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IN REPLY REFER TO:

10:DEV/019

February 22, 2010

To: Katherine P. Kealoha, Director  
Office of Environmental Quality Control

From: Karen Seddon  
Executive Director 

Subject: Environmental Impact Statement Preparation Notice (EISPN)  
Villages of Leiali'i  
Lahaina, Maui, Hawaii  
TMK : (2) 4-5-21: 03, 04, 05, 13, 21, 22, and (2) 4-5-28: 70

The Hawaii Housing Finance and Development Corporation (HHFDC) respectfully requests the publication of a notice of availability for the above document in the March 8, 2010 issue of the Office of Environmental Quality Control's (OEQC) *The Environmental Notice*.

Please find enclosed a completed OEQC Publication Form, one (1) hard copy of the EISPN, and a compact disc containing the document in PDF format for your use.

Thank you for participating in the environmental review process. Should you have any additional comments or concerns, please contact Sue Sakai of Belt Collins Hawaii Ltd. at 521-5361 or Stan S. Fujimoto, HHFDC Project Manager, at 587-0541.

Enclosures: OEQC Publication Form  
Villages of Leiali'i EISPN  
One (1) Compact Disc



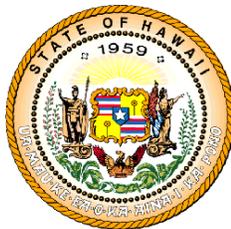
**THE VILLAGES OF LEIALI'I  
AFFORDABLE HOUSING PROJECT  
LAHAINA, MAUI, HAWAII**

**ENVIRONMENTAL IMPACT STATEMENT  
PREPARATION NOTICE  
TMK 4-5-21:03, 04, 05, 13, 21, 22, AND 4-5-28:70**



Prepared for:  
Hawaii Housing Finance & Development Corporation  
Department of Business, Economic Development and Tourism

Prepared by:  
Belt Collins Hawaii Ltd.



March 2010

**THE VILLAGES OF LEIALI‘I  
AFFORDABLE HOUSING PROJECT**

**LAHAINA, MAUI, HAWAI‘I**

**ENVIRONMENTAL IMPACT STATEMENT  
PREPARATION NOTICE**

**TMK 4-5-21:03, 04, 05, 13, 21, 22, AND 4-5-28:70**

This environmental document is prepared pursuant to Chapter 200 of Title 11, Hawai‘i Administrative Rules, Department of Health, *Environmental Impact Statement Rules*.

Prepared for:

Hawaii Housing Finance & Development Corporation

Prepared by:

Belt Collins Hawaii Ltd.



March 2010

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### ACRONYMS AND ABBREVIATIONS

ALISH	Agricultural Lands of Importance to the State of Hawai‘i
DBEDT	Department of Business, Economic Development and Tourism
DHHL	Department of Hawaiian Home Lands
DLNR	Department of Land and Natural Resources
DOE	Department of Education
DOH	Department of Health
DOT	Department of Transportation
DWS	Department of Water Supply
EA	Environmental Assessment
EIS	Environmental Impact Statement
EISPN	Environmental Impact Statement Preparation Notice
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
HAR	Hawai‘i Administrative Rules
HHFDC	Hawaii Housing Finance & Development Corporation
HRS	Hawai‘i Revised Statutes
LCC	Lahaina Civic Center
LEED-ND	Leadership in Energy and Environmental Design for Neighborhood Design
LSB	Land Study Bureau (University of Hawai‘i)

MSL	Mean Sea Level
NPDES	National Pollutant Discharge Elimination System
OEQC	Office of Environmental Quality Control
OHA	Office of Hawaiian Affairs
PHRI	Paul H. Rosendahl, Inc.
RFP	Request for Proposals
SHPD	State Historic Preservation Division
TIAR	Traffic Impact Analysis Report
TMK	Tax Map Key
U.S.	United States

# **CHAPTER ONE: SUMMARY AND PROJECT PURPOSE**

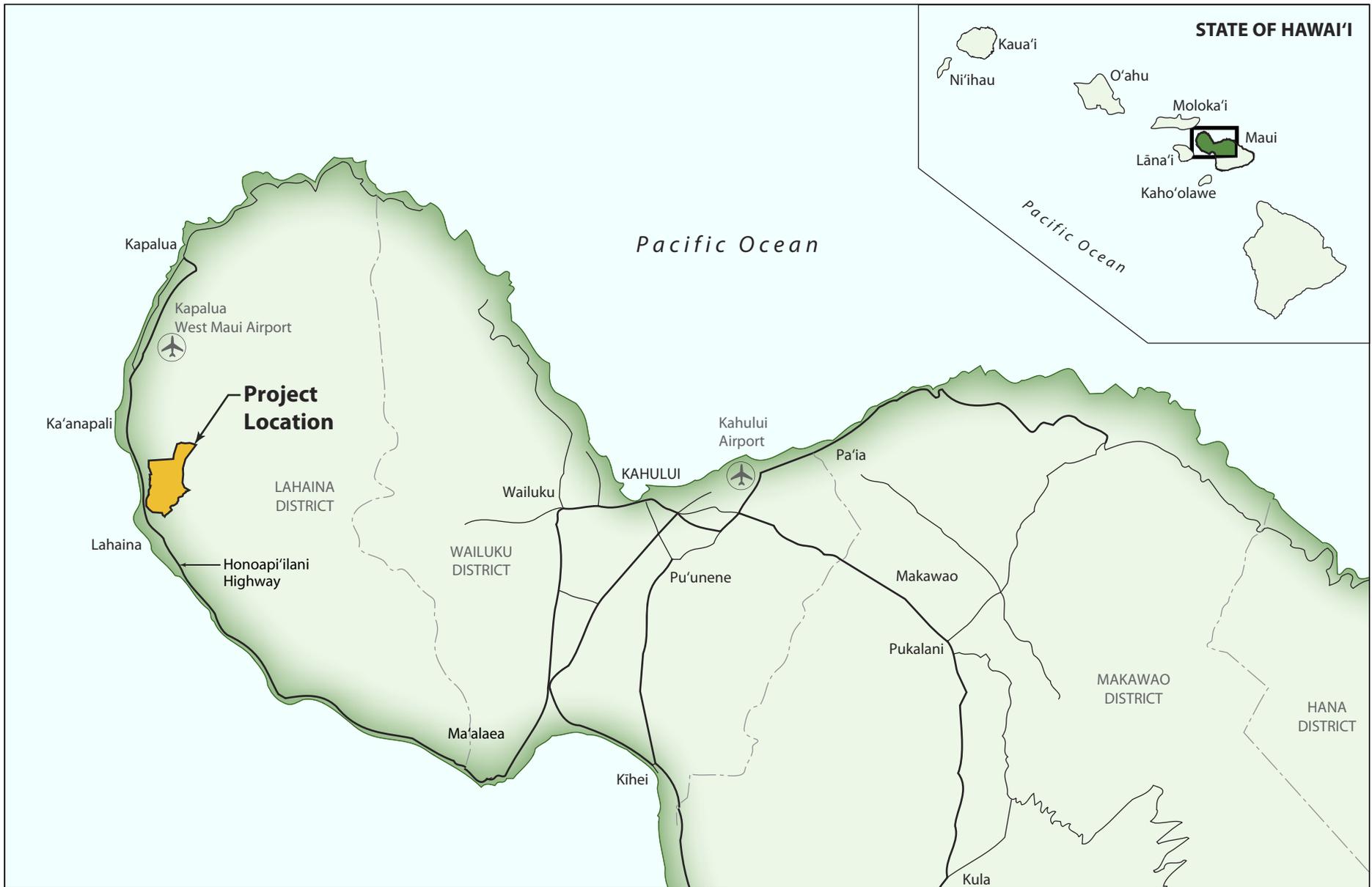
The Hawaii Housing Finance & Development Corporation (HHFDC) is the State’s primary agency charged with overseeing the financing and development of housing affordable to Hawai’i’s workforce and lower- and moderate-income households in the State of Hawai’i.

## **1.1 PROJECT PROFILE**

<b>Project Name:</b>	The Villages of Leiali’i Affordable Housing Project
<b>Location:</b>	Lahaina, Maui
<b>Judicial District:</b>	Lahaina, Maui
<b>Landowner:</b>	State of Hawai’i
<b>Proposing Agency:</b>	Hawaii Housing Finance & Development Corporation
<b>Tax Map Key (TMK)</b>	TMK 4-5-21:03, 04, 05, 13, 21, 22, AND 4-5-28:70
<b>Land Area</b>	Approximately 1,033 acres
<b>Existing Use</b>	Vacant land
<b>Proposed Use:</b>	HHFDC’s overall goal is to increase housing opportunities that are affordable to Hawai’i’s workforce and lower- and moderate-income households.
<b>Land Use Designations:</b>	State Land Use: Urban County Zoning District: TMK 4-5-28:70 is Residential; all else is Agricultural
<b>Accepting Authority:</b>	Office of the Governor

## **1.2 LAND OWNERSHIP AND LOCATION**

The site for the Villages of Leiali’i is approximately 1,033 acres of ceded lands owned by the State of Hawai’i (see Figure 1). The TMKs are 4-5-21:03, 4-5-21:04, 4-5-21:05, 4-5-21:13, 4-5-21:21, 4-5-21:22, and 4-5-28:70 (see Figure 2).



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**Figure 1**  
**REGIONAL LOCATION MAP**

Villages of Leialii  
Environmental Impact Statement Preparation Notice  
February 2010



### 1.3 PROPOSING AGENCY

**Contact Person:** Mr. Stanley Fujimoto, Project Manager  
Hawaii Housing Finance & Development Corporation  
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Honolulu, Hawai'i 96813  
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### 1.4 ENVIRONMENTAL CONSULTANT

**Contact Person:** Susan A. Sakai, Vice President/Director of Planning  
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### 1.5 ACCEPTING AUTHORITY

#### Accepting Authority

The accepting authority is the Office of the Governor. The Hawaii Housing Finance & Development Corporation will conduct the review on behalf of the Office of the Governor.

**Contact Person:** Ms. Janice Takahashi, Chief Planner  
Hawaii Housing Finance & Development Corporation  
677 Queen Street, Suite 300  
Honolulu, Hawai'i 96813  
Phone: (808) 587-0634  
Facsimile: (808) 587-0600

### 1.6 BACKGROUND

In 1990, HHFDC completed a master plan and environmental impact statement (EIS) of 3,800-4,800 residential units at Leialii. The project included a mix of single and multi-family homes at affordable prices, as well as on- and off-site infrastructure, a public golf course, parks, and limited commercial use. HHFDC filed a petition to the State Land Use Commission to amend

the land use district boundary for approximately 1,098 acres of land at Leialii from the Agricultural District to the Urban District for the planned community.<sup>1</sup> In its Decisions and Order effective May 18, 1990, the Land Use Commission approved the reclassification. In lieu of the affordable housing ratio imposed by Act 15, SLH 1988, Act 100, SLH 2001 authorized the affordable housing requirements for the Villages of Leialii to be established by agreement between HHFDC and the County of Maui.

Past design and construction efforts at the Villages of Leialii completed by the HHFDC and its predecessors include:

- Participated with the County of Maui in the expansion of the Lahaina Wastewater Treatment Plant to accommodate the entire Villages of Leialii project in the amount of approximately \$11 million (1991);
- Roads, sewer, water and drainage systems for Village 1A in the amount of approximately \$4.4 million (1993);
- Two exploration potable water wells in the amount of approximately \$1.2 million (1993);
- Participated with the County of Maui for the installation of a sewer line and wastewater reclamation line to accommodate the entire Villages of Leialii project, from the Lahaina Wastewater Treatment Plant to about half-way to the Villages of Leialii project, in the amount of approximately \$2.9 million (1993); and
- Construction drawings for the development of two wells and offsite reservoir and transmission waterline in the amount of approximately \$300,000.

On May 3, 1993, HHFDC's predecessor agency, HFDC, issued a Request for Proposals (RFP) for the development of Village 1 at the Villages of Leialii. Two proposals were received and on November 12, 1993, the HFDC Board of Directors approved the selection of C. Brewer Properties, Inc. for the development of 320 affordable homes and 210 market homes at Village 1. Negotiations with C. Brewer Homes, Inc. on the development agreement were completed in February 1994, and the pre-sale of 103 homes (20 affordable) in Village 1A was completed in the summer of 1994. Development of Village 1A was suspended before any homes

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<sup>1</sup> The approximately 1,033-acre area of the proposed housing development lies entirely within the 1990 petition area.

could be built due to the filing of the ceded lands litigation in November 1994, and a confidential settlement with the developer was eventually reached.

Subsequent legal disputes centering on the issue of the sale of ceded lands by HHFDC put the Leiali'i project on hold until recently. The agency's proposals to develop housing on ceded lands triggered a lawsuit by the Office of Hawaiian Affairs (OHA) aimed at stopping the conveyance of such lands in fee simple to private parties while the claims of native Hawaiians are unresolved. One outcome of this litigation was the sale of 21.540 acres of improved land with 104 improved house lots at Village 1A, and 50.858 acres of unimproved land at Village 1B at Leiali'i, to the Department of Hawaiian Home Lands (DHHL) since the litigation did not prevent DHHL from proceeding with development at Leiali'i. Development of homes on Village 1A has been completed.

In January 2008, the Hawai'i Supreme Court barred the State of Hawai'i "from selling, exchanging, or transferring ceded lands to any third party" (Office of Hawaiian Affairs, *et al.* vs. Housing and Community Development Corporation of Hawaii, *et al.*). The Court based its ruling in part on Congress' joint Apology Resolution of 1993, apologizing for the United States (U.S.) role in overthrowing the Hawaiian monarchy. In June 2008, the Circuit Court of the State of Hawai'i entered an injunction order which barred the State from selling or transferring ceded lands to third parties "except that the State of Hawai'i, and its departments, agencies, agents, officers, and employees may continue its practice of transferring remnants, and issuing licenses, permits, easements and leases concerning ceded lands."

The State of Hawai'i appealed the Hawai'i Supreme Court decision to the U.S. Supreme Court. In its opinion of March 2009, the high court reversed the judgment of the Hawai'i Supreme Court, ruling that the State Supreme Court incorrectly based its decision on the Apology Resolution.

On July 13, 2009, the Governor signed into law Act 176, Session Laws of Hawai'i 2009 which requires a community meeting, appraisal, and two-thirds vote approval of each house of the Legislature to convey State land in fee simple to third parties.

HHFDC's objective at the Villages of Leiali'i is to increase housing opportunities that are affordable to Hawai'i's workforce and lower- and moderate-income households, as follows:

- Develop housing affordable to Hawai'i's workforce and lower- and moderate-income households in the most livable and sustainable community;
- Develop at least 50 percent of the total residential units as housing affordable to Hawai'i's workforce and lower- and moderate-income households;
- Develop a mix of housing affordable to Hawai'i's workforce and lower- and moderate-income households with a broad range of household incomes;
- Develop for-sale and rental housing units that are affordable to Hawai'i's workforce and lower- and moderate-income households; and
- Minimize use of State resources.

Given the ceded lands issue, HHFDC intends to lease property or comply with Act 176 at the Villages of Leialii.

## **1.7 PROJECT PURPOSE AND NEED**

There is a need for housing units that are affordable to Hawai'i's workforce households in West Maui, especially in areas close to employment centers. This issue is particularly critical for lower and moderate income families, as housing costs are often above their borrowing capabilities. HHFDC intends to issue a RFP for prospective developers to implement the project.

The main goal of this project is to develop a master planned residential community that offers excellent facilities and services to the West Maui community while remaining sensitive to the integrity of the natural environment. As the cost of living in Hawai'i has continued to rise, it has become ever more important to provide quality residential options to members of lower and moderate-income groups close to major employment centers, such as those in West Maui. Current residents of the West Maui region have tremendous difficulty finding affordable homes. In fact, the HHFDC has determined that the demand for reasonably priced residential units in West Maui is at a critical stage, and is set to grow even more serious as more resort facilities open in the area.

## **1.8 COMPLIANCE WITH STATE OF HAWAI'I ENVIRONMENTAL LAWS**

An EIS is being undertaken to address the requirements of Chapter 343, Hawai'i Revised Statutes (HRS), and Title 11, Department of Health (DOH), Chapter 200, Environmental Impact Rules, Hawai'i Administrative Rules (HAR). The Villages of Leiali'i Affordable Housing Project includes the use of State land and funds, which are "triggers" for the preparation of an Environmental Assessment (EA) or EIS.

## **1.9 STUDIES TO BE CONDUCTED AND INCLUDED IN THE EIS**

The following studies are being prepared for the Villages of Leiali'i Affordable Housing Project and will be included in the Draft EIS.

- Archaeological Survey
- Cultural Impact Assessment
- Avian and Terrestrial Mammalian Resources Survey
- Botanical Survey
- Infrastructure Studies
- Socioeconomic Impact Study
- Traffic Impact Analysis Study

In addition, studies conducted as part of the earlier EIS for this site will be referred to in preparation of the EIS.<sup>2</sup>

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<sup>2</sup> PBR Hawaii & Associates, Inc. February 1990. *Lahaina Master Planned Project Final Environmental Impact Statement*. Prepared for the Housing Finance & Development Corporation Department of Budget and Finance.

# CHAPTER TWO: DESCRIPTION OF THE PROPOSED PROJECT AND ALTERNATIVES

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## 2.1 LOCATION AND ACCESS

The Villages of Leiali'i Affordable Housing site is located in West Maui, adjacent to the town of Lahaina. The project area is bounded by the Wahikuli subdivision directly to the west and the Kelaweia subdivisions to the south.

The existing site presents strong opportunities due to its proximity to Lahaina Town and to the Ka'anapali resort community. The future Lahaina Bypass Highway that bisects the subject property will provide both local and regional access throughout West Maui.

## 2.2 EXISTING USES

The project site is currently fallow with alien-dominated scrub vegetation. The subject property is vacant and undeveloped. Nearby developments include existing commercial, industrial, and resort uses along the Lahaina area.

## 2.3 PROPOSED USES

The Villages of Leiali'i will be composed of higher-density, walkable neighborhoods with a mixture of residential unit types, commercial and mixed-use neighborhood centers, light industrial areas, and connectivity for various modes of transportation.

## 2.4 MAJOR DESIGN PRINCIPLES

### **West Maui Community Plan:**

- Integrate the West Maui Community Plan vision into the Villages of Leiali'i.

### **Smart Growth:**

- Use Smart Growth planning principles to create compact urban patterns.

**Walkable Neighborhoods:**

- Create walkable neighborhoods with close access to places where residents want to go, such as schools, stores, parks, and community facilities.
- Site commercial centers, major parks, and schools within quarter-mile radii extended from the centers of the majority of adjacent residential neighborhoods.
- Provide sidewalks on all roads and on each side of the street.

**Multimodal Connectivity:**

- Offer a wide variety of transportation options, including pedestrian, bicycle, and transit connections.

**Mixed Use:**

- Create new urbanist neighborhood centers with residential, commercial, and public and community uses.

## **2.5 ALTERNATIVE LAND USE CONCEPT PLANS**

Pursuant to Chapter 343, HRS, several alternatives will be evaluated, including no action. Section 2.5.1 discusses common elements among the three action alternatives. Section 2.5.2 discusses details of the alternatives.

### **2.5.1 Common Elements of Alternative Concept Plans**

The three alternative concepts have the following elements in common:

- Concentration of density around mixed use and commercial land uses in the makai area, west of the bypass highway, taking advantage of flatter slopes for a denser street grid to increase circulation and connectivity. This also increases proximity within and to surrounding developments.
- The usage of smart growth concepts and the active promotion of walking, biking, and sustainable opportunities. Multimodal circulation is included in all three concept plans.
- Usage of a dense grid system close to existing developments on the makai side of the bypass highway.

- Utilization of the bypass highway through two signalized four-way intersections.
- “Transit ready” community with bus service through all mixed use and commercial zones of the Villages of Leiali‘i.
- Two schools with adjacent neighborhood parks, one located in the mauka area and one is the makai area.
- Natural preserve around Pu‘u Laina, Crater Reservoir, and archaeologically sensitive areas.
- Preservation of natural drainage corridors.

Concept One and Concept Two share similar road and open space patterns, but have slightly different land use distributions. The third concept (Concept Three) has different land use, circulation, and open space patterns; Leadership in Energy and Environmental Design for Neighborhood Design (LEED-ND) criteria were used to lay out the plan.

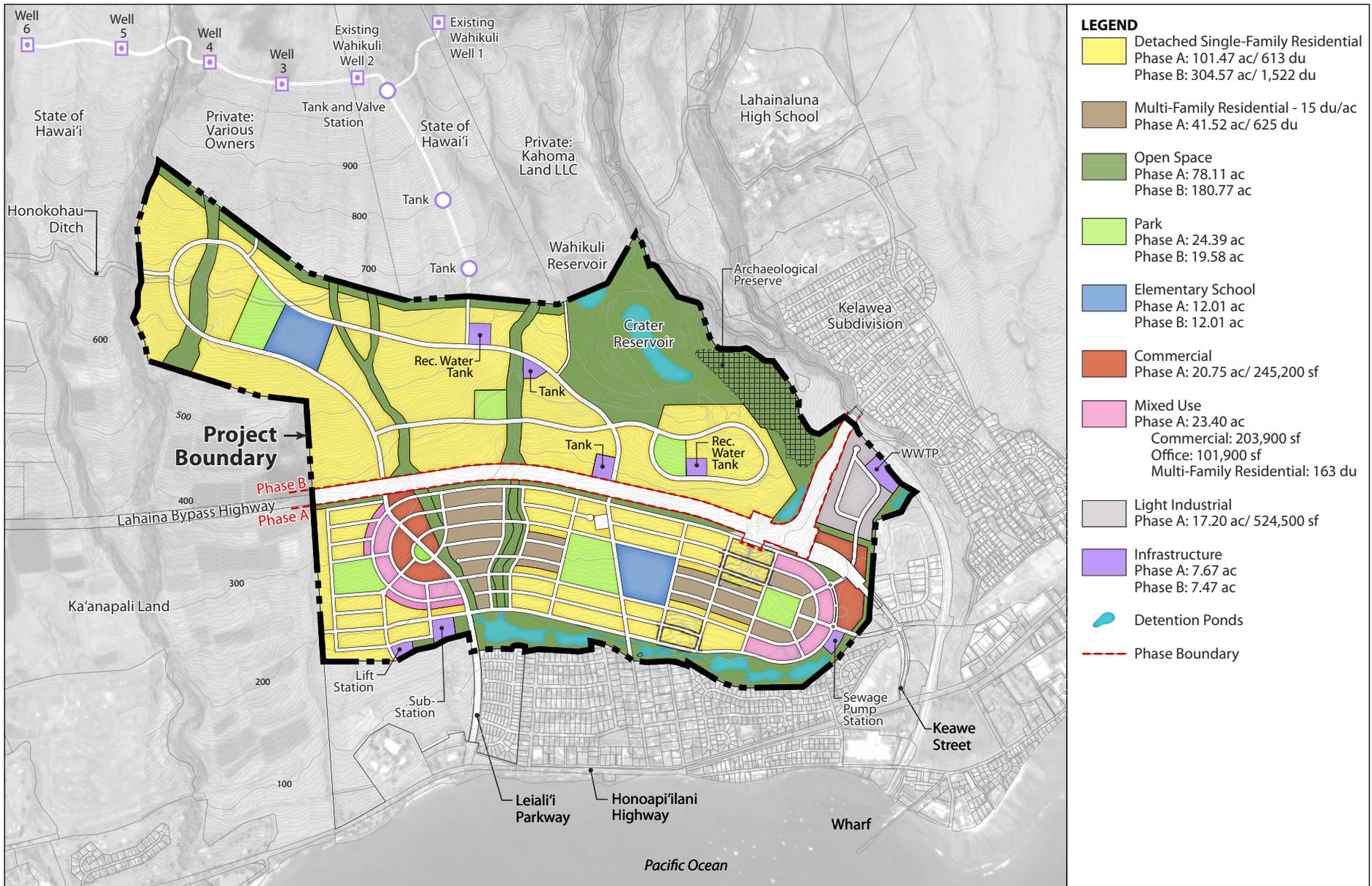
LEED-ND is an emerging national standard for planning and designing for neighborhoods that incorporate principles of smart growth and green building design. While all three concept plans adhere to Smart Growth principles, Concept Three was specifically designed to meet LEED-ND criteria.

## 2.5.2 Concept One and Concept Two

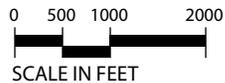
Land Use Concepts One and Two are illustrated in Figures 3 and 4. The general land use layouts are identical in circulation, parks and open space, and commercial and office spaces.

Both concepts have dense street grids on the makai side and a loop roadway system on the mauka side of the project. Both concepts contain 551,000 square feet of retail and office space (all in the makai side). In both cases, a 17.2 acre light industrial area is located between the bypass and the Keawe Street extension. The two major portions of the project differ in residential densities. The makai side is also termed Phase A and the mauka side is Phase B.

Land Use Concept One has the lowest residential density, with a total of 2,923 residential units: 2,135 single-family units (613 units in the makai side and 1,522 units in the mauka side) and 788 multi-family units (all in the makai side). Concept Two was designed to have a higher density in the makai area. It includes 4,043 units: 1,522 single-family units (all in



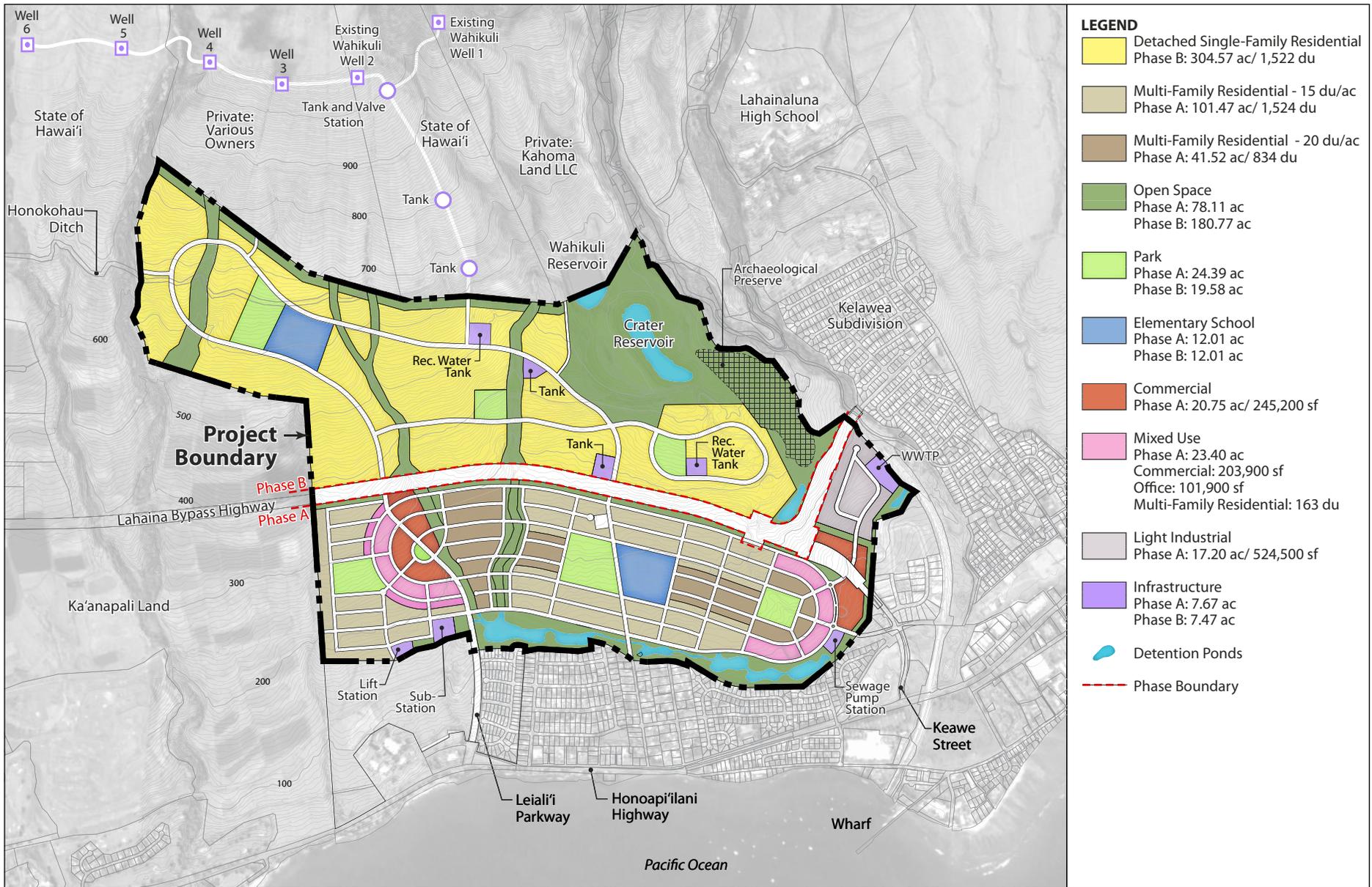
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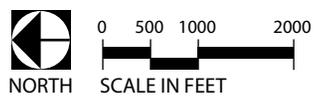
Note: Lot lines shown are approximate and for illustrative purposes. Imagery is from Google Earth Pro and is approximately matched to lot lines.

**Figure 3**  
**LAND USE PLAN CONCEPT ONE**

Villages of Leialii  
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Note: Lot lines shown are approximate and for illustrative purposes. Imagery is from Google Earth Pro and is approximately matched to lot lines.

**Figure 4**  
**LAND USE PLAN CONCEPT TWO**  
Villages of Leialii  
Environmental Impact Statement Preparation Notice  
February 2010

the mauka side) and 2,521 multi-family units (all in the makai side). The area mauka of the bypass highway is identical in the two concepts, devoted to single-family development.

### **2.5.3 Concept Three**

Of the three alternatives, Land Use Concept Three (see Figure 5) has the highest density, with a total of 4,105 residential units: 1,386 single-family units (532 units in the makai side and 854 units in the mauka side), 2,719 multi-family residential units (2,069 units in the makai side and 650 units in the mauka side), and 596,000 square feet of retail and office space (all in the makai side). For this concept plan, some 21.8 acres could be devoted to light industrial use (between the bypass highway and the Keawe Street Extension). Concept Three was designed using LEED-ND criteria to maximize benefits derived from creating a sustainable “green” community.

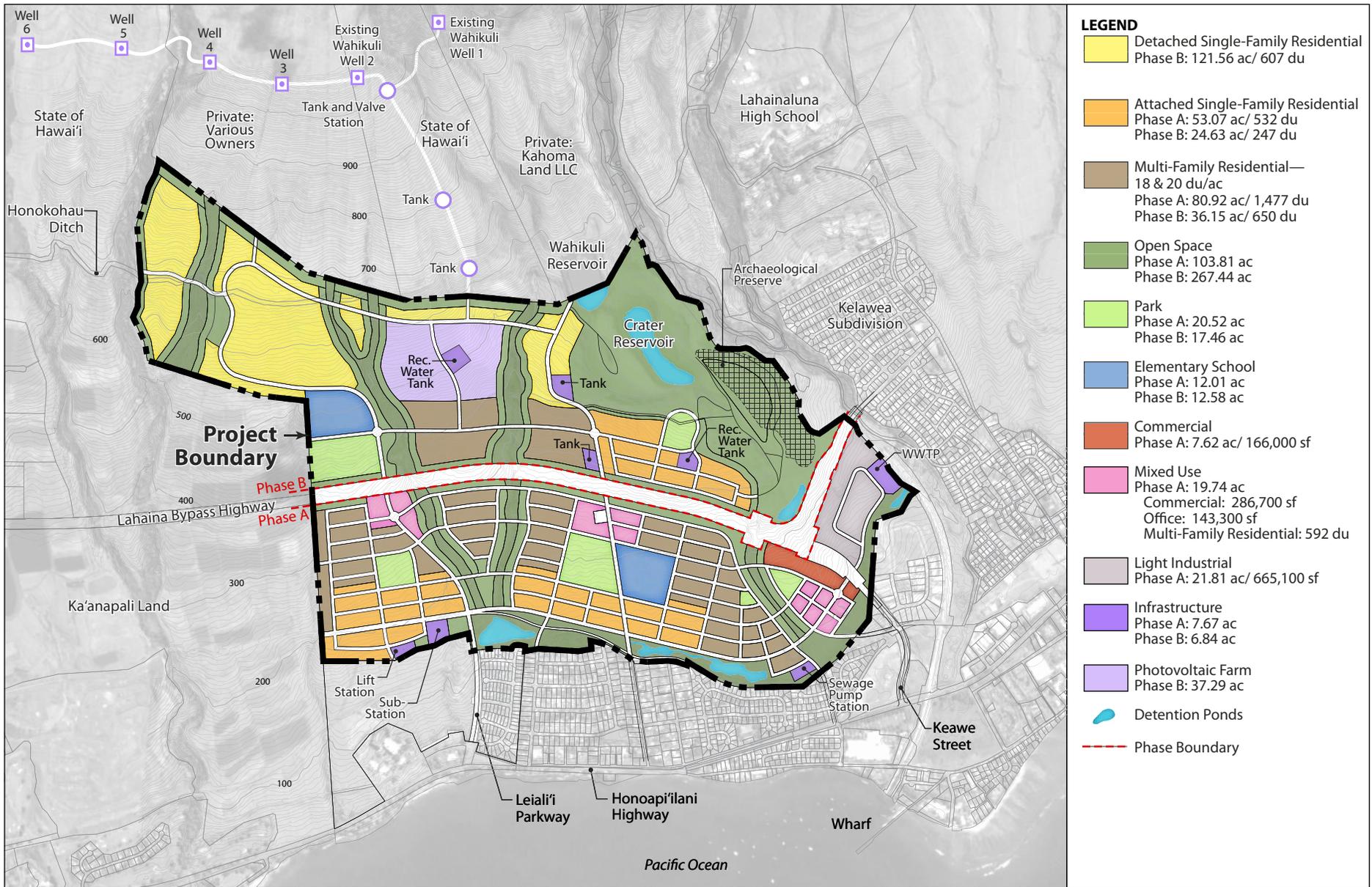
Land Use Concept Three differs from the first two concepts by placing the town centers and density around the future Lahaina Bypass Highway. A school is located in the mauka area close to the future bypass highway and denser residential neighborhoods.

### **2.5.4 No Action Alternative**

As required, the EIS will address impacts of the no action alternative (i.e., no development on the site).

## **2.6 INFRASTRUCTURE IMPROVEMENTS**

The Villages of Leialii site is currently vacant. It was formerly used for sugar cane cultivation. Cane haul roads traverse the project site in both north-south and east-west directions. Electrical poles are aligned with the cane haul road on the makai side of the project. A water line and service road extend from Wahikuli Road to the Department of Water Supply (DWS) concrete reservoir approximately in the middle of the project site at 235 feet above mean sea level (msl).



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Note: Lot lines shown are approximate and for illustrative purposes. Imagery is from Google Earth Pro and is approximately matched to lot lines.

**Figure 5**  
**LAND USE PLAN CONCEPT THREE**

Villages of Leiali'i  
Environmental Impact Statement Preparation Notice  
February 2010

As part of the master planning process, a study was carried out to determine both on-site and off-site infrastructure required to support the development. The infrastructure study included roadways as well as drainage, potable water, sewers, reclaimed water, electrical, cable, and telephone systems.

# CHAPTER THREE: DESCRIPTION OF THE AFFECTED NATURAL ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATION MEASURES

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## 3.1 CLIMATE

West Maui's climate is temperate throughout the year. The region's tropical setting and its position relative to storm tracks and the Pacific Ocean produce a stable, uniform climate year round.

August is typically the hottest month, with an average high of 88 degrees Fahrenheit and an average daily temperature of 70 degrees Fahrenheit. January is typically the coolest month with an average high of 80 degrees Fahrenheit and an average low temperature of 62 degrees Fahrenheit.

## 3.2 GEOLOGY AND TOPOGRAPHY

The project site is located on the slopes of the West Maui Mountains. The project area is geologically characterized by Wailuku basalt as the parent rock and lavas of the Lahaina volcanic series. The Wailuku basalt is the primary and most widespread formation in West Maui, while the Lahaina series is restricted to select areas near Lahaina. The volcanic base in the project area is comprised of *'a'ā* and *pāhoehoe* lavas.

Geographically, the Leiali'i site slopes downward in an westerly direction, with elevations stemming from 800+ feet above msl at the northeastern corner to approximately 10+ feet above msl along the Honoapi'ilani Highway. The project area slopes range from approximately 6 percent to 12 percent.

## 3.3 SOILS TYPES

### *Soil Types*

The soils of the proposed project site include eight Soil Conservation Service soil categories:

**Lahaina Silty Clay (LaB):** Approximately 40 acres of the proposed project site consist of Lahaina Silty Clay. This soil is categorized as a surface layer, with most parts of the subsoil removed due to prior erosion. A few areas of the project site, where Lahaina Silty Clay exists, are eroded to soft, weathered rock.

**Lahaina Silty Clay (LaC):** Approximately 180 acres of the project site consist of this soil type. Runoff is medium and the erosion hazard is considered moderate. There are small steep areas where cobble stones are on the surface.

**Lahaina Silty Clay (LaD):** Approximately 20 acres of the project site consist of this soil type. As with LaC, this soil type runoff is medium and the erosion hazard is moderate.

**Wahikuli Stony Silty Clay (WcB):** Approximately 220 acres of the project site consist of this soil type. This soil was formerly used for sugar cane cultivation.

**Wahikuli Stony Silty Clay (WcC):** Approximately 290 acres of the project site consist of this soil type. Runoff is slow to medium and the erosion hazard is slight to moderate. This soil type was also used for the cultivation of sugarcane.

**Wahikuli Very Stony Silty Clay (WdB):** Approximately 200 acres of the project site consist of this soil type. This soil was also used for sugar cane. A small part was used for homesites.

**Rock Land (rRK):** Rock Land is comprised of areas where exposed rock covers approximately 25 percent to 90 percent of the surface. This type of soil is present on all major Hawaiian Islands. Approximately 10 acres of the project site, all within gulches, are Rock Land.

**Rough Broken and Stony Land (rRS):** Approximately 60 acres of the project site consist of this soil type.

***Agricultural Lands of Importance to the State of Hawai'i (ALISH)***

The ALISH ratings were developed in 1977 by the Natural Resources Conservation Service, the University of Hawai'i College of Tropical Agriculture and Human Resources, and the State Department of Agriculture. Land is classified into three broad categories (1) Prime agricultural land, which is land best suited for the production of crops because of its ability to sustain high yields with relatively little input and with the least damage to the environment; (2) Unique agricultural land, which is non-Prime agricultural land used for the production of specific high-value crops (e.g., coffee and taro); (3) Other agricultural land, which is non-Prime and non-

Unique agricultural and that is important to the production of crops. In addition, large areas are Unclassified, i.e., not rated as of agricultural importance. The vast majority of the project site is "Unclassified." A portion of the subject property is rated as "Other."

#### ***Land Study Bureau Detailed Land Classification***

In 1972, the University of Hawai'i Land Study Bureau (LSB) developed the Overall Productivity Rating, which classifies soils according to five levels of agricultural productivity using the letters A, B, C, D, and E. The letter A represents the highest class of productivity and E the lowest class of productivity. The subject property lands have been classified as A, B, and C, with areas below and around the Crater Reservoir and in the gulches classified as E.

### **3.4 NATURAL HAZARDS**

Flooding is the primary natural hazard to which the subject property is most susceptible. Four drainage channels traverse the project site and break into five subzones. These drainage ways have been examined and it is concluded that they must be maintained to accommodate on-site and off-site drainage.

Several irrigation ditches traverse the northern half and mauka portions of the site. Several mauka-makai ditches were abandoned at the end of the plantation era. The Honokohau Ditch connection to the Wahikuli Reservoir is still used to supply water to the coffee fields located on Ka'anapali 2020 lands north of the project site.

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) indicates that the project site is located in Zone X with a small portion of the project site located in Zone A. Zone X is identified as areas determined to be outside the 0.2 percent annual chance floodplain. Zone A lands are those where no base flood elevation has been determined.

### **3.5 FLORA AND FAUNA**

Sugar cultivation has removed native flora and fauna species over the entire project site. Since the closing of the Pioneer Mill, the project site has been converted to mostly grasslands made up of alien species. Most recently, pineapple cultivation has been abandoned as well, leaving the pineapple to be overtaken by alien weedy species. There are no threatened or endangered plants or animal species or federally designated critical habitat on the site.

# CHAPTER FOUR: DESCRIPTION OF THE EXISTING HUMAN ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

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## 4.1 ARCHAEOLOGICAL AND HISTORIC RESOURCES

The project site is relatively free of archaeological resources because of the prior use of the land. With the exception of the Pu'u Laina area and adjacent gulches, the entire project site was used for sugar cane cultivation and production. Archaeological sites that remain include field terraces derived from sugar cane cultivation on steep slopes. The field terraces, with stone walls, are located between Pu'u Laina and Kahoma Gulch. The terraced area is approximately 30 acres in size. The Department of Transportation (DOT) has realigned its bypass highway to avoid the field terraces.<sup>3</sup>

An archaeological inventory survey was conducted as part of the 1990 EIS process for the Leiali'i project by Paul H. Rosendahl, Inc. (PHRI). Twelve archeological sites were identified within the immediate vicinity or on the subject property. Six archaeological sites were assessed for information content. Of the remaining six sites, five were assessed as being significant for information content and as examples of site types. The last site was assessed as significant for information content and as potentially culturally significant. For the current master plan and EIS, PHRI was retained again to confirm the location of the sites.

The Draft EIS will contain the results of work to validate and update the findings of the earlier archaeological inventory survey. Archeological sites recommended for no further work, for data recovery, or for preservation will be identified, in compliance with applicable federal and state laws, rules, and regulations. The consulting archeologist will identify appropriate mitigation measures. The State Historic Preservation Division (SHPD) and other culturally or historically knowledgeable parties will be consulted.

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<sup>3</sup> Wilson Okamoto Corporation. March 2009. *Lahaina Bypass Modified Alignment, Final Environmental Impact Statement / Finding of No Significant Impact*. Prepared for the State of Hawai'i Department of Transportation, Highways Division.

## **4.2 CULTURAL PRACTICES**

PHRI was tasked to prepare a cultural impact assessment to identify potential traditional cultural practices associated with the project site. Cultural resources include a broad range of categories of cultural items, practices, and beliefs, including places, behaviors, values, beliefs, objects, records, and stories. Additionally, traditional and customary rights include access-driven subsistence, agricultural, recreational, burial practices, and religious (and spiritual) traditions.

The Draft EIS will include the results of the cultural impact assessment and the completed report in the appendix. Appropriate mitigations measures will be identified and discussed based on the assessment.

## **4.3 VISUAL RESOURCES**

Visual resources include the West Maui Mountains, as well as the Pacific Ocean and the neighboring islands of Kaho‘olawe, Lāna‘i, and Moloka‘i. Other visual resources include the span of former agricultural lands which cover the West Maui Mountain slopes.

## **4.4 INFRASTRUCTURE AND UTILITIES**

A traffic impact assessment report (TIAR) is being prepared by Fehr & Peers. It will be included in the Draft Environmental Impact Assessment. Studies of proposed improvements to utilities will also be included in the Draft EIS.

## **4.5 SOCIO-ECONOMIC CHARACTERISTICS**

West Maui contains a diverse mixture of land uses, including business, light industrial, recreational, residential, and agricultural. Lahaina Town is the commercial center of West Maui, and was the first capital of the State of Hawai‘i. Lahaina Town has been designated as a National Historic Landmark District. Lahaina contains several retail areas, serving both tourists and the region’s residents.

The Draft EIS will contain information regarding economic characteristics of the project area and the surrounding region of West Maui. Economic impacts of the project will be assessed in the Draft EIS.

The Draft EIS will also include information regarding projected population at the project, and discuss potential impacts and mitigation measures. The Villages of Leialii project is planned to address the need for housing that is affordable to Hawaii's workforce and lower- and moderate-income households in West Maui. Additionally, the master-planned community will create construction related jobs, and jobs for the proposed improvements and residential units. The Villages of Leialii will also generate revenue for government bodies from property taxes and commercial operations.

## **4.6 PUBLIC SERVICES**

The project site is within the service area of the Maui Police Department's Lahaina patrol district, which services the entire West Maui region. The Lahaina Police Station is located in the Lahaina Civic Center complex. In addition, there is also a police sub-station located in Napili.

The West Maui region is served by the County of Maui Department of Fire and Public Safety located in Lahaina and Napili. The Lahaina Fire Station includes an engine and a ladder company. It is staffed by 30 full-time personnel. The Fire Station also includes a boat for ocean rescues.

Maui Memorial Medical Center serves as the island of Maui's only major medical facility. Located in Wailuku, Maui, approximately 25 miles southeast of Lahaina Town, the facility contains 231 beds and provides general, acute, and emergency care services for islands residents and tourists alike.

Major recreational facilities located in West Maui include county parks, the Lahaina Civic Center, and an Aquatics Center. Ocean recreational activities — swimming, diving, surfing, and snorkeling — are enjoyed along the West Maui shore. In addition, Ka'anapali and Kapalua Resorts operate world-class golf courses available for public use.

The West Maui region is served by four public schools operated by the State of Hawaii, Department of Education (DOE): (1) Lahainaluna High School, (2) Lahaina Intermediate School, (3) Princess Nahi'ena'ena Elementary School, and (4) Kamehameha III Elementary School. There are also two smaller private schools: Sacred Hearts School and Maui Preparatory Academy.

The Draft EIS will include an assessment of impacts on public services, including police and fire protection, civil defense, health care, and education. The various public agencies providing these services will be consulted as part of the EIS process.

# CHAPTER FIVE: RELATIONSHIP OF THE PROPOSED ACTION TO LAND USE PLANS

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## 5.1 LAND USE LAWS, POLICIES AND GUIDELINES

The Draft EIS will contain a discussion of the proposed project and relevant State of Hawai'i and Maui County land use plans, policies, ordinances, and controls. This environmental impact statement preparation notice (EISPN) and the EIS are being prepared in compliance with Chapter 343, HRS as described in Section 1.7.

### 5.1.1 State Land Use Districts

Chapter 205, HRS, relating to the Land Use Commission, establishes four major land use districts which all lands located in the State of Hawai'i are categorized into. These four districts includes: (1) Urban, (2) Rural, (3) Agricultural, and (4) Conservation. The project area is within the State Urban District.

### 5.1.2 Hawai'i State Plan

Chapter 226, HRS, also known as the Hawai'i State Plan, is a comprehensive, long-range plan which serves to guide long-term development in the State of Hawai'i. The Hawai'i State Plan identifies various goals, policies, and priorities for long-range development. The State policies and objectives that are relevant the Villages of Leiali'i are as follows:

1. **§226-5(b)(1-7) Objective and policies for population.** To achieve the population objective, it shall be the policy of this State to:

(7) Plan the development and availability of land and water resources in a coordinated manner so as to provide for the desired levels of growth in each geographic area.

2. **§226-19 Objectives and policies for socio-cultural advancement--housing.**
  - (a) Planning for the State's socio-cultural advancement with regard to housing shall be directed toward the achievement of the following objectives:
    - (1) Greater opportunities for Hawai'i's people to secure reasonably priced, safe, sanitary, and livable homes, located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals, through

collaboration and cooperation between government and nonprofit and for-profit developers to ensure that more affordable housing is made available to very low-, low- and moderate-income segments of Hawai'i's population.

- (2) The orderly development of residential areas sensitive to community needs and other land uses.
- (3) The development and provision of affordable rental housing by the State to meet the housing needs of Hawai'i's people.

(b) To achieve the housing objectives, it shall be the policy of this State to:

- (1) Effectively accommodate the housing needs of Hawai'i's people.
- (2) Stimulate and promote feasible approaches that increase housing choices for low-income, moderate-income, and gap-group households.
- (3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.
- (4) Promote appropriate improvement, rehabilitation, and maintenance of existing housing units and residential areas.
- (5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.
- (6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.
- (7) Foster a variety of lifestyles traditional to Hawai'i through the design and maintenance of neighborhoods that reflect the culture and values of the community.
- (8) Promote research and development of methods to reduce the cost of housing construction in Hawai'i.

3. **§226-106 Affordable housing.** Priority guidelines for the provision of affordable housing:

- (1) Seek to use marginal or nonessential agricultural land and public land to meet housing needs of low- and moderate-income and gap-group households.
- (2) Encourage the use of alternative construction and development methods as a means of reducing production costs.
- (3) Improve information and analysis relative to land availability and suitability for housing.

- (4) Create incentives for development which would increase home ownership and rental opportunities for Hawai'i's low- and moderate-income households, gap-group households, and residents with special needs.
- (5) Encourage continued support for government or private housing programs that provide low interest mortgages to Hawai'i's people for the purchase of initial owner- occupied housing.
- (6) Encourage public and private sector cooperation in the development of rental housing alternatives.
- (7) Encourage improved coordination between various agencies and levels of government to deal with housing policies and regulations.
- (8) Give higher priority to the provision of quality housing that is affordable for Hawai'i's residents and less priority to development of housing intended primarily for individuals outside of Hawai'i.

### **5.1.3 Maui Countywide Policy Plan**

The Maui County General Plan (1990) was approved by the County Council in 1991. A new, far more detailed, Countywide Policy Plan has been drafted to update the General Plan. It is being considered by the County Council. The new plan provides a reliable indicator of County policy. The proposed project is aligned with General Plan objectives, notably:

D1: In cooperation with the Federal and State governments and nonprofit agencies, broaden access to social and healthcare services and expand options to improve the overall wellness of the people of Maui County.

E1: Reduce the affordable housing deficit for residents.

E2: Increase the mix of housing types in towns and neighborhoods to promote sustainable land use planning, expand consumer choice, and protect the County's rural and small-town character.

E3: Increase and maintain the affordable housing inventory.

H2: Reduce the reliance on the automobile and fossil fuels by encouraging walking, bicycling, and other energy-efficient and safe alternative modes of transportation.

### 5.1.4 West Maui Community Plan

Maui County has established nine community plan regions. Each For each region, a Community Plan guides growth and development. The West Maui Community Plan was adopted in 1996. It recognizes the Villages of Leiali'i, as proposed in 1990, as important for the region.

### 5.1.5 County Zoning

Except for TMK 4-5-28: 70 which is zoned R-3 "Residential", the lands underlying the proposed project are zoned "Agricultural" by Maui County Zoning. Additional coordination with the County of Maui, Department of Planning will be carried out during the Draft EIS preparation.

## 5.2 ANTICIPATED PERMITS AND APPROVALS

A list of anticipated permits and approvals required for the Villages of Leiali'i Affordable Housing project is depicted below.

**Table 5-1: List of Anticipated Permits and Approvals**

Permit or Approval	Agency
State Land Use District Boundary Amendment	State Land Use Commission
Change of Zone Request	County of Maui Planning Department
Archaeological Preservation Plan, Data Recovery Plan, Burial Treatment Plan (the latter if necessary)	State Department of Land and Natural Resources, Historic Preservation Division
Subdivision Approval	County of Maui Planning Department
National Pollutant Discharge Elimination System (NPDES) Permit	State Department of Health
Plan Approval	County of Maui Planning Department
Grading, building, plan approval and other necessary development permits	County of Maui, Various departments

# **CHAPTER SIX: FINDINGS AND DETERMINATION**

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## **6.1 SIGNIFICANCE CRITERIA**

While this EISPN is preliminary to the Draft EIS, the currently known information presented here has been evaluated according to the significance criteria as set forth in HAR Title 11, DOH, Chapter 200, EIS Rules, Section 200. As a result of this preliminary information it is anticipated that the proposed project:

1. Will not conflict with the State of Hawai'i's long-term environmental policies or goals and guidelines enumerated in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;
2. Will not curtail the range of beneficial uses of the environment;
3. Will not involve an irrevocable commitment to loss or destruction of any natural or cultural resources.
4. May substantially and positively affect the economic or social welfare of the community or state;
5. Will not substantially affect public health;
6. Will involve secondary impacts, such as population changes or effects on public facilities;
7. Is individually limited but cumulatively may have a considerable effect upon the environment or involves a commitment for larger actions;
8. Is not anticipated to substantially affect a rare, threatened, or endangered species, or its habitat;
9. Will not affect, or be likely to suffer damage by being located within an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;

10. Will not substantially affect scenic vistas and viewplanes identified in county or state plans or studies; and
11. Will result in additional energy consumption.

## **6.2 DETERMINATION**

A Draft Environmental Impact Statement is being prepared for this project in accordance with Chapter 343, HRS and Title 11, Chapter 200, HAR.

# CHAPTER SEVEN: AGENCY AND ORGANIZATION CONSULTATION

## 7.1 AGENCIES AND ORGANIZATIONS TO BE CONSULTED IN THE ENVIRONMENTAL REVIEW PROCESS

As part of the master planning process, alternative concept plans/layouts were sent to more than 50 stakeholders to elicit comments. Those stakeholders are included in the list below of who will receive the EISPN.

The following parties, in addition to the Office of the Environmental Quality Control (OEQC), will receive a copy of the EISPN:

<b>Respondents and Distribution</b>	<b>Received March 2010 EISPN</b>	<b>Comments Received on EISPN</b>	<b>Received DEIS</b>	<b>Comments Received on DEIS</b>	<b>Will Receive FEIS</b>
<b>A. Federal Agencies</b>					
U.S. Army Corps of Engineers	x				
<b>B. State Agencies</b>					
Department of Accounting and General Services	x				
Department of Agriculture	x				
Department of Business, Economic Development and Tourism (DBEDT)	x				
- Office of Planning	x				
Department of Education (DOE)	x				
Department of Hawaiian Home Lands (DHHL)	x				
Department of Health (DOH)	x				
- Land Development Division	x				
- Environmental Planning Office	x				
Department of Land & Natural Resources (DLNR)	x				
Department of Transportation (DOT)	x				
Office of Environmental Quality Control (OEQC)	x				
Office of Hawaiian Affairs (OHA)	x				
Office of the Governor	x				
University of Hawai'i at Mānoa	x				
- Environmental Center	x				
<b>C. County of Maui</b>					
Department of Environmental Management	x				
Department of Fire & Public Safety	x				
Department of Housing and Human Concerns	x				
Department of Parks and Recreation	x				
Department of Planning	x				

<b>Respondents and Distribution</b>		<b>Received March 2010 EISPN</b>	<b>Comments Received on EISPN</b>	<b>Received DEIS</b>	<b>Comments Received on DEIS</b>	<b>Will Receive FEIS</b>
	Department of Transportation (DOT)	x				
	Department of Water Supply (DWS)	x				
	Police Department	x				
<b>D. Elected Officials</b>						
	Governor, State of Hawai‘i	x				
	County Councilmember, West Maui	x				
	Mayor, County of Maui	x				
	State Senate, District 5	x				
	State House of Representatives,, District 10	x				
	U.S. House of Representatives Rep. Neil Abercrombie	x				
	U.S. House of Representatives Rep. Mazie Hirono	x				
	U.S. Senator Daniel Akaka	x				
	U.S. Senator Daniel Inouye	x				
<b>E. News Media</b>						
	Honolulu Advertiser	x				
	Honolulu Star-Bulletin	x				
	Hawai‘i Tribune Herald	x				
	Garden Island	x				
	Maui News	X				
	Molokai Dispatch	X				
<b>F. Public Libraries and Depositories</b>						
	Hawai‘i State Main Library	X				
	Lahaina Public Library	X				
	Legislative Reference Bureau Library	X				
	University of Hawai‘i Hamilton Library	X				
<b>G. Community Organizations, Associations, and Other Groups</b>						
	Bill Mills Development Company, Inc.	X				
	Castle & Cooke Homes Hawaii, Inc.	X				
	CityView	X				
	D.R. Horton, Schuler Division	X				
	Dowling Company, Inc.	X				
	EAH Hawaii	X				
	Forest City Hawaii Residential	X				
	Habitat for Humanity	X				
	Hale Mahaolu	X				
	Hawaii Housing Development Corp.	X				
	Hawaii Water Service Company	X				
	HAWAII – American Water Company	x				
	Ka‘anapali Land Management Corporation	x				
	Kamehameha Schools	x				
	Kapalua Land Company, Ltd.	x				
	KSD Hawaii	x				

<b>Respondents and Distribution</b>		<b>Received March 2010 EISPN</b>	<b>Comments Received on EISPN</b>	<b>Received DEIS</b>	<b>Comments Received on DEIS</b>	<b>Will Receive FEIS</b>
	Lahaina Town Action Committee	x				
	Lahaina Bypass Now	x				
	Lahaina Restoration Foundation	x				
	Lahaina-Ka'anapali and Pacific Railroad	x				
	Lahainaluna High School	x				
	Maryl Group, Inc.	x				
	Maui Chamber of Commerce	x				
	Maui Lani Partners	x				
	Munekiyo & Hiraga, Inc.	x				
	Pacific Housing Assistance Corporation	x				
	Ronald N.S. Ho & Associates, Inc.	x				
	Southwest Health Group	x				
	Stanford Carr Development, LLC	x				
	Tom Nance Water Resource Engineering	x				
	Townscape, Inc.	x				
	UniDev Hawaii, LLC	x				
	Wailea 670 Associates	x				
	West Maui Land Company, Inc.	x				
	West Maui Taxpayers Association	x				
<b>H. Local Utilities</b>						
	Maui Electric Company, Ltd.	X				
	Hawaiian Telcom	X				
	The Maui Gas Company	x				

## CHAPTER EIGHT: REFERENCES

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