 1986 AND STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION, SEPTEMBER 1984, AS AMENDED, OF THE DEPARTMENT OF PUBLIC WORKS, CITY AND COUNTY OF HONOLULU AND THE COUNTIES OF KAUAI, MAUI, AND HAWAII.
2. THE UNDERGROUND PIPES, CABLES OR DUCTLINES KNOWN TO EXIST BY THE ENGINEER FROM HIS SEARCH OF RECORDS ARE INDICATED ON THE PLANS. THE CONTRACTOR SHALL VERIFY THE LOCATIONS AND DEPTHS OF THE FACILITIES AND EXERCISE PROPER CARE IN EXCAVATING IN THE AREA. WHEREVER CONNECTIONS OF NEW UTILITIES ARE SHOWN ON THE PLANS, THE CONTRACTOR SHALL EXPOSE THE EXISTING LINES AT THE PROPOSED CONNECTIONS TO VERIFY THEIR LOCATIONS AND DEPTHS PRIOR TO EXCAVATION FOR THE NEW LINES.
3. DO NOT PERFORM ANY CONSTRUCTION OPERATION SO AS TO CAUSE FALLING ROCKS, SOIL OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW INTO EXISTING CITY DRAINAGE SYSTEMS, OR ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR MAY BE CITED AND THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS NECESSARY.
4. BE RESPONSIBLE FOR CONFORMANCE WITH THE APPLICABLE PROVISIONS OF THE WATER QUALITY AND WATER POLLUTION CONTROL STANDARDS CONTAINED IN HAWAII ADMINISTRATIVE RULES, TITLE 11, CHAPTER 54, "WATER QUALITY STANDARDS", AND TITLE 11, CHAPTER 55, "WATER POLLUTION CONTROL", AS WELL AS CHAPTER 14 OF THE REVISED ORDINANCES OF HONOLULU, AS AMENDED. BEST MANAGEMENT PRACTICES SHALL BE EMPLOYED AT ALL TIMES DURING CONSTRUCTION.
5. PURSUANT TO CHAPTER 6E, HRS, IN THE EVENT ANY ARTIFACTS OR HUMAN REMAINS ARE UNCOVERED DURING CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL IMMEDIATELY SUSPEND WORK AND NOTIFY THE MAUI POLICE DEPARTMENT AND THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES–HISTORIC PRESERVATION DIVISION (692–8015).

NOTE REGARDING DISCOVERIES OF ARCHAEOLOGICAL INTEREST

1. SHOULD HISTORIC SITES SUCH AS WALLS, PLATFORMS, PAVEMENTS AND MOUNDS, OR REMAINS SUCH AS ARTIFACTS, BURIALS, CONCENTRATION OF CHARCOAL OR SHELLS ARE ENCOUNTERED DURING CONSTRUCTION WORK, WORK SHALL CEASE IN THE IMMEDIATE VICINITY OF THE FIND AND THE FIND SHALL BE PROTECTED FROM FURTHER DAMAGE. IMMEDIATELY CONTACT THE STATE HISTORIC PRESERVATION DIVISION (1–808–692–8015), WHICH WILL ASSESS THE SIGNIFICANCE OF THE FIND AND RECOMMEND AS APPROPRIATE MITIGATION MEASURE, IF NECESSARY.

EXCAVATION AND FILL

1. PERFORM EARTHWORK, EXCAVATION, FILLING AND BACKFILLING IN ACCORDANCE WITH SECTION 13 – STRUCTURE EXCAVATION AND BACKFILL, AS PER STANDARD SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION, SEPTEMBER 1986, AS APPLICABLE TO COUNTY OF MAUI, WITH EXCEPTION OF PARAGRAPH "MEASUREMENT AND PAYMENT".
2. COMPLY WITH IBC, CHAPTER 18 – SOILS AND FOUNDATIONS, CHAPTER 33 – SAFEGUARDS DURING CONSTRUCTION, AND APPENDIX "J" – GRADING.
3. COMPLY WITH HIOSH CHAPTER 132.2 – EXCAVATIONS, TRENCHING AND SHORING.
4. HAVE FOUNDATION EXCAVATIONS APPROVED BY OFFICER–IN–CHARGE BEFORE POURING CONCRETE.

REINFORCING STEEL

1. REINFORCING STEEL SHALL CONFORM TO ASTM A615, GRADE 60, UNLESS OTHERWISE NOTED.

CONCRETE–SITEWORK

1. CONCRETE, UNLESS NOTED, SHALL BE REGULAR WEIGHT HARD ROCK TYPE (150 PCF). SILICEOUS AGGREGATES (NATURAL SAND AND ROCK) SHALL CONFORM TO ASTM C33 WITH PROVEN SHRINKAGE CHARACTERISTICS OF LESS THAN 0.05%.
2. ULTIMATE COMPRESSIVE STRENGTHS (AT 28 DAYS) SHALL BE:

   FOUNDATIONS 4000 PSI
3. CEMENT SHALL CONFORM TO ASTM C150, TYPE I OR II.
4. MAXIMUM WATER/CEMENT RATIO FOR FOUNDATION CONCRETE SHALL BE 0.55 MAXIMUM WATER/CEMENT RATIO FOR ALL OTHER CONCRETE SHALL BE 0.45.
5. PLACEMENT OF CONCRETE SHALL BE IN CONFORMANCE WITH ACI 301.
6. CONCRETE SHALL BE MAINTAINED IN A MOIST CONDITION FOR A MINIMUM OF SEVEN (7) DAYS AFTER PLACEMENT.
7. MINIMUM CONCRETE COVERAGE OF REINFORCING STEEL SHALL BE AS FOLLOWS, UNLESS OTHERWISE NOTED.

   CONCRETE CAST AGAINST EARTH.....3"
   TOP SIDE OF FOUNDATIONS.....1–1/2"
   BOTTOM SIDE OF FOUNDATIONS.....3/4"

GROUTING

1. NON–SHRINK GROUT SHALL BE A PREMIXED COMPOUND CONSISTING OF NON–METALLIC AGGREGATE, CEMENT, WATER REDUCING AND PLASTICIZING AGENTS, CAPABLE OF DEVELOPING A COMPRESSIVE STRENGTH OF MINIMUM 2,400 PSI IN 48 HOURS AND MINIMUM 7,000 PSI IN 28 DAYS.
2. SUBMIT PRODUCT DATA FOR APPROVAL.
3. INSTALL GROUT IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
4. CURE GROUT FOR MINIMUM 3 DAYS.

GRADING NOTES

1. GRADING WORK SHALL CONFORM WITH THE MAUI COUNTY GRADING ORDINANCE.
2. NO CONTRACTOR SHALL PERFORM ANY GRADING OPERATION SO AS TO CAUSE FALLING ROCKS, SOIL OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW ONTO ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR MAY BE CITED AND THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS NECESSARY.
3. KEEP THE PROJECT AREA AND SURROUNDING AREA FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH CONTAINED IN CHAPTER 11–60, "AIR POLLUTION CONTROL".
4. THE UNDERGROUND PIPES, CABLES OR DUCT LINES KNOWN TO EXIST BY THE ENGINEER FROM HIS SEARCH OF RECORDS ARE INDICATED ON THE PLANS. THE CONTRACTOR SHALL VERIFY THE LOCATIONS AND DEPTHS OF THE FACILITIES AND EXERCISE PROPER CARE IN EXCAVATING IN THE AREA. WHEREVER CONNECTIONS OF NEW UTILITIES ARE SHOWN ON THE PLANS, THE CONTRACTOR SHALL EXPOSE THE EXISTING LINES AT THE PROPOSED CONNECTIONS TO VERIFY THEIR LOCATIONS AND DEPTHS PRIOR TO EXCAVATION FOR THE NEW LINES.
5. ADEQUATE PROVISIONS SHALL BE MADE TO PREVENT SURFACE WATERS FROM DAMAGING THE CUT FACE OF AN EXCAVATION OR THE SLOPED SURFACES OF A FILL. FURTHERMORE, ADEQUATE PROVISIONS SHALL BE MADE TO PREVENT SEDIMENT–LADEN RUN–OFF FROM LEAVING THE SITE.
6. GRADING MUST BE COORDINATED WITH AND APPROVED IN ADVANCE BY THE OFFICER–IN–CHARGE.
7. NO GRADING WORK SHALL BE DONE ON SATURDAYS, SUNDAYS, AND HOLIDAYS AT ANY TIME WITHOUT PRIOR APPROVAL FROM THE OFFICER–IN–CHARGE. GRADING WORK ON NORMAL WORKING DAYS SHALL BE BETWEEN THE HOURS OF 8:30 AM TO 3:30 PM.
8. THE LIMITS OF THE AREA TO BE GRADED SHALL BE FLAGGED BEFORE THE COMMENCEMENT OF THE GRADING WORK.
9. GRADING OPERATIONS SHALL BE PERFORMED IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF THE HAWAII ADMINISTRATIVE RULES, CHAPTER 11–55, "WATER POLLUTION CONTROL" AND CHAPTER 11–54, "WATER QUALITY STANDARDS" AND TO THE EROSION AND SEDIMENTATION CONTROL STANDARDS AND GUIDELINES OF THE DEPARTMENT OF PUBLIC WORKS, COUNTY OF MAUI, AND IF APPLICABLE, THE NPDES PERMIT FOR THE PROJECT.

GRADING NOTES (CON'T)

10. WHERE APPLICABLE AND FEASIBLE THE MEASURES TO CONTROL EROSION AND OTHER POLLUTANTS SHALL BE IN PLACE BEFORE ANY EARTH MOVING PHASE OF THE GRADING IS INITIATED.
11. TEMPORARY EROSION CONTROLS SHALL NOT BE REMOVED BEFORE PERMANENT EROSION CONTROLS ARE IN–PLACE AND ESTABLISHED.
12. TEMPORARY EROSION CONTROL PROCEDURES SHALL BE SUBMITTED FOR APPROVAL PRIOR TO APPLICATION FOR GRADING PERMIT.
13. IF CONTAMINATED SOIL IS ENCOUNTERED, GRADING WORK SHALL BE DONE IN CONFORMANCE WITH APPLICABLE STATE AND FEDERAL REQUIREMENTS. INFORM THE OFFICER–IN–CHARGE.
14. NON–COMPLIANCE TO ANY OF THE ABOVE REQUIREMENTS SHALL MEAN IMMEDIATE SUSPENSION OF ALL WORK, AND REMEDIAL WORK SHOULD COMMENCE IMMEDIATELY. ALL COSTS INCURRED SHALL BE BILLED TO THE PERMITTEE. FURTHERMORE, VIOLATORS SHALL BE SUBJECTED TO ADMINISTRATIVE, CIVIL AND/OR CRIMINAL PENALTIES.
15. PROVIDE DUST CONTROL MEASURES WHERE WATER IS USED FOR DUST CONTROL, CONTRACTOR SHALL APPLY WATER ONLY IN QUANTITIES SUFFICIENT FOR THAT PURPOSE, AND PREVENT SIGNIFICANT RUNOFF.
16. FOR BENCH MARK LOCATION, SEE SHEET C–101.
17. FILL MATERIAL
    A. SHALL BE "NON–EXPANSIVE" IN CHARACTER, AND OF AN ACCEPTABLE GRADATION. SAMPLES SHALL BE SUBMITTED OR SHOWN TO THE OFFICER–IN–CHARGE FOR APPROVAL BEFORE DELIVERY TO THE SITE.
18. COMPACTION
    A. BACKFILL AROUND FOOTINGS AND FOUNDATIONS SHALL BE COMPACTED IN LAYERS BY PNEUMATIC TAMPER INTO A DENSE MASS.
    B. FILL AND BACKFILL MATERIALS SHOULD BE PLACED IN LEVEL LIFTS NOT EXCEEDING 8 INCHES IN LOOSE THICKNESS, MOISTURE–CONDITIONED TO AT LEAST 2 PERCENT ABOVE THE OPTIMUM MOISTURE CONTENT, AND COMPACTED TO A MINIMUM OF 90 PERCENT RELATIVE COMPACTION. THE COMPACTION REQUIREMENT FOR THE FINISHED SUBGRADE OF PAVEMENT AREAS SHOULD BE INCREASED TO A MINIMUM OF 95 PERCENT RELATIVE COMPACTION.
19. EXCAVATIONS SHALL BE PROTECTED AND GUARDED BY THE CONTRACTOR AGAINST DANGER TO LIFE, LIMB AND PROPERTY.
20. SHORING, SHEETING, CRIBBING AND LAGGING, AS REQUIRED TO PRESERVE THE EXCAVATIONS, EARTH BANKS AND ADJACENT STRUCTURES AND PROPERTY FREE FROM DAMAGE RESULTING FROM THE WORK SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR.

PRODUCT IDENTIFICATION

1. INDICATION OF PRODUCTION BY MODEL NAME/MANUFACTURER IS INTENDED TO REPRESENT A STANDARD OF QUALITY AND REQUIRED FUNCTIONS AND FEATURES, AND IS NOT INTENDED TO RESTRICT COMPETITION. OTHER PRODUCTIONS MUST MEET OR EXCEED ALL FUNCTIONS AND FEATURES OF INDICATED PRODUCT.
2. DRAWINGS ARE BASED ON INFORMATION FURNISHED BY MANUFACTURER. OTHER PRODUCTS WITH EQUAL OR BETTER CHARACTERISTICS ARE ACCEPTABLE. SUBJECT TO APPROVAL BY OFFICER–IN–CHARGE. SHOULD OTHER MANUFACTURER REQUIRE DIFFERENT DRAWINGS AND DETAILS THAN SHOWN, PROVIDE SHOP DRAWINGS AND FIELD ADJUSTMENT AT NO COST TO COUNTY.

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PROJECT ID

MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY MAHINAHINA, MAUI

T.M.K.: (2) 4-4-002: 18

KEVIN T. GOTO
LICENSED PROFESSIONAL ENGINEER
No. 14778-C
HAWAII, U.S.A.

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SIGNATURE 4/30/2016 EXP. DATE

DESIGNED BY: WOC	SUPERVISED BY: KG
DRAWN BY: WOC	CHECKED BY: KG
CAD FILE: C-001.dwg	PROJECT NO.: 8064-07
SCALE: AS NOTED	DATE: OCTOBER 2015

	DATE	DESCRIPTION
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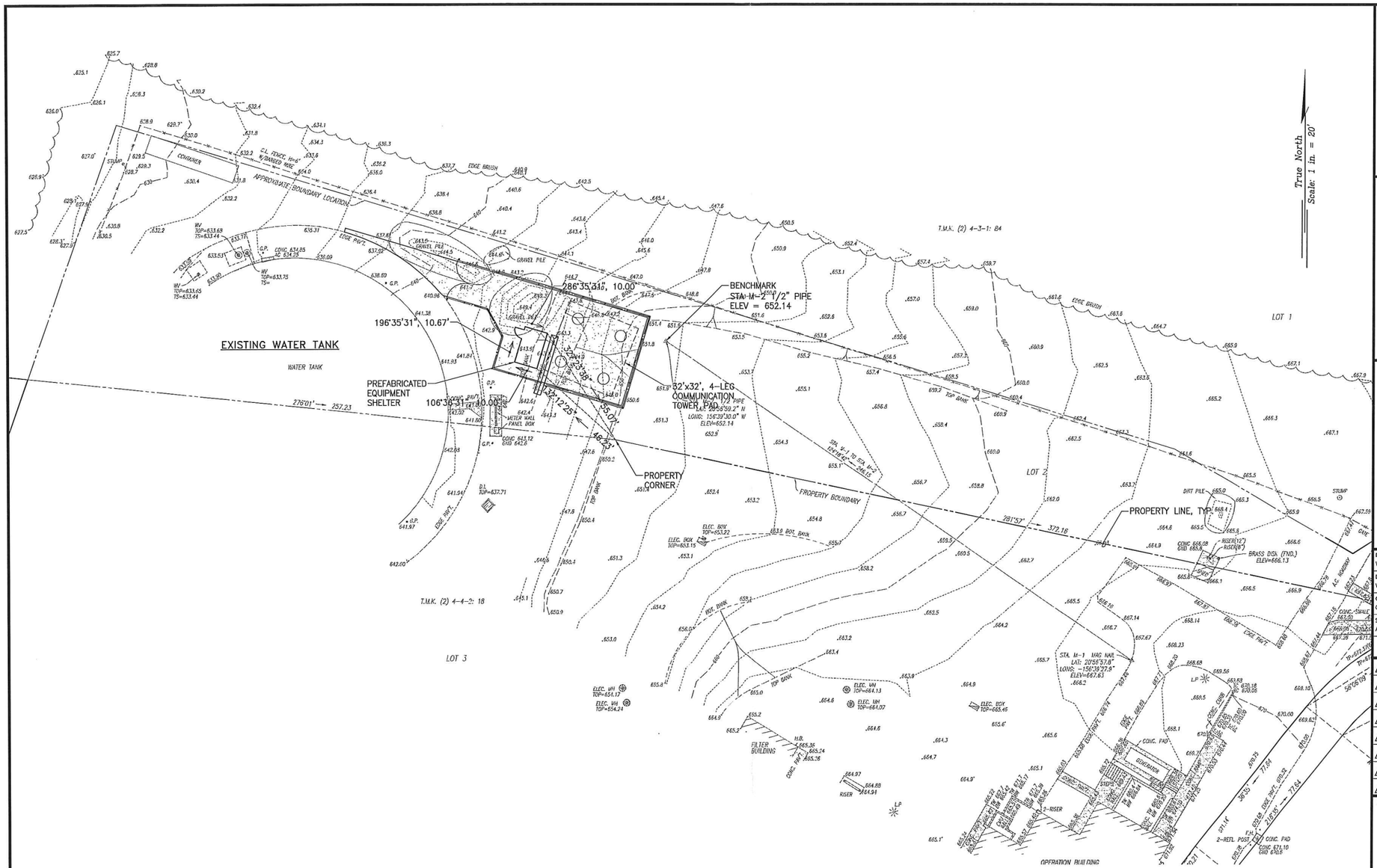
SHEET TITLE

GENERAL NOTES

DRAWING NO.

C-001

of 21 sheets



GRAPHIC SCALE

20' 10' 0 20' 40'

SCALE: 1"=20'

GENERAL PLAN | SCALE: 1"=20' | 1

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PROJECT ID

MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY MAHINAHINA, MAUI

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WOC	KG
DRAWN BY:	CHECKED BY:
WOC	KG
CAD FILE: C-101.dwg	PROJECT NO.: 8064-07
SCALE: AS NOTED	DATE: OCTOBER 2015

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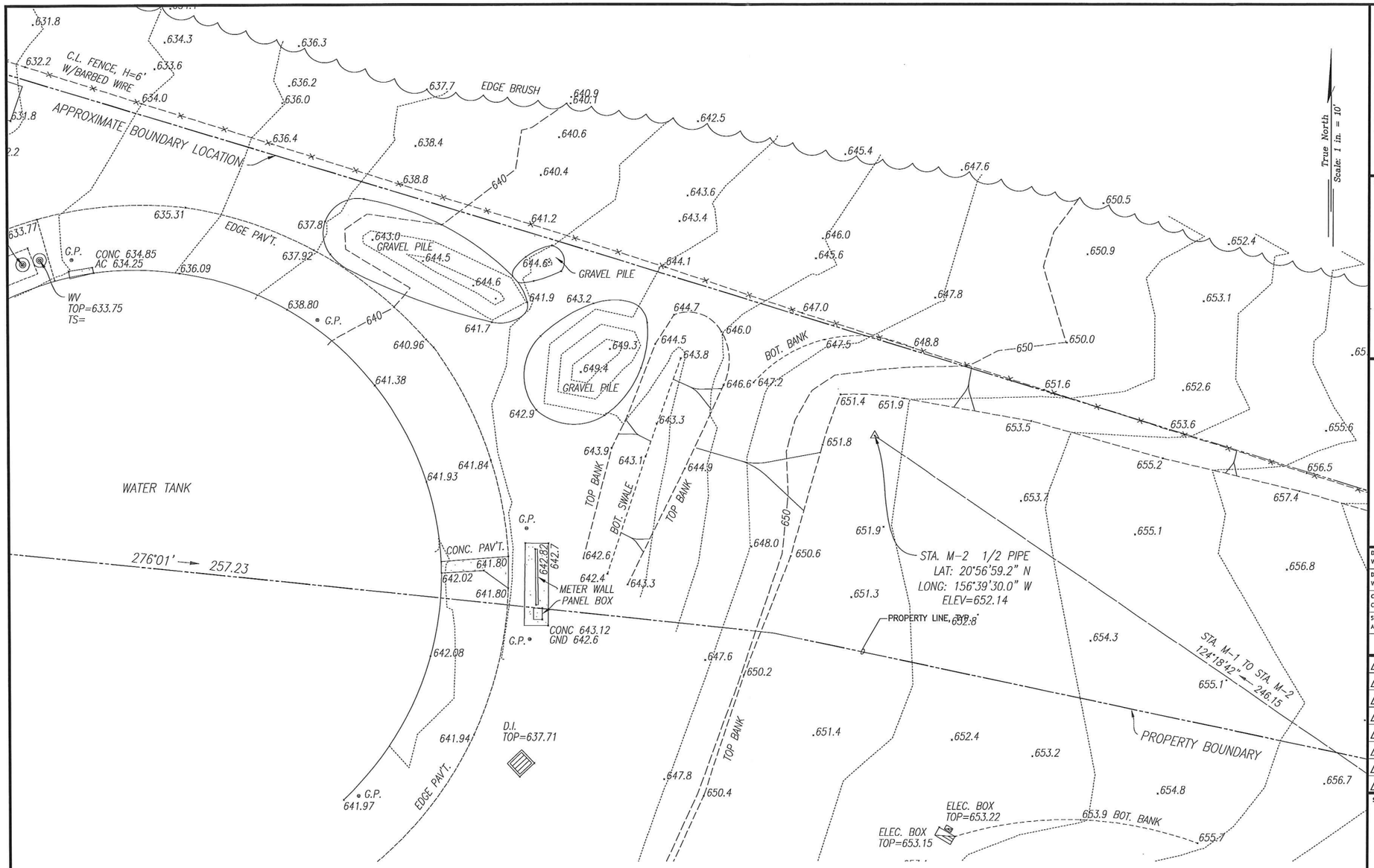
SHEET TITLE

GENERAL PLAN

DRAWING NO.

C-101

of 21 sheets



EXISTING CONDITIONS PLAN | SCALE: 1"=10' | 1

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FOR REFERENCE ONLY

DESIGNED BY:	SUPERVISED BY:
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DRAWN BY:	CHECKED BY:
WOC	KG
CAD FILE: C-102.dwg	PROJECT NO.: B064-07
SCALE: AS NOTED	DATE: OCTOBER 2015

	DATE	DESCRIPTION
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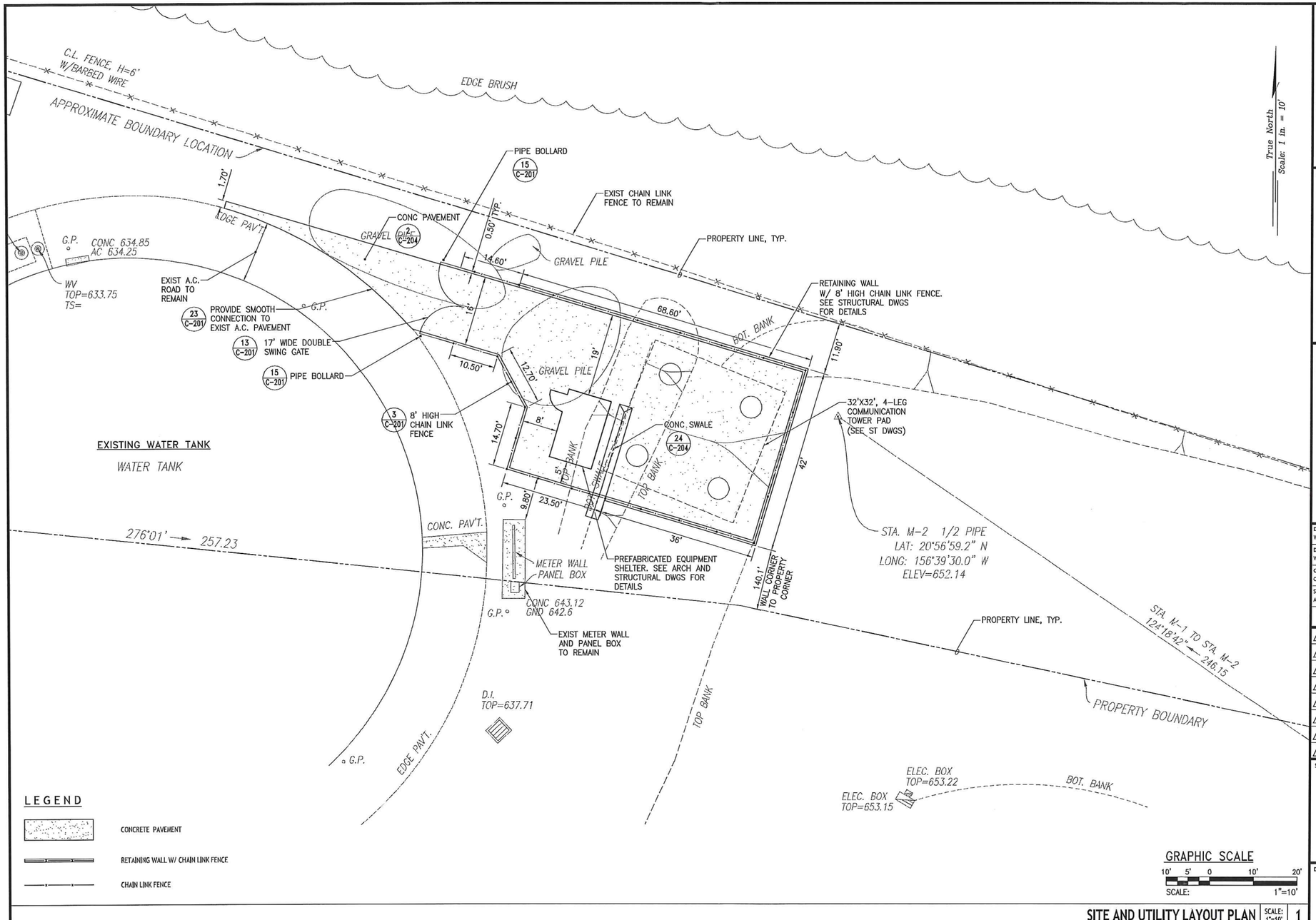
SHEET TITLE

EXISTING CONDITIONS PLAN

DRAWING NO.

C-102

of 21 sheets



SITE AND UTILITY LAYOUT PLAN | SCALE: 1"=10' | 1

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MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY MAHINAHINA, MAUI

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KEVIN T. GOTO
LICENSED PROFESSIONAL ENGINEER
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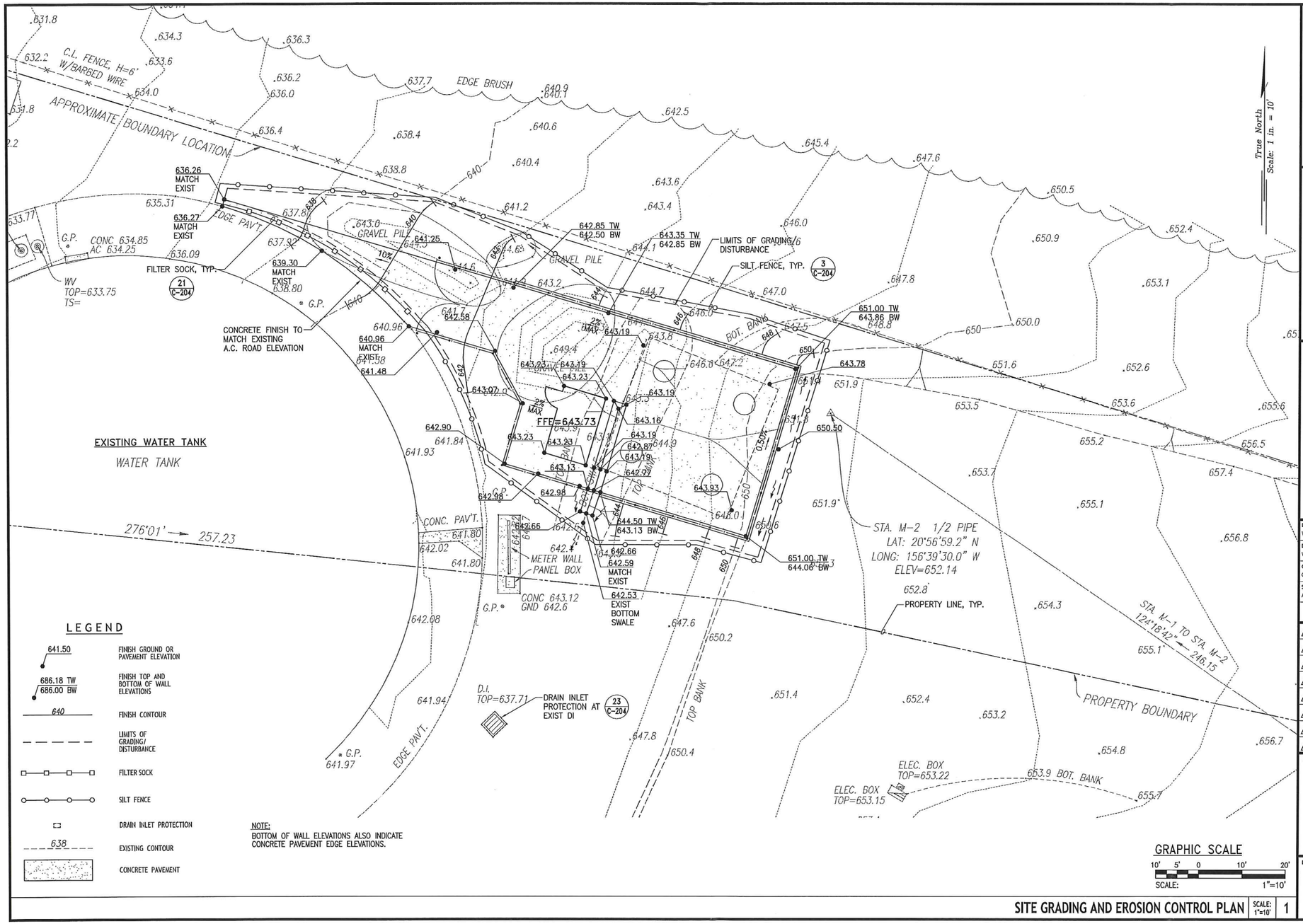
SHEET TITLE

SITE AND UTILITY LAYOUT PLAN

DRAWING NO.

C-103

of 21 sheets



LEGEND

641.50	FINISH GROUND OR PAVEMENT ELEVATION
686.18 TW / 686.00 BW	FINISH TOP AND BOTTOM OF WALL ELEVATIONS
640	FINISH CONTOUR
	LIMITS OF GRADING/ DISTURBANCE
	FILTER SOCK
	SILT FENCE
	DRAIN INLET PROTECTION
638	EXISTING CONTOUR
	CONCRETE PAVEMENT

NOTE:
BOTTOM OF WALL ELEVATIONS ALSO INDICATE CONCRETE PAVEMENT EDGE ELEVATIONS.

GRAPHIC SCALE
10' 5' 0 10' 20'
SCALE: 1"=10'

SITE GRADING AND EROSION CONTROL PLAN | SCALE: 1"=10' | 1

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CAD FILE: C-104.dwg	PROJECT NO.: 8064-07
SCALE: AS NOTED	DATE: OCTOBER 2015

	DATE	DESCRIPTION

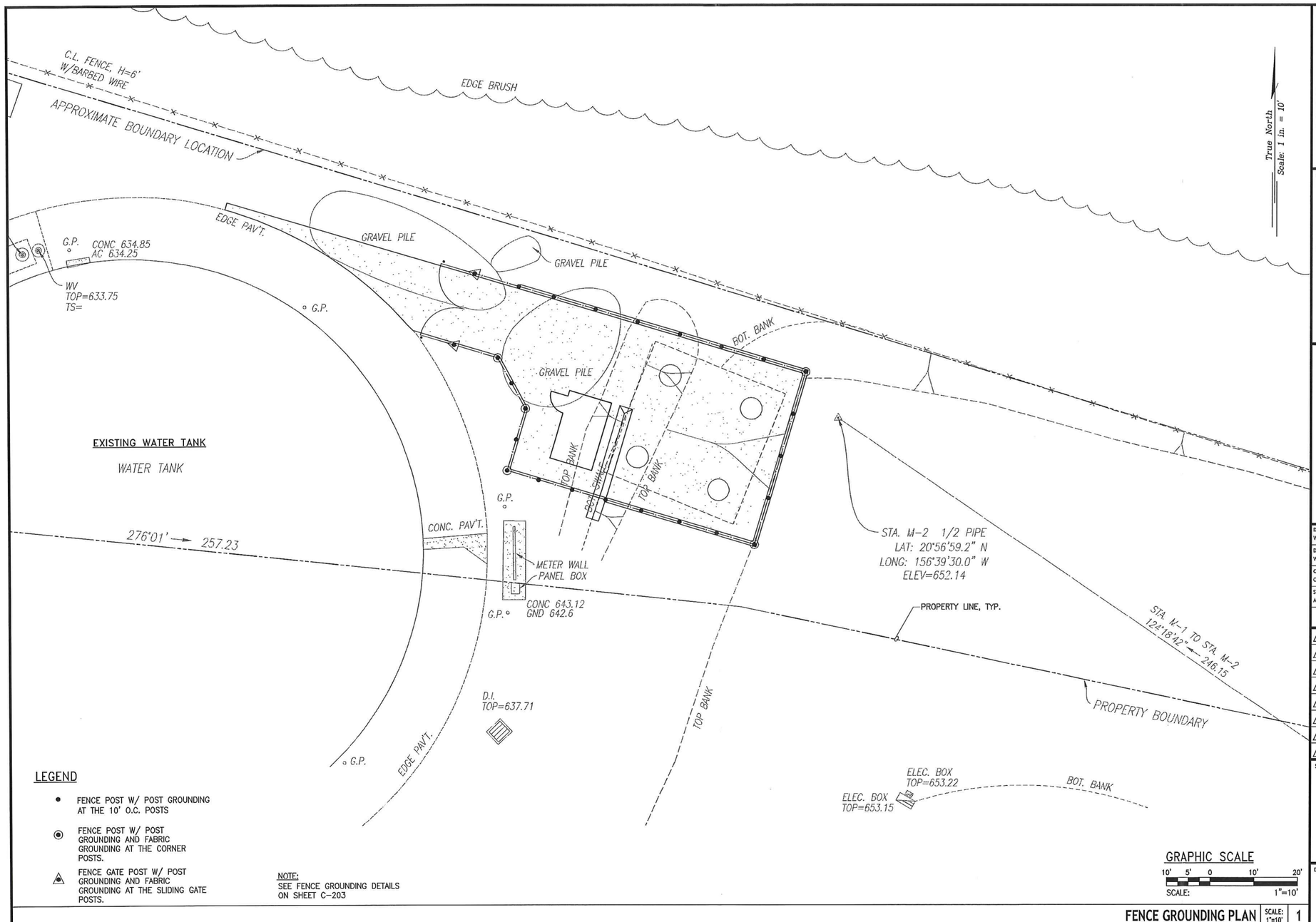
SHEET TITLE

SITE GRADING AND EROSION CONTROL PLAN

DRAWING NO.

C-104

of 21 sheets



LEGEND

- FENCE POST W/ POST GROUNDING AT THE 10' O.C. POSTS
- FENCE POST W/ POST GROUNDING AND FABRIC GROUNDING AT THE CORNER POSTS.
- FENCE GATE POST W/ POST GROUNDING AND FABRIC GROUNDING AT THE SLIDING GATE POSTS.

NOTE:
SEE FENCE GROUNDING DETAILS ON SHEET C-203

GRAPHIC SCALE
10' 5' 0 10' 20'
SCALE: 1"=10'

FENCE GROUNDING PLAN | SCALE: 1"=10' | 1

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MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY MAHINAHINA, MAUI

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CAD FILE: C-105.dwg	PROJECT NO.: 8064-07
SCALE: AS NOTED	DATE: OCTOBER 2015

	DATE	DESCRIPTION
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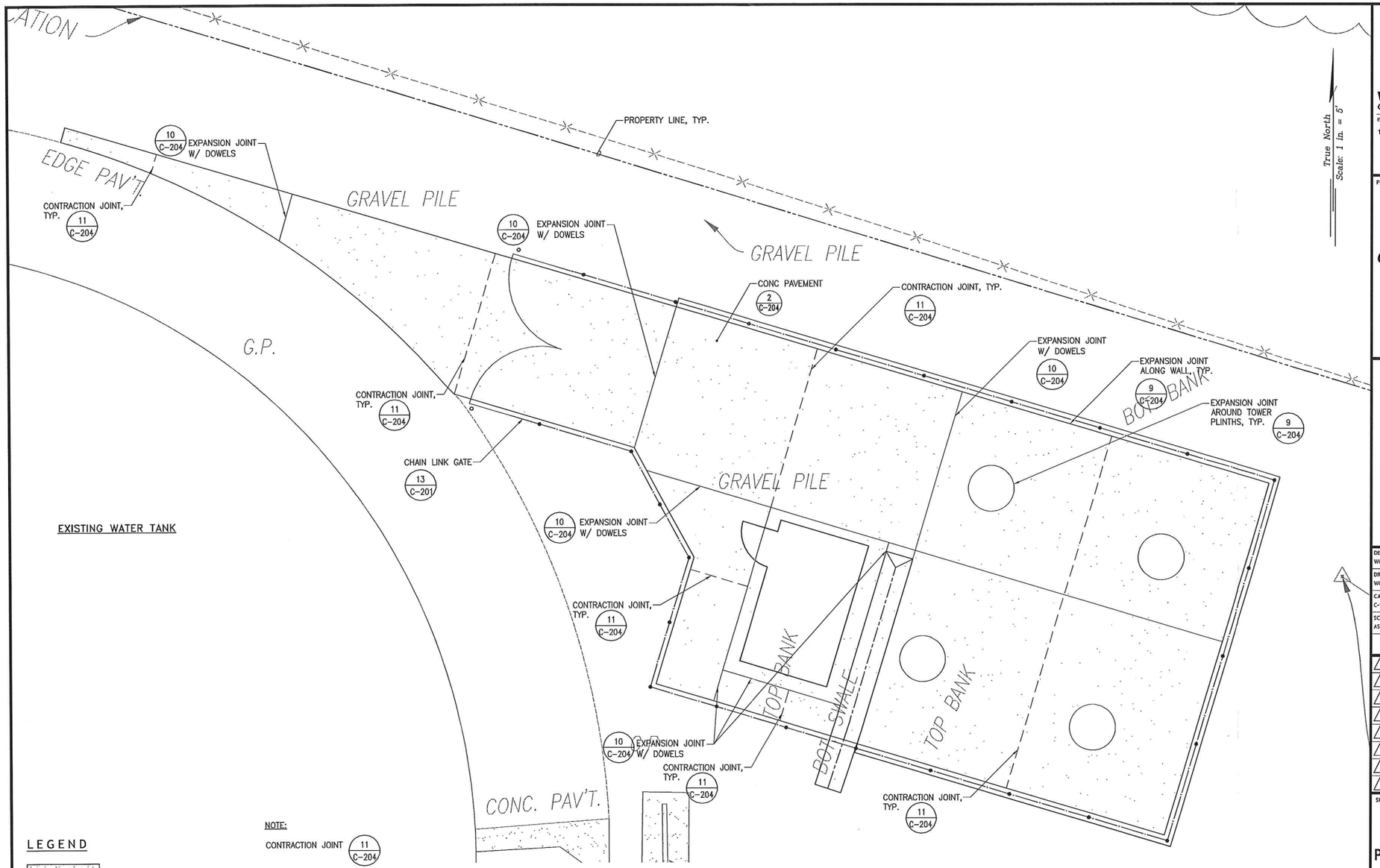
SHEET TITLE

FENCE GROUNDING PLAN

DRAWING NO.

C-105

of 21 sheets



LEGEND

- CONCRETE PAVEMENT
- RETAINING WALL W/ CHAIN LINK FENCE
- CHAIN LINK FENCE

NOTE:

- CONTRACTION JOINT 11 C-204
- EXPANSION JOINT W/ DOWELS 10 C-204
- EXPANSION JOINT 9 C-204

GRAPHIC SCALE

5' 2.5' 0 5' 10'

SCALE: 1"=5'

CONCRETE PAVEMENT JOINTING PLAN | SCALE: 1"=5' | 1

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CAD FILE: C-106.dwg	PROJECT NO.: 8064-07
SCALE: AS NOTED	DATE: OCTOBER 2015

	DATE	DESCRIPTION
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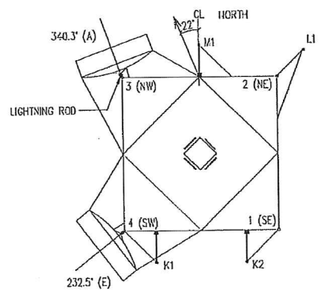
SHEET TITLE

CONCRETE PAVEMENT JOINTING PLAN

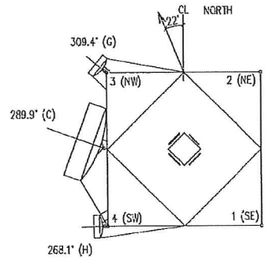
DRAWING NO.

C-106

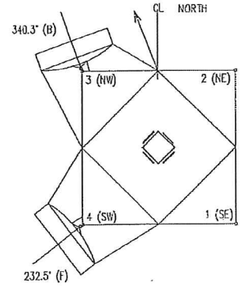
of 21 sheets



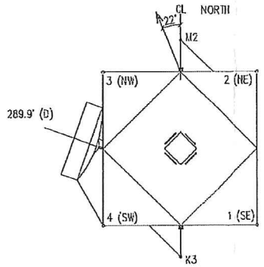
ANT. PLAN 60'-0", 55'-0", 50'-0" | SCALE: 1/8"=1'-0" | 1



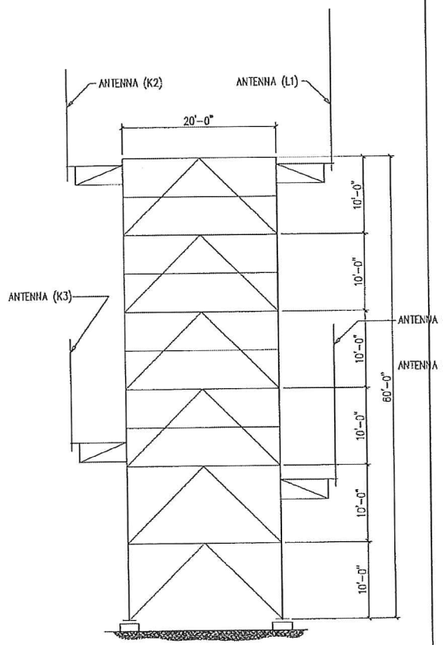
ANT. PLAN 50'-0", 45'-0", 40'-0" | SCALE: 1/8"=1'-0" | 2



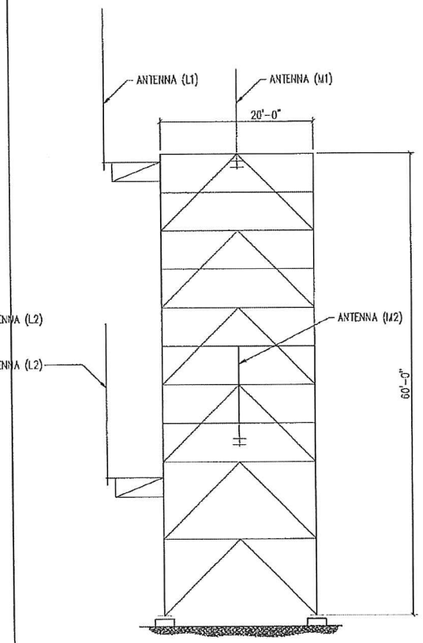
ANT. PLAN 40'-0", 35'-0", 30'-0" | SCALE: 1/8"=1'-0" | 3



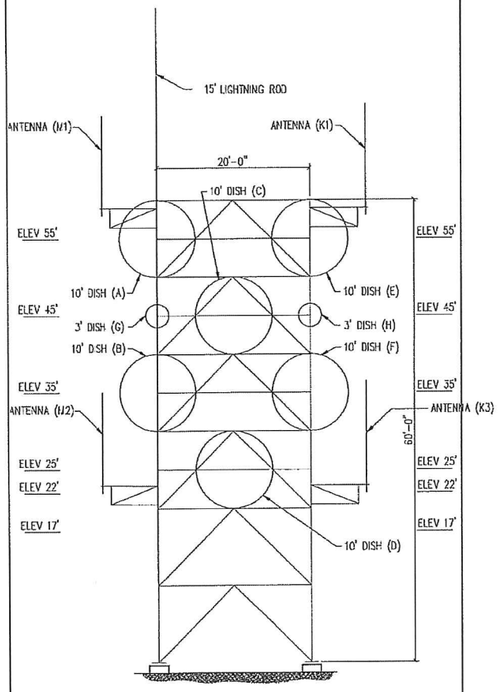
ANT. PLAN 30'-0", 25'-0", 20'-0" | SCALE: 1/8"=1'-0" | 4



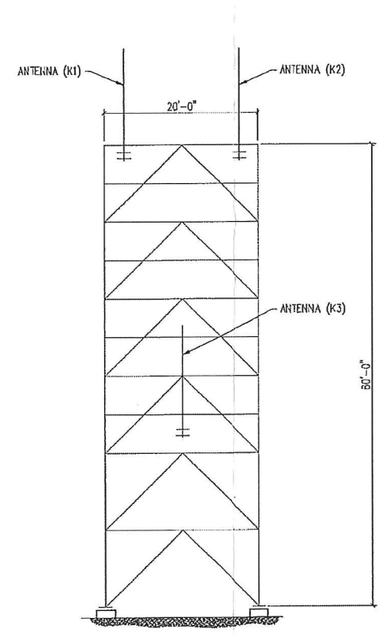
EAST FACE ELEVATION | SCALE: 1/8"=1'-0" | 9



NORTH FACE ELEVATION | SCALE: 1/8"=1'-0" | 10



WEST FACE ELEVATION | SCALE: 1/8"=1'-0" | 11



SOUTH FACE ELEVATION | SCALE: 1/8"=1'-0" | 12

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PROJECT ID

MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY MAHINAHINA, MAUI

T.M.K.: (2) 4-4-002: 18

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SIGNATURE | 4/30/2016 EXP. DATE

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DRAWN BY: -	CHECKED BY: -
CAD FILE: Mahinahina Tower Plan.dwg	PROJECT NO.: 0964-07
SCALE: AS NOTED	DATE: SEPTEMBER 21, 2015

	DATE	DESCRIPTION
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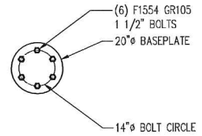
SHEET TITLE

ANTENNA ELEVATIONS

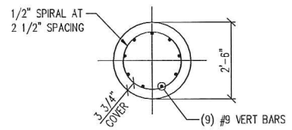
DRAWING NO.

ST-003

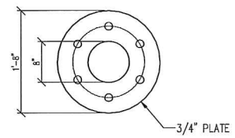
of 21 sheets



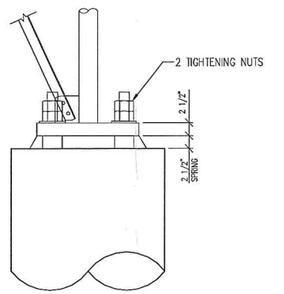
BASE PLATE DETAIL | SCALE: 1/2"=1'-0" | 1



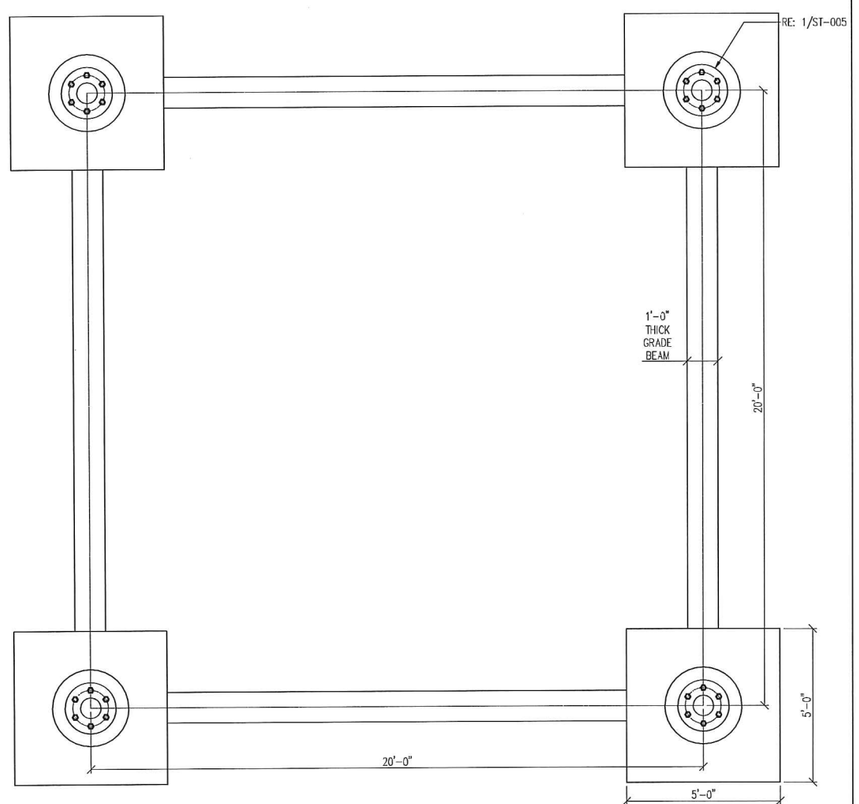
DRILLED SHAFT SECTION | SCALE: 1/2"=1'-0" | 2



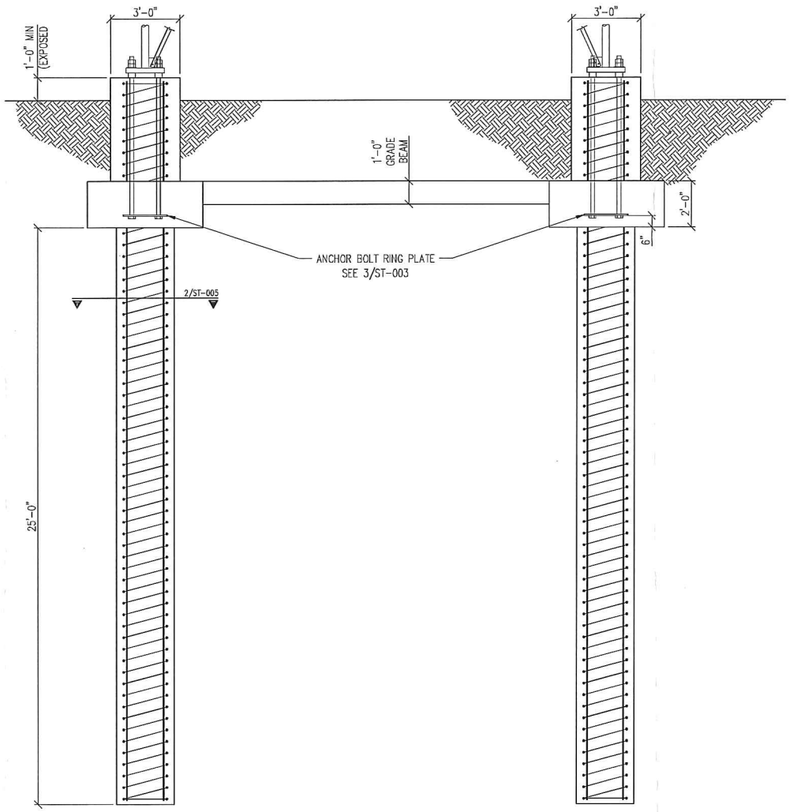
RING PLATE DETAIL | SCALE: 1"=1'-0" | 3



BASE PLATE SECTION | SCALE: 1"=1'-0" | 4



TOWER FOUNDATION PLAN | SCALE: 1/2"=1'-0" | 10



TOWER FOUNDATION SECTION | SCALE: 3/8"=1'-0" | 12

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SCALE: AS NOTED	DATE: SEPTEMBER 21, 2015

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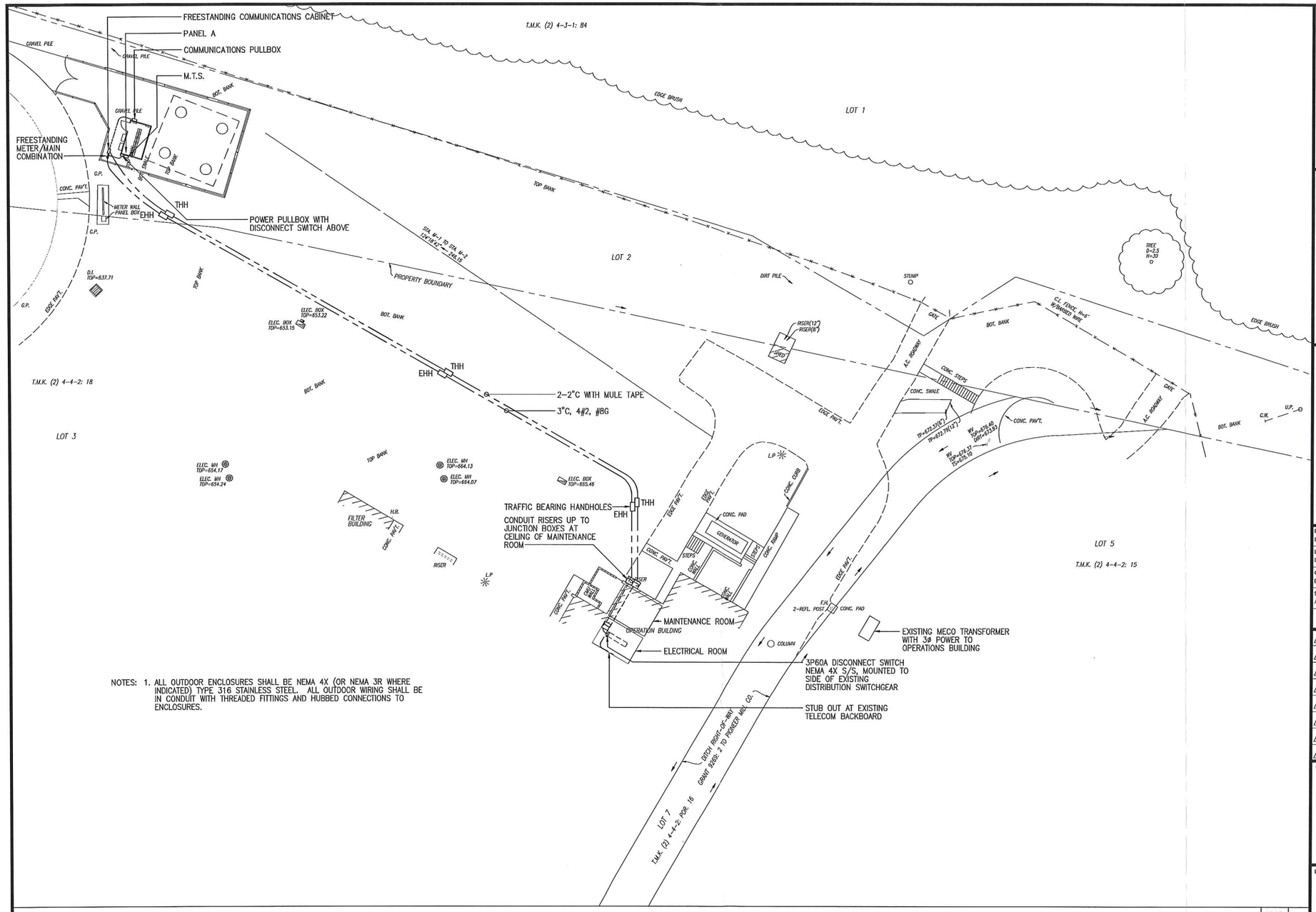
SHEET TITLE

TOWER FOUNDATION DETAILS

DRAWING NO.

ST-005

of 21 sheets



NOTES: 1. ALL OUTDOOR ENCLOSURES SHALL BE NEMA 4X (OR NEMA 3R WHERE INDICATED) TYPE 316 STAINLESS STEEL. ALL OUTDOOR WIRING SHALL BE IN CONDUIT WITH THREADED FITTINGS AND HUBBED CONNECTIONS TO ENCLOSURES.

ELECTRICAL SITE PLAN | SCALE: 1"=20'-0"

WILSON OKAMOTO CORPORATION
ENGINEERS|PLANNERS|CONSULTANTS
1907 South Beretania Street Suite 400
Honolulu, Hawaii, U.S.A. 96826
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PROJECT ID

MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY MAHINAHINA, MAUI

T.M.K.: (2) 4-4-002: 18

This work was prepared by me or under my supervision and construction of this project will be under my observation. Observation of construction will be as defined by Chapter 115 (16-115-2) in the Rules and regulations of the Board of Registrations of Professional Engineers, Architects, Land Surveyors and Landscape Architects, STATE OF HAWAII

SIGNATURE | 4/30/2016 EXP. DATE

DESIGNED BY: DN	SUPERVISED BY: GO
DRAWN BY: DN	CHECKED BY: GO
CAD FILE: E-101.dwg	PROJECT NO.: 8064-07
SCALE: AS NOTED	DATE: SEPTEMBER 21, 2015

	DATE	DESCRIPTION
1		
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SHEET TITLE

ELECTRICAL SITE PLAN

DRAWING NO.

E-101

of 21 sheets

APPENDIX B.

ABR Field Report

ABR inc
environmental research & services

TO: John Sakaguchi, Wilson Okamoto
FROM: Peter M. Sanzenbacher and Brian Cooper, ABR, Inc.
RE: Field summary for the summer 2015 seabird radar surveys at the proposed Maui Police Department Communication Towers
DATE: 24 July 2015

Hello John:

We successfully completed the field data collection for seabird radar studies at the two proposed County of Maui, Police Department communication tower sites at the Mahinahina and Lahainaluna Water Treatment Facilities. As anticipated, we conducted surveys for a total of 10 days at each proposed site during the period 2–21 June, 2015. At the Mahinahina site we conducted surveys from a single radar station located ~400 m to the west of the proposed communication tower site, and at the Lahainaluna site we conducted surveys from a single radar station located ~950 m to the north of the proposed communication tower site. The radar stations provided good radar coverage of the proposed tower sites and surrounding area.

Each survey day consisted of concurrent surveillance and vertical radar sampling and audiovisual (AV) sampling during the evening (~1900–2200 h) and morning (~0345–0545 h) peaks of Hawaiian Petrel and Newell's Shearwater activity. We used standard survey methods and techniques that we have developed for the study of petrels and shearwaters throughout the Hawaiian Islands. There was minimal loss of sampling time (<2% total survey time) due to logistics and passing rain showers.

We did not have any audio-visual observations of Hawaiian Petrels or Newell's Shearwaters during sampling. Species of interest observed during the audio-visual sampling included Black-crowned Night Heron, Black-necked Stilt, Hawaiian Goose, Short-eared Owl, and White-tailed Tropicbird (Table 1). Note that a flock of 10–22 Hawaiian Geese were observed foraging and loafing on the lower slopes of the Lahainaluna site on most nights.

For those radar targets meeting the criteria for petrel/shearwater targets, we used flight directions relative to the location of potential breeding sites in the west Maui Mountains, to categorize targets as heading in a landward direction (i.e., mauka, from the ocean toward potential breeding habitat in the west Maui mountains), a seaward direction (i.e., makai, away from potential breeding habitat), or "other" directions. Targets heading in "other' directions were assumed not to be Hawaiian Petrels or Newell's Shearwaters, because these targets were not heading towards or away from potential breeding habitat. At the Mahinahina site we observed 0–2 petrel/shearwater targets per night with 1 petrel/shearwater radar target heading in a landward direction and 12 petrel/shearwater targets with a seaward heading (Table 1). At the Lahainaluna site we observed 0-3 targets per night with 3 petrel/shearwater radar targets heading in a landward direction and 10 petrel/shearwater targets with a seaward heading (Table 1). We also collected vertical radar data on flight altitudes of petrel/shearwater radar targets, and we are still in the process of analyzing the flight altitude data.

We look forward to finalizing the data analysis and preparing a full report with results for the surveys. In the meantime, please contact us if you have any questions or need further information.

Best Regards,
Peter Sanzenbacher
Senior Scientist

Brian Cooper
Vice President/Senior Scientist

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Table 1. Sampling dates and preliminary summary of the number of seabird radar targets and audio-visual observations of avian and bat species of interest in the vicinity of the Mahinahina and Lahainaluna Water Treatment Facilities on the island of Maui, during summer 2015. **Results should be considered draft** and subject to change pending full analysis.

Site/Date	Number of petrel/shearwater radar targets		"Other" radar targets[3]	Audio-visual observations[4]
	Landward[1]	Seaward[2]		
Mahinahina				
2 June	1	1	0	≥1 BNST, 5 NENE, 2 SEOW
3 June	0	2	0	
4 June	0	1	1	
5 June	0	2	0	≥1 BNST
6 June	0	1	0	
7 June	0	2	0	1 SEOW
8 June	0	1	0	
9 June	0	1	1	
10 June	0	0	0	1 BCNH, 10 NENE
11 June	0	1	1	1 SEOW
Radar totals	*1*	*12*	*3*	
Lahainaluna				
12 June	0	3	1	
13 June	0	1	1	1 SEOW
14 June	0	1	0	1 WTTB
15 June	1	1	1	
16 June	0	2	1	
17 June	1	1	0	
18 June	1	0	1	1 WTTB
19 June	0	0	0	
20 June	0	0	1	
21 June	0	1	1	
Radar totals:	*3*	*10*	*7*	

[1] Landward directions = 55–175°.
[2] Seaward directions = 225–345°.
[3] Other directions = 176–224° and 346–54°. Presumably not petrel/shearwater targets based on flight directions.
[4] Audio-visual observations listed include species of conservation concern and also species that in some cases can resemble seabird targets on radar. BCNH = Black-crowned Night Heron; BNST = Black-necked Stilt; NENE = Hawaiian Goose; SEOW = Short-eared Owl; WTTB = White-tailed Tropicbird.

APPENDIX C.

Archaeological Field Inspection Report

SCS Project Number 1734 b FI-1

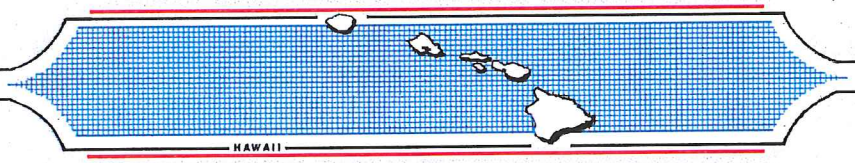
ARCHAEOLOGICAL FIELD INSPECTION RESULTS AND RECOMMENDATIONS FOR THE PROPOSED MAUI POLICE DEPARTMENT COMMUNICATIONS FACILITY AT MAHINAHINA WATER TREATMENT PLANT, MAHINAHINA AHUPUA`A, LAHAINA DISTRICT, MAUI ISLAND, HAWAI`I [TMK: (2) 4-3-001:084 por (Formerly 4-3-001:031 por.)]

Prepared by:
Cathleen A. Dagher, B.A.
and
Michael F. Dega, Ph.D.

August 2015
DRAFT

Prepared for:
Munekiyo Hiraga
305 High Street, Suite 104
Wailuku, Hawaii 96793

SCIENTIFIC CONSULTANT SERVICES Inc.



1347 Kapiolani Blvd., Suite 408 Honolulu, Hawai`i 96814

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INTRODUCTION

At the request of Munekiyo Hiraga, Scientific Consultant Services, Inc. conducted an Archaeological Field Inspection and background study for a proposed Maui Police Department Communications Facility at the Mahinahina Water Treatment Plant, Mahinahina 1-2-3 Ahupua`a, Lahaina District, Maui Island, Hawai`i [TMK: (2) 4-3-001:084 por. (formerly 4-3-001:031 por.)] (Figures 1 and 2).

The Archaeological Field Inspection was conducted on the grounds of the existing Mahinahina Water Treatment Plant for the proposed installation of a communications facility for the Maui Police Department. The area was assessed for the potential presence of historic properties (including archaeological sites, buildings, structures, and Traditional- and Historic-era cultural materials). In addition to the field inspection, historic background researches, which entailed archival research and investigating Land Commission Awards (LCAs) and Land Grants associated with the project areas, was conducted.

Fieldwork for this project was conducted on April 30, 2015, by SCS archaeologist M. Dega, Ph.D. (Principal Investigator). The results of the field inspection and recommendations are discussed below. The new communications facility will include the following:

1. New 60-ft, 4 leg tower with 8microwave antennas, land mobile radio antennas, and cast-in-place foundation;
2. Pre-fab concrete shelter (10' x 16' x 11') for radio equipment;
3. Site grading/construction with security fencing with fence grounding;
4. Site grounding;
5. Site electric services from nearby source;
6. Lighting, A/C, FM-200, fire suppression system, and related controls;
7. Connection to existing DWS emergency generator;
8. Site communications service to nearby structures;
9. Connect site to existing access driveways; and
10. Site to be leased from Department of Water Supply.

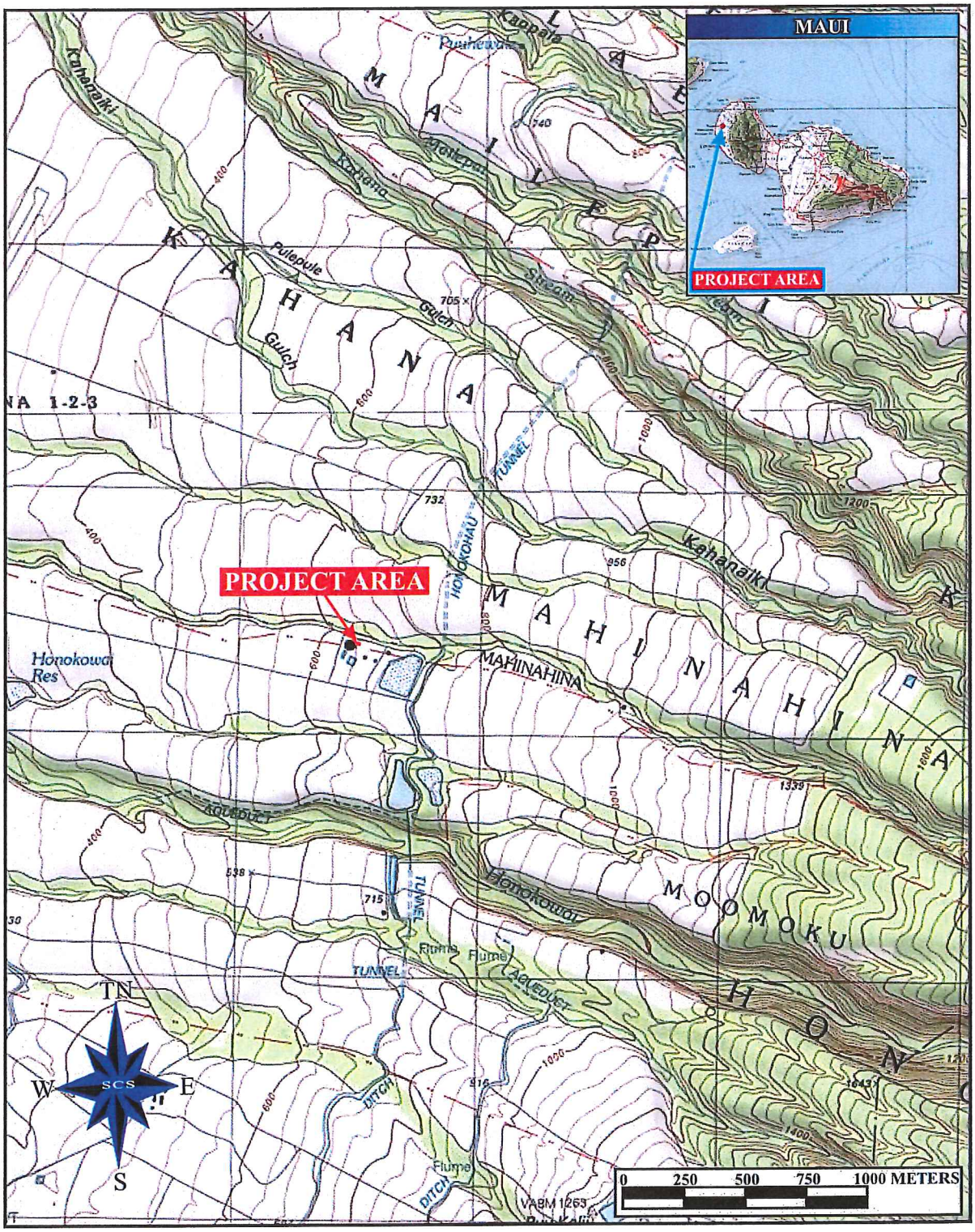

Figure 1: 1983 USGS Lahaina Quadrangle Showing Project Area.

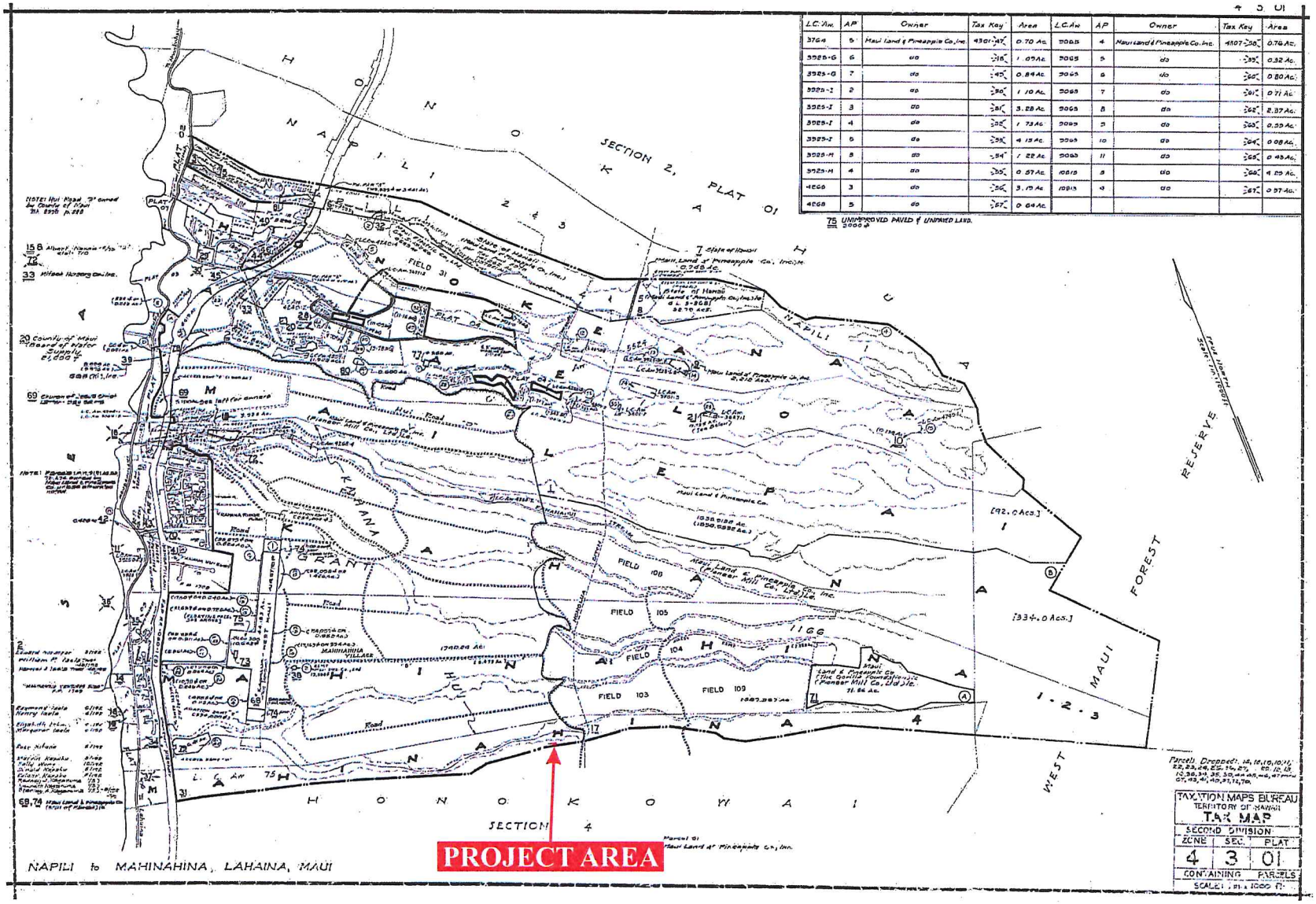

Figure 2: Maui Tax Map Key Depicting Project Area.

The parcel is owned by the Maui Land and Pineapple Company. The subject project is proposed within the existing easement in favor of the County of Maui for the Water Treatment Plant. The work area, an open, manicured grassy location surrounded by existing Water Supply infrastructure, was subject to a thorough Field Inspection by SCS. The purpose of the Field Inspection was to determine the presence or absence of architecture, midden deposits, and/or artifact deposits on the surface of the project area, as well as assess the potential for the presence of subsurface cultural deposits. Maps and photographs depicting the project area follow this letter.

NATURAL SETTING

The project area is situated at c. 650 ft. above mean sea level, (amsl), several kilometers from the coastline. Historic and recent agricultural activities, as well as the construction of the water treatment plan and associated reservoirs, have altered the natural topography of the project area and environs for the cultivation of sugar cane, pineapple, and water pumping activities. The project area location is now under manicured common lawn grass (Figures 3 through 5), while surrounding lands mostly consist of undeveloped, old sugar cane cultivation lands that lie fallow. The fallow fields are covered in cane grass *(Cenchrus purpureus)*, mollasses grass *(Melinis minutiflora)*, buffel grass *(Cenchrus ciliaris)*, Christmas berry (*Schinus terebinthifolius*), several silky oak trees *(Grevillea robusta)*, and generally noxious weed regimes.

Surface soils within the project area consist of formerly tilled silty clays with mixed, smaller clastics. Foote *et al.* (1972:Plate 93) note and describe the presence of several soil series in the area: Kahana silty clays (KbC, KbB) and Alaeloa silty clays. Kahana silty clays are well-drained soils on uplands of Maui and developed in material weathered from igneous rock. Among other uses, the soils are good for sugar cane and pineapple cultivation, the most recent use of these lands. The soils are most commonly reddish brown, silty clay underlain by igneous rock. The Alaeloa series is very similar to the Kahana series, being composed of silty clays derived from igneous rock. The series is primarily composed of dark reddish brown silty clay and has been most often used in recent times for sugar cane and pineapple cultivation.

SETTLEMENT PATTERN AND LAND USE

In general, discussions of *ahupua`a* (traditional land division) settlement patterns are varied given that many theories suggested in Hawaiian archaeology take geographic and topographic aspects taken into consideration when determining *ahupua`a* settlement patterns. *Ahupua`a* vary in size, but generally encompass land from the mountain to the sea, thereby

Figure 3: Photograph of Proposed Communications Facility Project Area. View to Southwest.

Figure 4: Photograph of Project Area (grassy area) and Existing Solar Water Tank Infrastructure. View to Southwest.

Figure 5: Photograph of Existing Water Treatment Facility. Current Project Area is to Left of Chain-Link Fence, in Grassy Field toward Top of Frame. View to Southwest.

allowing access to a broad base of marine and mountain resources. For more discussions regarding general *ahupua`a* settlement patterns, please consult Kirch (1985) and Cordy (1974, 2002).

The settlement pattern, and timing of land utilization, may be divided into several general periods: pre-Contact settlement (pre-1178), the early Historic period/early post-Contact (post-1778), the Plantation Era (ca. 1835 through the early 1900s), the recent Historic (early 1900s - 1960), and present land use. Together, these periods create a synthesis of land use in and near the project area as well as provide a basis on which archaeological researchers explored succinct research questions during reconnaissance and sampling work. These time periods are summarized below.

TRADITIONAL (PRE-1778) AND HISTORIC (POST-1778) RESEARCH

The traditional Hawaiian economy was based on agricultural production and marine resource exploitation, as well as raising livestock (*i.e.,* dogs, pigs, chickens), and collecting wild plants and birds. Extended household groups settled in various *ahupua`a.* During the pre-Contact Period (pre-1778), there were primarily two types of agriculture, wetland and dry land, both of which were dependent upon geography and physiography. River valleys, such as the major five which provided ideal conditions for wetland *kalo* or taro (*Colocasia esculenta*) agriculture that incorporated pond fields and irrigation canals in West Maui, include Honokawai, Kahana, Honokahua, Honolua, and Honokohau. A range of agricultural sites, as well as habitation loci, have been recorded in these valleys (Fredericksen and Fredericksen 2003). Other cultigens, such as *kō* (sugar cane, *Saccharum officinaruma*) and *mai`a* (banana, *Musa* sp.), were also grown and, where appropriate, such crops as *`uala* (sweet potato, *Ipomoea batatas*) were produced. This was the typical agricultural pattern seen during traditional times on all the Hawaiian Islands (Kirch 1985). Agricultural development on the leeward side of Maui was likely to have begun from the A.D. 1200-1400s and continued fairly uninterrupted for centuries. Pre-Contact sites near the current project area include those related to habitation, agriculture, ceremonial (burials, petroglyphs), overhangs (temporary habitation areas), and trails. Most of these sites occur in gulches, especially the aforementioned five, and not on tablelands such as the current project area.

THE MĀHELE (1845 TO 1851)

In the 1840s, traditional land tenure shifted drastically with the introduction of private land ownership based on western law. While it is a complex issue, many scholars believe that in order to protect Hawaiian sovereignty from foreign powers, Kauikeaouli (Kamehameha III) was

forced to establish laws changing the traditional Hawaiian economy to that of a market economy (Kuykendall 1938, Vol. I: 145; Daws 1977:111; Kelly 1983:45; Kelly 1998:4; Kame`eleihiwa 1992:169-70, 176). The Māhele of 1848 divided Hawaiian lands between the king, the chiefs, the government, and began the process of private ownership of lands. The subsequently awarded parcels were called Land Commission Awards (LCAs). Once lands were thus made available and private ownership was instituted, the *maka`āinana* (commoners), if they had been made aware of the procedures, were able to claim the plots on which they had been cultivating and living. These claims did not include any previously cultivated but presently fallow land, *`okipu`u* (forest clearing), stream fisheries, or many other resources necessary for traditional survival (Kelly 1983; Kame`eleihiwa 1992:295; Kirch and Sahlins 1992). If occupation could be established through the testimony of two witnesses, the petitioners were awarded the claimed LCA and issued a Royal Patent after which they could take possession of the property (Chinen 1961:16).

The Tax Map Key indicates LCA 75 includes the current project area (see Figure 2). According to the Waihona `Aina Database (2015), LCA 75, comprised of 149 acres, was awarded to Charles Cockett. The presence of LCAs is one indicator of native Hawaiian activities or presence in the mid to latter half of the nineteenth century. However, there are many LCAs awarded in the general Mahinahina area, particularly in the valleys where most activities occurred (agriculture, habitation, etc) and also on larger land plots. One instance is that the entirety of Hanakao`o Ahupua`a was awarded to Lot Kapuaiwa (King Kamehameha V). As Fredericksen and Fredericksen (2003) note, another large land award in the Kaanapali area was to William Shaw, a local Caucasian close to the monarchy. When he passed away, his land became part of the Lahaina Sugar Company, later to be bought by the Pioneer Mill Company. Which leads into historic land use in the area.

HISTORIC LAND USE

Once land became available through the Māhele, large grants of land in Districts throughout the Island were leased or sold to foreigners for commercial ventures. During the middle to late 19th century and into the 20th century, sugarcane and pineapple became dominant cash crops in Hawai`i, particularly in the project area and environs. The lands have not been used for anything but such industrial agriculture until modern construction commenced (water treatment plants, reservoirs, etc). Sugar cane production commenced in 1848 with the sugar mill in Lahaina, which by 1858 evolved into the Lahaina Sugar Company and by 1860, the Pioneer Mill company. Infrastructure was set nearer the coastline (railroads) and the upper elevation table lands (300ft-1000 ft amsl) from Lahaina to Kapalua were prime cultivation lands for these

cash crops. The current project area, now an established County facility, was no exception, with sugar cane and especially pineapple, cultivated on its lands.

FIELD INSPECTION METHODOLOGY

The Field Inspection was conducted on April 30, 2015, by SCS archaeologist M. Dega, Ph.D (Principal Investigator). All portions of the project work areas were surveyed. Visibility was high as the entirety of the project area surface consisted of manicured lawn grass. Several employees of the Mahinahina Surface Water Treatment Plant were also interviewed about the parcel and surrounding lands. No subsurface testing was conducted during the Field Inspection. Photographs were taken of the proposed site. All notes and photographs associated with this project are currently being curated at the SCS laboratory in Honolulu.

RESULTS

A 100% pedestrian survey of the project area did not reveal the presence of any historic properties nor the possibility that cultural materials would occur below the ground surface. The surface of the project area as grassed (manicured) with existing water treatment plant buildings occurring directly adjacent to the proposed construction area. Interviews with treatment plant employees did not lead to any revelations about the presence of subsurface cultural materials. The employees stated that they had watched the project area excavated previously, with only silty clay soils being noted; no artifacts or anything else of interest was noted. Prior to being utilized as a water treatment plant, the project area and environs had been heavily utilized for sugar cane and pineapple cultivation, to the recent past, with the ground surface and subsurface soils having been heavily modified through time. Previous Field Inspection work in this same area (Perzinski and Dega Field Inspection Letter for the Mahinahina Production Well Improvement Project 2014) led only to the documentation of a small segment of Honokohau Ditch (State Site -1591). The ditch is outside the current project area.

CONCLUSIONS AND RECOMMENDATIONS

After complete pedestrian survey of this proposed Mahinahina project area, no sites were identified nor were areas identified that appeared amenable to locating subsurface cultural

deposits through excavation work. The project area landscape has been intensively modified for sugar cane and pineapple cultivation and more recently, as the Mahinahina Water Treatment Plant.

It is our estimation, based on this Field Inspection, that no potential adverse impacts should be considered for the project. No further work is recommended for the entirety of the project area. However, should the inadvertent discovery of significant cultural materials occur during construction, all work in the immediate area of the find must cease and the SHPD be notified to discuss mitigation, if necessary.

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