

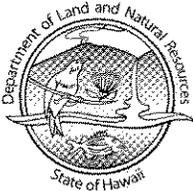
LINDA LINGLE
GOVERNOR OF HAWAII



PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

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DEPUTY DIRECTOR - WATER



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

MEMORANDUM

OCT 25 2005

TO: Genevieve Salmonson, Director
Office of Environmental Quality Control

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: Final Environmental Assessment (FEA)/Finding of No Significant Impact (FONSI) for Conservation District Use Application (CDUA) OA-3245

The Department has reviewed the Berliner CDUA OA-3245, and Final Environmental Assessment (FEA) for the construction of a Single Family Residence (SFR) located at 340 Alalele Place, Hana, Island of Maui, TMK: (2) 1-3-009:002. The Draft Environmental Assessment (DEA) for CDUA OA-3245 was published in OEQC's September 8, 2005 Environmental Notice for the subject project.

The FEA is being submitted to OEQC. We have determined that this project will not have significant environmental effects, and have therefore issued a FONSI. Please publish this notice in OEQC's upcoming November 8, 2004 Environmental Notice.

We have enclosed four copies of the FEA and CDUA OA-3145 for the project. The OEQC Bulletin Publication Form is attached. Comments on the draft EA were sought from relevant agencies and the public, and were included in the FEA.

Please contact Chris Pramoulmetar of our Office of Conservation and Coastal Lands staff at 587-0048 if you have any questions on this matter.

Enclosures

cc: Gerald Park

OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

OCT 25 PM 2:30

RECEIVED

2005-11-08 MA FONSI BERLINER RESIDENCE AT ALALELE PLACE

FILE COPY

RECEIVED
OFFICE OF CONSERVATION
AND NATURAL LANDS

FINAL ENVIRONMENTAL ASSESSMENT

2005 OCT 24 A 8:28

BERLINER RESIDENCE at ALALELE PLACE

Ka'eleku, District of Hana, Maui



Prepared for

Michael and Heather Berliner
202 Wahioli Way
Lahaina, Maui 96761

October 2005

OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

05 OCT 25 PM 2:30

RECEIVED

FINAL ENVIRONMENTAL ASSESSMENT

BERLINER RESIDENCE at ALALELE PLACE
Ka'eleku, District of Hana, Maui

Prepared in Partial Fulfillment of the Requirements
of Chapter 343, Hawaii Revised Statutes and
Title 11, Chapter 200, Hawaii Administrative Rules,
Department of Health, State of Hawaii

Prepared for

Michael and Heather Berliner
202 Wahioli Way
Lahaina, Maui 96761

Prepared by

Gerald Park Urban Planner
1221 Kapiolani Boulevard, Suite 211
Honolulu, Hawaii 96814

October 2005

PROJECT PROFILE

Proposed Action: Berliner Residence
Ka'eleku, Hana, Maui

Applicant: Mr. and Mrs. Michael Berliner
202 Wahioli Way
Lahaina, Maui 96761

Approving Agency: Department of Land and Natural Resources
State of Hawaii
PO Box 621
Honolulu, Hawaii 96806

Need for Assessment: Propose the Use of Conservation District Land
Hawaii Administrative Rules §11-200-6(b)(1)(B)

Tax Map Key: 1-3-009: 002
Land Area: 2.93 acres
Building Site: 3,466 square feet
Land Owner: Applicant

Existing Use: Vacant

State Land Use District: Conservation
Subzone: General
Community Plan: Hana
Land Use Designation: Conservation
Special Management Area: Inside Special Management Area

[Anticipated] Determination: Finding of No Significant Impact

Contact: **Chris Pramoulmetar**
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
Kalanimoku Building, Room 131
1151 Punchbowl Street
Honolulu, Hawaii 96809

Telephone: 587-0048

Note: Revisions to the text of the Draft Environmental Assessment are shown in **bold italic** type. Deleted text is [bracketed].

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DESCRIPTION OF THE PROPOSED PROJECT

1

Michael and Heather Berliner, fee owners of real property situate in the District of Hana, County of Maui, propose to construct a single-family residence on property located in the State Conservation District. The dwelling will be located in the lowland area of the *ahupua'a* of Ka'eleku, District of Hana, Island and County of Maui, State of Hawaii.

The subject property (or Berliner property) is located makai (or north) of the Hana Highway and to the east of and adjoining Alalele Place, a State road leading to the Hana Airport. The triangular-shaped lot bears TMK: 1-3-009: 002 encompassing an area of 2.93 acres. A Location Map and Tax Map are shown in Figures 1 and 2.

Applicant proposes to construct a single-family residence on an existing open space and landscaped section of the subject property. This area of approximately 75,268 square feet (1.7 acres) was cleared by a previous owner and landscaped with grass, assorted palms, and shrubs. The balance of 1.2 acres (estimated) consisting primarily of tall grass and trees bounds the landscape area on three sides. A Site Plan is shown on Sheet A-1.

The 2,224 square foot dwelling will be sited on grass at the northern end of the open space area. The selected location is free of palms and trees. The 3-bedroom, 2-bath residence includes a kitchen, dining area, living area, and two covered lanais. One lanai at the front of the dwelling will function as a covered, open entry; the second lanai at the rear of the dwelling will serve as private, family space (See Sheet A-2, Dwelling Floor Plan). The dwelling is angled to parallel Alalele Place.

The structure will be erected on a post and pier foundation with a 4-foot high crawlspace. The larger piers measure 24" X 24" and the smaller piers 15" X 15". All piers will be embedded a minimum of 10" in the ground. Sixteen large and thirty-six small piers will support the structure.

The exterior will be finished with wood siding in natural or earth tone colors to blend with its surroundings. The wood framed dwelling will be topped by a gable roof covered with composition shingle roofing. The finished structure stands 21' 8" in height measured from existing grade to the top of the roof ridge (See Sheet A-3, Dwelling Exterior Elevations).

A two-car carport will be constructed as a detached structure on the southeast side of and away from the dwelling. At this location no trees or palms have to be removed. The carport measures 572 square feet (22' X 26') and is about 15 feet in height (See Sheets A-2 and A-3, Carport Floor Plan and Exterior Elevations). The design, building materials, and color will complement the dwelling. A grass footpath connects the carport with the rear of the dwelling.

A 20-foot wide, 120-foot long grass driveway with a concrete approach at Alalele Place is proposed for vehicle access. Ground elevation for the driveway generally matches the grade of Alalele Place so there is no grade transition. The concrete approach will be constructed in conformance with County of Maui Department of Public Work detail R-50. ***The Department of Transportation Airports Division has approved a driveway connection to Alalele Place (Correspondence 2005).***

A water catchment system will collect non-potable water for household use. Roof runoff will be collected in a 5,000 gallon steel reservoir (with interior lining) and connected to the home's water system. The reservoir is to be sited in a 150 square foot area about 35 feet to the east of the dwelling. Bottled water will be used for drinking and cooking.

An individual wastewater treatment system will collect domestic wastewater. The disposal system will be located approximately 150 feet to the south of the dwelling. Solids will be collected in a septic tank and effluent discharged into absorption beds. A private hauler will collect the solids as needed. The system will be designed to comply with the requirements of Hawaii Administrative Rules, Department of Health, Title 11, Chapter 62, Wastewater Systems.

The dwelling and accessory structure and facilities do not exceed the 5,000 square foot maximum developable area for lots larger than 1 acre. The combined area of the residence (2,224 sf), carport (572 sf) water catchment tank (150 sf), and wastewater effluent field (500 sf) is approximately 3,466 square feet.

Because the landscaped area is located near the center of the lot, the proposed improvements will be setback in excess of 25 feet from all property lines with the exception of the driveway connection. Both structures do not exceed the 25-foot height limit.

Power and communication service will be extended to the dwelling on overhead lines from the west side of Alalele Place.

Existing trees and palms in the landscaped area will be retained *in situ*. Applicant may introduce native plants into the landscaped area but there is no plan to do at this time. Applicant requests that they be allowed to gradually clear and remove scrub vegetation on the remainder of the lot (the estimated 1.2 acres). Selective pruning and trimming of trees and brush removal will help to manage vegetation overgrowth and improve the appearance of the entire property.

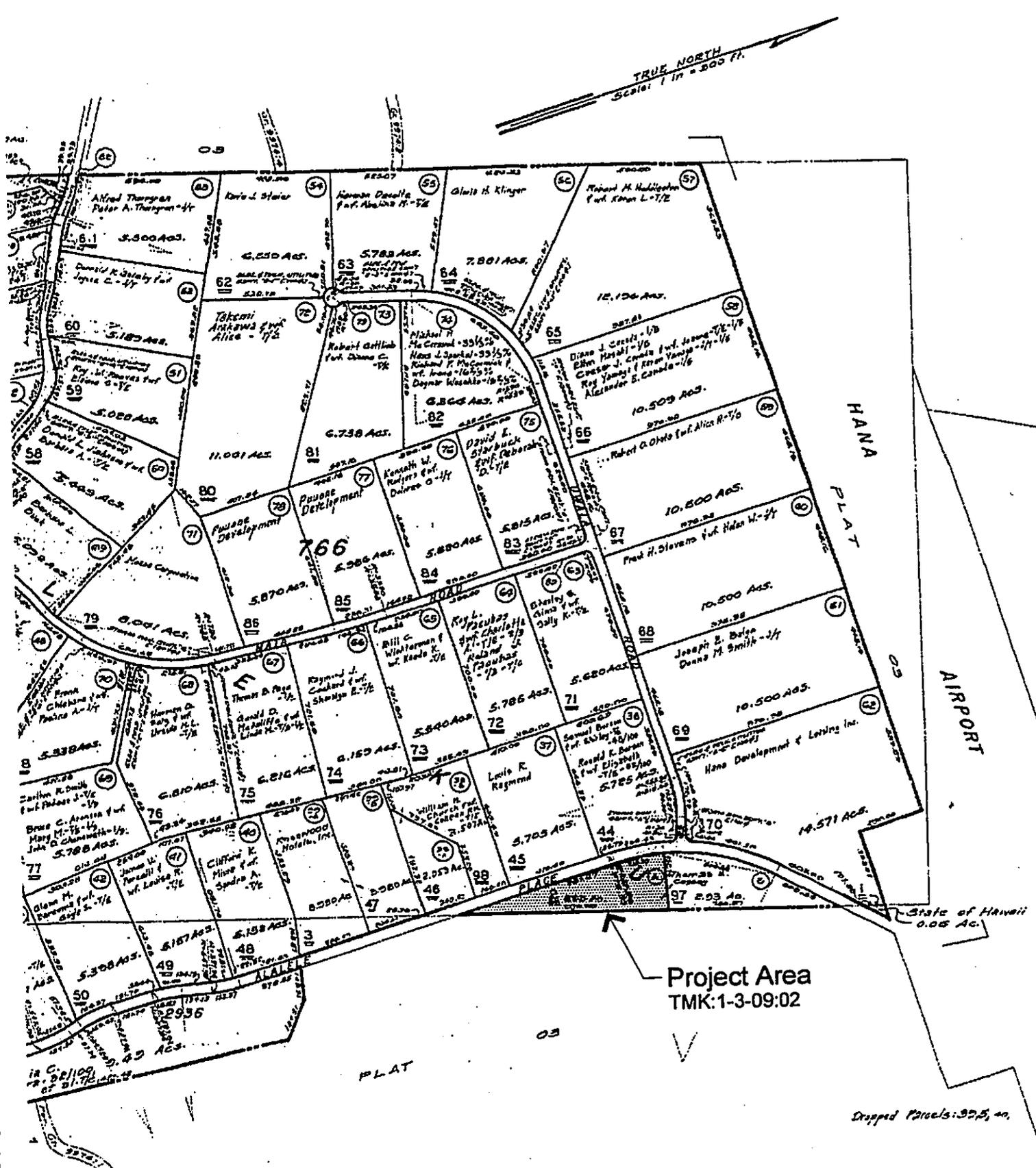
B. Economic Characteristics

The cost of the improvements is estimated at \$250,000.00. Applicant will pay all costs associated with the proposed improvements.

Construction will commence after all necessary permits are received. Construction should be completed within the time requirements stipulated by the Board of Land and Natural Resources.

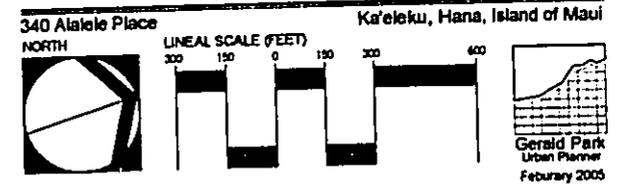
C. Social Characteristics

The subject property including the landscaped area is vacant.



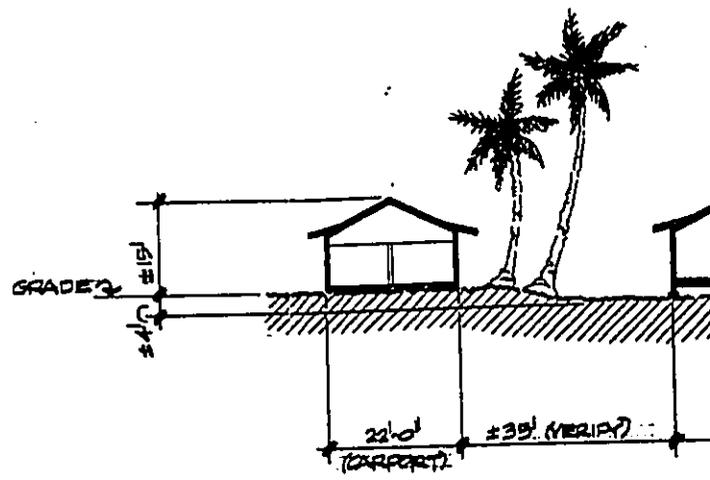
Project Area
TMK:1-3-09:02

Figure 2
Tax Map Key
Berliner Residence

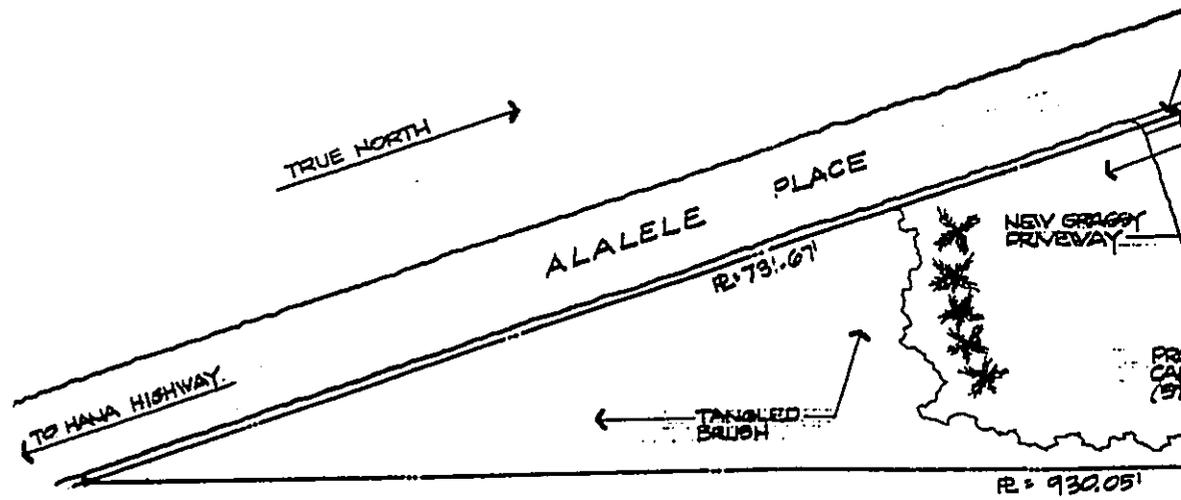


DEPARTMENT OF TAXATION PROPERTY TECHNICAL OFFICE TAX MAPS BRANCH STATE OF HAWAII		
TAX MAP		
SECOND TAXATION DISTRICT		
ZONE	SEC.	PLAT
1	3	09
SCALE 1 IN. = 300 FT.		

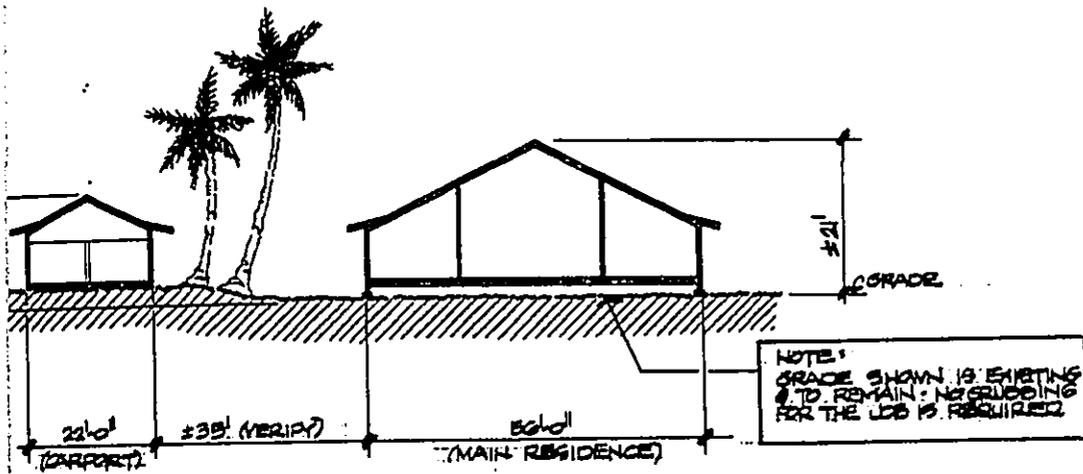
Source: Department of Taxation, Taxation Maps Bureau



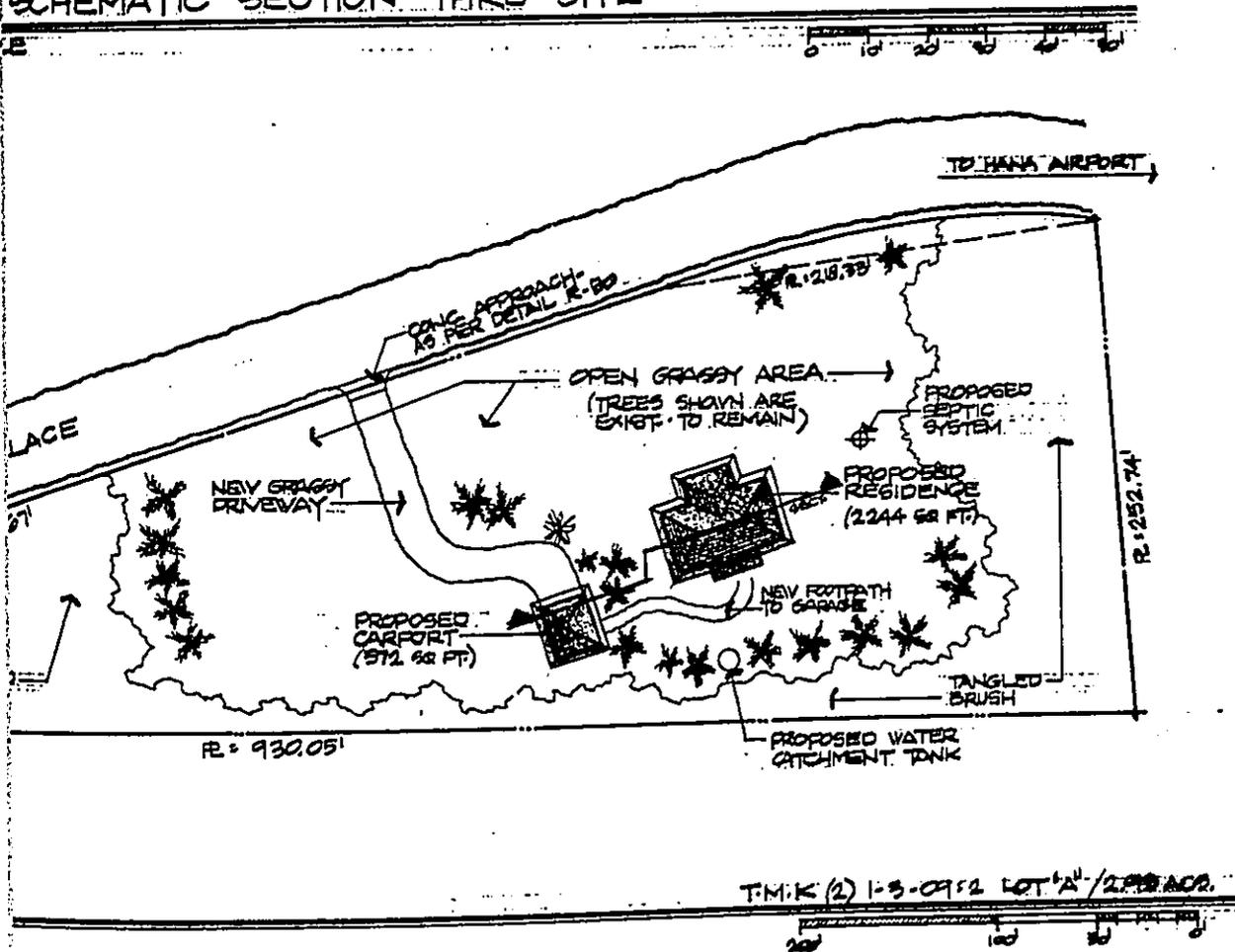
PARTIAL SCHEMATIC SECTION
GRAPHIC SCALE



1 PROPOSED SITE PLAN
GRAPHIC SCALE



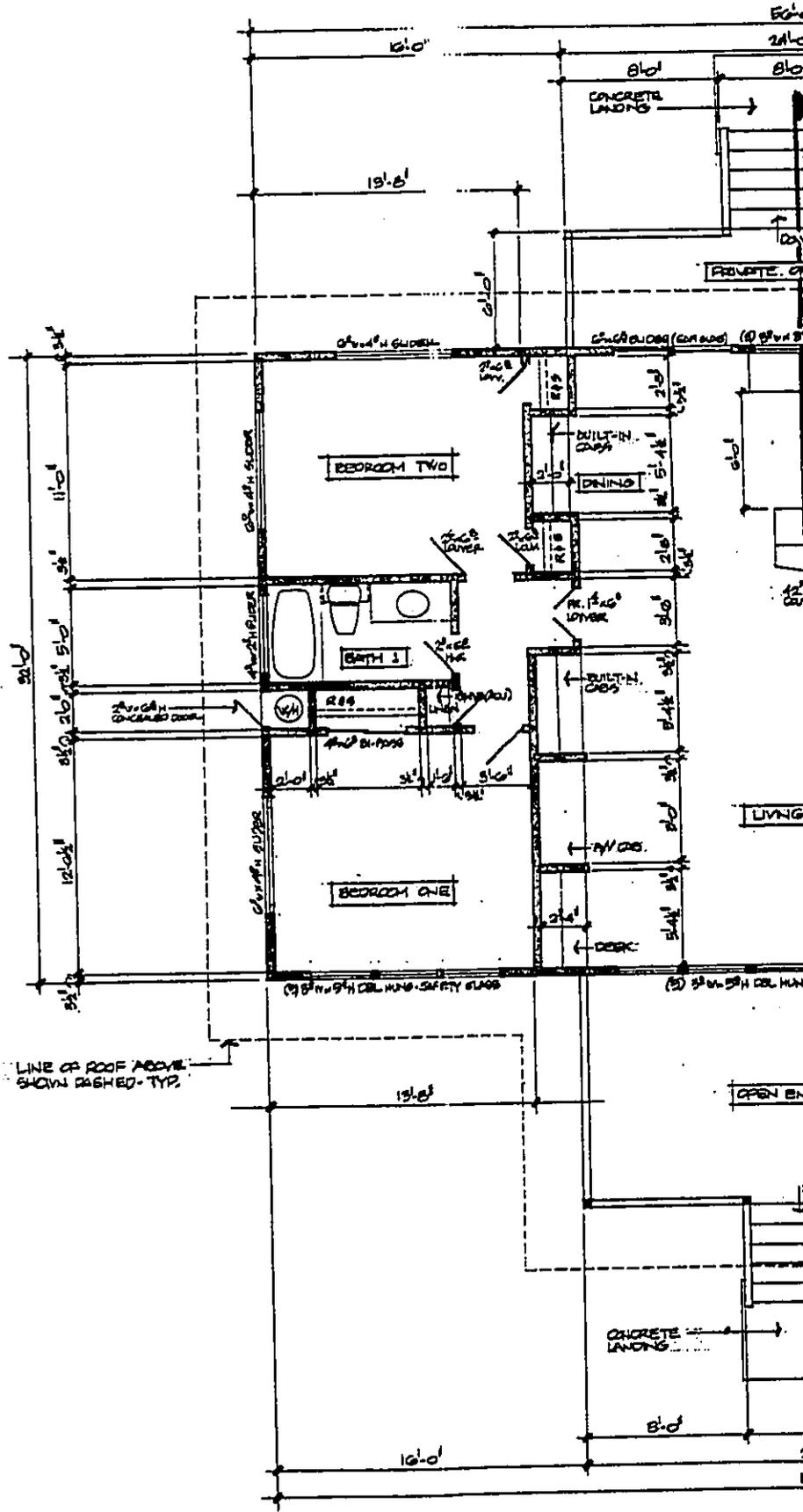
SCHEMATIC SECTION THRU SITE



PLANS PRODUCED BY:
DOUGLAS W. CORNELSON
 P O BOX 736 • HANA, MAUI, HAWAII, 96713
 PHONE: 808 248 7694
 EMAIL: doug@c-hawaii.rr.com

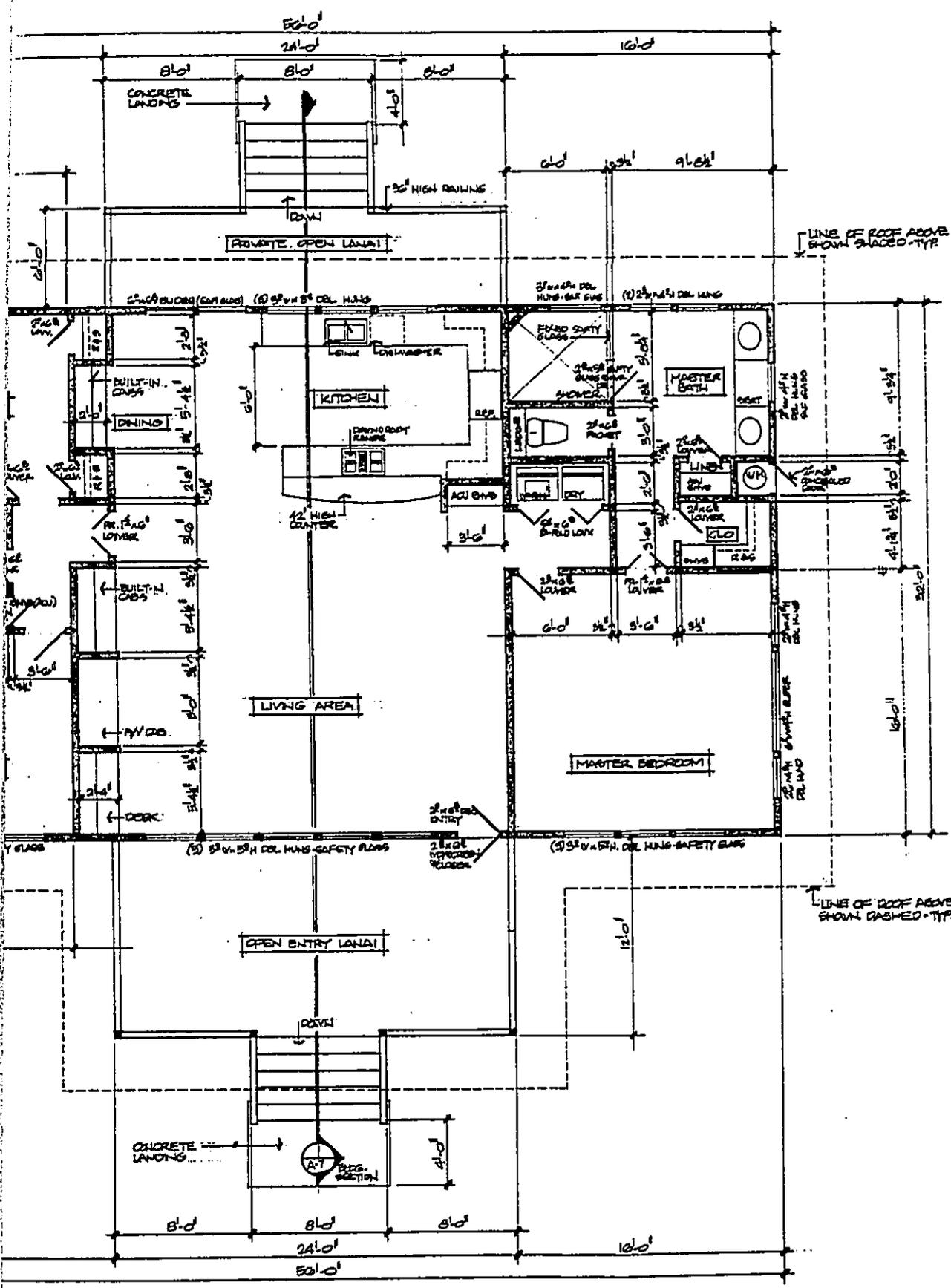
PROPOSED SITE LAYOUT FOR
 THE BERLINER PROPERTY
 HANA, MAUI, HAWAII

SHEET NO.
A-1

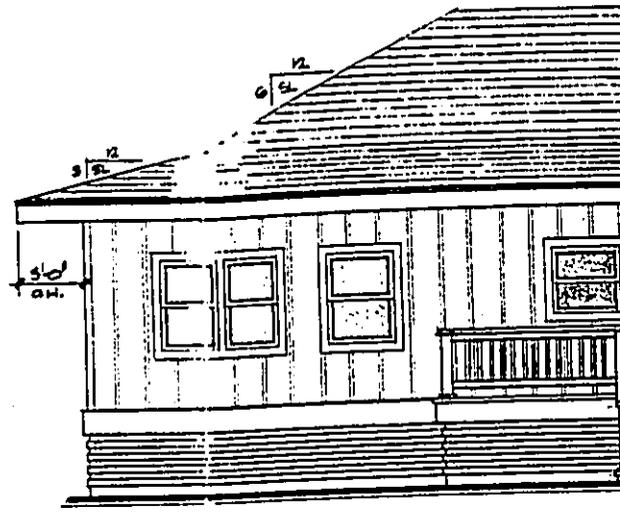


① FLOOR PLAN
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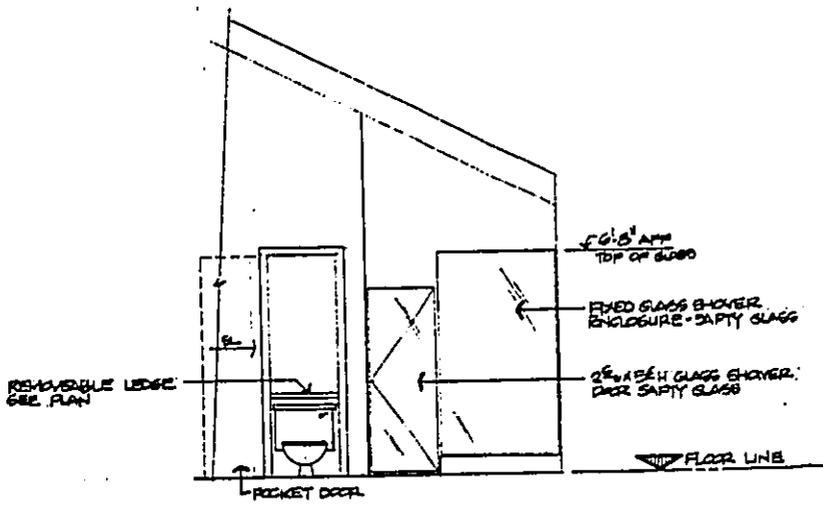
14-10



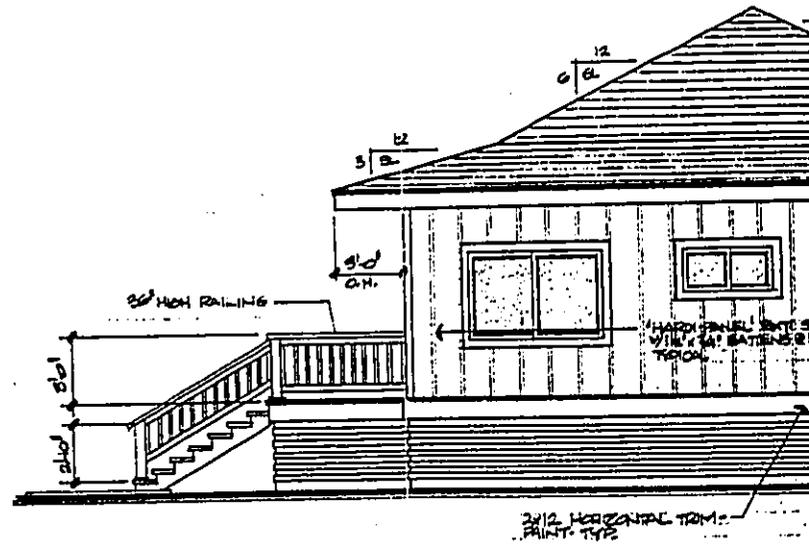
<p>DATE ISSUED 14 AUGUST 2004 REVISIONS:</p>	<p>MANAGED BY DOUGLAS W. CORNELISON P O BOX 716 - HANA, HAWAII, 96713 PHONE: 808-241-7644 EMAIL: doug@cgwvelvet.net</p>
<p>CONTENTS: - FLOOR PLAN</p>	<p>A NEW HANA RESIDENCE FOR: MICHAEL AND HEATHER BERLINER HANA, MAUI, HAWAII, 96713</p>
<p>SHEET NO. A-2 90</p>	



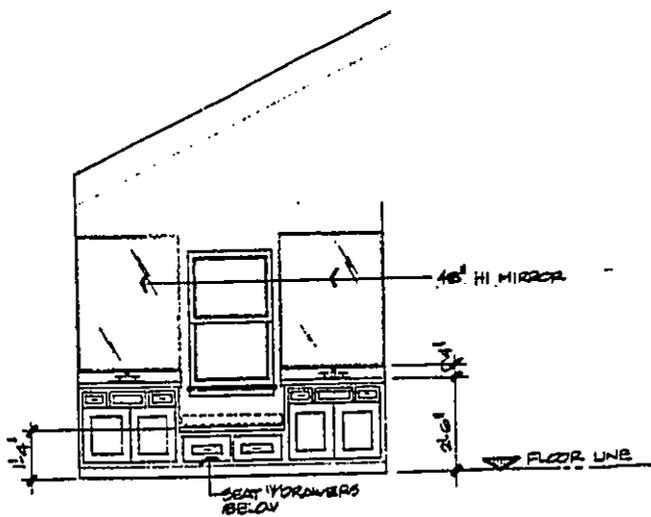
5 EXTERIOR ELEVATION
SCALE



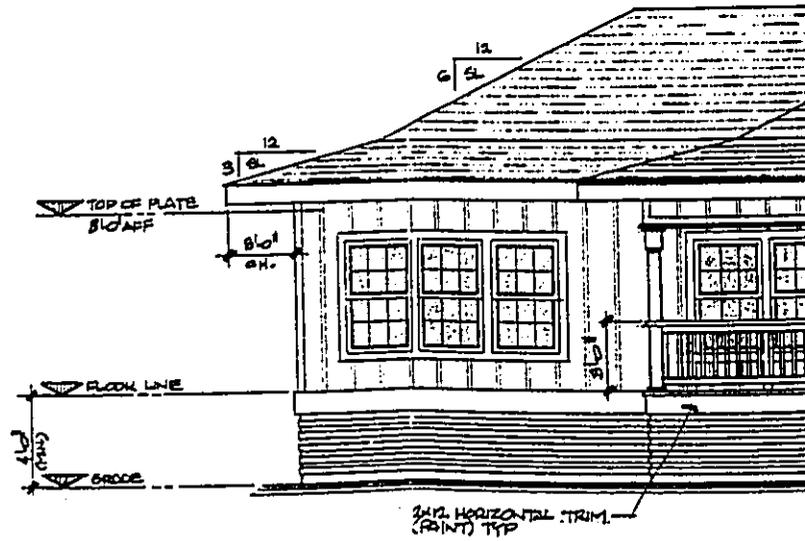
4 INTERIOR ELEVATION (MASTER BATH)
SCALE



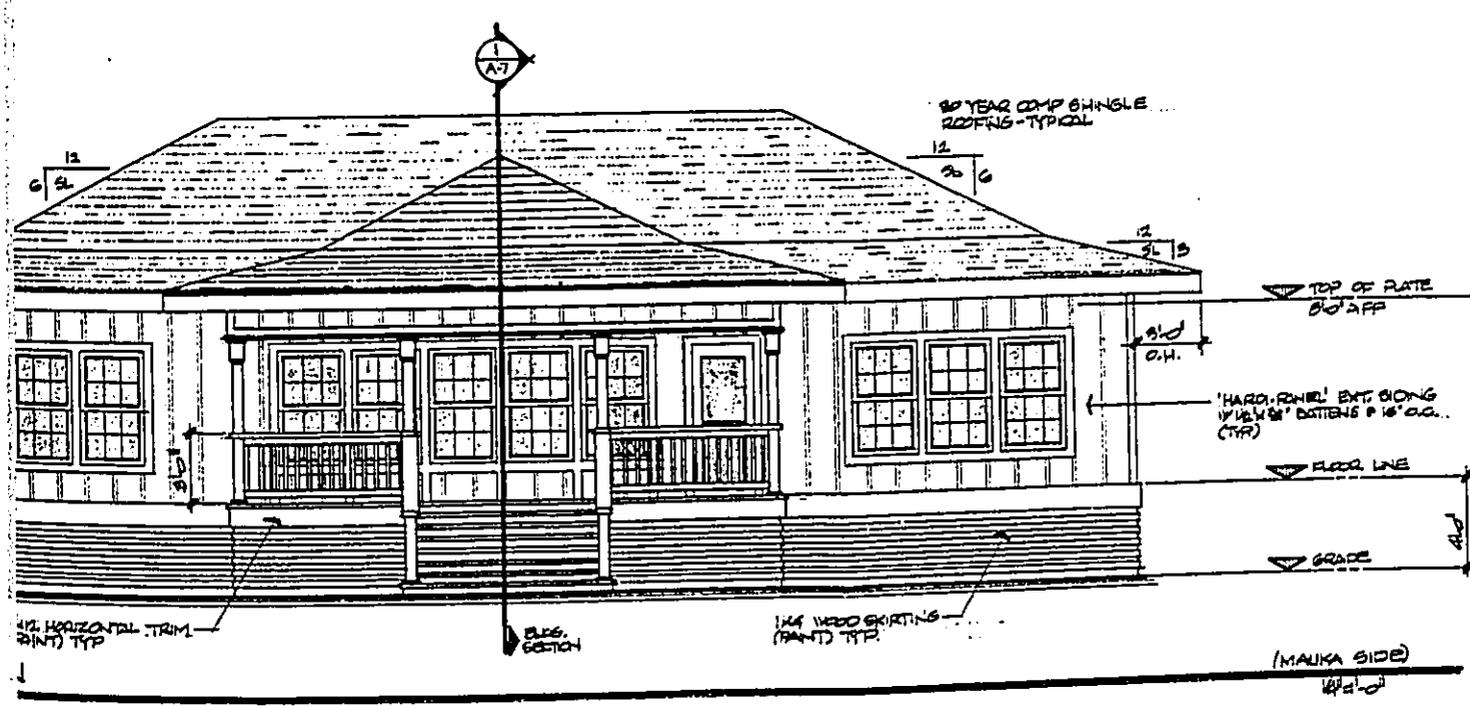
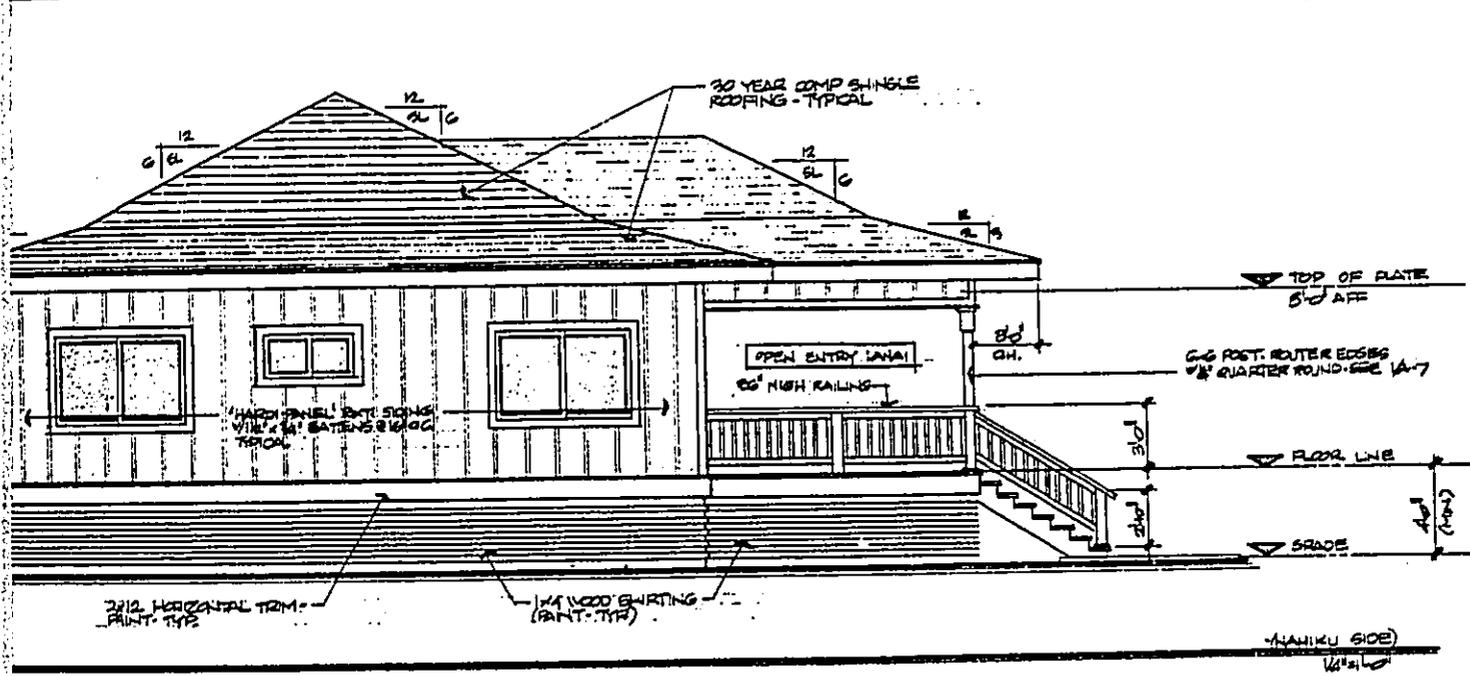
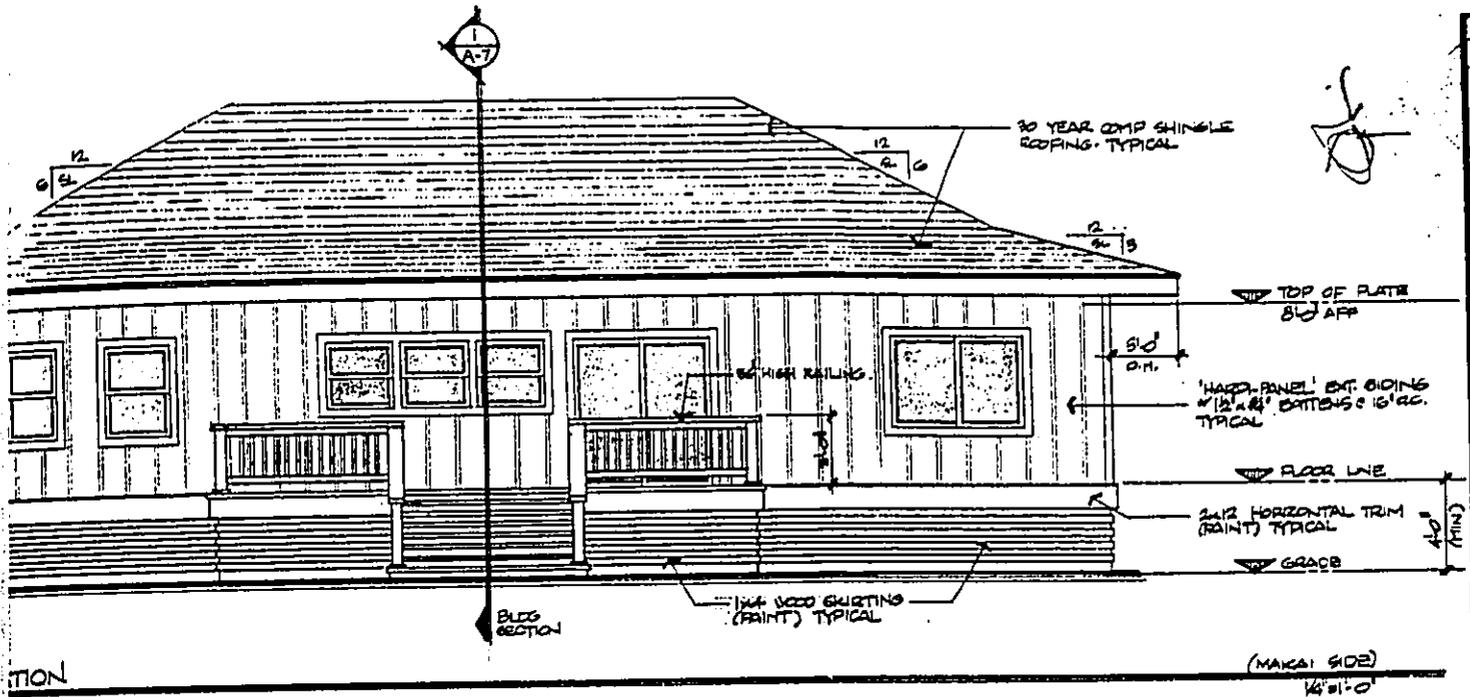
3 EXTERIOR ELEVATION
SCALE



2 INTERIOR ELEVATION (MASTER BATH)
SCALE



1 EXTERIOR ELEVATION
SCALE



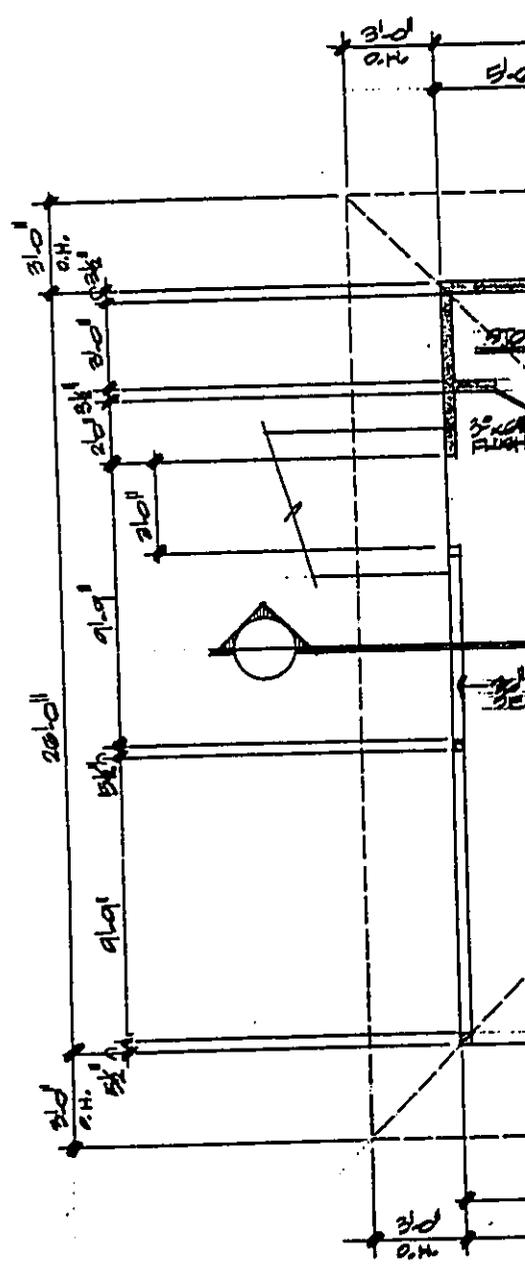
PLANS PREPARED BY
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DATE ISSUED
 14 AUG 2004
 REVISIONS

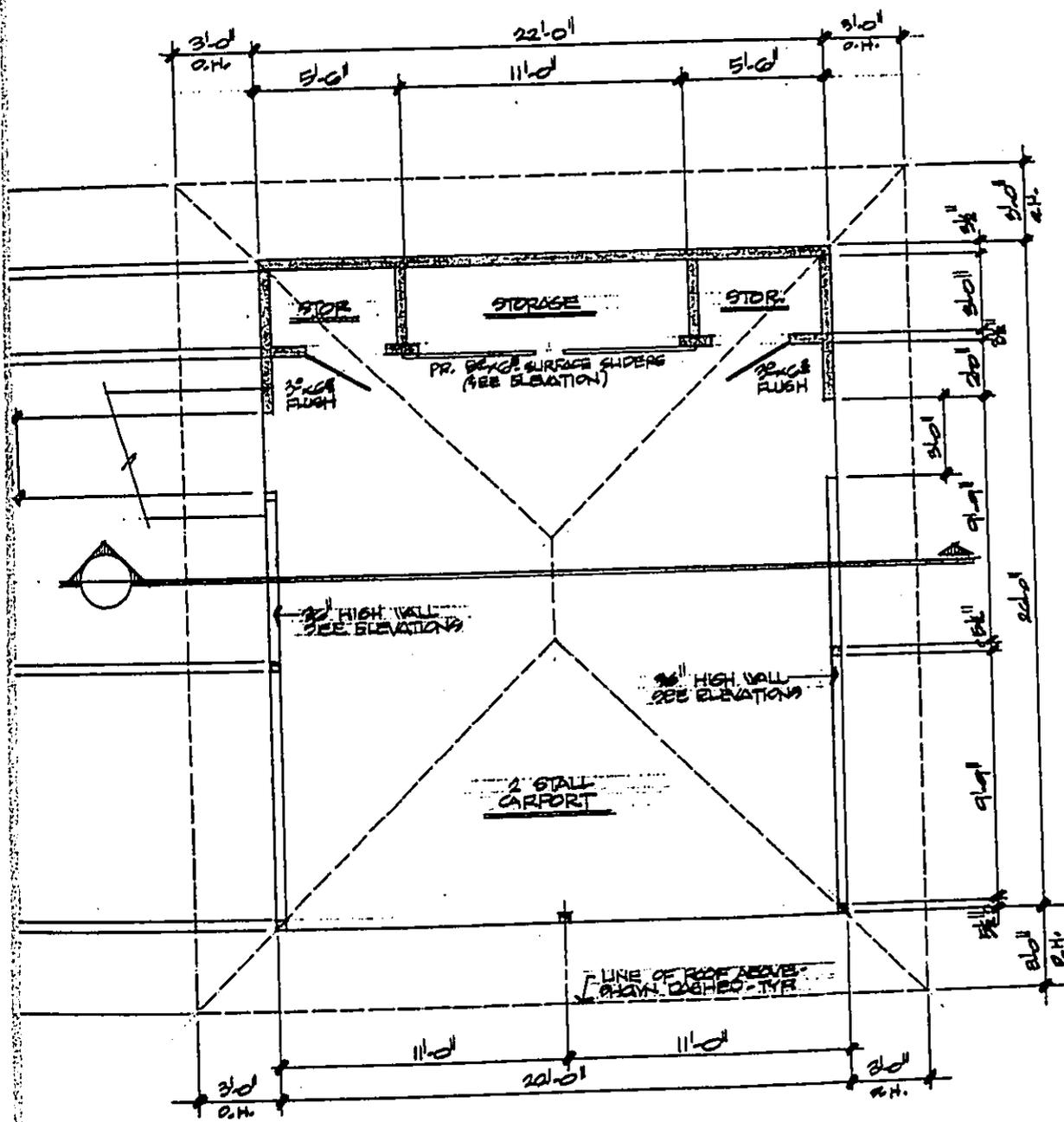
CONTENTS:
 - EXTERIOR ELEVATION
 - INTERIOR ELEVATIONS

A NEW HANA RESIDENCE FOR
MICHAEL AND HEATHER BERLINER
 HANA, MAUI, HAWAII, 96713

SHEET NO.
A-3
 OF 8



① FLOOR PLAN
SCALE



R PLAN

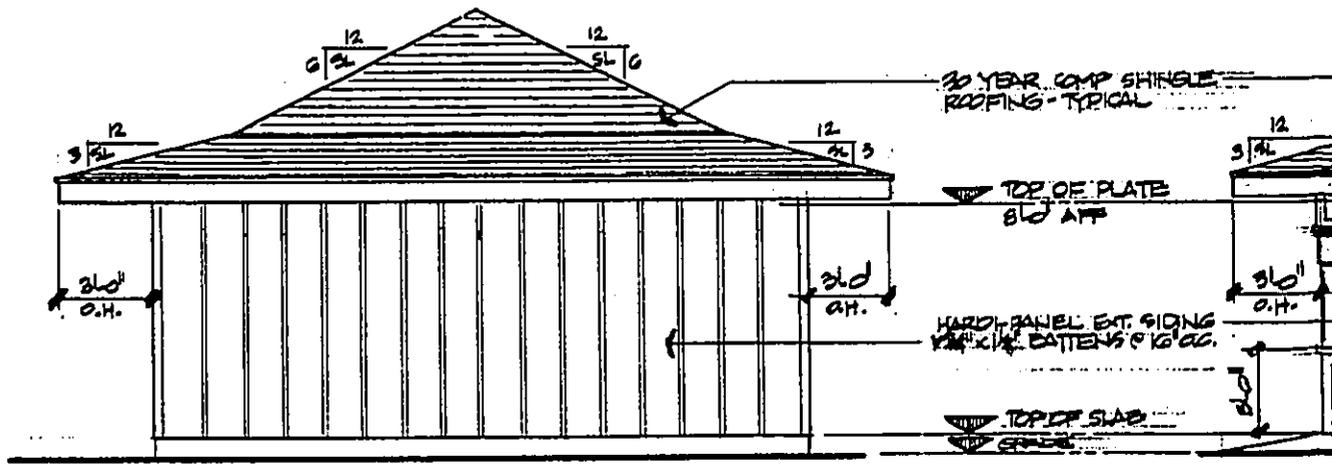
1/20/01

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 EMAIL: doug@c@hawaii.rr.com

A PROPOSED CARPORT FOR
 THE BERLINER PROPERTY
 HANA, MAUI, HAWAII

SHEET NO.

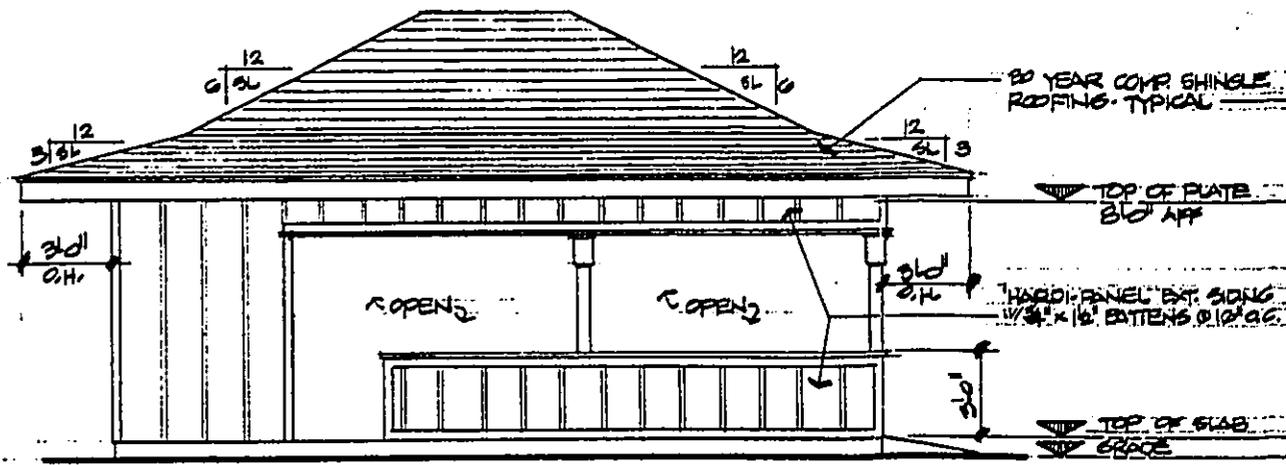
A-2



④ EXTERIOR ELEVATION
SCALE

(HANA SIDE)
1/4" = 1'-0"

③ EXTERIOR ELEVATION
SCALE



② EXTERIOR ELEVATION
SCALE

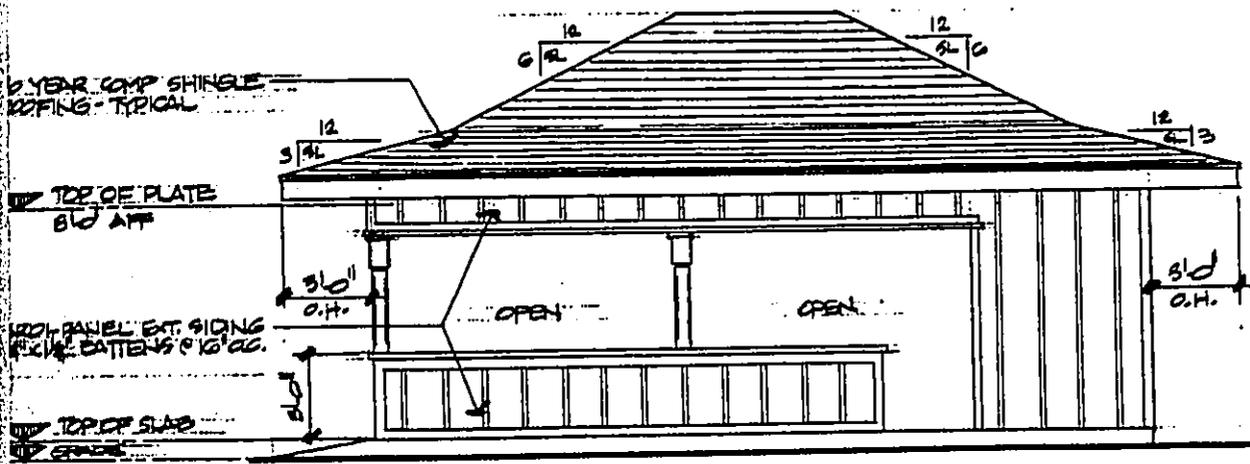
(MAKAI SIDE)
1/4" = 1'-0"

PLANS PRODUCED BY:
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 P.O. BOX 735 - HANA, MAUI, HAWAII, 96713
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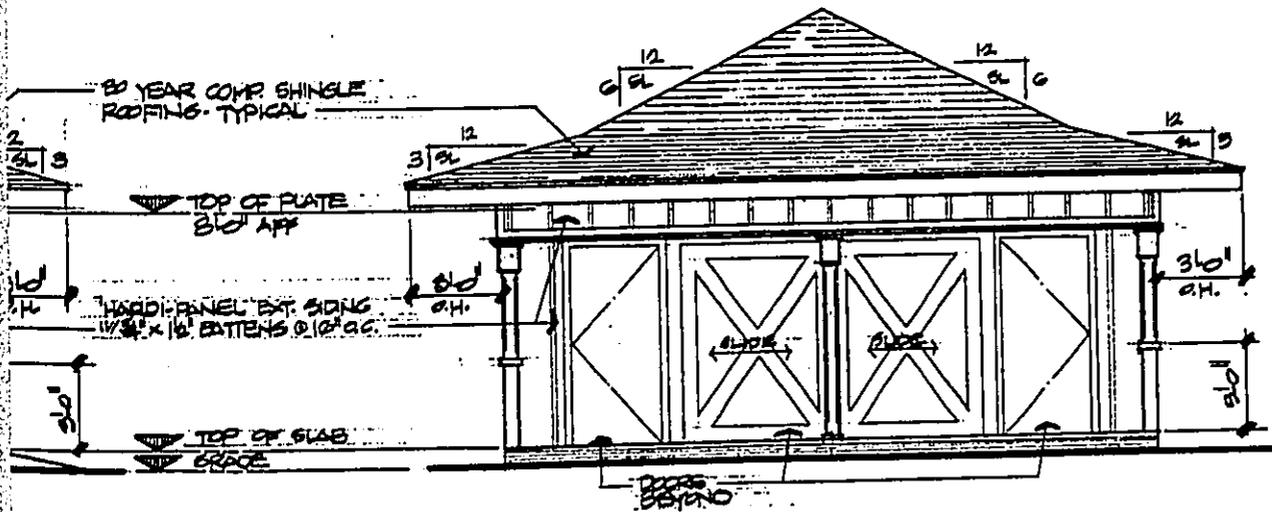
A PROPOSED CARPORT FOR
 THE BERLINER PROPERTY
 HANA, MAUI, HAWAII

SHEET NO.

A-3



3 EXTERIOR ELEVATION (MAUKA SIDE)
 SCALE: 1/4" = 1'-0"



1 EXTERIOR ELEVATION (MAKAI SIDE)
 SCALE: 1/4" = 1'-0"

EXISTING CONDITIONS

2

A. Existing Uses and Improvements

There are no existing structural improvements on the premises and there were no buildings on site at the time Applicant purchased the property. Applicant does note that a previous owner cleared a portion of the lot for purposes of building a home. The cleared area is planted in grass and landscaped with an assorted palms, trees, and shrubs. The landscaped area is bordered by a brush tangle with assorted trees and palms covering the remainder of the lot. The landscaped area is estimated at approximately 75,268 square feet. The Berliner residence will be sited on the northern end of the landscaped area (See Images 1-2) and the carport in the central section (See Image 3). Improvements are not proposed in the southern section (See Image 4).

Applicant has been maintaining the landscaped area since acquiring the lot. Maintenance activities include mowing the lawn and selective pruning of palms and trees.

The nearest occupied lot is across Alalele Place from the subject property. Lands to the west of Alalele Place comprise the Hana Agricultural Subdivision, which opened in 1977. An undeveloped privately owned lot abuts the property to the north and the State of Hawaii owns an undeveloped lot to the south and east.

The Hana Airport, which opened in 1950, is located .05 miles to the north of the Berliner property.

B. Environmental Conditions

General climate conditions in the vicinity of the project site can be characterized as breezy, warm, and moderately wet. Northeasterly tradewinds prevail approximately 80 percent of the year and are particularly prevalent from April through November. Average annual wind speeds range between 13-24 miles per hour. Average annual temperature is about 80°F with lows in the 60s during the winter months (December through March) and highs in the 90s during the summer months (June through August). Average annual rainfall is about 75 inches with winter months being generally the wettest. The Hana Airport (and presumably the town of Hana) receives afternoon showers on almost a daily basis.

The property is relatively flat. Ground elevation ranges from a high of about 150 feet above mean sea level along the southern boundary and 100 feet on the north.

The landscaped area is near the center of the property and a ground elevation of 120-125 feet is assumed. Most of the landscaped area is about three feet below street grade. The center section is at street grade and extends like an "a downturned open hand" from Alalele Place, across the landscaped area to brush land opposite the road. The terrain falls about 3 feet on either side of the "open hand".

The Soil Conservation Service (1972) identifies a single soil type of the Malama series--- Malama extremely stony muck (MYD) comprising the project site. According to the Service, the soil is extremely stony, shallow (8" thick surface layer), with a substratum of a'a lava.



Image 1. Northern section of the landscaped area looking east from Alalele Place. The proposed house site adjoins the palm grove on the right.



Image 2. Northern section of the landscaped area looking west towards Alalele Place. The proposed house site is near the left foreground.



Image 3. Central section of the landscaped area looking east from Alalele Place. The proposed carport will be located on the flat area in the left background.



Image 4. Southern section of the landscaped area looking east from Alalele Place.

The soil is very rapidly permeable, runoff is slow, and the erosion hazard is no more than slight.

There are no streams, ponds, wetlands, or other **fresh water** bodies on the premises.

Mink and Lau (1990) identified and classified the principal **aquifers** on Maui. Based on their classification system, the Berliner property is underlain by the Kawaipapa aquifer, one of four aquifers comprising the Hana Sector. The Kawaipapa aquifer is basal and unconfined in flank lavas. The aquifer is currently used to supply fresh (<250mg/l Cl⁻) drinking water and is considered an irreplaceable ground water source highly vulnerable to contamination. The aquifer extends inland about two miles (from the shoreline) and is not protected by caprock at the coast. Ground water is withdrawn at locations mauka of the Hana Highway.

In the vicinity of Hana Airport, the State Department of Health **Underground Injection Control** line ("UIC Line") generally follows the alignment of the Hana Highway (Department of Health, 1999). Water sources (underlying aquifers) below or makai of the UIC Line are not considered drinking water sources; water sources above or mauka of the UIC Line are considered a drinking water source.

The **Flood Insurance Rate Map** (Figure 3) designates the property Zone C, which is defined as "areas of minimal flooding" (Federal Emergency Management Agency, 1981).

No permanent **drainage** facilities were seen in the area except for a steel culvert passing under Uwala Road at its intersection at Alalele Place. The culvert outlets into a lava rock drainage ditch. More than likely runoff flows mauka to makai along Alalele Place and off the road shoulder onto the roadside edge of lots fronting the road.

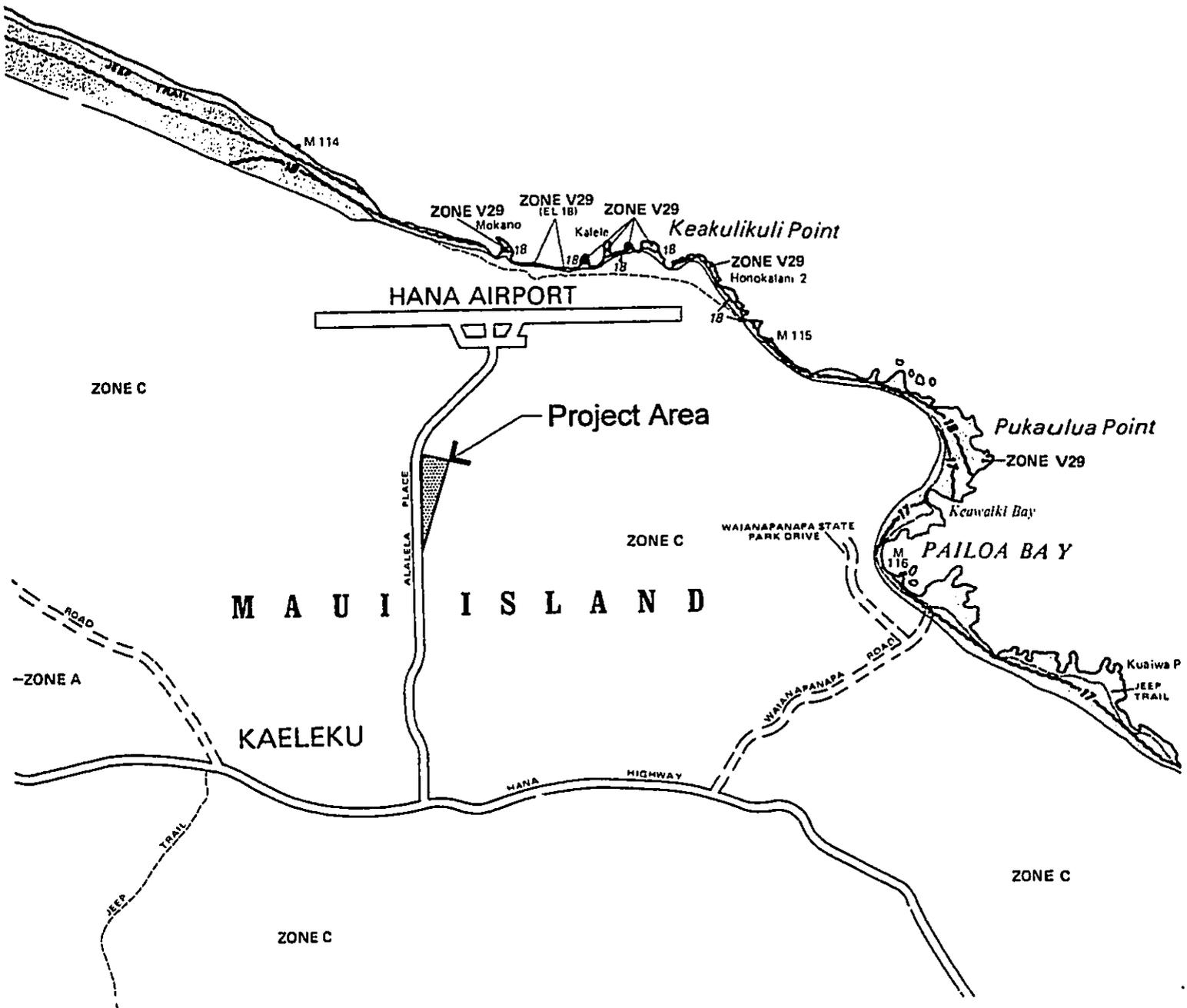
The landscaped area is about three feet below street grade. Street runoff flows into low-lying sections where detained until evaporating or percolating into the ground. At the southern end of the landscaped area, a shallow swale between Alalele Place and the eastern boundary of the landscaped area collects and conveys runoff into the brush.

No **archaeological features** were observed on the landscaped area. The State Historic Preservation Division has no record of archaeological features being located on the premises.

Historically, until the mid-1940s, the sugar industry was the economic mainstay for Hana. The first plantation growing sugar opened in Hana in 1849 and by 1883, the number had grown to six plantations" (<http://www.hanamaui.com/history.html>). By 1900, "there were five plantations, three mills an[d] miles of sugar cane fields between the Hana Airport and Kipahulu" (<http://www.hookele.com/hccm/info/html>). The industry was to survive until 1945, when the Kaeleku Sugar Co. the last of the sugar plantations ceased operations (Hawaii Business, 1988). The demise of the sugar plantations signaled the emergence of the visitor and ranching industries as the economic forces of the region.

The above reference to Hana Airport is interesting because the original Hana Airport was a grass field at Hamoa that opened in 1935. The existing Hana Airport opened in 1950 (Department of Transportation, Press Kit). Some Hana residents recall sugar cane being grown "wherever get pasture land" surrounding the town. When asked about the area surrounding the existing Hana Airport they recall "sugar cane growing on both sides of the road [leading to the airport]". This strongly suggests that any archaeological features that

PACIFIC OCEAN

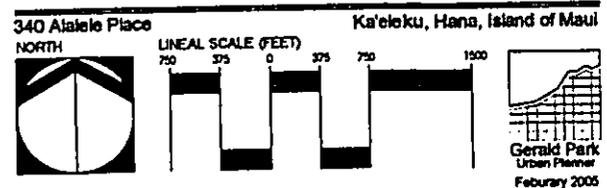


Legend

-  Zone V Areas of 100-year coastal flood with velocity (wave action); base flood-elevations and flood hazard factors determined.
-  Zone C Areas of minimal flooding. (No shading)

Source: Federal Emergency Management Agency
 Flood Insurance Rate Map
 Map Number 15003 0319 B
 Date: June 1, 1981.

Figure 3
 Flood Insurance Rate Map
 Berliner Residence



may have been present in the Ka'eleku area have been removed or extensively altered by sugar cane cultivation, construction of roads and the airport, and on-going agricultural activities in the Hana Agricultural Park.

There are no known **cultural** practices associated with the property. There are no archaeological features and known burial sites present. The property is located away from fishing areas along the shoreline and there are no trails leading to the shoreline crossing the property.

Flora in the landscaped area consists of a banyan, kou, guava, coconut, assorted palm varieties, ti, papaya, bird of paradise, and heliconia. Guinea grass, California grass, and koa haole comprise a dense layer of brush to the north, east, and south of the landscaped area. None of the observed species are listed as protected, threatened or endangered (DLNR, 1998; Federal Register, 1999, 2002).

Barred dove and mynah were the only **avian species** observed during a site investigation. Mongoose was seen scampering across Alalele Place and domesticated dogs were seen on adjacent lots. Feral pig probably frequents the general area.

3. Land Use Plans and Controls

State and County **land use controls** governing the use of the property are listed below.

State Land Use Designation: Conservation

Conservation District Subzone: General

Hana Community Plan: Conservation

Special Management Area: Inside Special Management Area

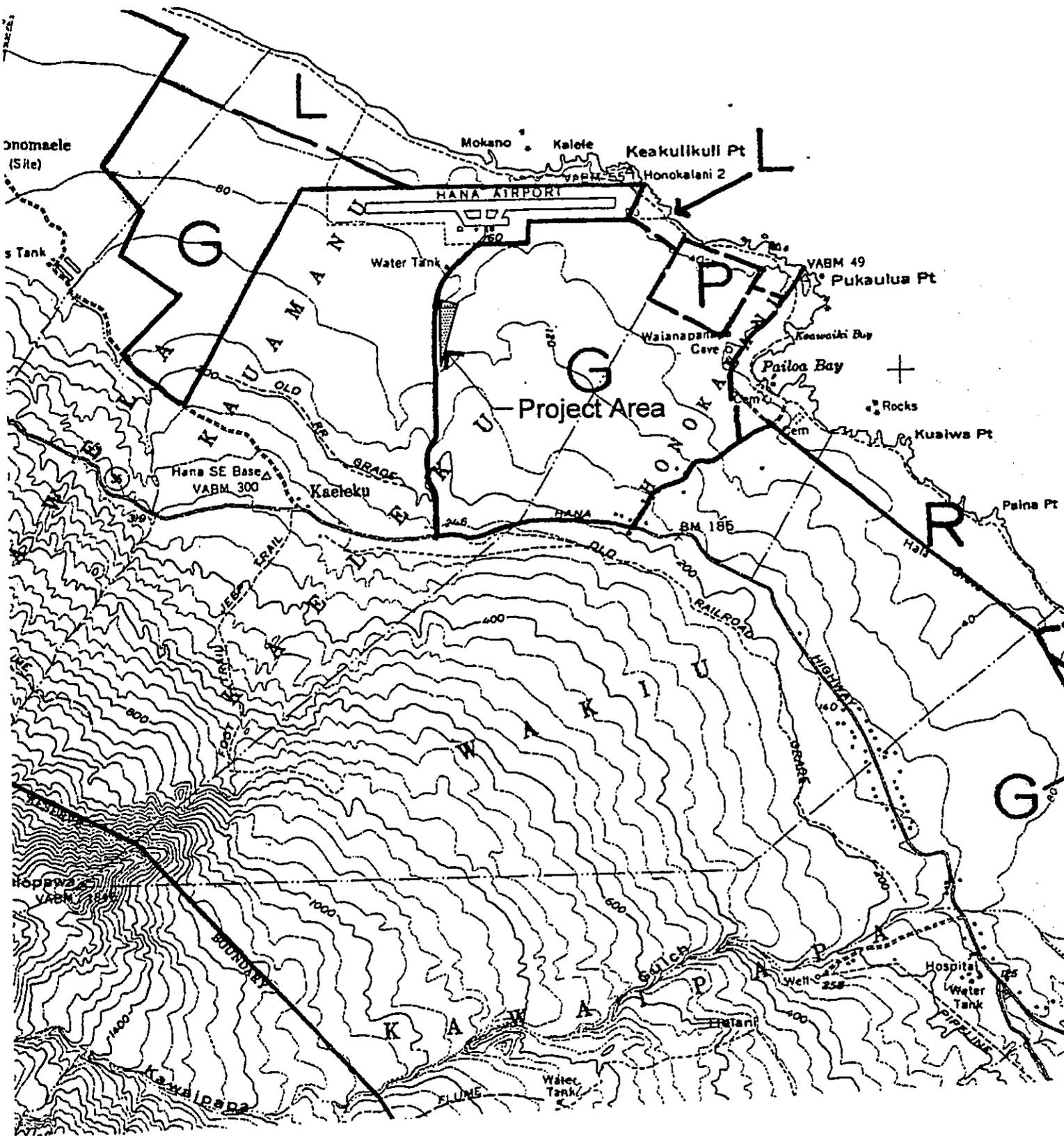
The property is designated Conservation and is in the Conservation District General subzone (See Figure 4). Uses in the conservation district are regulated by the Department of Land and Natural Resources, State of Hawaii. A Conservation District Use Application has been submitted to the Department for Board of Land and Natural Resources for review and approval.

The Hana Community Plan (1994) designates the property Conservation (Figure 5). This land use category "primarily recognizes the designation of lands in the State Conservation District and is used to protect and preserve wilderness areas, beach reserves, scenic areas and historic sites, open ranges, and watersheds; to conserve fish and wildlife; and to promote forestry and grazing." Information gathered from the literature and field inspection indicates that none of the above attributed values of the Conservation district are found or occur on the premises.

The property is located inside the County of Maui delineated Special Management Area ("SMA") shown in Figure 6. A Special Management Area Assessment Application will be submitted to the County of Maui Planning Department for determination if a) the project is exempt from SMA permitting requirements, b) a SMA Minor Permit is required, or c) if a SMA Use Permit is required.

4. Public Facilities

Alalele Place, which connects Hana Highway and Hana Airport, is under the jurisdiction of the Airports Division, State Department of Transportation. The road is a two-lane, two-way,

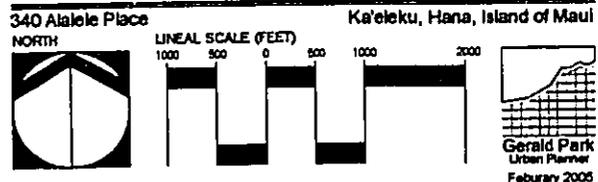


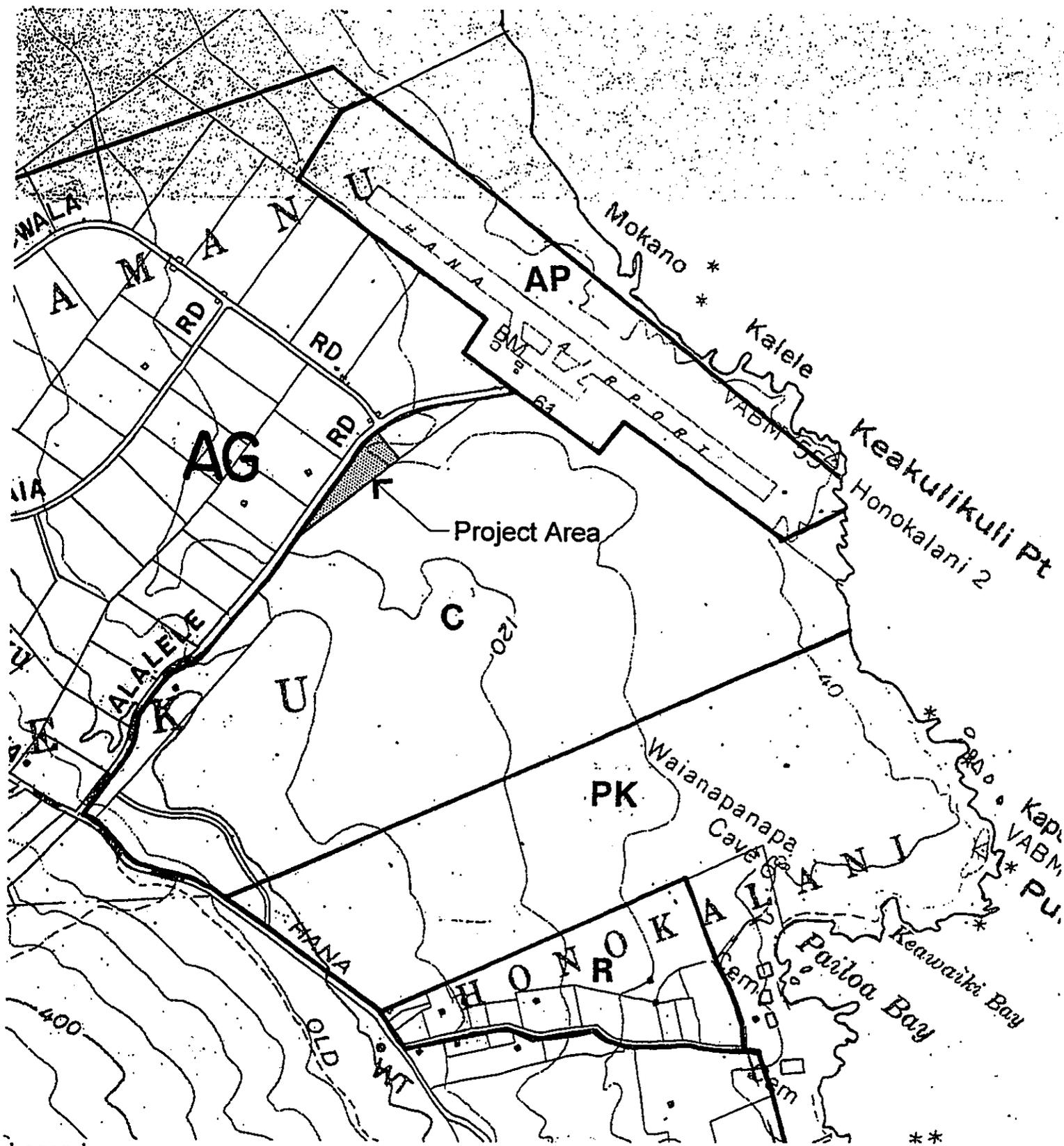
Legend

- P Protective Subzone
- L Limited Subzone
- R Resource Subzone
- G General Subzone

Source: Department of Land & Natural Resources,
Hana Quadrangle, Island of Maui

Figure 4
Conservation District Subzones
Berliner Residence



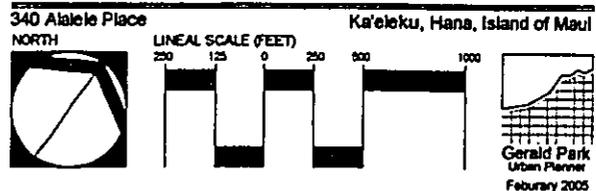


Legend

- C CONSERVATION
- AG AGRICULTURE
- R RURAL
- AP AIRPORT
- PK PARK

Source: Maui Community Plan - Hana
 County of Maui, Department of Planning
 Adopted: July 1, 1994

Figure 5
 Hana Community Plan
 Berliner Residence



paved all-weather surface street within a 50-foot right-of-way. Each travel lane is 10-feet wide and the posted speed limit is 30 mph. The right-of-way is not improved with curbs, gutters, and sidewalks.

The subject lot has approximately 950 lineal feet of frontage along the road. A request for driveway connection to the road has been submitted to the Airports Division for review and approval.

The Hana Water Company, a private water utility, supplies water to its customers in the vicinity of the subject property through an 8-inch **water line**. The water line is within the Alalele Place right-of-way. The company is negotiating to turn its Kaeleku System over to the County of Maui and is not issuing water meters at this time (Telephone conversation with Rolan Torres, Hana Water Company).

There are no **utilities** extended to the property. Existing power and communication systems are available from overhead lines along the western shoulder of Alalele Place.

The area lacks a **municipal sewer system**. Cesspools are the primary means of domestic wastewater disposal.

Refuse collection is available along Alalele Place. Alternatively, Hana residents haul their refuse to a County disposal site along Hana Highway.

Police and fire service originates from the Hana Civic Center located about 2.5 miles away on the northern end of Hana Town.

SUMMARY OF POTENTIAL ENVIRONMENTAL IMPACTS AND MEASURES TO MITIGATE ADVERSE EFFECTS

3

The scope of the project was discussed with the Applicant and State and County agencies were contacted for information relative to their areas of expertise. Time was spent in the field noting site conditions and conditions in the vicinity of the property. The consultations and field investigations helped to identify existing conditions and features that could affect or be affected by the project. These conditions include:

- The site of the single-family dwelling was cleared by the previous owner who planted assorted palms, trees, shrubs, and grass.
- There are no rare, threatened, or endangered flora or fauna on the property;
- There are no recorded archaeological or cultural resources on the property;
- The property is not located in a flood hazard zone;
- There are no streams, ponds, wetlands, or surface water features on the property;
- There is no municipal sewer system in the area;
- Electrical power is available to the property;
- Lots in the adjoining Hana Agricultural Park have been improved with farm and residential dwellings.

A. Short-term Impacts

Site work is a necessary function to prepare the land for building the temporary and permanent improvements to follow and is probably the most disruptive construction activity on the environment. Site work is a persistent source of **fugitive dust**. Site contractors are aware that dust is a nuisance to both workers and people living near work sites and it is imperative for them to maintain stringent dust controls. Applicants construction plans would limit site work activities and fugitive dust generation by posting the dwelling on concrete piers. The piers are spaced between 6 and 8-feet on center and will require minimal site work.

Minor excavation would be required to install a septic tank and waste line to the effluent field.

Water sprinkling is probably the most effective dust control measure given the size of the building site and the scale of proposed improvements. Afternoon rain showers are common to Hana and would help to mitigate fugitive dust during non-working hours. The Contractor, however, may choose to implement other measures based on experience with similar projects, physical conditions, and job sites. Air pollution control measures will comply with Chapter 60.1, Air Pollution Control regulations of the State Department of Health and Best Management Practices approved by the Department of Public Works and Environmental Management, County of Maui.

The Contractor will be responsible for general housekeeping of the site and for keeping the adjacent street free of dirt, mud, and construction debris.

Construction **noise**, like fugitive dust, cannot be avoided. Exposure to noise, however, is expected to vary in volume, frequency, and duration. Noise will vary also by construction

phase, the duration of each phase, and the type of equipment used during the different phases. For this project, noise will probably be most pronounced during the early stages when sections of the landscaped site are grubbed of vegetation to receive the concrete piers.

Community Noise Control regulations establish a maximum permissible sound level for construction activities occurring within various zoning districts. The conservation zoning district (Preservation for this discussion) is placed in the Class A zoning district and the maximum permissible sound level is 55 dBA between the hours of 7:00 am and 10:00 pm (Chapter 46, Community Noise Control, 1996). Construction activities can produce noise in excess of the permissible daytime noise level and a noise permit (or variance) will be needed. The Contractor will be responsible for obtaining the permit and complying with conditions attached to the permit. Work will be scheduled for normal working hours (7:00 am to 3:30 pm) Mondays through Fridays.

Although minimal site work is proposed, exposed soil may create opportunities for **runoff and erosion** during construction. The building site is relatively flat and site work will involve minimal excavating and limited grading. Best Management Practices specified in Chapter 20.08 of the Maui County Code for drainage, dust control, erosion, and sediment control will be prepared for review and approval by the Department of Public Works and Environmental Management. Because the house site is about 3 feet below street grade construction related runoff would flow into surrounding brush lands or be detained in the landscaped area.

Should subsurface **archaeological or cultural features** be unearthed, work in the immediate area will cease and the State Historic Preservation Division notified immediately for disposition of the finds. If burials are unearthed, the State Historic Preservation Division and the County of Maui Police Department will be notified.

Adverse effects on **flora** are not anticipated. Plant material to be removed within the project limits would be primarily grass. Existing trees will be retained for landscaping and may be pruned. None of the plants observed on the property are or are candidates for rare, threatened, or endangered status.

Minor construction work in Alalele Place will be required to make the necessary utility crossings. Street traffic is extremely light on Alalele Place with most traffic generated from the agricultural park and vehicles journeying to and from Hana Airport. If required, a **traffic management plan** will be prepared and submitted to the Airports Division, Department of Transportation, State of Hawaii for review and approval. Mitigating measures may include but are not limited to:

- Posting notices alerting motorists of scheduled work in the right-of-way;
- Posting warning signs on both sides of the work area to alert motorists of construction and to slow traffic speed;
- Positioning traffic cones or other directional devices in the roadway to guide vehicles around work areas;
- Posting flagmen for traffic control;
- Keeping at least one traffic lane open at all times to minimize inconveniences to motorists;

- Limiting construction within the right-of-way to between 8:30 AM and 3:00 PM, Monday through Friday; and
- Covering open trenches with steel plates during non-working hours and posting safety devices with warning lights to alert motorists of the construction area.

Construction vehicles hauling men and material will periodically contribute to **traffic** on Alalele Place. Construction material will be off-loaded and stockpiled on-site; however, if materials need to be unloaded within the road right-of-way, flagmen will be posted for traffic control. When this occurs, minor traffic delays can be expected but should not last for more than a few minutes.

B. Long-term Impacts

Single-family dwellings are a permitted use in the General subzone. Approval of this application should not introduce widespread urban uses to the immediate area. Applicant does not plan to subdivide the property into residential lots that would introduce urban uses to the area and increase the intensity of use of the property. Property in the Hana Agricultural Subdivision across Alalele Place is zoned for agricultural use and land adjoining the Berliner property is designated Conservation. Both agricultural and conservation land use designations should preclude the introduction of urban type uses and activities to the immediate area.

The proposed improvements are designed around the development standards of the Conservation District for single-family dwellings. The proposed improvements do not exceed the 5,000 square foot maximum developable area for lots larger than 1 acre. The dwelling does not exceed the 25-foot height limit and is setback in excess of 25-feet from all required yards.

The site plan maintains the open space character of the property and the residence and carport have been sited to minimize physical, visual, and environmental intrusions on the landscape. At their planned locations, both structures do not require removing palms and trees. Posting the residence on piers will not require topographical changes thus precluding grading and removing a large section of the lawn. A concrete floor is needed for the carport and the removal of some of the lawn cannot be avoided. A grass driveway connecting Alalele Place and the carport further minimizes the land area to be disturbed.

No permanent improvements are proposed outside of the landscaped area. Applicant, however, is requesting that they be allowed to remove overgrown and scrub vegetation to help maintain and further enhance the appearance of the entire property.

Runoff is expected to marginally increase because of the increase in impervious surface area (primarily because of the dwelling and carport roofs). Most of the roof runoff would be collected in a water tank and excess runoff would drop onto the ground and collect in low spots or naturally flow into the adjoining brush land.

The dwelling will be visible primarily to motorists and passersby southbound on Alalele Place and from adjoining developed properties. The dwelling will be similar in appearance to many low-rise dwellings on adjoining lots in the Hana Agricultural Subdivision. With its gabled roof, ample eaves, front steps leading up to an entry lanai, and posting above grade, the structure incorporates essential design elements of an old style Hawaii home. In concert

and its surrounding should visually convey a contemporary appearance of a rural home in a tropical landscaped setting.

Significant adverse changes to the aesthetic quality of the neighborhood and the aesthetic appearance of Applicant's lot are not anticipated. The site has already been cleared and landscaped with grass, trees, and palm varieties. The vertical landscape elements will remain as is and only a small portion of the existing lawn area will be removed to accommodate the proposed dwelling and carport.

No traditional and cultural practices are known to be associated with the subject property. There are no recorded archaeological sites, known burial sites, and trails on the premises. Given its inland location, it was not used for fishing. The surrounding area was modified by sugar cane cultivation and construction of a road, airport, and agricultural subdivision. It is also believed that there are no on-going traditional cultural activities that are any way site specific.

A catchment system will provide water for non-domestic uses. Bottled water will be used for drinking and cooking. As such, there should be no effect on the existing private water system serving lots in the Hana Agricultural Park.

Domestic wastewater will be discharged into an individual wastewater disposal system. The system would consist of a septic tank for collecting and holding solids and a disposal field for effluent. The system will be designed, operated, and maintained to the standards of Chapter 62, Wastewater Systems, Hawaii Administrative Rules.

The proposed use will not significantly increase vehicle traffic on Alalele Place and subsequent impacts on local traffic circulation patterns are not anticipated.

Low-density, low-intensity residential use should not result in deleterious impacts on air quality and the acoustical environment. Residential uses typically are not significant noise generators. Residential noise also can be attenuated by adequate setbacks and separation between lots, landscaping, and acoustical dampening materials used in building the dwelling.

The proposed improvements are anticipated to contribute to real property tax revenues. The annual tax revenue will depend on County of Maui real property tax assessment policies and tax rates for land and improvements in effect at the time annual assessments are made.

ALTERNATIVES TO THE PROPOSED ACTION

4

A. No Action

The no action alternative would maintain the status quo of the property and preclude the occurrence of all environmental impacts, short and long-term, beneficial and adverse, described in this Assessment. A No Action alternative would deny Applicant the enjoyment and reasonable use of their property.

PERMITS AND APPROVALS

5

Permits and approvals required for the project are listed below. Other permits and approvals may be required depending on final construction plans.

AUTHORITY

PERMIT/APPROVAL

State of Hawaii

Board of Land and Natural Resources
Department of Health
Department of Transportation
Department of Transportation-Airports

Conservation District Use Permit
Individual Wastewater Disposal System
Work in State Highway Right-of-Way
Driveway Connection

County of Maui

Department of Planning

Department of Public Works and
Environmental Management

Special Management Area
Assessment Application
Building Permit

AGENCIES AND ORGANIZATIONS TO BE CONSULTED

6

*The Draft Environmental Assessment for the Berliner Residence at Alalele Place was published in the Office of Environmental Quality Control's Environmental Notice of September 8, 2005 and September 23, 2005. Publication initiated a 30-day public review period ending on October 8, 2005. The Office of Conservation and Coastal Lands, Department of Land and Natural Resources circulated copies of the Draft Environmental Assessment. An asterisk * identifies agencies and organizations that submitted letters or written comments during the review period. All comment letters and responses are found in Appendix A.*

State of Hawaii

- Department of Health
 - Wastewater Branch
 - *Office of Environmental Quality Control**
- Department of Land and Natural Resources
 - Historic Sites Division
- Department of Transportation
 - Airports Division
 - *Office of Hawaiian Affairs**

County of Maui

- *Planning Department**
- Department of Public Works and Environmental Management
- Police Department
- Fire Department

Others

- Maui Electric Company, Inc.
- Hana Public Library (Placement)

DETERMINATION OF SIGNIFICANCE

7

Chapter 200 (Environmental Impact Statement Rules) of Title 11, Administrative Rules of the State Department of Health, establishes criteria for determining whether an action may have significant effects on the environment (§11-200-12). The relationship of the proposed project to these criteria is discussed below.

1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;

The landscaped area where the improvements are proposed is devoid of archaeological and cultural resources.

2) Curtails the range of beneficial uses of the environment;

The project does not curtail the beneficial uses of the environment. The proposed improvements will enable Applicant and their family to enjoy the use of their property in a manner that does not degrade the environmental quality of the property and the adjoining area.

3) Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in chapter 344, Hawaii Revised Statutes, and any revisions thereof and amendments thereto, court decisions or executive orders;

The project does not conflict with long-term environmental policies, goals, and guidelines of the State of Hawaii.

4) Substantially affects the economic or social welfare of the community or State;

The project will not substantially affect the economic or social welfare of the community or State.

5) Substantially affects public health;

Public health will not be adversely affected during construction and after completion of construction.

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

Substantial secondary impacts are not anticipated.

7) Involves a substantial degradation of environmental quality;

A substantial degradation of environmental quality is not anticipated.

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

The project does not involve a commitment for a larger action.

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

There are no rare, threatened or endangered flora or fauna on the premises. Flora observed on and adjoining the landscaped area is common to the island of Maui.

10) Detrimentially affects air or water quality or ambient noise levels;

Some fugitive dust will be raised when excavating for the concrete piers that would support the structure but can be controlled by measures stipulated in this Assessment. Because the building site has been cleared and landscaped, limited grading work is anticipated. Noise will be audible during construction but given the limited scope of improvements, construction noise would be similar to what is typically heard during home construction activities. All construction activities will comply with air quality and noise pollution regulations of the State Department of Health.

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

The proposed improvements are not located in an environmentally sensitive area.

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

The improvements will not substantially affect scenic vistas and view planes from public viewing places such as roads and scenic lookouts.

13) Requires substantial energy consumption.

Substantial energy consumption is not anticipated.

REFERENCES

Department of Geography, University of Hawaii. 1983. *Atlas of Hawaii*. University of Hawaii Press, Honolulu.

Hawaii Business. May 1988. *Holding onto Hana*.

Mink, John F. and L. Stephen Lau. February 1990. *Aquifer Identification and Classification for Maui: Groundwater Protection Strategy for Hawai'i*. Technical Report No. 185. Water Resources Research Center, University of Hawai'i at Mānoa, Honolulu, Hawaii.

Planning Department, County of Maui. *Hana Community Plan*.

Federal Emergency Management Agency. June 1981. *Flood Insurance Rate Map, County of Maui*. Community Panel No. 15003 0319B.

Park, Gerald. 2005. *Field Observation*.

State of Hawaii Department of Health. September 1999. *Island of Maui Underground Injection Control Areas*.

State of Hawaii, Department of Transportation. No Date. *History of Aviation on Maui*. Public Affairs Office, On-Line Press Kits-Kahului Airport.

U.S. Department of Agriculture, Soil Conservation Service. August 1972. *Soil Survey of Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*. In Cooperation with The University of Hawaii Agricultural Experiment Station. U.S. Government Printing Office, Washington D.C.

Websites

<http://www.state.hi.us/health/environmental/water/sdwb/uic/uicmap.html>.

<http://www.hanamaui.com/history.html>

<http://www.hookele.com/hccm/info.html>

APPENDIX A

COMMENT LETTERS AND RESPONSES

UNCLASIFIED
EXCEPT WHERE SHOWN
OTHERWISE



STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
DEPARTMENT OF HEALTH
LEOPAPA KUMUHAMEHA
235 SOUTH BERTANHA STREET, SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185

GERNEVIVE L. SALMONSON
DIRECTOR OF DEOC

In reply, please refer to
File #

received
10-7-05

October 6, 2005

Mr. & Mrs. Michael and Heather Berliner
202 Wahioli Place
Lahaina, Hawaii 96761

Mr. Gerald Park
Gerald Park Urban Planner
1221 Kapi'olani Boulevard, Suite 211
Honolulu, Hawaii 96814

Mr. Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809

Dear Messrs. Berliner, Park and Lemmo:

The Office of Environmental Quality Control has reviewed the draft environmental assessment for the Berliner Residence, Tax Map Key 1-3-009-002, situated in the judicial district of Hana. We offer the following comment for your consideration and response.

1. *Native Hawaiian Plants in Landscaping*: Please consider using native Hawaiian plants in landscaping; please see our internet website for more information at <http://www.state.hi.us/health/oeqc/index.html>.

Thank you for the opportunity to comment. If there are any questions, please call Mr. Leslie Segundo, Environmental Health Specialist, at (808) 586-4185.

Sincerely,

Genevive Salmonson
GERNEVIVE SALMONSON
Director



GERALD PARK
Urban Planner

- Planning
- Land Use
- Recreation
- Environmental Studies

1221 Kapiolani Blvd.
Suite 211
Honolulu, Hawaii
96814

- Telephone: (808) 576-7484
- Facsimile: (808) 576-7485
- e-mail: geraldpark@aol.com

October 18, 2005

Genevive Salmonson, Director
Office of Environmental Quality Control
State of Hawaii
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813-2437

Dear Ms. Salmonson:

Subject: Berliner Residence
TMK: 1-3-009-002
Kaeleku, Hana, Maui

Thank you for reviewing the Draft Environmental Assessment for the subject project. In response to your comment, we offer the following:

1. Native Hawaiian Plants in Landscaping.

Existing trees and palms in the landscaped area will be retained *in situ*. The Berliners plan to introduce native Hawaiian plants into the landscaped area after their dwelling is built but there is no plan to do so at this time. The Department of Land and Natural Resources will have to approve the landscaping plan because the Berliner property is located within the State Conservation district.

The participation of the Office of Environmental Quality Control in the environmental review process is appreciated.

Sincerely,

GERALD PARK URBAN PLANNER

Gerald Park
Gerald Park

c. M. Berliner

ALAN M. ARAKAWA
Mayor

MICHAEL W. FOLEY
Director

WAYNE A. BOTEILHO
Deputy Director



RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

COUNTY OF MAUI
DEPARTMENT OF PLANNING
OCT 1 - 6 A 8:08

OCTOBER 3, 2005
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Mr. Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Attn: Chris Pramouimelar

Dear Mr. Lemmo:

RE: Conservation District Use Application (CDUA) MA-3245; Berliner
Residence and Associated Improvements at Alalele Place

The Maui Planning Department (Department) has reviewed the above referenced application and has the following comments to offer:

1. The subject property is located within the Special Management Area as established by the Maui Planning Commission.
2. A Special Management Area Assessment application along with supporting documentation should be submitted to the Department so that it can be determined whether a Special Management Area Permit is required or if the proposed action, including cumulative impacts, is an exempted action.

Thank you for the opportunity to comment. Should you require additional information, please contact Ms. Robyn Loudermilk, Staff Planner of this office at 270-7180.

Sincerely,

MICHAEL W. FOLEY
Planning Director

MWF:RL:dm
c: Clayton I. Yoshida, AICP, Planning Program Administrator
Robyn L. Loudermilk, Staff Planner
General File
KIWP_DOCS\PLANNING\LETTERS\2005\2339_BerlinerCDUA.wpd

250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793
PLANNING DIVISION (808) 270-7733; ZONING DIVISION (808) 270-7253; FACSIMILE (808) 270-7154



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96814

Telephone:
(808) 596-7484
Facsimile:
(808) 596-7485
e-mail:
geraldpark@aol.com

October 18, 2005

Michael W. Foley, Planning Director
Department Of Planning
County of Maui
250 South High Street
Wailuku, Maui 96793

Dear Mr. Foley:

Subject: Berliner Residence
TMK: 1-3-009: 002
Kaeleku, Hana, Maui

Thank you for reviewing the Draft Environmental Assessment for the subject project

A Special Management Area Assessment application is being prepared for submittal to the County of Maui Planning Department.

The participation of the Planning Department in the environmental review process is appreciated.

Sincerely,

GERALD PARK URBAN PLANNER

Gerald Park

c: M. Berliner

50009

PHONE (808) 594-1888

FAX (808) 594-1865



RECEIVED

05 SEP 13 07:57

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPTOLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

HRD05/2004

received
7.14.05

OHA further requests your assurances that if the project goes forward, should iwi or Native Hawaiian cultural or traditional deposits be found during ground disturbance, work will cease, and the appropriate agencies will be contacted pursuant to applicable law.

Thank you for the opportunity to comment. If you have further questions or concerns, please contact Jesse Yorck at (808) 594-0239 or jessy@oha.org.

'O wau iho nō,

Ronald P. Mun
Clyde W. Nāmu'o
Administrator

CC: Theima Shimaoka
OHA Community Affairs Coordinator (Maui)
140 Hoohana St., Ste. 206
Kahului, HI 96732

✓ Peter Young
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, HI 96809

80
0
2005
September 8, 2005
Samuel S. Lemmo
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, HI 96809

RE: Conservation District Use Application and Draft Environmental Assessment for the Proposed Construction of the Berliner Residence, District of Hana, Maui, TMK 1-3-009: 002.

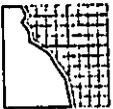
Dear Mr. Lemmo,

The Office of Hawaiian Affairs (OHA) is in receipt of your August 22, 2005 request for comment on the above listed proposed project, TMK 1-3-009: 002. OHA offers the following comments:

The Draft Environmental Assessment states on Page 27 that the property is "devoid of archaeological and cultural resources." OHA asks if this conclusion is posited by an individual with a background in Hawaiian Archaeology and/or from the findings of a formal Archaeological Inventory Survey. It is our understanding that subsurface deposition cannot be determined by visual inspection of the present ground surface.

OHA reminds the applicant the human burials, historic properties and cultural sites have been encountered in areas that have undergone substantial grading and ground altering activities. With this in mind, OHA recommends that an Archaeological Monitoring Plan be drafted in support of the proposed project. The plan will address the need for both "on-site" and "on-call" monitoring by a professional archaeologist.

OHA also asks that any future landscaping plans include Native Hawaiian flora. This will help to promote native ecosystems in the Ka'eleku area.



GERALD PARK
Urban Planner

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- Facsimile:
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geraldpark@aol.com

October 18, 2005

Clyde Namu'o, Administrator
Office of Hawaiian Affairs
711 Kapiolani Boulevard, Suite 500
Honolulu, Hawaii 96813

Dear Mr. Namu'o:

Subject: Berliner Residence
TMK: 1-3-009: 002
Kaeleku, Hana, Maui

Thank you for reviewing the Draft Environmental Assessment for the subject project. We offer the following responses in the order your comments were presented.

Archaeological and Cultural Resources

The conclusion you referred to on page 27 reads in its entirety: "The landscaped area where the improvements are proposed (underscoring added) is devoid of archaeological and cultural resources." The author of the Draft Environmental Assessment drew this conclusion. The conclusion was based on the absence of surface archaeological features in the landscaped area (p.13), no record of archaeological features being found on the premises per State Historic Preservation Division files (p.13), and recollections by several Hana residents that the area on both sides of the airport road was at one time in sugarcane production (p.13).

It is agreed that subsurface deposition cannot be determined by visual inspection of the ground surface. The possibility of subsurface features occurring in the area proposed for improvement was not dismissed but addressed in the discussion on short-term impacts trusty (page 21, 3rd paragraph):

"Should subsurface archaeological or cultural features be unearthed, work in the immediate area will cease and the State Historic Preservation Division notified immediately for disposition of the finds. If burials are unearthed, the State Historic Preservation Division and the County of Maui Police Department will be notified."

Landscaping Plans

Existing trees and palms in the landscaped area will be retained *in situ*. The Berliners plan to introduce native Hawaiian plants into the landscaped area after their dwelling is built but there is no plan to do so at this time. The Department of Land and Natural Resources will have to approve the landscaping plan because the Berliner property is located within the State Conservation district.



Clyde Namu'o
Page 2
October 18 2005

The participation of the Office of Hawaiian Affairs in the environmental review process is appreciated.

Sincerely,

GERALD PARK URBAN PLANNER

Gerald Park

c. M. Berliner

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100