

MICHAEL P. VICTORINO
Mayor

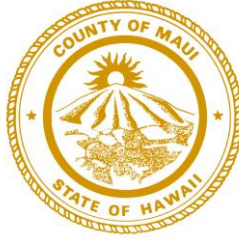
ERIC A. NAKAGAWA, P.E.
Director

SHAYNE R. AGAWA, P.E.
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

SCOTT R. ROLLINS, P.E.
Wastewater Reclamation Division

TAMARA L. FARNSWORTH
Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

**CENTRAL MAUI LANDFILL
ENTRANCE FACILITY IMPROVEMENTS**

EXEMPTION NOTICE

Pursuant to Hawai'i Revised Statutes, Chapter 343, and
Hawai'i Administrative Rules, Section 11-200.1

AGENCY OR APPLICANT ACTION

- ☒ This exempted action is an agency action as defined by Section 343-5(b), Hawai'i Revised Statutes (HRS), and Section 11-200.1-8, Hawai'i Administrative Rules (HAR),
- ☐ This exempted action is an applicant action as defined by Section 343-5(e), HRS, and Section 11-200.1-9, HAR

EXEMPTION TYPE

The Exemption Notice for the action described below is based on the general types enumerated in Section 11-200.1-15(c), HAR, Exemption Type **3: Construction and location of single, new, small facilities or structures and the alteration and modification of the facilities or structures and installation of new, small equipment or facilities and the alteration and modification of the equipment or facilities, including, but not limited to: (D) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and, acquisition of utility easements.**

As applicable, the exemption for the action described below is also supported by the Exemption List for the County of Maui, reviewed and concurred to by the Environmental Council on January 10, 2007:

- Exemption List Class **3**
Construction and location of single, new small facilities or structures and the alteration and modification of same and installation of new, small equipment

and facilities and the alteration and modification of same including, but not limited to:

- Item Number **(d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, fences; and acquisition of utility easements.**
- Applicable language from the exemption list:
7. Essential utilities and new, small equipment, including, but not limited to, wastewater, systems, drainage systems, water systems, electrical systems, communication systems, and irrigation systems.
8. Recycling drop-off and redemption centers serving the surrounding residential community including, but not limited to, paving, fencing, containers for material, small equipment, and accessory or appurtenant structures used for storage and shelter, subject to general note #4.
10. Minor street widening and improvements within existing or future County streets rights of way.

DESCRIPTION OF ACTION

Proposing Agency or Applicant:	<u>County of Maui, Department of Environmental Management</u>
Project Name & Address/Location:	<u>Central Maui Landfill Entrance Facility Improvements</u> <u>Puunene, Island of Maui, Hawai'i</u>
Anticipated Start Date:	<u>Early 2022</u>
Anticipated End Date:	<u>Late 2022</u>
Island and District:	<u>Maui, Makawao District</u>
Tax Map Key(s) (TMKs):	<u>(2) 3-8-003: 019</u>
All Necessary Permits and Approvals:	<u>Building and Grading Permits (State and County of Maui)</u>

NARRATIVE

Describe the action and why it qualified for the exemption:

Introduction and Project Location

The County of Maui, Department of Environmental Management (DEM), proposes to improve its facilities at the Central Maui Landfill (CML) by providing a new roll-off bay and widening a section of the entry roadway at the south boundary of the CML site. The project area consists of approximately 0.32-acres within the approximately 180-acre County-owned parcel identified as TMK (2) 3-8-003: 019 (por.) (Parcel 19), 8100 Pulehu Road in Pu'unene. Parcel 19 is located on the north side of Pulehu Road between Kahului and Kula. See **Enclosure 1**. The proposed project will provide more efficient use of landfill facilities and improve access and safety.

The CML is bounded by agricultural lands previously owned by Alexander & Baldwin (A&B) and formerly cultivated by Hawaiian Commercial and Sugar Company (HC&S). HC&S ended its sugar cane cultivation operations at the end of 2016. Northeast of the project site is HC&D, LLC's quarry operation, Walker Industries, Ltd., and Maui EKO Systems. Also, nearby and across Pulehu Road is the future Waena Generation Facility for Hawaiian Electric Company, Ltd. (HECO). Refer to **Enclosure 1**.

Project Background

The DEM currently operates the CML on a portion of Parcel 19. The landfill has been in operation since 1987 through State Land Use Commission (SLUC) Special Permits Nos. SP86-359 (55 acres) and SP97-390 (70.5 acres) encompassing approximately 125.5 acres of the 180-acre County-owned Parcel 19.

Project Description

The proposed project will include the following:

1. Roll-Off Bay Area Improvements (see **Enclosure 2 and 3**):

- Demolish a portion of the existing concrete wall where the new roll-off bay will connect to the existing roll-off bay area
- Temporarily remove the existing chain link fence located where the new roll-off bay will connect to the existing roll-off bay area and restore or replace it after the new roll-off bay is constructed
- Demolish and remove the existing concrete curb to the west of the new roll-off bay area
- Remove the existing fire hydrant
- Grade the site
- Install foundation slab at the new roll-off bay
- Install concrete pad at the new roll-off bay
- Construct new retaining wall with chain barrier at the new roll-off bay and new retaining wall along the east side of the new roll-off bay
- Install new concrete wheel stops at the new roll-off bay
- Install new fire hydrant and curb guard
- Relocate existing guardhouse
- Relocate electrical handholes and conduit
- Relocate switch box and outlet
- Widen, pave with AC pavement, and regrade roadway to the east of the new roll-off bay
- Construct a new concrete header retaining wall along the eastern side of the roadway
- Provide striping for lane lines, pavement arrows, and stop bars

2. Entry Roadway Improvements (see **Enclosure 2 and 4**):

- Grade along both sides of the landfill entrance roadway at bend (grade inside bend along the west side of the roadway and outside bend along the east side of the roadway)
- Remove existing light pole and demolish concrete pedestal along the inside bend of the existing roadway
- Install new light pole further west adjacent to the inside bend of the widened roadway
- Demolish and remove the existing guardrail along the east side of the outside bend of the existing roadway
- Install new AC pavement along the inside and outside bends where graded to widen the roadway
- Construct a new concrete header wall along the west side of the inside bend of the widened roadway
- Install a new guardrail along the east side of the outside bend of the widened roadway
- Stripe entrance roadway to provide three 11-foot-wide lanes before the bend and transition to four 11-foot-wide lanes at the bend; and stripe two 12-foot-wide crosswalks and stop bars.
- Install new signage and posts

Construction is expected to begin in the 2022 timeframe, with project completion in approximately 10 months. The contractor will comply with all required health and safety regulations. Long-term benefits derived from this project are expected to include improved access and safety.

RECEIVING ENVIRONMENT

Describe the site, including any impacts on the receiving environment:

The project site is located between Kahului Town and the Kula region on the northeast side of Pulehu Road. The project area consists of approximately 0.32-acres within the approximately 180-acre County-owned parcel identified as TMK (2) 3-8-003:019 (por.) (Parcel 19), 8100 Pulehu Road in Pu'unene. The existing CML paved access roadways, and auxiliary structures occupy the project area. Following the construction of the proposed project, the entry roadway will be widened to provide additional lanes and an additional roll-off bay will be added. The proposed project will provide more efficient use of landfill facilities and improve access and safety.

No significant negative impacts to water and air quality, flora and fauna, cultural and scenic resources, land use, or community well-being will result from the proposed project (see Environmental Analysis below). Long-term positive benefits derived from this project are expected to include more efficient use of landfill facilities and improved access and safety. No negative adverse cumulative effects are expected as the project will be limited to improvements at the CML with no further actions proposed.

ENVIRONMENTAL ANALYSIS

We have considered the potential effects of the proposed project and all related activities to the environmental resources checked below:

	Not Applicable
<input checked="" type="checkbox"/> Land Use and Zoning Conformance	<input type="checkbox"/>
<input checked="" type="checkbox"/> Traffic (Vehicles, Bicycles, Pedestrian)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Infrastructure (Roads, Buildings, Utilities)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Air Quality Pollutant Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Noise Emissions	<input type="checkbox"/>
<input checked="" type="checkbox"/> Solid, Hazardous, and Liquid Waste Management	<input type="checkbox"/>
<input checked="" type="checkbox"/> Social	<input type="checkbox"/>
<input checked="" type="checkbox"/> Economic	<input type="checkbox"/>
<input checked="" type="checkbox"/> Health and Safety	<input type="checkbox"/>
<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/>
<input type="checkbox"/> Public Beach Access	<input checked="" type="checkbox"/>
<input type="checkbox"/> Cultural Resources and Practices	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Visual/Aesthetic	<input type="checkbox"/>
<input type="checkbox"/> Environmental Justice	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Rare, Threatened, and/or Endangered Species	<input type="checkbox"/>
<input checked="" type="checkbox"/> Surface and Ground Water Resources	<input type="checkbox"/>
<input type="checkbox"/> Wetlands	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Floodplains	<input type="checkbox"/>
<input type="checkbox"/> Riparian/Coastal Resources	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Other	<input type="checkbox"/>

Summary of impact analysis:

Land Use and Zoning Conformance

The project site is designated as "Prime" agricultural lands; however, it is not designated as Important Agricultural Lands, is not in use or suitable for use in agriculture, and is currently developed for use by the CML. The proposed project would improve existing CML facilities by providing a new roll-off bay and widening a section of the entry roadway at the south boundary of the CML site. No changes to State Land Use Districts within the project boundaries are required.

The CML has been in operation since 1987 through SLUC Special Permits Nos. SP86-359 (55 acres) and SP97-390 (70.5 acres) encompassing approximately 125.5 acres of the 180-acre County-owned Parcel 19. The proposed approximate 0.32-acre project site is within the existing State Special Permit land area. The project will support the government operations of DEM which serves the community by providing a facility for the safe, sanitary, and efficient disposal of municipal solid waste, and is not contrary to HRS, Chapter 205 and 205A, and the rules of the SLUC.

Other industrial-type uses are located adjacent to the CML, such as the HC&D quarry operations. There are no residential or commercial uses in the area. The proposed project is not anticipated to adversely impact agricultural uses that may occur on neighboring lands in the future.

The project site is zoned "Agricultural" District by the County of Maui. Pursuant to Title 19, Maui County Code, Section 19.30A.060 Special Uses, landfills are identified as a special use in the "Agricultural" District. The Maui Planning Commission on October 28, 2008, granted County Special Use Permit (CUP) No. 2008/003 for approximately 70.5 acres of the CML. The CUP is valid until October 31, 2028.

Additionally, the project area is located within the Urban Growth Boundary of the Maui Island Plan. The Maui Island Plan is a component of the Maui County General Plan. The Urban Growth Boundary indicates areas of future urban density development. In summary, the proposed project is not expected to adversely impact future diversified agriculture activities that may occur on A&B lands to the north, west, and south.

No significant adverse impacts to land ownership, land use, or zoning are identified. The proposed action is compatible with surrounding land uses, land use plans, and zoning, and supports the repair and maintenance of public facilities.

Traffic (Vehicles, Bicycles, Pedestrian)

Access to the CML is provided from the north side of Pulehu Road. The proposed project is not expected to result in long-term impacts to vehicle, pedestrian, or bicycle traffic. During construction disturbance to traffic is expected from deliveries and transit of vehicles to and from the job site. These impacts, however, would be localized, short-term in duration, and cease with the completion of construction. As required appropriate traffic controls will be used including traffic signs, cones, barricades, and/or the use of flag personnel.

To protect the general public during the construction of the proposed improvements, the public will not be allowed to access active work areas. Following construction, the project will widen and increase the number of lanes of the entry roadway at the CML and provide new signage and striping to improve access and safety at the site. Positive long-term impacts to pedestrian and vehicular use of the site are expected from the proposed improvements.

Infrastructure (Roads, Buildings, Utilities)

No significant adverse impacts to infrastructure are expected. The subject project will be located within the existing CML property. The project will improve the CML entry roadway by increasing the number of lanes and providing new signage and striping to improve access and safety. The project will also include the construction of a new roll-out bay, the relocation of an existing guardhouse, installation of a new fire hydrant, and relocation of existing electrical infrastructure to provide more efficient use of landfill facilities. Positive long-term and secondary impacts in the areas of social benefit for residents and visitors are expected as this would help to support the long-term accessibility and safety at the CML.

Air Quality Pollutant Emissions

Air quality in the project area is generally good. Notable sources of air quality contaminants in the area are from the CML, HC&D, LLC quarry, and Maui EKO Systems' composting operations. The natural trade winds dissipate emissions and odors associated with the landfill and nearby non-agricultural operations. During construction, short-term air quality impacts may consist of the use of construction vehicles and equipment to install the proposed improvements. Dust and associated construction activities are expected to be slight to insignificant due to the limited scope and scale of the project. Fugitive dust will be controlled with the use of dust screens and/or regular wetting of the soil by the contractor. Project activities will be regulated under HAR, Chapter 11-59, Ambient Air Quality Standards, and Chapter 11-60, Air Pollution Control. Air quality would not exceed the State Department of Health (DOH) standards and no significant adverse impact to air quality is expected. Following construction, the proposed improvements would not increase the use of the site and therefore would not increase vehicle emissions currently generated at the site.

Noise Emissions

Existing background noise in the area is largely attributed to the CML and HC&D, LLC quarry operations. With the recent cessation of sugar cane cultivation in the area, the surrounding agricultural lands remain vacant. Intermittent noise associated with agricultural activities is not expected to occur until new agricultural activities are established.

Construction activities are anticipated to increase the noise in the area immediately surrounding the project site from work crews and construction equipment. These impacts, however, would be localized, short-term in duration, and cease with the completion of construction. Noise impacts from construction would be minimized by limiting construction activities to daylight hours and by following all applicable State and County regulations governing construction-associated noise. Construction activities will be conducted in accordance with State of Hawai'i requirements set forth in HRS, Chapter 342F – Noise Pollution. This would include the use of properly muffled internal combustion engines to reduce noise from construction equipment and vehicles. With the implementation of the measures above no impacts to the acoustic environment are expected from the proposed project. Upon construction completion, noise levels will return to ambient levels.

Solid, Hazardous, and Liquid Waste Management

No significant adverse impact with regard to solid, hazardous, and liquid wastes associated with the project are expected. During construction, the generation of solid waste at the site would be minimal and principally consist of expended construction materials. These materials would be collected and properly disposed of in accordance with HAR, Chapter 11-58.1, Solid Waste Management Control.

Social

The proposed project involves the improvement of existing facilities to accommodate the solid waste management needs of Maui island. The scope and scale of the project would be limited to improving the existing CML access road and roll-off bay area. In the short-term, construction of the project would provide construction-related employment; however, those jobs would cease once the project is constructed. Over the long term, the proposed project would provide positive benefits for residents and visitors as the project would help to support the accessibility and safety at the CML. This would fulfill an existing need and would not stimulate unexpected changes to the population requiring the need for new or additional public services. No impact on local or regional social characteristics would result from the proposed action.

Economic

The scope and scale of the project would be limited to the construction of improvements to existing facilities to accommodate the solid waste management needs of Maui island. Construction activities associated with the project would have a limited but positive short-term beneficial impact on the economic welfare of the community by providing construction-related employment; however, those jobs would cease upon completion. No appreciable, long-term regional economic changes would occur with the proposed action. Spending patterns in the community would not be affected and minimal to no impacts to local or regional economic characteristics are expected.

Health and Safety

No adverse impacts to public health or safety are expected. The proposed action would constitute an improvement to public safety by improving access, signage, and striping at the CML. The only major medical facility on the island is Maui Memorial Medical Center, which is located in Kahului about seven (7) miles northwest of the project area. Clinics and offices throughout the Kahului area offer medical services on a lesser scale. The project site is within the Maui Police Department's service area, the headquarters for which are located in Wailuku. The Maui County Department of Fire and Public Safety provides fire prevention, suppression, protection, and emergency services to the islands of Maui, Lāna'i, and Moloka'i from 14 fire stations and a fire prevention office. The project site is served by the Kahului Fire Station located on Dairy Road. Construction and operation of the proposed project would be in compliance with all Federal, State, and County of Maui regulations and is not expected to increase the demand for protective or emergency services.

Recreation

Diverse recreational opportunities are available in the Kahului region. Shoreline activities, such as fishing, surfing, jogging, camping, picnicking, snorkeling, swimming, and windsurfing, are available in the Kahului region. There are several public park facilities in the Kahului region. Kahului includes Ke'opuolani Park, Kanaha Beach Park, and the War Memorial Complex, as well as other smaller parks. As the proposed project is limited to the development of support facilities for the CML, significant adverse impacts on the recreational facilities in the Kahului region are not anticipated.

Public Beach Access

The proposed project is not located in proximity to the beach and will not affect beach access or shoreline processes. Best Management Practices (BMPs) will be used during construction to prevent discharges of sediments.

Cultural Resources and Practices

The project improvements will not impact any cultural resources or practices. This is due to the prior modification of the site and active use of the area for CML purposes. Minor groundwork will be required for the construction of the proposed project. Based on previous cultural and archaeological reports conducted in the area and the disturbed nature of the site it is unlikely that historical or cultural resources will be encountered. However, should any burials or other cultural finds be identified during ground disturbance, the construction contractor shall immediately cease all work while the appropriate agencies including the State Historic Preservation Division, are notified pursuant to applicable law (HRS, Chapter 6E).

Visual/Aesthetic

The proposed project is not expected to impact visual or aesthetic resources. The western slopes of Haleakala are visible to the east of the project site, with the eastern slopes of the West Maui Mountains visible to the west. The project site is not located within a scenic view corridor, nor is it a part of a designated open space resource area. The location of the CML, surrounded by expansive agricultural lands, minimizes impacts to visual planes. Additionally, the proposed improvements will be located within an already developed location, with the majority of improvements at ground level. Based on the location and nature of the proposed project, no adverse impacts to scenic view planes or the aesthetic environments identified in County or State plans or studies are expected.

Environmental Justice

The proposed project would not cause unjust impacts or create disparity among the population. The project would improve safety and access for all members of the public and employees of the CML.

Rare, Threatened, and/or Endangered Species

The proposed project is not expected to impact any rare, threatened or endangered flora or fauna species and no designated critical habitat is located in or near the project site. No impacts to the endangered Hawaiian Hoary Bat or 'Ōpe'ape'a (*Lasiurus cinereus semotus*) are expected as no trees would be removed and there is no suitable nesting or breeding habitat at or around the project site. Preventive measures will be taken with the installation of lighting fixtures to minimize impacts to seabirds with the use of downward facing and shielded lights during the evening hours.

The CML is within 1.5 miles of the Air Operations Area of the Kahului Airport (OGG). The improvements will not expand the active open landfill area, which is an attractant to wildlife. BMPs will continue to be utilized at the landfill, as needed, to mitigate potential wildlife hazards. The proposed improvements will be developed following the guidance set forth in the Technical Assistance Memorandum and Federal Aviation Administration Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports.

With the implementation of the above, no adverse impacts to rare, threatened, or endangered floral or faunal species are expected as a result of the proposed project. No long-term direct, indirect, or cumulative impacts to species or habitats are expected from the project.

Surface and Ground Water Resources

The project is not expected to have an adverse effect on streams as there are none located within the project site. Minimal soil will be exposed during construction. The project will comply with HAR, Chapter 11-54, Water Quality Standards; HAR, Chapter 11-55, Water Pollution Control; and the County of Maui grading and erosion control standards and BMPs. BMPs will include site management measures and physical controls (e.g., erosion control methods, silt fences, and management and vegetative controls) to reduce pollutants in storm water run-off to ensure sufficient treatment of storm water runoff prior to entering State waters. The project site is located on lands overlying the Pā'ia aquifer. During previous investigations at the CML site, no high-level or perched water was found. The proposed project will not require an increase in water consumption at the CML. No impacts to surface or ground water resources are expected from the proposed project.

Wetlands

According to the U.S. Fish and Wildlife Service National Wetlands Inventory, there are no wetlands on or in the immediate vicinity of the project site. No direct, indirect, or cumulative impacts to wetlands were identified.

Floodplains

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps panel 1500030414E, dated September 24, 2009, the entire project site is located within flood zone X which FEMA defines as "areas determined to be outside the 0.2% chance floodplain." No significant adverse impact is expected.

Riparian/Coastal Resources

No effect on riparian or coastal resources are expected from the proposed project. No riparian resources or coastal resources are present at the proposed project site. BMPs will be used during construction to prevent discharges of sediments.

Other

Sea Level Rise Exposure Area

The project site is located outside the 6-foot Sea Level Rise Exposure Area.

Natural Hazards: Tsunami, Seismicity and Volcanic Eruption

The subject property is located a substantial distance inland from the shoreline and outside of the tsunami inundation and evacuation zone. The CML Facility and the project site are located within a "seismic impact zone" on the island of Maui. The United States Geological Survey has classified the island of Maui in UBC Seismic Zone 2B, defined as having a ten percent probability of exceeding a peak ground acceleration of 0.15 g (g = force of gravity) in 50 years (USGS, 2004a). Construction of the planned improvements are not expected to be adversely affected by seismic activity as they would be constructed for a long-term design life in accordance with the Uniform and International Building Codes and other County, State, and

Federal standards, which provide minimum design criteria to address the potential for damage due to seismic disturbances.

The East Maui Volcano, also known as Haleakalā, is the only active volcano in Hawai‘i outside of the Big Island; however, it is generally considered to be dormant. Haleakalā has erupted at least ten times in the past 1,000 years. Shield volcanoes, like Haleakalā, are usually not explosive when they erupt and therefore do not pose a large risk to people as long as they are not on the rift zones. The eruptions are usually ground flows of lava. The proposed action is located outside the lava flow hazard area of Haleakalā. No adverse impacts are expected.

Summary of impact analysis:

- The CML has been in operation since 1987 through SLUC Special Permits Nos. SP86-359 (55 acres) and SP97-390 (70.5 acres) encompassing approximately 125.5 acres of the 180-acre County-owned Parcel 19. The proposed approximate 0.32-acre project site is within the existing State Special Permit land area.
- The project site is zoned "Agricultural" District by the COM. Pursuant to Title 19, Maui County Code, Section 19.30A.060 Special Uses, landfills are identified as a special use in the "Agricultural" District. The Maui Planning Commission on October 28, 2008, granted County CUP No. 2008/003 for approximately 70.5 acres of the CML. The CUP is valid until October 31, 2028.
- Localized traffic impacts due to construction materials delivery and vehicular transit are expected to be short-term and would cease upon the completion of construction. Long-term impacts are expected to be positive due to improved vehicular and pedestrian safety within the CML.
- No negative adverse infrastructure impacts are expected. The proposed project will provide more efficient use of landfill facilities and improved access and safety.
- The existing air quality is good. Temporary air quality impacts may occur with the use of construction equipment and machinery. These potential impacts, including the generation of fugitive dust, would be regulated in accordance with existing state air quality regulations.
- Noise emissions due to construction activities will be regulated in accordance with state standards for the operation of equipment and vehicles (i.e., HRS, Chapter 342F, Noise Pollution). No adverse impacts with regard to noise emissions are anticipated or expected.
- Solid, hazardous, and liquid wastes will be minimal. Solid waste including hazardous wastes will be disposed of in accordance with state and county laws and regulations. No adverse impacts from these sources are anticipated or expected.

- Social and economic impacts are expected to be positive based on the upkeep and maintenance of public infrastructure. This includes maintaining community and public health and safety.
- The potential for impacts to cultural resources or practices, environmental justice resources, and rare, threatened, and/or endangered species, are not expected based on the limited scope and scale of the proposed construction activities principally involving the improvement of existing public infrastructure.
- Other potential project impacts involving sea-level rise and natural hazards are not expected to result in adverse effects as the proposed project does not involve the development of residential or otherwise habitable structures.
- The potential for indirect, secondary, and cumulative impacts associated with the subject project was also evaluated. A review of the project's potential for negative adverse environmental effects finds that there are limited to no adverse secondary or cumulative effects as the work will be for the purpose of maintaining a public facility for public benefit and safety. All work planned at the CML will be located, generally, on the same site, and will have substantially the same purpose.

MITIGATION

The project will comply with all Federal, State, and County of Maui rules and regulations. Potential minor construction-related impacts will be minimized or brought to negligible levels by the use of appropriate mitigation measures as described in this document, and all necessary environmental entitlements and approvals secured prior to the initiation of construction activities.

CONSULTATION

The following parties were consulted concerning this declaration exemption via a notice requesting public comments dated December 20, 2021 (**Enclosure 5**):

- | | |
|---|---|
| 1. Diane Sether, Acting Island Team Manager
Pacific Island Fish and Wildlife Office
United States Department of the Interior
Fish and Wildlife Service | 4. Dan Orodener, Executive Officer
State of Hawai'i
State Land Use Commission |
| 2. Phyllis Shimabukuro-Geiser, Chair
State of Hawai'i
Department of Agriculture | 5. Jade Butay, Director
State of Hawai'i
Department of Transportation |
| 3. Mary Alice Evans, Director
State of Hawai'i
Office of Planning and Sustainable Development | 6. Michele Chouteau McLean, Director
County of Maui
Department of Planning |
| | 7. Marc Takamori, Director
County of Maui
Department of Transportation |

- | | |
|---|---|
| 8. Thomas A Pawlish, President
Maui EKO Systems Inc. | 12. Michael Grider, Interim Manager
Engineering
Hawaiian Electric Company, Ltd. |
| 9. Komar Maui Properties I LLC | |
| 10. Wil Cambra, President/CEO
HC&D LLC | 13. Christopher J. Benjamin, President/CEO
Alexander & Baldwin, LLC |
| 11. Wil Cambra, President/CEO
Walker Industries, Ltd | |

The following is a summary of the comments received and the responses provided:

State of Hawai'i, Department of Transportation-Airports Division (HDOT-A)
(Enclosure 6)

In a letter dated January 10, 2022 (DIR 1207/STP 8.3330) the HDOT-A noted that the proposed improvements are located approximately 1.5 miles from the property boundary of Kahului Airport (OGG). All projects within 5 miles from Hawai'i State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance. Additionally, the HDOT-A requires that the proposed development does not provide landscape and vegetation that will create a wildlife attractant. To ensure the development does not create a wildlife attractant that can potentially become a hazard to aircraft operations, the DEM should review the Federal Aviation Administration Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports.

In response, the DEM acknowledged that the proposed improvements are located approximately 1.5 miles from the property boundary of Kahului Airport (OGG). The DEM noted that the proposed improvements will not create conditions to attract wildlife and will be designed in accordance with the Technical Assistance Memorandum and Federal Aviation Administration Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports. DEM will continue to consult with the HDOT-A regarding appropriate mitigation measures to ensure that the proposed project may not attract wildlife.

State of Hawai'i, Department of Transportation-Highways Division (HDOT-HWY)
(Enclosure 6)

In a letter dated January 10, 2022 (DIR 1207/STP 8.3330) the HDOT-HWY noted that it reviewed the subject Declaration of Exemption, and based on the project description and location, has no comments to provide.

In response, the DEM acknowledged the HDOT-HWY does not have any comments.

County of Maui, Department of Planning (Enclosure 7)

In an email dated January 21, 2022, the Department of Planning noted that it received the letter dated December 20, 2021 (see **Enclosure 5**), and a prior letter dated December 17,

2021 (see **Enclosure 7**), and noted that no further Department of Planning related permits would be required (e.g., conditional use and related discretionary permits). However, other agencies with jurisdictional requirements such as the State Department of Health, for example, would still need to be met.

Note: The Department of Planning receipt of the letter dated December 17, 2021 (**Enclosure 7**) was confirmed in a follow-up phone call to the County of Maui, Department of Planning on January 26, 2022, at 10:15 AM with Paul Fasi, Senior Staff Planner.

In response, the DEM acknowledges the comments of the Department of Planning and will comply with all regulatory requirements of the County of Maui, State, and Federal agencies.

No other comments or requests for information were received.

EXEMPTION DECLARATION

The primary, secondary and cumulative impacts of the action described above have been considered pursuant to HRS, Chapter 343, and HAR, Chapter 11-200.1. The Department of Environmental Management declares that the action described above will have minimal or no significant impact on the environment and is therefore exempt from the requirement to prepare an environmental assessment.

This document is on file in our Department and is available for public review.

for

ERIC A. NAKAGAWA
Director

Date

- ☒ Please check here if this document is being submitted to the Environmental Review Program for voluntary publication in *The Environmental Notice*.

Enclosures

Enclosure 1, Project Location

Enclosure 2, General Site Plan

Enclosure 3, Roll-Off Bay Signing and Striping Plan

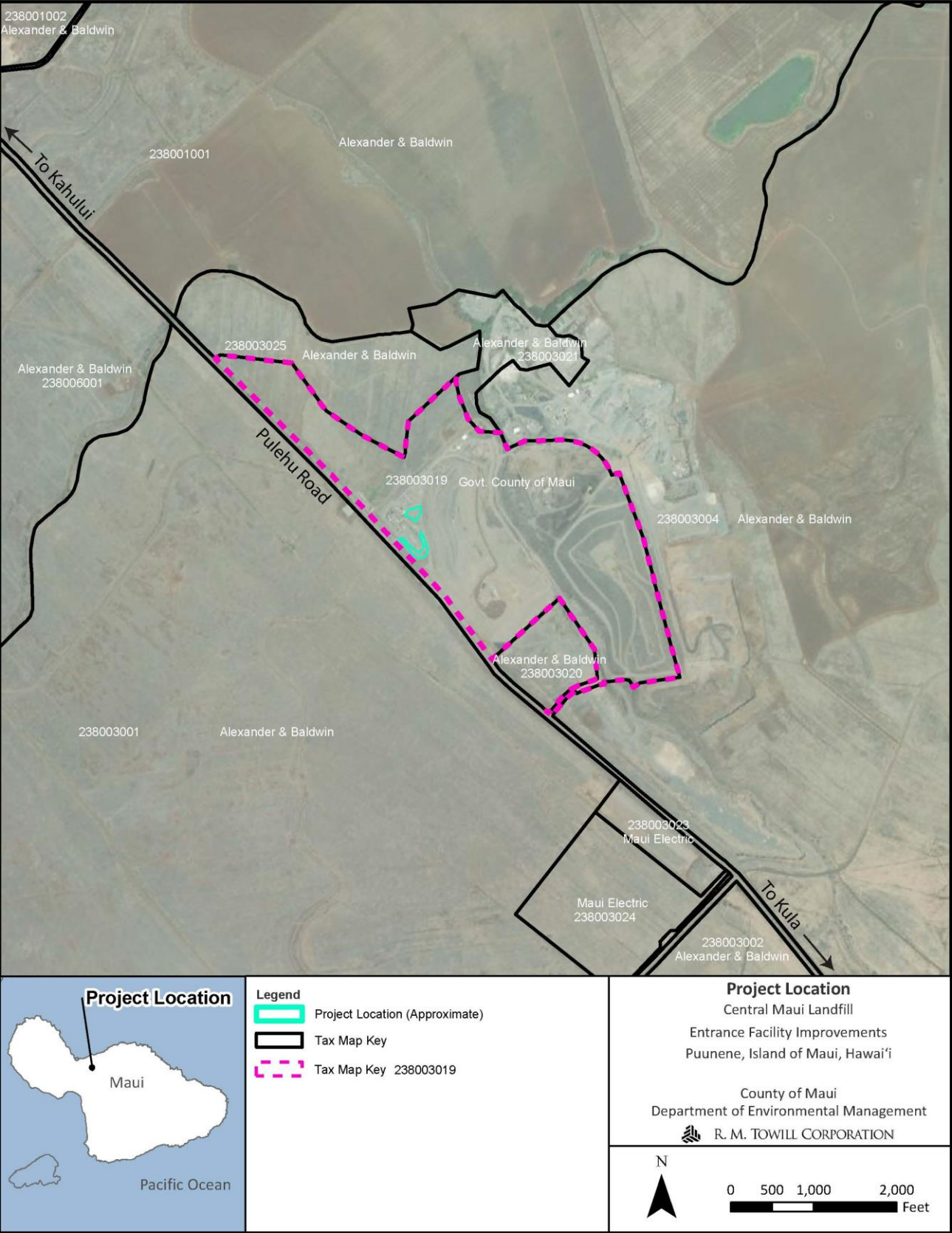
Enclosure 4, Entrance Roadway Signing and Striping Plan

Enclosure 5, Record of Consultation Notification

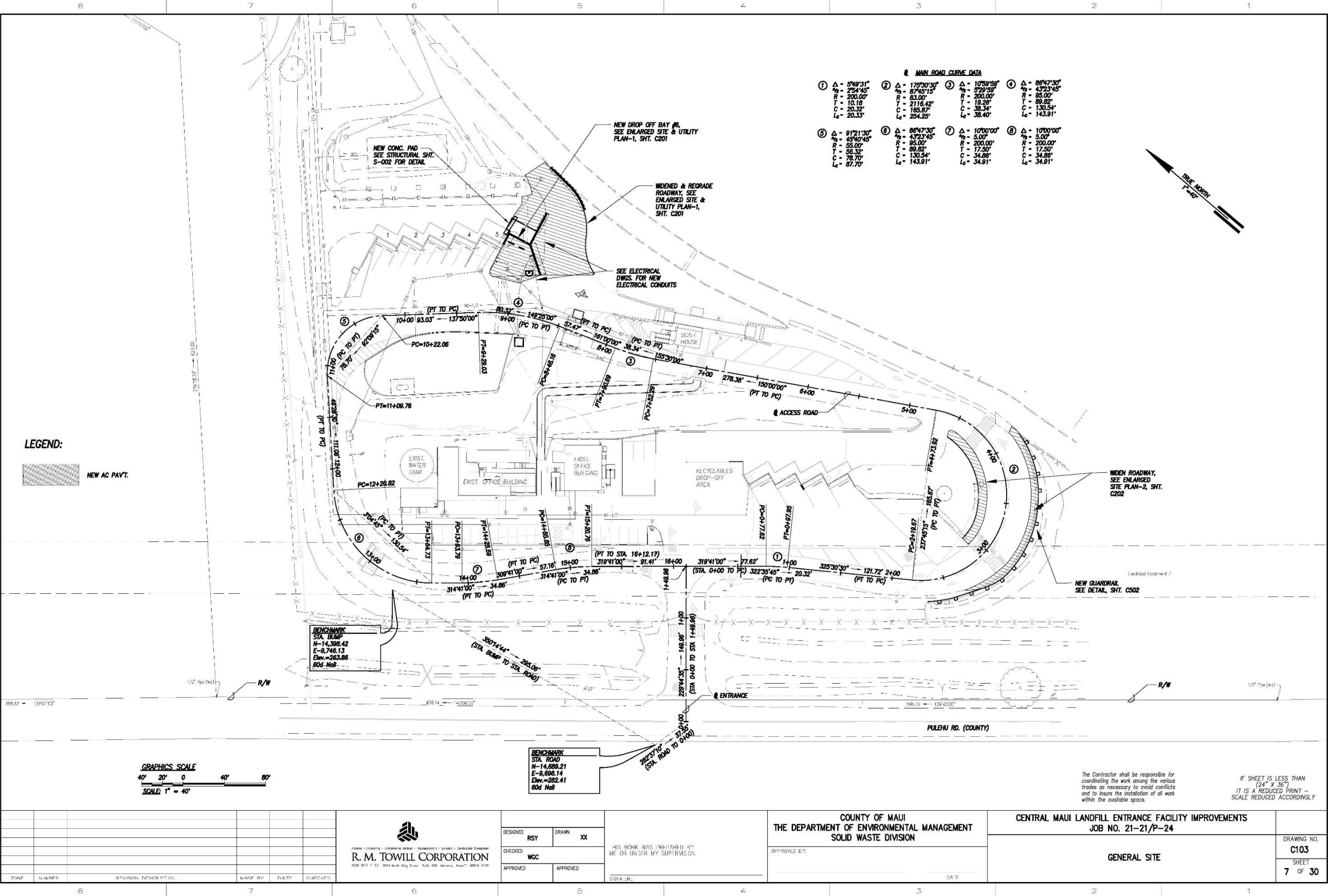
Enclosure 6, Record of Consultation State of Hawai'i, Department of Transportation

Enclosure 7, Record of Consultation County of Maui, Department of Planning

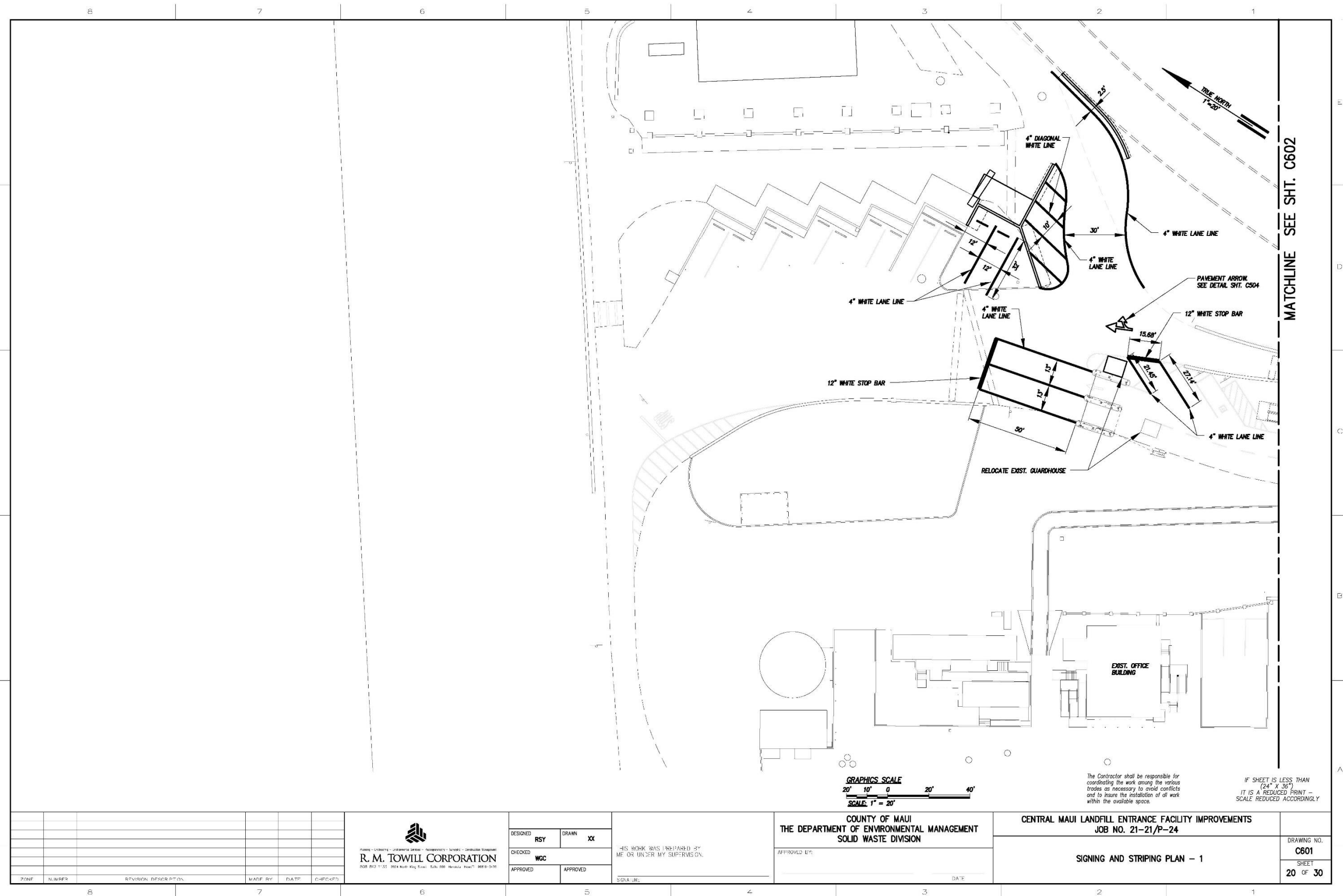
Enclosure 1, Project Location



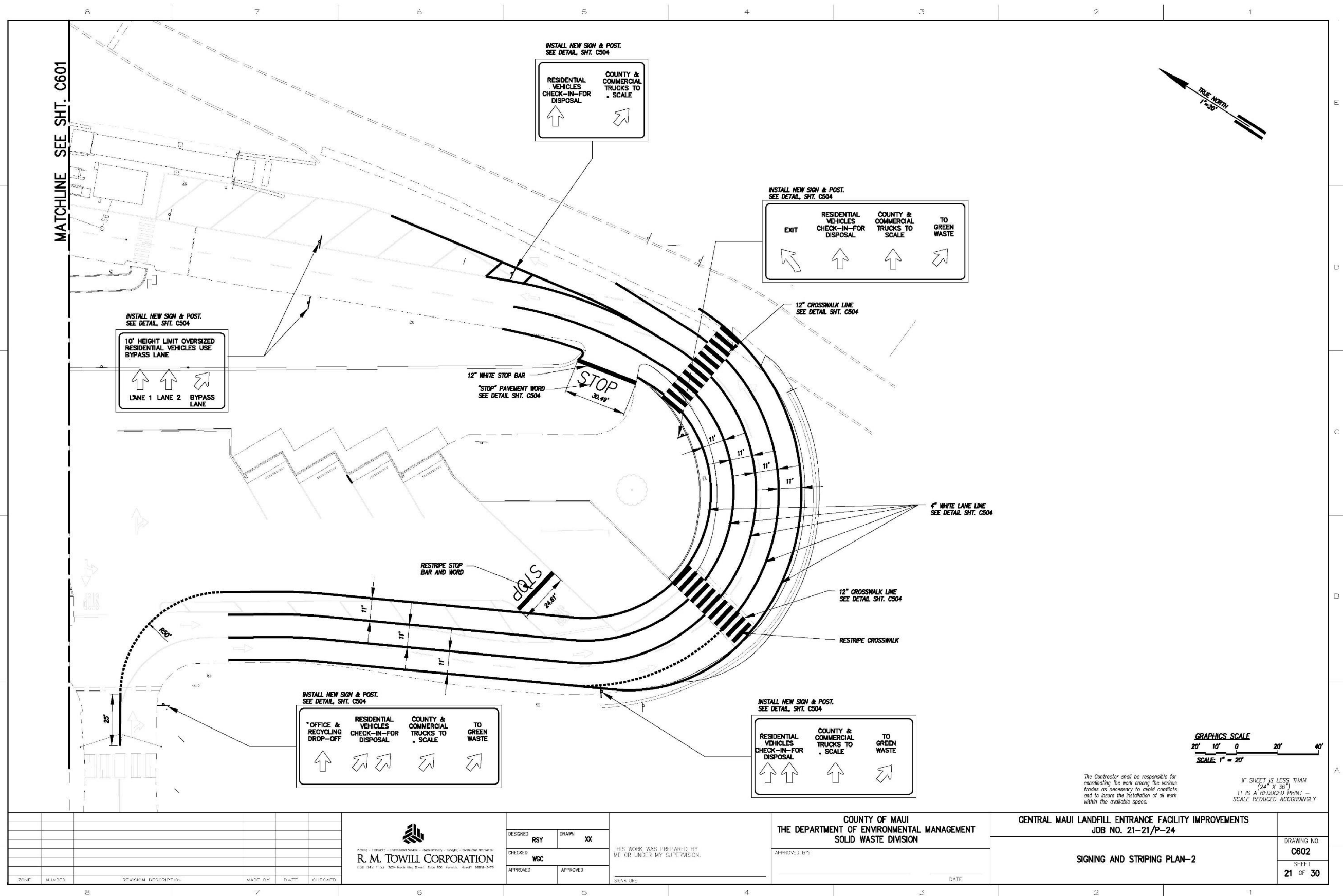
Enclosure 2, General Site Plan



Enclosure 3, Roll-Off Bay Signing and Striping Plan



Enclosure 4, Entrance Roadway Signing and Striping Plan



Enclosure 5, Record of Consultation Notification

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
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Fax 808 842 1937
eMail rmtowill@hawaii.rr.com



Planning
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Construction Management

December 20, 2021

[Address Line]
[Address Line]
[Address Line]
[Address Line]

Dear _____:

**Declaration from Exemption from Hawai'i Revised Statutes, Chapter 343
Central Maui Landfill Entrance Facility Improvements
Tax Map Key: (2) 3-8-003: 019, Pu'unene, Island of Maui, Hawai'i
County of Maui, Department of Environmental Management Job Number 21-22/P-24**

The County of Maui, Department of Environmental Management (DEM), proposes to improve its facilities at the Central Maui Landfill (CML) by providing a new roll-off bay and widening a section of the entry roadway at the south boundary of the CML site. The project area consists of approximately 0.32-acres within the approximate 180-acre County-owned parcel identified as Tax Map Key (TMK) No. (2) 3-8-003:019 (por.) (Parcel 19), 8100 Pulehu Road in Pu'unene. Parcel 19 is located on the north side of Pulehu Road between Kahului and Kula. The proposed project will provide more efficient use of landfill facilities and improve access and safety. See enclosed Background for Proposed Declaration of Exemption for more information.

The proposed work is expected to have minimal to no adverse environmental impact. Based on our review of the proposed work the County of Maui, Department of Environmental Management, anticipates that the project would be exempt from Hawai'i Revised Statutes, Chapter 343, Hawai'i's Environmental Impact Statement law.

Please do not hesitate to contact us if you wish to provide any comments or have any questions on the proposed action. Thank you for your assistance.

Sincerely,



Brian Takeda
Planning Project Manager

Enclosure

cc: Elaine Baker, County of Maui, Department of Environmental Management
Walter Chong, R. M. Towill Corporation

**Background for Proposed Declaration of Exemption for
Central Maui Landfill Entrance Facility Improvements
Tax Map Key: (2) 3-8-003: 019, Pu‘unene, Island of Maui, Hawai‘i
Department of Environmental Management Job Number 21-22/P-24**

December 2021

Introduction and Project Location

The County of Maui, Department of Environmental Management (DEM), proposes to improve its facilities at the Central Maui Landfill (CML) by providing a new roll-off bay and widening a section of the entry roadway at the south boundary of the CML site. The project area consists of approximately 0.32-acres within the approximate 180-acre County-owned parcel identified as Tax Map Key (TMK) No. (2) 3-8-003:019 (por.) (Parcel 19), 8100 Pulehu Road in Pu'unene. Parcel 19 is located on the north side of Pulehu Road between Kahului and Kula. See **Enclosure 1**. The proposed project will provide more efficient use of landfill facilities and improved access and safety.

The CML is bounded by agricultural lands previously owned by Alexander & Baldwin (A&B) and formerly cultivated by Hawaiian Commercial and Sugar Company (HC&S). HC&S ended its sugar cane cultivation operations at the end of 2016. Northeast of the project site is HC&D, LLC's quarry operation, Walker Industries, Ltd., and Maui EKO Systems. Also, nearby and across Pulehu Road is the future Waena Generation Facility for Hawaiian Electric Company, Ltd. (HECO). Refer to **Enclosure 1**.

Project Background

The DEM currently operates the CML on a portion of Parcel 19. The landfill has been in operation since 1987 through State Land Use Commission (SLUC) Special Permits Nos. SP86-359 (55 acres) and SP97-390 (70.5 acres) encompassing approximately 125.5 acres of the 180-acre County-owned Parcel 19, and County Special Use Permit (CUP) No. 2008/003 for approximately 70.5 acres of the CML.

Project Description

The proposed project will include the following:

1. Roll-Off Bay Area Improvements (see **Enclosure 2 and 3**):
 - Demolish a portion of the existing concrete wall where the new roll-off bay will connect to the existing roll-off bay area
 - Temporarily remove the existing chain link fence located where the new roll-off bay will connect to the existing roll-off bay area and restore or replace it after the new roll bay is constructed
 - Demolish and remove the existing concrete curb to the west of the new roll-off bay area
 - Remove the existing fire hydrant
 - Grade the site
 - Install foundation slab at the new roll-off bay

- Install concrete pad at the new roll-off bay
- Construct new retaining wall with chain barrier at the new roll-off bay and new retaining wall along the east side of the new roll of bay
- Install new concrete wheel stops at the new roll-off bay
- Install new fire hydrant and curb guard
- Relocate existing guardhouse
- Relocate electrical handholes and conduit
- Relocate switch box and outlet
- Widen, pave with AC pavement, and regrade roadway to the east of the new roll-off bay
- Construct a new concrete header retaining wall along the eastern side of the roadway
- Provide striping for lane lines, pavement arrows, and stop bars

2. Entry Roadway Improvements (see **Enclosure 2 and 4**):

- Grade along both sides of the landfill entrance roadway at bend (grade inside bend along the west side of the roadway and outside bend along the east side of roadway)
- Remove existing light pole and demolish concrete pedestal along the inside bend of the existing roadway
- Install new light pole further west adjacent to the inside bend of the widened roadway
- Demolish and remove the existing guardrail along the east side of the outside bend of the existing roadway
- Install new AC pavement along the inside and outside bends where graded to widen the roadway
- Construct a new concrete header wall along the west side of the inside bend of the widened roadway
- Install a new guardrail along the east side of the outside bend of the widened roadway
- Stripe entrance roadway to provide three 11-foot-wide lanes before the bend and transition to four 11-foot-wide lanes at the bend; and stipe two 12-foot-wide crosswalks and stop bars.
- Install new signage and posts

Construction is expected to begin in the early 2022 timeframe, with project completion in approximately 10 months. The contractor will comply with all required health and safety regulations. Long-term benefits derived from this project are expected to include improved access and safety.

Proposed Exemption From EA

The DEM has preliminarily determined that the proposed project would have minimal or no significant effect on the environment and can therefore qualify for an exemption from the

preparation of an environmental assessment. This is based on the following Exemption Classes as listed on the Exemption List for the County of Maui, reviewed and concurred to by the Environmental Council on January 10, 2007.

Exemption Class 3: Construction and location of single, new small facilities or structures and the alteration and modification of same and installation of new, small equipment and facilities and the alteration and modification of same including, but not limited to:

(d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, fences; and acquisition of utility easements.

7. Essential utilities and new, small equipment, including, but not limited to, wastewater, systems, drainage systems, water systems, electrical systems, communication systems, and irrigation systems.

8. Recycling drop-off and redemption centers serving the surrounding residential community including, but not limited to, paving, fencing, containers for material, small equipment, and accessory or appurtenant structures used for storage and shelter, subject to general note #4.

10. minor street widening and improvements within existing or future County streets rights of way.

Enclosures

Enclosure 1, Project Location

Enclosure 2, General Site Plan

Enclosure 3, Roll-Off Bay Signing and Striping Plan

Enclosure 4, Entrance Roadway Signing and Striping Plan

Enclosure 6, Record of Consultation State of Hawai'i, Department of Transportation

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGLALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

IN REPLY REFER TO:
DIR 1207
STP 8.3330

January 10, 2022

VIA EMAIL: rmtowill@hawaii.rr.com

Mr. Brian Takeda
Planning Project Manager
R. M. Towill Corporation
2024 North King Street
Honolulu, Hawaii 96819

Dear Mr. Takeda:

Subject: Declaration of Exemption from Hawaii Revised Statutes, Chapter 343
Central Maui Landfill (CML) Entrance Facility Improvements
Puunene, Maui, Hawaii
Tax Map Key: (2) 3-8-003: 019 (Portion)

Thank you for your letter dated December 20, 2021. The State of Hawaii Department of Transportation (HDOT) has reviewed the subject Declaration of Exemption notice and understands the County of Maui, Department of Environmental Management (DEM) is proposing to improve CML by providing a new roll-off bay and widening a section of the entry roadway at the south boundary.

HDOT has the following comments:

Airports Division (HDOT-A)

1. The proposed landfill operational improvements are located approximately 1.5 miles from the property boundary of Kahului Airport (OGG). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link: http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf.
2. The HDOT-A requires that the proposed development does not provide landscape and vegetation that will create a wildlife attractant. The Hawaii Revised Statutes, Chapter 262, Airport Zoning Act, requires HDOT-A to prevent hazards and not allow expansion of non-conforming land uses that may present a hazard to aircraft operations. While the proposed construction is minor and will improve operational efficiency, HDOT-A is concerned about all potential wildlife attractants within the protected air space.

Mr. Brian Takeda
January 10, 2022
Page 2

STP 8.3330

Therefore, if the proposed exempt development creates a wildlife attractant that can potentially become a hazard to aircraft operations, DEM shall immediately mitigate the hazard upon notification by the HDOT-A and/or Federal Aviation Administration (FAA). Please review the FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports for guidance.

Highways Division (HDOT-HWY)

The HDOT-HWY has reviewed the subject Declaration of Exemption, and based on the project description and location, has no comments to provide.

If there are any questions, please contact Mr. Blayne Nikaido of the HDOT Statewide Transportation Planning Office at (808) 831-7979 or via email at blayne.h.nikaido@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jade T. Butay".

JADE T. BUTAY
Director of Transportation

2024 North King Street
Suite 200
Honolulu Hawaii 96819-3470
Telephone 808 842 1133
Fax 808 842 1937
eMail rmtowill@hawaii.rr.com



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Construction Management

February 7, 2022

Mr. Jade T. Butay, Director of Transportation
State of Hawai'i
Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813

Dear Mr. Butay:

**Declaration of Exemption from Hawai'i Revised Statutes, Chapter 343
Central Maui Landfill Entrance Facility Improvements
Tax Map Key: (2) 3-8-003: 019, Pu'unene, Island of Maui, Hawai'i
County of Maui, Department of Environmental Management Job Number 21-22/P-24**

On behalf of the County of Maui, Department of Environmental Management (DEM), thank you for your comments on the subject Declaration of Exemption in a letter dated January 10, 2022 (DIR 1207/STP 8.3330). The following has been prepared in response to your comments (your comments have been *italicized* for reference):

HDOT has the following comments:

Airports Division (HDOT-A)

- 1. The proposed landfill operational improvements are located approximately 1.5 miles from the property boundary of Kahului Airport (OGG). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link: http://files.hawaii.gov/dbedt/op/docs/TAM-FAADOT-Airports_08-01-2016.pdf.*
- 2. The HDOT-A requires that the proposed development does not provide landscape and vegetation that will create a wildlife attractant. The Hawaii Revised Statutes, Chapter 262, Airport Zoning Act, requires HDOT-A to prevent hazards and not allow expansion of non-conforming land uses that may present a hazard to aircraft operations. While the proposed construction is minor and will improve operational efficiency, HDOT-A is concerned about all potential wildlife attractants within the protected air space.*

Therefore, if the proposed exempt development creates a wildlife attractant that can potentially become a hazard to aircraft operations, DEM shall immediately mitigate the hazard upon notification by the HDOT-A and/or Federal Aviation Administration (FAA). Please review the FAA Advisory Circular 150/5200-33C, Hazardous Wildlife Attractants On Or Near Airports for guidance.

DEM acknowledges that the proposed improvements are located approximately 1.5 miles from the property boundary of Kahului Airport (OGG). The proposed improvements will not create conditions to attract wildlife and will be designed in accordance with the Technical Assistance Memorandum and Federal Aviation Administration Advisory Circular 150/5200-33C, Hazardous

Mr. Jade T. Butay, Director of Transportation
February 7, 2022
Page 2 of 2

Wildlife Attractants On Or Near Airports. DEM will continue to consult with the HDOT-A regarding appropriate mitigation measures to ensure that the proposed project may not attract wildlife.

Highways Division (HDOT-HWY)

The HDOT-HWY has reviewed the subject Declaration of Exemption, and based on the project description and location, has no comments to provide.

DEM acknowledges that the HDOT-Highways Division does not have any comments at this time.

We appreciated your review of the subject project and allowing us this opportunity to respond. Your letter and this response will be included in the Declaration of Exemption.

Should you wish to provide any additional comments or have questions, please contact the undersigned by telephone at (808) 842-1133.

Sincerely,

A handwritten signature in black ink that reads "Brian Takeda". The signature is written in a cursive, flowing style.

Brian Takeda
Planning Project Manager

cc: Elaine Baker, County of Maui, Department of Environmental Management
Walter Chong, R. M. Towill Corporation

Enclosure 7, Record of Consultation County of Maui, Department of Planning

From: Brian Takeda
Sent: Friday, January 21, 2022 12:20 PM
To: Paul.fasi@co.maui
Cc: Kelly Staples; Walter Chong
Subject: PFasi-Central Maui Landfill 012122a
Attachments: Draft PD Permit Determination Request Ltr_12.17.21.pdf

Importance: High

Hi Paul,

This acknowledges your notification. Please find attached our letter submitted to you dated December 17, 2021. We understand that the County of Maui Planning Department does not require further permitting for the proposed construction of a new roll-off bay, and widening a section of the entry roadway at the south boundary of the existing Central Maui Landfill. We further understand that this is not applicable to other government agencies with separate regulatory compliance requirements that will be the responsibility of the Maui Department of Environmental Management to address.

Do not hesitate to contact us if there are any questions.

Sincerely,

Brian Takeda
Planning Project Manager
mailto:BrianT@rmtowill.com

R. M. Towill Corporation
2024 North King Street Suite 200
Honolulu, Hawaii 96819
voice: 808 842 1133 fax: 808 842 1937 web:
<https://nam10.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.rmtowill.com%2F&data=04%7C01%7CKellyS%40rmtowill.com%7Cd0ff952f91b64fb13b1d08d9dd2c31d2%7C46ef694184084602b35bd49f6d30327b%7C0%7C0%7C637784004333233218%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C3000&data=2DplzZawTgbZkC%2BMN6QUbiGaYJq65CJY%2FLEoly2xNnM%3D&reserved=0>

-----Original Message-----

From: Paul Fasi <Paul.Fasi@co.maui.hi.us>
Sent: Friday, January 21, 2022 11:47 AM
To: Brian Takeda <BrianT@rmtowill.com>
Subject: Central Maui Landfill Entrance Improvements

CAUTION: External Email

Mr. Takeda,

The Planning Department has received your letter dated December 20, 2021 (see attached) regarding the above matter. Please be informed that the Department has no comment on this project and permitting acquisition as needed may resume.

Please keep this email for your records.

Sincerely,

Paul Fasi
Sr. Staff Planner

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

2024 North King Street
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Honolulu Hawaii 96819-3470
Telephone 808 842 1133
Fax 808 842 1937
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Construction Management

December 17, 2021

Ms. Michele Chouteau McLean, Director
County of Maui
Department of Planning
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793

Dear Ms. McLean:

**Permit Determination Request for Central Maui Landfill Entrance Facility Improvements
Pu'unene, Island of Maui, Hawai'i, Tax Map Key (TMK): (2) 3-8-003: 019
Department of Environmental Management Job Number 21-22/P-24**

The County of Maui, Department of Environmental Management (DEM), proposes to improve its facilities at the Central Maui Landfill (CML) consisting of the construction of a new roll-off bay, and widening a section of the entry roadway at the south boundary of the landfill.

The project area is approximately 0.32-acres within the approximately 180-acre County-owned property located at 8100 Pulehu Road, Pu'unene, Maui. The project identified as TMK: (2) 3-8-003: Parcel 019 is located on the north side of Pulehu Road between Kahului and Kula (see **Enclosure 1**). The purpose of the project is to provide more efficient use of the landfill and improve access and safety for users of the facility.

The DEM has preliminarily determined that the proposed project would have minimal to no significant effect on the environment and would qualify for exemption from the preparation of an environmental assessment pursuant to Hawai'i Revised Statutes, Chapter 343, Hawai'i's Environmental Impact Statement law. This is based on use of the following exemptions in the Exemption List for the County of Maui, reviewed and concurred to by the Environmental Council on January 10, 2007:

- Exemption List Class 3(d)7, 8, and 10:
 - Exemption List Class 3 - Construction and location of single, new small facilities or structures and the alteration and modification of same and installation of new, small equipment and facilities and the alteration and modification of same including, but not limited to:
 - (d) Water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, fences; and acquisition of utility easements.
 - 7. Essential utilities and new, small equipment, including, but not limited to, wastewater, systems, drainage systems, water systems, electrical systems, communication systems, and irrigation systems;

- 8. Recycling drop-off and redemption centers serving the surrounding residential community including, but not limited to, paving, fencing, containers for material, small equipment, and accessory or appurtenant structures used for storage and shelter, subject to general note #4; and
- 10. Minor street widening and improvements within existing or future County streets rights of way.

To ensure compliance with applicable regulations, the DEM requests the County of Maui, Department of Planning's determination to confirm if permits other than building and construction permits are required for the proposed project.

Project Background

The CML and the proposed project site are located within the State and County of Maui "Agricultural" Districts. The landfill has been in operation since 1987 through State Land Use Commission (SLUC) Special Permits (SP) Nos. SP86-359 (55 acres) and SP97-390 (70.5 acres) encompassing approximately 125.5 acres of the 180-acre County-owned Parcel 19.

SP86-359 granted by the SLUC on May 14, 1986, established the CML on approximately 55 acres consisting of a sanitary landfill, weigh station, and access road on TMK (2)3-8- 003: 18, 19, and 04 (por.). This first SP did not include any time limits. This SP was amended on December 1, 2005, to include the collection of special waste into marketable materials, such as biodiesel and compost on 10 acres of the 55 acres of Parcel 19.

In 1997, the SLUC granted approval of SP97-390 for a 29.340-acre expansion to the landfill on a portion of Parcel 4 and to operate the landfill on the site. This permit was valid for ten (10) years from the date of issuance of the Decision and Order on July 21, 1997, or until July 21, 2007. The first amendment to SP97-390 was granted by the SLUC on March 21, 2002, to construct and operate a new entrance facility and related improvements on 5.3 acres of the SP area.

On November 5, 2004, the SLUC approved a second amendment to SP97-390 for an addition to the landfill site plan of approximately 1.395 acres and a time extension to initiate construction. In 2008 the DEM filed the third request for amendment requesting a ten (10) year time extension, expanding the landfill site by 41.2 acres and transferring the permit from the Department of Public Works to DEM. The SLUC granted the amendment and extended the time limit ten (10) years or until October 31, 2018. The third amendment included Tax Map Key (2)3-8-003:020 (par.), and 021 (par.). A condition of approval requires the submittal of annual reports.

Pursuant to Title 19, Maui County Code, Section 19.30A.060 Special Uses, landfills are identified as a special use in the "Agricultural" District. The Maui Planning Commission on October 28, 2008, granted County Special Use Permit (CUP) No. 2008/003 for approximately 70.5 acres of the CML. The CUP is valid until October 31, 2028.

Project Description

The proposed project will include the following:

1. Roll-Off Bay Area Improvements (see **Enclosure 2 and 3**):

Ms. Michele Chouteau McLean, Director

December 17, 2021

Page 3 of 4

- Demolish a portion of the existing concrete wall where the new roll-off bay will connect to the existing roll-off bay area
- Temporarily remove the existing chain link fence located where the new roll-off bay will connect to the existing roll-off bay area and restore or replace it after the new roll bay is constructed
- Demolish and remove the existing concrete curb to the west of the new roll-off bay area
- Remove the existing fire hydrant
- Grade the site
- Install foundation slab at the new roll-off bay
- Install concrete pad at the new roll-off bay
- Construct new retaining wall with chain barrier at the new roll-off bay and new retaining wall along the east side of the new roll of bay
- Install new concrete wheel stops at the new roll-off bay
- Install new fire hydrant and curb guard
- Relocate existing guardhouse
- Relocate electrical handholes and conduit
- Relocate switch box and outlet
- Widen, pave with AC pavement, and regrade roadway to the east of the new roll-off bay
- Construct a new concrete header retaining wall along the eastern side of the roadway
- Provide striping for lane lines, pavement arrows, and stop bars

2. Entry Roadway Improvements (see **Enclosure 2 and 4**):

- Grade along both sides of the landfill entrance roadway at bend (grade inside bend along the west side of the roadway and outside bend along the east side of roadway)
- Remove existing light pole and demolish concrete pedestal along the inside bend of the existing roadway
- Install new light pole further west adjacent to the inside bend of the widened roadway
- Demolish and remove the existing guardrail along the east side of the outside bend of the existing roadway
- Install new AC pavement along the inside and outside bends where graded to widen the roadway
- Construct a new concrete header wall along the west side of the inside bend of the widened roadway
- Install a new guardrail along the east side of the outside bend of the widened roadway

Ms. Michele Chouteau McLean, Director
December 17, 2021
Page 4 of 4

- Stripe entrance roadway to provide three 11-foot-wide lanes before the bend and transition to four 11-foot-wide lanes at the bend; and stripe two 12-foot-wide crosswalks and stop bars.
- Install new signage and posts

Construction is expected to begin in the early 2022 timeframe, with project completion in approximately 10 months. The contractor will comply with all required health and safety regulations. Long-term benefits derived from this project are expected to include improved access and safety.

The DEM requests the County of Maui, Department of Planning's determination for any required permits for the proposed project.

If there are any questions, please contact the undersigned at (808) 842-1133 or by email at briant@rmtowill.com. Thank you for your assistance.

Sincerely,



Brian Takeda
Planning Project Manager

Enclosures

Enclosure 1, Project Location
Enclosure 2, General Site Plan
Enclosure 3, Roll-Off Bay Signing and Striping Plan
Enclosure 4, Entrance Roadway Signing and Striping Plan

c: Elaine Baker, County of Maui, Department of Environmental Management
Walter Chong, R. M. Towill Corporation