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OFFICE OF THE MAYOR
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793
April 8, 1997

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OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

Mr. Gary Gill, Director
State of Hawaii
Office of Environmental Quality Control
235 S. Beretania Street #702
Honolulu, Hawaii 96813

Subject: **Negative Declaration for Restoration of Old Lahaina Courthouse**
T.M.K. 4-6-01:9, Lahaina, Maui, Hawaii

Dear Mr. Gill:

Maui County has reviewed the comments received during the 30-day public comment period which began on January 23, 1997. The County has determined that this project will not have significant environmental effect and has issued a negative declaration. Please publish this notice in the next *Environmental Notice*.

We have enclosed a completed Bulletin Publication Form and four copies of the Final Environmental Assessment (EA). Most of the comments received on this project were on the Special Management Area Permit and Historic District Application. These letters have been answered, and, where necessary, changes have been made in the Final EA. In addition, your office commented directly on the Draft Environmental Assessment. The comments in your letter have been responded to by our consultant, Spencer Mason Architects, but their responses are summarized as follows: Comment 1 has been addressed by the inclusion of figures 1 and 2 (pages 3 & 4); comment 2 by adding to section 4.4 on the Special Management Area; comment 3 by adding to the project summary in section 1.2; comment 4 by adding to section 9; comment 5 by adding to section 3.3.6; and comment 6 by adding to section 8.

Please call Mr. Jeff Chang, at (808) 243-7217 if there are any questions.

Sincerely,


RICHARD H. HAAKE
Managing Director

cc: Jeff Chang, Dept. of Management
David Blane, Planning Director
Henry Oliva, Parks & Recreation Director
Spencer Mason Architects (consultant)

1997-04-23-MA-FEA-Lahaina
Courthouse Restoration

APR 23 1997
FILE COPY

Final
Environmental Assessment

Old Lahaina Courthouse

Prepared for the
County of Maui



March 1997

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ENVIRONMENTAL ASSESSMENT CHECKLIST
(§11-200-10)

Draft Env. Assess. _____ Negative Declaration X EIS Preparation Notice _____ NEPA _____

Document Title Restoration of the Old Lahaina Courthouse

- X 1. Identify the Applicant or Agency proposing the action.
 - X 2. Identify the Approving Agency.
 - X 3. Identify the Agencies consulted.
 - Y Was applicable county planning office notified of project?
 - Y Were any appropriate community groups notified?
 - Y Is the project in the Conservation District, Special Management Area, Shoreline Setback?
 - Y Has appropriate agency been contacted (concerning dual purpose EA)?
 - Y For Final EAs, were comment letters and responses included?
 - Y For Final EAs, were comments adequately addressed?
 - X 4. General description of the proposed action:
 - X Technical
 - X Economic (Proposed timing or phasing of project? Project cost? (State and County projects))
 - X Social (How does the project affect the community?)
 - X Environmental characteristics §11-200-12(b)(11)
Is the project located in an environmentally sensitive zone (floodplain, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water, coastal waters, archaeological/historic/cultural sites, natural resources)?
 - X 5. Summary description of the affected environment including:
 - X Site location map (U.S.G.S. Topographic map preferred)
 - X 6. Summary of the major impacts: §11-200-12(b)
 - X Short Term:
 - X Construction Impacts?
 - X Long Term:
 - Significant effect on water or air resources? (Contact DOH, CWB, CAB?)
 - Does project discuss noise, traffic, and visual impacts?
 - Was DLNR/SHPD contacted concerning archaeological and historic district/sites concerns?
 - Was a flora and fauna survey done to determine the presence of any rare, threatened, or endangered species or their habitat at the site? §11-200-12(b)(9).
 - X 7. Alternatives considered (if any).
 - X 8. Mitigation measures proposed (if any).
 - X 9. Agency letter of submittal (Draft EAs) or determination (Negative Declarations & EISPNS). Status of any other necessary approvals or permits?
 - X 10. Findings and reasons to support the determination.
 - N/A 11. Agencies to be consulted if an EIS is prepared.
- N/A If this EA concerns only a portion of the overall project, has a previous EA/EIS been filed?
 No Does project have a significant effect on environment? Re: Significance Criteria §11-200-12(b)

Revised: July 1, 1992

1 PROJECT OVERVIEW

1.1 Location, Existing Use, and Land Ownership

The County of Maui proposes to restore the Old Lahaina Courthouse, which is located in Lahaina at the makai side of a block bounded by Front Street, Canal Street, Wharf Street and Hotel Street (T.M.K. 4-6-01:9). Except for the Courthouse, the entire block serves primarily as a public park. See Figures 1, 2, and 3 for location maps.

The main entry elevation of the building faces Wharf Street, which is adjacent to the waterfront. On the mauka side of the building is a very large, picturesque Banyan tree that has spread to occupy most of the park. On the opposite side of Canal, Front and Hotel streets are a school, various retail buildings and the historic Lahaina Inn.

The land and building are owned by the State of Hawaii but were put under County of Maui control by Executive Order 16-2, issued on August 24, 1912. Under that Executive Order the County was authorized to use the building for "uses and purposes of the County." The current uses in the building include gallery space and offices for the Lahaina Art Society, offices for the Lahaina Town Action Committee, a Visitors' Center, a field office for the construction managers responsible for overseeing the current work on Front Street and vacant offices on a portion of the second floor.

Future use of the building is proposed to be museum/display space, offices and community meeting space. Specific occupants of the building after restoration have not been finalized.

1.2 Summary of Proposed Action

The two-story rectangular masonry building was first built in 1859 as a Court and Custom House. Major changes to the building occurred in 1925 when, among other changes, the makai and mauka entry porticos were added, the interior was entirely replaced and a new roof structure and mission tile roofing were installed. Since 1925 there have been relatively few changes to the building.

It is expected that the restoration project would begin in December 1997 and end in October 1998. The proposed project includes:

- Restoring the exterior and interior of the building to its c. 1925 appearance to the maximum extent possible.
- Structural improvements to increase its seismic resistance.
- All new electrical and plumbing systems.

- Installation of a new handicap ramp and elevator to make the first and second floors fully accessible.
- Revisions to the exterior grounds to remove parking from the front of the building and to improve landscaping.
- Refinishing all interior and exterior surfaces of the building.

1.3 Design Concept

The exterior of the building will be repaired and repainted. The choice of colors will be based on an analysis of existing paint samples. The existing asphalt shingle roofing will be replaced with a clay mission tile matching the pattern of the roofing installed in 1925. Jalousie windows and window air conditioning units will be removed. Doors and casement windows will be restored. The temporary wood wheelchair ramp on the makai side will be removed and a new ramp will be constructed on the mauka side of the building. Some of the limbs of the Banyan tree nearest to the building will be pruned to keep them from damaging the building.

Air conditioning and electrical equipment will be removed from the exterior of the building and placed inside the building in a small existing storage room.

The interior will be restored. An elevator will be added in one corner of the building, accessible from the central hall. New toilet rooms will be installed on the second floor and the original toilet rooms on the first floor will be renovated to allow for handicapped accessibility.

2 DESCRIPTION OF THE EXISTING ENVIRONMENT

2.1 Physical Environment

2.1.1 Existing Land Use Designations

The State land use classification of this site is Urban. The lot on which the Courthouse sits is zoned Historic District I by the County. The Community Plan Designation is Parks.

The Old Lahaina Courthouse is an historically significant building that is within the Lahaina Historic District which was registered as a National Historic Landmark in 1962.

The proposed project is essentially a repair project. The project involves no significant change of use nor will it add any floor area to the existing structure.

Figure 1 - Project Site Location Map - Island of Maui

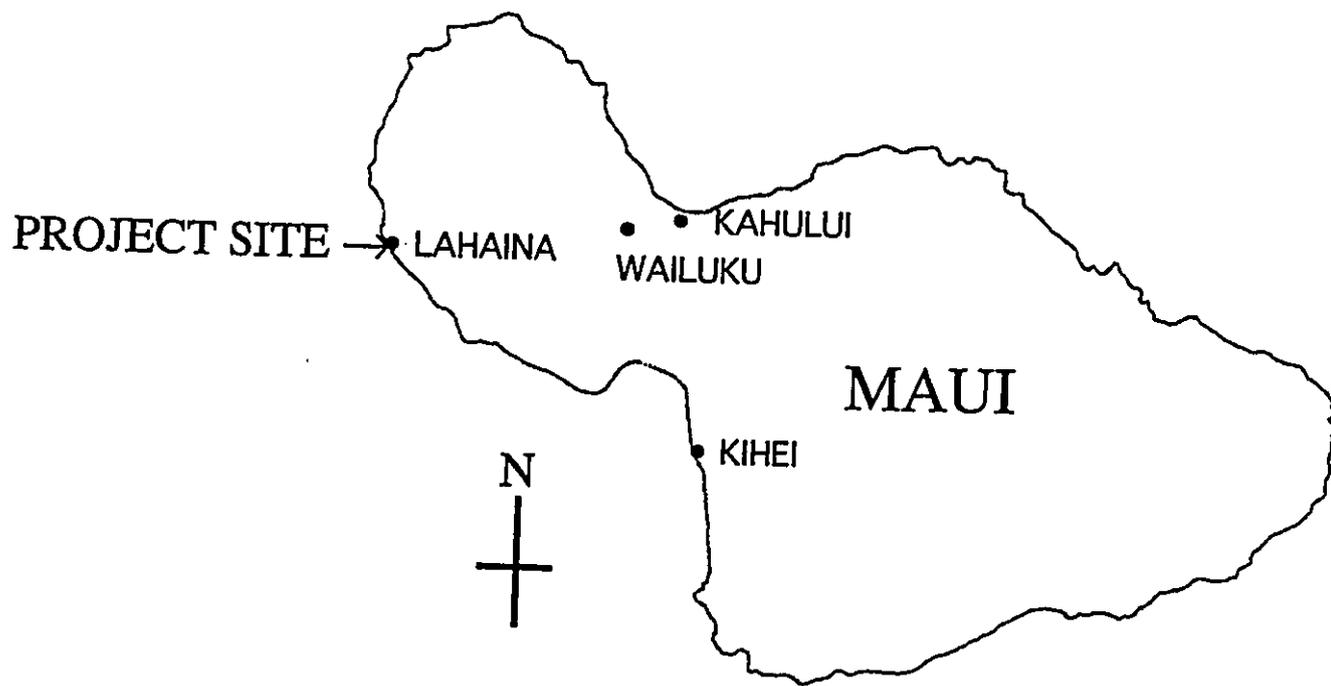
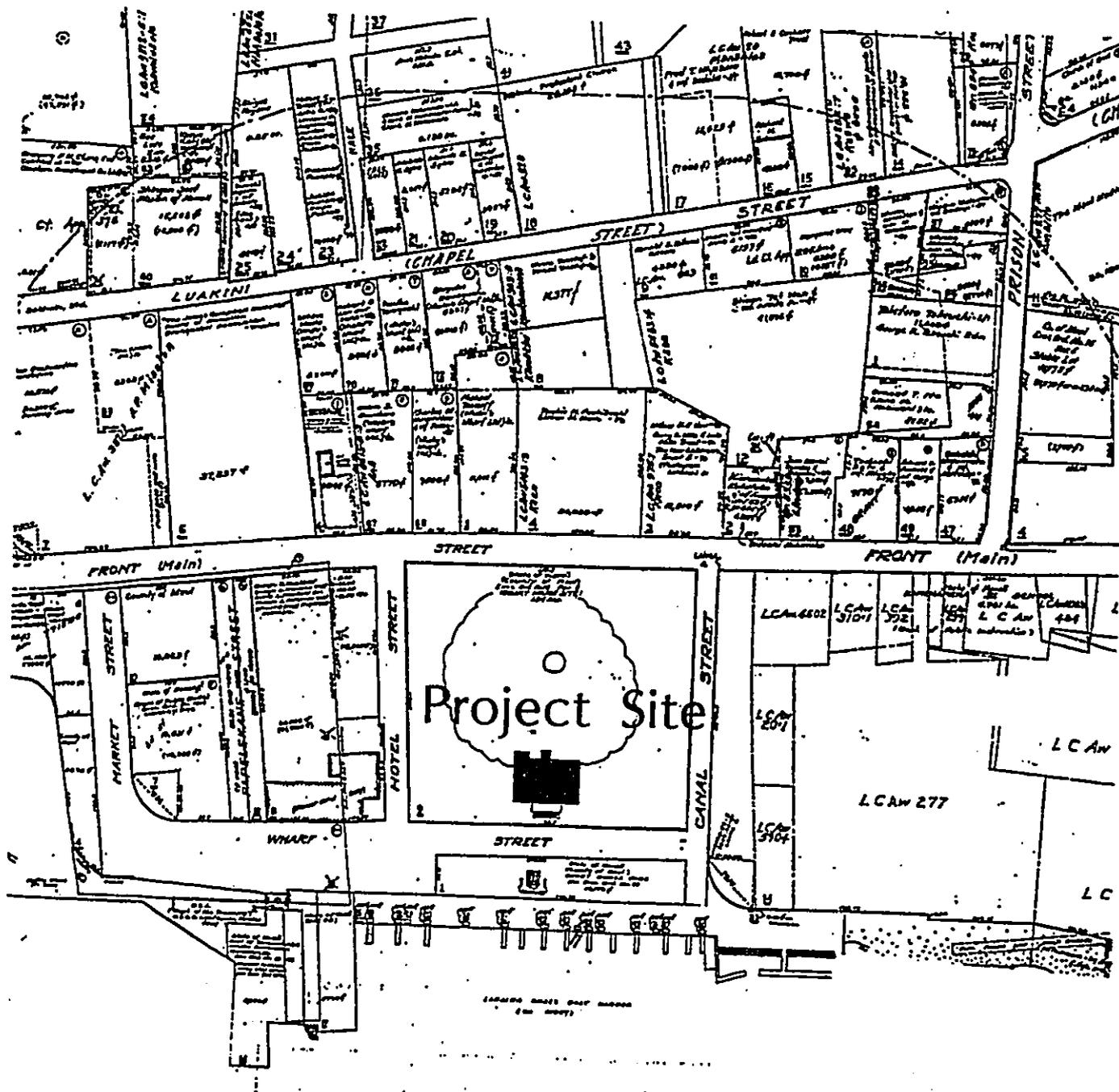


Figure 2 - Project Site Location Map - Lahaina Town Center



2.1.2 Existing Property Use and Surrounding Uses

The building is currently used as offices for community groups and as an art gallery. When it was first built the building contained a Custom House, Court Room, Post Office, Collector's Office and an office for the governor of the island. After the 1925 remodeling the building was used for a courtroom, judge's chambers, clerk of the court office, sheriff's office, tax office, post office, and water works office. Jail cells were also built in the basement at this time. This history of public agency office use continued in the building until very recently.

The bulk of the property is used for Banyan Tree Park, which surrounds the building on three sides. On the fourth (makai) side the building fronts Wharf Street and beyond that, the boat harbor.

The surrounding community is separated from the building by the park on the remaining sides. On the Kihei side the nearest use is a school. On the mauka side, the buildings on the opposite side of Front Street are predominantly retail commercial buildings. On the other side of Hotel Street is the historic Pioneer Inn with its hotel and restaurant uses. The nearest building (Pioneer Inn) is about 135 feet away from the Old Lahaina Courthouse.

2.1.3 Topography

The project area is generally flat, with a very gentle slope (less than 1%) from Front Street to Wharf Street. Water drains from the park site through sheet flow to wharf Street and the harbor beyond.

2.1.4 Flood and Tsunami Hazard

The proposed project site is located in Zone A4 on the FEMA Community Panel Map No. 150003 0163 B. This is an area within the 100-year flood plain with base flood elevations and flood hazard factors determined. The entire park area is also located in a tsunami inundation zone.

The basement of the Courthouse has experienced flooding in the past due to two sources. The first is rainfall coming down the stairs to the basement and flowing into the space when the pumps in the sumps at the base of the stairs are not working. Basement flooding also occurs when the ground water level is raised during times of extended rainfall. In these instances, the ground becomes saturated with water and water comes into the basement through the basement floor.

2.1.5 Archeological Resources

Archeological research has not been done for this project. The parcel that the Courthouse occupies was the site of the Old Fort and was used for agriculture in the pre-contact period. It is a certainty that sub-surface archeological remains exist at the park site.

2.1.6 Noise

No noise level measurements have been taken. However, because The Old Lahaina Courthouse is located in a park the ambient noise levels are relatively low.

2.1.7 Scenic and Open Space Resources

The neighborhood around the project site is dominated by the Banyan tree and park. The tree effectively screens the building from Front Street, which is the main pedestrian and vehicular thoroughfare in the area. The park also buffers the Old Lahaina Courthouse from neighboring buildings on the Kaanapali and Kihei sides. The nearest buildings surrounding the park are predominantly two-story structures of wood construction.

The fourth (makai) side opens onto Wharf Street, which is immediately adjacent to the harbor. The landscaping on the makai side of Wharf Street blocks some of the views to the harbor, but the harbor and the ocean are still quite visible from the Old Courthouse.

2.2 Public Services

2.2.1 Police and Fire Protection

Police protection for the building is provided by the Lahaina Police Station located at 1850 Honoapiilani Highway.

Fire protection for the building is provided by the Lahaina Fire Station located at 1860 Honoapiilani Highway. The fire department estimates the response time is a maximum of 3 minutes.

2.2.2 Solid Waste

There is no formal solid waste collection for the building. Individual tenants of the building dispose of solid waste in a variety of ways. Solid waste collection for the park is done under an out-source contract the Department of Parks has with a private vendor.

2.3 Infrastructure

2.3.1 Roadways

Vehicular traffic is relatively heavy on Front Street. The vehicle traffic on Hotel, Wharf and Canal Streets is relatively light. Tour buses regularly turn off of Front Street onto Hotel Street and stop across from the Courthouse on Wharf Street. They usually park there with their engines running while their passengers visit the park, Courthouse and the wharf. The Lahaina Town Task Force is making recommendations that would result in changing the traffic flow around the park so that vehicles would enter on Canal Street and go around the park in a clockwise direction. Under those proposals bus parking would be relocated to Hotel Street and angled parking installed on the makai side of Wharf Street where the buses now park.

The street intersections around this site are not signalized.

2.3.2 Parking

The makai edge of the park, including the recessed area in front of the Courthouse, currently allows for the parking of 13 vehicles. Two of those stalls are designated for handicapped parking. These two stalls, however, do not meet the requirements for handicapped parking. To provide for two handicapped parking stalls, one regular stall would need to be eliminated. Therefore, if there were no change in the basic parking configuration at that edge of the park, the total number of legal stalls would be 12.

It is proposed that the paved recess on the makai side of the Courthouse be eliminated. As indicated by Drawing P1 (see drawings section), one legal handicapped parking stall would be constructed in a recess to the Kihei side of the building. The straightened curb area in front of the courthouse would be a no parking zone, allowing for the unobstructed view and access to the Courthouse. The result of the proposed changes would be 7 parking stalls along the makai edge of the park, resulting in the net loss of five parking stalls in that area if there is no change to the current parking and traffic flow design. If the Lahaina town Task Force recommendations are accepted, there would be a net increase of 2 parking stalls in the area.

2.3.3 Pedestrian Circulation

The major pedestrian circulation path is also Front Street. Visitors to Lahaina often make the park a destination to walk through and view the tree. These visitors then often walk around or through the Courthouse to the harbor or to look at the "ruins" of the fort.

2.3.4 Wastewater

The sewer lateral runs behind the building towards Canal Street. It is assumed that it was installed in the 1940's and is likely to be a 4" or 6" diameter cast iron pipe. Other 1940's laterals have been found to have become severely deteriorated, therefore the lateral will be replaced with a 6" diameter PVC pipe.

2.3.5 Water

Water service is currently from a service lateral on Hotel Street. It is adequate for current building loads.

2.3.6 Other Utilities

Electrical power comes to the building via a 2-inch underground duct from Hotel Street. The building currently draws the maximum amount of power allowable through that duct. Service to the building will be increased, therefore replacement of the duct with a new 4" conduit will be required.

Telephone service to the building is also underground. A fifty pair cable currently serves the building which is considered adequate, so no changes are planned to this service.

2.4 **Economy**

The economic mainstay of the Lahaina area is tourism. It is also a center of sugar production for this part of Maui, with the Pioneer Mill and surrounding lands historically providing a strong agricultural component to the economy.

The history and physical characteristics of Lahaina Town have made it a destination for tourists from the neighboring Kaanapali Resort and across the island. The preservation of the character of Lahaina is a high priority for the residents and public agencies because the economy of the town depends on maintaining the elements that have made the town attractive to tourists.

3 **POTENTIAL EFFECTS AND MITIGATION MEASURES**

3.1 **Physical Environment**

3.1.1 Land Use Designations

No changes are proposed to any land use designations.

3.1.2 Property Use and Surrounding Use

The proposed uses for Old Lahaina Courthouse have not been specifically established at this time. It has been decided that the building will be used for functions that fall into the following categories: Museum, gallery, office, community meeting and visitors' center. These uses are similar to current and historic uses.

Since this project is primarily a restoration of an existing building, it is not anticipated to have an adverse effect on surrounding land uses and activities.

3.1.3 Topography

There are no changes to the existing topography proposed for this project.

3.1.4 Archeological Resources

Excavations in the park area will be required for the installation of new electrical, water and sewer service. The new conduits and pipes will be installed primarily in the same corridors that the existing lines are in. As a result, many of the excavations will be in already disturbed soil.

There will be some excavations for back-flow preventers, landscape sprinklers and secondary electrical lines that will fall outside these existing corridors. It will be required that an archeologist be present during all sub-surface excavations. In the event that any archeological resources or cultural remains are uncovered, work in that area shall be stopped. The State Historic Preservation Division, the Maui Burial Council, and the County of Maui will be contacted to determine what mitigation shall be accomplished by the contractor before the work can restart.

3.1.5 Noise and Air Quality

The effects of the project on noise and air quality will be limited to the construction period. Noise will be generated by the tools and equipment required for the construction. Since no heavy equipment or pile driving is required these effects should be minimal. It is not anticipated that noise will be troubling to Kamehameha III School or surrounding commercial activities due to the distance separating the Courthouse from those other buildings, but the Contractor shall be instructed to coordinate with the school to provide whatever protection required to minimize noise and dust effects on the school.

Dust will be generated by the movement of equipment around the building and by the removal of plaster and other building materials. Regular watering will help to reduce these emissions. In addition, the perimeter construction barrier will act to confine most of the dust to the immediate work area.

3.1.6 Scenic and Open Space Resources

It is proposed to prune those limbs of the Banyan tree which are encroaching so close to the building that they threaten to damage the walls and foundations. Periodic pruning of the canopy of the banyan tree will be required as long as the Old Lahaina Courthouse exists in order to keep the roof and roof gutters free of organic matter. This work will be performed by a reputable tree-surgery firm experienced in this type of work.

The park grounds immediately around the Courthouse will be improved with new landscaping, landscape sprinkler system, and sidewalks. Parking will be removed from the makai side of the building and that area will be landscaped. The landscaping will consist primarily of various indigenous ground covers and grass, all suitable for xeriscape landscaping.

The proposed rehabilitation work on the Old Lahaina Courthouse will conserve all historic materials in the building. This is a positive effect. The only significant change to the interior of the building will be the addition of an elevator to make the second floor handicapped accessible. This will be done with very little effect on the historic appearance of the building. Any changes to the building will be done in accordance with The Secretary of the Interior's Standards for Rehabilitation. As a result of one comment from the State Historic Preservation Division, the location of the elevator has been changed slightly to eliminate the obstruction of two windows.

The final result of the project will be the restoration of a valuable historic resource and improvements to an important landscape open space.

3.2 **Public Services**

3.2.1 Police and Fire Services

The need for police and fire protection services for the building will not change due to this project. The installation of fire sprinklers in the exit corridors will improve fire safety in the building.

3.2.2 Solid Waste

Solid waste will be generated by the construction work on the building, particularly when materials are removed during the selective demolition phase. The contractor shall dispose of all materials at the Construction and Demolition Landfill on North Kihei Road, near its intersection with Honoapiilani Highway.

There will be no additional solid waste generation during the operation of the building. A private collection service will be contracted to provide removal and disposal services for the building.

3.3 Infrastructure

3.3.1 Roadways

No circulation impact is anticipated as the same type of use is proposed as exists at present. A restored and more attractive building may result in some increase in visitor numbers but it is anticipated this would be primarily pedestrian traffic and that the increase would be minimal.

3.3.2 Parking

If Lahaina Town Task Force recommendations about the revisions of parking in the area around the park are adopted, the net increase of parking for the area will be 2 stalls. If the status quo of parking and traffic flow continues and the proposed improvements are made to the area in front of the building, a net decrease of 5 parking stalls would be the result.

This project proposes to eliminate parking in front of the Old Lahaina Courthouse to improve the appearance of the building and avoid damage to the structure. This reduction in parking can be effectively mitigated if the Lahaina Town Task Force recommendations about parking in the area are adopted.

3.3.3 Pedestrian Circulation

There should be no effect on pedestrian circulation after construction is complete. There will be some inconvenience to pedestrians who are trying to cut through the park to the wharf, since the sidewalks adjacent to the building will be blocked off during construction.

3.3.4 Wastewater and Water Use

There will be no increase in domestic water use in the completed building. The number of fixture units will be almost identical in the restored building as currently exist in the building. All new fixtures will be low flow, water conserving types.

It is not anticipated that this project will result in any increase in the wastewater historically produced by the building.

3.3.5 Other Utilities

It is anticipated that the electrical loads of the building will increase slightly due to the installation of a hydraulic elevator in the building.

3.3.6 Drainage and Flood Hazards

The flood hazards to the Courthouse can be remedied through the installation of workable sump pumps at the bases of the stairs and the installation of a sub-floor sump pump/relief drain to eliminate the hydrostatic pressure on the basement floor. In each of these cases fresh water will be collected and deposited in the landscape planters around the building. The amount of water collected will be minimal and should create no significant concentration of drainage. Drainage from the pumps and downspouts of the building will be dispersed in the planters.

During construction, the ground around the building will be disturbed because of trenching for utilities and for the new landscaping. Since the slope of the ground is very flat, construction-period runoff should not be significant. To further reduce the danger of any soil-laden runoff from the site, small retention berms will be constructed at the makai side of the site, near the Wharf Street curb, to create a settlement area for any silt. These shall be removed after completion of any excavations as landscaping ground covers and mulching are completed.

3.4 Economy

Preservation of the Old Lahaina Courthouse is important to maintaining the history of Lahaina itself. This project will also provide interpretive exhibits that will improve the visitor experience in Lahaina. These characteristics of the project will help to preserve and improve the economic mainstay of Lahaina: tourism.

The estimated construction cost of the project is \$1.1 million. It is further estimated that over 75% of this amount will be for labor hired locally and that about 15% of the total will be for materials produced in Hawaii (cement, aggregate, native woods). Therefore, at least 90% of the cost of the project will be recycled into the local economy in the form of labor and materials, which will provide a significant economic benefit to the construction industry.

4 RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES & CONTROLS

4.1 State Land Use Districts

Chapter 205, Hawaii Revised Statutes, relating to the Land Use Commission, establishes four major land use districts in which all lands in the State are placed. These districts are designated "Urban," "Rural," "Agricultural," and "Conservation." The subject parcel is within the "Urban" district. The proposed action involves continuing the existing use of the property as a public park and

for county office and related functions, both of which are consistent with the "Urban" district provisions.

4.2 Maui County General Plan

The Maui County General Plan (1990 Update) sets forth broad objectives and policies to help guide the long-range development of the County. As stated in the Maui County Charter:

The purpose of the General Plan is to recognize and state major problems and opportunities concerning the needs and the development of the County and the social, economic and environmental effects of such development and set forth the desired sequence, patterns and characteristics of future development.

The proposed action is in keeping with General Plan objectives and policies.

4.3 Zoning

The subject property is zoned Historic District No. 1 as codified in Chapter 19.50 of the Maui County code. Permitted uses include art galleries, museums, professional buildings and benevolent, philanthropic societies or functions. The proposed project conforms with the applicable zoning provisions.

4.4 Special Management Area Objectives and Policies

Pursuant to Chapter 205A, Hawaii Revised Statutes, and the Rules and Regulations of the Planning Commission of the County of Maui, projects located within the SMA are evaluated with respect to SMA objectives, policies and guidelines. This section addresses the project's relationship to applicable coastal zone management considerations, as set forth in Chapter 205A and the Rules and Regulations of the Planning Commission. The public hearing for the Special Management Area permit for this project is scheduled for May 5, 1997.

4.4.1 Recreational Resources

Objective: Provide coastal recreational resources accessible to the public.

Response: The proposed project will not effect coastal recreational resources. Access to shoreline areas will be unaffected by this project.

4.4.2 Historical/Cultural Resources

Objective: Protect, preserve and where desirable, restore those natural and man-made historic and prehistoric resources in the coastal zone

management areas that are significant in Hawaiian and American history and culture.

Response: Any archeological remains discovered during excavations on the site will be preserved and analyzed. Such efforts will be coordinated with the State Historic Preservation Division. If cultural remains are found, the work shall be stopped and the Maui Burial Council shall be immediately consulted.

The project will restore a significant historic building for future use and enjoyment of the public.

4.4.3 Scenic and Open Space Resources

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

Response: The proposed project will have no effect on coastal, scenic and open space resources.

4.4.4 Coastal Ecosystems

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

Response: The proposed project will have no effect on coastal ecosystems. See paragraph 3.3.6 for discussion of mitigation measures for any possible soil runoff.

4.4.5 Economic Uses

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

Response: The proposed project will preserve an important building in one of Hawaii's most important historic districts. With the addition of interpretive displays, the project will enhance the visitor experience.

4.4.6 Coastal Hazards

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

Response: The existing building is within a tsunami inundation zone. No change is proposed that would increase the risk to life and property

from tsunami flooding. Some changes proposed for the building will reduce the basement's risk of ground water flooding.

See paragraph 3.3.6 for discussion of mitigation measures for any possible soil runoff.

4.4.7 Managing Development

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

Response: This project is not really a development project. It is a project that preserves an existing development. Coordination with public groups has occurred throughout the planning for this project.

4.4.8 Public Participation

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

Response: Opportunities for agency and public review of the proposed project have been provided. Additional opportunities will be afforded through the SMA and other permitting processes.

4.4.9 Beach Protection

Objective: Protect beaches for public use and recreation.

Response: The proposed project has no effect on any beaches.

5 SUMMARY OF UNAVOIDABLE ADVERSE ENVIRONMENTAL EFFECTS

The proposed restoration of the Old Lahaina Courthouse will result in some construction-related effects as described in Chapter 3, Potential Impacts and Mitigation Measures.

Potential effects include dust generation during construction and exhaust emissions from construction equipment. There will be some additional noise effects, primarily during the excavations for new utilities.

In summary, the proposed project is not anticipated to create any long-term adverse environmental effects.

6 ALTERNATIVES TO THE PROPOSED ACTION

6.1 No-Project Alternative

If no work is done the building will continue to deteriorate resulting in a run-down appearance, increasingly unsafe and unusable condition and eventually the loss of a useful community facility and valuable historic resource.

6.2 Preferred Alternative

The preferred alternative is to proceed with the proposed project. The project will restore a valuable historic resource, preserving it for future generations. It will improve the visual environment through the refinishing of the building and the installation of new landscaping. It creates useful space for community meetings and public services. Finally, it will provide historical information, increasing the public awareness of the building and the site upon which it sits, thereby increasing educational opportunities for the public.

7 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed restoration of the Old Lahaina Courthouse would involve the commitment of fuel, labor, funding and material resources. Compared to new construction, restoration projects involve a proportionally higher commitment of labor and a proportionally lower commitment of other resources.

8 FINDINGS AND CONCLUSIONS

The proposed project involves the restoration of the Old Lahaina Courthouse, an 8,000 square-foot historic building in Lahaina, Maui. Since County and State lands and County funds are proposed to be utilized for the project, an Environmental Assessment has been prepared pursuant to Chapter 343, Hawaii Revised Statutes.

Based on the forgoing analysis, the proposed project will not have a significant effect on the environment. Therefore, preparation of an environmental impact statement is not required. The "Significance Criteria," Section 12 of Hawaii Administrative Rules Title 11, Chapter 200, "Environmental Impact Statement Rules," were reviewed and analyzed. Based on the analysis, the following were concluded:

1. *No irrevocable commitment to loss or destruction of any natural or cultural resource would result.*
Restoration of the Old Lahaina Courthouse would result in saving a cultural resource. In addition, continued use of the structure will save

natural resources by preserving existing materials used in the construction of the original building.

2. *The action would not curtail the range of beneficial uses of the environment.*
The use of a cultural resource would be increased due to the work proposed by this project.
3. *The proposed action does not conflict with the state's long term environmental policies or goals and guidelines.*
Chapter 344, Hawaii Revised Statutes, "State Environmental Policy" espouses two broad policies: conservation of natural resources and enhancement of the quality of life. The proposed project does not consume significant natural resources. It enhances the quality of life through the preservation of a significant historic resource, provision of a community meeting space and provisions for historic displays in the building itself.
4. *The economic or social welfare of the community or state would not be substantially affected.*
The only effects of this project under this heading will be positive. The project will provide jobs and will improve a significant tourist attraction. These are great benefits for the local economy. The project will also provide community meeting space for Lahaina activities, a contribution to the social welfare of the community.
5. *The proposed action does not substantially effect public health.*
As long as typical good construction practices are followed, no effect on public health is anticipated.
6. *No substantial secondary impacts, such as population changes or effects on public facilities, are anticipated.*
This project will have no effect on population. The project saves, and allows more effective use of, existing public facilities. This a positive effect on the community.
7. *No substantial degradation of environmental quality is anticipated.*
When the project is completed there will be no change to the environment. Standard mitigation measures taken during construction will reduce construction-period effects to the minimum.
8. *The proposed action does not involve a commitment to larger actions, nor would cumulative impacts result in considerable effects on the environment.*
The proposed project is self-contained. It preserves a building that has been in existence in its current form for over 70 years.

9. *No rare, threatened or endangered species or their habitats would be affected.*
The native habitat of the area of this building and, indeed of Lahaina Town itself, was drastically changed over 150 years ago. This project will make absolutely no further changes to the habitat.
10. *Air quality, water quality or ambient noise levels would not be detrimentally affected.*
The only effects of this project would be during the construction period. Minor increase in noise levels and exhaust emissions is expected, but shall be minimized through mitigation actions during the construction period.
11. *The project would not affect environmentally sensitive areas, such as flood plains, tsunami zones, erosion-prone areas, geologically hazardous lands, estuaries, fresh waters or coastal waters.*
No environmentally sensitive areas would be affected. Measures taken during the construction period will reduce to a minimum the potential for any silt-laden runoff into the harbor. Seismic risks are the same as for any older building. This project will strengthen the building to increase its seismic resistance, reducing the potential for hazardous effects on the building or its visitors and inhabitants in the case of a seismic event. Tsunami risks and the effect of this building on estuaries, fresh waters or coastal waters will be the same for the restored building as for the current condition of the building.

A Negative Declaration for the proposed Old Lahaina Courthouse project is recommended because the project will not have any significant adverse effects on the environment. The project will conserve an important community historic and functional resource. The project will have positive socio-economic effects by ensuring that the Courthouse continues to contribute to the Lahaina Historic District.

9 PARTIES CONSULTED DURING THE PREPARATION OF THE ENVIRONMENTAL ASSESSMENT

The project was developed through the work of the Old Lahaina Courthouse Task Force who presented their final report in December 1995. The report makes recommendations for the use, renovation, management and finance of the Courthouse. The Task Force included members from the following organizations and agencies as well as community residents:

Maui County Cultural Resources Commission
Lahaina Restoration Foundation

Lahaina Town Action Committee
Lahaina Arts Society
West Maui Executive Committee of the Chamber of Commerce
West Maui Taxpayers Association
County of Maui, Department of Parks and Recreation
County of Maui, Department of Finance
County of Maui, Department of Public Works and Waste Management
County of Maui, Office of Economic Development
County of Maui, Department of the Corporation Counsel
County of Maui, Department of Planning

The State of Hawaii, Department of Land and Natural Resources, State Historic Preservation Division (SHPD) was also consulted by the Task Force and again in October 1996 by the Architect. Further consultation between the Architect and the SHPD occurred in February 1997. In addition, the draft Historic Structures Report was presented to the Maui County Cultural Resources Commission, the Lahaina Town Task Force and the Maui County Arborist Committee in December 1996.

The Old Lahaina Courthouse Task Force took a community survey to determine how the Courthouse should be utilized. The results of the survey recommended five different uses to be installed in the building. These are listed below in order of overall preference:

1. Museum/Gift Gallery
2. Art Gallery
3. Visitor Center
4. Community Center (combination meeting room and classroom)
5. Office/Administrative Space

The proposed project will be capable of accommodating all these functions. Final users of the building have not been determined, but uses will conform to one of the five use groups outlined above.

The only comment letter specifically on the draft Environmental Assessment was from the Office of Environmental Quality Control. Other comment letters were on the Special Management Area Permit and/or the Historic District Application. Copies of the comment letters follow, along with the responses.

9.1 Comment Letters and Responses

Comment letters from the below-listed agencies and groups, arranged in alphabetical order, along with responses, are reproduced on the following pages.

County of Maui, Department of Fire Control
County of Maui, Department of Parks and Recreation
County of Maui, Department of Public Works and Waste Management
County of Maui, Police Department
Lahaina Restoration Foundation
State of Hawaii, Department of Accounting and General Services
State of Hawaii, Department of Education
State of Hawaii, Department of Health
State of Hawaii, Department of Land and Natural Resources (2 letters)
State of Hawaii, Office of Environmental Quality Control
State of Hawaii, Office of Hawaiian Affairs

10/1

LINDA CROCKETT LINGLE
MAYOR

'97 FEB 27 12:42



COUNTY OF MAUI
DEPARTMENT OF FIRE CONTROL
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 243-7561

RONALD P. DAVIS
CHIEF
HENRY A. LINDO, SR.
DEPUTY CHIEF

February 25, 1997

Ann T. Cua, Staff Planner
County of Maui, Planning Department
250 South High Street
Wailuku, Maui, Hawaii 96793

RE: SM1 970002, HDC 970002; TMK: 4-6-01:09;
Old Lahaina Courthouse

Dear Ms Cua,

The Department of Fire Control has no objections to the SM1
submitted by Richard Haake for the Old Lahaina Courthouse.

If you have any questions, contact me at extension 7566.

Sincerely,

Leonard F. Niemczyk
Leonard F. Niemczyk
Captain, FPB



April 2, 1997

Captain Leonard F. Niemczyk
County of Maui, Department of Fire Control
200 Dairy Road
Kahului, Maui, Hawaii 96732

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit and Historic District Application
(SM 1 970002 and HDC 970002)

Dear Captain Niemczyk:

Thank you for reviewing the application materials for this project. From your letter
of February 25, 1997, addressed to the County of Maui Planning Department, we
understand your department has no objections.

Sincerely,

Glenn E. Mason
Glenn E. Mason, AIA
Vice President

100 NORTH STREET
HONOLULU, HAWAII 96813
PHONE: 531-5500 FAX: 531-5500



DEPARTMENT OF
PARKS AND RECREATION
COUNTY OF MAUI

1580-C KAAHUMANU AVENUE
WAILUKU, HAWAII 96793

LINDA CROCKETT LINGLE
Mayor

HENRY OLIVA
Director

ALLEN SUISHIDO
Deputy Director

PLANNING & DEVELOPMENT DIVISION
(808) 243-7931

97 MAR -4 P1:57

M E M O R A N D U M

TO: David W. Blane, Planning Director

FROM: Henry Oliva, Director

DATE: March 3, 1997

SUBJECT: Old Lahaina Courthouse, SM1 970002
TMK: 4-6-001:009

We have reviewed the subject Special Management Area Permit application and offer the following comments for your consideration:

1. Specify the use of construction materials and finishes that have proven to be resistant to salt corrosion and to offer protection from ultra-violet sunlight in Hawaii's climate.
2. Continued pruning of the banyan tree canopy is necessary in order to keep rain gutters and the roof clear of organic matter that will cause building maintenance problems.

Should you have any questions, please contact me at 243-7626 or Gerald Unabia, Parks Project Manager at 243-7931.

HO:PTM:gu

c: Files

4/1/97 10:43

April 2, 1997

Mr. Henry Oliva, Director
County of Maui, Department of Parks and Recreation
1580-C Kaahumanu Avenue
Wailuku, Maui, Hawaii 96793

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit (SM 1 970002)

Dear Mr. Oliva:

Thank you for reviewing the application materials for this project. We have addressed the concerns expressed in your memo of March 3, 1997, directed to the County of Maui Planning Department.

1. Good architectural practice dictates use of materials resistant to salt corrosion and ultra-violet degradation. Such guidelines for the materials to be used in the future restoration construction documents (plans and specifications) are included in the *Old Lahaina Courthouse Historic Structure Report*.
2. A note about the need for periodic pruning of the banyan tree has been added to section 3.1.6 of the Final Environmental Assessment.

Thank you for your comments on this project. Please let me know if you require additional information.

Sincerely,

Glenn E. Mason, AIA
Vice President

100 SOUTH STREET
HONOLULU HAWAII 96813
P-432-200 FAX 243-2400

UNDA CROCKETT LINGLE
Mayor

CHARLES JENCKS
Director

DAVID C. GOODE
Deputy Director

AARON SHIMOTO, P.E.
Chief Staff Engineer



97 FEB 26 09:40

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

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

EASSIE MILLER, P.E.
Wastewater Reclamation Division

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

BRIAN HASHIRO, P.E.
Highways Division

Solid Waste Division

February 24, 1997

MEMO TO: DAVID W. JENCKS, DIRECTOR OF PLANNING

FROM: CHARLES JENCKS, DIRECTOR OF PUBLIC WORKS AND
WASTE MANAGEMENT

SUBJECT: SPECIAL-MANAGEMENT AREA PERMIT AND HISTORIC DISTRICT
COMMISSION APPLICATION
OLD LAHAINA COURTHOUSE
TMK:(2) 4-6-001:009
SM1-97/002 AND HDC-97/002

We reviewed the subject application and have the following comments.

1. We request that waste from the restoration and refinishing be disposed at the Construction and Demolition Landfill on North Kihui Road near its intersection with Honospilliant Highway.

If you have any questions, please call David Goode at 243-7845.

DG:co/mt
xc: Engineering Division
Solid Waste Division
Wastewater Reclamation Division
G:LUCAICZM\COURTHOU.WPD



April 2, 1997

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

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit and Historic District Application
(SM 1 970002 and HDC 970002)

Dear Mr. Jencks:

Thank you for reviewing the application materials for this project. We have addressed the concern expressed in your memo of February 24, 1997, directed to the County of Maui Planning Department.

1. In response to your suggestion, a note was added about the waste disposal location for the materials from the restoration project, in Section 3.2.2 of the Final Environmental Assessment.

Thank you for your comments on this project. Please let me know if you require additional information.

Sincerely,

Glenn E. Mason, AIA
Vice President

100 SOUTH STREET
HONOLULU HAWAII 96813
PHONE 535-5722 FAX 535-6626



POLICE DEPARTMENT

COUNTY OF MAUI
65 MAHALANI STREET
WAILUKU, HAWAII 96793
AREA CODE (808) 244-6400
FAX NO. (808) 244-4111

LINDA CROCKETT LINQUE FEB 12 P 2:11
MAYOR

OUR REFERENCE :
YOUR REFERENCE :

February 12, 1997

HOWARD H. TAGOMORI
CHIEF OF POLICE
THOMAS PHILLIPS
DEPUTY CHIEF OF POLICE



April 2, 1997

MEMORANDUM

TO : DIRECTOR, PLANNING DEPARTMENT
FROM : HOWARD H. TAGOMORI, CHIEF OF POLICE
SUBJECT : I.D. No.: SM1 970002, HDC 970002
TMK: 4-6-001:009
Project Name: Old Lahaina Courthouse
Applicant: Richard Baake, Managing Director,
County of Maui

No recommendation or special condition is necessary or desired.

Refer to attachment(s).

[Signature]
Assistant Chief Charles Hall
for: HOWARD H. TAGOMORI
Chief of Police

Howard H. Tagomori, Chief of Police
County of Maui, Police Department
55 Mahalani Street
Wailuku, Maui, Hawaii 96793

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit and Historic District Application
(SM 1 970002 and HDC 970002)

Dear Chief Tagomori:

Thank you for reviewing the application materials for this project. From your memorandum of February 12, 1997, addressed to the County of Maui Planning Department, we understand your department believes no recommendation or special conditions are necessary.

Sincerely,

[Signature]
Glenn E. Mason, AIA
Vice President

100 SOUTH STREET
HONOLULU, HAWAII 96813
(808) 524-2526 FAX 524-6062

Lahaina Restoration Foundation

P. O. Box 338 - Lahaina, HI 96767 MAR -6 P3 09
(808) 661-3262 - FAX 661-9309

Founded 1962

March 5, 1997

Mr. David W. Blane, Planning Director
Planning Department
250 S. High Street
Waikuku, HI 96793

RE: Spencer Mason December 1996 Report

Dear David:

My comments regarding the above mentioned report are based on being the chairperson of the Lahaina Courthouse Task Force (LCTF).

The LCTF recommended that a "Historical Structure Report (HSR) should be made for the period after the building's 1925 renovation." The "actual renovation should be in accordance with the HSR and the Licensed renovation architects plans for the suggested survey uses."

In the Spencer Mason Report, determination of the "specific occupants of the building after restoration have not been finalized." Yet the report suggests the installation of an elevator and two handicapped accessible toilets on both the main and second floors. Handicapped accessibility should be governed by how the building is occupied. Handicapped accessible toilets may not be required by how the building is occupied. For now, the building should be restored as recommended by the LCTF.

The LCTF was concerned about how to fit the recommended uses of the building and still meet building codes without harming the historical integrity of the building. With this in mind, the LCTF recommended that "consideration be given towards increasing toilet facilities in the area." But not within courthouse. The committee recommended locating "this facility near the seawall next to the present harbor toilets." Meanwhile, the Mayor and Council have already appropriated money to build a separate Visitor Center/Toilet facility as a result of the LCTF recommendation.

Therefore, installing two sets of handicapped accessible toilet rooms within the Courthouse is contrary to the LCTF recommendation.

The LCTF was also concerned about how to install a second fire exit to the second floor without harming the historical integrity of the building. I cannot find where the Spencer Mason report addresses this concern. The LCTF had informally discussed (but did not recommend) installing a metal, spiral slide on the mauka side of the building.

With the exception of the concerns listed above, the renovation listed under Project Overview of the Spencer Mason December 1996 report appears to be in accordance with recommendations of the LCTF.

Me ka ha'aha'a,



G. W. Freeland, Chairman
Lahaina Courthouse Task Force



April 2, 1997

Mr. G. W. Freeland
Chairman, Lahaina Courthouse Task Force
Lahaina Restoration Foundation
P.O. Box 338
Lahaina, Hawaii 96761

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit and Historic District Application
(SM 1 970002 and HDC 970002)

Dear Mr. Freeland:

Thank you for reviewing the application materials for this project. We have addressed the concerns expressed in your letter of March 5, 1997, directed to the County of Maui Planning Department, as follows:

The Historic Structures Report, the SMA and EA for the Old Lahaina Courthouse could not address specific occupants of the building because they have not been finally determined. For example, although a museum use is one of the most preferred uses, no operator has been found to put this together. The renovation of the building shall allow for the installation of any or all of the task-force recommended uses in the restored Old Lahaina Courthouse.

Most of the functions proposed by the Lahaina Courthouse Task Force are classified as public or public-access functions. The current Executive Order under which the County was given control of the property mandates its use by the County for public purposes. These functions are required to be made accessible, wherever practical, by the Americans for Disabilities Act.

Our review of this project with the State Commission on Persons with Disabilities and the State Historic Preservation Division resulted in the decision that, because the building was to have a public use and because it was practical to make the building accessible without significantly affecting its historic fabric, the elevator must be installed.

Handicapped accessible toilets are required for the same reason that the elevator is required. The first-floor toilets are being installed in spaces that have historically been toilets, with modifications to make them accessible. The second-floor

150 SOUTH STREET
HONOLULU, HAWAII 96813
PHONE 531-1400 FAX 531-1401

page 2 of 2
EA/SMA - Response to Lahaina Courthouse Task Force comments
2 April 1997

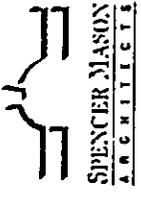
toilets are new and are being installed in anticipation of expanded uses in the building. If the second-floor courtroom is used as a public meeting space, the first-floor toilet rooms will be inadequate to handle the load. The toilet rooms in the Old Lahaina Courthouse are not intended to replace those restrooms being proposed for a separate Visitor Center/Toilet facility. They are intended only to serve the inhabitants and users of the public spaces within the Courthouse.

The lack of a second exit stair is a fire life safety issue, so improving fire safety is an important part of this project. One of the possible solutions was to add a stair to the building. Adding one outside the building would have a significant negative affect on the historic integrity of the building. The addition of another interior stair would have taken about 50% more floor area away from the building than the elevator took. To avoid the necessity of adding another stair to the building, all corridors and the stair (all exit paths) will be completely fire sprinkled. This is an acceptable means of satisfying the safety requirements for exiting and will be comparatively unobtrusive.

Thank you for your comments on this project. Please let me know if you require additional information.

Sincerely,


Glenn E. Mason, AIA
Vice President



SM CALLEJO
SURVEYING
CONSULTANTS



STATE OF HAWAII
DEPARTMENT OF ACCOUNTING
AND GENERAL SERVICES
SURVEYORS
PO BOX 119
HONOLULU, HAWAII 96810

97 FEB 11 12:04

TEL: 535-2500

April 2, 1997

February 7, 1997

Mr. Randall M. Hashimoto
State Land Surveyor
State of Hawaii
Department of Accounting and General Services
Survey Division
P.O. Box 119
Honolulu, Hawaii 96810

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit and Historic District Application
(SM 1 970002 and HDC 970002)

MEMORANDUM

TO: Mr. David W. Blane, Planning Director
Maui County Planning Department

ATTN: Ms. Ann T. Cua, Staff Planner

FROM: Randall M. Hashimoto, State Land Surveyor

SUBJECT: I.D. No.: SM 970002, HDC 970002
TKK: 4-6-001:009
Project Name: Old Lahaina Courthouse
Applicant: Richard Haake, Managing Director,
County of Maui

Dear Mr. Hashimoto:

Thank you for reviewing the application materials for this project and for your memorandum of February 7, 1997, addressed to the County of Maui Planning Department. We understand that Government Survey Triangulation Stations and Benchmarks are not affected, and that your department has no objections to the proposed project.

REMARKS:

The subject proposal has been reviewed and confirmed that no Government Survey Triangulation Stations and Benchmarks are affected. Survey has no objections to the proposed project.

Sincerely,

Glenn E. Mason, AIA
Vice President

Randall M. Hashimoto
RANDALL M. HASHIMOTO
State Land Surveyor

ICE SMITH STELLI
HONOLULU, HAWAII 96810
(808) 535-2500 FAX 535-2504

JOHN WAINIKE
GOVERNOR

12/10

97 FEB 19 11:02



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P. O. BOX 2146
HONOLULU, HAWAII 96804

REYNOLDS & ALLEN, P.C.
ATTORNEYS AT LAW

OFFICE OF THE SUPERINTENDENT

February 12, 1997

Mr. David W. Blane
Planning Director
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Blane:

Subject: Old Lahaina Courthouse SMA permit
TMK 4-6-001:009

The Department of Education requests that during the restoration, appropriate measures be taken to minimize noise and dust impacts on King Kamehameha III School.

Thank you for the opportunity to comment.

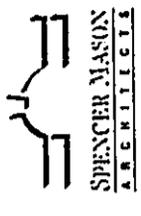
Sincerely,

Herman M. Aizawa
Herman M. Aizawa, Ph.D.
Superintendent

HMA:hy

cc: A. Suga, OBS
R. Mutakami, NIDO

AN AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY EMPLOYER



April 2, 1997

Dr. Herman Aizawa, Superintendent
State of Hawaii, Department of Education
P.O. Box 2360
Honolulu, Hawaii 96804

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Area Permit Application
(SM 1 970002)

Dear Dr. Aizawa:

Thank you for reviewing the application materials for this project. We have addressed the concern regarding construction-period impacts of dust and noise on King Kamehameha III school, expressed in your letter of February 12, 1997 which was directed to the County of Maui Planning Department.

In section 3.1.5 of the Final Environmental Assessment a note has been added that "the Contractor shall be instructed to coordinate with the school to provide whatever protection will be required to minimize noise and dust effects on the school."

Thank you for your comment letter on this project. Please let me know if you require additional information.

Sincerely,

Glenn E. Mason
Glenn E. Mason, AIA
Vice President

REYNOLDS & ALLEN
ATTORNEYS AT LAW
HONOLULU, HAWAII 96804
P.O. BOX 2360
HONOLULU, HAWAII 96804

112911

RECEIVED
OFFICE

'97 FEB 13 12:12



STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI/DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, MAUI, HAWAII 96793

LAWRENCE MARK
DIRECTOR OF HEALTH
DISTRICT HEALTH OFFICE

February 12, 1997

Mr. David W. Blane
Director
Planning Department
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Blane:

Subject: Old Lahaina Courthouse
SM 1 970002 and HDC 970002
TMK: (2)4-6-01:09

Thank you for the opportunity to review and comment on the application. We have no comments to offer at this time.

Should you have any questions, please call me at 984-8230.

Sincerely,

HERBERT S. MATSUBAYASHI
District Environmental Health Program Chief



April 2, 1997

Mr. Herbert S. Matsubayashi
District Environmental Health Program Chief
Maui District Health Office
State of Hawaii, Department of Health
54 High Street
Wailuku, Maui, Hawaii 96793

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit and Historic District Application
(SM 1 970002 and HDC 970002)

Dear Mr. Matsubayashi:

Thank you for reviewing the application materials for this project and for your letter of February 12, 1997, addressed to the County of Maui Planning Department. We understand that your office has no comments on the proposed project at this time.

Sincerely,

Glenn E. Mason, AIA
Vice President

120 SOUTH STREET
HONOLULU, HAWAII 96813
PHONE: 535-2500 FAX: 535-2504

168



97 APR 10 11:18

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P.O. BOX 521
HONOLULU, HAWAII 96809

MAR 5 1997

Ref.:LD-PEM

Honorable David W. Blane
Planning Director
County of Maui
Planning Department
250 S. High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Blane:

SUBJECT: Request for Comments - Application for Special Management Area Permit - Old Lahaia Courthouse, Lahaia, Maui, Tex. Map Key: 4-6-01-9

We have reviewed the Report and Recommendation to the Application for Special Management Area Permit for the Old Lahaia Courthouse, and would like to offer the following comments:
Land Division - Planning and Technical Services

The subject lands are not in the Conservation District.
Land Division - Maui District Land Office

The Old Lahaia Courthouse Building is State owned and is currently under Executive Order No. 16-2 with the County of Maui for "public purposes, to wit, for the uses and purposes of the County of Maui." Chapter 171-11, Public purposes, lands set aside by the governor, management, of the Hawaii Revised Statutes states in part that "such department, agency of the State, the city and county, county of other political subdivision of the State in managing such lands shall be authorized to exercise all of the powers vested in the board in regard to such issuance of leases, easements, licenses, covering such lands for such use as may be consistent with the purposes for which the land were set aside on the same terms, conditions, and restrictions applicable to the disposition of public lands, as provided by this chapter all such dispositions being subject to the prior approval of the board....". Therefore, any uses other than for public purposes of the County of Maui itself, will require prior approval from the Board of Land and Natural Resources. The County of Maui has previously been notified of this requirement and that a negative declaration must be obtained for these additional uses.

The Old Lahaia Courthouse has been in a deteriorating condition for awhile and would welcome any proposed renovations to it. Accordingly, we do not have any objections to the issuance of the Special Management Area Use Permit for the proposed renovations to the Old Lahaia Courthouse Building.

MICHAEL D. WILSON
Chairman
BOARD OF LAND AND NATURAL RESOURCES

IN PART
CAREER'S COLLEGE/ALAN

AGRICULTURE DEVELOPMENT
FORESTRY
ADULT EDUCATION
BOATING AND OCEAN RECREATION
CHILDREN AND YOUTH SERVICES
COMMUNITY DEVELOPMENT
COUNSELING AND MENTAL HEALTH
HISTORIC PRESERVATION
LAND DIVISION
LIFE SCIENCES
WATER RESOURCES MANAGEMENT

File No. PM-96-042

Hon. David W. Blane
Page 2

Thank you for the opportunity to review and provide comments for the Application for Special Management Area Permit for the subject project. Should you have any questions, please contact Patsi Miyashiro of our Honolulu Land Division Office at (808) 587-0430.

HAWAII: Earth's Best!

Aloha,

MICHAEL D. WILSON

c: Maui Land Board Member

1682

REGULATORY DIVISION
GOVERNOR'S OFFICE

97 APR 10 11:18



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P.O. BOX 521
HONOLULU, HAWAII 96809

MAR 7 1997

MICHAEL D. WILSON
VICE PRESIDENT
BOARD OF LAND AND NATURAL RESOURCES
OFFICE OF
GABRIEL S. COLCAGLIARONA
HONOLULU DEVELOPMENT
PROGRAM
ADULTIC RESOURCES
BOATING AND SOILS RECONSTRUCTION
CONSTRUCTION AND
CONSTRUCTION TO PREVENT
FORESTRY AND WILDLIFE
LAND USE AND DEVELOPMENT
LAND USE AND DEVELOPMENT
WATER RESOURCES MANAGEMENT

Ref.: LD-PEM

Honorable David W. Blane
Planning Director
County of Maui
Planning Department
250 S. High Street
Wailuku, Maui, Hawaii 96793

File No. PM-96-042

Dear Mr. Blane:

SUBJECT: Request for Comments - Application for Special Management Area Permit - Old Lahaina Courthouse, Lahaina, Maui, Tax Map Key: 4-6-01-9

We have reviewed the Report and Recommendation to the Application for Special Management Area Permit for the Old Lahaina Courthouse, and would like to offer the following comments:
Land Division - Engineering Branch

We would like to add the following to Section 2.1.4 Flood and Tsunami Hazard:

The proposed project site is located in Zone A4 on the FEMA Community Panel Map No. 150003 0163 B. This is an area within the 100-year flood plain with base flood elevations and flood hazard factors determined.

Thank you for the opportunity to review and provide comments for the Application for Special Management Area Permit for the subject project. Should you have any questions, please contact Patti Miyashiro of our Honolulu Land Division Office at (808) 587-0430.

HAWAII: Earth's Best!

Aloha,

Michael D. Wilson
MICHAEL D. WILSON

cc: Maui Land Board Member
Maui District Land Office



SPENCER MASON
ARCHITECTS

April 2, 1997

Mr. Michael D. Wilson
State of Hawaii
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Area Permit Application (SM 1 970002)

Dear Mr. Wilson:

Thank you for reviewing the application materials for this project. We have addressed the concerns expressed in your letters of March 5, and of March 7, 1997 (File No. PM-96-042 on both), which were directed to the County of Maui Planning Department.

Thank you for the information from the Land Division - Planning and Technical Services section. We are happy to acknowledge that the Land Division - Maui District Land Office welcomes the proposed renovations to the Old Lahaina Courthouse.

The Land Division - Maui District Land Office commented on the use of the building for other than public purposes and the requirement that the County of Maui obtain approval from the Board of Land and Natural Resources for such uses. The County of Maui will be applying to the Board for this approval before the end of April 1997.

The Land Division - Engineering Branch requested the addition of information in Section 2.1.4 Flood and Tsunami Hazard. We have inserted the sentences as requested.

Thank you for your comments on this project. Please let me know if you require additional information.

Sincerely,
Glenn E. Mason
Glenn E. Mason, AIA
Vice President

101 SOUTH STREET
HONOLULU, HAWAII 96813
(808) 525-2525 FAX 261234

BENJAMIN J. CAVETIANO
Governor



STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
218 SOUTH SERTIAMA STREET
SUITE 102
HONOLULU, HAWAII 96813
TELEPHONE (808) 587-4188
FACSIMILE (808) 587-4188

GARY GILL
DIRECTOR

Richard Haake
February 3, 1997
Page 2

February 3, 1997

Richard Haake, Managing Director
County of Maui
200 South High Street
Wailuku, HI 96793

Attn: Jeff Chang

Dear Mr. Haake:

Subject: Draft Environmental Assessment (EA) for Old Lahaina Courthouse
Renovation, Lahaina; TMK: 4-6-1: 9

Please include the following in the final EA:

1. A map of the island and a map of the area, each showing the project location.
2. The status of Special Management Area and Shoreline Setback Variance permits, if applicable.
3. The projected start and end dates of this project.
4. Consult with the State Historic Preservation Division of the Department of Land & Natural Resources, if not previously contacted, and the Historic Hawaii Foundation. Document your contacts in the final EA.
5. A discussion of any mitigation measures planned to prevent construction runoff into the harbor.

6. A discussion of findings and reasons, according to the significance criteria listed in HRS Title 11-200-12, that support the anticipated Finding of No Significant Impact (FONSI) determination. You may use the enclosed sample as a guideline.

If you have any questions, please call Nancy Heinrich at 586-4185.

Sincerely,

GARY GILL
Director

cc: Glenn Mason



2 April 1997

Mr. Gary Gill, Director
State of Hawaii
Office of Environmental Quality Control
235 S. Beretania Street #702
Honolulu, HI 96813

Subject: Environmental Assessment for Restoration of Old Lahaina Courthouse;
(T.M.K. 4-6-01; 9) Lahaina, Maui, Hawaii

Dear Mr. Gill:

Thank you for your comment letter of February 3, 1997 on the draft Environmental Assessment (EA) for the above-referenced project. The only comments directed specifically to the draft EA were those from your office. These comments have been addressed by adding text and figures to the Final EA.

Comment 1 has been addressed by the inclusion of two new figures (pages 3 & 4); the previous figure 1 has become figure 3 in the Final EA.

To respond to comment 2, the date of the public hearing on the Special Management Area (SMA) permit for this project was added to the discussion on page 14. No Shoreline Setback Variance permit is required for this project.

Regarding comment 3, the anticipated start and end dates of the project have been added on page 1.

Concerning comment 4, consultation with the State Historic Preservation Division has been undertaken. The discussion of this consultation has been added to section 9. A copy of our detailed Historic Structures Report and a copy of the EA were sent to Historic Hawaii Foundation on February 5, 1997. No comments were received from Historic Hawaii.

We have responded to comment 5 by adding to section 3.3.6 on Drainage and Flood Hazards.

We have added extensively to Section 8 to address comment 6. Thank you for providing the sample.

Other agencies and groups have commented on the Special Management Area Permit and Historic District Application for this project. These comment letters and our responses are included in the Final Environmental Assessment. The response letters indicate where changes have been made to the Final EA document, if required by the comments.

Please call me, at 536-3636, if there are any questions.

Sincerely,

Glenn E. Mason AIA
Vice-President

cc: Maui County

100 SOUTH STREET
HONOLULU HAWAII 96813
(808) 525-2225 FAX 525-2229

97 FEB 24 17:41



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 800

HONOLULU, HAWAII 96813-5249

PHONE (808) 584-1888

FAX (808) 584-1885

February 13, 1997

Ms. Ann Cua, Staff Planner
Planning Department
County of Maui
250 South High Street
Wailuku, Maui, HI 96793

Dear Ms. Cua:

Thank you for the opportunity to review the Draft Environmental Assessment (DEA) and Special Management Area Permit Application for the Old Lahaina Courthouse, Island of Maui. The County of Maui proposes to restore the Old Lahaina Courthouse and the restoration measures include new electrical and plumbing systems, interior and exterior building renovations, and improved ground maintenance and landscaping.

The Office of Hawaiian Affairs has no objections at this time to the proposed restoration project. Based on the information contained in the DEA, the proposed restoration measures bear no significant long-term adverse impacts on adjacent community or recreational areas. Furthermore, no known archaeological remains exist and the proposed restorations will neither significantly impact scenic resources nor air quality or noise level. But in the event that cultural remains are found during the restoration process, OHA strongly urges the County to cease work and seek immediate consultation with the Maui Burial Council. Please contact Lynn Lee, Acting Officer of the Land and Natural Resources Division, or Luis Manrique, should you have any questions on this matter.

Sincerely yours,

Martha Ross
Deputy Administrator

LM:lm



SPENCER MASON
ARCHITECTS

April 2, 1997

Ms. Martha Ross, Deputy Administrator
State of Hawaii, Office of Hawaiian Affairs
711 Kapi'olani Boulevard, Suite 500
Honolulu, Hawaii 96813-1888

Re: Old Lahaina Courthouse, T.M.K. 4-6-01: 09
Special Management Permit Application

Dear Ms. Ross:

Thank you for reviewing the application materials for this project. We have addressed the concerns expressed in your letter of February 13, 1997, directed to the County of Maui Planning Department.

We are pleased to note that the Office of Hawaiian Affairs has no objections at this time to the proposed restoration project. In sections 3.1.4 and 4.4.2 of the Final Environmental Assessment wording been added regarding contacting the Maui Burial Council if remains are found.

Thank you for your comments on this project. Please let me know if you require additional information.

Sincerely,

Glenn E. Mason, AIA
Vice President

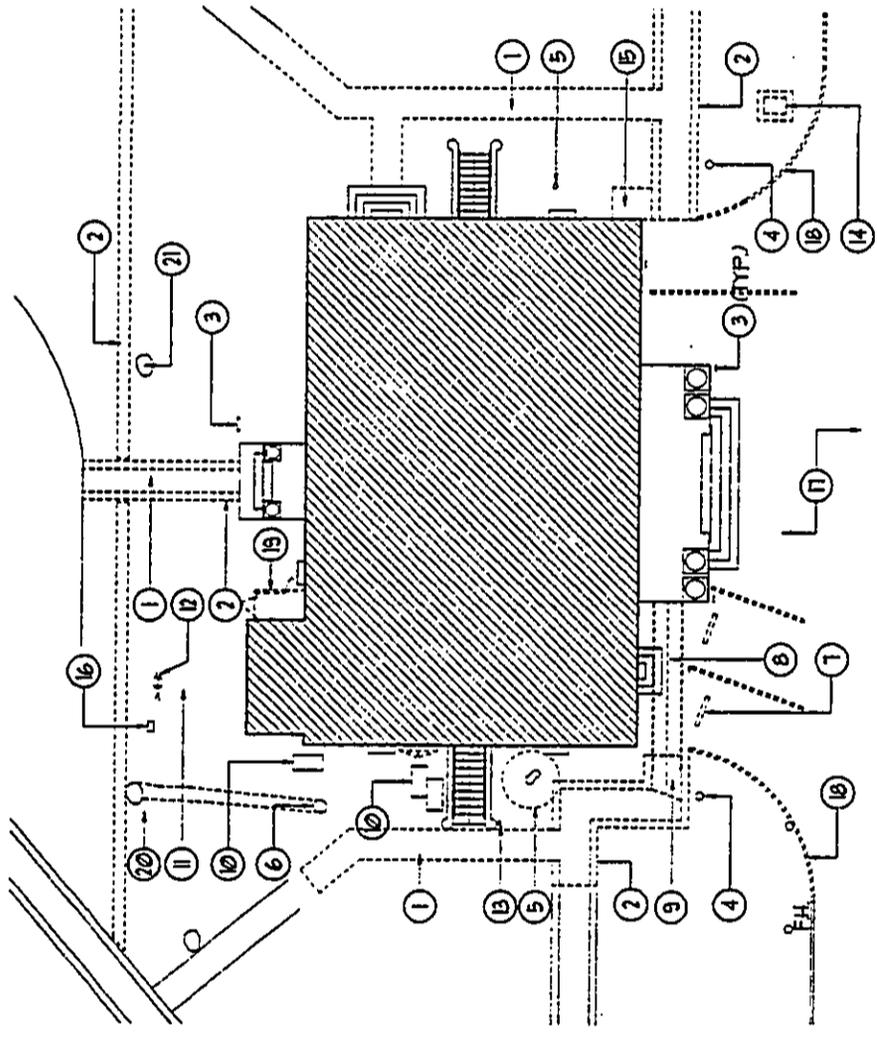
1674 SOUTH STREET
HONOLULU, HAWAII 96813
PHONE (808) 584-1888

APPENDIX A

Plans and Elevations

**RESTORATION OF THE
OLD LAHAINA COURTHOUSE**

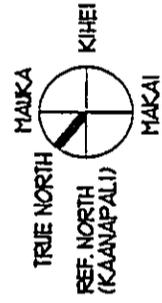
- ① DEMOLISH EXST. CONC. WALKWAY AS INDICATED IN DASHED LINE.
- ② REMOVE EXST. 12" SQ. PAVERS
- ③ REMOVE EXST. SIGNAGE (6 TOTAL)
- ④ EXST. LIGHT POLE
- ⑤ REMOVE EXST. TREE
- ⑥ REMOVE EXST. BANYAN TREE BRANCH ROOT
- ⑦ REMOVE EXST. CAR BUMPER
- ⑧ DEMOLISH EXST. WOOD HANDICAP RAMP
- ⑨ DEMOLISH EXST. CONC. RAMP
- ⑩ EXST. ELEC. BOX
- ⑪ EXST. CLEAN OUT
- ⑫ REMOVE EXST. BACKFLOW PREVENTOR
- ⑬ REMOVE EXST. WOOD POST W/ LIGHT FIXT. MOUNTED
- ⑭ DISMANTLE 4 SALVAGE EXST. PLAQUE
- ⑮ REMOVE EXST. CONC. SLAB
- ⑯ EXST. IRRIGATION VALVE SHUT-OFF PANEL
- ⑰ EXST. ASPHALT
- ⑱ DEMOLISH EXST. CURB AS INDICATED IN DASHED LINE.
- ⑲ REMOVE EXST. COMPRESSOR AND DEMOLISH EXST. ENCLOSURE
- ⑳ SAW-CUT 4 REMOVE BRANCH ABOVE
- ㉑ EXST. TREE ROOT



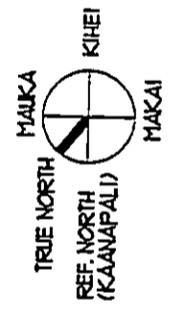
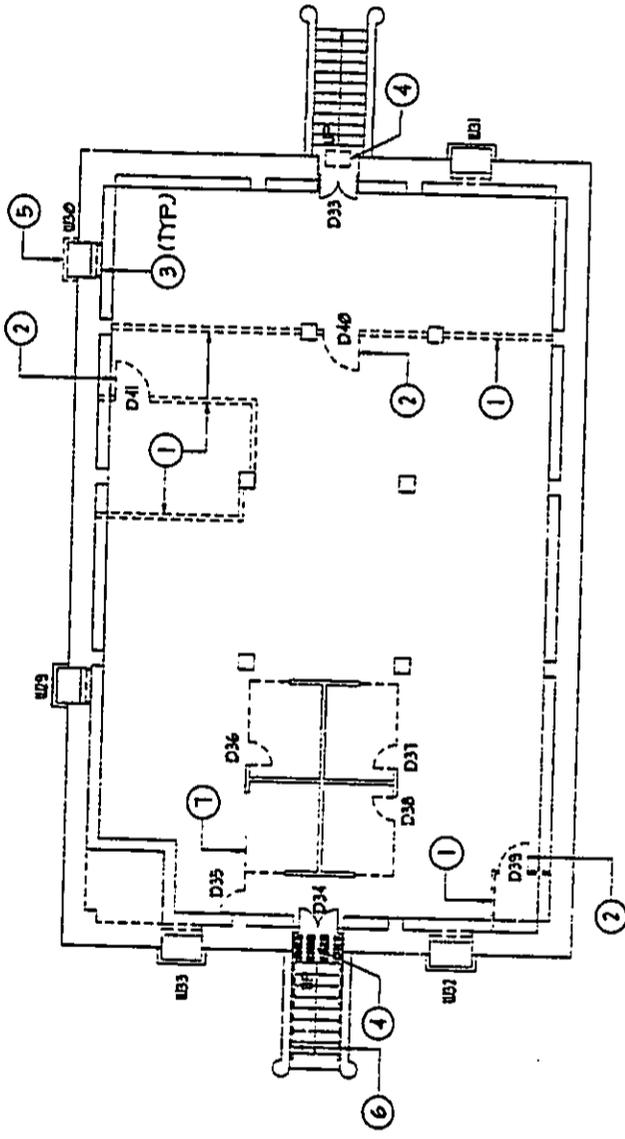
OLD LAHAINA COURTHOUSE

Date: December 1996

Drawing E1: EXISTING SITE PLAN



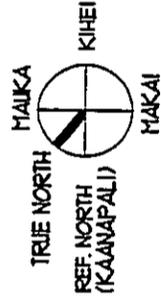
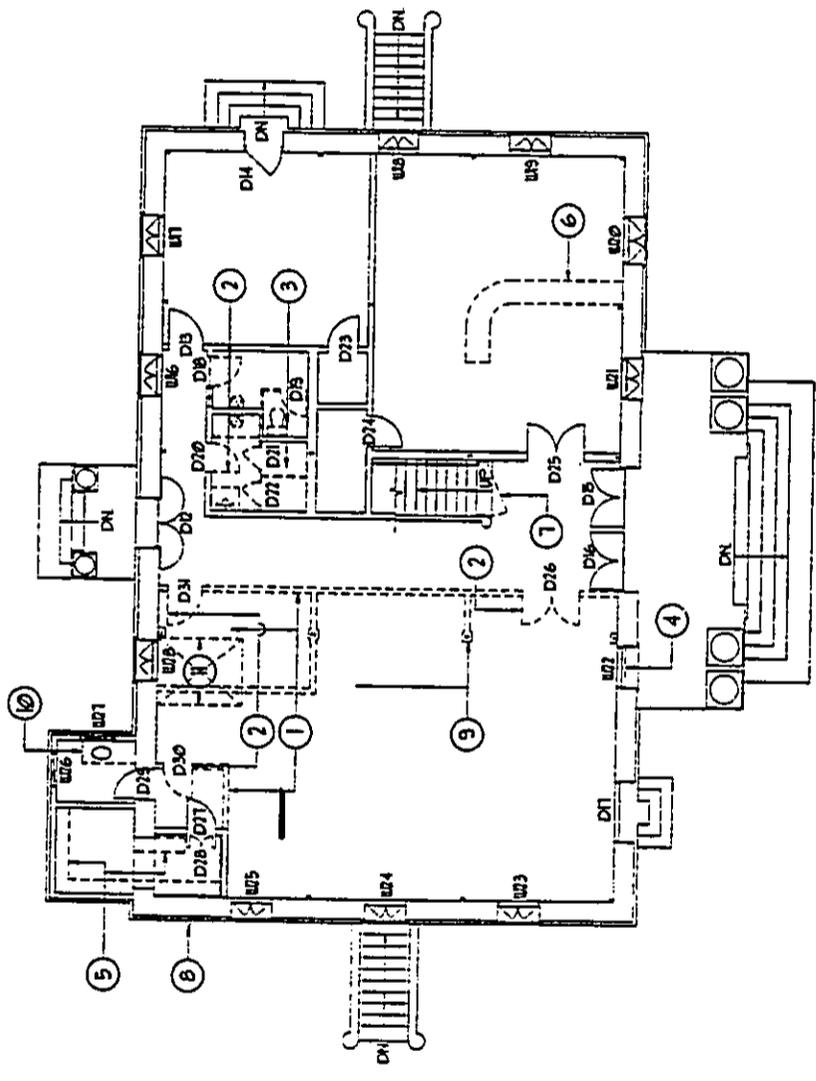
- ① DEMOLISH EXST. WALL
- ② REMOVE EXST. DOOR FRAME AND HARDWARE
- ③ REMOVE EXST. WINDOW
- ④ REMOVE EXST. COVER AND SUMP PUMP BELOW
- ⑤ DEMOLISH EXST. AREAWAY
- ⑥ REMOVE EXST. HANDRAILS.
- ⑦ REMOVE EXST. BARS, DOOR AND RELOCATE.



OLD LAHAINA COURTHOUSE

Date: December 1956
 Drawing E2: EXISTING BASEMENT PLAN

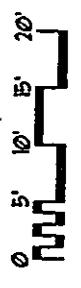
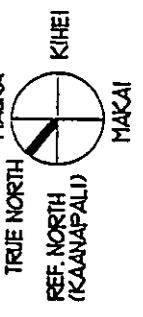
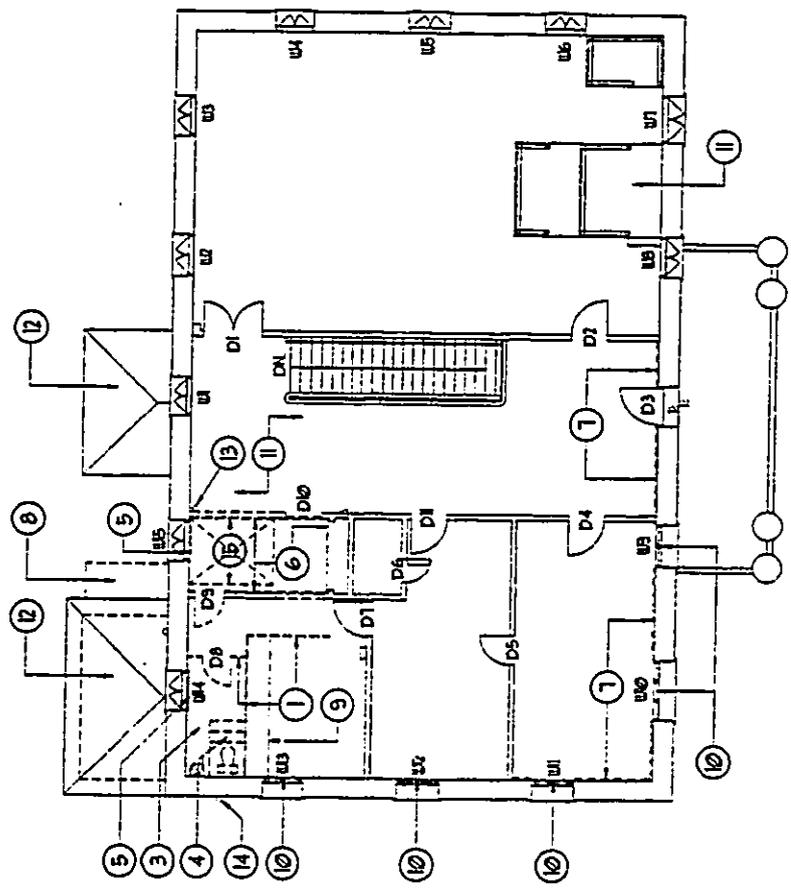
- ① DEMOLISH EXST. WALL
- ② REMOVE EXST. DOOR FRAME, HARDWARE.
- ③ REMOVE ALL PLUMBING FIXTURES, PARTITIONS, FLOORINGS AND DOORS
- ④ REMOVE EXST. SHUTTER.
- ⑤ REMOVE ALL SHELVING.
- ⑥ REMOVE EXST. COUNTER, SAVE AND RELOCATE.
- ⑦ REMOVE EXST. GATE AND WOOD FRAME.
- ⑧ REMOVE EXST. VENT PIPE
- ⑨ REMOVE EXST. WALL FINISH OVER EXST. STEEL COLUMN.
- ⑩ REMOVE EXST. SINK, COUNTER AND CABINET.
- ⑪ SAW-CUT AND REMOVE FLOOR FOR NEW ELEVATOR SHAFT.



OLD LAHAINA COURTHOUSE

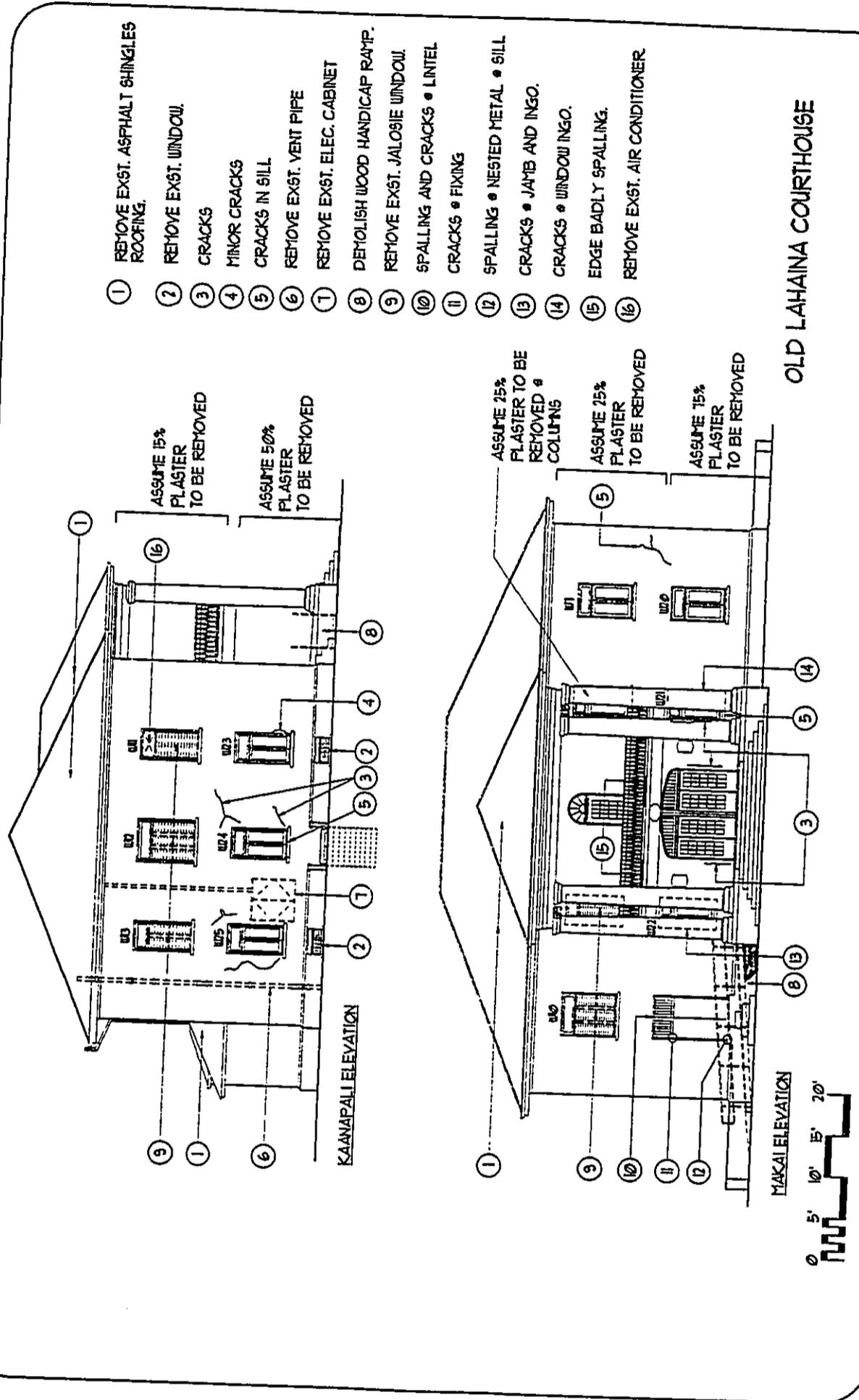
Date: December 1956
 Drawing E3: EXISTING FIRST FLOOR PLAN

- ① DEMOLISH EXST. WALL
- ② REMOVE EXST. DOOR, FRAME AND HARDWARE
- ③ REMOVE ALL PLUMBING FIXTURES.
- ④ DEMOLISH EXST. RAISED PLATFORM AND STAIR
- ⑤ REMOVE EXST. SECURITY GRILLE.
- ⑥ REMOVE EXST. WOOD PLANK WALL LINING AND FURRINGS.
- ⑦ REMOVE EXST. MASONITE WALL LINING AND FURRINGS.
- ⑧ DEMOLISH EXST. ROOF.
- ⑨ REMOVE EXST. COUNTER
- ⑩ REMOVE EXST. JALOUSIE WINDOW.
- ⑪ REMOVE ALL METAL PLATES, REMOVE DETERIORATED FLOORING, INSTALL NEW.
- ⑫ REMOVE EXST. ROOFING.
- ⑬ REMOVE EXST. WATER AND DRAIN PIPE.
- ⑭ REMOVE EXST. VENT PIPE.
- ⑮ SAW-CUT AND REMOVE FLOOR FOR NEW ELEVATOR SHAFT.



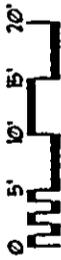
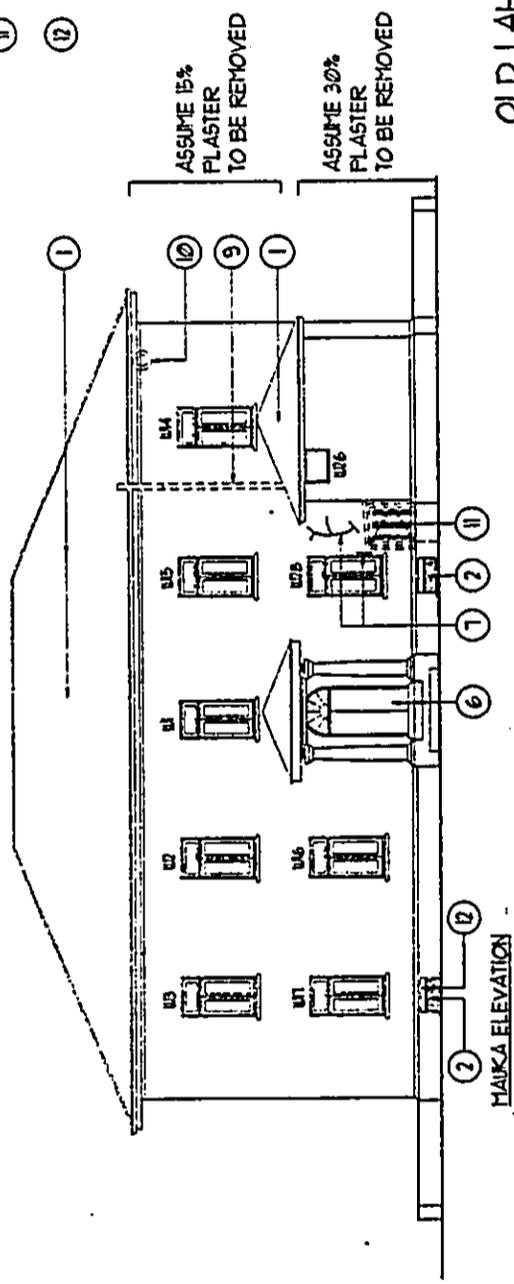
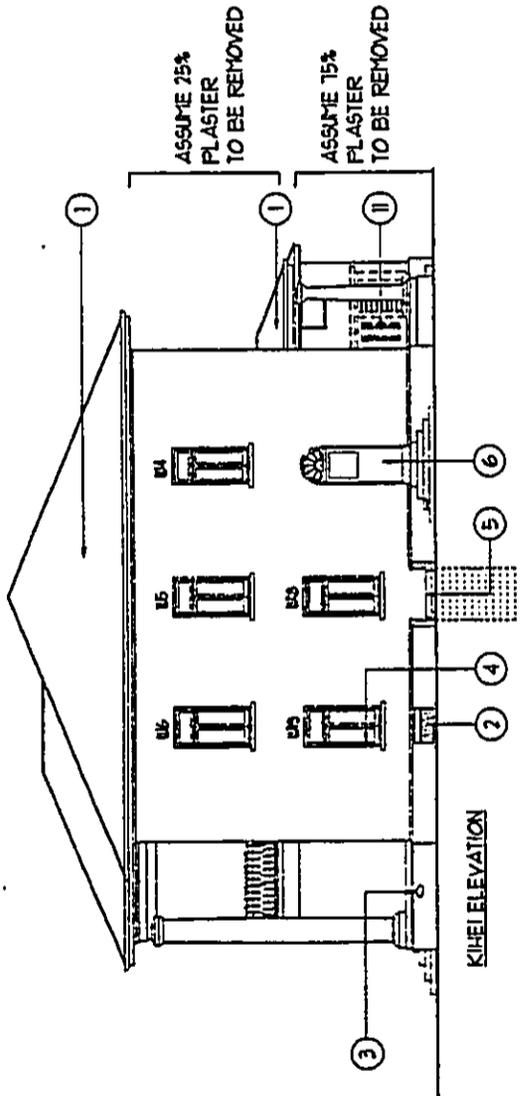
OLD LAHAINA COURTHOUSE

Date: December 1936
 Drawing E4: EXISTING SECOND FLOOR PLAN



1 2 3 4 5 6 7 8 9 10 11 12

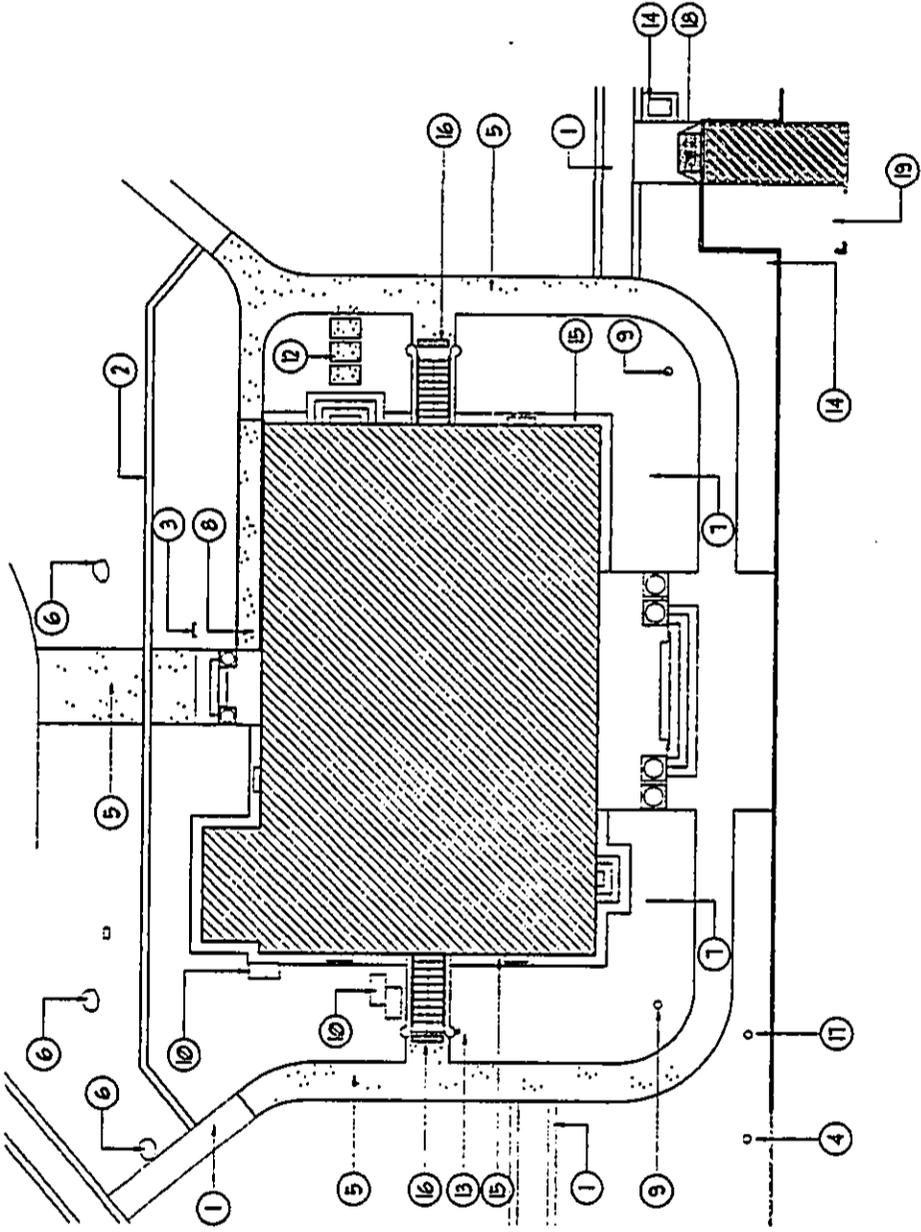
- ① REMOVE EXST. ASPHALT SHINGLES ROOFING.
- ② REMOVE EXST. WINDOW.
- ③ SPALLING PLASTER.
- ④ PLASTER BULGING.
- ⑤ LINTEL BADLY SPALLED.
- ⑥ RETAIN EXST. DOOR.
- ⑦ CRACKS.
- ⑧ MINOR CRACKS.
- ⑨ REMOVE VENT PIPE.
- ⑩ REMOVE SIREN.
- ⑪ REMOVE EXST. COMPRESSOR AND DEMOLISH ENCLOSURE.
- ⑫ CRACKS • UNDERSIDE OF LINTEL.



OLD LAHAINA COURTHOUSE

Drawing E6: EXISTING EXTERIOR ELEVATIONS

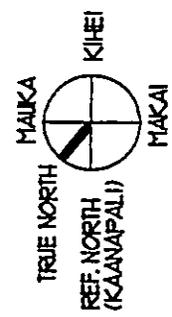
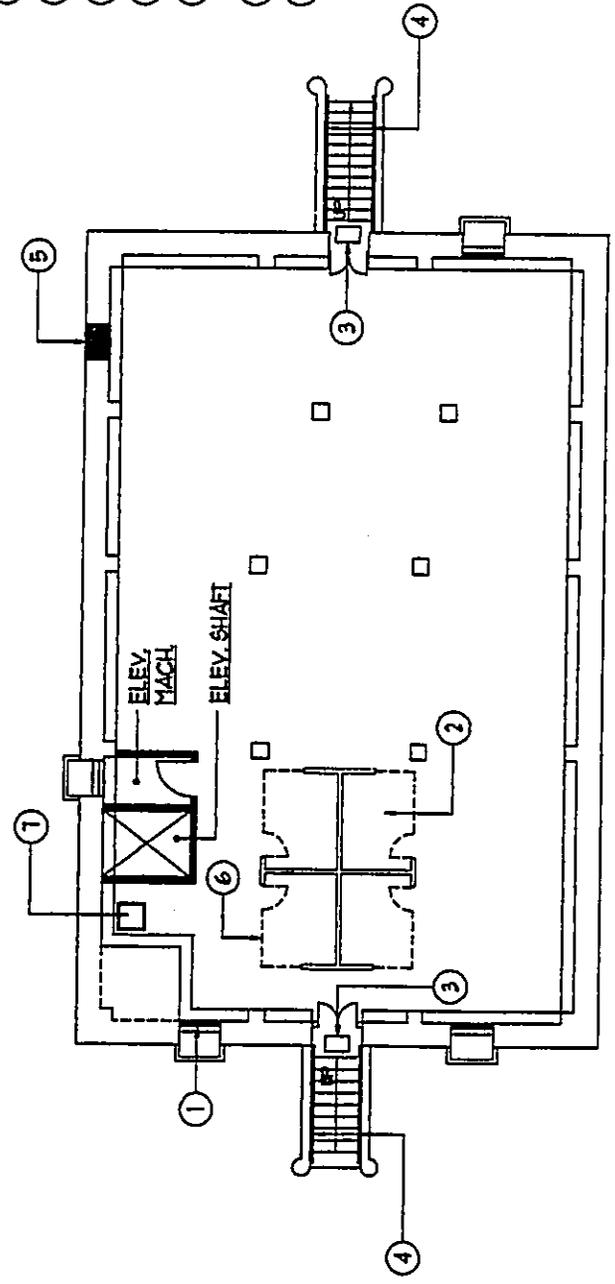
- ① EXST. CONC. WALKWAY
- ② NEW CONCRETE ROOT BARRIER
- ③ NEW SIGNAGE
- ④ EXST. FIRE HYDRANT
- ⑤ NEW CONC. WALKWAY
- ⑥ EXST. BANYAN TREE BRANCH ROOT
- ⑦ NEW PLANTING
- ⑧ NEW HANDICAP RAMP
- ⑨ RESTORE EXST. HISTORIC LAMP POLE
- ⑩ EXST. ELEC. BOX
- ⑪ EXST. CLEAN OUT
- ⑫ NEW CONC. PADS
- ⑬ NEW LAMP
- ⑭ RELOCATED PLAQUE REORIENT TO FACE NORTH
- ⑮ CONCRETE EDGING
- ⑯ NEW TRENCH DRAIN
- ⑰ EXST. PALM TREE
- ⑱ NEW CURB RAMP
- ⑲ NEW HANDICAP PARKING STALL & ACCESS AISLE



OLD LAHAINA COURTHOUSE

Drawing Pl: PROPOSED SITE PLAN

- ① INFILL EXST. WDW (TYP. FOR 3)
- ② EXST. JAIL CELLS (TYP. FOR 4)
- ③ NEW GRATE AND SUMP BELOW
- ④ NEW HANDRAIL
- ⑤ INFILL EXST. OPENING, FLUSH W/ ADJACENT
- ⑥ RELOCATED BARS & DOOR
- ⑦ NEW SUMP WITH SUMP PUMP



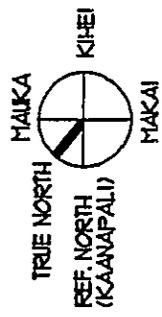
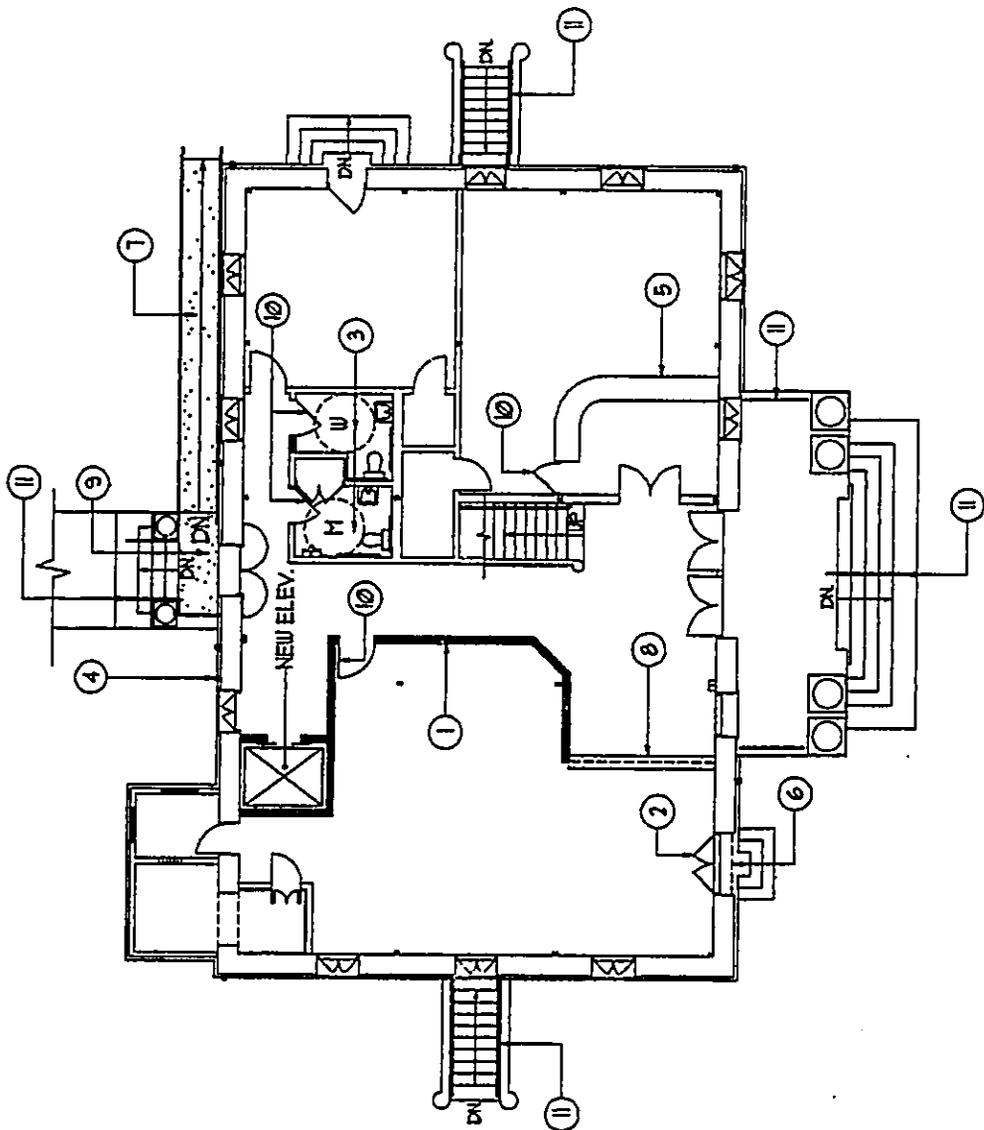
OLD LAHAINA COURTHOUSE

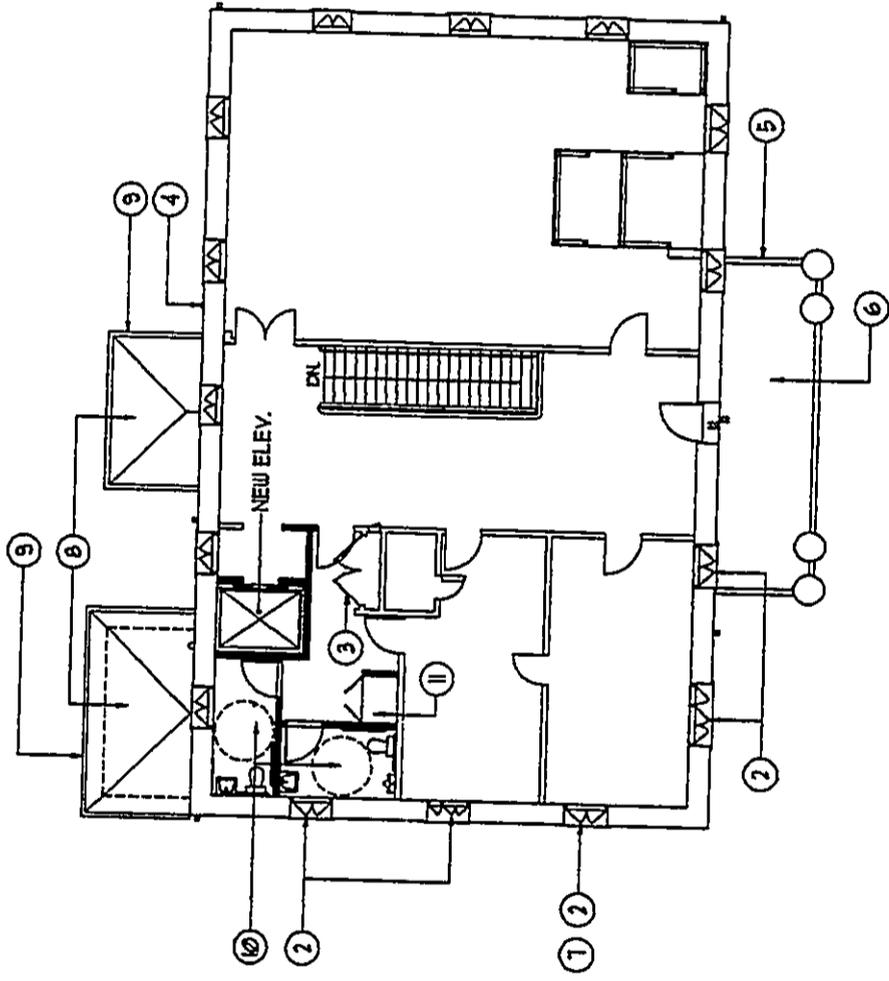
Date: March 1981
 Drawing P2: PROPOSED BASEMENT PLAN

OLD LAHAINA COURTHOUSE

Date: March 1987
 Drawing P2: PROPOSED FIRST FLOOR PLAN

- ① NEW WALL
- ② RELOCATED DOOR D26
- ③ NEW RENOVATED HANDICAP ACCESSIBLE RESTROOMS.
- ④ NEW DOWNSPOUT, TYP.
- ⑤ RELOCATED COUNTER
- ⑥ INSTALL FOLDING GATE
- ⑦ NEW HANDICAP RAMP
- ⑧ NEW PASS THROUGH COUNTER
- ⑨ NEW RAISED CONC. LANDING.
- ⑩ NEW DOOR
- ⑪ NEW HANDRAIL(S)

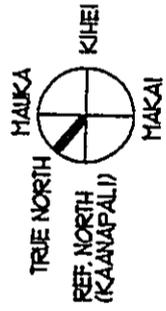




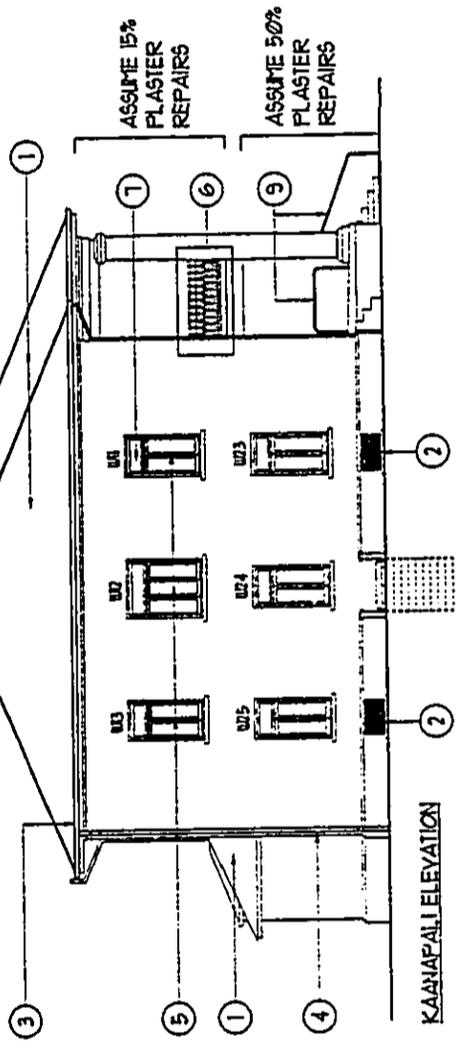
- ① NEW WALL
- ② NEW WINDOW
- ③ NEW STEEL PLATE DOOR(S)
- ④ NEW DOWNSPOUT, TYP.
- ⑤ SANDBLAST AND REPAINT RAIL.
- ⑥ CLEAN AND RESEAL FLOOR
- ⑦ NEW TRANSOM WINDOW.
- ⑧ NEW MISSION TILE ROOFING.
- ⑨ NEW GUTTER
- ⑩ NEW RENOVATED HANDICAP ACCESSIBLE RESTROOMS.
- ⑪ NEW TRASH ROOM

OLD LAHAINA COURTHOUSE

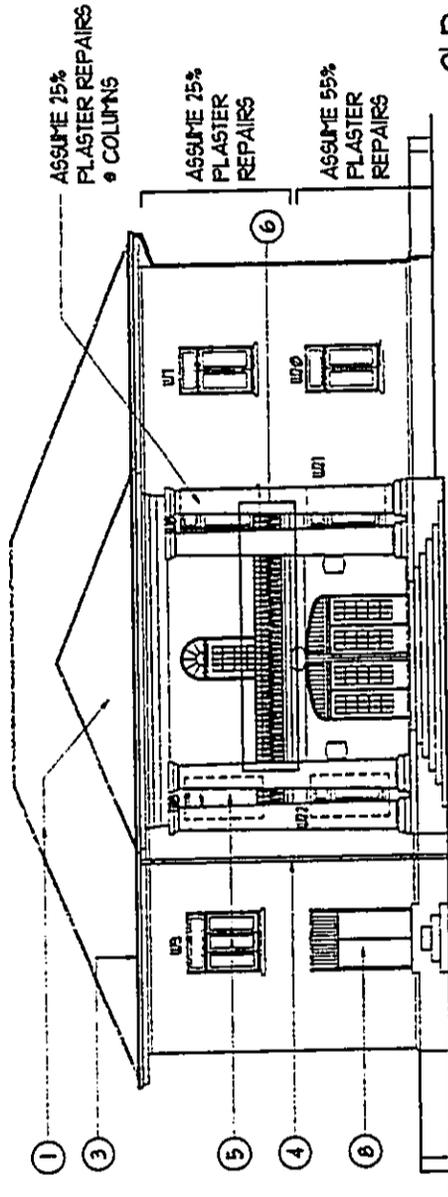
Date: March 1991
 Drawing P-4: PROPOSED SECOND FLOOR PLAN



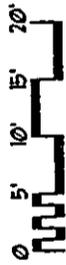
- ① NEW MISSION TILE ROOFING.
- ② INFILL WINDOW OPENING WITH MASONRY BEHIND EXIST. BARS
- ③ NEW GUTTER
- ④ NEW 2 1/2"x4" DOWNSPOUT, TYP.
- ⑤ NEW WINDOW TO MATCH ORIGINAL
- ⑥ SANDBLAST AND REPAIR RAIL
- ⑦ NEW TRANSOM WINDOW TO MATCH ORIGINAL
- ⑧ NEW FOLDING GATE AND DOORS.
- ⑨ NEW RAIL



KAANAPALI ELEVATION



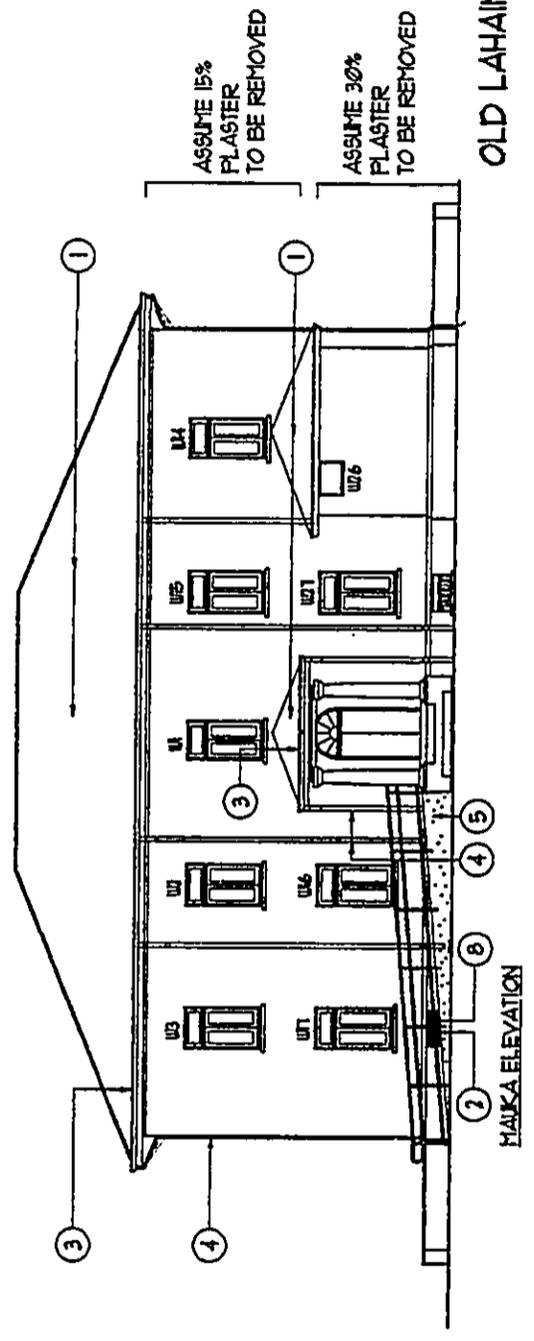
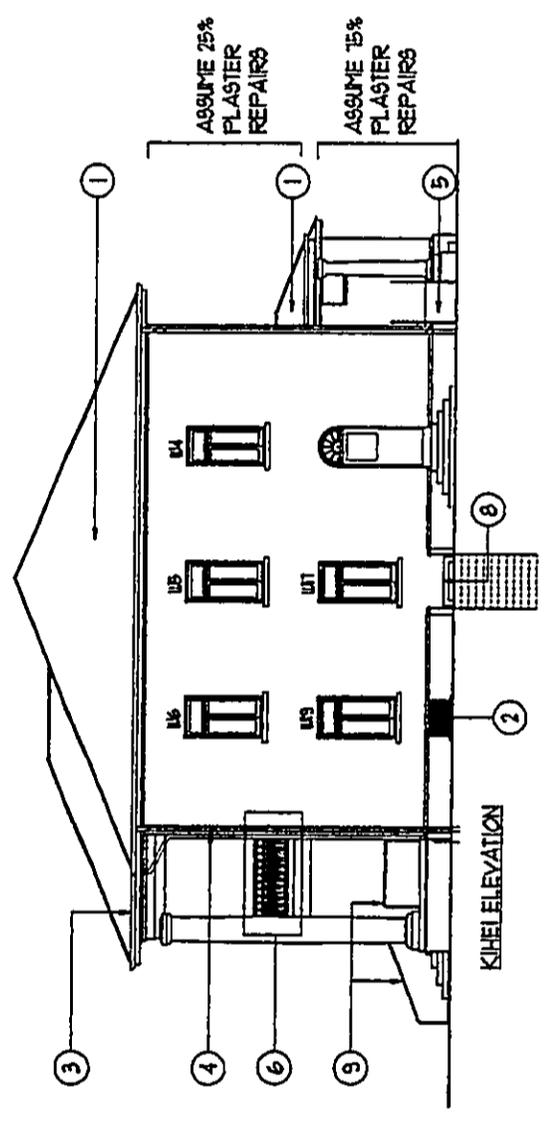
MAKAI ELEVATION



OLD LAHAINA COURTHOUSE

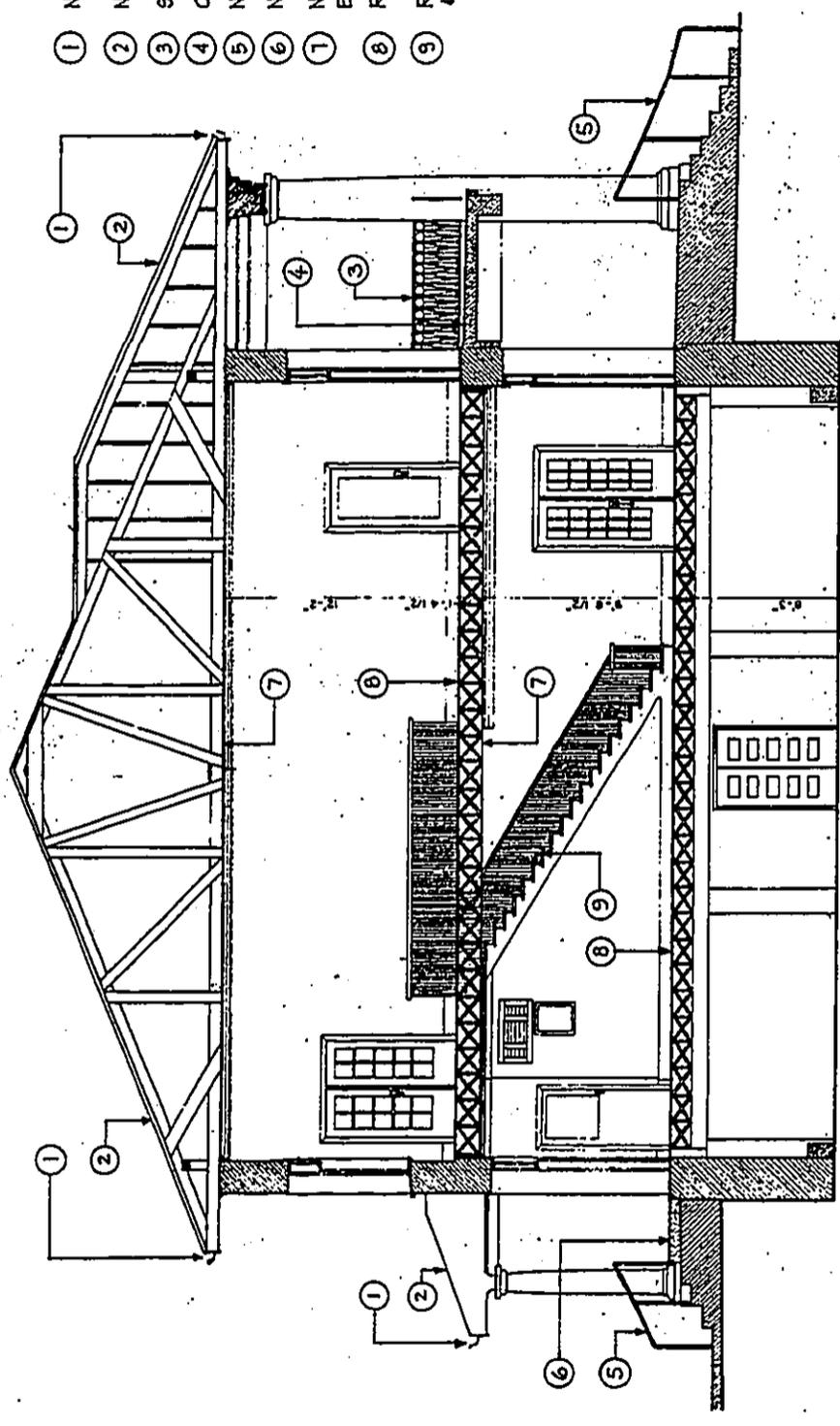
Date: December 1986
 Drawing P5: PROPOSED EXTERIOR ELEVATIONS

- ① NEW MISSION TILE ROOFING.
- ② INFILL WINDOW OPENING WITH MASONRY BEHIND EXISTING
- ③ NEW GUTTER
- ④ NEW 25"x4" DOWNSPOUT, TYP.
- ⑤ NEW CONCRETE HANDICAP RAMP
- ⑥ GANDBLAST AND REPAIR RAIL
- ⑦ NEW TRANSOM WINDOW TO MATCH ORIGINAL
- ⑧ REMOVE LOOSE PLASTER AND REPAIR LINTEL.
- ⑨ NEW RAIL



OLD LAHAINA COURTHOUSE

Date: March 1991
 Drawing F6: PROPOSED EXTERIOR ELEVATIONS

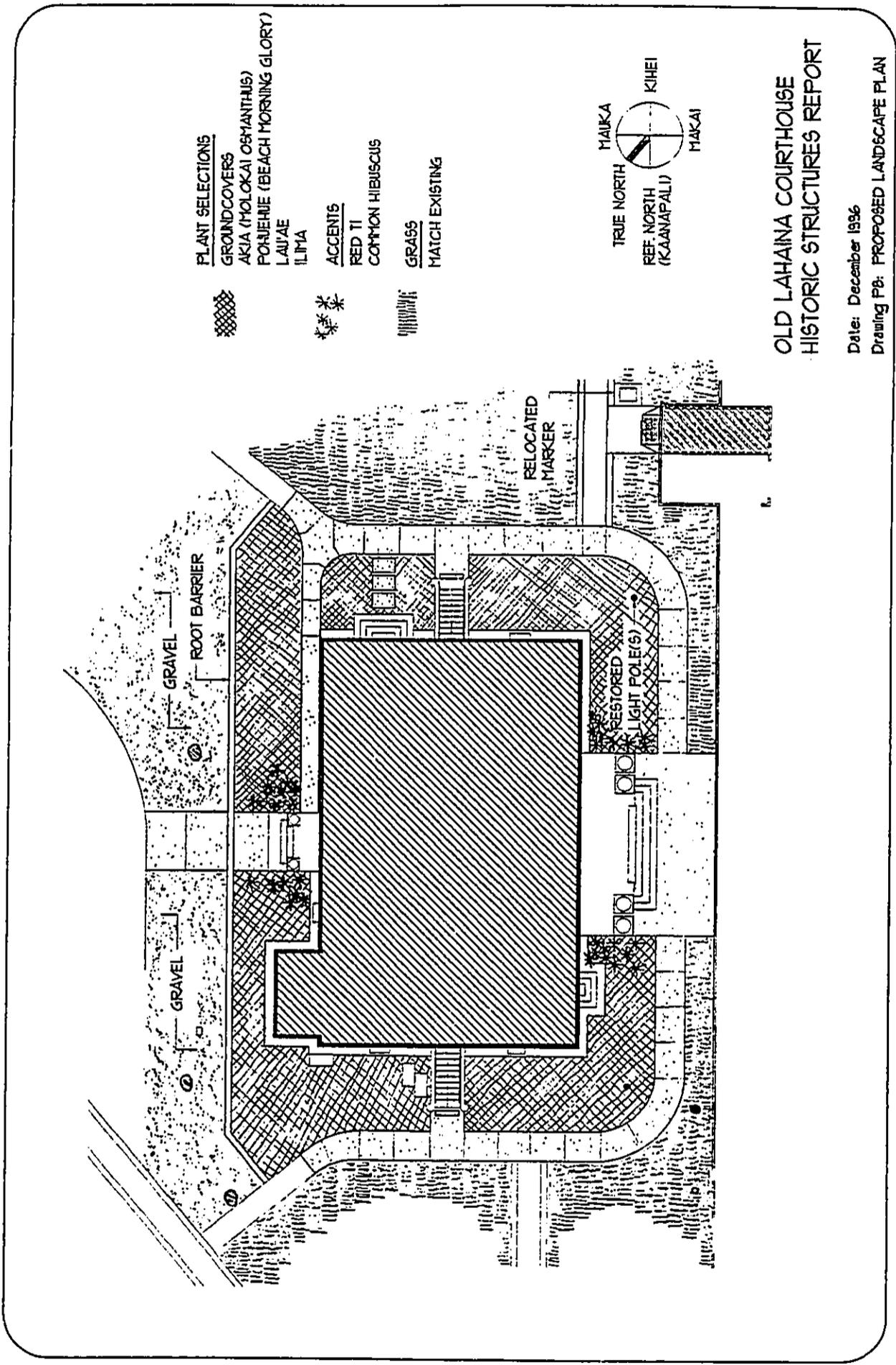


- ① NEW MISSION TILE ROOFING
- ② NEW GUTTER & DOWNSPOUTS
- ③ SANDBLAST AND REPAINT RAIL
- ④ CLEAN AND RESEAL FLOOR
- ⑤ NEW HANDRAIL
- ⑥ NEW RAISED CONCRETE LANDING
- ⑦ NEW PLYWOOD AND GYPSUM BOARD CEILING
- ⑧ REPAIR AND REFINISH WOOD FLOOR
- ⑨ REPAIR AND REFINISH STAIR & HANDRAIL

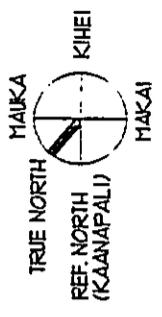
OLD LAHAINA COURTHOUSE
 HISTORIC STRUCTURES REPORT

Drawing FT1: PROPOSED SECTION





- PLANT SELECTIONS**
- GROUND COVERS**
 AKIA (MOLOKAI OSMANTHUS)
 PONOHEHE (BEACH MORNING GLORY)
 LAU'AE
 ILIMA
- ACCENTS**
 RED TI
 COMMON HIBISCUS
- GRASS**
 MATCH EXISTING



**OLD LAHAINA COURTHOUSE
 HISTORIC STRUCTURES REPORT**

Date: December 1996
 Drawing P8: PROPOSED LANDSCAPE PLAN

APPENDIX B

Photo Illustrations

**RESTORATION OF THE
OLD LAHAINA COURTHOUSE**



MAKAI ELEVATION



KIHEI ELEVATION



KAANAPALI ELEVATION



MAUKA ELEVATION