



DEPARTMENT OF  
**HOUSING AND HUMAN CONCERNS**  
 COUNTY OF MAUI

**FILE COPY**

ALAN M. ARAKAWA  
 Mayor

CAROL K. REIMANN  
 Director

JAN SHISHIDO  
 Deputy Director

**FEB 23 2016**

2200 MAIN STREET • SUITE 546 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165  
 MAILING ADDRESS: 200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • EMAIL: director.hhc@mauicounty.gov

February 5, 2016

Scott Glenn, Director  
 Office of Environmental Quality Control  
 235 South Beretania Street, Suite 702  
 Honolulu, Hawai'i 96813

Dear Director Glenn:

**SUBJECT: HOUSING AND URBAN DEVELOPMENT  
 ENVIRONMENTAL ASSESSMENT FOR PROPOSED  
 HALE MAHAOLU EWALU SENIOR RESIDENTIAL  
 HOUSING PROJECT, TMK (2) 2-3-066:019 AND 020,  
 PUKALANI, MAKAWAO DISTRICT, MAUI, HAWAII**

**RECEIVED**  
 16 FEB -9 P2:54  
 OFC. OF ENVIRONMENTAL  
 QUALITY CONTROL

The County of Maui, Department of Housing and Human Concerns as the non-federal agency has reviewed the Environmental Assessment (EA) for the subject project for the U. S. Department of Housing and Urban Development (HUD) and anticipates a Finding of No Significant Impact (FONSI). Please publish a notice of anticipated FONSI in the next available Office of Environmental Quality Control (OEQC) Environmental Notice to initiate the 15-day public comment period.

We have enclosed a completed OEQC Non-Chapter 343 Publication Form, two (2) hard copies and one (1) pdf copy of the HUD EA. Please call Colleen Suyama of Munekiyo Hiraga at (808) 244-2015 if you have any questions.

Sincerely,

CAROL K. REIMANN  
 Director of Housing and Human Concerns

**Enclosures**

- cc: Buddy Almeida, Dept. of Housing and Human Concerns (w/one (1) copy of application)  
 Roy Katsuda, Hale Mahaolu, Inc. (w/PDF copy of application)  
 Libby Behn, Hale Mahaolu, Inc. (w/PDF copy of application)  
 Candis Wilkinson, Hale Mahaolu, Inc. (w/PDF copy of application)

FILE COPY

October 2015

NON-CHAPTER 343 DOCUMENT  
PUBLICATION FORM  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

FEB 23 2016

**Project Name:** Hale Mahaolu Ewalu Senior Residential Project

**Applicable Law:** 24 CFR 58.32, 40 CFR 1508.25

**Type of Document:** HUD Environmental Assessment (Finding of No Significant Impact - FONSI)

**Island:** Maui

**District:** Makawao

**TMK:** (2)2-3-066:019 and 020

**Permits Required:** Construction Permits

**Applicant or Proposing Agency:** Hale Mahaolu, 200 Hina Avenue, Kahului, Hawai'i 96732; Roy Katsuda, Executive Director, (808) 872-4100; Roy@halemahaolu.org  
(Address, Contact Person, Telephone, E-mail)

**Approving Agency or Accepting Authority:** County of Maui, Department of Housing and Human Concerns; One Main Plaza, Suite 546, 2200 Main Street, Wailuku, Hawai'i 96793; Carol Reimann, Director; (808) 270-7805; director.hhc@mauicounty.gov  
(Address, Contact Person, Telephone, E-mail)

**Consultant:** Munekiyo Hiraga, 305 High Street, Suite 104, Wailuku, Hawai'i 96793; Colleen Suyama, (808) 244-2015; planning@munekiyohiraga.com  
(Address, Contact Person, Telephone, E-mail)

**Status:** Notice of Anticipated FONSI and 15-Day Public Review Period

**Project Summary:**

(Summarize proposed action and purpose/need in less than 200 words in the space below):

The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD). Hale Mahaolu is seeking funds from HUD to finance the construction of the project.

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QUALITY CONTROL

**Environmental Assessment  
for HUD-funded Proposals**

*Recommended format per 24 CFR 58.36, revised March 2005  
[Previously recommended EA formats are obsolete].*



Project Identification: Hale Mahaolu Ewalu Senior Residential  
TMK (2)2-3-066:019 and 020

Preparer: Munekiyo Hiraga

Responsible Entity: County of Maui  
Department of Housing and Human Concerns

Month/Year: February 2016

## Environmental Assessment

**Responsible Entity:** County of Maui, Department of Housing and Human Concerns

**Certifying Officer:** Alan Arakawa, Mayor, County of Maui  
[24 CFR 58.2(a)(2)]

**Project Name:** Hale Mahaolu Ewalu Senior Residential

**Project Location:** 56 Ohia Ku Place, Pukalani, Hawai'i 96768  
TMK (2)2-3-066:019 and 020

**Estimated Total Project Cost:** \$25 Million

**Grant Recipient:** Hale Mahaolu  
[24 CFR 58.2(a)(5)]

**Recipient Address:** 200 Hina Avenue, Kahului, Hawai'i 96732

**Project Representative:** Roy Katsuda, Executive Director

**Telephone Number:** (808) 872-4100

**Conditions for Approval:** Not Applicable

(List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and other relevant documents as requirements).  
[24 CFR 58.40(d), 40 CFR 1505.2(c)]

**FINDING:** [58.40(g)]

**Finding of No Significant Impact**  
(The project will not result in a significant impact on the quality of the human environment)

**Finding of Significant Impact**  
(The project may significantly affect the quality of the human environment)

**Preparer Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name/Title/Agency:** Karlynn Fukuda, Executive Vice President, Munekiyo Hiraga

**RE Approving Official Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name/Title/Agency:** Alan Arakawa, Mayor, County of Maui

**Statement of Purpose and Need for the Proposal:** [40 CFR 1508.9(b)]

Population trends show that growth in the resident population will continue over the next 20 years. In 2010, the island of Maui's resident population was 144,444 people and is expected to grow by 29 percent to 186,300 residents by 2030. Households on the island are expected to grow at an even faster rate, increasing by 40 percent to 70,100 households in 2030. The island's elderly population is expected to follow the population and household trends over the next few years. In 2010, seniors age 65 years and older comprised 13 percent of all residents on the island. Seniors living alone represented 7 percent of all households on the island in 2010 (U.S. Census Bureau, 2010). Of seniors age 62 and older, 27 percent, or approximately 3,150 households, are renters. Senior renter households are lower-income and many experience housing cost burden. Comprehensive Housing Affordability Strategy (CHAS) data published by the U.S. Department of Housing and Urban Development for the County of Maui indicates that 73 percent of elderly (62 years and older) renter households are extremely low-, very low-, or low-income. The majority of extremely low-, very low- and low-income elderly households are cost burdened, meaning they pay more than 30 percent of their income towards housing costs (U.S. HUD, 2006-2010).

The Hawaii Housing Planning Study 2011 for the County of Maui identified the need for 412 new units of senior housing between 2012 and 2016, including 134 multi-family rental units for households earning less than 80 percent of area median income (AMI). See **Table 1**.

**Table 1. Needed Elderly Housing for Maui County, 2012 Through 2016**

HUD Income Classification			
	Under 80 Percent	Over 80 Percent	Total
<b>Ownership Units</b>			
Single-Family	50	62	112
Multi-Family	10	45	55
<b>Rental Units</b>			
Single-Family	54	0	54
Multi-Family	134	57	191
Total	248	164	412

Sources: Housing Demand Survey, 2011 and Hawaii Housing Model, 2011.

Note: Needed units are those units needed to eliminate pent-up demand and accommodate new household formation, by preferred tenancy and unit type.

According to the Hawai‘i Public Housing Authority, state-wide elderly families account for one-fifth of households on the public housing waitlist. The Hawai‘i Department of Business, Economic Development and Tourism (DBEDT) predicts that by 2030 there will be an additional 142,000 elderly households across Hawai‘i. In order to accommodate the large number of elderly residents, DBEDT has forecasted the state-wide need for close to 55,000 new housing units equipped with amenities designed to serve elderly households by 2030. Within Maui County, it is projected that by 2030 there will be 6,979 new elderly households which will require approximately 2,644 new housing units, of which 673 units are estimated to be rental units (Hawaii Housing Planning Study, 2011).

Since the *Hawaii Housing Planning Study 2011*, the DBEDT in April 2015 prepared *Measuring Housing Demand in Hawaii, 2015-2025*. According to the 2015 study, Maui County’s vacancy rate jumped 7.2 percent in 2000 to 26 percent in 2013 indicating an increasing need for rental housing. According to the study, population in Maui County is expected to grow by 25 percent by the year 2025 and will generate household growth of approximately 11,795 new households. It is estimated the demand for vacant rental units will be approximately 350 to 1,300 by 2025. Further, the study estimates that between 14,000 to 15,000 new housing units will be needed by 2025. A portion of these rental units will be needed by the elderly.

There is a limited number of affordable senior housing properties on the island of Maui with minimal vacancy. There are nine (9) affordable senior housing properties providing 677 studio and one-bedroom units. The majority of these units are restricted for persons age 62 years and older and most are reserved for households earning 50 percent of Area Median Income (AMI) or less. Vacancies typically occur as a result of normal turnover only and there is a lengthy waitlist of at least 300 people for each property.

**Description of the Proposal:** Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25]

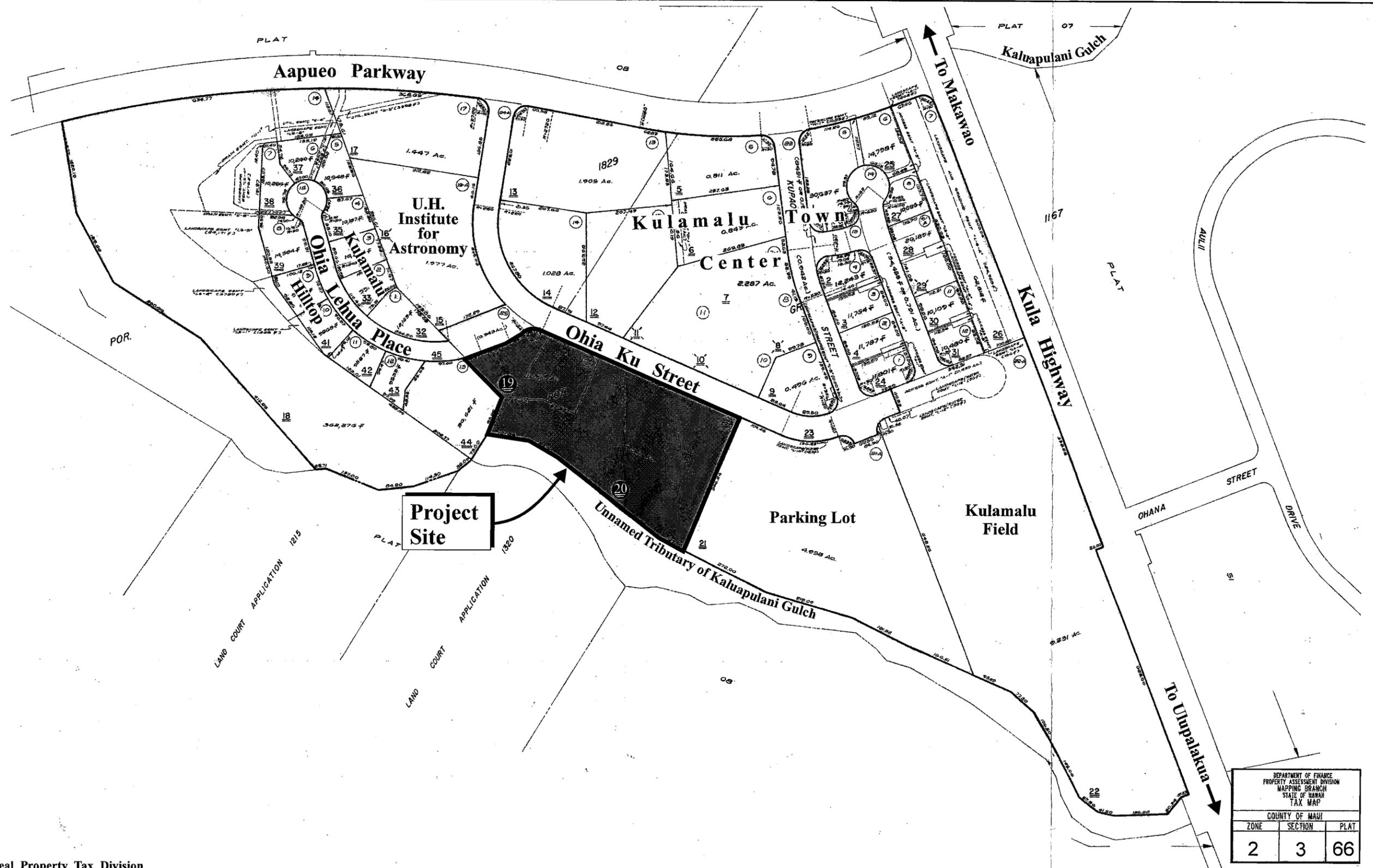
Hale Mahaolu, a Hawai'i nonprofit corporation, proposes to develop the Ewalu Senior Residential project on 4.0 acres identified as Tax Map Key Nos. (2)2-3-066:019 and 020 (hereinafter referred to as "Property" or "Project Site") located at the intersection of Ohia Ku Street and Ohia Lehua Place. See **Figure 1**. The property is located within the Kulamalu Commercial Subdivision in close proximity to commercial, residential, public/quasi-public, and recreational uses. See **Figure 2**. (Location of Google Map Used for figure <https://www.google.com/maps/@20.8216036,-156.3315728,775m/data=!3m1!1e3>)

The Hale Mahaolu Ewalu Senior Residential Project proposes to construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center (including laundry facility, maintenance facility, and offices), one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. See **Figure 3**. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**Existing Conditions and Trends:** Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 CFR 58.40(a)]

The Hale Mahaolu Ewalu Senior Residential Housing project site is located in the Pukalani region on the western slope of Haleakalā. The Pukalani area is characterized by a combination of urban, rural and agricultural uses. The project site is located in the Kulamalu Commercial Subdivision in Pukalani. The area surrounding the project site is comprised of commercial, public/quasi-public, recreational and single-family residential uses. North of the project site is the Kulamalu Town Center, which contains the CVS/Longs Drugs Store and other commercial facilities. To the east is an existing parking lot and Kulamalu recreational field, south of the project site is an unnamed tributary of Kaluapulani Gulch and to the west are the University of Hawai'i Institute for Astronomy building and Kulamalu Hilltop Subdivision which has been developed with residences. Refer to **Figure 1**.





DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

Source: County of Maui, Real Property Tax Division

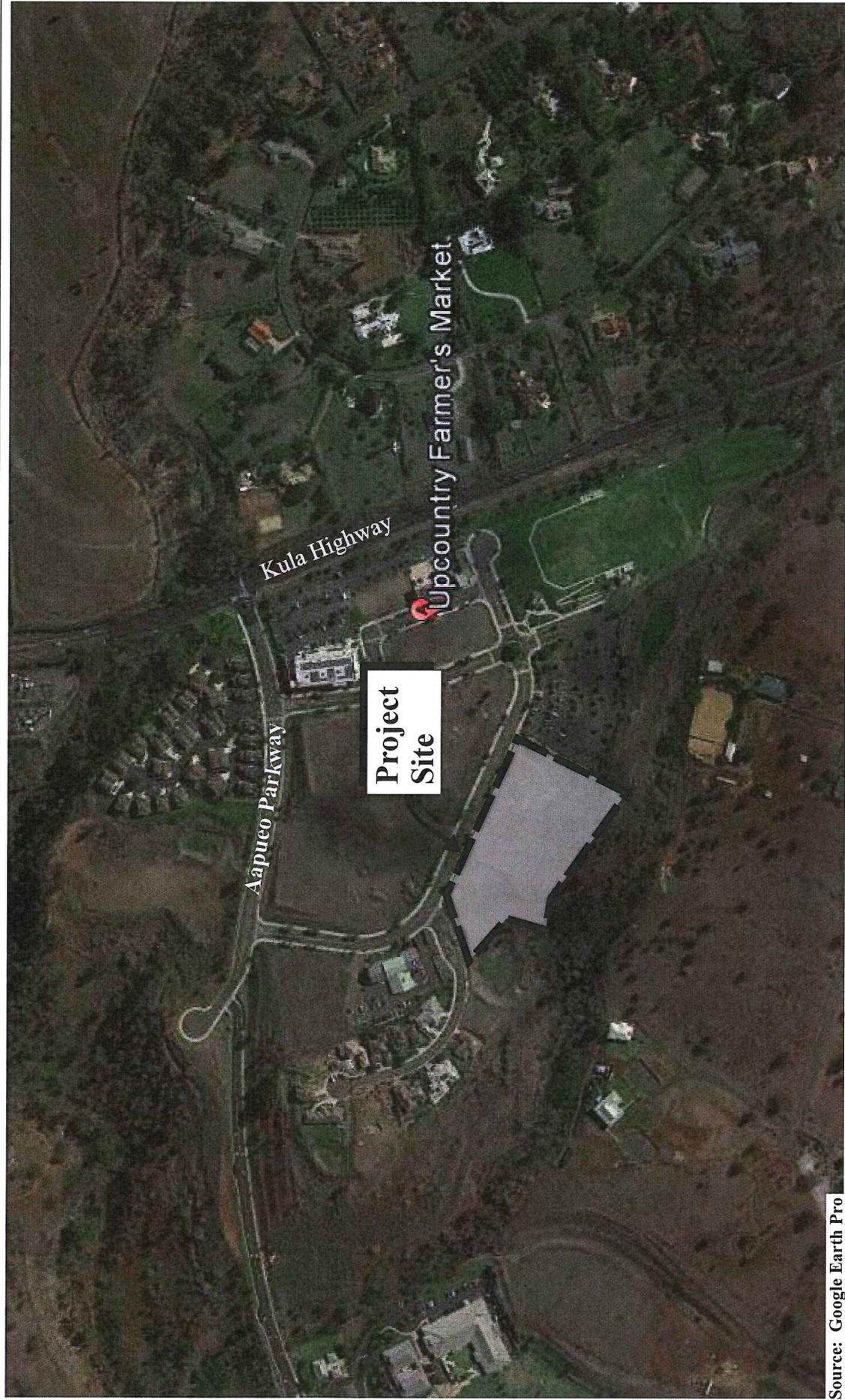
**Figure 1** Hale Mahaolu Ewalu Senior Residential Housing Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu



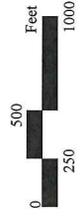


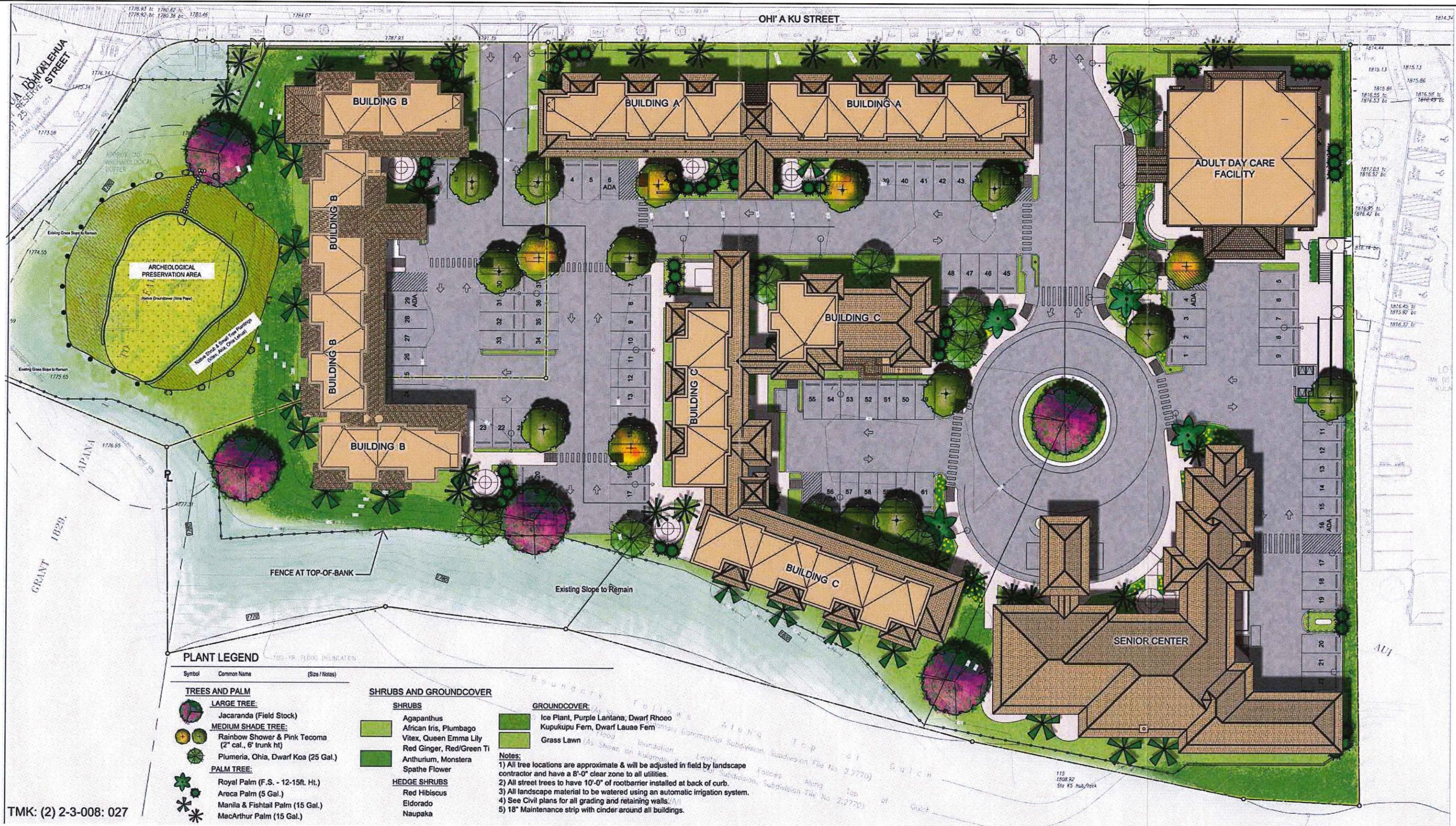
Source: Google Earth Pro

**Figure 2** Hale Mahaolu Ewalu Senior Residential Project  
Aerial Photograph



Prepared for: Hale Mahaolu





TMK: (2) 2-3-008: 027

Source: Chris Hart & Partners

Figure 3

# Hale Mahaolu Ewalu Senior Residential Housing Project

## Conceptual Site Plan

NOT TO SCALE



Prepared for: Hale Mahaolu, Inc.

## Statutory Checklist

[24CFR §58.5]

Record the determinations made regarding each listed statute, executive order or regulation. Provide appropriate source documentation. Note reviews or consultations completed as well as any applicable permits or approvals obtained or required. Note dates of contact or page references. Provide compliance or consistency documentation. Attach additional material as appropriate. Note conditions, attenuation or mitigation measures required.

Factors	Determination and Compliance Documentation
<p><b>Historic Preservation</b> [36 CFR 800]</p>	<p>Archaeological monitoring conducted during the construction of the Kulamalu Commercial Subdivision discovered inadvertent burials on the project site. The burials are presumed to be of Chinese origin and are identified as SIHP Site No. 50-50-10-5173 located on Parcel 19. Site No. - 5173 comprises of eight (8) coffin pit burials with associated fire pits.</p> <p>It is noted that there were two (2) additional non-burial features that are also located within the preservation area and will be preserved in situ. Site 5469 is a Pre-Contact fire-pit and Site 5470 appeared to be a former irrigation ditch. See <b>Exhibit "A"</b>.</p> <p>Previous discussions with the former owner (Dowling Company) and the Maui-Lāna'i Islands Burial Council (MLIBC) determined that the burials would remain in situ along with other non-burial features comprising of a pre-Contact fire pit (Site No. -5469) and former irrigation ditch (Site No. -5470).</p> <p>At this time, all burial features and associated grave goods have been preserved in place and/or reinterred within the established preservation area and are protected by a vertical buffer comprised of 8 to 20 feet of fill and two (2) horizontal buffers consisting of a 5-ft. interior buffer and 30-ft. exterior buffer.</p> <p>The Burial Preservation Plan includes short-term (construction period) and long-term preservation measures. Refer to <b>Exhibit "A"</b>. The short-term or interim measures before and during construction involve demarcation of the 30-ft. exterior buffer zone with orange construction fencing. During construction, the construction fencing may be adjusted to accommodate construction activity provided no alterations may be implemented without prior consultation and approval by the archaeological consultant. All adjustments will be revised by the end of each work day.</p> <p>Long-term measures include preservation of the site in perpetuity. Within the larger 30-ft. exterior buffer zone, there will be a 5-ft. interior buffer from the outermost identified burials where access will be restricted and no structures will be</p>

placed except for a low rock wall or fence marking the perimeter of the interior buffer. Subsurface utility lines and other uses shall be routed outside of the interior buffer area to prevent harm to the historic sites, however, subsurface irrigation is permissible, but may not exceed 1.5-ft. in depth. Landscaping may include grass and/or groundcover. No deeply rooted shrubs or trees shall be planted within the interior buffer zone. All landscaping shall be maintained at all times. The burial features shall be marked on the surface by a boulder or concentration of cobbles.

The larger exterior buffer will be measured from the outermost identified burials with a perimeter marked by either immovable boulders, or wooden posts set in concrete, placed at even intervals 15-ft. apart. No subsurface utilities may be placed within the exterior buffer, with the exception of irrigation which shall not exceed 1.5-ft. below surface. Landscaping may include grass, groundcover, shrubs, and shade trees, preferably native trees while shrubs or hedges shall be drought tolerant species. All plantings shall be maintained at all times. In the event future sitting areas (i.e., benches and tables) and/or walking paths are desired in the future, these will be allowed within the exterior buffer area.

A bronze plaque shall be affixed to a large boulder, stone platform, or pedestal type structure along the perimeter of each buffer zone.

Access within the interior of the 5-ft. interior buffer zone is for lineal and/or cultural descendants, as well as for maintenance purposes. A 3-ft. wide opening for access shall be placed along this interior buffer zone. Access to the exterior buffer zone is permitted.

Pursuant to the Burial Preservation Plan, Hale Mahaolu recorded the metes and bounds description and Burial Preservation Plan with the State Bureau of Conveyance. See **Exhibit "B"**.

Section 106 consultation letters were mailed to agencies and cultural organizations on November 11, 2015. See **Exhibit "C"**. The SHPD provided their Section 106 comments by letter dated December 30, 2015. See **Exhibit "C-1"**. SHPD indicated although a Burial Preservation Plan was approved for the project, they had concerns regarding two (2) non-burial sites consisting of Pre-Contact fire pits (Site -5479) and a former

	<p>irrigation ditch (Site-5470). Based on these concerns, the State Historic Preservation Officer (SHPO) determined an “adverse effect on historic properties” until SHPD received the following:</p> <ul style="list-style-type: none"> <li>• Additional information regarding the proposed development plans for the subject parcels; and</li> <li>• An archaeological preservation plan meeting the requirements of Hawai‘i Administrative Rules (HAR) §13-277 for review and acceptance. Refer to <b>Exhibit “C-1”</b>.</li> </ul> <p>In response, the project plans were emailed to SHPD’s Maui Office. Also, it was noted that in the 2013 Final Burial Preservation Plan accepted by SHPD, Site -5479 is located within the 5-foot preservation buffer zone and Site -5470 is located within the 30-foot preservation buffer zone of the accepted Preservation Plan. As such, both sites would be preserved onsite. See <b>Exhibit “C-2”</b>. Based on this follow-up, appropriate minimization measures are in place to protect historic and cultural resources. This information has been provided to SHPD and a follow up determination from the SHPD is being requested.</p> <p>Section 106 consultation was conducted with the Office of Hawaiian Affairs and the State Department of Hawaiian Home Lands who had no comments or input on cultural and historic resources. See <b>Exhibit “C-3”</b>. A response letter was provided to OHA. Refer to <b>Exhibit “C-3”</b>.</p>
<p><b>Floodplain Management</b> [24 CFR 55, Executive Order 11988]</p>	<p>As indicated on the Flood Insurance Rate Map (FIRM) Community Panel No.1500030625E, dated September 25, 2009, the project site is located in Flood Zone X (unshaded), which denotes an area of minimal flooding and low flood risk. Flood insurance is not required in Flood Zone X (unshaded).</p>
<p><b>Wetlands Protection</b> [Executive Order 11990]</p>	<p>There are no wetlands on or in the immediate vicinity of the project site (USFWS, 2014). Further, the project site was filled during the construction of the Kulamalu Commercial Subdivision in 2003. As noted in the Botanical and Flora Survey, the project site does not have any defining wetland characteristics of vegetation, soil, or hydrology. See <b>Exhibit “D”</b>.</p>
<p><b>Coastal Zone Management Act</b> [Sections 307(c), (d)]</p>	<p>The entire Maui Island is within the limits of the Hawai‘i Coastal Zone Management but is not located in the Special Management Area of Maui Island. Nonetheless, an assessment</p>

	<p>of coastal zone management objectives and policies has been completed for the proposed project. See <b>Exhibit “E”</b>.</p>
<p><b>Sole Source Aquifers</b> [40 CFR 149]</p>	<p>The proposed site is located within the vicinity of the Makawao Aquifer. This is not classified as a Sole Source Aquifer by the U.S. Environmental Protection Agency’s (EPA’s) Sole Source Aquifer (SSA) Program. At present, the only Sole Source Aquifers designated in the State of Hawai‘i are located on the islands of Moloka‘i and O‘ahu. As such, the project is not subject to EPA’s SSA environmental review process. See <b>Exhibit “F”</b>.</p>
<p><b>Endangered Species Act</b> [50 CFR 402]</p>	<p>The project area is vegetated for the most part with low-level sub-shrubs and grasses. Most common are: Rhodes grass (<i>Chloris gayana</i>), Guinea grass (<i>Megathyrsus maximus</i>), Natal restop (<i>Melinis repens</i>), keeles goosefoot (<i>Chenopodium carinatum</i>), fireweed (<i>Senecio madagascariensis</i>), tumble mustard (<i>Sisymbrium altissimum</i>), hedge mustard (<i>Sisymbrium officinale</i>), glycine (<i>Neonotonia wightii</i>) and lesse snapgragon (<i>Misopates orontium</i>). Somewhat less common were: <i>Amaranthus hybridus</i> (no common name), yellow star thistle (<i>Centaurea melitensis</i>), cocklebur (<i>Xanthium strumarium</i>), cheeseweed (<i>Malva parviflora</i>) and silk oak (<i>Grevillea robusta</i>). Of the 70 plant species recorded on the site, only three (3) species were native, the widespread and common Koali Awahia (<i>Ipomoea indica</i>), ‘ilima (<i>Sida fallax</i>) and ‘uhaloa (<i>Waltheria indica</i>), which are all indigenous in Hawai‘i. Also, no habitat of the Blackburn’s sphinx moth (<i>Manduca blackburni</i>), moth or their larvae were observed on the project site.</p> <p>Fauna at the site were limited to two (2) mammal species consisting of the axis deer (<i>Axis axis</i>) and domestic dog (<i>Canis familiaris</i>). The project site may also include rats (<i>Rattus spp.</i>) and mice (<i>Mus domesticus</i>) who feed on seeds, fruits and herbaceous vegetation, as well as mongoose (<i>Herpestes auropunctatus</i>) and cats (<i>Felis catus</i>) who hunt for these rodents.</p> <p>A special effort was made to look for an occurrence of the native Hawaiian hoary bat. No bat activity was detected. Also, bird life in the area was relatively sparse with seven (7) species of non-native birds observed.</p> <p>There are no rare, threatened, endangered, not protected species under either the Federal or State of Hawai‘i endangered species programs of flora and fauna at the project site. Additionally,</p>

there are no presence of critical habitat identified at the project site. Refer to **Exhibit “D”**.

Section 7 Endangered Species Act (ESA) consultation was initiated by letter dated November 25, 2015. See **Exhibit “G”**.

The U.S. Fish & Wildlife Service (USFWS) reviewed the project and determined the project may affect, but is not likely to adversely affect listed species and that no further action pursuant to Section 7 of the ESA is necessary. See **Exhibit “G-1”**. As recommended by the USFWS Hale Mahaolu proposes to minimize threats from invasive species and minimize impacts to Hawai‘i’s threatened and endangered species through the following measures. Should any materials or equipment be moved from Guam to any other island for this project it will be thoroughly assessed to ensure the brown tree snake is not transported in the material. Also, all workers will be advised to ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the project area and disposed of offsite at an approved landsite at the end of each working day to prevent the attraction of non-native pests (i.e., rats). All tools, gear, and construction scrap will be removed upon completion of work in order to prevent the attraction of non-native pests (i.e., rats). No contamination (trash or debris disposal, non-native species introductions, attraction of non-native pests, etc.) of adjacent habitats will result from project-related activities.

Further, as appropriate, the following minimization measures shall be implemented:

**Hawaiian seabirds:** Hawaiian petrels and Newell’s shearwaters may traverse the project area at night during the breeding season. Outdoor lighting at the project site could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may collide with nearby wires, buildings or other structures, or they may land on the ground due to exhaustion. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Any increase in nighttime lighting, particularly during each year’s peak fallout period (September 15 through December 15), could result in seabird injury or mortality. Young birds (fledglings) traversing the project area between

September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To minimize potential project impacts to seabirds during their breeding season, all outdoor lights on any building or structure in the proposed action will be fully shielded so the bulb can only be seen from below bulb height and only used when necessary. Automatic motion sensor switches and controls will be installed on all outdoor lights. Nighttime construction will be avoided during the seabird fledging period, September 15 through December 15. If nighttime construction occurs during other times of the year, all lighting will be shielded and directed toward the ground to avoid attracting adult seabirds as they travel from the ocean to their breeding areas.

**Hawaiian goose:** Nēnē have not previously been seen at project sites. However, because Nēnē populations are increasing, measures to minimize project impacts to this species have been incorporated into the proposed action. Project noise and disturbance may reduce the reproductive success or survival of Nēnē. Nēnē have an extended breeding season with eggs reported from all months except May, June, and July. The majority of birds in the wild, nest during the rainy (winter) season between October and March. Nēnē nest on the ground and are known to occupy various habitat and vegetation types ranging from coastal dune and non-native grasslands (including golf courses, pastures, and developed areas) to mid- and high-elevation native and non-native shrub land and open alpine areas. To avoid potential adverse impacts to Nēnē, the following Nēnē conservation measures will be implemented:

- 1) Project staff will check with work area vicinity for Nēnē prior to conducting project-related work. If a Nēnē is observed within the project site, or a Nēnē flies into the site while activities are occurring, all activities will halt within 100 feet (30 meters) of the bird(s). Work will not resume until the bird(s) have left the area on their own accord.
- 2) In areas where Nēnē have been seen, nest searches will be conducted if the project will occur during the Nēnē breeding season. A 100-foot (30-meter) buffer will be established and maintained around all active nests and broods until the goslings have fledged. No potentially disruptive activities (i.e., construction or noisy equipment use) will be conducted within this buffer.

	<p>3) No manipulation or alteration of known Nēnē nesting habitat will occur during the breeding season.</p> <p><b>Hawaiian hoary bat:</b> The endangered Hawaiian hoary bat may be present within the proposed project area. The Hawaiian hoary bat roosts in both exotic and native woody vegetation and will leave young unattended in "nursery" trees and shrubs when they forage. If trees or shrubs suitable for bat roosting are cleared during the breeding season, there is a risk that young bats could inadvertently be harmed or killed. Additionally, Hawaiian hoary bats forage for insects from as low as three (3) feet to higher than 500 feet above the ground. When barbed wire is used in fencing, Hawaiian hoary bats can become entangled. To minimize impacts to the endangered Hawaiian hoary bat, woody plants greater than 15 feet (4.6 meters) tall will not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15) and HUD funds will not be used to purchase or install barbed wire fencing.</p> <p><b>Blackburn's sphinx moth:</b> The adult moth feeds on nectar from native plants including beach morning glory (<i>Ipomoea pescaprae</i>), iliee (<i>Plumbago zeylanica</i>), maiapilo (<i>Capparis sandwichiana</i>). Blackburn's sphinx moth larvae feed upon non-native tree tobacco (<i>Nicotiana glauca</i>), which occupies disturbed areas such as open fields and roadway margins, and the native aiea (<i>Nothocestrum sp.</i>). To pupate, Blackburn's sphinx moth larvae burrow into the soil near host plants and can remain in a state of torpor for up to a year (or more) before emerging from the soil. In July 2013, Robert W. Hobdy surveyed the project site and did not detect any Blackburn's sphinx moth larval host plants. If host plants are discovered in the area affected by the activity, host plants will not be cut or removed and the soil within 10 meters (33 feet) of the host plants will not be disturbed.</p>
<p><b>Wild and Scenic Rivers Act</b> [Sections 7(b), (c)]</p>	<p>The project site is located within the urban areas of Pukalani and Makawao. The adjacent un-named tributary of Kaluapulani Gulch is located south of the project site. However, this un-named gulch is not designated as a National Wildlife or Scenic River. According to the National Wildlife and Scenic Rivers System website (<a href="http://www.rivers.gov/hawaii.php">www.rivers.gov/hawaii.php</a>), there are no wild or scenic rivers in the State of Hawai'i as defined by U.S. Code, Title 16, Chapter 28.</p>
<p><b>Air Quality</b> [Clean Air Act, Sections 176(c)]</p>	<p>Air quality throughout the State is relatively high attributed in part to the consistent trade winds that quickly disperse</p>

<p>and (d), and 40 CFR 6, 51, 93]</p>	<p>concentrations of emissions. There are no point sources of airbourne emission in the immediate vicinity of the project site. The air in the Pukalani region is of good quality, with existing airbourne pollutants attributable to automobile exhaust from the region's roadways, primarily Kula Highway.</p> <p>There will be temporary impacts on air quality during the construction period. To mitigate those unavoidable impacts associated with the construction phase, Best Management Practices (BMPs) will be utilized, such as dust control measures to minimize wind-blown emissions. There are no anticipated long-term air quality impacts associated with the proposed project.</p>
<p><b>Farmland Protection Policy Act</b> [7 CFR 658]</p>	<p>The proposed project is an infill development located within urban lands and is adjacent to areas of established commercial, residential, and public uses.</p> <p>The State Land Use designation for the project site is "Urban" and the property and surrounding areas are in urban uses.</p> <p>The proposed project is not anticipated to adversely impact lands suitable for agricultural production.</p>
<p><b>Environmental Justice</b> [Executive Order 12898]</p>	<p>All persons who are eligible to rent a unit at the proposed project will be evaluated fairly without regard to geographical or other discriminatory preferences. The proposed action will enhance the quality of life for seniors age 62 and over by providing affordable rentals.</p> <p>The proposed Hale Mahaolu Ewalu Senior Residential project will not expose its residents to disproportionate adverse health and environmental effects.</p>

**HUD Environmental Standards Determination and Compliance Documentation**

<p><b>Noise Abatement and Control</b> [24 CFR 51 B]</p>	<p>There are no significant fixed noise generators in the vicinity of the project site. Noise generated in the vicinity of the project site may be attributable to natural (e.g., wind) conditions and traffic along local roadways (e.g., Kula Highway). The project does not involve the development of noise sensitive uses.</p>
<p><b>Toxic/Hazardous/Radioactive Materials, Contamination, Chemicals or Gases</b> [24 CFR 58.5(i)(2)]</p>	<p>The project site is currently vacant and was formerly used for pineapple cultivation. A Phase I Environmental Site Assessment (ESA) was prepared for the project site in accordance with the American Society of Testing and Materials (ASTM) Standard Practice for Environmental Site Assessments prior to the construction of the Kulamalu Commercial Subdivision. The ESA did not find any evidence of releases of hazardous</p>

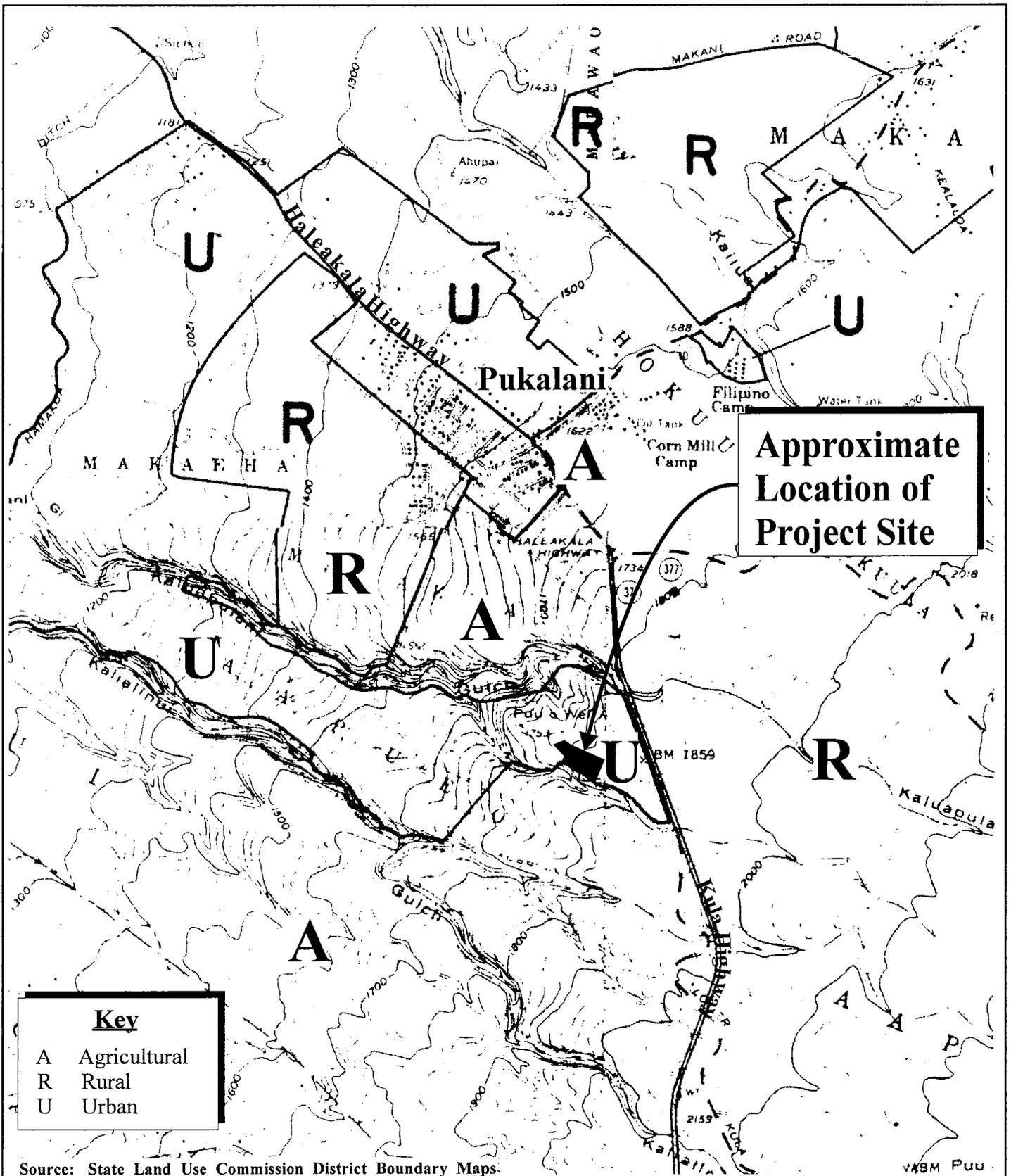
	<p>substances or petroleum products in the Kulamalu Commercial Subdivision. The project site is located within the Kulamalu Commercial Subdivision. See <b>Exhibit “H”</b>.</p>
<p><b>Siting of HUD-Assisted Projects near Hazardous Operations</b> [24 CFR 51 C]</p>	<p>An Acceptable Separation Distance Assessment (ASDA) was prepared to evaluate fire and explosion hazards within a one-mile radius of the project site. According to the County of Maui, Department of Fire and Public Safety, there are two (2) above ground storage tanks (AST) and one (1) underground storage tank (UST) located within the one (1) mile blast radius of the Hale Mahaolu Ewalu Senior Residential Project. See <b>Exhibit “I”</b>. One (1) AST consisting of a 1,000 gallon gasoline dispenser is located at the Kamehameha School Maui campus (TMK (2)2-3-008:039), approximately 1,800 feet east of the project site. The other AST consisting of a 550 gallon diesel dispenser, is located at the Makawao Fire Station (TMK (2)2-3-007:021) which is at the northern boundary of the 1-mile blast radius. The UST is located at a gas service station (TMK (2)2-3-044:073) on Old Haleakala Highway approximately 4,600 feet north of the project site. See <b>Exhibit “I-1”</b>.</p> <p>According to HUD’s Acceptable Separation Distance Assessment tool, the acceptable separation distance for thermal radiation for people from the project site for the 1,000 gallon AST is 276.57 feet and 215.59 feet for the 550 gallon AST, respectively. For thermal radiation for buildings, the Acceptable Separation Distance is 50.28 feet for the 1,000 gallon AST and 38.14 feet for the 550 gallon AST. See <b>Exhibit “I-2”</b>. Both ASTs are within HUD’s Acceptable Separation Distance and no further mitigation measures are required. Further, Regulation 24 CFR Part 51 applies only to ASTs and an acceptable separation distance is not required for the UST. The project site meets the acceptable safe distance assessment criteria for both thermal and blast overpressure.</p>
<p><b>Airport Clear Zones and Accidental Potential Zones</b> [24 CFR 51 D]</p>	<p>The project site is not located in or near a Clear Zone at a civil or military airfield, nor in or near an Accidental Potential Zone at a military airfield. The nearest airport is the Kahului Airport located approximately nine (9) miles from the project site and there are no military airfields on Maui island.</p>

## NEPA Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.

Land Development	Code	Source or Documentation
<p>Conformance with Comprehensive Plans and Zoning</p>		<p>Pursuant to Chapter 205, Hawai'i Revised Statutes, all lands in the State have been placed into one (1) of four (4) major land use districts by the State Land Use Commission. These land use districts are designated "Urban", "Rural", "Agricultural", and "Conservation". The project site is located within the "Urban" district. The proposed project is a permitted land use within the "Urban" district. See <b>Figure 4</b>.</p> <p>The project's conformance with the goals, objectives and policies of the Maui County General Plan is set forth in <b>Exhibit "J"</b>.</p> <p>The subject parcels are located in the Makawao-Pukalani-Kula Community Plan region which is one (1) of nine (9) Community Plan regions established in the County of Maui. Planning for each region is guided by the respective Community Plans, which are designed to implement the Maui County General Plan. Each Community Plan contains recommendations and standards that guide the sequencing, patterns, and characteristics of future development in the region. See <b>Exhibit "K"</b>. An objective and policy of the Community Plan is to "ensure an adequate supply of lands designated for residential use to address the affordable and elderly housing needs of the region's residents". Further, the Community Plan under Implementation Actions identified 5-acres multi-family/elderly housing in the vicinity of the proposed Kulamalu development. The proposed project is within the Kulamalu development and is consistent with the Implementation Action.</p> <p>The land use map for the Makawao-Pukalani-Kula Community Plan designates the project site as "Public-Quasi-Public". The proposed project is consistent with the underlying land use designation. See <b>Figure 5</b>.</p> <p>The project site was zone "P-1, Public/Quasi-Public" district by Ordinance No. 2623 on December 16, 1997, subject to three (3) conditions of zoning. See <b>Exhibit "L"</b>. By letter dated November 14, 2012, the Maui Planning Department determined the conditions of zoning has been complied with. See <b>Exhibit "M"</b>.</p>



Source: State Land Use Commission District Boundary Maps

Figure 4

Hale Mahaolu Ewalu

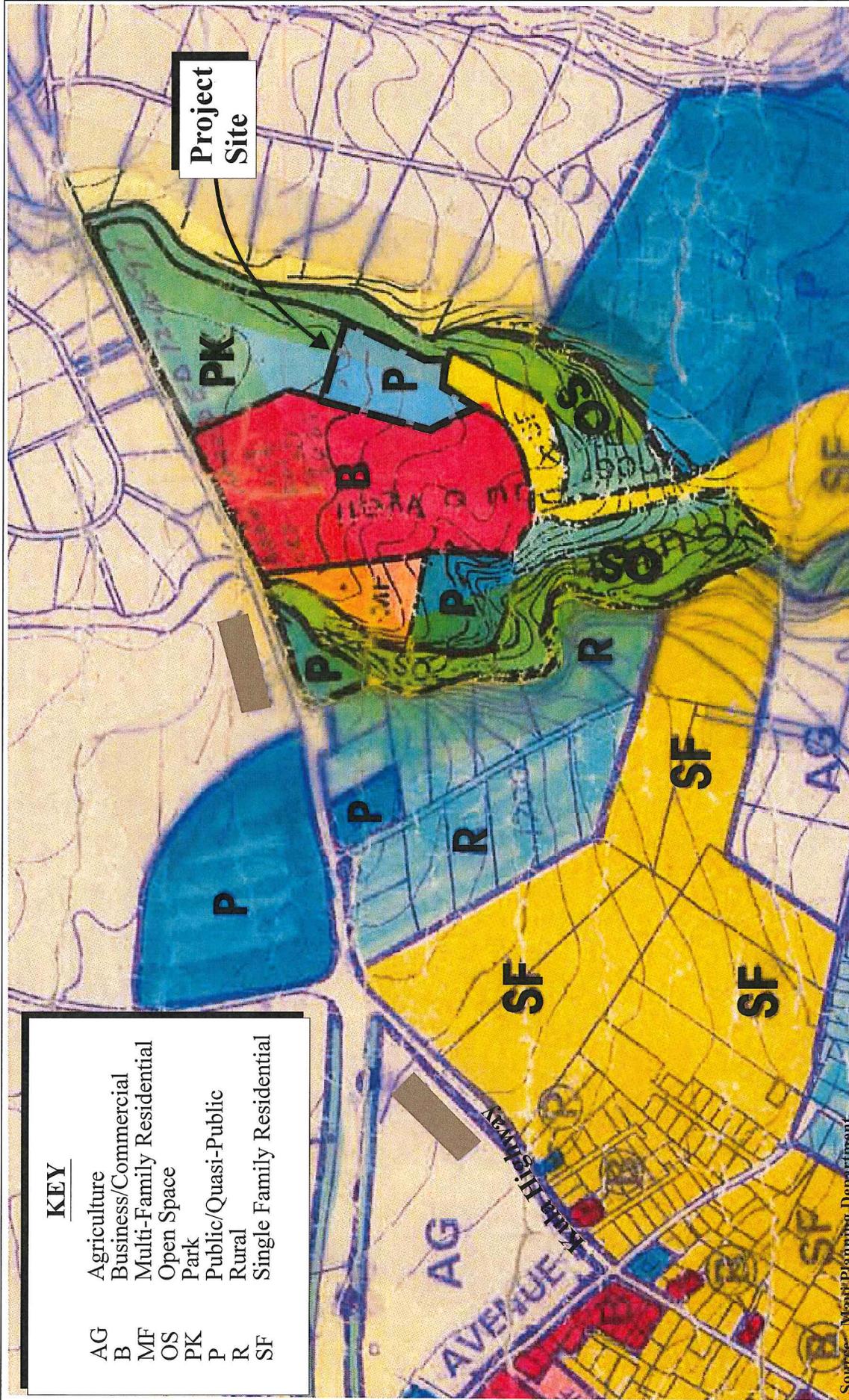
NOT TO SCALE

Senior Residential Housing

State Land Use District Classifications



Prepared for: Hale Mahaolu



Source: Maui Planning Department

Figure 5



Hale Mahaolu Ewalu Senior  
Residential Housing  
Makawao-Pukalani-Kula  
Community Plan Land Use Map

NOT TO SCALE

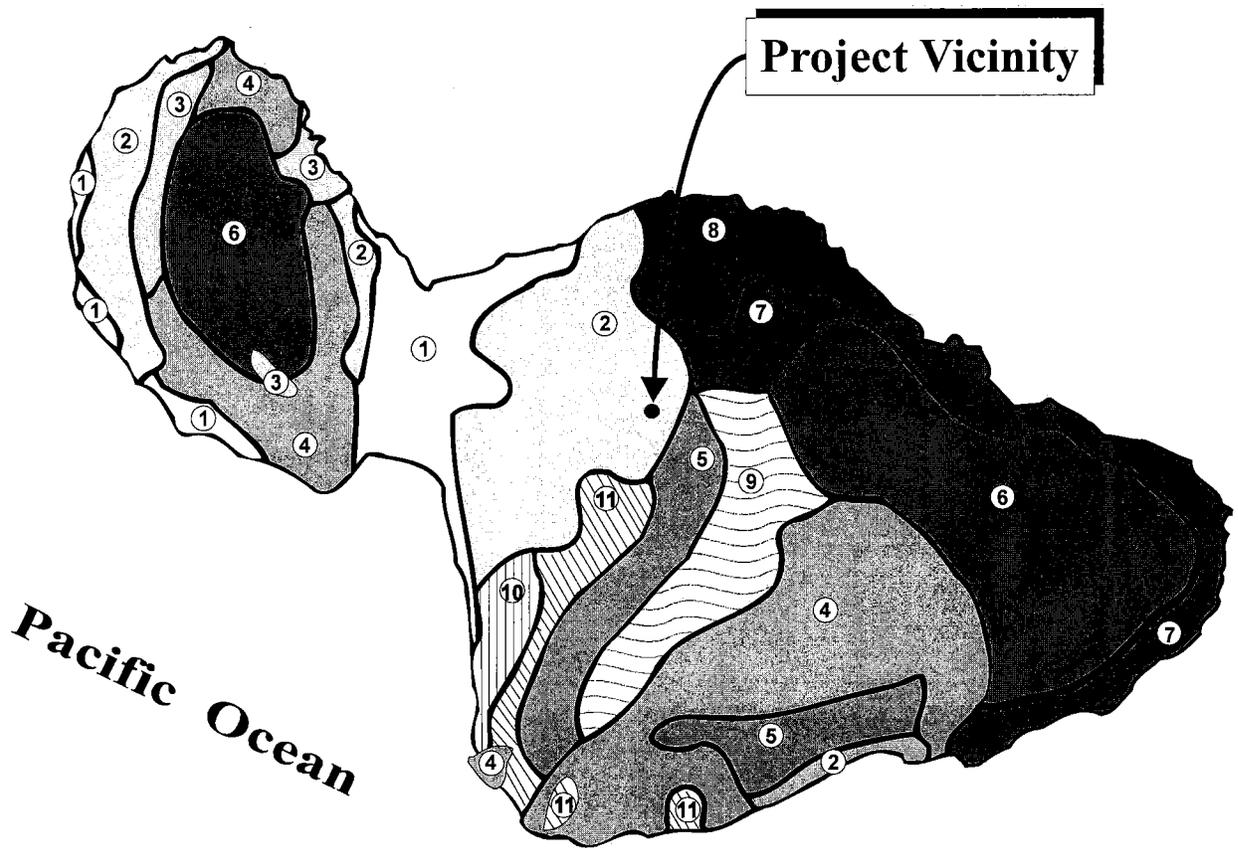


Prepared for: Hale Mahaolu

Compatibility and Urban Impact	<p>The proposed project is an urban infill development located within the Kulamalu Commercial Subdivision. The project will increase affordable housing opportunities for seniors (62+ years) in the Makawao-Pukalani-Kula region. The project is compatible with surrounding commercial, residential, public/quasi-public, and recreational land uses. No adverse impacts to surrounding land uses are anticipated as a result of project implementation.</p>
Slope	<p>The project site was previously graded and filled. The project proposes to utilize the existing grade and fill on the site to minimize excessive cut and fill work. The project site slopes from an east to west direction from an elevation of approximately 1,810 feet to 1,765 feet. The average slope is approximately seven (7) percent. See <b>Exhibit “N”</b>.</p>
Erosion	<p>During the construction of the proposed project, Best Management Practices (BMPs) will be implemented to prevent runoff generated on the project site from impacting the neighboring unnamed tributary of Kaluapulani Gulch, south of the project site. No construction is proposed within the gulch. Construction BMPs include but are not limited to, stabilized entrances at the site ingress and egress, silt and dust fences, inlet and catch basin filters and temporary sediment basins. Slopes and exposed areas will be watered, mulched, sodded, or planted to reduce windblown and stormwater erosion. Refer to <b>Exhibit “N”</b>.</p>
Soil Suitability	<p>Underlying the project site are soils belonging to the Waiakoa-Keāhua-Moloka’i association, consisting of moderately sloping, well-drained, moderately fine textured soils. See <b>Figure 6</b>.</p> <p>The specific soil type underlying the project site is Keāhua silty clay loam (KnB) and Keāhua cobbly silty clay loam (KnhC) with rough broken land (rRR) along the gulch. See <b>Figure 7</b>. KnB soils has moderate permeability and runoff is slow while KnhC soil have slow to medium runoff with a slight to moderate erosion hazard. Rough broken land is very steep land in gulches where runoff is rapid and geological erosion active.</p> <p>BMPs will be utilized to control soil erosion and dust during site improvement and construction. Refer to <b>Exhibit “N”</b>.</p>
Hazards and Nuisances including Site Safety	<p>According to the Flood Insurance Rate Map (FIRM), the project site is located in Flood Zone X (unshaded), which denotes an area of minimal flooding and low flood risk.</p> <p>The project is located outside of the tsunami inundation area and natural hazard zone. There are no threats from flooding, coastal wave action or natural hazards.</p>
Energy Consumption	<p>The proposed project will involve the short-term commitment of fuel for equipment vehicles, and machinery during construction activities.</p> <p>Upon completion, electrical service will be provided by Maui Electric Company (MECO). MECO reviewed the proposed project and advised that the electrical consultant for the project coordinate the electrical needs with MECO. See <b>Exhibit “O”</b>.</p>

# LEGEND

- |  |  |
|--|--|
|  Pulehu-Ewa-Jaucas association                |  Hana-Makaalae-Kailua association  |
|  Waiakoa-Keahua-Molokai association           |  Pauwela-Haiku association         |
|  Honolulu-Olelo association                   |  Laumaia-Kaipoi-Olinda association |
|  Rock land-Rough mountainous land association |  Keawakapu-Makena association      |
|  Puu Pa-Kula-Pane association                 |  Kamaole-Oanapuka association      |
|  Hydrandepts-Tropaquods association           |  |



Source: USDA, Soil Conservation Service

Figure 6

Hale Mahaolu Ewalu Senior Residential Housing Soil Association Map

NOT TO SCALE



Prepared for: Hale Mahaolu



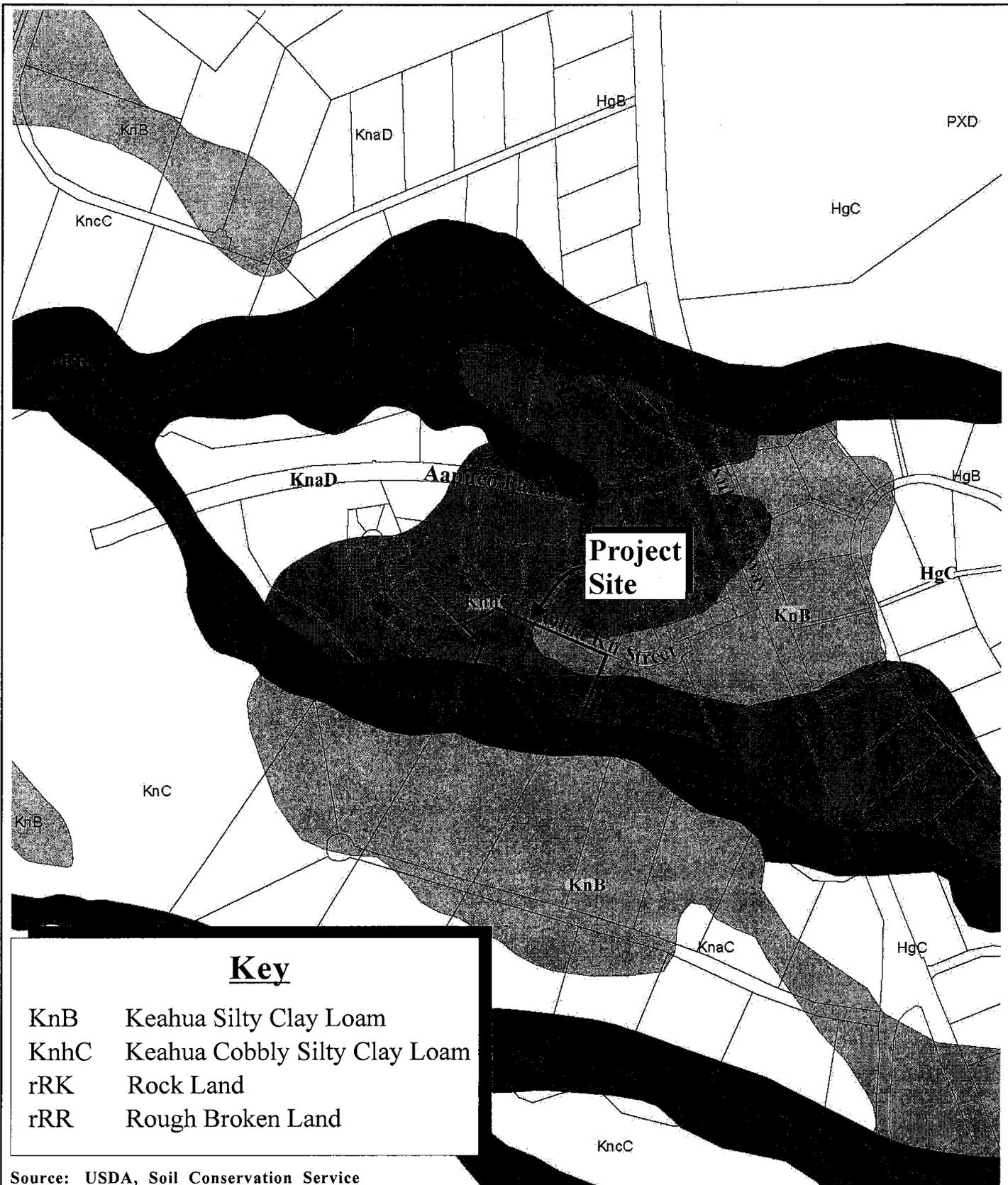


Figure 7

Hale Mahaolu Ewalu  
Senior Residential Housing  
Soil Classification Map

NOT TO SCALE



Prepared for: Hale Mahaolu



<p><b>Noise - Contribution to Community Noise Levels</b></p>	<p>Ambient noise conditions may be temporarily affected by construction-related activities. Mitigation measures for construction-related noise generation will include limiting construction to weekdays and daylight work hours.</p> <p>Once construction is completed, the project is not anticipated to generate adverse impacts to noise quality.</p>
<p><b>Air Quality</b> Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels</p>	<p>Air quality in Hawai'i is relatively high, attributed in part to the consistent trade winds that quickly disperse concentrations of emissions. During construction, airborne particulates as a result of construction-related activities may temporarily affect the ambient air quality within the immediate vicinity of the project site. Mitigation measures will include dust control measures such as dust fences and regular watering and sprinkling to minimize windblown emissions. Graded and grubbed areas will be vegetated to mitigate dust-generated impacts.</p> <p>From a long-term perspective, the project is not anticipated to generate adverse impacts to air quality.</p>
<p><b>Environmental Design</b> Visual Quality - Coherence, Diversity, Compatible Use and Scale</p>	<p>The project site is located in the urban area of Pukalani in the Kulamalu Commercial Subdivision. The proposed project is compatible with the neighborhood surroundings and is not anticipated to significantly impact the scenic and open space resources of the area. The project is an urban infill development with single family residences and offices to the west, public/quasi-public and recreational uses to the east and commercial uses to the north.</p> <p>The Hale Mahaolu Ewalu Senior Residential project has been designed in accordance with the architectural guidelines for the Kulamalu Commercial subdivision and has been approved by the Kulamalu Design Committee. See <b>Exhibit "P"</b>.</p>

<b>Socioeconomic Code</b>	<b>Source or Documentation</b>
<p>Demographic Character Changes</p>	<p>Given the size and scope of the proposed action, impact on population is expected to be minimal. The proposed project is not considered a direct population generator from a long-term perspective. Instead, the project is anticipated to accommodate demands for affordable senior housing for existing residents primarily in the Makawao-Pukalani-Kula region. Any increase in population in the region should be within expected growth parameters defined by migration and birth/death rates.</p>
<p>Displacement</p>	<p>The subject site is vacant and as such, there will be no displacement of either residences or businesses as a result of the proposed action.</p>
<p>Employment and Income Patterns</p>	<p>On a short-term basis, the project will support construction and constructed-related employment. On a long-term basis the proposed action will provide employment for a resident manager and employees of the Adult Day Care Center, as well as provide adult day care services to families in the region. Accordingly, the project will have a beneficial impact on the local economy and social services of the region.</p>

**Community Facilities`  
and Services**

	Code	Source or Documentation
Educational Facilities		The proposed project is for the development of senior residential housing for those 62 years and older and is not anticipated to affect educational facilities in the region.
Commercial Facilities		The project is limited to residential housing units and support facilities for the elderly and is not anticipated to affect commercial facilities in the surrounding Kulamalu Commercial Subdivision.
Health Care		<p>Maui Memorial Medical Center, located on Mahalani Street in Wailuku, is the only major medical facility on the island that services the region. Acute, general, emergency, and obstetric care services are provided by the 214-bed facility. Kaiser Permanente also has its Wailuku and Maui Lani Clinics located in Wailuku, near the Maui Memorial Medical Center. Several medical and dental care facilities are located in the Makawao and Pukalani area to serve Upcountry residents.</p> <p>Also, Kula Hospital and Clinic is situated about nine (9) miles south of the project site. The hospital serves as a critical access hospital that provides long-term care for residents and a 24-hour emergency room. An outpatient clinic for the area's residents operates from 8:00 a.m. to 4:30 p.m. on weekdays.</p>
Social Services		The proposed project will generate a social welfare benefit through the provision of affordable housing and social services (i.e. adult day care facility and senior community center) for the elderly in Upcountry.
Solid Waste		According to the County of Maui, Integrated Solid Waste Management Plan, the existing Central Maui Landfill has adequate capacity to accommodate residential and commercial waste needs through the year 2026 (ISWM Plan, 2009). The proposed project is not anticipated to affect the service capabilities of the County's residential solid waste collection system. Solid waste from the project site shall be handled by a private contractor. Also, a construction waste management plan will be developed and implemented.
Waste Water		Wastewater from the proposed project will be processed and disposed of through the Hawaii Water Service Company that operates a private sewage treatment facility. See <b>Exhibit "Q"</b> .
Storm Water		There will be no adverse effects to adjacent or downstream properties as a result of the proposed project. The increases in post-development runoff will be handled by an internal drainage system of catch basins that will collect storm runoff and connect to the existing 24-inch privately owned drainline on Ohia Ku Street which will transport storm runoff to an existing basin constructed during development of the Kulamalu Commercial Subdivision. Refer to <b>Exhibit "N"</b> .
Water Supply		The proposed project proposes to utilize two (2) 1-1/2-inch water meters connected to the County's Municipal Water System located on Ohia Ku Street. Historical records of water usage indicate seniors utilize less water than a typical family living in an apartment on Maui. Hale Mahaolu has entered into a Memorandum of Understanding with the County Department of Water Supply (DWS). See <b>Exhibit "R"</b> .
Public Safety - Police		Police protection is provided by the Maui Police Department in Wailuku. A police substation is located in Pukalani, east of the

		<p>project site in the Kulamalu Town Center. The proposed project is not expected to extend the existing service area limits for police service and is not anticipated to have a significant impact on police service in the area.</p>
- Fire		<p>Fire prevention, suppression and protection services are provided by the County of Maui Makawao Fire Station located on Makawao Avenue approximately 1.3 miles northeast of the project site. Adequate fire suppression is to be provided to the project site from an 8-inch internal fire suppression line. Also, the buildings will be equipped with fire sprinklers.</p> <p>The proposed project is not expected to extend the existing fire service area limits for the Makawao Fire Station and is not anticipated to have any significant adverse impact on fire services in the area. It is also noted that there is a Kula Fire Station, located approximately eight (8) miles to the south of the project site.</p>
- Emergency Medical		<p>Emergency services are provided from Kula Hospital and Clinic located nine (9) miles south of the project site. The hospital serves as a critical access hospital that provides a 24-hour emergency room. The proposed action is not anticipated to affect emergency service capabilities and is not expected to extend the existing service area limits for emergency services.</p>
Open Space and Recreation - Open Space		<p>The project is an infill development in the urban district and will not impact an unnamed tributary of the Kaluapulani Gulch which is designated as open space. As such, the proposed action will not encroach into the nearby unnamed tributary and is not anticipated to adversely impact open space resources in the area.</p>
- Recreation		<p>The proposed project will serve seniors and a community center is planned within the housing project to accommodate the recreational needs of its residents. The proposed project is not anticipated to affect recreational facilities or demands for such facilities in the Upcountry region.</p>
Cultural Facilities		<p>Cultural interviews were conducted for the proposed project with two (2) individuals who live in and are knowledgeable about the area. Except for areas within the unnamed gulch, the interviewees were unaware of any cultural sites or customary and traditional practices associated with the project site.</p> <p>The project site contains burials presumed to be of Chinese origin which have been preserved in situ. A Burial Preservation Plan has been approved by SHPD and a Memorandum of Preservation Agreement executed and filed with the State Bureau of Conveyances. Refer to <b>Exhibits "A" and "B"</b>. As such the project is not anticipated to adversely impact cultural resources or practices in the vicinity.</p>
Transportation		<p>A traffic assessment was prepared to identify the potential impact of the project. See <b>Exhibit "S"</b>. The assessment concluded the traffic generated by the project is estimated to be less than 6 percent of the total traffic on Aapueo Parkway during AM Peak and about 10 percent of the total traffic in the PM Peak Hour. As such, the assessment did not recommend any traffic mitigation.</p> <p>The County of Maui, Department of Transportation is currently reviewing options to relocate an existing County bus stop on Kula Highway to an area in closer proximity to the project site to service existing and proposed residential units in the area.</p>

**Natural Features**

**Source or Documentation**

Water Resources	The proposed project is not anticipated to affect any groundwater resources. No wells are being drilled to service the project. Water for the project will be provided by the County Municipal Water System. Additionally, BMPs will be implemented, as applicable, to minimize potential impacts from erosion and runoff.
Surface Water	There are no surface water features on the project site. However, an unnamed tributary of Kaluapulani Gulch is located south of the project site. No work is planned within the gulch. BMPs, as appropriate, will be implemented during construction to minimize potential impacts from erosion and stormwater runoff.
Unique Natural Features and Agricultural Lands	The proposed project is located within an urbanized area of Pukalani surrounded by commercial, residential, public/quasi-public and recreational uses. The project site has been urbanized since the late 1990's and is not considered important agricultural lands.
Vegetation and Wildlife	<p>According to the flora and fauna study prepared, the project is vegetated for the most part with low-level sub-shrubs and grasses. There are no rare, threatened, endangered or protected species of plants or wildlife on the subject property. Refer to <b>Exhibit "D"</b>.</p> <p>USFWS reviewed the project and determined the project may affect, but is not likely to adversely affect listed species and that no further action pursuant to Section 7 of the ESA is necessary. Refer to <b>Exhibit "G-1"</b>. Further, as appropriate, recommended minimization measures will be implemented.</p>

**Other Factors**

**Source or Documentation**

Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	As indicated by the FIRM, the project site is located in Flood Zone X (unshaded), which denotes an area of minimal flooding and low flood risk.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	There are no coastal barrier resources identified in the State of Hawai'i. As such, there are no coastal barrier resource affected by the proposed project.
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	The proposed project is approximately nine (9) miles from the Kahului Airport and is not located within a designated airport runway clear zone.
Other Factors	Not Applicable.

**Summary of Findings and Conclusions**

**ALTERNATIVES TO THE PROPOSED ACTION**

**Alternatives and Project Modifications Considered** [24 CFR 58.40(e), Ref. 40 CFR 1508.9] (Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)

Developing the property as a senior rental housing project is compatible with the surrounding commercial, residential, public/quasi-public, and recreational uses. The project will provide 100 percent affordable rental housing for the elderly (62+ years) and support services for the aging population in the upcountry region. As the upcountry population ages, there is a need for senior living facilities in the region. The proposed

project will provide additional senior residential housing and much needed Adult Day Care Center and Senior Community Center.

**No Action Alternative** [24 CFR 58.40(e)]

(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).

The “no action” alternative does not address the increasing need for affordable housing and social services on Maui for the elderly.

**Mitigation Measures Recommended** [24 CFR 58.40(d), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

The proposed development will have limited, unavoidable construction-related impacts on the environment. In the short-term, construction associated with the proposed project will have temporary impact on air quality from dust generation and discharge of exhaust from construction equipment during ground altering activities and site grading. Appropriate BMPs will be incorporated to mitigate construction-related impacts, including but not limited to, installation of dust fences, watering of exposed surfaces, and regular maintenance of construction equipment.

Construction will also generate unavoidable short-term noise impacts. The use of properly maintained construction equipment will mitigate impacts caused by equipment. The incorporation of Hawai‘i Department of Health construction noise limits and work during weekdays and daylight hours are other measures to mitigate noise caused by construction activities.

**Additional Studies Performed**

(Attach studies or summaries)

A Chapter 343, Hawai‘i Revised Statutes Environmental Assessment (EA) was completed and a Finding of No Significant Impact determination was issued by the County of Maui, Department of Housing and Human Concerns. The Final EA was published in the Office of Environmental Quality Control’s Environmental Notice on July 23, 2014. See **Exhibit “T”**.

It is noted that in October 2014, the Maui County Council adopted Resolution No. 14-108, approving a Section 201H-38 and 201H-44 HRS application for affordable housing development for the Ewalu project. Resolution No. 14-108 provides support from the County of Maui for the Ewalu senior affordable housing project by providing waivers from County of Maui requirements such as fees and development standards for the Public/Quasi-Public district. See **Exhibit “U”**.

## **List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]**

### **Sources**

County of Maui, Department of Environmental Management, Integrated Solid Waste Management Plan, 2009.

County of Maui, Department of Housing and Human Concerns, Hawaii Housing Planning Study 2011, November 2011.

County of Maui, Department of Planning, County of Maui 2030 General Plan Countywide Policy Plan, March 2010.

County of Maui, Department of Planning, Maui Island Plan, December 2012.

County of Maui, Makawao-Pukalani-Kula Community Plan, July 1996.

County of Maui, Department of Planning, Socio-Economic Forecast - The Economic Projection for the Maui County General Plan 2030, June 2006.

County of Maui Office of Economic Development, Maui County Data Book 2011, December 2011.

Federal Emergency Management Agency; FEMA's Flood Map Service; <https://msc.fema.gov/portal>; accessed November 2015.

Munekiyo & Hiraga, Inc., Final Environmental Assessment, Hale Mahaolu Ewalu Senior Residential Housing Project (TMK (2)2-3-066:019 and 020), July 2014.

National Wild and Scenic Rivers System; <http://www.rivers.gov/index.php>; accessed November 2015

PHRI, Rosendahl, Paul H., PH.D, Archaeological Inventory Survey 44-Acre Pukalani Terrace Subdivision III, Land of Aapueo, Makawao District, Island of Maui, March 1996.

PHRI, Rosendahl, Paul H., PH.D, Archaeological Reconnaissance Survey 250-Acre Pukalani Project Area, Land of Aapueo, Makawao District, Island of Maui, February 1996.

State of Hawaii, Department of Land and Natural Resources, Division of Aquatic Resources, Atlas of Hawaiian Watersheds & Their Aquatic Resources, Maui island, April 7, 2008.

U.S. Department of Agriculture, Natural Resources Conservation Service, Soil Survey Geographic Data Base, 2006.

U.S. Department of Agriculture, Soil Conservation Service, The Soil Survey of the Island of Kauai, Oahu, Maui, Molokai and Lanai, State of Hawaii, August 1972.

U.S. Environmental Protection Agency; Map of Sole Source Aquifers; <http://www2.epa.gov/dwssa/map-sole-source-aquifer-locations>; accessed November 2015.

U.S. Department of Housing and Urban Development, FY2013 Income Limits, Maui County, <http://www.hudusers.org/portal/datasets/:1/:113/index.html>, Accessed October 2013.

U.S. Department of Housing and Urban Development, Comprehensive Housing Affordability Strategy (CHAS) data, 2006-2010 ACS 5-year average data, [http://www.huduser.org/portal/datasets/cp/CHAS/data\\_download\\_chas.html](http://www.huduser.org/portal/datasets/cp/CHAS/data_download_chas.html), Accessed September 2013.

U.S. Fish & Wildlife Service; Coastal Barrier Resources System; <http://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html#LocatorMaps>, accessed December 2015.

U.S. Fish and Wildlife Service, National Wetland Inventory of the U.S. Fish and Wildlife Service, April 2003 and <http://www.fws.gov/wetlands/Data/Mapper.html>, accessed May 2014.

## Agencies and Persons Consulted

### **Federal:**

U.S. Fish & Wildlife Service

### **State of Hawai'i:**

Department of Land and Natural Resources, State Historic Preservation Division  
Department of Hawaiian Home Lands  
Office of Hawaiian Affairs

### **County of Maui:**

Department of Fire and Public Safety  
Department of Housing and Human Concerns  
Department of Water Supply

### **Others:**

Ekolu Lindsey, President, Maui Cultural Lands, Inc.  
Hawaii Water Service Company  
Ke'eaumoku Kapu, Chief Executive Officer, Aha Moku o Maui, Inc.  
Kulamalu LLC  
Maui Electric Company, Ltd.  
Kyle Nakanelua, cultural practitioner

## LIST OF EXHIBITS

- Exhibit A.** Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Within Lot 19A
- Exhibit B.** Memorandum of Preservation Plan
- Exhibit C.** Section 106 Consultation Letters
- Exhibit C-1.** December 30, 2015 Letter from State Historic Preservation Officer
- Exhibit C-2.** Letter from Archaeological Services Hawaii LLC to SHPD
- Exhibit C-3.** Letters from Section 106 Consulted Parties and Responses to Comments
- Exhibit D.** Botanical and Fauna Surveys
- Exhibit E.** Assessment of Coastal Zone Management Objectives and Policies (Excerpt from Chapter 343, HRS Final EA)
- Exhibit F.** Sole Source Aquifers Map
- Exhibit G.** Section 7 Consultation Letter to U.S. Fish and Wildlife Service
- Exhibit G-1.** January 11, 2016 Letter from U.S. Fish & Wildlife Service
- Exhibit H.** Phase I Environmental Site Assessment for Kulamalu
- Exhibit I.** January 8, 2016 Letter from the Department of Fire and Public Safety
- Exhibit I-1.** Location Map of Above Ground and Underground Storage Tanks
- Exhibit I-2.** Acceptable Separation Distance (ASD) Worksheets
- Exhibit J.** Goals, Objectives, and Policies of the Maui County General Plan (Excerpt from Chapter 343, HRS Final EA)
- Exhibit K.** Makawao-Pukalani-Kula Community Plan Goals, Objectives, and Policies (Excerpt from Chapter 343, HRS Final EA)
- Exhibit L.** Ordinance No. 2623 (Change in Zoning)
- Exhibit M.** November 14, 2012 Letter from Maui Planning Department
- Exhibit N.** Engineering Report
- Exhibit O.** June 13, 2014 Letter from Maui Electric Company, Ltd.
- Exhibit P.** October 14, 2013 Letter from Kulamalu LLC
- Exhibit Q.** February 20, 2014 Letter from Hawaii Water Service Company
- Exhibit R.** Department of Water Supply Memorandum of Understanding
- Exhibit S.** July 31, 2013 Traffic Assessment Letter
- Exhibit T.** July 23, 2014 Environmental Notice
- Exhibit U.** Maui County Council Resolution No. 14-108

# **EXHIBITS**

## **EXHIBIT A.**

**Final Burial Site Component of a  
Preservation Plan for Site 50-50-  
10-5173 An Historic Chinese  
Cemetery Situated at Kulamalu  
Commercial Subdivision Within  
Lot 19A**

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 355  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIAMINA  
FIRST DEPUTY

WILLIAM H. TAM  
DEPUTY DIRECTOR - WATER

AGRICULTURE  
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  
HAWAIIAN ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, HI 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

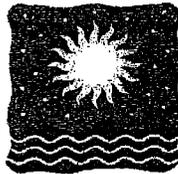
Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

**FINAL BURIAL SITE COMPONENT OF A PRESERVATION PLAN  
FOR SITE 50-50-10-5173 AN HISTORIC CHINESE CEMETERY  
SITUATED AT KULAMALU COMMERCIAL SUBDIVISION  
WITHIN LOT 19A; A'APUEO *AHUPUA`A*; MAKAWAO DISTRICT;  
ISLAND OF MAUI**

**FOR: Mr. Roy Katsuda of Hale Mahaolu**

**BY: Lisa Rotunno-Hazuka (B.A.) and Jeffrey Pantaleo (M.A.)**

**AUGUST 2013**



***ARCHAEOLOGICAL SERVICES HAWAII, LLC.***

***POB 1015***

***Pu`unene, Hi 96784***

***"Protecting, Preserving, Interpreting the Past While Planning the Future"***

## INTRODUCTION

Under contract to Hale Mahaolu at 200 Hina Avenue, Kahului, Hawaii 96732 and pursuant to recommendations by the State Historic Preservation Division, SHPD, (Doc. 0307CD12), Archaeological Services Hawaii, LLC (ASH) proposes this Revised Burial Component of a Preservation plan for an Historic Chinese Cemetery designated State Inventory of Historic Places (SIHP) 50-50-10-5173. Also slated for preservation are non-burial features, Sites 5469 and 5470. Site 5173 is comprised of inadvertent burial features with associated fire-pits (Features 1-9, 11-20 and 22-28). Site 5469 is a pre-Contact fire-pit and Site 5470 appeared to be a former irrigation ditch. These historic properties are located within Lot 19a at the Kulamalu Commercial Village, A'apueo *ahupua'a*, Makawao District, Island of Maui, TMK 2-3-08: portions of 38 and 39 (Figures 1-5).

Site 5173 is comprised of eight coffin pit burials (Fe.1-4, 13, 14, 16 and 17), two prone or extended burials with no evidence of coffin materials (Fe. 8a, 9), two possibly small burial pits containing disturbed human skeletal remains within the pit outlines and or waterworn cobbles and modified basalt (Fe. 5, 7), seven definitive burning events probable Chinese burners (Fe.6, 8b, 12, 18, 19, 20 and 23), a possible animal burial rock mound (Fe.22), three areas containing isolated skeletal remains (Fes. 25-27) and three indeterminate pits (Fe. 11, 15, 24). The burial features which were tested are presumed to be of Chinese ancestry based on context, burial typology, osteological attributes and grave goods (beads and presumed Chinese burners). The bead assemblage dates to the mid to late 1800s and was predominately of Chinese manufacture, with the exception of one Venetian bead. Also noted during the testing procedures were several small ephemeral fire-pits in close proximity to the burial features. Based on archival research, the pits appear to be "Chinese burners" where items are burned to accompany the deceased in the afterlife.

These significant historic properties were discovered during excavations for a retention basin proposed within Lot 19a (see Figure 5). Once these features were identified, discussions were undertaken with the landowner (Dowling Company), SHPD and the Maui Lana'i Islands Burial Council (MLIBC), and through these conversations, it was determined that Sites 5173, 5469 and 5470 shall be preserved in place and the retention basin relocated (see Figure 5). Also discussed in the meeting was the possibility that some upcountry *Kupuna* may have information regarding this burial site; thus although the burial features were inadvertent discoveries, a burial notice was

placed in the newspaper to hopefully ascertain information about Site 5173. The notice was placed from November 25-28, 2001 (Appendix A) but unfortunately, no responses were received.

The following report presents brief background information, the proposed treatment (preservation in place) and the short and long-term preservation measures for this significant historic property. It was prepared in consultation with Ms. Dana Naone Hall.

### **PROJECT AREA DESCRIPTION**

The subject parcel is a partially improved vacant lot comprised of 0.885 acres situated within the Kulamalu Commercial Village. The project area was cut and filled (8-20 ft.) in 2002 with subsurface utilities situated within the adjoining road to the north and east. The Kulamalu Commercial site is located in upcountry Maui in Pukalani Town. It is located near the five trees intersection at King Kekaulike High School, west of Kula Highway and south of A'apueo Parkway which also provides access to the Kamehameha Schools Campus. The cemetery is located between the proposed Kulamalu Hilltop Subdivision and the Institute for Astronomy (north) within Lot 19a. This parcel, along with Lot 20 has been acquired by Hale Mahaolu and Lot 20 will be developed with residential units in the near future.

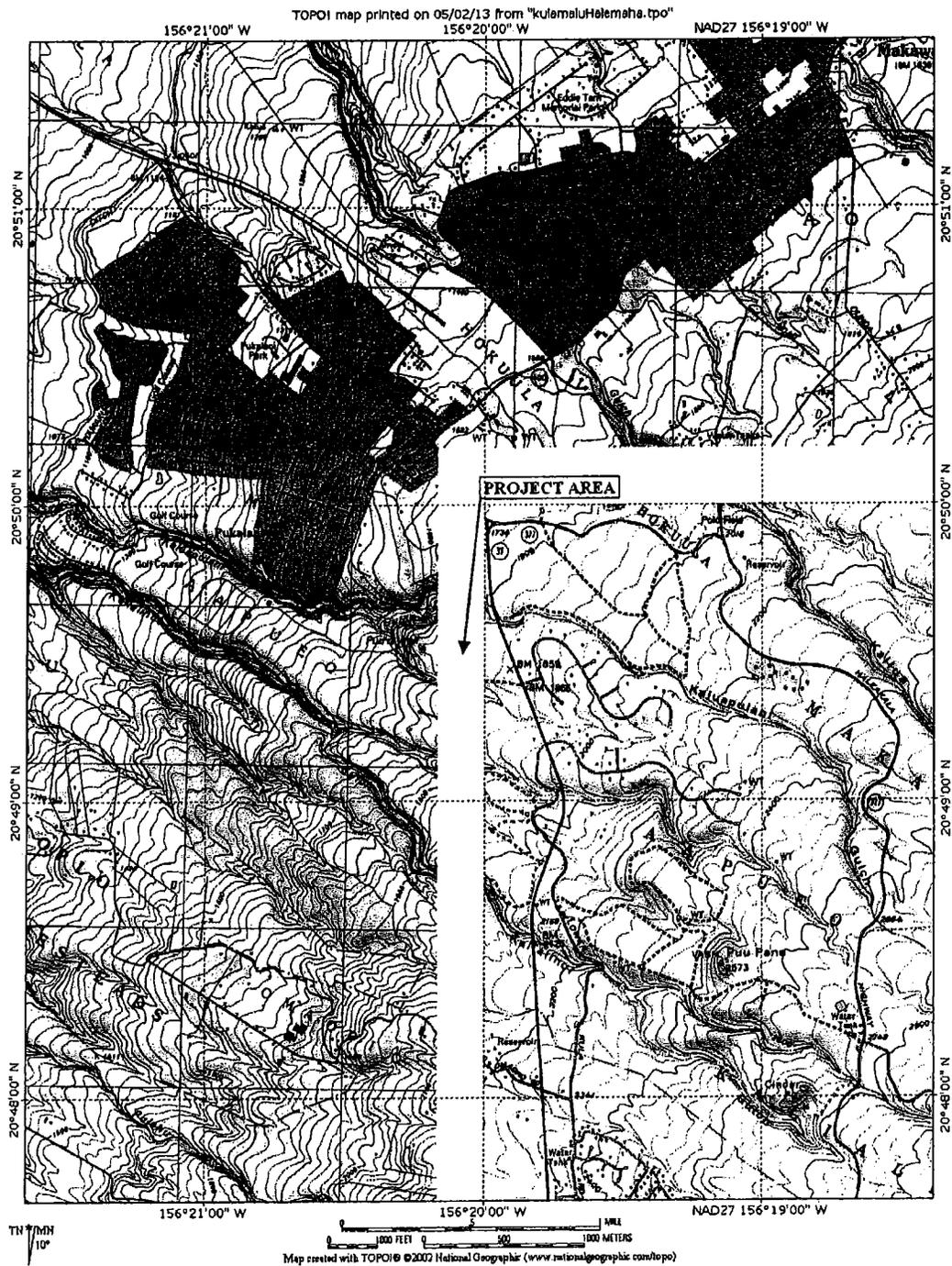


Figure 1. Location of Project Area on USGS Map

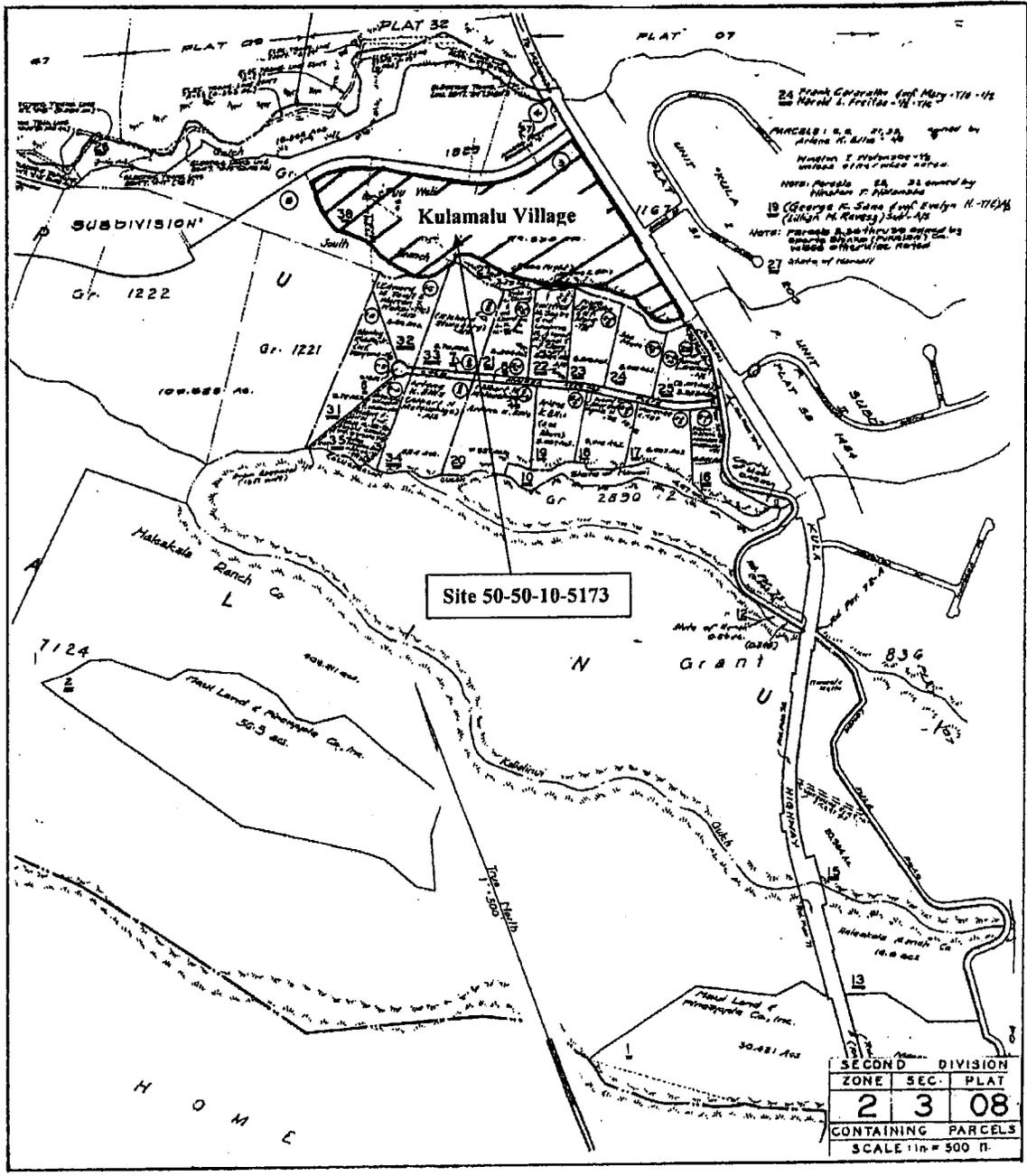


Figure 2. Location of Kulamalu Commercial Village and Site 50-50-09-5173 (Project Area) on Tax Map Key

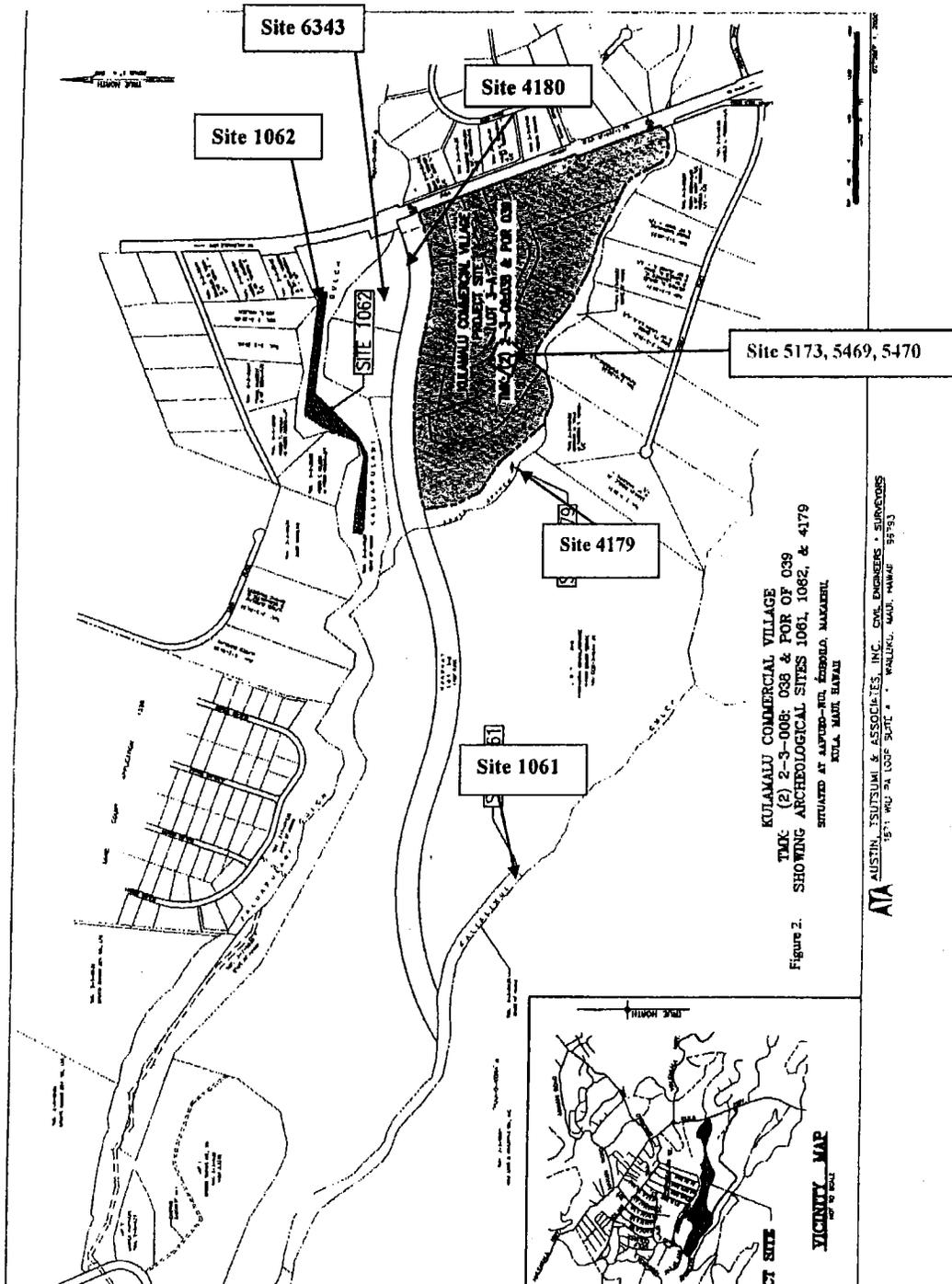


Figure 3. Plan View Map Showing Location of Historic Properties Sites 50-50-10-1061-1062, 4179 4180 and 6343 within Kulamalu Commercial Village and Sites 5173, 5469-5470 within the Project Area Lot 19a



## **PREVIOUS ARCHAEOLOGY AND RESULTS**

Several significant sites have been identified within and surrounding the Kulamalu project area. Petroglyph panels designated Sites 1061, 1062 and 4179 were documented in the gulches, which bound the project area and agricultural sites consisting of clearing mounds, alignments and a boundary wall designated Sites 4181 and 4180, respectively, were recorded within the larger Kulamalu property during inventory procedures. Site 6343 is comprised of two historic coffin pit burial features (Fes. 1 and 2) and disturbed skeletal remains which were identified during monitoring procedures at the Kulamalu Cottages just north of A'apueo Parkway. Based on the presence of a yellow bead, context and osteological analysis, these burials were also presumed to be of Chinese ancestry. Site 5173 is an historic Chinese cemetery comprised of 26 features, and Site 5469 is a pre-contact fire-pit and Site 5470 is an historic irrigation ditch.

### **RESULTS**

The monitoring and subsequent testing procedures identified 28 features, 26 of which were subsumed under Site 5173, and two were assigned discrete SIHP numbers, Sites 5469 and 5470. Site 5173 was assigned to an historic Chinese cemetery comprised of burial features with associated Chinese burners/fire-pits and indeterminate pits. Specifically, Site 5173 is comprised of eight coffin pit burials (Fe. 1-4, 13, 14, 16 and 17), two prone/extended burials with no evidence of coffin materials (Fe. 8a, 9), two small burial pits with disturbed human skeletal remains within the pit outlines and or waterworn cobbles (Fe. 5, 7), seven definitive burning events (Fe. 6, 8b, 12, 18, 19, 20 and 23), a possible animal burial rock mound (Fe. 22), three areas containing isolated skeletal remains (Fes. 25-27) and three indeterminate pits (Fe. 11, 15, 24). These burial features are presumed to be Chinese based primarily on the artifact bead assemblage, and the presumed small stature of the skeletal remains. The bead analysis determined that all beads were predominately of Chinese manufacture except for one Venetian bead, and that all were temporally related suggesting an approximate age of 120 years old, dating to the 1880s. Site 5469 (formerly Fe. 10) is a pre-Contact fire-pit. A charcoal sample collected from the pit returned a date of 320 +/- 50 B.P. (A.D. 1450-1660). Site 5470 (formerly Fe. 21) is a possible irrigation ditch. Sites 5173, 5469 and 5470 are confined within a 90 ft. (NE/SW) by 80 ft. area (7,200 sq. ft.) and will be preserved in place along the west side of the project area (see Figure 5).

### **TRADITIONAL CHINESE BURIAL PRACTICES**

In the 1900s, the Chinese had a thriving community in Kula where approximately 700 Chinese were living and working predominately as farmers and storeowners (Mark 1975). Within this

community, the Chinese population maintained several of the traditional mortuary practices from their homeland. Some of these practices were to provide offerings at the grave for the deceased for their journey into the spirit world, to bury beyond the community in which they lived, to bury on a hill overlooking water, to bury with the concept that someday the bones would be exhumed and returned to ancestral China, and also to bury on land not used for farming (Nelson 1993). Several Chinese cemeteries contained "burners" or ovens, which were used for burning the spiritual tributes. These tributes comprised money, clothing, food, and personal possessions to accompany the deceased person in the afterlife. Site 5173 exemplified some of these characteristics. The burials were situated on a hill overlooking the ocean and there were several burning episodes (presumed Chinese burners) adjacent to or near the burials.

### **CONSULTATION**

This Preservation Plan was prepared in consultation with Ms. Dana Naone Hall of Chinese and Hawaiian ancestry. Ms. Hall also provided editorial comments for the Preservation Plan.

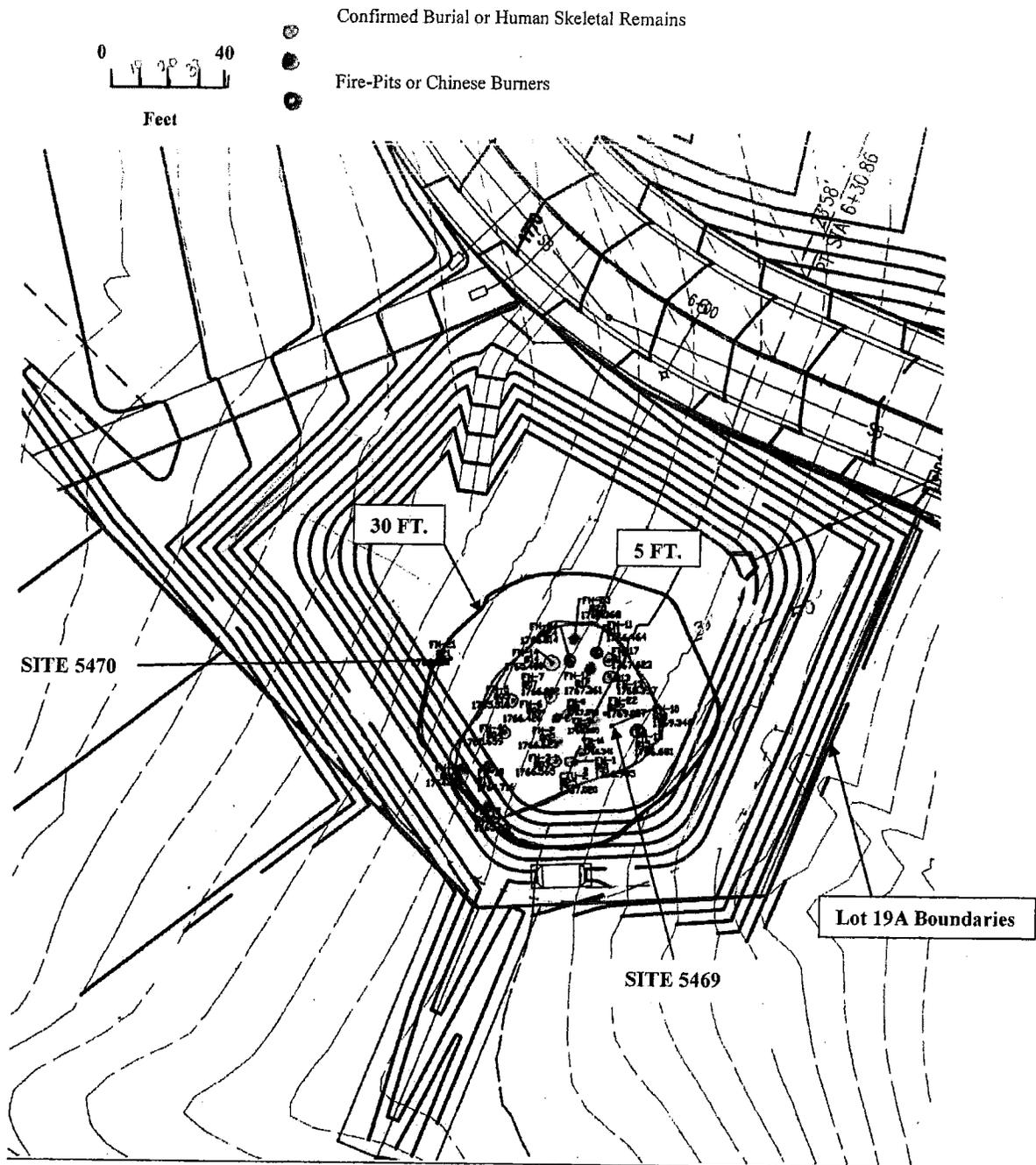


Figure 5. Plan View Map Sites 5469, 5470 and 5713

## PRESERVATION PLAN

### Short-Term Preservation Measures

Short-term protective measures are implemented at preservation areas through the interim period before and during construction. At this time, all burial features and associated grave goods have been preserved in place and or reinterred within the established preservation area and are protected by a vertical buffer comprised of 8-20 ft. of fill, and two horizontal buffers consisting of an interior (5.0 ft. buffer zone) and exterior (30.0 ft. buffer zone). The 30 ft. outer buffer zone is currently marked with t-bar posts placed approximately 10.0 ft. apart around the preservation area. Prior to and during development, orange-construction fencing will be installed to mark the 30 ft. buffer area. The fencing may need to be adjusted during construction related activities; however no alterations may be implemented without prior consultation and approval by the archaeological consultant. Additionally, all adjustments will be revised by the end of each work day.

### Long-Term Preservation Measures

Long-Term measures are a mitigation strategy to protect the site in perpetuity. These measures may not be adjusted and/or changed without prior review and acceptance by the SHPD in consultation with the MLIBC.

This significant historic property will be protected by an interior buffer, measuring 5 ft. from the outermost identified burials (see red line on Figure 5). Access will be restricted within the interior buffer zone and no structures will be placed with the exception of a low rock wall or fence marking the perimeter of the interior buffer. The interior buffer shall be located within a larger, exterior outer buffer area measuring 30.0 ft. from the outermost burials. The purpose of the two buffer zones is for protection of the burial features and for aesthetic purposes by creating more open space between the 30.0 ft. and 5.0 ft. buffer zones (Figures 6 and 7). The outer buffer zone will be marked by immovable boulders and wooden posts set in concrete. Additionally the residential structures will be placed from 12.0 ft. to 50.0 ft. away from the exterior 30.0 ft. buffer. These buffer zones and other long-term protective measures including surface demarcation, signage, landscaping, access and recordation are discussed in detail below.

**Surface Demarcation-** The burial features shall be marked on the surface by a boulder or concentration of cobbles. This procedure was previously recorded during testing at several burial features at Site 5713. A low rock wall (approximately 3.0 ft. high) or other

permanent fencing such as black Ameristar fencing shall be constructed along the perimeter of the 5.0 ft. interior buffer zone delineated in red on Figure 4. A larger 30 ft. buffer zone will be measured from the outermost known burial features (highlighted in pink on Figure 5) and shall be delineated by large immovable boulders and or wooden posts set in concrete, placed at even intervals 15 ft. apart.

**Preservation Area-** The preservation area consists of an interior buffer located within a larger exterior buffer. No temporary or permanent structures shall be located or built within the interior buffer area. Subsurface utility lines and other uses shall be routed outside of the interior buffer area to prevent any harm to the historic sites; however subsurface irrigation is permissible, but may not exceed 1.5 ft. in depth. The larger exterior buffer zone (5.0 ft. to 30 ft.) is less restrictive and envisioned as open space. No subsurface utilities may be placed within the larger preservation area, with the exception of irrigation which shall not to exceed 1.5 ft. In the event that future sitting areas (i.e. benches and tables) and or walking paths are desired within the larger preservation area, these types of uses shall be acceptable. The preservation area including the interior and exterior buffer areas measures approximately 105 ft. (E/W) by 95 ft. (N/S) or 9,975 sq. ft.).

For continued protection of the burials, the entire preservation area will be clearly identified on all construction plans.

**Landscaping-** The area within the interior 5.0 ft. buffer zone may be planted with grass and or ground-cover; however no deeply rooted shrubs or trees shall be planted within the interior buffer zone. The outer, 30 ft. buffer zone may be planted with grass, ground-cover, shrubs and shade trees, preferably native trees such as kukui or kamani. The shrubs or hedges will consist of drought tolerant species that thrive within the Pukalani/Kula area. All plantings must be maintained so that the permanent fencing, boulders and signage are visible at all times.

**Signage-** A bronze plaque shall be affixed to a large boulder, stone platform or pedestal type structure along the perimeter of each buffer zone and inscribed with the following:

For the 30 ft. and 5.0 ft. Buffer Zone:

**Historic Chinese Cemetery Site 50-50-10-5173**  
**and**  
**Pre-Historic Native Hawaiian Cultural Site 5469**  
**Please Respect This Area**

**Maintenance-** All surface structural remains, bronze plaques, and landscaping shall be maintained by the landowner. If any of these protective measures deteriorate or are damaged over time, the landowner shall be responsible for the repair and/or replacement of these features.

To ensure perpetual protection of this burial site, periodic site inspections by the SHPD may be conducted to verify that the long-term measures are in place and the site is adequately protected. Site inspections will be performed at mutually agreed upon times between the landowner and SHPD staff.

**Recordation-** The preservation area will be surveyed by a licensed surveyor and a metes and bounds description of the preservation area shall be recorded by the landowner, along with this Burial Preservation Plan at the State of Hawaii Bureau of Conveyances within 90 days of written acceptance of the Burial Treatment and Preservation Plan by the Department of Land and Natural Resources-State Historic Preservation Division (DLNR-SHPD).

**Access-** Access within the interior of the 5 ft. buffer zone is for lineal and/or cultural descendants, as well as for maintenance purposes. A 3.0 ft. opening for access shall be placed along this interior buffer zone. To date, no descendency claims have been received, and or recognized by the SHPD for the burial site, Site 5713; thus access within the interior preservation area is not afforded at this time. For the 30 ft. buffer zone, access is permitted.

In the event that a future lineal and/or cultural descendency claim is recognized by the SHPD, access to the burial site shall be permitted at reasonable dates and times mutually agreed upon by the landowner and lineal and or cultural descendants.

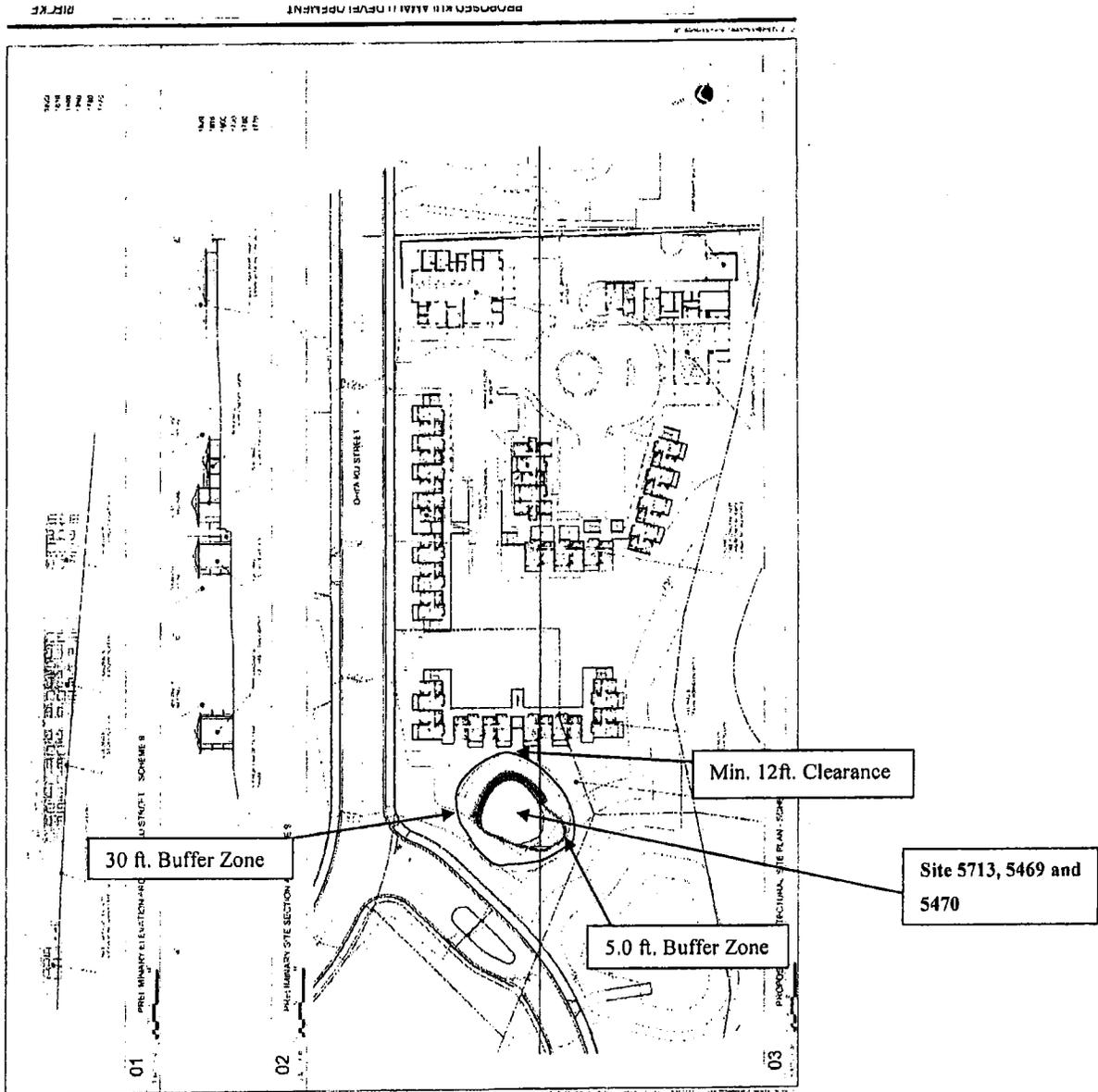


Figure 6. Plan View Map of Project Area and Preservation Areas for Site 5713, 5469 and 5470

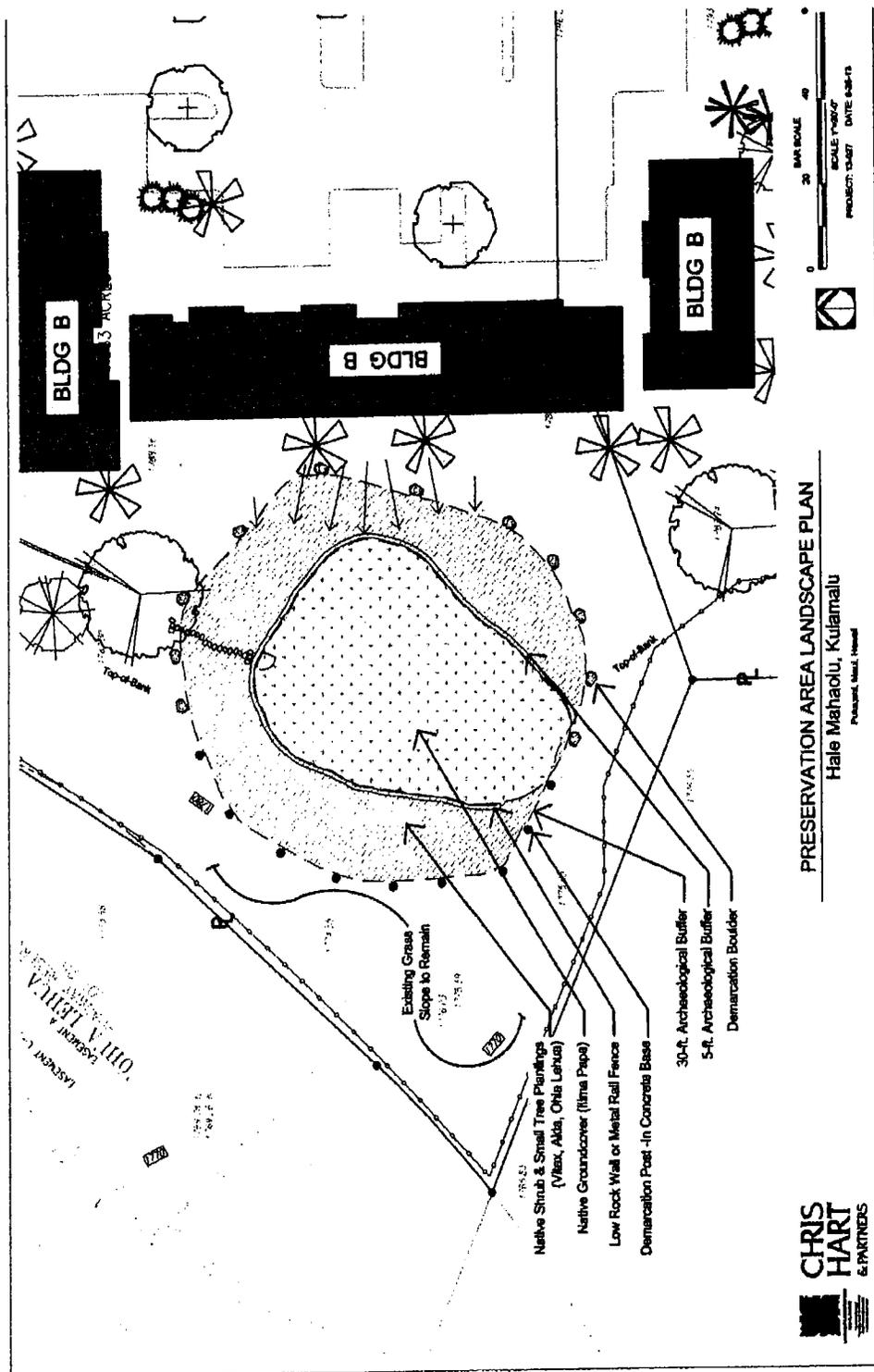


Figure 7. Plan View Map of Preservation Area Showing Buffer Zones

***APPENDIX A***

**AFFIDAVIT OF PUBLICATION**

STATE OF HAWAII, }  
County of Maui. } ss.

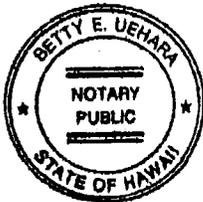
Aaron T. Viela being duly sworn deposes and says, that he is Advertising Sales of the Maui Publishing Co., Ltd., publishers of the MAUI NEWS, a newspaper published in Waituku, County of Maui, State of Hawaii; that the ordered publication as to NOTICE IS HEREBY GIVEN that Archaeological Services Hawaii, LLC, representing Kulamanu LLC, for the Kulamanu Commercial Subdivision of which the annexed is a true and corrected printed notice, was published 4 times in the MAUI NEWS, aforesaid, commencing on the 25th day of November, 2001, and ending on the 28th day of November, 2001, (both days inclusive), to-wit: \_\_\_\_\_

November 25, 26, 27, 28, 2001

and that affiant is not a party to or in any way interested in the above entitled matter.

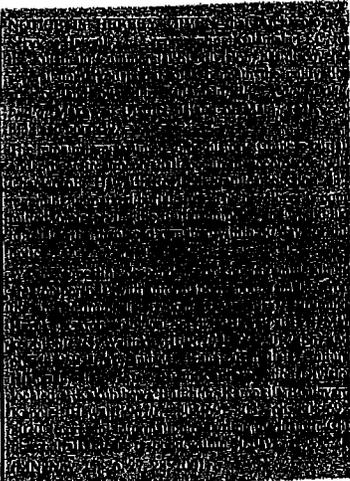
*Aaron T. Viela*

Subscribed and sworn to before me this 28th day of November A.D. 2001.



*Betty E. Uehara*  
Notary Public, Second Judicial  
Circuit, State of Hawaii.

**BETTY E. UEHARA**  
My commission expires 9-26-03



IN THE MATTER OF

BURIAL NOTICE  
ARCHAEOLOGICAL SERVICES HAWAII

AFFIDAVIT OF PUBLICATION

STATE OF HAWAII  
City and County of Honolulu

ss.

Grace Santos being duly sworn,  
deposes and says that she is a clerk, duly authorized to  
execute this affidavit of THE HONOLULU ADVERTISER, a division  
of GANNETT PACIFIC CORPORATION, that said newspaper is a  
newspaper of general circulation in the State of Hawaii, and that  
the attached notice is a true notice as was published in the  
aforereferenced newspaper as follows:

The Honolulu Advertiser: 3 time(s), on 11/26/2001, 11/28/2001, 11/30/2001

and that affiant is not a party to or in any way interested in the above  
entitled matter.

Grace Santos

Subscribed and sworn to before me this 30th day of November A.D. 2001

Juanita T. Ching  
Notary Public of the First Judicial Circuit  
State of Hawaii  
My commission expires JUN 16 2002

# **EXHIBIT B.**

## **Memorandum of Preservation Plan**

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

DATE \_\_\_\_\_ TIME \_\_\_\_\_  
DOCUMENT NO. Doc A-52030533

March 31, 2014 3:28 PM

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

### MEMORANDUM OF PRESERVATION PLAN

This MEMORANDUM OF PRESERVATION PLAN (this "**Memorandum**") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

#### WITNESSETH THAT:

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII )  
 ) ss.:  
COUNTY OF MAUI )

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Kehaulani K. Feagai  
(Print or Type Name of Notary)  
Kehaulani K Feagai  
(Signature of Notary)

Notary Public, State of Hawaii  
My Commission Expires: 08/26/2016

NOTARY CERTIFICATION STATEMENT

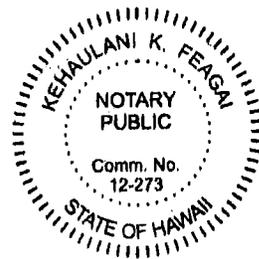
Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

Kehaulani K Feagai 03/25/2014  
Signature of Notary Date of Notarization and  
Certification Statement

Kehaulani K. Feagai  
Printed Name of Notary



(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.883 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

END OF EXHIBIT "A"

**EXHIBIT "B"**

**LOT 19-A**

**5 FOOT ARCHAEOLOGICAL SITE BUFFER**

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aul and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

2.  $176^{\circ} 28'$  22.08 feet;
3.  $214^{\circ} 18'$  30.38 feet along same;
4.  $228^{\circ} 58'$  14.41 feet along same;

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

5.  $277^{\circ} 38' 30''$  30.04 feet;
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

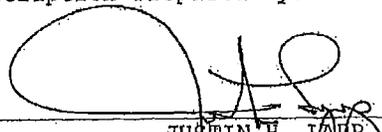
- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

 2/19/14

JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

EXHIBIT "C"

LOT 19-A

30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of  $05^{\circ} 27'$ , 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South;

1.  $138^{\circ} 58'$  35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being;

2.  $169^{\circ} 59' 30''$  8.25 feet;

3.  $201^{\circ} 01'$  24.98 feet along same;

Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being;

4.  $216^{\circ} 56' 30''$  16.46 feet;

5.  $232^{\circ} 52'$  15.29 feet along same;

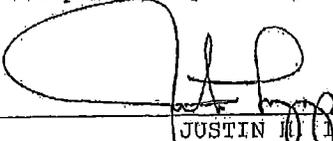
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being;

6.  $256^{\circ} 22'$  23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

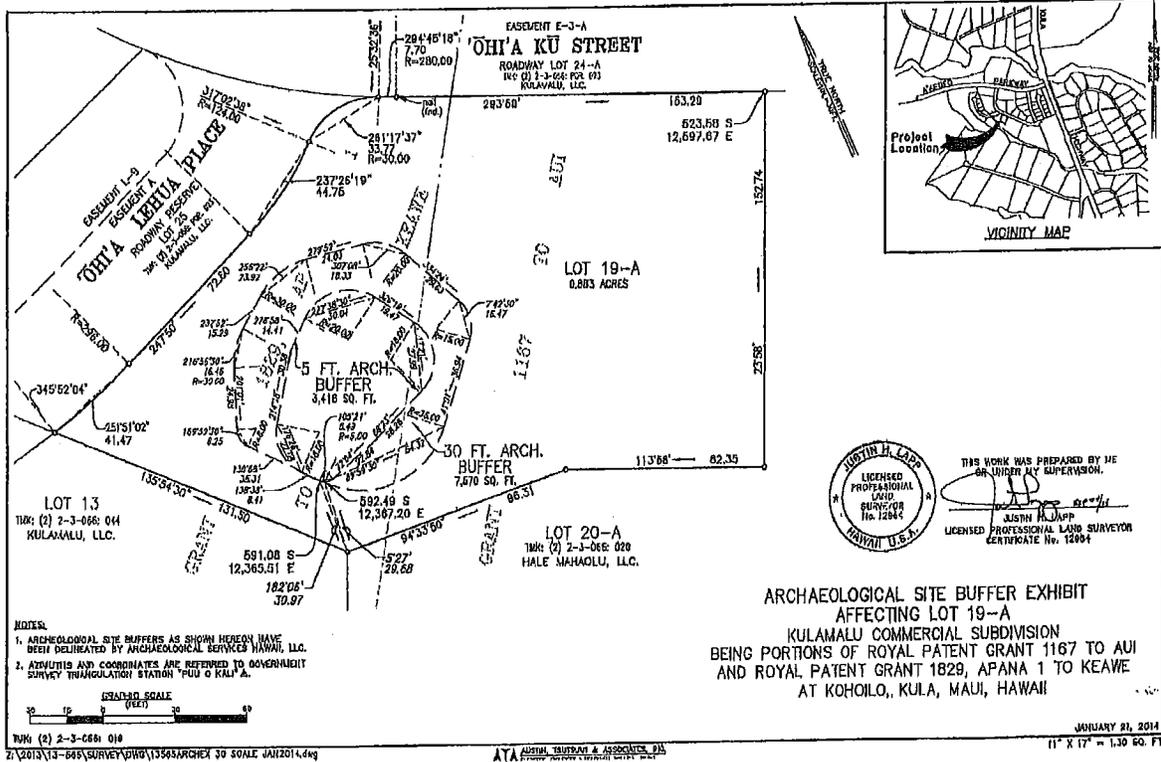
EXP 04/14

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"

# **EXHIBIT C.**

## **Section 106 Consultation**



**MUNEKIYO HIRAGA**

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo  
PRESIDENT

Karlynn K. Fukuda  
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy  
VICE PRESIDENT

Tessa Munekiyo Ng  
VICE PRESIDENT

November 11, 2015

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

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Mr. Downer:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An

Alan Downer, Administrator  
November 11, 2015  
Page 2

Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey (AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision. The ARS and AIS did not identify any archaeological, historic, or cultural remains on the project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,



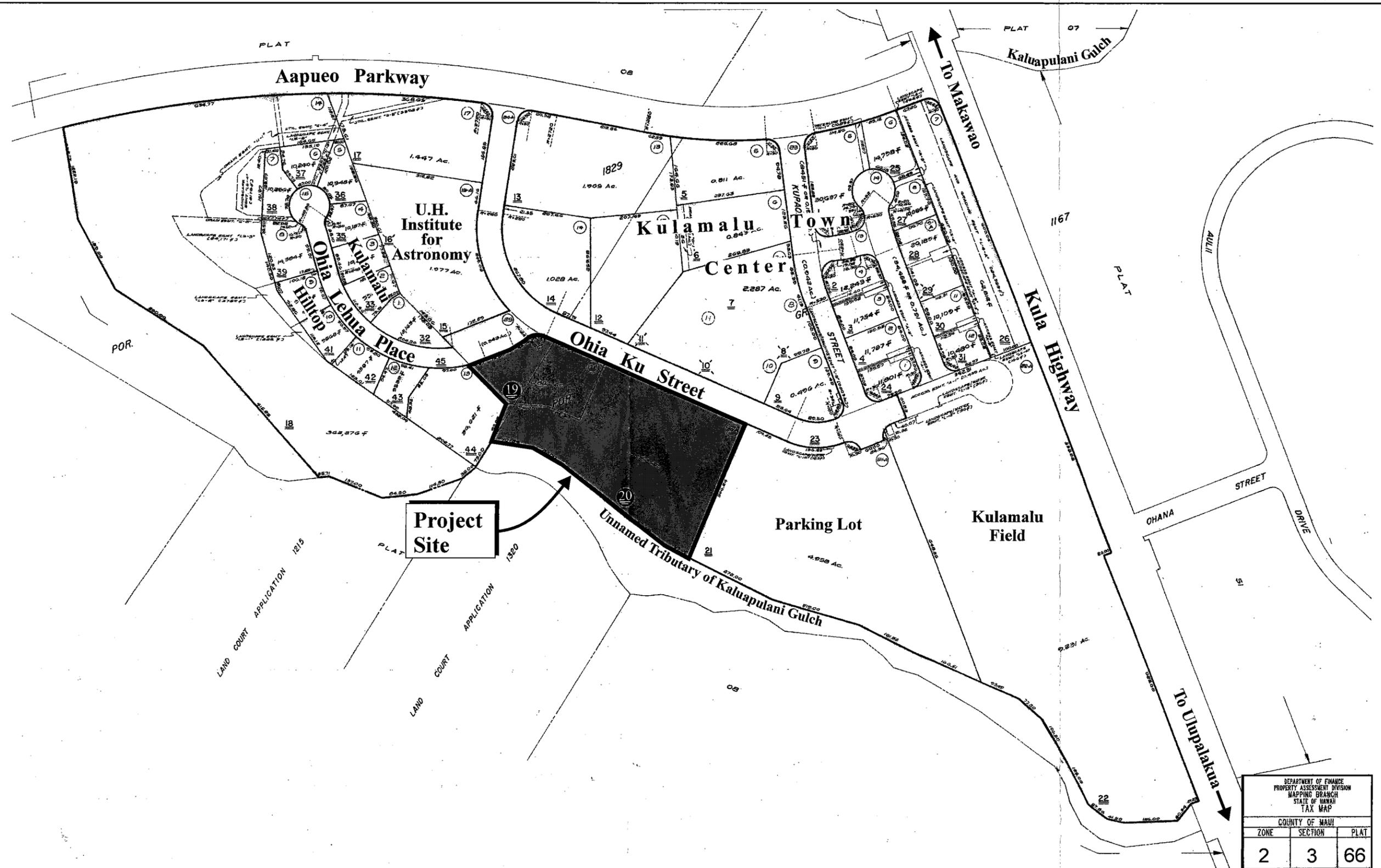
Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)

K:\DATA\HaleMahaolu\Ewalu Aff Sr Housing\Section 106 Consultation Letter.doc



DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

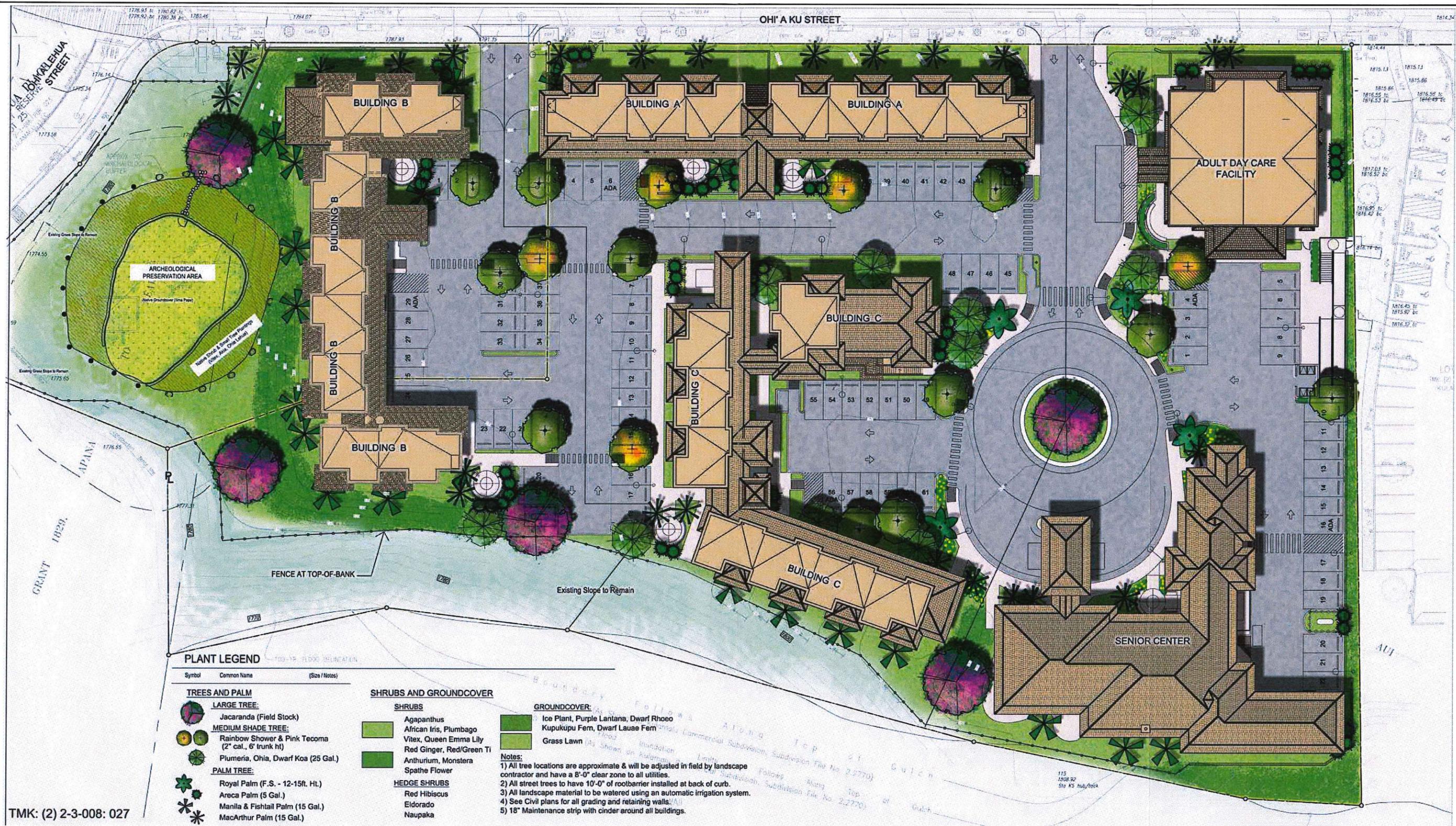
Source: County of Maui, Real Property Tax Division

**Figure 1** Hale Mahaolu Ewalu Senior Residential Housing Project  
Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu



Source: Chris Hart & Partners

Figure 2

# Hale Mahaolu Ewalu Senior Residential Housing Project Conceptual Site Plan

NOT TO SCALE



Prepared for: Hale Mahaolu, Inc.

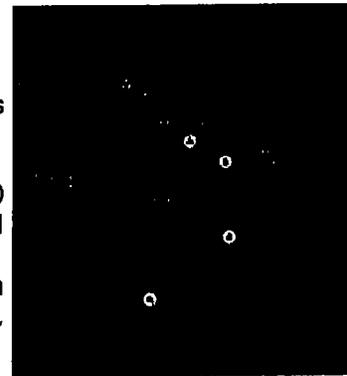


Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

### **3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination**  
**Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.  
**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.  
**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

## **MAUI (HRS 343)**

### **4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

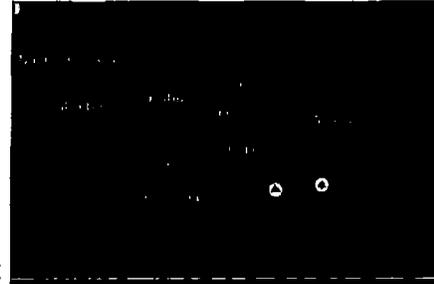
**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.

**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

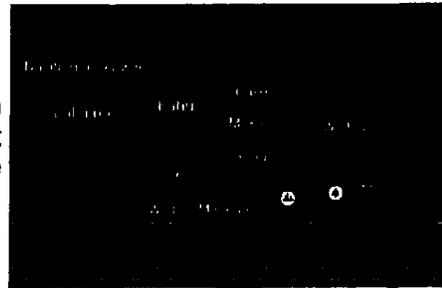
**Island:** Maui

**District:** Makawao

**TMK:** (2) 3-9-001: 157 & 158

**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.

**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.



**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.  
Contact: Jordan Hart, 808-242-1955.

**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.

The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA  
FIRST DEPUTY

WILLIAM M. TAN  
DEPUTY DIRECTOR - WATER

ACHATIC 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  
KAOLOAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, HI 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
DATE \_\_\_\_\_ TIME \_\_\_\_\_  
DOCUMENT NO., Doc A-52030533  
March 31, 2014 3:29 PM

LAND COURT

REGULAR SYSTEM

---

AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

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Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

### MEMORANDUM OF PRESERVATION PLAN

This MEMORANDUM OF PRESERVATION PLAN (this "**Memorandum**") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

#### WITNESSETH THAT:

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

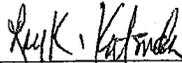
Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)

) ss.:

COUNTY OF MAUI

)

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Kehaulani K. Feagai

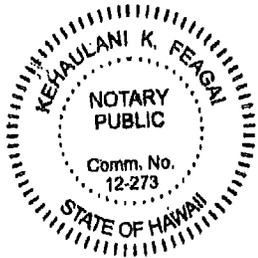
(Print or Type Name of Notary)

*Kehaulani K. Feagai*

(Signature of Notary)

Notary Public, State of Hawaii

My Commission Expires: 08/26/2016



NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

*Kehaulani K. Feagai*

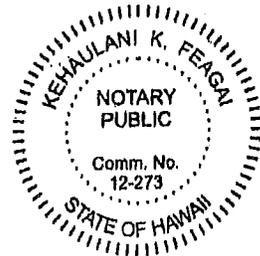
Signature of Notary

03/25/2014

Date of Notarization and  
Certification Statement

Kehaulani K. Feagai

Printed Name of Notary



(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;  
 Thence along the southwest side of Roadway Lot 24-A ('Ohia  
 Ku Street) of Kulamalu  
 Commercial Subdivision,  
 along the remainder of Grant  
 1829, Apana 1 to Keawe, on a  
 curve to the left with a  
 radius of 280.00 feet, the  
 chord azimuth and distance  
 being:
5. 294° 45' 18" 7.70 feet;
6. 293° 58' 153.29 feet along the south side of  
 Roadway Lot 24-A ('Ohi'a Ku  
 Street) of Kulamalu  
 Commercial Subdivision,  
 along the remainders of  
 Grant 1829, Apana 1 to Keawe  
 and Grant 1167 to Aui;
7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu  
 Commercial Subdivision,  
 along the remainder of Grant  
 1167 to Aui;
8. 113° 58' 82.35 feet along the same;
9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu  
 Commercial Subdivision,  
 along the remainders of  
 Grant 1167 to Aui and Grant  
 1829, Apana 1 to Keawe;
10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu  
 Hilltop Subdivision, along  
 the remainder of Grant 1829,  
 Apana 1 to Keawe, to the  
 point of beginning and  
 containing an area of 0.883  
 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a  
 Hawaii nonprofit corporation, by Warranty Deed dated December 20,  
 2012, and recorded in the Bureau of Conveyances of the State of  
 Hawaii as Document No. A-47370365.

END OF EXHIBIT "A"

**EXHIBIT "B"**

**LOT 19-A**

**5 FOOT ARCHAEOLOGICAL SITE BUFFER**

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aul and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 591.08 feet south and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;  

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:
2.  $176^{\circ} 28'$  22.08 feet;
3.  $214^{\circ} 18'$  30.38 feet along same;
4.  $228^{\circ} 58'$  14.41 feet along same;  

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
5.  $277^{\circ} 38' 30''$  30.04 feet;
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

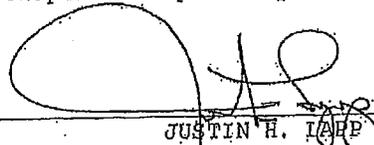
- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

## EXHIBIT "C"

### LOT 19-A

#### 30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of  $05^{\circ} 27'$ , 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 58'$  35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2.  $169^{\circ} 59' 30''$  8.25 feet;
3.  $201^{\circ} 01'$  24.98 feet along same;

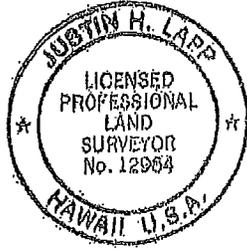
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4.  $216^{\circ} 56' 30''$  16.46 feet;
5.  $232^{\circ} 52'$  15.29 feet along same;

Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6.  $256^{\circ} 22'$  23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

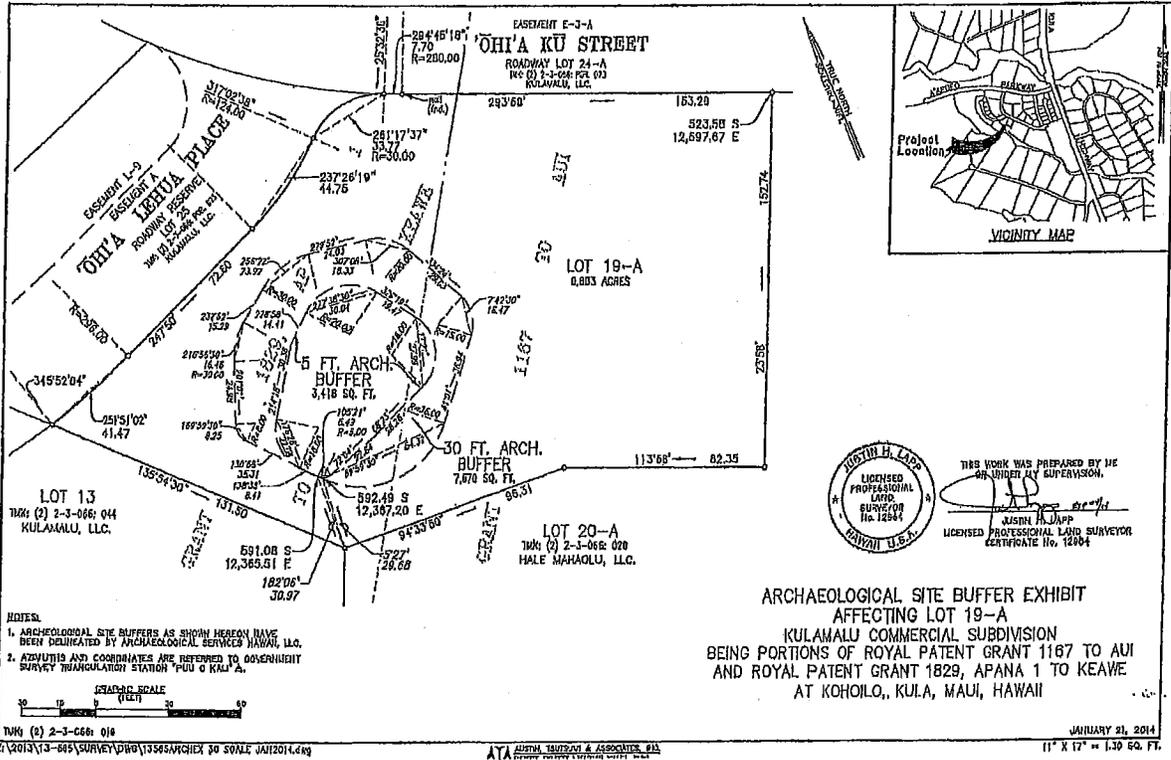
EXP #4/14

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"



**MUNEKIYO HIRAGA**

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo  
PRESIDENT

Karlynn K. Fukuda  
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy  
VICE PRESIDENT

Tessa Munekiyo Ng  
VICE PRESIDENT

November 11, 2015

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

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Mr. Davis:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey

Morgan Davis, Maui Archaeologist  
November 11, 2015  
Page 2

(AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision. The ARS and AIS did not identify any archaeological, historic, or cultural remains on the project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,



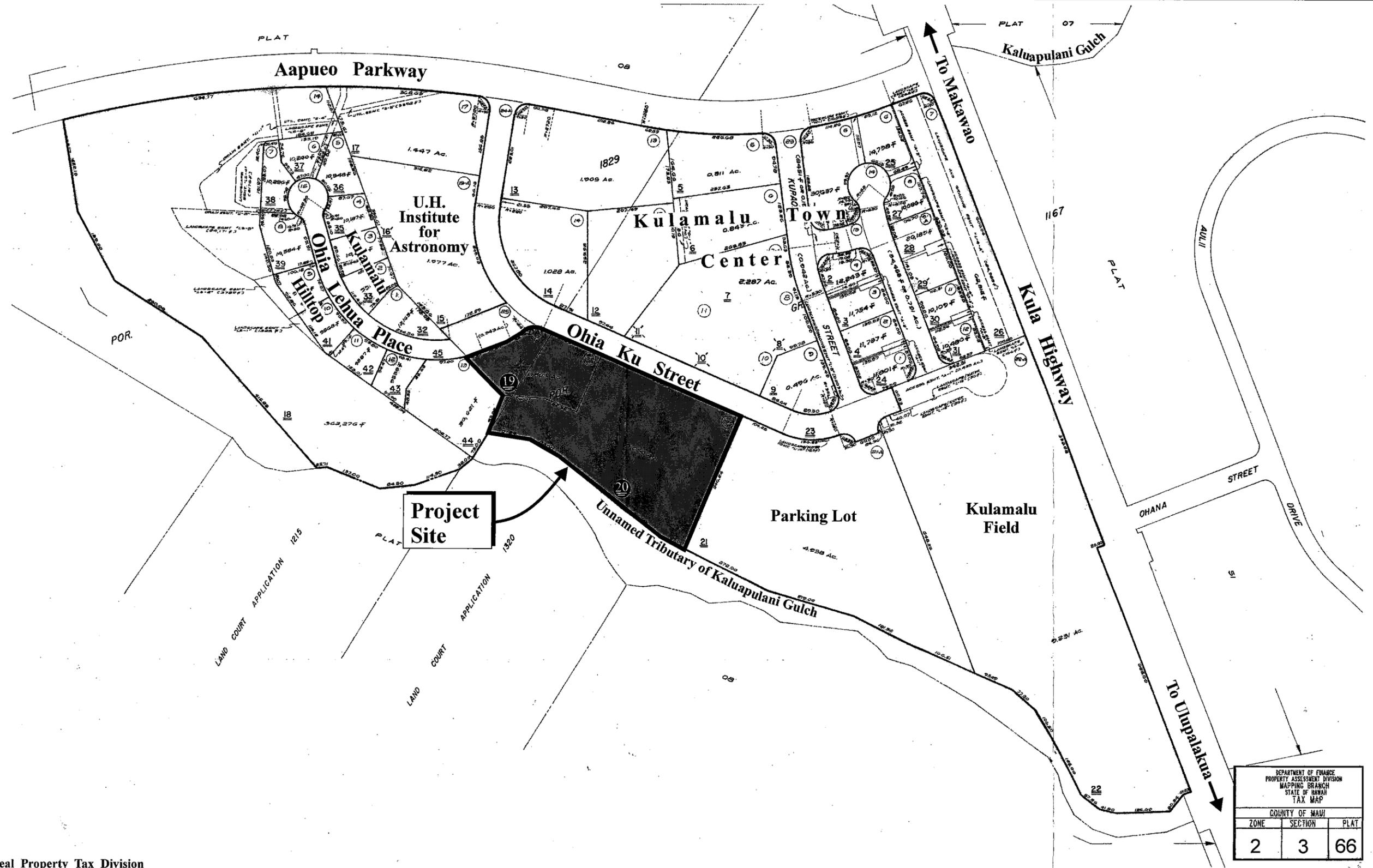
Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)

K:\DATA\HaleMahaolu\Ewalu Aff Sr Housing\Section 106 Consultation Letter.doc



Source: County of Maui, Real Property Tax Division

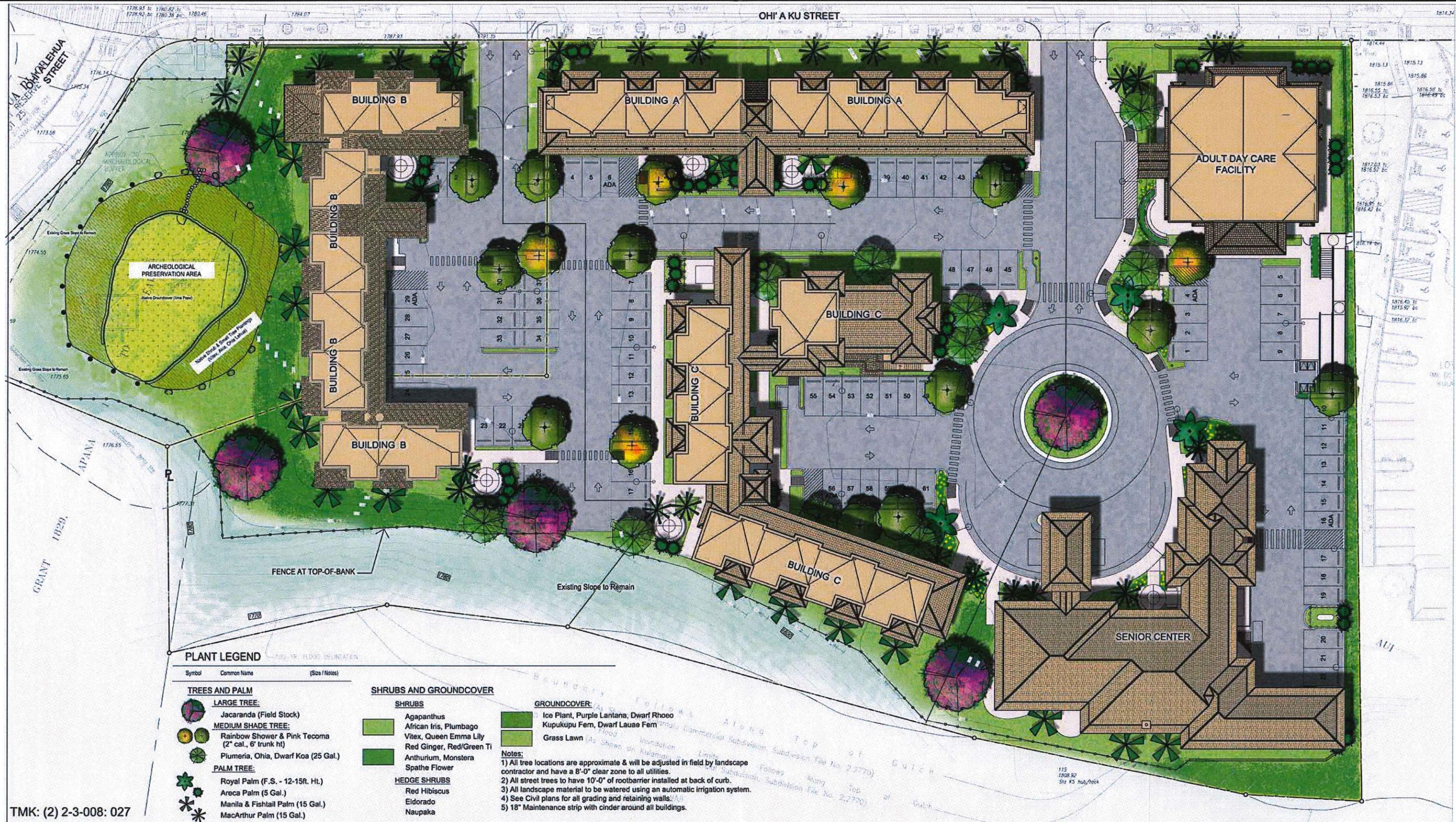
Figure 1

# Hale Mahaolu Ewalu Senior Residential Housing Project Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu



TMK: (2) 2-3-008: 027

Source: Chris Hart & Partners

Figure 2

# Hale Mahaolu Ewalu Senior Residential Housing Project

## Conceptual Site Plan

NOT TO SCALE



Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

**3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

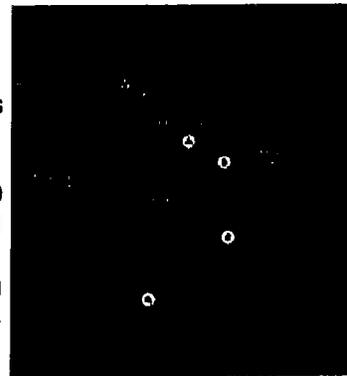
**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination**

**Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.

**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.

**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

**MAUI (HRS 343)**

**4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

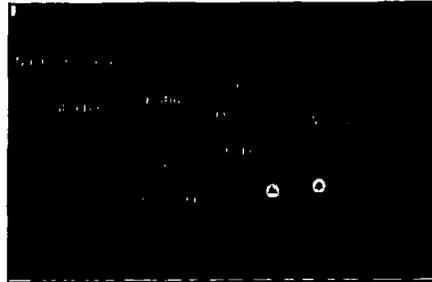
**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.

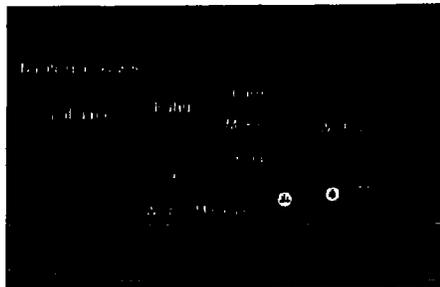
**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2) 3-9-001: 157 & 158  
**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.



**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.

**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.  
Contact: Jordan Hart, 808-242-1955.

**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.

The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KI'AMINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, Hi 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

DATE \_\_\_\_\_ TIME \_\_\_\_\_

DOCUMENT NO. Doc A-52030533

March 31, 2014 3:29 PM

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

### MEMORANDUM OF PRESERVATION PLAN

This MEMORANDUM OF PRESERVATION PLAN (this "Memorandum") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "Hale Mahaolu").

#### WITNESSETH THAT:

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "Property");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "Preservation Plan");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

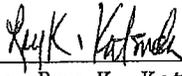
Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)

) ss.:

COUNTY OF MAUI

)

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

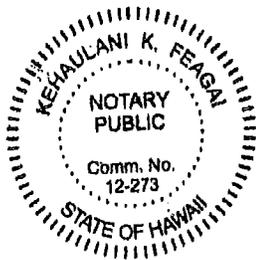
Kehaulani K. Feagai

(Print or Type Name of Notary)

*Kehaulani K. Feagai*  
(Signature of Notary)

Notary Public, State of Hawaii

My Commission Expires: 08/26/2016



NOTARY CERTIFICATION STATEMENT

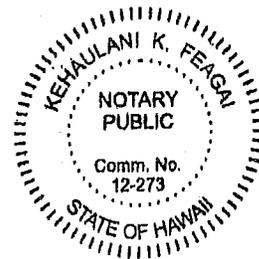
Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

*Kehaulani K. Feagai*  
Signature of Notary

03/25/2014  
Date of Notarization and  
Certification Statement



Kehaulani K. Feagai

(Official Stamp or Seal)

Printed Name of Notary

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;

2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.883 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

END OF EXHIBIT "A"

## EXHIBIT "B"

### LOT 19-A

#### 5 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;  

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:
2.  $176^{\circ} 28'$  22.08 feet;
3.  $214^{\circ} 18'$  30.38 feet along same;
4.  $228^{\circ} 58'$  14.41 feet along same;  

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
5.  $277^{\circ} 38' 30''$  30.04 feet;
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

END OF EXHIBIT "B"

## EXHIBIT "C"

### LOT 19-A

#### 30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohollo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of  $05^{\circ} 27'$ , 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 58'$  35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2.  $169^{\circ} 59' 30''$  8.25 feet;
3.  $201^{\circ} 01'$  24.98 feet along same;

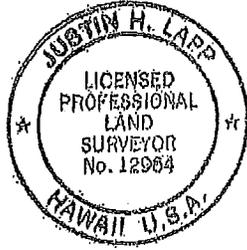
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4.  $216^{\circ} 56' 30''$  16.46 feet;
5.  $232^{\circ} 52'$  15.29 feet along same;

Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6.  $256^{\circ} 22'$  23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

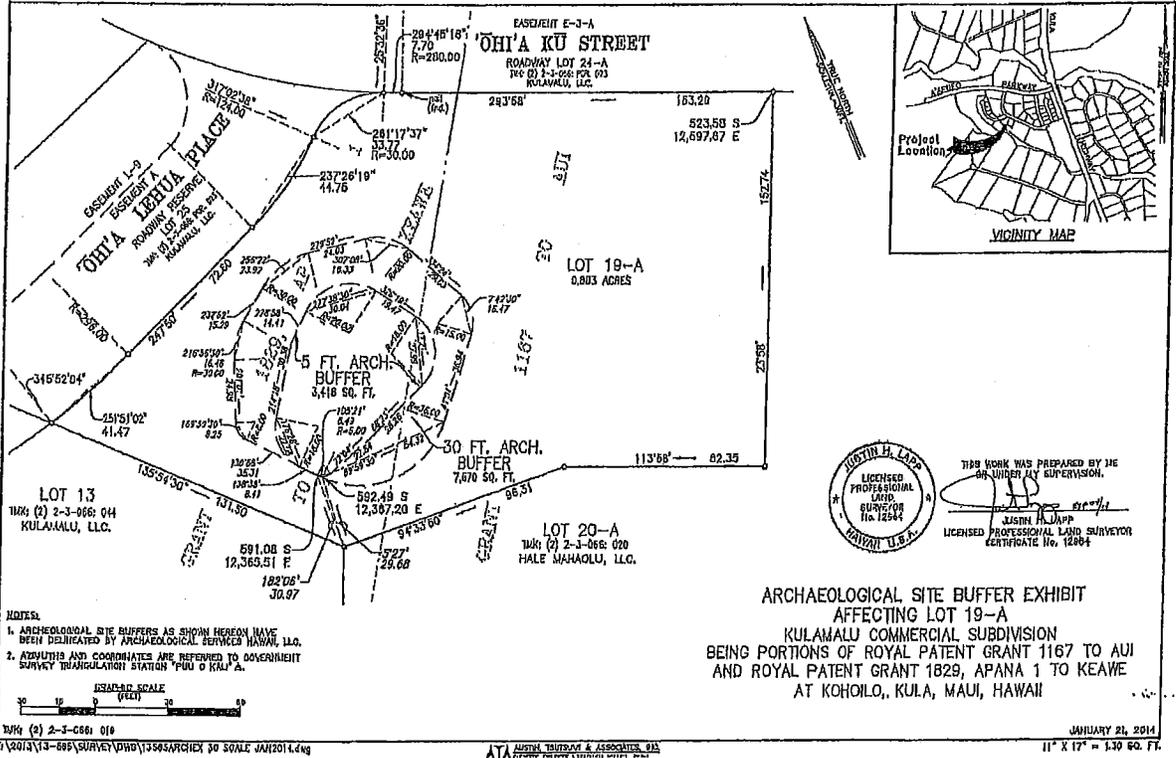
EXP #4/14

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"



**MUNEKIYO HIRAGA**

Planning, Project Management, Sustainable Solutions.

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

November 11, 2015

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

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Dr. Crabbe:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey

Dr. Kamana'opono Crabbe, Chief Executive Officer  
November 11, 2015  
Page 2

(AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision. The ARS and AIS did not identify any archaeological, historic, or cultural remains on the project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,



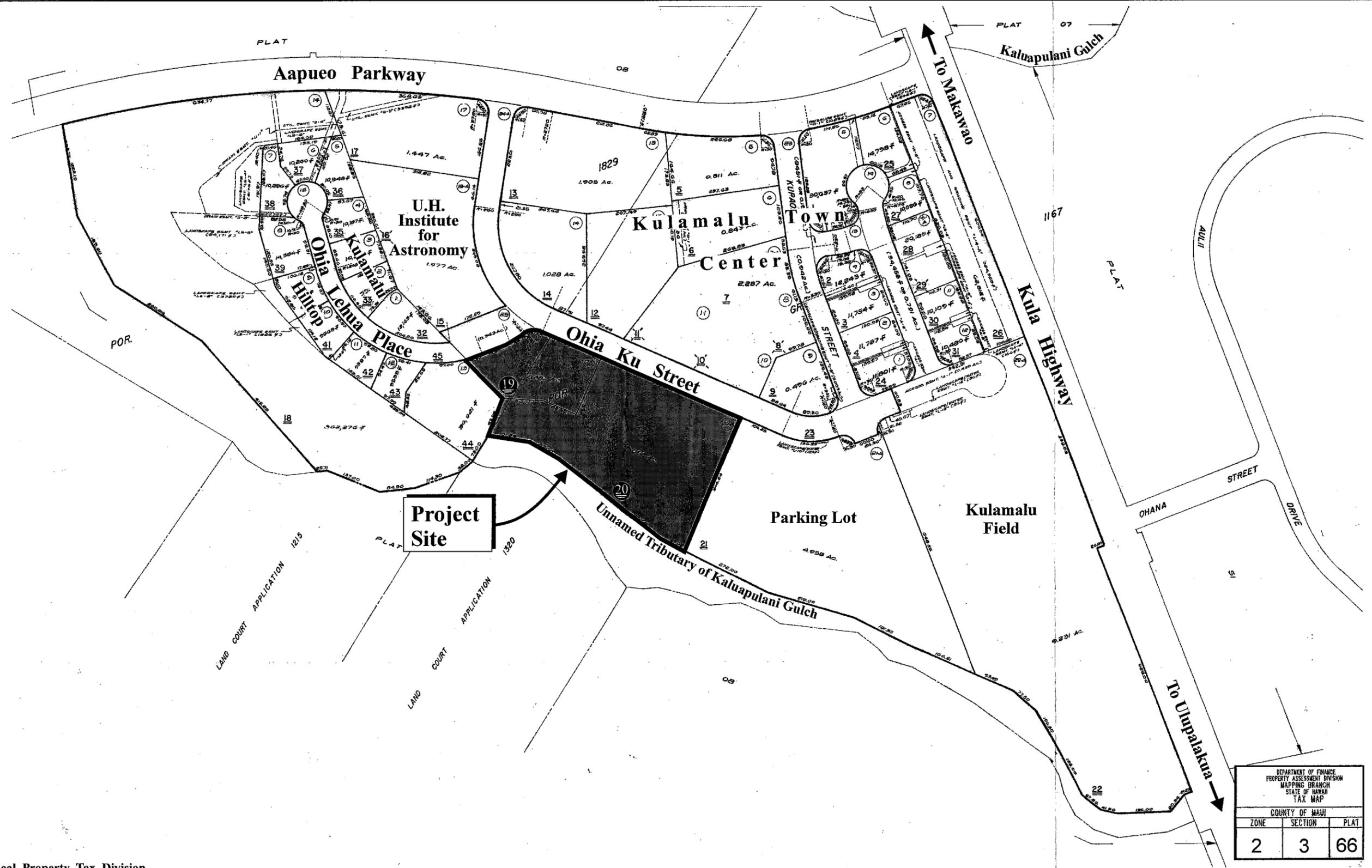
Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)

K:\DATA\HaleMahaolu\Ewalu Aff Sr Housing\Section 106 Consultation Letter.doc



DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

Source: County of Maui, Real Property Tax Division

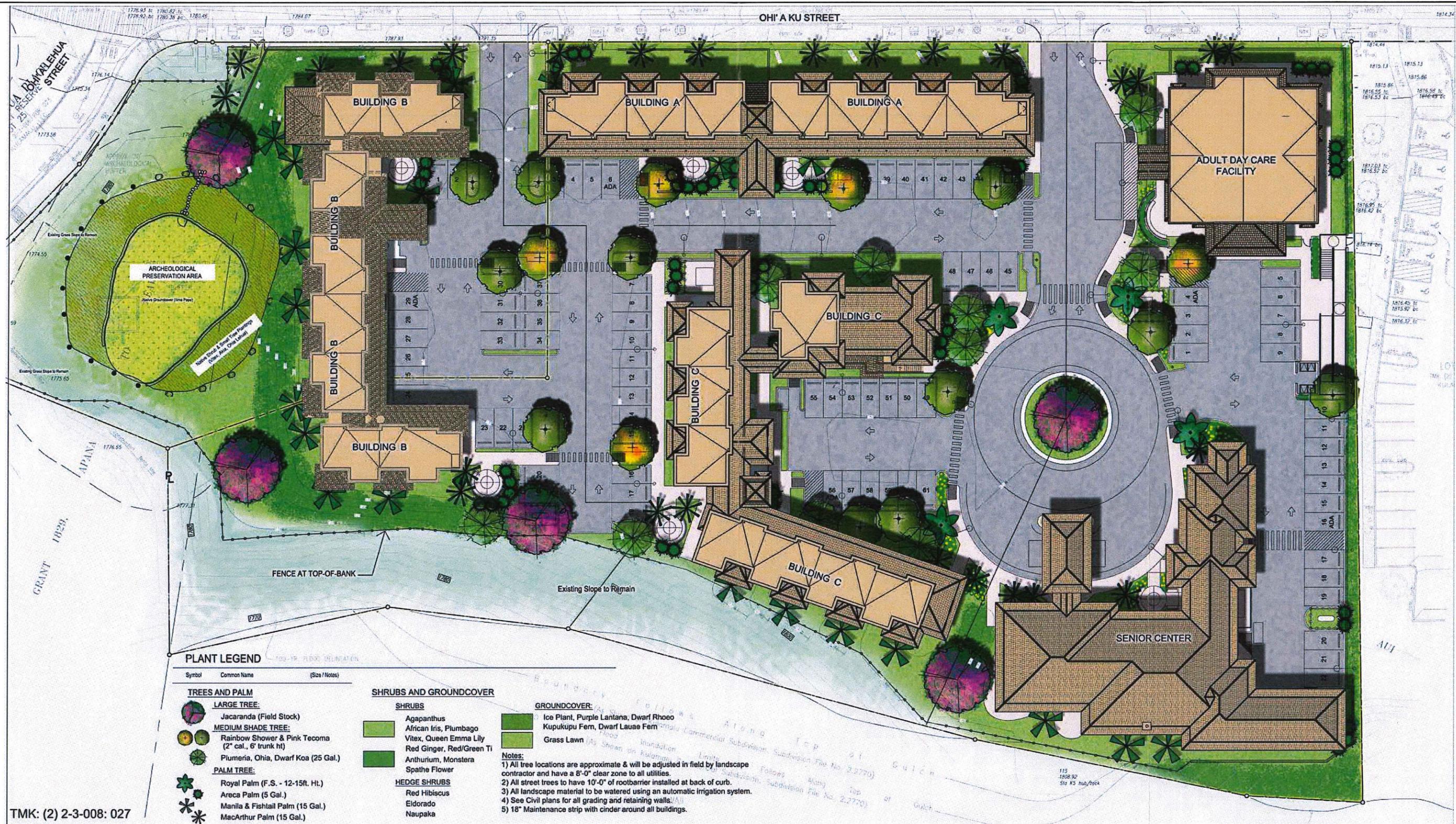
Figure 1

# Hale Mahaolu Ewalu Senior Residential Housing Project Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu



TMK: (2) 2-3-008: 027

Source: Chris Hart & Partners

Figure 2

# Hale Mahaolu Ewalu Senior Residential Housing Project

## Conceptual Site Plan

NOT TO SCALE



Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

### **3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.

**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.

**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

### **MAUI (HRS 343)**

#### **4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.

Contact: Jo Ann Ridao, 808-270-7805.

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.

Contact: Colleen Suyama, 808-244-2015.

**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui

**District:** Makawao

**TMK:** (2) 3-9-001: 157 & 158

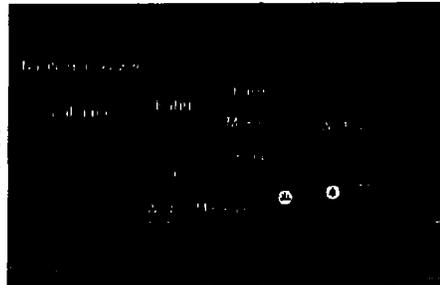
**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.

**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.

**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Contact: Jordan Hart, 808-242-1955.

**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.



The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIAVANA  
FIRST DEPUTY

WILLIAM M. TANI  
DEPUTY DIRECTOR - WATER

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

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, Hi 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

DATE \_\_\_\_\_ TIME \_\_\_\_\_

DOCUMENT NO. Doc A-52030533

March 31, 2014 3:29 PM

LAND COURT

REGULAR SYSTEM

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AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

---

Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

### MEMORANDUM OF PRESERVATION PLAN

This MEMORANDUM OF PRESERVATION PLAN (this "Memorandum") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

#### WITNESSETH THAT:

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)

) ss.:

COUNTY OF MAUI

)

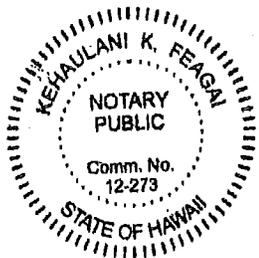
On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Kehaulani K. Feagai

(Print or Type Name of Notary)

*Kehaulani K. Feagai*  
(Signature of Notary)

Notary Public, State of Hawaii  
My Commission Expires: 08/26/2016



NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Memorandum of Preservation Plan

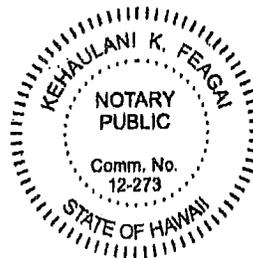
Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

*Kehaulani K. Feagai*  
Signature of Notary

03/25/2014  
Date of Notarization and  
Certification Statement

Kehaulani K. Feagai  
Printed Name of Notary



(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.883 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

**END OF EXHIBIT "A"**

## EXHIBIT "B"

### LOT 19-A

#### 5 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aul and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

2.  $176^{\circ} 28'$  22.08 feet;
3.  $214^{\circ} 18'$  30.38 feet along same;
4.  $228^{\circ} 58'$  14.41 feet along same;

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

5.  $277^{\circ} 38' 30''$  30.04 feet;
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

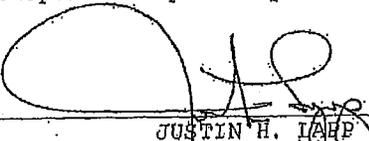
- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

## EXHIBIT "C"

### LOT 19-A

#### 30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of 05° 27', 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1. 138° 58' 35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2. 169° 59' 30" 8.25 feet;
3. 201° 01' 24.98 feet along same;

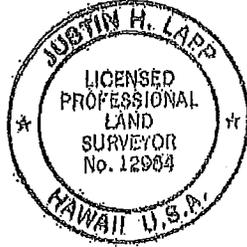
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 216° 56' 30" 16.46 feet;
5. 232° 52' 15.29 feet along same;

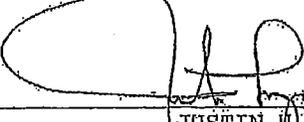
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6. 256° 22' 23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

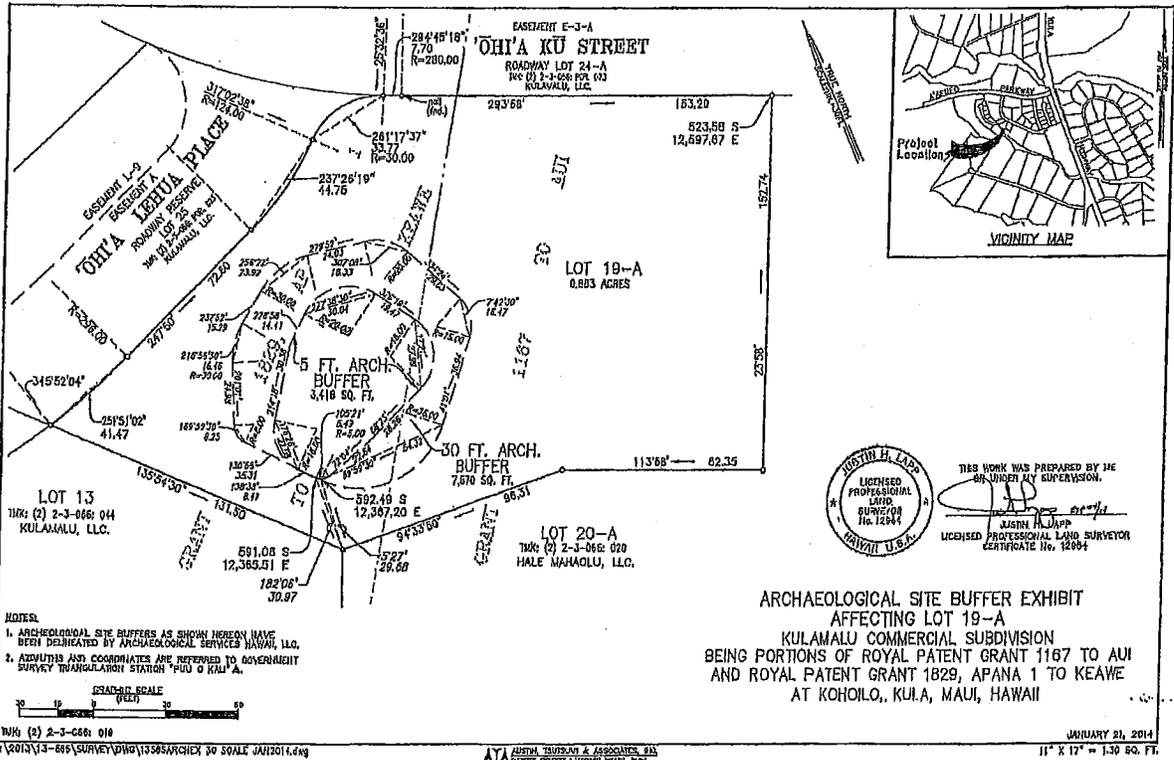
  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"



**MUNEKIYO HIRAGA**

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo  
PRESIDENT

Karlynn K. Fukuda  
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy  
VICE PRESIDENT

Tessa Munekiyo Ng  
VICE PRESIDENT

November 11, 2015

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

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Ms. Masagatani:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An

Jobie Masagatani, Chair  
November 11, 2015  
Page 2

Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey (AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision. The ARS and AIS did not identify any archaeological, historic, or cultural remains on the project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,

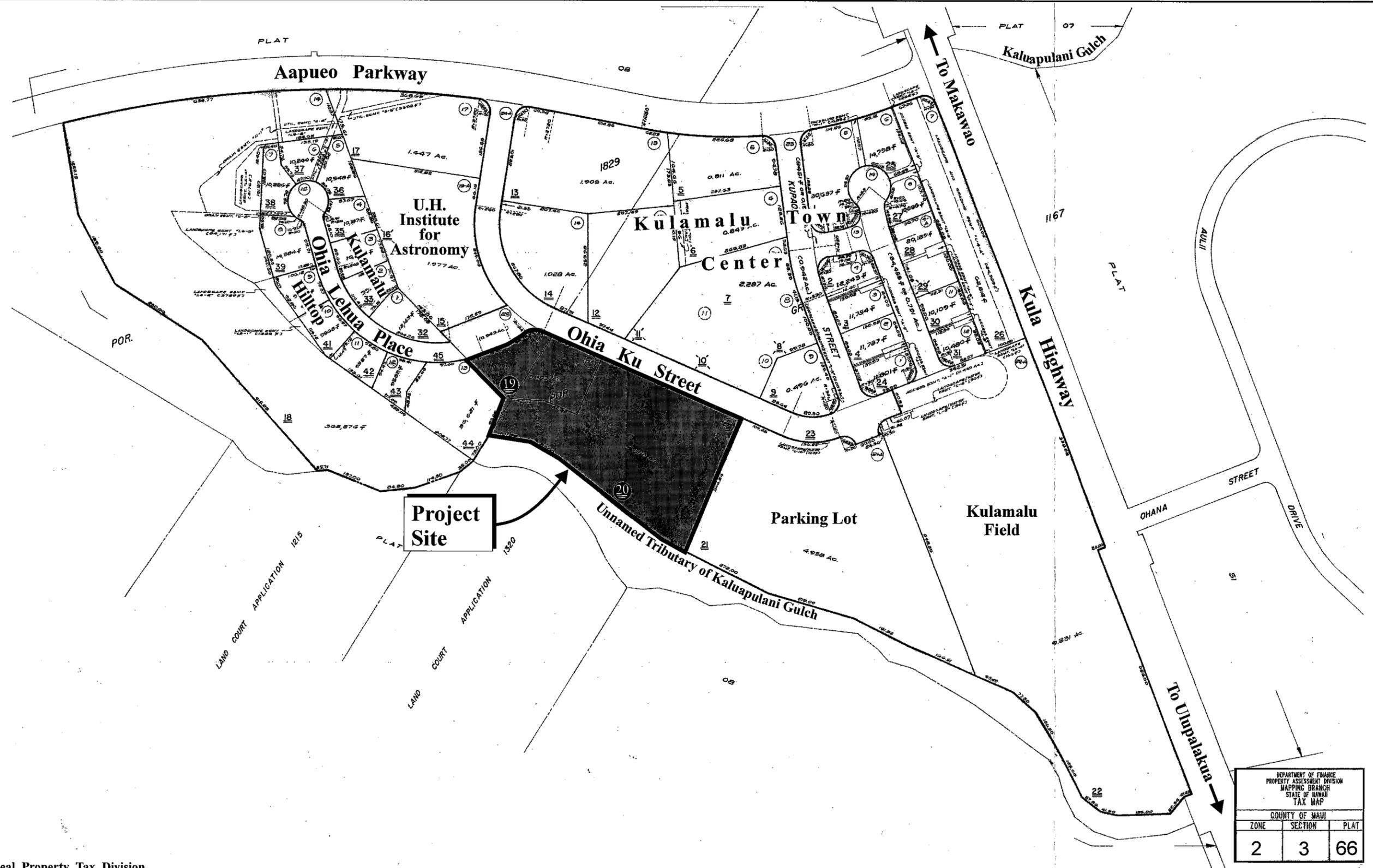


Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)



DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

Source: County of Maui, Real Property Tax Division

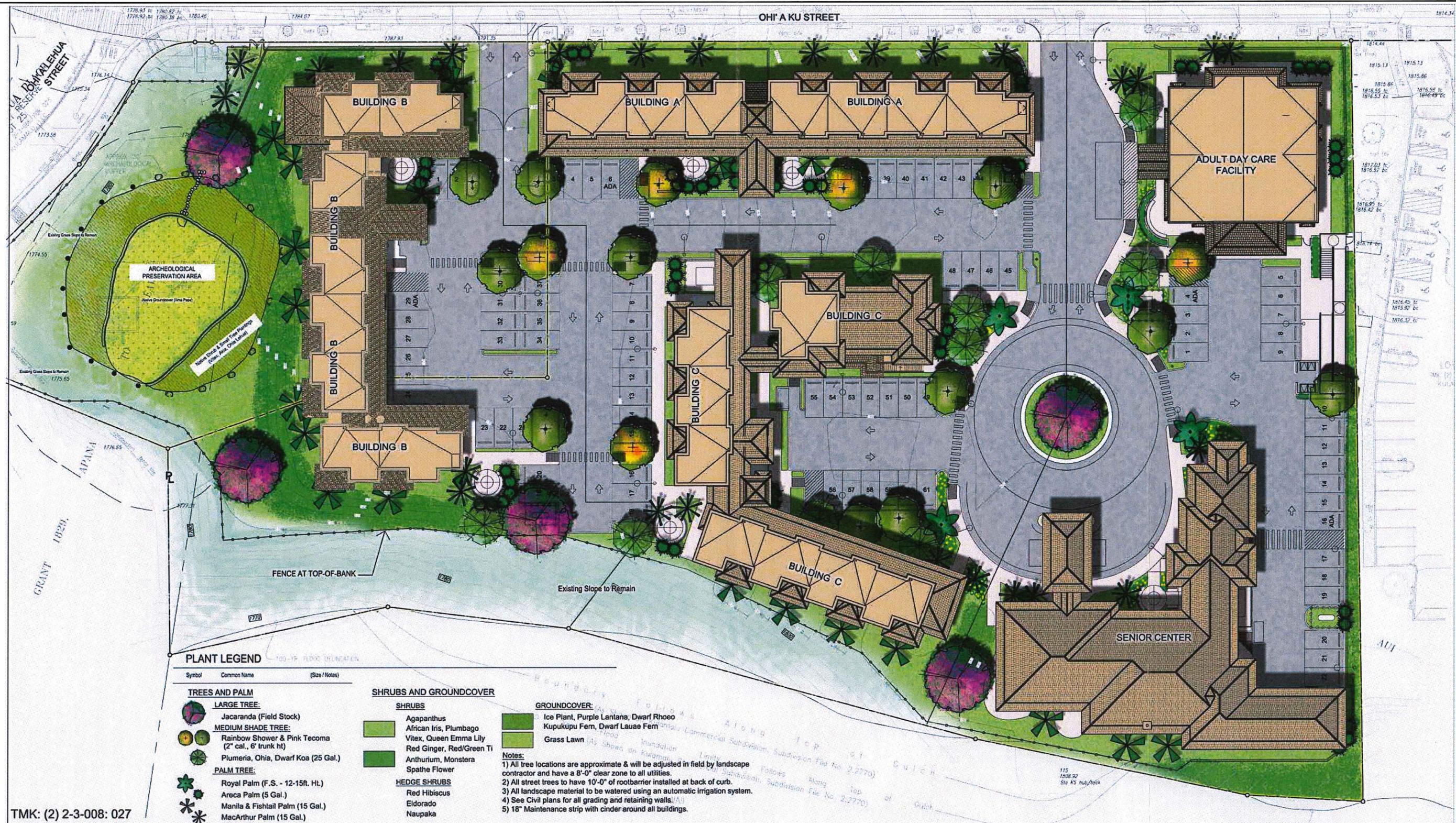
**Figure 1** Hale Mahaolu Ewalu Senior Residential Housing Project  
Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu





Source: Chris Hart & Partners

Figure 2

# Hale Mahaolu Ewalu Senior Residential Housing Project

## Conceptual Site Plan

NOT TO SCALE



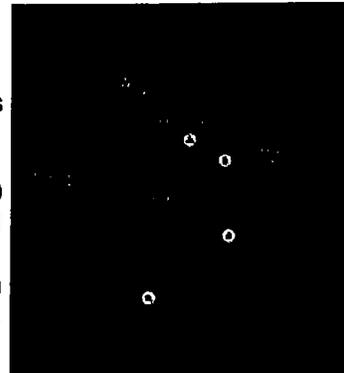
Prepared for: Hale Mahaolu, Inc.

Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

**3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination**  
**Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.  
**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.  
**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

**MAUI (HRS 343)**

**4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

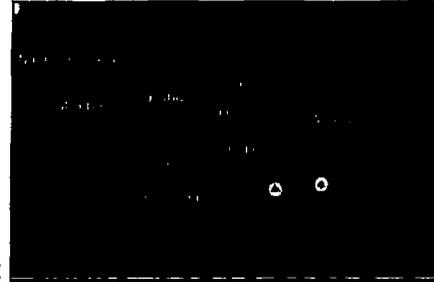
**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.

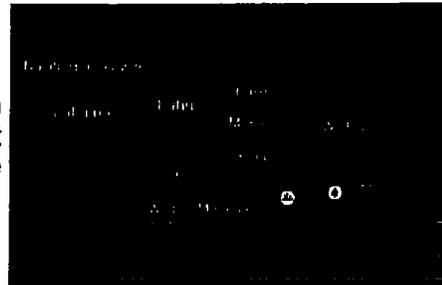
**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2) 3-9-001: 157 & 158  
**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.



**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.

**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.  
Contact: Jordan Hart, 808-242-1955.

**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.

The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, HI 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
DATE \_\_\_\_\_ TIME \_\_\_\_\_  
DOCUMENT NO. Doc A-52030533  
March 31, 2014 3:29 PM

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

**MEMORANDUM OF PRESERVATION PLAN**

This MEMORANDUM OF PRESERVATION PLAN (this "Memorandum") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

**WITNESSETH THAT:**

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

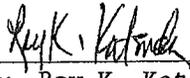
Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)

) ss.:

COUNTY OF MAUI

)

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

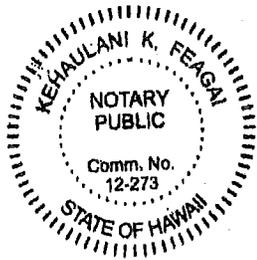
Kehaulani K. Feagai

(Print or Type Name of Notary)

*Kehaulani K. Feagai*  
(Signature of Notary)

Notary Public, State of Hawaii

My Commission Expires: 08/26/2016



NOTARY CERTIFICATION STATEMENT

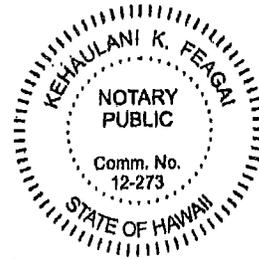
Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

*Kehaulani K. Feagai*  
Signature of Notary

03/25/2014  
Date of Notarization and  
Certification Statement



Kehaulani K. Feagai  
Printed Name of Notary

(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.863 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

END OF EXHIBIT "A"

EXHIBIT "B"

LOT 19-A

5 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;  

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:
2.  $176^{\circ} 28'$  22.08 feet;
3.  $214^{\circ} 18'$  30.38 feet along same;
4.  $228^{\circ} 58'$  14.41 feet along same;  

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
5.  $277^{\circ} 38' 30''$  30.04 feet;
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

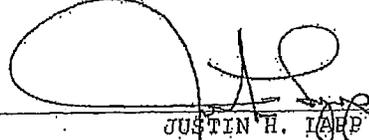
- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

  
JUSTIN H. LAPP

Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

## EXHIBIT "C"

### LOT 19-A

#### 30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of  $05^{\circ} 27'$ , 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 58'$  35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2.  $169^{\circ} 59' 30''$  8.25 feet;
3.  $201^{\circ} 01'$  24.98 feet along same;

Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4.  $216^{\circ} 56' 30''$  16.46 feet;
5.  $232^{\circ} 52'$  15.29 feet along same;

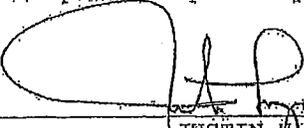
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6.  $256^{\circ} 22'$  23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

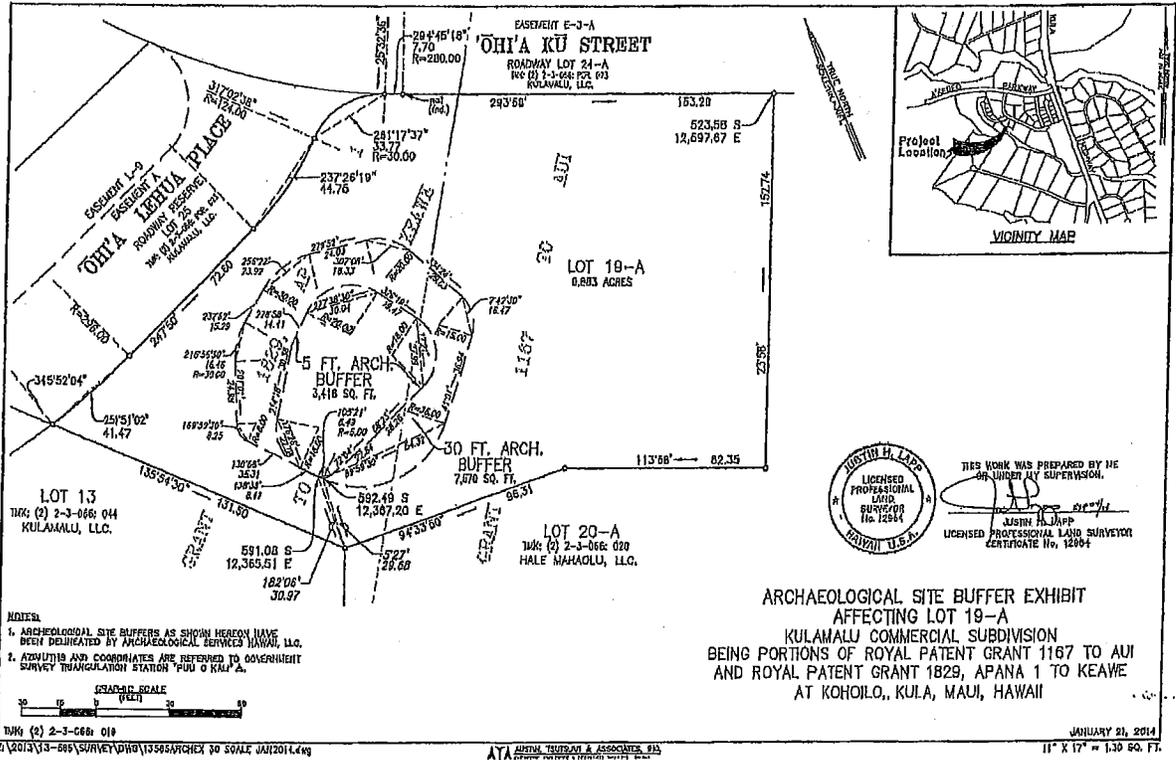
EXP #4/14

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"



## MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

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

November 11, 2015

Ekolu Lindsey, President  
Maui Cultural Lands, Inc.  
P.O. Box 122  
Lahaina, Hawai'i 96767-0122

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Mr. Lindsey:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey (AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision.

Ekolu Lindsey, President  
November 11, 2015  
Page 2

The ARS and AIS did not identify any archaeological, historic, or cultural remains on the project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,



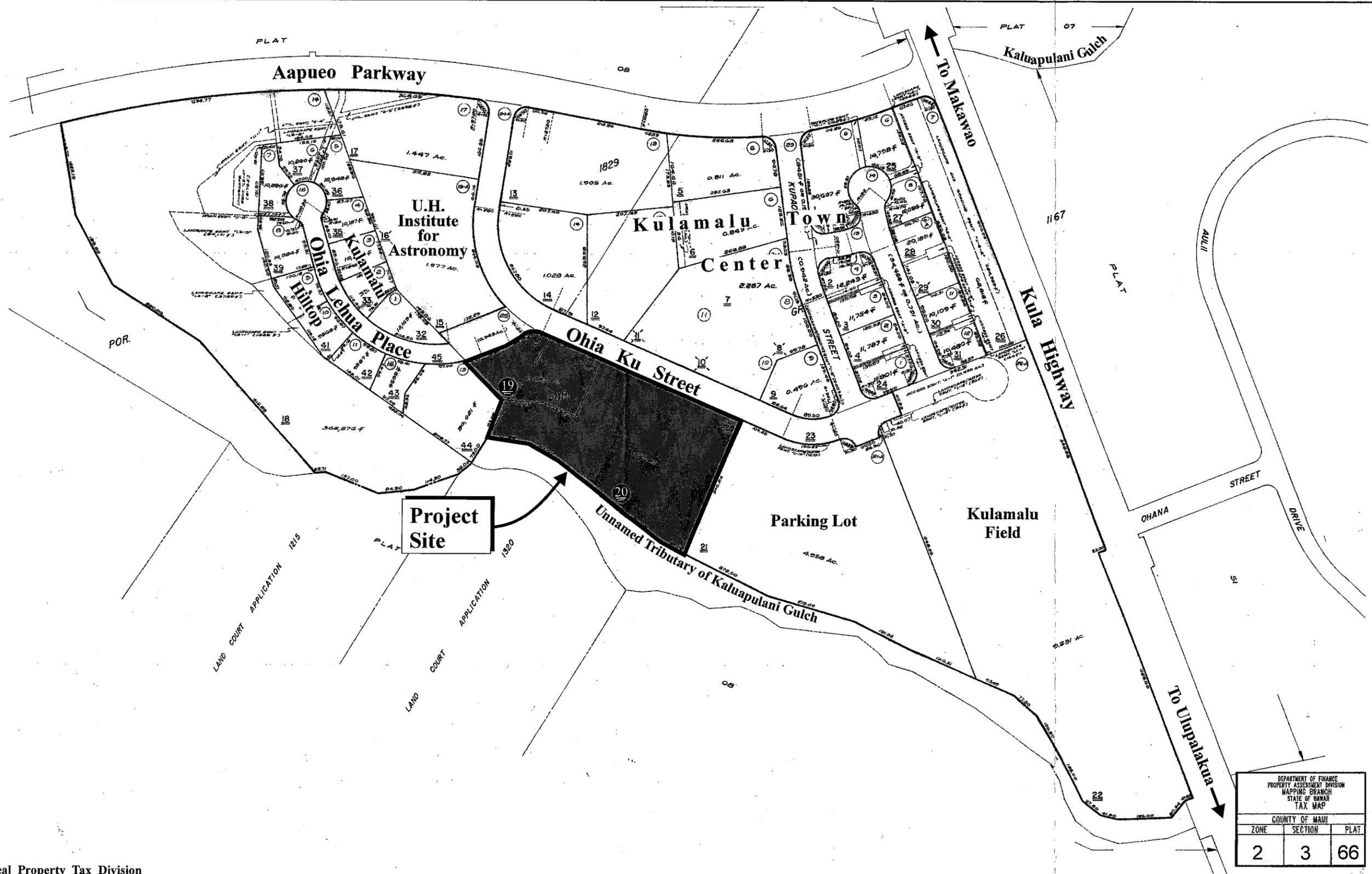
Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)

K:\DATA\HaleMahaolu\Ewalu Aff Sr Housing\Section 106 Consultation Letter.doc



DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

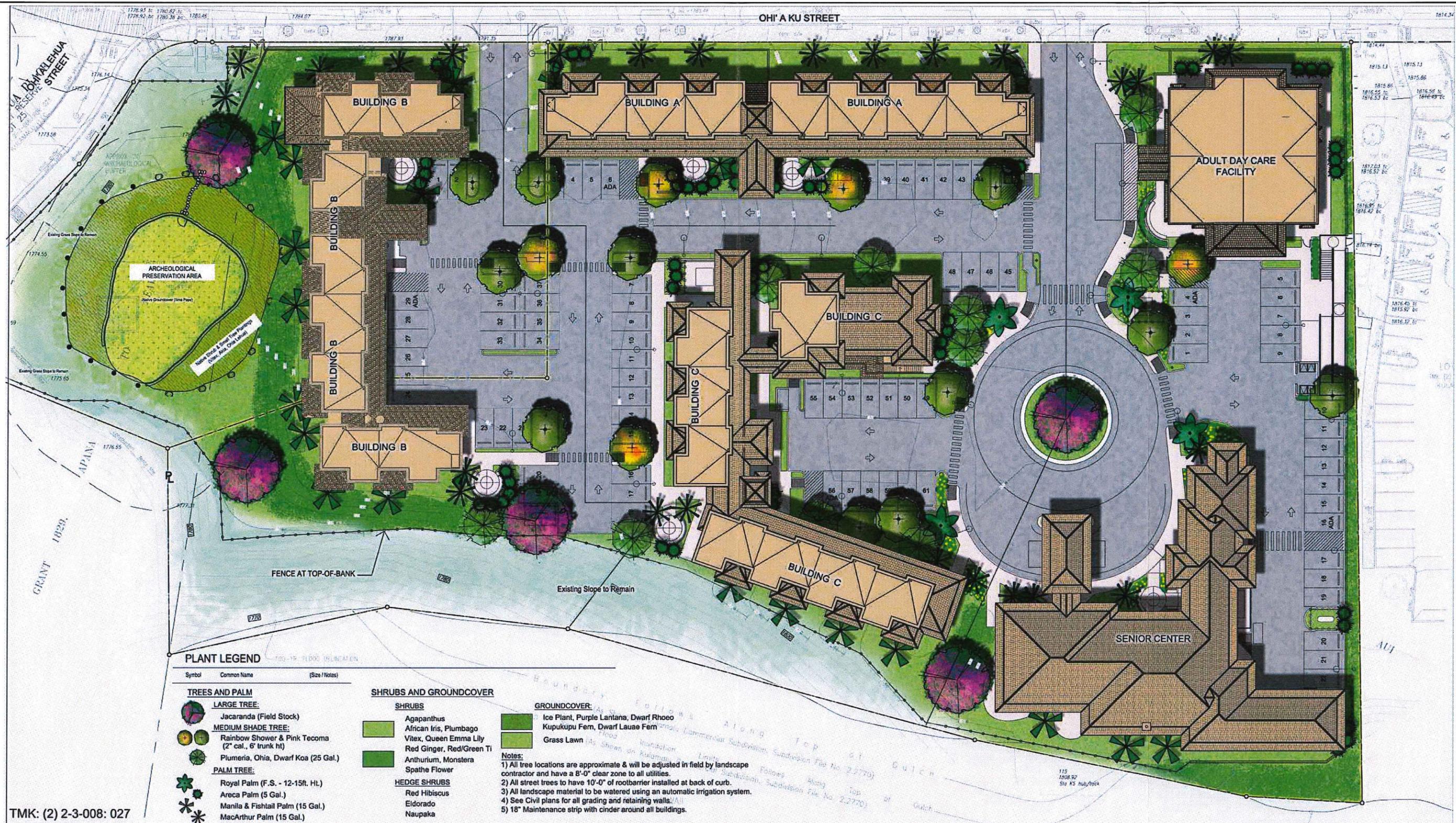
Source: County of Maui, Real Property Tax Division

Figure 1 Hale Mahaolu Ewalu Senior Residential Housing Project Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu



TMK: (2) 2-3-008: 027

Source: Chris Hart & Partners

Figure 2

# Hale Mahaolu Ewalu Senior Residential Housing Project Conceptual Site Plan

NOT TO SCALE



Prepared for: Hale Mahaolu, Inc.

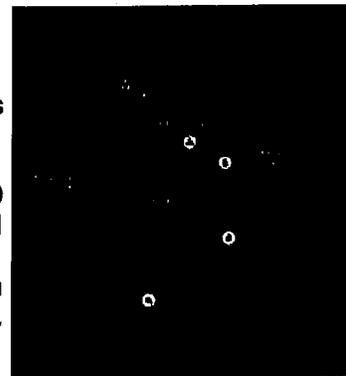


Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

**3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination**  
**Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.  
**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.  
**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

**MAUI (HRS 343)**

**4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.

**Status:** Finding of No Significant Impact Determination.

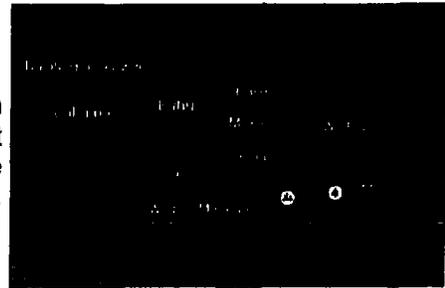


The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2) 3-9-001: 157 & 158  
**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.

**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.



**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.  
Contact: Jordan Hart, 808-242-1955.

**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.

The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIAI'AINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, HI 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

DATE \_\_\_\_\_ TIME \_\_\_\_\_  
DOCUMENT NO. Doc A-52030533  
March 31, 2014 3:29 PM

LAND COURT

REGULAR SYSTEM

---

AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

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Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

### MEMORANDUM OF PRESERVATION PLAN

This MEMORANDUM OF PRESERVATION PLAN (this "**Memorandum**") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

#### WITNESSETH THAT:

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in Exhibit "A" attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

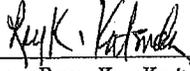
Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)

) ss.:

COUNTY OF MAUI

)

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

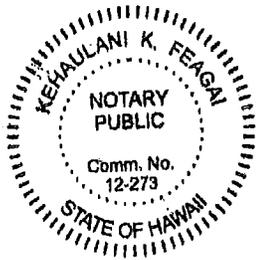
Kehaulani K. Feagai

(Print or Type Name of Notary)

*Kehaulani K. Feagai*  
(Signature of Notary)

Notary Public, State of Hawaii

My Commission Expires: 08/26/2016



NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

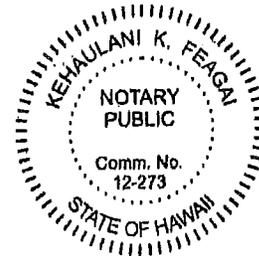
*Kehaulani K. Feagai*  
Signature of Notary

03/25/2014

Date of Notarization and Certification Statement

Kehaulani K. Feagai

Printed Name of Notary



(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.883 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

END OF EXHIBIT "A"

## EXHIBIT "B"

### LOT 19-A

#### 5 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aul and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;  

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:
2.  $176^{\circ} 28'$  22.08 feet;
3.  $214^{\circ} 18'$  30.38 feet along same;
4.  $228^{\circ} 58'$  14.41 feet along same;  

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
5.  $277^{\circ} 38' 30''$  30.04 feet;
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet,



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

EXHIBIT "C"

LOT 19-A

30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of 05° 27', 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1. 138° 58' 35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2. 169° 59' 30" 8.25 feet;
3. 201° 01' 24.98 feet along same;

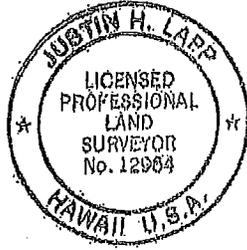
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 216° 56' 30" 16.46 feet;
5. 232° 52' 15.29 feet along same;

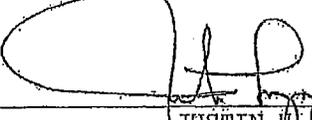
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6. 256° 22' 23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAEP  
Licensed Professional Land Surveyor  
Certificate No. 12964

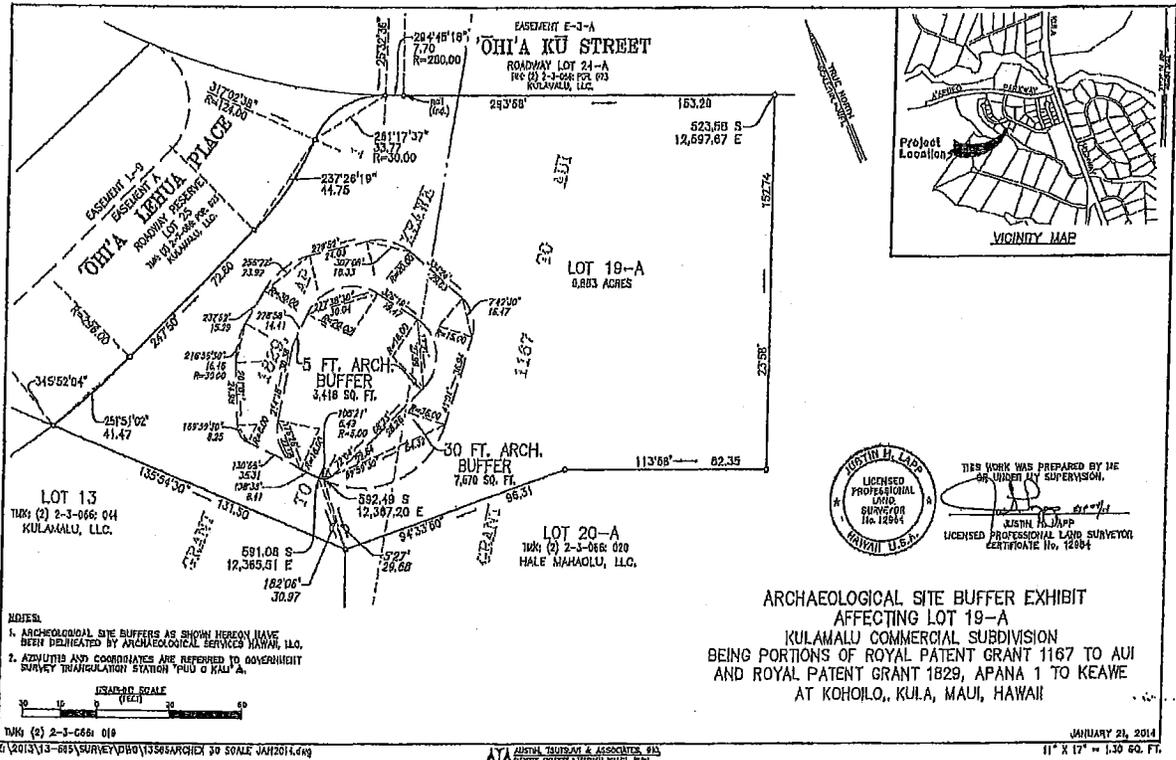
EXP 2/14

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"



**MUNEKIYO HIRAGA**

Planning. Project Management. Sustainable Solutions.

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

November 11, 2015

Ke'eaumoku Kapu, Chief Executive Officer  
Aha Moku o Maui, Inc.  
P.O. Box 11524  
Lahaina, Hawai'i 96761

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Mr. Kapu:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey (AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision.

Ke'eaumoku Kapu, Chief Executive Officer  
November 11, 2015  
Page 2

The ARS and AIS did not identify any archaeological, historic, or cultural remains on the project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,



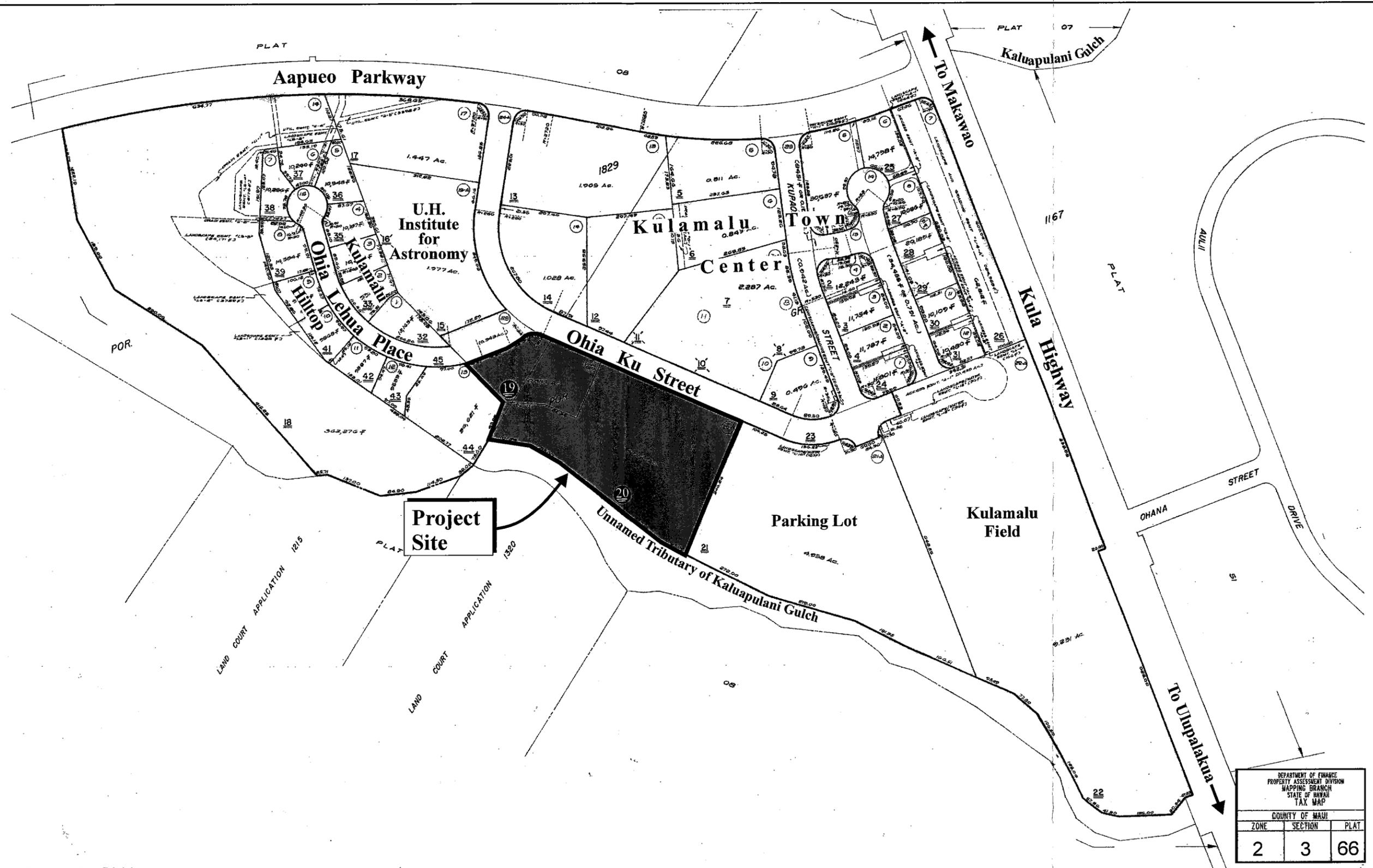
Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)

K:\DATA\HaleMahaolu\Ewalu Aff Sr Housing\Section 106 Consultation Letter.doc



DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

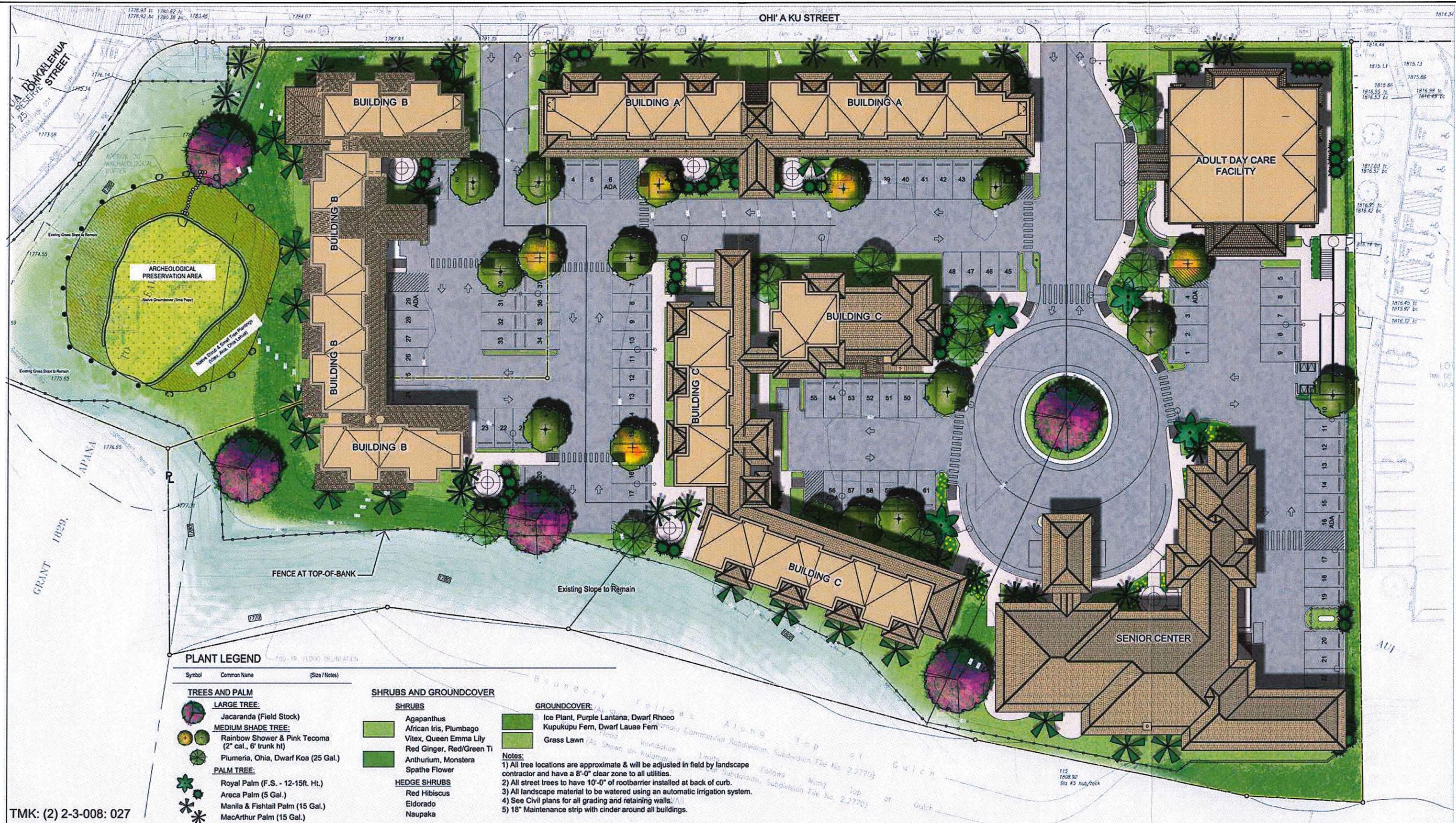
COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

Source: County of Maui, Real Property Tax Division

**Figure 1** Hale Mahaolu Ewalu Senior Residential Housing Project Site Location Map

NOT TO SCALE





TMK: (2) 2-3-008: 027

Source: Chris Hart & Partners

Figure 2



## Hale Mahaolu Ewalu Senior Residential Housing Project Conceptual Site Plan

NOT TO SCALE



Prepared for: Hale Mahaolu, Inc.

Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

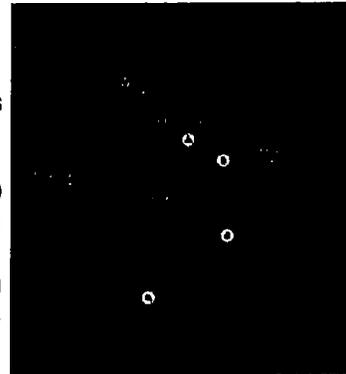
**3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.

**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.

**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

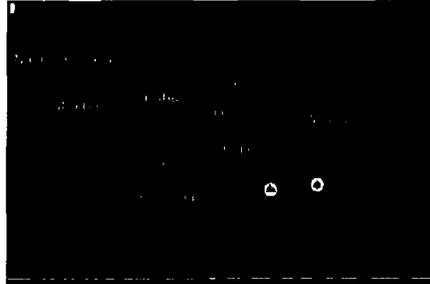
**MAUI (HRS 343)**

**4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

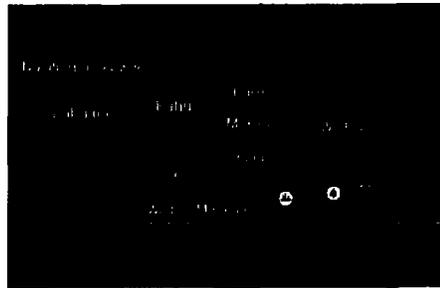
**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.  
**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2) 3-9-001: 157 & 158  
**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.  
**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.  
**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.  
**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793.  
Contact: Jordan Hart, 808-242-1955.  
**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.



The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, HI 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII

BUREAU OF CONVEYANCES

DATE \_\_\_\_\_ TIME \_\_\_\_\_  
DOCUMENT NO. Doc A-52030533

March 31, 2014 3:28 PM

LAND COURT

REGULAR SYSTEM

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AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )

Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

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Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

### MEMORANDUM OF PRESERVATION PLAN

This MEMORANDUM OF PRESERVATION PLAN (this "**Memorandum**") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

#### WITNESSETH THAT:

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

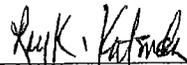
Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

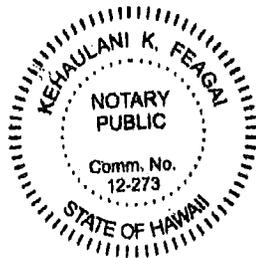
By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)  
) ss.:  
)

COUNTY OF MAUI

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.



Kehaulani K. Feagai

(Print or Type Name of Notary)

Kehaulani K Feagai  
(Signature of Notary)

Notary Public, State of Hawaii  
My Commission Expires: 08/26/2016

NOTARY CERTIFICATION STATEMENT

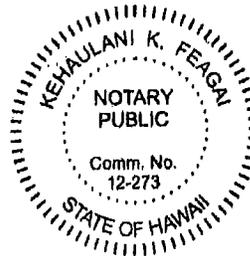
Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

Kehaulani K Feagai  
Signature of Notary

03/25/2014  
Date of Notarization and  
Certification Statement



Kehaulani K. Feagai  
Printed Name of Notary

(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.883 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

**END OF EXHIBIT "A"**

## EXHIBIT "B"

### LOT 19-A

#### 5 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aul and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of 02° 06', 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "POU O KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1. 138° 38' 8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

2. 176° 28' 22.08 feet;

3. 214° 18' 30.38 feet along same;

4. 228° 58' 14.41 feet along same;

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

5. 277° 38' 30" 30.04 feet;

6. 326° 19' 19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

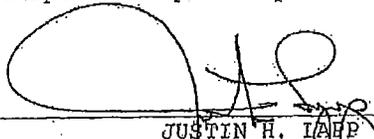
7. 17° 21' 27.99 feet;
8. 68° 23' 28.26 feet along same;
9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

## EXHIBIT "C"

### LOT 19-A

#### 30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Koholio, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of  $05^{\circ} 27'$ , 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 58'$  35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2.  $169^{\circ} 59' 30''$  8.25 feet;

3.  $201^{\circ} 01'$  24.98 feet along same;

Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

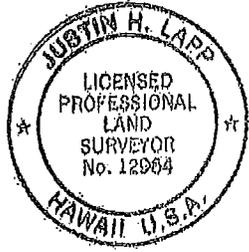
4.  $216^{\circ} 56' 30''$  16.46 feet;

5.  $232^{\circ} 52'$  15.29 feet along same;

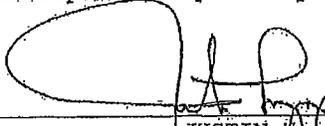
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6.  $256^{\circ} 22'$  23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

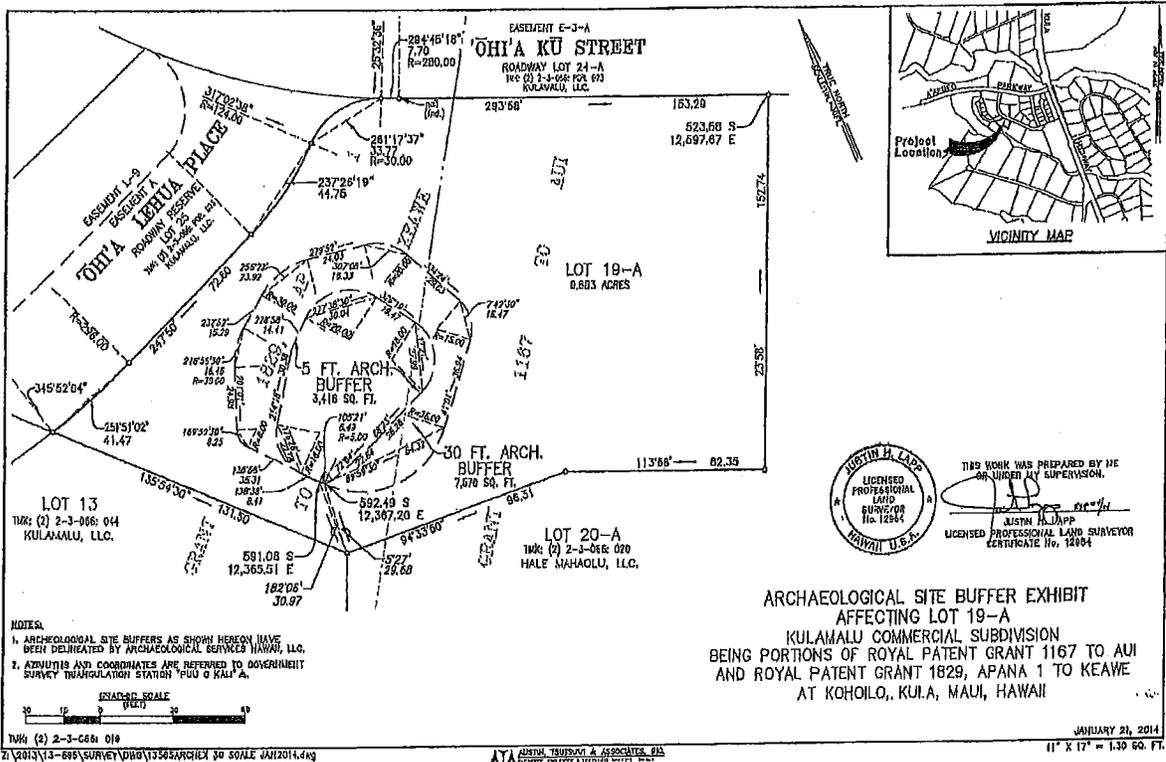
  
\_\_\_\_\_  
JUSTIN H. LAPP EXP 04/14  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"



**MUNEKIYO HIRAGA**

Planning. Project Management. Sustainable Solutions.

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

November 11, 2015

Kyle Nakanelua,  
2795 Kauhikoalani Place  
Haiku, Hawai'i 96708

**SUBJECT:** Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020, Pukalani, Makawao, Maui, Hawai'i

Dear Mr. Nakanelua:

Hale Mahaolu, Inc. (Applicant) proposes to develop the Ewalu Senior Residential Housing project providing affordable rentals for seniors age 62 and above on four (4) acres of land at the southeast corner of the Ohia Ku Street and Ohia Lehua Place intersection. See **Figure 1**. The Ewalu Senior Residential Housing project will involve site preparation work (i.e. grading and utility installations) and the construction of 61 units in three (3) two- and three-story apartment buildings (Buildings A, B and C) containing one- and two-bedroom units and a three-bedroom unit for a resident manager. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. Adult Day Care Center, 83 parking stalls, two (2) loading zones and landscaping. See **Figure 2**.

The property is currently vacant but formerly used for pineapple cultivation. The property is located within the State Urban District, designated as "P, Public/Quasi-Public" use on the Makawao-Pukalani-Kula Community Plan and zoned "P-1, Public/Quasi-Public" District. The Maui County Council, by Resolution No. 04-166 approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's (OEQC) Environmental Notice on July 23, 2014. See **Attachment "A"**.

The project site is part of the Kulamalu Commercial Subdivision (Subdivision). An Archaeological Reconnaissance Survey (ARS) and an Archaeological Inventory Survey (AIS) were prepared in 1996 by Paul H. Rosendahl, Ph.D., Inc. (PHRI) for the Subdivision. The ARS and AIS did not identify any archaeological, historic, or cultural remains on the

Kyle Nakanelua,  
November 11, 2015  
Page 2

project site. However, during archaeological monitoring during construction of the Subdivision, inadvertent burials were encountered on Parcel 19. The burials are presumed to be of Chinese origin. A burial preservation plan was prepared in accordance with Chapter 6E, Section 43.5 and approved by the State Historic Preservation Division (SHPD). See **Attachment "B"**. A Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. See **Attachment "C"**. Exhibit "D" in the Memorandum of Preservation Plan identifies the limits of the Preservation Area. Refer to **Attachment "C"**.

As part of the consultation process for Section 106 compliance, on behalf of the Applicant, we are seeking input from your department/organization. In this regard, receipt of your written comments on the proposed action by December 2, 2015, will be appreciated.

Comments should be sent to:

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

If there are any questions or if additional information is needed regarding the scope of the action, please do not hesitate to call the undersigned at (808) 244-2015.

Very truly yours,

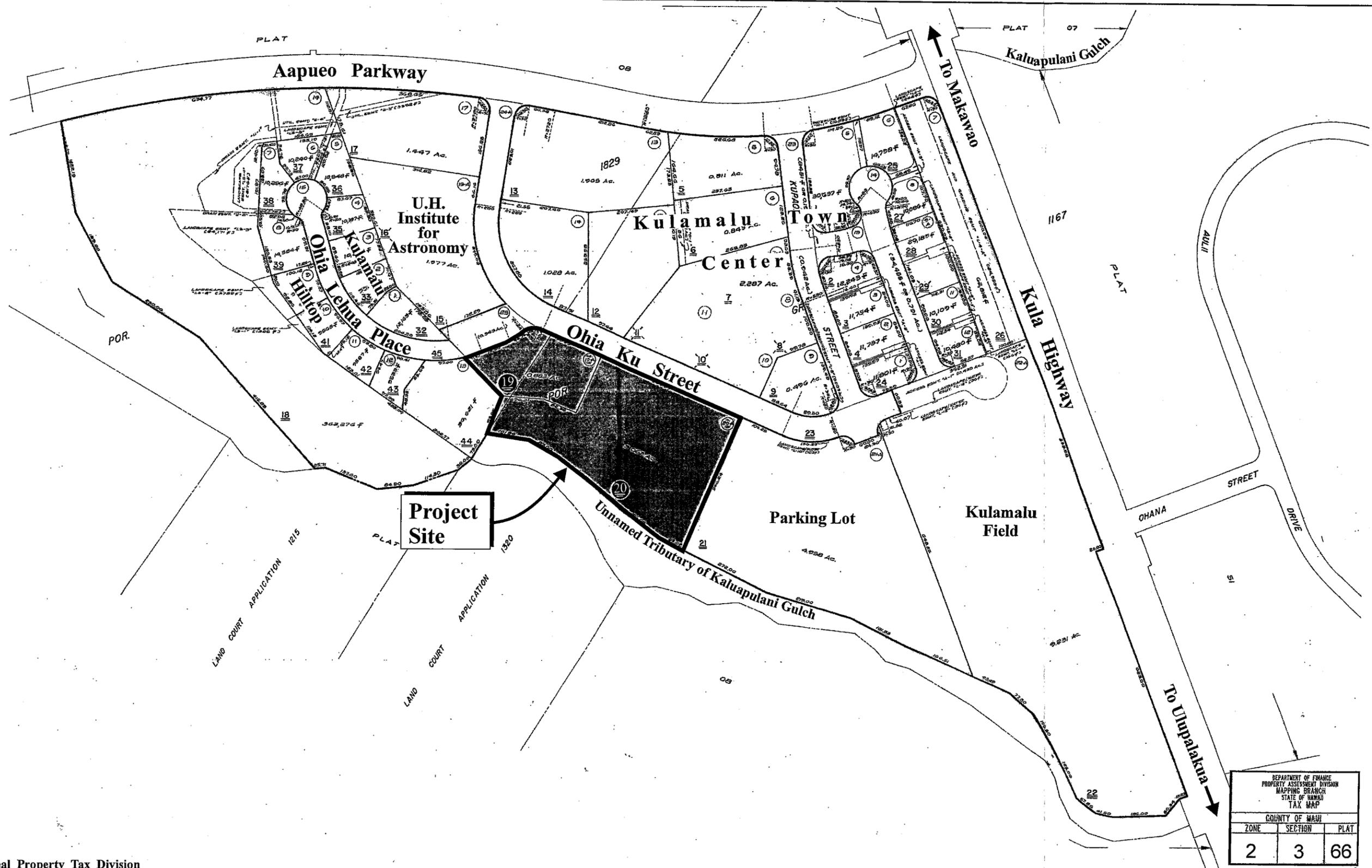


Colleen Suyama  
Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/o enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/o enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/o enclosures)



DEPARTMENT OF FINANCE  
PROPERTY ASSESSMENT DIVISION  
MAPPING BRANCH  
STATE OF HAWAII  
TAX MAP

COUNTY OF MAUI		
ZONE	SECTION	PLAT
2	3	66

Source: County of Maui, Real Property Tax Division

Figure 1

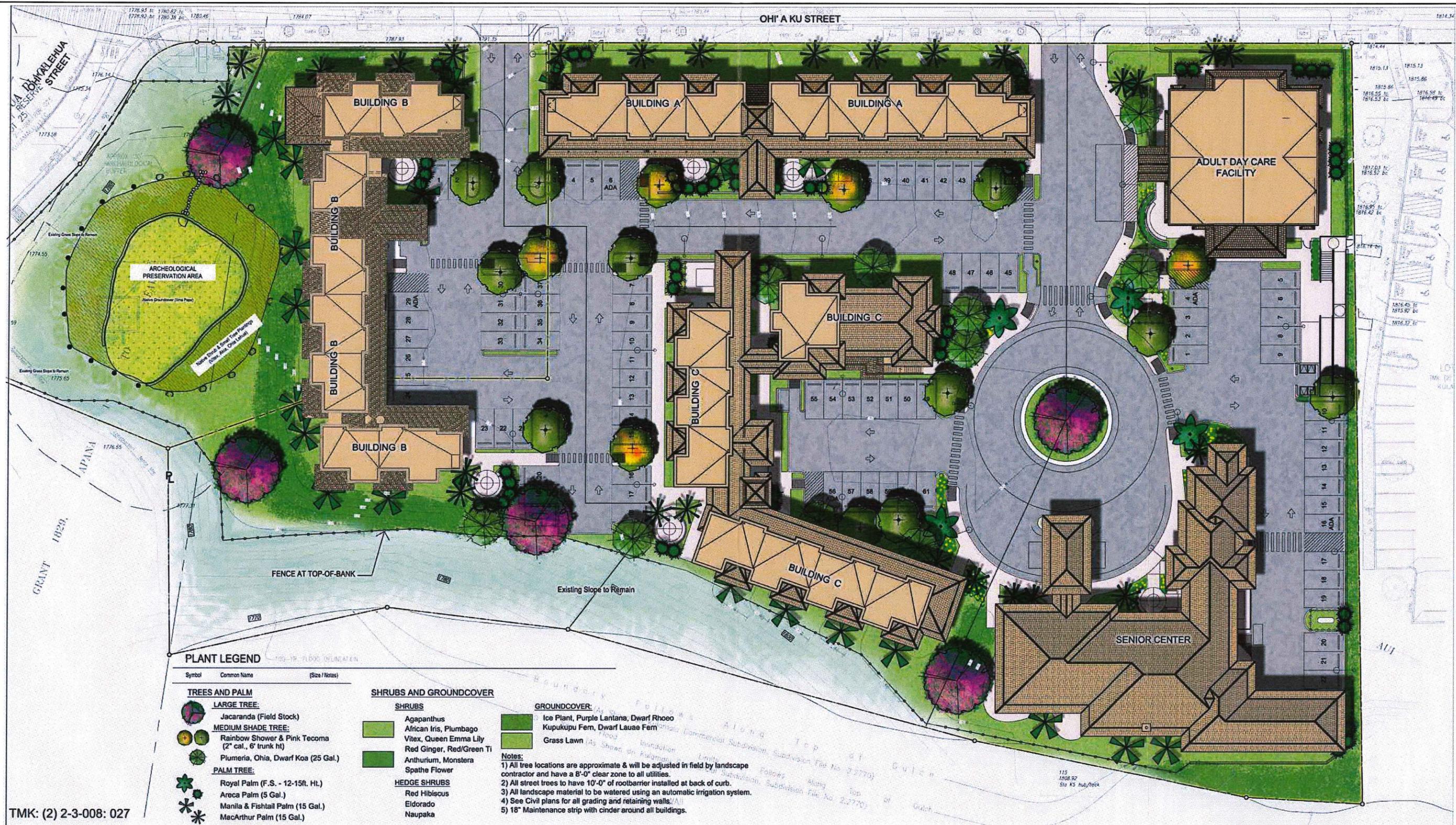
# Hale Mahaolu Ewalu Senior Residential Housing Project Site Location Map

NOT TO SCALE



Prepared for: Hale Mahaolu





TMK: (2) 2-3-008: 027

Source: Chris Hart & Partners

Figure 2

# Hale Mahaolu Ewalu Senior Residential Housing Project Conceptual Site Plan

NOT TO SCALE



Prepared for: Hale Mahaolu, Inc.



Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

### **3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

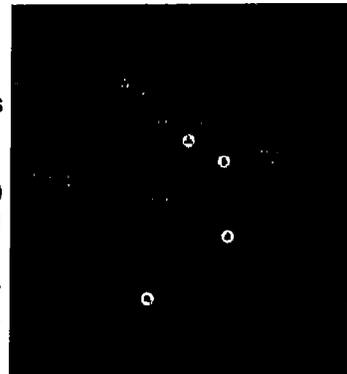
**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

#### **Proposing/Determination**

**Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.

**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.

**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

### **MAUI (HRS 343)**

#### **4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

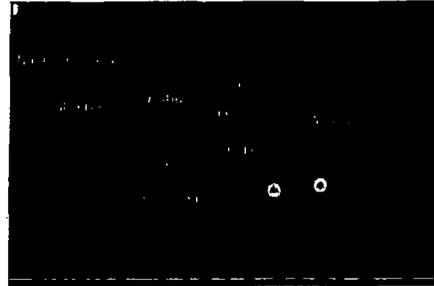
**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.

Contact: Jo Ann Ridao, 808-270-7805.

**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.

Contact: Colleen Suyama, 808-244-2015.

**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui

**District:** Makawao

**TMK:** (2) 3-9-001: 157 & 158

**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.

**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.

**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.

**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Contact: Jordan Hart, 808-242-1955.

**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.



The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD STE 555  
KAPOLEI HI 96707

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

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

October 23, 2013

Ms. Lisa Rotunno-Hazuka  
Archaeological Services Hawai'i  
P.O. Box 1015  
Pu'unene, Hi 96784

LOG NO: 2013.0127  
DOC NO: 1310.HR01

Dear Ms. Rotunno-Hazuka:

**SUBJECT: Final Burial Site Component of a Preservation Plan For Site 50-50-10-5173 An  
Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within  
Lot 19A, A'apueo Ahupua'a, Makawao District, Island of Maui,  
TMK: 2-3-008: portions of 38 and 39.**

We have reviewed the above plan and find it in compliance with Hawai'i Administrative Rules §13-300-34 (b). You may proceed with implementing its provisions.

Should you have any questions or concerns, please feel free to contact me at 808 243-4640 or [Hinano.R.Rodrigues@Hawaii.gov](mailto:Hinano.R.Rodrigues@Hawaii.gov).

Sincerely,

A handwritten signature in cursive script that reads "Hinano Rodrigues".

Mr. Hinano Rodrigues  
Acting History and Culture Branch Chief  
State Historic Preservation Division

ATTACHMENT "B"

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
DATE \_\_\_\_\_ TIME \_\_\_\_\_  
DOCUMENT NO. Doc A-52030533  
March 31, 2014 3:29 PM

LAND COURT

REGULAR SYSTEM

---

AFTER RECORDATION, RETURN BY: MAIL (X) PICK-UP ( )  
Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96713

---

Tax Map Key No.: (2) 2-3-066-019

Total No. of Pages: 13

**MEMORANDUM OF PRESERVATION PLAN**

This MEMORANDUM OF PRESERVATION PLAN (this "Memorandum") is made as of March 31, 2014, by HALE MAHAOLU, a Hawaii nonprofit corporation, whose business and mailing address is at 200 Hina Avenue, Kahului, Maui 96732 (hereinafter referred to as "**Hale Mahaolu**").

**WITNESSETH THAT:**

WHEREAS, Hale Mahaolu is the fee owner of that certain parcel of real property situate at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, as more particularly described in **Exhibit "A"** attached hereto and made a part hereof (the "**Property**");

WHEREAS, Hale Mahaolu had that certain unrecorded Final Burial Site Component of a Preservation Plan for Site 50-50-10-5173 An Historic Chinese Cemetery Situated at Kulamalu Commercial Subdivision Within Lot 19A; A`Apueo Ahupua`a; Makawao District; Island of Maui dated August 2013, prepared on behalf of Hale Mahaolu by Archaeological Services Hawaii, LLC (as amended, modified or supplemented in the future being hereafter collectively referred to as the "**Preservation Plan**");

WHEREAS, the Preservation Plan has been accepted by the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii, as evidenced by letter dated October 23, 2013;

WHEREAS, under the terms of the Preservation Plan, Hale Mahaolu will implement certain short-term protective measures at preservation areas prior to and during construction on the Property, including, without limitation, establishing a vertical buffer comprised of 8-20 ft. of fill and two horizontal buffers consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, under the terms of the Preservation Plan, Hale Hahaolu will undertake certain long-term preservation measures to protect the site in perpetuity, including, without limitation, measures concerning: (a) surface demarcation; (b) establishment of a preservation area consisting of an interior 5-foot buffer area and an exterior 30-foot buffer area; (c) landscaping; (d) signage; (e) maintenance; (f) recordation; and (g) access, all in accordance with and pursuant to the terms and conditions set forth in the Preservation Plan;

WHEREAS, attached hereto as Exhibit "B" and Exhibit "C", are metes and bounds descriptions of the interior 5-foot buffer area and the exterior 30-foot buffer area, respectively, both prepared by Justin H. Lapp, Licensed Professional Land Surveyor, Certificate No. 12964; and

WHEREAS, attached hereto as Exhibit "D" is a map depicting the location of the interior 5-foot buffer area and the exterior 30-foot buffer area described above.

NOW THEREFORE, in consideration of the terms and conditions set forth in the Preservation Plan, all of which terms and conditions are herein made a part hereof as fully and completely as if herein specifically set forth in full, Hale Mahaolu hereby confirms that Hale Mahaolu has entered into the Preservation Plan and does hereby impose upon and subject the Property to the Preservation Plan and does hereby confirm and declare that the Preservation Plan and all of its terms and provisions shall constitute covenants running with the Property.

It is further understood and accepted that no changes or modifications to the Preservation Plan may be made without consultation with and the consent and approval of the Historic Preservation Division of the Department of Land and Natural Resources of the State of Hawaii.

All of the terms, covenants and conditions of the Preservation Plan are otherwise incorporated herein by reference and made a part hereof and are not amended or otherwise modified by this Memorandum. In the event of any conflict between the provisions contained in this Memorandum and the Preservation Plan, the provisions of the Preservation Plan shall control. This Memorandum is executed for the purpose of giving public record notice of the existence of the Preservation Plan.

Capitalized terms used but not defined in this Memorandum shall have the meanings set forth in the Preservation Plan.

This Memorandum shall be binding upon and shall inure to the benefit of Hale Mahaolu and its successors and assigns.

-The remainder of this page is intentionally left blank; the next page is the signature page.-

IN WITNESS WHEREOF, Hale Mahaolu has executed this Memorandum as the day and year first above written.

**HALE MAHAOLU,**  
a Hawaii nonprofit corporation

By   
Name: Roy K. Katsuda  
Title: Executive Director

STATE OF HAWAII

)

) ss.:

COUNTY OF MAUI

)

On this 25th day of March, 2014, before me personally appeared Roy K. Katsuda, to me personally known, who, being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Kehaulani K. Feagai

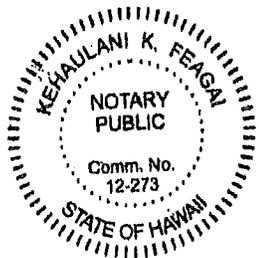
(Print or Type Name of Notary)

*Kehaulani K Feagai*

(Signature of Notary)

Notary Public, State of Hawaii

My Commission Expires: 08/26/2016



NOTARY CERTIFICATION STATEMENT

Document Identification or Description: Memorandum of Preservation Plan

Doc. Date: \_\_\_\_\_ or  Undated at time of notarization.

No. of Pages: 13 Jurisdiction: Second Circuit  
(in which notarial act is performed)

*Kehaulani K Feagai*

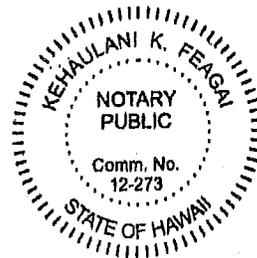
Signature of Notary

03/25/2014

Date of Notarization and  
Certification Statement

Kehaulani K. Feagai

Printed Name of Notary



(Official Stamp or Seal)

EXHIBIT "A"

All of that certain parcel of land (being portions of the land(s) described in and covered by Royal Patent Grant Number 1829, Apana 1 to Keawe, and Royal Patent Grant Number 1167 to Aui) situate, lying and being at Kohoilo, District of Kula, Island and County of Maui, State of Hawaii, being LOT 19-A, and thus bounded and described as per survey dated September 7, 2012, to-wit:

Beginning at the northwest corner of this parcel of land, being also the southwest corner of Roadway Reserve Lot 25 ('Ohi'a Lehua Place) of Kulamalu Commercial Subdivision, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KOHA", being 527.60 feet south and 12,272.88 feet east and running by azimuths measured clockwise from true South:

Along the south side of Roadway Reserve Lot 25 ('Ohi'a Lehua Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 296.00 feet, the chord azimuth and distance being:

1. 251° 51' 02" 41.47 feet;
2. 247° 50' 72.60 feet along the same;

Thence along the same, on a curve to the left, with a radius of 124.00 feet, the chord azimuth and distance being:

3. 237° 26' 19" 44.75 feet;

Thence along the same, on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4. 261° 17' 37" 33.77 feet;

Thence along the southwest side of Roadway Lot 24-A ('Ohia Ku Street) of Kulamalu Commercial Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, on a curve to the left with a radius of 280.00 feet, the chord azimuth and distance being:

5. 294° 45' 18" 7.70 feet;

6. 293° 58' 153.29 feet along the south side of Roadway Lot 24-A ('Ohi'a Ku Street) of Kulamalu Commercial Subdivision, along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui;

7. 23° 58' 152.74 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainder of Grant 1167 to Aui;

8. 113° 58' 82.35 feet along the same;

9. 94° 33' 50" 96.31 feet along Lot 20-A of Kulamalu Commercial Subdivision, along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe;

10. 135° 54' 30" 131.50 feet along Lot 13 of Kulamalu Hilltop Subdivision, along the remainder of Grant 1829, Apana 1 to Keawe, to the point of beginning and containing an area of 0.883 acre, more or less.

Being a portion of the premises acquired by Hale Mahaolu, a Hawaii nonprofit corporation, by Warranty Deed dated December 20, 2012, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A-47370365.

END OF EXHIBIT "A"

## EXHIBIT "B"

### LOT 19-A

#### 5 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of Lot 19-A of  $02^{\circ} 06'$ , 30.97 feet the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU Q KALI" being 591.08 feet South and 12,365.51 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 38'$  8.41 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

2.  $176^{\circ} 28'$  22.08 feet;  
3.  $214^{\circ} 18'$  30.38 feet along same;  
4.  $228^{\circ} 58'$  14.41 feet along same;

Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:

5.  $277^{\circ} 38' 30''$  30.04 feet;  
6.  $326^{\circ} 19'$  19.47 feet along same;

Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1167 to Aui and Grant 1829, Apana 1 to Keawe on a curve to the right with a radius of 18.00 feet, the chord azimuth and distance being:

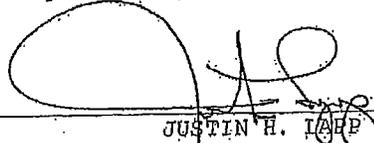
- 7. 17° 21' 27.99 feet;
- 8. 68° 23' 28.26 feet along same;
- 9. 72° 04' 22.84 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 5.00 feet, the chord azimuth and distance being:

- 10. 105° 21' 5.49 feet to the point of beginning and containing an area of 3,416 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "B"**

## EXHIBIT "C"

### LOT 19-A

#### 30 FOOT ARCHAEOLOGICAL SITE BUFFER

Affecting Lot 19-A of the Kulamalu Commercial Subdivision, being portions of Royal Patent Grant 1167 to Aul and Grant 1829, Apana 1 to Keawe.

Situate at Kohoilo, Kula, Maui, Hawaii

Beginning at a point on the South edge of this Site Buffer, having a direct azimuth and distance tie to the Southwest corner of lot 19-A of  $05^{\circ} 27'$ , 29.68 feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU O KALI" being 592.49 feet South and 12,367.20 feet East thence running by azimuths measured clockwise from true South:

1.  $138^{\circ} 58'$  35.31 feet along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1829, Apana 1 to Keawe;

Thence along same on a curve to the right with a radius of 8.00 feet, the chord azimuth and distance being:

2.  $169^{\circ} 59' 30''$  8.25 feet;
3.  $201^{\circ} 01'$  24.98 feet along same;

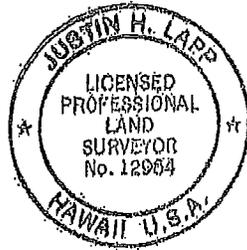
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

4.  $216^{\circ} 56' 30''$  16.46 feet;
5.  $232^{\circ} 52'$  15.29 feet along same;

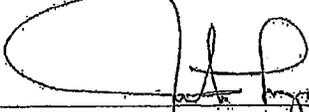
Thence along same on a curve to the right with a radius of 30.00 feet, the chord azimuth and distance being:

6.  $256^{\circ} 22'$  23.93 feet;

7. 279° 52' 24.03 feet along same;  
 Thence along same on a curve to the right with a radius of 20.00 feet, the chord azimuth and distance being:
8. 307° 08' 18.33 feet;
9. 334° 24' 29.63 feet along remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui.  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainder of Grant 1167 to Aui on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:
10. 7° 42' 30" 16.47 feet;
11. 41° 01' 36.94 feet along same;  
 Thence along the remainder of Lot 19-A of the Kulamalu Commercial Subdivision, also along the remainders of Grant 1829, Apana 1 to Keawe and Grant 1167 to Aui on a curve to the right with a radius of 36.00 feet, the chord azimuth and distance being:
12. 89° 59' 30" 54.32 feet to the point of beginning and containing an area of 7,570 square feet.



Description Prepared By:

  
\_\_\_\_\_  
JUSTIN H. LAPP  
Licensed Professional Land Surveyor  
Certificate No. 12964

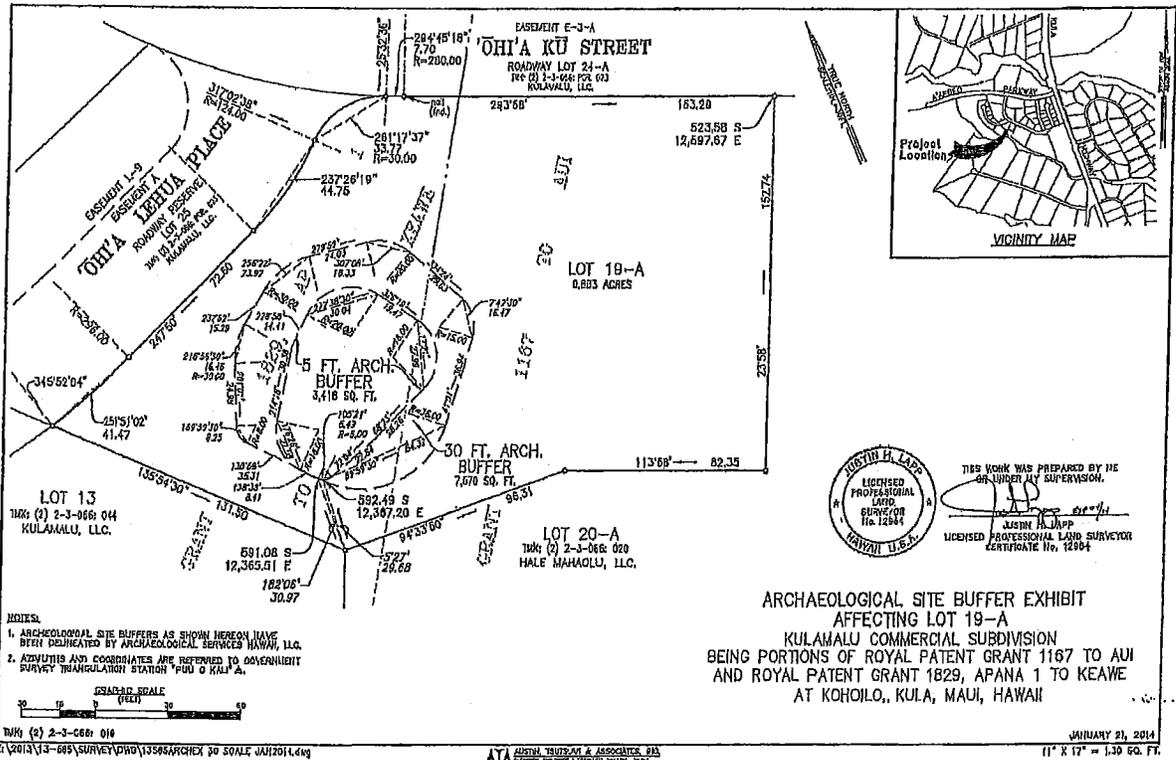
EXP 04/14

Wailuku, Hawaii  
January 21, 2014

TMK: (2) 2-3-066:019

**END OF EXHIBIT "C"**

EXHIBIT "D"



END OF EXHIBIT "D"

**EXHIBIT C-1.**

**December 30, 2015**  
**Letter from State Historic**  
**Preservation Officer**

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

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

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

KEKOA KALUHIWA  
FIRST DEPUTY

JEFFREY T. PEARSON  
DEPUTY DIRECTOR - WATER

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

**December 30, 2015**

Colleen Suyama, Senior Associate  
Munekiyo Hiraga  
305 High Street, Suite 104  
Wailuku, Hawaii 96793  
[planning@munekiyohiraga.com](mailto:planning@munekiyohiraga.com)

Log No. 2015.04042  
Doc. No. 1511MD15  
Archaeology

Aloha Ms. Suyama,

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consultation -  
Requesting Consultation for the Proposed Hale Mahaolu Ewalu Project  
'Āpueo Ahupua'a, Makawao District, Island of Maui  
TMK (2) 2-3-066:019 and 020**

Thank you for the opportunity to review the aforementioned submittal, which was received by our Maui staff on March 10, 2014. The State Historic Preservation Division (SHPD) previously reviewed a draft environmental assessment for this project for the County of Maui (County) as a County-funded project (Log No. 2014.01089, Doc. No. 1403MD27). Your firm has contacted us requesting Section 106 consultation but no federal agency has been identified as a project proponent, nor has a source of federal funds been identified as required for a federal undertaking as defined by 36 CFR 800.16(y). An undertaking requires historic preservation review under Section 106 of the National Historic Preservation Act (NHPA) and compliance with the National Environmental Policy Act (NEPA).

Parcel 019 is 0.883 acres and parcel is 3.053 acres, for a total project area of approximately 3.936 acres. The project site is located in the Kulamalu Commercial Subdivision. Prior to the development of this subdivision, an archaeological inventory survey was conducted on the entire 250-acre parcel which included portions of the subject parcels 019 and 020 (PHRI 1996a). The same year, an archaeological inventory survey was conducted for the Pukalani Terrace Subdivision III, containing a small portion of Parcel 20 of the project site adjacent to the parking lot. This survey newly identified on parcel 020 additional features associated with Site 50-50-10-4181. Following documentation, a determination was made that no further work was required (PHRI 1996b).

During archaeological monitoring for the Kulamalu Commercial Subdivision, inadvertent burials were discovered on what is now parcel 019. These 15 burials, presumed to be of Chinese origin, were placed in permanent preservation along with associated non-burial features consisting of pre-Contact fire pits and a former irrigation ditch (Sites 50-50-10-5173, 5479 and 5470, respectively). A burial site component of a preservation plan for the historic Chinese Cemetery (Rotunno-Hazuka and Pantaleo August 2013) was reviewed and accepted by SHPD (Log No. 2013.0127, Doc. No. 1310.HR01).

SHPD has two primary concerns with this project, both previously addressed to the County. First, there is no archaeological preservation plan for either the pre-Contact fire pits or the former irrigation ditch (SIHPs 50-50-5479 and 5470). The "burial site component of a preservation plan" applies only to the burials, and not to the other historic properties slated for permanent preservation; SHPD must review and accept a preservation plan for the remaining two sites. Second, archaeological monitoring is likely a necessary mitigation measure. SHPD has repeatedly recommended archaeological monitoring in this area (Log No. 2006.2943, Doc. No. 0608JP45).

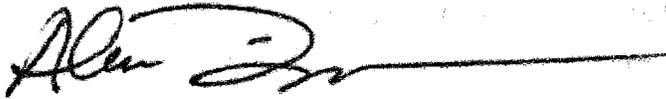
Colleen Suyama  
December 30, 2015  
Page 2

The State Historic Preservation Officer's (SHPO) determination is **adverse effect on historic properties** until SHPD has received the following:

- Additional information regarding the proposed development plans for the subject parcels; and
- An archaeological preservation plan meeting the requirements of Hawaii Administrative Rules (HAR) §13-277 for review and acceptance.

Please contact Maui Lead Archaeologist Morgan Davis at (808) 243-4641 or at [Morgan.E.Davis@hawaii.gov](mailto:Morgan.E.Davis@hawaii.gov) if you have any questions or concerns regarding this letter.

Mahalo,



Alan S. Downer, Ph.D.  
Administrator, State Historic Preservation Division  
Deputy State Historic Preservation Officer

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

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

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

**EXHIBIT C-2.**

**Letter from Archaeological  
Services Hawaii LLC to SHPD**

**ARCHAEOLOGICAL SERVICES HAWAII, LLC**  
**POB 1015; Pu'unēnē Hi; 96784**  
**808-244-2012; 808-281-3004 (cell)**

28 Jan 2016

Ms. Morgan Davis-Lead Archaeologist  
SHPD Maui Office

***TRANSMITTAL VIA ELECTRONIC MAIL-Morgan.E.Davis@hawaii.gov***

Subject: Clarification for Sites 50-50-10-5469 and 50-50-10-5470 within Site 5173 Historic Chinese Cemetery located at Hale Mahaolu Kulamalu at TMK [2] 2-3-066:019 and 020 (formerly TMK [2] 2-3-008: 038 and 039 pors)

Dear Morgan,

Pursuant to our discussions today, the following is a clarification regarding Sites 5469 (pre-Contact fire pit) and 5470 (former trench or irrigation ditch). Please be advised that these sites were identified among the many inadvertent burial features at Site 5173 during monitoring and subsequent testing. The sites were adequately documented and required no further work pursuant to the accepted Archaeological Monitoring Report (AMR); however given their location within the preservation boundaries of Site 5173, they would remain in place. Sites 5469 and 5470 were presented within the Final Burial Component of a Preservation Plan (BCPP) for the Historic Chinese Cemetery Site 5173. The confusion was due to the fact that later correspondence often referred to these sites as being preserved in place and or passive preservation which initiated the comment for an Archaeological Preservation Plan. Thus, please be advised that these sites will voluntarily remain in place. Additionally, we have an accepted Archaeological Monitoring Plan (Doc. No. 0310MK17), which was prepared for the formerly proposed Skilled Nursing Facility. The Skilled Nursing Facility project was abandoned and Hale Mahaolu purchased the property from then landowner, the Dowling Company. Several years ago, you and I discussed the AMP for the Skilled Nursing Facility and it was concluded that the AMP was still in place and could be utilized for the proposed Hale Mahaolu Senior Residence. Sorry for the confusion regarding the above sites and thank you very much for your time. If you need additional information, please let me know.

Respectfully,



Lisa Rotunno-Hazuka  
Consulting Archaeologist

# **EXHIBIT C-3.**

## **Letters from Section 106 Consulted Parties and Responses to Comments**

DEC 07 2015

DAVID Y. IGE  
GOVERNOR  
STATE OF HAWAII



JOBIE M. K. MASAGATANI  
CHAIRMAN  
HAWAIIAN HOMES COMMISSION

SHAN S. TSUTSUI  
LT. GOVERNOR  
STATE OF HAWAII

WILLIAM J. AILA, JR.  
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII  
DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1879  
HONOLULU, HAWAII 96805

November 25, 2015

Munekiyo Hiraga  
Colleen Suyama, Senior Associate  
305 High Street, Suite 104  
Wailuku, Hawai'i 96793

Subject: Section 106 Historic Preservation Act Consultation on the Proposed Hale Mahaolu  
Ewalu Senior Residential Housing Project at TMK (2) 2-3-066:019 and 020,  
Pukalani, Makawao, Maui, Hawai'i

Aloha Ms. Suyama:

Mahalo for seeking the Department's comments as part of the consultation process for  
Section 106 compliance. The Department has no comments at this time.

Aloha,

Jobie M. K. Masagatani, Chairman  
Hawaiian Homes Commission

DEC 07 2015

PHONE (808) 594-1888

FAX (808) 594-1938



**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
560 N. NIMITZ HWY., SUITE 200  
HONOLULU, HAWAII 96817

HRD15-6719C

December 1, 2015

Colleen Suyama  
Senior Associate  
Munekiyo Hiraga  
305 High Street, Suite 104  
Wailuku, HI 96793

Re: National Historic Preservation Act Section 106 Consultation for the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at Pukalani, Makawao, Maui.  
Makawao Ahupua'a, Hāmākuapoko Moku, Maui  
TMK: (2) 2-3-066:019 and 020

Aloha e Ms. Suyama:

The Office of Hawaiian Affairs (OHA) is in receipt of your November 11, 2015 letter requesting expedited consultation under Section 106 of the National Historic Preservation Act (NHPA) for the proposed Hale Mahaolu Ewalu Senior Residential Housing Project. Your submittal and enclosures provide a brief description of the proposed project; a map depicting the footprint of the proposed project, which could be considered the Area of Potential Effect (APE); and a brief summary of efforts to identify historic properties within the proposed project area.

The proposed project consists of developing former agricultural lands into a sixty-one unit, two to three-story apartment building with an associated senior center, adult day care center, parking stalls, loading zones, and landscaping throughout the four-acre parcel. The property is located within the State Urban District, designated as 'P, Public/Quasi Public' District. The Maui County Council, by Resolution No. 04-166, approved the project as a Section 201G-118, Hawai'i Revised Statutes (HRS) project on December 3, 2014.

Pursuant to Chapter 343, HRS, a Finding of No Significant Impact for the Final Environmental Assessment (EA) was published in the Office of Environmental Quality Control's Environmental Notice on July 23, 2014. The project site is part of the Kulamalu Commercial Subdivision.

Ms. Colleen Suyama

December 1, 2015

Page 2

In 1996, an Archaeological Reconnaissance Survey and an Archaeological Inventory Survey were conducted. No cultural or historic properties were identified during the survey efforts. However, during archaeological monitoring of the subject parcel for construction of the subdivision, inadvertent burials were identified on Parcel 19. According to your submittal, the burials were presumed to be of Chinese origin.

A burial preservation plan was prepared and approved by the State Historic Preservation Division. According to your submittal the burials are being preserved and a Memorandum of Preservation Plan has been recorded in the State of Hawai'i Bureau of Conveyances. We appreciate the intent to preserve the integrity of the burials by recording the preservation site with the Bureau of Conveyances, which will ensure the preservation of this site in perpetuity.

OHA appreciates the outreach to our agency for consultation under Section 106 of the NHPA, however, Munekiyo Hiraga did not present the nexus to the NHPA in their submission. Successful Section 106 consultation for the NHPA is ordinarily completed at the early planning stages of a proposed project and the nexus for Section 106 is generally explained in relation to federal funding, land, approval, or agency support. As the proposed project has already completed Chapter 343 and finalized the EA for the project, Section 106 consultation should have been conducted prior to or at least concurrently with the state environmental review process. OHA has no comments or input at this time, however an explanation as to the nexus to the NHPA should be provided.

Mahalo for the opportunity to consult on your proposed project. Should you have any questions, please contact Lauren Morawski (808-594-1997 or laurenm@oha.org) of our Kia'i Kānāwai (Compliance Enforcement) division.

'O wau iho nō me ka 'oia 'i 'o,



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

KC:lm

CC: Susan Lebo, SHPD Branch Chief Archaeology (*via email*)



## MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo  
PRESIDENT

Karlynn K. Fukuda  
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy  
VICE PRESIDENT

Tessa Munekiyo Ng  
VICE PRESIDENT

December 18, 2015

Kamana'opono M. Crabbe, Ph.D.  
Ka Pouhana, Chief Executive Officer  
Office of Hawaiian Affairs  
State of Hawai'i  
560 N. Nimitz Highway, Suite 200  
Honolulu, Hawai'i 96817

**SUBJECT:** National Historic Preservation Act Section 106 Consultation for the Proposed Hale Mahaolu Ewalu Senior Residential Housing Project at Tax Map Key (2)2-3-066:019 and 020, Pukalani, Maui, Hawai'i (HRD15-6719C)

---

Dear Mr. Crabbe:

In response to your letter of December 1, 2015 requesting clarification for the nexus to the National Historic Preservation Act (NHPA) for the subject project, please note that during the Chapter 343, Hawai'i Revised Statutes (HRS), review process, Hale Mahaolu did not anticipate that they would be applying for Federal funding from the Department of Housing and Urban Development (HUD). At the time of the Chapter 343, HRS process, the outlook for Federal funding from HUD was limited and it was determined at that time that funds would not be available for the project. Hale Mahaolu pursued other sources of funding. Since then, the outlook for HUD funding has improved and now Hale Mahaolu is seeking HUD funding in the form of tax credits.

Prior to submitting an application to HUD through the County of Maui, Department of Housing and Human Concerns, a HUD Environmental Assessment (EA) is required. NHPA consultation is required as part of the HUD EA and has been initiated. We understand that ideally concurrent review with the State EA would have been preferable but as noted above, the decision to seek Federal funding was made later in the process.

Kamana'opono M. Crabbe, Ph.D.  
December 18, 2015  
Page 2

Your letter and this response letter will be included in the HUD EA. If further clarification is required, please contact me at (808) 244-2015.

Very truly yours,



Colleen Suyama  
Senior Associate

CS:lh

cc: Roy Katsuda, Hale Mahaolu  
Libbey Behn, Hale Mahaolu  
Candis Wilkinson, Hale Mahaolu  
Carol Reimann, Department of Housing & Human Concerns  
Buddy Almeida, Department of Housing & Human Concerns

K:\DATA\HaleMahaolu\Ewalu Aff Sr Housing\Section 106 OHA response letter.docx

# **EXHIBIT D.**

## **Botanical and Fauna Surveys**

BOTANICAL AND FAUNA SURVEYS  
HALE MAHA'OLU 'EWALU  
SENIOR RESIDENTIAL HOUSING PROJECT  
'A'APUEO, KULA, MAUI

by

ROBERT W. HOB DY  
ENVIRONMENTAL CONSULTANT  
Kokomo, Maui  
July 2013

Prepared for:  
Munekiyo & Hiraga, Inc.

BOTANICAL AND FAUNA SURVEY  
HALE MAHA'OLU 'EWALU SENIOR RESIDENTIAL HOUSING PROJECT

INTRODUCTION

The Hale Maha'olu 'Ewalu Senior Residential Housing Project is located on 3.936 acres of undeveloped land (TMKs (2) 2-3-66:019, 020) in A'apueo, Pukalani, Maui. On its north side is 'Ohi'a Ku Street, on its west side is Ohi'a Lehua Street, on its south side is Kaluapulani Gulch and on its east side is a parking lot. This biological resources study was initiated by the owners in fulfillment of environmental requirements of the planning process.

SITE DESCRIPTION

The project area was cleared and leveled during a previous subdivision project and is presently vegetated with a wide variety of grasses, agricultural weeds and a few scattered trees. The soil which has been altered by the clearing work consists of Keahua Cobbly Silty Clay, 7-15 % slopes (KnhC) with slow to medium runoff and slight to moderate erosion hazard (Foote et al, 1972). Elevations range from 1,760 feet up to 1,820 feet above sea level. Rainfall averages about 30 inches per year with winter maximums (Armstrong, 1983).

BIOLOGICAL HISTORY

This area was once a dry native shrubland dominated by such species as 'a'ali'i (*Dodonaea viscosa*), 'akia (*Wikstroemia oahuensis*), wiliwili (*Erythrina sandwicensis*), pili grass (*Heteropogon contortus*) and kalamalō (*Eragrostis atropioides*).

Over the past 150 years the area has alternated between cattle grazing and pineapple production and back to grazing. The land has been plowed and farmed as well as heavily grazed during this period. Today the land stands idle and is growing in with dense grass and shrubs and has an itinerant herd of deer. This has resulted in the loss of native plant species and their replacement with hardy non-native species that now dominate the site.

SURVEY OBJECTIVES

This report summarizes the findings of a flora and fauna survey of the proposed Hale Maha'olu 'Ewalu Kulamalu Project which was conducted in July 2013.

The objectives of the survey were to:

1. Document what plant and animal species occur on the property or may likely occur in the existing habitat.
2. Document the status and abundance of each species.
3. Determine the presence or likely occurrence of any native flora and fauna, particularly any that are Federally listed as Threatened or Endangered. If such occur, identify what features of the habitat may be essential for these species.
4. Determine if the project area contains any special habitats which if lost or altered might result in a significant negative impact on the flora and fauna in this part of the island.

## BOTANICAL SURVEY REPORT

### SURVEY METHODS

A walk-through botanical survey method was used following a route to ensure complete coverage of the area. Areas most likely to harbor native or rare plants such as the edge of the gulch or rocky outcroppings were more intensively examined. Notes were made on plant species, distribution and abundance as well as terrain and substrate.

### DESCRIPTION OF THE VEGETATION

The project area is vegetated for the most part with low statured sub-shrubs and grasses of great diversity. Most common are: Rhodes grass (*Chloris gayana*), Guinea grass (*Megathyrsus maximus*), Natal redtop (*Melinis repens*), keeled goosefoot (*Chenopodium carinatum*), fireweed (*Senecio madagascariensis*), tumble mustard (*Sisymbrium altissimum*), hedge mustard (*Sisymbrium officinale*), glycine (*Neonotonia wightii*) and lesser snapdragon (*Misopates orontium*). Somewhat less common were: (*Amaranthus hybridus*) no common name, yellow star thistle (*Centaurea melitensis*), cocklebur (*Xanthium strumarium*), cheeseweed (*Malva parviflora*) and silk oak (*Grevillea robusta*).

A total of 70 plant species were recorded on the property during the survey. Of these only three species were native, the widespread and common koali awahia (*Ipomoea indica*), 'ilima (*Sida fallax*) and 'uhaloa (*Waltheria indica*), which are all indigenous in Hawaii as well as in other countries. The remaining 67 species are all non-native introductions that are of no particular environmental interest or concern.

### DISCUSSION AND RECOMMENDATIONS

The vegetation throughout the project area is comprised mainly of non-native species with just three common native species koali awahia (*Ipomoea indica*), 'ilima (*Sida fallax*) and 'uhaloa (*Waltheria indica*) scattered about. No Federally listed Threatened or Endangered species (USFWS, 1999) were found on the property nor were any found that are candidates for such status. No special habitats were found on the property either. Nothing remotely resembling a wetland occurs on this well drained upland site. None of the defining wetland characteristics of vegetation, soils or hydrology occur on this property.

Because of the above existing conditions there is little of botanical concern with regard to this property and the proposed project is not expected to have a significant negative impact on the botanical resources in this part of Maui.

## PLANT SPECIES LIST

Following is a checklist of all those vascular plant species inventoried during the field studies. Plant families are arranged alphabetically within two groups: Monocots and Dicots. Taxonomy and nomenclature of the plants are in accordance with Wagner et al. (1999).

For each species, the following information is provided:

1. Scientific name with author citation
2. Common English or Hawaiian name.
3. Bio-geographical status. The following symbols are used:

endemic = native only to the Hawaiian Islands; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

Polynesian = those plants brought to the islands by the Polynesians in the course of their migrations.

non-native = all those plants brought to the islands intentionally or accidentally after western contact.

4. Abundance of each species within the project area:

abundant = forming a major part of the vegetation within the project area.

common = widely scattered throughout the area or locally abundant within a portion of it.

uncommon = scattered sparsely throughout the area or occurring in a few small patches.

rare = only a few isolated individuals within the project area.

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
<b>MONOCOTS</b>			
POACEAE (Grass Family)			
<i>Cenchrus ciliaris</i> L.	buffelgrass	non-native	uncommon
<i>Chloris barbata</i> (L.) Sw.	swollen fingergrass	non-native	uncommon
<i>Chloris gayana</i> Kunth	Rhodes grass	non-native	common
<i>Chloris virgata</i> Sw.	feather fingergrass	non-native	rare
<i>Cynodon dactylon</i> (L.) Pers.	Bermuda grass	non-native	uncommon
<i>Eragrostis amabilis</i> (L.) Wight & Arnott	Japanese lovegrass	non-native	rare
<i>Eragrostis pectinacea</i> (Michx.) Nees	Carolina lovegrass	non-native	uncommon
<i>Megathyrsus maximus</i> (Jacq.) Simon & Jacobs	Guinea grass	non-native	common
<i>Melinis repens</i> (Willd.) Zizka	Natal redtop	non-native	common
<i>Paspalum macrophyllum</i> Kunth	bigleaf paspalum	non-native	rare
<b>DICOTS</b>			
AMARANTHACEAE (Amaranth Family)			
<i>Amaranthus hybridus</i> L.	spiny amaranth	non-native	rare
<i>Chenopodium carinatum</i> R. Br.	keeled goosefoot	non-native	common
<i>Salsola tragus</i> L.	Russian thistle	non-native	rare
ANACARDIACEAE (Mango Family)			
<i>Schinus terebinthifolius</i> Raddi	Christmas berry	non-native	rare
APOCYNACEAE (Dogbane Family)			
<i>Asclepias physocarpa</i> (E.Meyen) Schlecter	balloon plant	non-native	rare
ASTERACEAE (Sunflower Family)			
<i>Bidens pilosa</i> L.	Spanish needle	non-native	uncommon
<i>Centaurea melitensis</i> L.	yellow star thistle	non-native	uncommon
<i>Cirsium vulgare</i> (Savi) Ten.	bull thistle	non-native	rare
<i>Conyza bonariensis</i> (L.) Cronq.	hairy horseweed	non-native	rare
<i>Emilia fosbergii</i> Nicolson	red pualele	non-native	uncommon
<i>Heterotheca grandiflora</i> Nutt.	telegraph weed	non-native	rare
<i>Lactuca sativa</i> L.	prickly lettuce	non-native	rare
<i>Pluchea carolinensis</i> (Jacq.) G.Don	sourbush	non-native	rare
<i>Senecio madagascariensis</i> Poir.	fire weed	non-native	common
<i>Sonchus oleraceus</i> L.	pualele	non-native	uncommon
<i>Tridax procumbens</i> L.	coat buttons	non-native	rare
<i>Verbesina encelioides</i> (Cav.) Benth. & Hook.	golden crown-beard	non-native	uncommon
<i>Xanthium strumarium</i> L.	cocklebur	non-native	uncommon
<i>Zinnia peruviana</i> (L.) L.	zinnia	non-native	rare
BRASSICACEAE (Mustard Family)			
<i>Lepidium africanum</i> (Burm.f.) DC.	African pepperwort	non-native	uncommon
<i>Lepidium virginicum</i> L.	pepperwort	non-native	uncommon
<i>Sisymbrium altissimum</i> L.	tumble mustard	non-native	common
<i>Sisymbrium officinale</i> (L.) Scop.	hedge mustard	non-native	common
CACTACEAE (Cactus Family)			
<i>Opuntia ficus-indica</i> (L.) Mill.	panini	non-native	rare

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
CARYOPHYLLACEAE (Pink Family)			
<i>Polycarpon tetraphyllum</i> (L.) L.	four-leaved allseed	non-native	rare
CONVOLVULACEAE (Morning Glory Family)			
<i>Ipomoea indica</i> (J.Burm.) Merr.	koali awahia	indigenous	rare
EUPHORBIACEAE (Spurge Family)			
<i>Euphorbia hirta</i> L.	hairy spurge	non-native	rare
<i>Euphorbia prostrata</i> Aiton	prostrate spurge	non-native	rare
FABACEAE (Pea Family)			
<i>Acacia farnesiana</i> (L.) Willd.	klu	non-native	uncommon
<i>Acacia mearnsii</i> De Willd.	black wattle	non-native	rare
<i>Chamaecrista nictitans</i> (L.) Moench	partridge pea	non-native	uncommon
<i>Crotalaria incana</i> L.	fuzzy rattlepod	non-native	uncommon
<i>Crotalaria pallida</i> Aiton	smooth rattlepod	non-native	rare
<i>Desmodium intortum</i> (Mill.) Urb.	Spanish clover	non-native	uncommon
<i>Desmodium sandwicense</i> E. Meyen	beggarweed	non-native	rare
<i>Indigofera hendecaphylla</i> Jacq.	creeping indigo	non-native	rare
<i>Indigofera suffruticosa</i> Mill.	inikō	non-native	uncommon
<i>Leucaena leucocephala</i> (Lam.) de Wit	koa haole	non-native	rare
<i>Macroptilium atropurpureum</i> (DC.) Urb.	siratro	non-native	uncommon
<i>Macroptilium lathyroides</i> (L.) Urb.	wild bean	non-native	uncommon
<i>Medicago lupulina</i> L.	black medick	non-native	uncommon
<i>Melilotus indica</i> (L.) All.	yellow sweet clover	non-native	uncommon
<i>Neonotonia wightii</i> (Wight & Arnott) Lackey	glycine	non-native	common
<i>Trifolium arvense</i> L.	rabbit's foot clover	non-native	rare
LAMIACEAE (Mint Family)			
<i>Leonotis nepetifolia</i> (L.) R. Br.	lion's ear	non-native	uncommon
<i>Stachys arvensis</i> L.	staggerweed	non-native	rare
MALVACEAE (Mallow Family)			
<i>Abutilon grandifolium</i> (Willd.) Sweet	hairy abutilon	non-native	uncommon
<i>Malva parviflora</i> L.	cheese weed	non-native	uncommon
<i>Sida fallax</i> Walp.	'ilima	indigenous	rare
<i>Sida rhombifolia</i> L.	Cuban jute	non-native	rare
<i>Triumfetta semitriloba</i> Jacq.	Sacramento bur	non-native	rare
<i>Waltheria indica</i> L.	'uhaloa	indigenous	rare
PLANTAGINACEAE (Plantain Family)			
<i>Misopates orontium</i> (L.) Raf.	lesser snapdragon	non-native	common
<i>Plantago lanceolata</i> L.	narrow-leaved plantain	non-native	uncommon
PROTEACEAE (Protea Family)			
<i>Grevillea robusta</i> A. Cunn. ex R. Br.	silk oak	non-native	uncommon
SOLANACEAE (Nightshade Family)			
<i>Nicandra physalodes</i> (L.) Gaertner	apple-of-Peru	non-native	uncommon
<i>Solanum linnaeanum</i> Hepper & P. Jaeger	apple of Sodom	non-native	rare

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
VERBENACEAE (Verbena Family)			
<i>Lantana camara</i> L.	lantana	non-native	rare
<i>Verbena litoralis</i> Kunth	ha'u ōwī	non-native	rare

## FAUNA SURVEY REPORT

### SURVEY METHODS

A walk-through fauna survey method was conducted in conjunction with the botanical survey. All parts of the project area were covered. Field observations were made with the aid of binoculars and by listening to vocalizations. Notes were made on species, abundance, activities and location as well as observations of trails, tracks, scat and signs of feeding. In addition an evening visit was made to the area to record crepuscular activities and vocalizations and to see if there was any evidence of occurrence of the Hawaiian hoary bat (*Lasiurus cinereus semotus*) in the area.

### RESULTS

#### MAMMALS

Only sign of two species of mammals was seen during three site visits on the property. Taxonomy and nomenclature follow Tomich (1986).

Axis deer (*Axis axis*) - There was abundant recent sign of axis deer throughout the property. Trails were crisscrossing the grass areas and brush lands. Tracks and droppings were everywhere. The grass was cropped low and antler rubbings were visible on saplings. Although none were seen, it is obvious that a substantial herd uses this area regularly. These deer usually bed down in protected locations during the day and become active in the evening when they move about and feed under cover of darkness.

Domestic dog (*Canis familiaris*) – Tracks and droppings were seen along the edges of the property where owners bring them for exercise.

While not seen during the survey rats (*Rattus* spp.) and mice (*Mus domesticus*) feed on seeds, fruits and herbaceous vegetation while mongoose (*Herpestes auropunctatus*) and cats (*Felis catus*) would hunt for these rodents

A special effort was made to look for any occurrence of the native Hawaiian hoary bat by making an evening survey on the property. When present in an area these bats can be easily identified as they forage for insects, their distinctive flight patterns clearly visible in the glow of twilight. No evidence of such activity was observed though visibility was excellent. In addition a bat detecting device (Batbox IIID) was utilized, set to the frequency of 27,000 Hertz that these bats are known to use for echolocation. No bats were detected using this device.

## BIRDS

Birdlife was somewhat sparse on this suburban property. Seven species of non-native birds were seen during three site visits. All of these were common species that are widespread in Hawaii. Most common were: house finch (*Carpodacus mexicanus*), common myna (*Acridotheres tristis*) and zebra dove (*Geopelia striata*). Taxonomy and nomenclature follow American Ornithologists' Union (2011). Other non-native species may occur on the property from time to time such as cattle egret (*Bubulcus ibis*), house sparrow (*Passer domesticus*) and Japanese white-eye (*Zosterops japonicus*). The habitat, however, is not suitable for Hawaii's native forest birds because of the presence of mosquitoes and the avian diseases they carry and transmit as well as a number of serious predators.

## INSECTS

A modest diversity of non-native insect species were recorded on the property during three site visits. Taxonomy and nomenclature follow Nishida et al (1992). Most common were the cabbage butterfly (*Pieris rapae*), the long tail blue butterfly (*Lampides boeticus*) and the monarch butterfly (*Danaus plexippus*).

One native Sphingid moth, Blackburn's sphinx moth (*Manduca blackburni*) has been put on the Federal Endangered species list and this designation requires special focus (USFWS 2000). Blackburn's sphinx moth is known to occur in parts of East Maui and Central Maui but its feeding requirements are very specialized. It requires host plants in the nightshade family that are toxic such as native species of 'aiea (*Nothocestrum spp.*) and such non-native alternative hosts as tobacco (*Nicotiana tabacum*) and tree tobacco (*Nicotiana glauca*). None of these plants were found on the property, and no Blackburn's sphinx moth or their larvae were seen.

## CONCLUSIONS AND RECOMMENDATIONS

All of the fauna observed are common and widespread non-native species. None of these are of any particular environmental interest or concern. No Federally listed Threatened or Endangered mammal, bird or insect species were recorded during the course of the survey and no special fauna habitats were identified. As a result of the above findings, the proposed changes in land use are not expected to have a significant negative impact on the fauna resources in this part of Maui.

No special recommendations are deemed necessary or appropriate with regard to the fauna resources on this property.

## ANIMAL SPECIES LIST

Following is a checklist of the animal species inventoried during the field work. Animal species are arranged in descending abundance within three groups: Mammals, Birds and Insects. For each species the following information is provided:

1. Common name
2. Scientific name
3. Bio-geographical status. The following symbols are used:

endemic = native only to Hawaii; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

non-native = all those animals brought to Hawaii intentionally or accidentally after western contact.

migratory = spending a portion of the year in Hawaii and a portion elsewhere. In Hawaii the migratory birds are usually in the overwintering/non-breeding phase of their life cycle.

4. Abundance of each species within the project area:

abundant = many flocks or individuals seen throughout the area at all times of day.

common = a few flocks or well scattered individuals throughout the area.

uncommon = only one flock or several individuals seen within the project area.

rare = only one or two seen within the project area.

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
<b>MAMMALS</b>			
<i>Axis axis</i> Erxleben	axis deer	non-native	uncommon
<i>Canis familiaris</i> L.	domestic dog	non-native	rare
<b>BIRDS</b>			
<i>Carpodacus mexicanus</i> Muller	house finch	non-native	common
<i>Acridotheres tristis</i> L.	common myna	non-native	common
<i>Geopelia striata</i> L.	zebra dove	non-native	common
<i>Francolinus pondicerianus</i> Gmelin	gray francolin	non-native	uncommon
<i>Streptopelia chinensis</i> Scopoli	spotted dove	non-native	uncommon
<i>Lonchura punctulata</i> L.	nutmeg mannikin	non-native	uncommon
<i>Cardinalis cardinalis</i> L.	northern cardinal	non-native	rare

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
<b>INSECTS</b>			
Order DIPTERA - flies			
CALLIPHORIDAE (Blow Fly Family)			
<i>Calliphora vomitoria</i> L.	blow fly	non-native	uncommon
MUSCIDAE (Housefly Family)			
<i>Musca sorbens</i> Wiedemann	dung fly	non-native	uncommon
TACHINIDAE (Tachinid Fly Family)			
<i>Lespesia archippivora</i> Riley	caterpillar parasitic fly	non-native	uncommon
Order HYMENOPTERA - bees, wasps & ants			
APIDAE (Honey Bee Family)			
<i>Apis mellifera</i> L.	honey bee	non-native	uncommon
<i>Xylocopa sonorina</i> Smith	Sonoran carpenter bee	non-native	uncommon
VESPIDAE (Vespid Wasp Family)			
<i>Pachodynerus nasidens</i> Latreille	keyhole wasp	non-native	rare
Order LEPIDOPTERA - butterflies & moths			
LYCAENIDAE (Gossamer-winged Butterfly Family)			
<i>Lampides boeticus</i> L.	Long-tail blue butterfly	non-native	common
NYMPHALIDAE (Brush-footed Butterfly Family)			
<i>Danaus plexippus</i> L.	monarch butterfly	non-native	common
<i>Vanessa cardui</i> L.	painted lady	non-native	rare
PIERIDAE (White and Sulphur Butterfly Family)			
<i>Pieris rapae</i> L.	cabbage butterfly	non-native	abundant



Figure 1. View across project area from 'Ohi'a Kū Street.



Figure 2. View northwest across the lower project area along 'Ohi'a Kū Street.



Figure 3. View across upper portion of project area.  
Trees in distance lie along Kaluapulani Gulch.



Figure 4. View southwest across the upper corner of the project area  
and the adjacent parking lot.

### Literature Cited

- American Ornithologists' Union 2011. Check-list of North American Birds. 7<sup>th</sup> edition. American Ornithologists' Union. Washington D.C.
- Armstrong, R. W. (ed.) 1983. Atlas of Hawaii. (2<sup>nd</sup>. ed.). University of Hawaii Press.
- Foote, D.E. , E.L. Hill, S. Nakamura, and F. Stephens. 1972. Soil survey of the islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii. U.S. Dept. of Agriculture, Soil Conservation Service. Washington, D.C.
- Nishida, G.N., G.A. Samuelson, J.S. Strazanac, K.S. Kami. 1992, Hawaiian Terrestrial Arthropod Checklist. Hawaii Biological Survey.
- Tomich, P.Q. 1986. Mammals in Hawaii. Bishop Museum Press, Honolulu.
- U.S. Fish and Wildlife Service. 1999. Endangered and Threatened Wildlife and Plants. Listings and Occurrences for Hawaii. [www.fws.gov/endangered](http://www.fws.gov/endangered)
- U.S. Fish and Wildlife Service. 2000. Endangered and threatened wildlife and plants: determination of endangered status for Blackburn's sphinx moth from Hawaii. Federal Register 65(21): 4770-4779.
- Wagner, W. L., D.R. Herbst, and S. H. Sohmer. 1999. Manual of the flowering plants of Hawai'i. Univ. of Hawai'i Press and Bishop Museum Press. Honolulu.

# **EXHIBIT E.**

## **Assessment of Coastal Zone Management Objectives and Policies**

**(Excerpt from Chapter 343, HRS  
Final EA)**

## COASTAL ZONE MANAGEMENT OBJECTIVES AND POLICIES

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

### **1. Recreational Resources**

#### **Objective:**

*Provide coastal recreational opportunities accessible to the public.*

#### **Policies:**

- a. *Improve coordination and funding of coastal recreational planning and management; and*
- b. *Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
  - i. *Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
  - ii. *Requiring replacement of coastal resources having significant recreational value, including but not limited to, surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*
  - iii. *Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*
  - iv. *Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;*
  - v. *Ensuring public recreational use of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;*

- vi. *Adopting water quality standards and regulating point and non-point sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;*
- vii. *Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and*
- viii. *Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of Section 46-6.*

**Response:** The project area does not abut the shoreline, but is located inland on the slopes of Haleakala and away from shoreline resources. The proposed actions will, therefore, not affect coastal recreational opportunities.

## 2. **Historic Resources**

### **Objective:**

*Protect, preserve and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.*

### **Policies:**

- a. *Identify and analyze significant archeological resources;*
- b. *Maximize information retention through preservation of remains and artifacts or salvage operations; and*
- c. *Support state goals for protection, restoration, interpretation, and display of historic resources.*

**Response:** As stated previously, previous archaeological surveys of the project area were carried out. Other than the existing human burials and non-burial features consisting of a fire pit and former irrigation ditch, no historic or cultural features were found on the project site. The human burials will remain in-situ on the project site in accordance with the Burial Preservation Plan prepared for the project site. Refer to **Appendix "B"**. The Burial Preservation Plan will be implemented to protect the existing human burials presumed to be of Chinese origin and non-burial features located on the project site. The human burials will be kept undisturbed on the project site with a 30-foot exterior buffer area. The nearest building will be 12 feet from the exterior buffer area.

During construction, an archaeological monitoring plan will be implemented during ground altering activities. Refer to **Appendix “B-2”**.

### **3. Scenic and Open Space Resources**

#### **Objective:**

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

#### **Policies:**

- a. Identify valued scenic resources in the coastal zone management area;*
- b. Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;*
- c. Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and*
- d. Encourage those developments which are not coastal dependent to locate in inland areas.*

**Response:** Due to the distance from Kula Highway, existing landscaping (i.e., trees) and sloping topography, the proposed improvements will not have a significant adverse impact upon scenic or open space resources.

### **4. Coastal Ecosystems**

#### **Objective:**

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

#### **Policies:**

- a. Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;*
- b. Improve the technical basis for natural resource management;*
- c. Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;*

- d. *Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and*
- e. *Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.*

**Response:** The proposed project is not anticipated to result in any adverse impacts to coastal ecosystems as the project area is located over 10 miles away from the ocean. Applicable Best Management Practices (BMPs) and erosion-control measures will be implemented to mitigate runoff during construction-related activities.

## 5. **Economic Uses**

### **Objective:**

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

### **Policies:**

- a. *Concentrate coastal dependent development in appropriate areas;*
- b. *Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and*
- c. *Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:*
  - i. *Use of presently designated locations is not feasible;*
  - ii. *Adverse environmental effects are minimized; and*
  - iii. *The development is important to the State's economy.*

**Response:** The proposed improvements are in keeping with the urban uses in the area and will not result in adverse economic impacts.

## 6. Coastal Hazards

### Objective:

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

### Policies:

- a. *Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;*
- b. *Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;*
- c. *Ensure that developments comply with requirements of the Federal Flood Insurance Program; and*
- d. *Prevent coastal flooding from inland projects.*

**Response:** The project site is located in an area with no special flood hazard considerations. Appropriate BMPs will be implemented during construction to ensure downstream and adjacent properties will not be adversely impacted.

## 7. Managing Development

### Objective:

*Improve the development review process, communication, and public participation in the management of coastal resources and hazards.*

### Policies:

- a. *Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;*
- b. *Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and*
- c. *Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.*

**Response:** In compliance with the requirements of Chapter 343, Hawaii Revised Statutes (HRS), this Environmental Assessment (EA) has been prepared to facilitate public understanding and involvement in project development. All aspects of the development

will be conducted in accordance with applicable Federal, State and County standards. Compliance with applicable regulatory requirements, including Section 201H-38, HRS, advances the objective and policies for managing development.

**8. Public Protection**

**Objective:**

*Stimulate public awareness, education, and participation in coastal management.*

**Policies:**

- a. *Promote public involvement in coastal zone management processes;*
- b. *Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and*
- c. *Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.*

**Response:** Opportunities for public awareness and participation for the project are facilitated through the notification, review and comment processes of the EA requirements of Chapter 343, HRS and the Section 201H-38, HRS application. The proposed project is not contrary to the objectives of public awareness, education, and participation.

**9. Beach Protection**

**Objective:**

*Protect beaches for public use and recreation.*

**Policies:**

- a. *Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;*
- b. *Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and*

- c. *Minimize the construction of public erosion-protection structures seaward of the shoreline.*

**Response:** The proposed project is not located in proximity to shoreline areas, nor is it anticipated to impact shoreline activities or beach processes.

## 10. **Marine Resources**

### **Objective:**

*Promote the protection, use, and development of marine and coastal resources to assure their sustainability.*

### **Policies:**

- a. *Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;*
- b. *Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;*
- c. *Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;*
- d. *Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and*
- e. *Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.*

**Response:** The proposed project is not anticipated to impact marine or coastal resources as the project site is located over 10 miles away from the ocean.

In addition to the foregoing objectives and policies, HRS Section 205A-30.5 Prohibitions, provides specifications for the limitation of lighting in coastal shoreline areas in relation to the granting of SMA permits:

*No special management area use permit or special management area minor permit shall be granted for structures that allow artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes when the light:*

- (1) *Directly illuminates the shoreline and ocean waters; or*

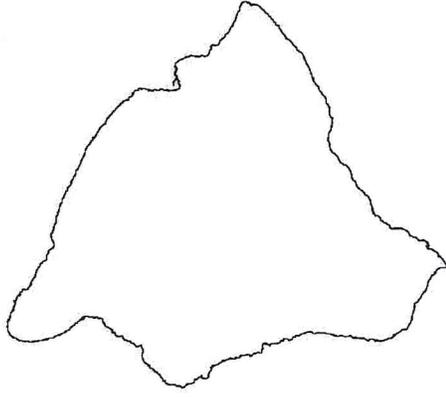
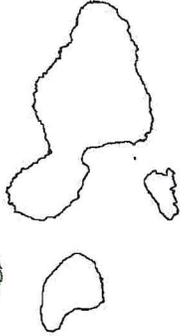
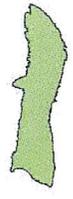
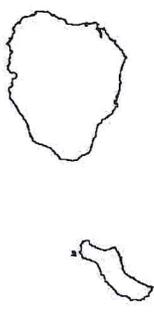
- (2) *Is directed to travel across property boundaries toward the shoreline and ocean waters.*
  - (b) *Subsection (a) shall not apply to special management area use permits for structures with:*
- (3) *Artificial lighting provided by a government agency or its authorized users for government operations, security, public safety, or navigational needs; provided that a government agency or its authorized users shall make reasonable efforts to properly position or shield lights to minimize adverse impacts.*

**Response:**

Although the proposed project is not located in the SMA, it will incorporate, as appropriate, low level, shielded and downward lighting. All outdoor lighting will comply with the County of Maui's outdoor lighting ordinance. Construction is anticipated to occur during the daylight hours and as such, no lighting during construction is anticipated.

# **EXHIBIT F.**

## **Sole Source Aquifers Map**



**Key**

 Southern Oahu Basal Aquifer

 Molokai Aquifer

Source: Environmental Protection Agency, Sole Source Aquifer Program

# Proposed Hale Mahaolu Ewalu Senior Residential Housing Sole Source Aquifers Map

NOT TO SCALE



Prepared for: Hale Mahaolu



# **EXHIBIT G.**

## **Section 7 Consultation Letter to U.S. Fish and Wildlife Service**



## MUNEKIYO HIRAGA

Planning. Project Management. Sustainable Solutions.

Michael T. Munekiyo  
PRESIDENT

Karlynn K. Fukuda  
EXECUTIVE VICE PRESIDENT

Mark Alexander Roy  
VICE PRESIDENT

Tessa Munekiyo Ng  
VICE PRESIDENT

November 25, 2015

Kristi Young, Acting Field Supervisor  
U.S. Fish and Wildlife Service  
300 Ala Moana Boulevard, Room 3-122  
Honolulu, Hawai'i 96850

SUBJECT: Endangered Species Act, Section 7 Consultation; for the Proposed Hale Mahaolu Ewalu Senior Residential Project at Tax Map Key (2)2-3-066:019 and 020, Pukalani, Maui, Hawai'i

Dear Ms. Young:

Hale Mahaolu is proposing the development of the Hale Mahaolu Ewalu Senior Residential project at the southeast corner of the intersection of Ohia Ku Street and Ohia Lehua Place. See **Exhibit "A"**. The project will consist of 61 units in three (3) two- and three-story buildings, a one-story 4,428 sq. ft. adult day care center, a one-story 7,518 sq. ft. senior center, administrative offices, laundry facilities, a beauty salon and a commercial kitchen, 83 parking stalls, utility connections, and landscaping. See **Exhibit "B"**. The project is located within the existing Kulamalu Subdivision which includes existing commercial, residential, and public/quasi-public uses. Since the project is seeking to obtain project based Section 8 rental subsidies through the County of Maui, our office has been retained by Hale Mahaolu to prepare an Environmental Assessment (EA) document in accordance with the requirements of the U.S. Department of Housing and Urban Development (HUD). The Section 8 rental subsidies program is administered by the County of Maui, Department of Housing and Human Concerns. A component of the HUD EA is to consult with the U.S. Fish & Wildlife Service (USFWS). We are requesting consultation input pursuant to the Endangered Species Act (ESA) of 1973 (50 CFR Part 18) and in accordance with the U.S. Fish and Wildlife Coordination Act of 1934 and Section 7(a)(2) of the ESA.

*Botanical and Flora Surveys* were conducted by Robert W. Hobdy in July 2013. See

Kristi Young, Acting Field Supervisor  
November 25, 2015  
Page 2

**Exhibit "C"**. No Federally listed threatened or endangered mammal, bird or insect species were recorded during the course of the survey and no special fauna habitats were identified. As such, we are requesting concurrence from USFWS of a "no effect" on federally listed threatened or endangered species and their habitats with the implementation of the proposed project.

If there are any questions or if additional information is needed, please do not hesitate to call me at (808) 244-2015.

Very truly yours,



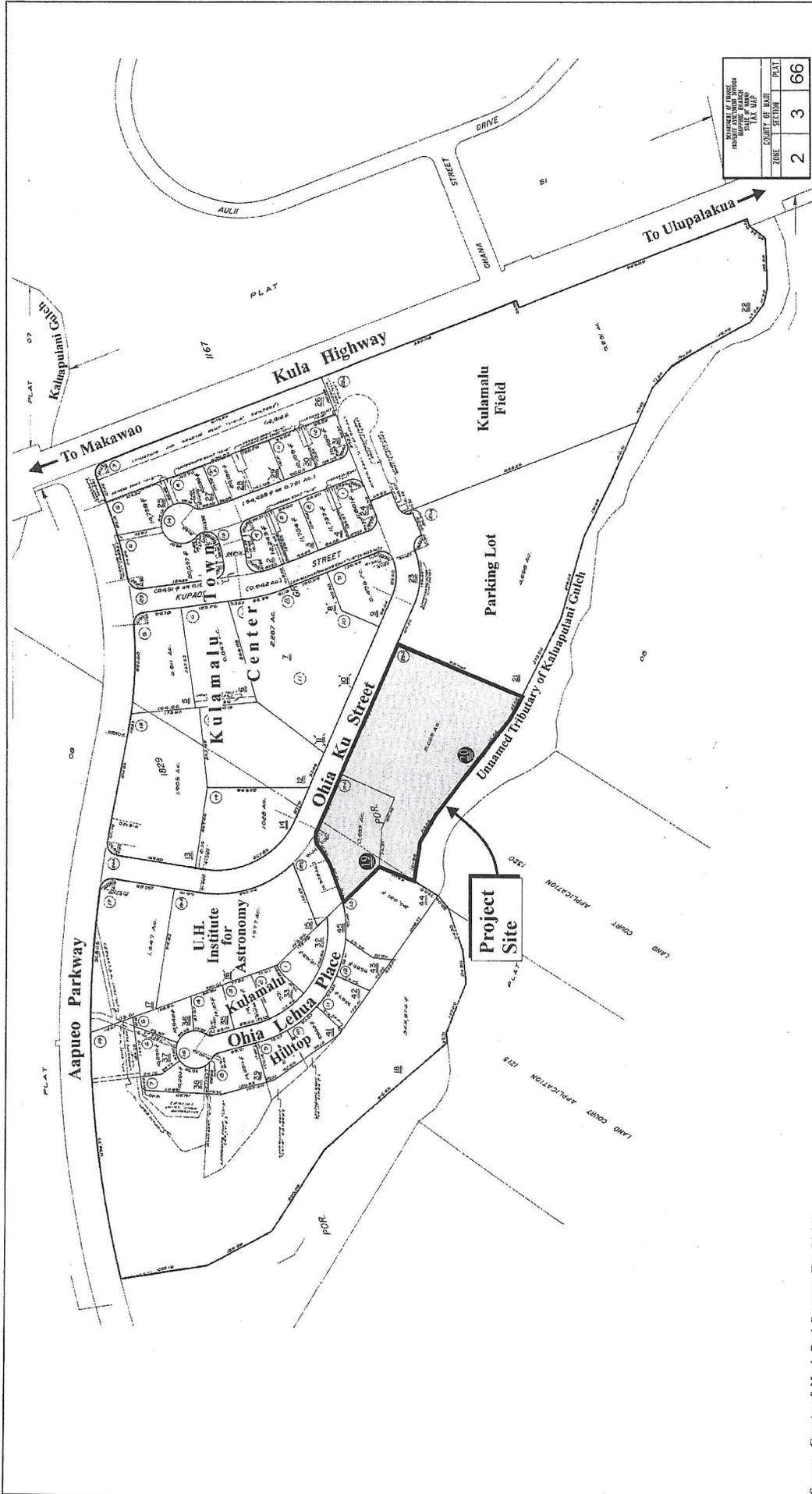
Colleen Suyama, Senior Associate

CS:lh

Enclosures

cc: Roy Katsuda, Hale Mahaolu, Inc. (w/enclosures)  
Libby Behn, Hale Mahaolu, Inc. (w/out enclosures)  
Candis Wilkinson, Hale Mahaolu, Inc. (w/out enclosures)

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Source: County of Maui, Real Property Tax Division

# Exhibit "A"



## Hale Mahaolu Ewalu Senior Residential Housing Project Site Location Map

NOT TO SCALE



MUNEKIYO HIRAGA

Prepared for: Hale Mahaolu



BOTANICAL AND FAUNA SURVEYS  
HALE MAHA'OLU 'EWALU  
SENIOR RESIDENTIAL HOUSING PROJECT  
'A'APUEO, KULA, MAUI

by

ROBERT W. HOB DY  
ENVIRONMENTAL CONSULTANT  
Kokomo, Maui  
July 2013

Prepared for:  
Munekiyo & Hiraga, Inc.

BOTANICAL AND FAUNA SURVEY  
HALE MAHA'OLU 'EWALU SENIOR RESIDENTIAL HOUSING PROJECT

INTRODUCTION

The Hale Maha'olu 'Ewalu Senior Residential Housing Project is located on 3.936 acres of undeveloped land (TMKs (2) 2-3-66:019, 020) in A'apueo, Pukalani, Maui. On its north side is 'Ohi'a Ku Street, on its west side is Ohi'a Lehua Street, on its south side is Kaluapulani Gulch and on its east side is a parking lot. This biological resources study was initiated by the owners in fulfillment of environmental requirements of the planning process.

SITE DESCRIPTION

The project area was cleared and leveled during a previous subdivision project and is presently vegetated with a wide variety of grasses, agricultural weeds and a few scattered trees. The soil which has been altered by the clearing work consists of Keahua Cobbly Silty Clay, 7-15 % slopes (KnhC) with slow to medium runoff and slight to moderate erosion hazard (Foote et al, 1972). Elevations range from 1,760 feet up to 1,820 feet above sea level. Rainfall averages about 30 inches per year with winter maximums (Armstrong, 1983).

BIOLOGICAL HISTORY

This area was once a dry native shrubland dominated by such species as 'a'ali'i (*Dodonaea viscosa*), 'akia (*Wikstroemia oahuensis*), williwili (*Erythrina sandwicensis*), pili grass (*Heteropogon contortus*) and kalamalō (*Eragrostis atropioides*).

Over the past 150 years the area has alternated between cattle grazing and pineapple production and back to grazing. The land has been plowed and farmed as well as heavily grazed during this period. Today the land stands idle and is growing in with dense grass and shrubs and has an itinerant herd of deer. This has resulted in the loss of native plant species and their replacement with hardy non-native species that now dominate the site.

SURVEY OBJECTIVES

This report summarizes the findings of a flora and fauna survey of the proposed Hale Maha'olu 'Ewalu Kulamalu Project which was conducted in July 2013.

The objectives of the survey were to:

1. Document what plant and animal species occur on the property or may likely occur in the existing habitat.
2. Document the status and abundance of each species.
3. Determine the presence or likely occurrence of any native flora and fauna, particularly any that are Federally listed as Threatened or Endangered. If such occur, identify what features of the habitat may be essential for these species.
4. Determine if the project area contains any special habitats which if lost or altered might result in a significant negative impact on the flora and fauna in this part of the island.

## BOTANICAL SURVEY REPORT

### SURVEY METHODS

A walk-through botanical survey method was used following a route to ensure complete coverage of the area. Areas most likely to harbor native or rare plants such as the edge of the gulch or rocky outcroppings were more intensively examined. Notes were made on plant species, distribution and abundance as well as terrain and substrate.

### DESCRIPTION OF THE VEGETATION

The project area is vegetated for the most part with low statured sub-shrubs and grasses of great diversity. Most common are: Rhodes grass (*Chloris gayana*), Guinea grass (*Megathyrsus maximus*), Natal redtop (*Melinis repens*), keeled goosefoot (*Chenopodium carinatum*), fireweed (*Senecio madagascariensis*), tumble mustard (*Sisymbrium altissimum*), hedge mustard (*Sisymbrium officinale*), glycine (*Neonotonia wightii*) and lesser snapdragon (*Misopates orontium*). Somewhat less common were: (*Amaranthus hybridus*) no common name, yellow star thistle (*Centaurea melitensis*), cocklebur (*Xanthium strumarium*), cheeseweed (*Malva parviflora*) and silk oak (*Grevillea robusta*).

A total of 70 plant species were recorded on the property during the survey. Of these only three species were native, the widespread and common koali awahia (*Ipomoea indica*), 'ilima (*Sida fallax*) and 'uhaloa (*Waltheria indica*), which are all indigenous in Hawaii as well as in other countries. The remaining 67 species are all non-native introductions that are of no particular environmental interest or concern.

### DISCUSSION AND RECOMMENDATIONS

The vegetation throughout the project area is comprised mainly of non-native species with just three common native species koali awahia (*Ipomoea indica*), 'ilima (*Sida fallax*) and 'uhaloa (*Waltheria indica*) scattered about. No Federally listed Threatened or Endangered species (USFWS, 1999) were found on the property nor were any found that are candidates for such status. No special habitats were found on the property either. Nothing remotely resembling a wetland occurs on this well drained upland site. None of the defining wetland characteristics of vegetation, soils or hydrology occur on this property.

Because of the above existing conditions there is little of botanical concern with regard to this property and the proposed project is not expected to have a significant negative impact on the botanical resources in this part of Maui.

## PLANT SPECIES LIST

Following is a checklist of all those vascular plant species inventoried during the field studies. Plant families are arranged alphabetically within two groups: Monocots and Dicots. Taxonomy and nomenclature of the plants are in accordance with Wagner et al. (1999).

For each species, the following information is provided:

1. Scientific name with author citation
2. Common English or Hawaiian name.
3. Bio-geographical status. The following symbols are used:

endemic = native only to the Hawaiian Islands; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

Polynesian = those plants brought to the islands by the Polynesians in the course of their migrations.

non-native = all those plants brought to the islands intentionally or accidentally after western contact.

4. Abundance of each species within the project area:

abundant = forming a major part of the vegetation within the project area.

common = widely scattered throughout the area or locally abundant within a portion of it.

uncommon = scattered sparsely throughout the area or occurring in a few small patches.

rare = only a few isolated individuals within the project area.

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
<b>MONOCOTS</b>			
POACEAE (Grass Family)			
<i>Cenchrus ciliaris</i> L.	buffelgrass	non-native	uncommon
<i>Chloris barbata</i> (L.) Sw.	swollen fingergrass	non-native	uncommon
<i>Chloris gayana</i> Kunth	Rhodes grass	non-native	common
<i>Chloris virgata</i> Sw.	feather fingergrass	non-native	rare
<i>Cynodon dactylon</i> (L.) Pers.	Bermuda grass	non-native	uncommon
<i>Eragrostis amabilis</i> (L.) Wight & Arnott	Japanese lovegrass	non-native	rare
<i>Eragrostis pectinacea</i> (Michx.) Nees	Carolina lovegrass	non-native	uncommon
<i>Megathyrsus maximus</i> (Jacq.) Simon & Jacobs	Guinea grass	non-native	common
<i>Melinis repens</i> (Willd.) Zizka	Natal redtop	non-native	common
<i>Paspalum macrophyllum</i> Kunth	bigleaf paspalum	non-native	rare
<b>DICOTS</b>			
AMARANTHACEAE (Amaranth Family)			
<i>Amaranthus hybridus</i> L.	spiny amaranth	non-native	rare
<i>Chenopodium carinatum</i> R. Br.	keeled goosefoot	non-native	common
<i>Salsola tragus</i> L.	Russian thistle	non-native	rare
ANACARDIACEAE (Mango Family)			
<i>Schinus terebinthifolius</i> Raddi	Christmas berry	non-native	rare
APOCYNACEAE (Dogbane Family)			
<i>Asclepias physocarpa</i> (E.Meyen) Schlecter	balloon plant	non-native	rare
ASTERACEAE (Sunflower Family)			
<i>Bidens pilosa</i> L.	Spanish needle	non-native	uncommon
<i>Centaurea melitensis</i> L.	yellow star thistle	non-native	uncommon
<i>Cirsium vulgare</i> (Savi) Ten.	bull thistle	non-native	rare
<i>Conyza bonariensis</i> (L.) Cronq.	hairy horseweed	non-native	rare
<i>Emilia fosbergii</i> Nicolson	red pualele	non-native	uncommon
<i>Heterotheca grandiflora</i> Nutt.	telegraph weed	non-native	rare
<i>Lactuca sativa</i> L.	prickly lettuce	non-native	rare
<i>Pluchea carolinensis</i> (Jacq.) G.Don	sourbush	non-native	rare
<i>Senecio madagascariensis</i> Poir.	fire weed	non-native	common
<i>Sonchus oleraceus</i> L.	pualele	non-native	uncommon
<i>Tridax procumbens</i> L.	coat buttons	non-native	rare
<i>Verbesina encelioides</i> (Cav.) Benth. & Hook.	golden crown-beard	non-native	uncommon
<i>Xanthium strumarium</i> L.	cocklebur	non-native	uncommon
<i>Zinnia peruviana</i> (L.) L.	zinnia	non-native	rare
BRASSICACEAE (Mustard Family)			
<i>Lepidium africanum</i> (Burm.f.) DC.	African pepperwort	non-native	uncommon
<i>Lepidium virginicum</i> L.	pepperwort	non-native	uncommon
<i>Sisymbrium altissimum</i> L.	tumble mustard	non-native	common
<i>Sisymbrium officinale</i> (L.) Scop.	hedge mustard	non-native	common
CACTACEAE (Cactus Family)			
<i>Opuntia ficus-indica</i> (L.) Mill.	panini	non-native	rare

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
CARYOPHYLLACEAE (Pink Family)			
<i>Polycarpon tetraphyllum</i> (L.) L.	four-leaved allseed	non-native	rare
CONVOLVULACEAE (Morning Glory Family)			
<i>Ipomoea indica</i> (J.Burm.) Merr.	koali awahia	indigenous	rare
EUPHORBIACEAE (Spurge Family)			
<i>Euphorbia hirta</i> L.	hairy spurge	non-native	rare
<i>Euphorbia prostrata</i> Aiton	prostrate spurge	non-native	rare
FABACEAE (Pea Family)			
<i>Acacia farnesiana</i> (L.) Willd.	klu	non-native	uncommon
<i>Acacia mearnsii</i> De Willd.	black wattle	non-native	rare
<i>Chamaecrista nictitans</i> (L.) Moench	partridge pea	non-native	uncommon
<i>Crotalaria incana</i> L.	fuzzy rattlepod	non-native	uncommon
<i>Crotalaria pallida</i> Aiton	smooth rattlepod	non-native	rare
<i>Desmodium intortum</i> (Mill.) Urb.	Spanish clover	non-native	uncommon
<i>Desmodium sandwicense</i> E. Meyen	beggarweed	non-native	rare
<i>Indigofera hendecaphylla</i> Jacq.	creeping indigo	non-native	rare
<i>Indigofera suffruticosa</i> Mill.	inikō	non-native	uncommon
<i>Leucaena leucocephala</i> (Lam.) de Wit	koa haole	non-native	rare
<i>Macroptilium atropurpureum</i> (DC.) Urb.	siratro	non-native	uncommon
<i>Macroptilium lathyroides</i> (L.) Urb.	wild bean	non-native	uncommon
<i>Medicago lupulina</i> L.	black medick	non-native	uncommon
<i>Melilotus indica</i> (L.) All.	yellow sweet clover	non-native	uncommon
<i>Neonotonia wightii</i> (Wight & Arnott) Lackey	glycine	non-native	common
<i>Trifolium arvense</i> L.	rabbit's foot clover	non-native	rare
LAMIACEAE (Mint Family)			
<i>Leonotis nepetifolia</i> (L.) R. Br.	lion's ear	non-native	uncommon
<i>Stachys arvensis</i> L.	staggerweed	non-native	rare
MALVACEAE (Mallow Family)			
<i>Abutilon grandifolium</i> (Willd.) Sweet	hairy abutilon	non-native	uncommon
<i>Malva parviflora</i> L.	cheese weed	non-native	uncommon
<i>Sida fallax</i> Walp.	'ilima	indigenous	rare
<i>Sida rhombifolia</i> L.	Cuban jute	non-native	rare
<i>Triumfetta semitriloba</i> Jacq.	Sacramento bur	non-native	rare
<i>Waltheria indica</i> L.	'uhaloa	indigenous	rare
PLANTAGINACEAE (Plantain Family)			
<i>Misopates orontium</i> (L.) Raf.	lesser snapdragon	non-native	common
<i>Plantago lanceolata</i> L.	narrow-leaved plantain	non-native	uncommon
PROTEACEAE (Protea Family)			
<i>Grevillea robusta</i> A. Cunn. ex R. Br.	silk oak	non-native	uncommon
SOLANACEAE (Nightshade Family)			
<i>Nicandra physalodes</i> (L.) Gaertner	apple-of-Peru	non-native	uncommon
<i>Solanum linnaeanum</i> Hepper & P. Jaeger	apple of Sodom	non-native	rare

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
VERBENACEAE (Verbena Family)			
<i>Lantana camara</i> L.	lantana	non-native	rare
<i>Verbena litoralis</i> Kunth	ha'u ōwī	non-native	rare

## FAUNA SURVEY REPORT

### SURVEY METHODS

A walk-through fauna survey method was conducted in conjunction with the botanical survey. All parts of the project area were covered. Field observations were made with the aid of binoculars and by listening to vocalizations. Notes were made on species, abundance, activities and location as well as observations of trails, tracks, scat and signs of feeding. In addition an evening visit was made to the area to record crepuscular activities and vocalizations and to see if there was any evidence of occurrence of the Hawaiian hoary bat (*Lasiurus cinereus semotus*) in the area.

### RESULTS

#### MAMMALS

Only sign of two species of mammals was seen during three site visits on the property. Taxonomy and nomenclature follow Tomich (1986).

Axis deer (*Axis axis*) - There was abundant recent sign of axis deer throughout the property. Trails were crisscrossing the grass areas and brush lands. Tracks and droppings were everywhere. The grass was cropped low and antler rubbings were visible on saplings. Although none were seen, it is obvious that a substantial herd uses this area regularly. These deer usually bed down in protected locations during the day and become active in the evening when they move about and feed under cover of darkness.

Domestic dog (*Canis familiaris*) – Tracks and droppings were seen along the edges of the property where owners bring them for exercise.

While not seen during the survey rats (*Rattus* spp.) and mice (*Mus domesticus*) feed on seeds, fruits and herbaceous vegetation while mongoose (*Herpestes auropunctatus*) and cats (*Felis catus*) would hunt for these rodents

A special effort was made to look for any occurrence of the native Hawaiian hoary bat by making an evening survey on the property. When present in an area these bats can be easily identified as they forage for insects, their distinctive flight patterns clearly visible in the glow of twilight. No evidence of such activity was observed though visibility was excellent. In addition a bat detecting device (Batbox IIID) was utilized, set to the frequency of 27,000 Hertz that these bats are known to use for echolocation. No bats were detected using this device.

## BIRDS

Birdlife was somewhat sparse on this suburban property. Seven species of non-native birds were seen during three site visits. All of these were common species that are widespread in Hawaii. Most common were: house finch (*Carpodacus mexicanus*), common myna (*Acridotheres tristis*) and zebra dove (*Geopelia striata*). Taxonomy and nomenclature follow American Ornithologists' Union (2011). Other non-native species may occur on the property from time to time such as cattle egret (*Bubulcus ibis*), house sparrow (*Passer domesticus*) and Japanese white-eye (*Zosterops japonicus*). The habitat, however, is not suitable for Hawaii's native forest birds because of the presence of mosquitoes and the avian diseases they carry and transmit as well as a number of serious predators.

## INSECTS

A modest diversity of non-native insect species were recorded on the property during three site visits. Taxonomy and nomenclature follow Nishida et al (1992). Most common were the cabbage butterfly (*Pieris rapae*), the long tail blue butterfly (*Lampides boeticus*) and the monarch butterfly (*Danaus plexippus*).

One native Sphingid moth, Blackburn's sphinx moth (*Manduca blackburni*) has been put on the Federal Endangered species list and this designation requires special focus (USFWS 2000). Blackburn's sphinx moth is known to occur in parts of East Maui and Central Maui but its feeding requirements are very specialized. It requires host plants in the nightshade family that are toxic such as native species of 'aiea (*Nothocestrum spp.*) and such non-native alternative hosts as tobacco (*Nicotiana tabacum*) and tree tobacco (*Nicotiana glauca*). None of these plants were found on the property, and no Blackburn's sphinx moth or their larvae were seen.

## CONCLUSIONS AND RECOMMENDATIONS

All of the fauna observed are common and widespread non-native species. None of these are of any particular environmental interest or concern. No Federally listed Threatened or Endangered mammal, bird or insect species were recorded during the course of the survey and no special fauna habitats were identified. As a result of the above findings, the proposed changes in land use are not expected to have a significant negative impact on the fauna resources in this part of Maui.

No special recommendations are deemed necessary or appropriate with regard to the fauna resources on this property.

## ANIMAL SPECIES LIST

Following is a checklist of the animal species inventoried during the field work. Animal species are arranged in descending abundance within three groups: Mammals, Birds and Insects. For each species the following information is provided:

1. Common name
2. Scientific name
3. Bio-geographical status. The following symbols are used:

endemic = native only to Hawaii; not naturally occurring anywhere else in the world.

indigenous = native to the Hawaiian Islands and also to one or more other geographic area(s).

non-native = all those animals brought to Hawaii intentionally or accidentally after western contact.

migratory = spending a portion of the year in Hawaii and a portion elsewhere. In Hawaii the migratory birds are usually in the overwintering/non-breeding phase of their life cycle.

4. Abundance of each species within the project area:

abundant = many flocks or individuals seen throughout the area at all times of day.

common = a few flocks or well scattered individuals throughout the area.

uncommon = only one flock or several individuals seen within the project area.

rare = only one or two seen within the project area.

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
<b>MAMMALS</b>			
<i>Axis axis</i> Erxleben	axis deer	non-native	uncommon
<i>Canis familiaris</i> L.	domestic dog	non-native	rare
<b>BIRDS</b>			
<i>Carpodacus mexicanus</i> Muller	house finch	non-native	common
<i>Acridotheres tristis</i> L.	common myna	non-native	common
<i>Geopelia striata</i> L.	zebra dove	non-native	common
<i>Francolinus pondicerianus</i> Gmelin	gray francolin	non-native	uncommon
<i>Streptopelia chinensis</i> Scopoli	spotted dove	non-native	uncommon
<i>Lonchura punctulata</i> L.	nutmeg mannikin	non-native	uncommon
<i>Cardinalis cardinalis</i> L.	northern cardinal	non-native	rare

SCIENTIFIC NAME	COMMON NAME	STATUS	ABUNDANCE
INSECTS			
Order DIPTERA - flies			
CALLIPHORIDAE (Blow Fly Family)			
<i>Calliphora vomitoria</i> L.	blow fly	non-native	uncommon
MUSCIDAE (Housefly Family)			
<i>Musca sorbens</i> Wiedemann	dung fly	non-native	uncommon
TACHINIDAE (Tachinid Fly Family)			
<i>Lespesia archippivora</i> Riley	caterpillar parasitic fly	non-native	uncommon
Order HYMENOPTERA - bees, wasps & ants			
APIDAE (Honey Bee Family)			
<i>Apis mellifera</i> L.	honey bee	non-native	uncommon
<i>Xylocopa sonorina</i> Smith	Sonoran carpenter bee	non-native	uncommon
VESPIDAE (Vespid Wasp Family)			
<i>Pachodynerus nasidens</i> Latreille	keyhole wasp	non-native	rare
Order LEPIDOPTERA - butterflies & moths			
LYCAENIDAE (Gossamer-winged Butterfly Family)			
<i>Lampides boeticus</i> L.	Long-tail blue butterfly	non-native	common
NYMPHALIDAE (Brush-footed Butterfly Family)			
<i>Danaus plexippus</i> L.	monarch butterfly	non-native	common
<i>Vanessa cardui</i> L.	painter lady	non-native	rare
PIERIDAE (White and Sulphur Butterfly Family)			
<i>Pieris rapae</i> L.	cabbage butterfly	non-native	abundant



Figure 1. View across project area from 'Ohi'a Kū Street.

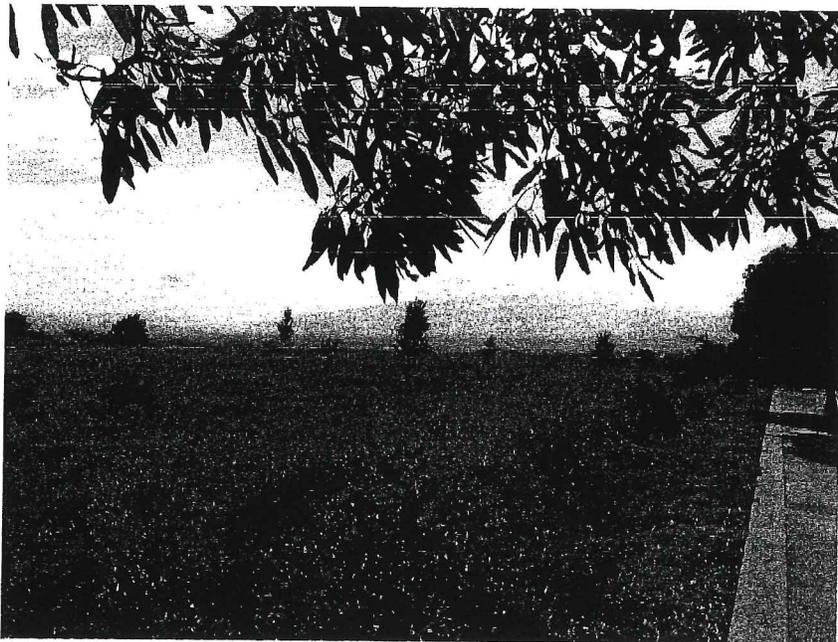


Figure 2. View northwest across the lower project area along 'Ohi'a Kū Street.



Figure 3. View across upper portion of project area.  
Trees in distance lie along Kaluapulani Gulch.

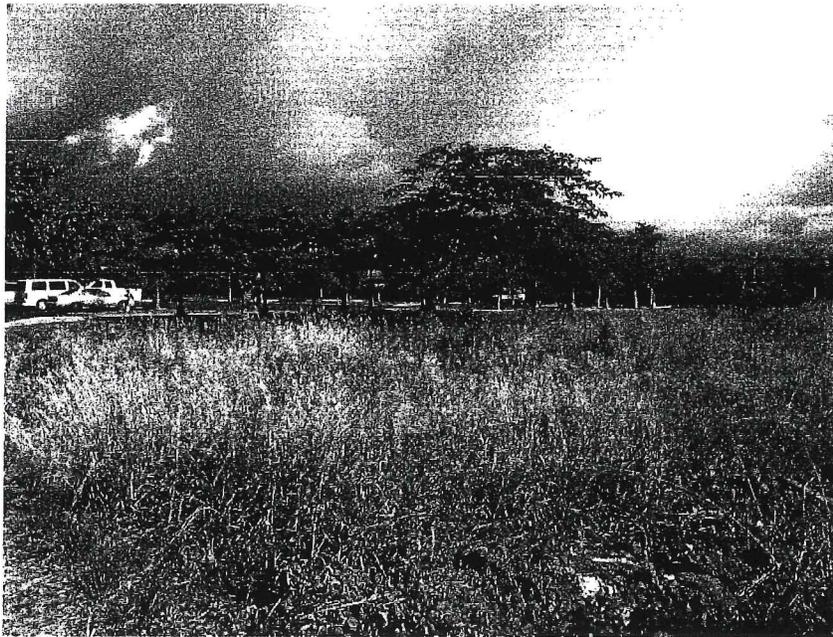


Figure 4. View southwest across the upper corner of the project area  
and the adjacent parking lot.

### Literature Cited

- American Ornithologists' Union 2011. Check-list of North American Birds. 7<sup>th</sup> edition. American Ornithologists' Union. Washington D.C.
- Armstrong, R. W. (ed.) 1983. Atlas of Hawaii. (2<sup>nd</sup> ed.). University of Hawaii Press.
- Foote, D.E. , E.L. Hill, S. Nakamura, and F. Stephens. 1972. Soil survey of the islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii. U.S. Dept. of Agriculture, Soil Conservation Service. Washington, D.C.
- Nishida, G.N., G.A. Samuelson, J.S. Strazanac, K.S. Kami. 1992, Hawaiian Terrestrial Arthropod Checklist. Hawaii Biological Survey.
- Tomich, P.Q. 1986. Mammals in Hawaii. Bishop Museum Press, Honolulu.
- U.S. Fish and Wildlife Service. 1999. Endangered and Threatened Wildlife and Plants. Listings and Occurrences for Hawaii. [www.fws.gov/endangered](http://www.fws.gov/endangered)
- U.S. Fish and Wildlife Service. 2000. Endangered and threatened wildlife and plants: determination of endangered status for Blackburn's sphinx moth from Hawaii. Federal Register 65(21): 4770-4779.
- Wagner, W. L., D.R. Herbst, and S. H. Sohmer. 1999. Manual of the flowering plants of Hawai'i. Univ. of Hawai'i Press and Bishop Museum Press. Honolulu.

# **EXHIBIT G-1.**

**January 11, 2016 Letter from U.S.  
Fish & Wildlife Service**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Pacific Islands Fish and Wildlife Office  
300 Ala Moana Boulevard, Room 3-122, Box 50088  
Honolulu, Hawaii 96850

In Reply Refer To:  
01EPIF00-2016-I-0145

Ms. Colleen Suyama  
Senior Associate  
Munekiyo Hiraga  
305 High Street, Suite 104  
Wailuku, Hawaii 96793

JAN 11 2016

Subject: Informal Consultation for the Hale Mahaolu Ewalu Senior Residential Project,  
Pukalani, Maui

Dear Ms. Suyama:

The U.S. Fish and Wildlife Service (Service) received your January 7, 2016, email, requesting our concurrence with your determination the proposed construction of the Hale Mahaolu Ewalu Senior Residential Project in Pukalani, Maui is not likely to adversely affect the endangered Hawaiian petrel (*Pterodroma sandwichensis*), and threatened Newell's shearwater (*Puffinus newelli*) (collectively referred to as Hawaiian Seabirds), and the endangered Hawaiian goose (Nene, *Branta sandvicensis*), Hawaiian hoary bat (*Lasiurus cinereus semotus*), and Blackburn's sphinx moth (*Manduca blackburni*). The proposed action will be completed by the County of Maui with funding from the Department of Housing and Urban Development (HUD). Mr. Mark Chandler, HUD's CPD Field Office Director, confirmed via telephone on January 7, 2016, the County of Maui is HUD's designated non-Federal representative for the purposes of informal consultation pursuant to section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*).

### *Project Description*

Hale Mahaolu Ewalu Senior Residential Project will consist of five one-to three-story buildings, 83 parking stalls. In your January 7, 2016, email, you confirmed the following conservation measures have been incorporated into the project design to minimize the potential for the project to adversely affect listed species:

### Invasive Species Minimization Measures

Hale Mahaolu will minimize threats from invasive species to Hawaii's threatened and endangered species by implementing the following measures at the project site. No contamination of adjacent habitats via trash or debris disposal, non-native species introductions,



or attraction of non-native pests will result from project-related activities. To ensure the brown treesnake is not inadvertently moved to Maui as a result of the proposed action, any project construction materials or equipment moving through the ports of Guam or Honolulu will be thoroughly assessed for the presence of the snake. To minimize rodent populations, all workers will be advised to ensure their food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the project area and disposed of off-site at an approved landsite at the end of each working day to prevent the attraction of non-native pests. All tools, gear, and construction scrap will be removed upon completion of work in order to prevent the attraction of non-native pests such as rats.

#### Hawaiian seabirds

Hawaiian petrels and Newell's shearwaters may traverse the project area at night during the breeding season. Outdoor lighting at the project site could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may collide with nearby wires, buildings, or other structures or they may land on the ground due to exhaustion. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Any increase in nighttime lighting, particularly during each year's peak fallout period (September 15 through December 15), could result in seabird injury or mortality. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To minimize potential project impacts to seabirds during their breeding season, all outdoor lights will be fully shielded so the bulb can only be seen from below bulb height and only used when necessary. Automatic motion sensor switches and controls will be installed on all outdoor lights. Nighttime construction will be avoided during the seabird fledging period, September 15 through December 15. If nighttime construction occurs during other times of year, all lighting will be shielded and directed toward the ground to avoid attracting adult seabirds as they travel from the ocean to their breeding areas.

#### Hawaiian goose

Nene have not previously been seen at project sites. However, because Nene populations are increasing, measures to minimize project impacts to this species have been incorporated into the proposed action. Project noise and disturbance may reduce the reproductive success or survival of Nene. Nene have an extended breeding season with eggs reported from all months except May, June, and July. The majority of birds in the wild nest during the rainy (winter) season between October and March. Nene nest on the ground and are known to occupy various habitat and vegetation types ranging from coastal dune and non-native grasslands (including golf courses, pastures, and developed areas) to mid- and high-elevation native and non-native shrubland and open alpine areas. To avoid potential adverse impacts to Nene, the following Nene conservation measures will be implemented:

- 1) Project staff will check the work area vicinity for Nene prior to conducting project-related work. If a Nene is observed within the project site, or a Nene flies into the site while activities are occurring, all activities will halt within 100 feet (30 meters) of the bird(s). Work will not resume until the bird(s) have left the area of their own accord.
- 2) In areas where Nene have been seen, nest searches will be conducted if the project will occur during the Nene breeding season (August through April). A 100-foot (30-meter)

buffer will be established and maintained around all active nests and broods until the goslings have fledged. No potentially disruptive activities (i.e., construction or noisy equipment use) will be conducted within this buffer.

- 3) No manipulation or alteration of known Nene nesting habitat will occur during the breeding season.

#### Hawaiian hoary bat

The endangered Hawaiian hoary bat may be present within the proposed project area. The Hawaiian hoary bat roosts in both exotic and native woody vegetation and will leave young unattended in "nursery" trees and shrubs when they forage. If trees or shrubs suitable for bat roosting are cleared during the breeding season, there is a risk that young bats could inadvertently be harmed or killed. Additionally, Hawaiian hoary bats forage for insects from as low as three feet to higher than 500 feet above the ground. When barbed wire is used in fencing, Hawaiian hoary bats can become entangled. To minimize impacts to the endangered Hawaiian hoary bat, woody plants greater than 15 feet (4.6 meters) tall will not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15) and HUD funds will not be used to purchase or install barbed wire fencing.

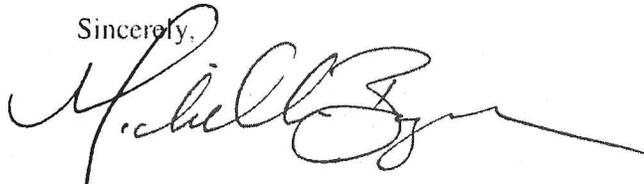
#### Blackburn's sphinx moth

The adult moth feeds on nectar from native plants including beach morning glory (*Ipomoea pescaprae*), ilice (*Plumbago zeylanica*), maiapilo (*Capparis sandwichiana*). Blackburn's sphinx moth larvae feed upon non-native tree tobacco (*Nicotiana glauca*), which occupies disturbed areas such as open fields and roadway margins, and the native aiea (*Nothocestrum sp.*). To pupate, Blackburn's sphinx moth larvae burrow into the soil near host plants and can remain in a state of torpor for up to a year (or more) before emerging from the soil. In July 2013, Robert W. Hobdy surveyed the project site and did not detect any Blackburn's sphinx moth larval host plants. If host plants are discovered in the area affected by the activity, they will not be cut or removed and the soil within 10 meters (33 feet) of the host plants will not be disturbed.

#### Conclusion

Based on the information you provided and our assessment of potential project impacts, we concur with your determination that this project may affect but is not likely to adversely affect listed species. Unless the project description changes, or new information reveals that the proposed project may affect listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to section 7 of the ESA is necessary. If you would like additional information regarding this consultation, please contact Dawn Bruns, Programmatic Section 7 and HCP Specialist (phone: 808-792-9400, email: dawn\_bruns@fws.gov).

Sincerely,



Michelle Bogardus  
Island Team Manager  
Maui Nui and Hawaii Islands

# **EXHIBIT H.**

## **Phase I Environmental Site Assessment for Kulamalu**

PHASE I  
ENVIRONMENTAL SITE ASSESSMENT  
for  
KULAMALU  
(PUKALANI TERRACE PHASE III)  
PUKALANI, MAUI, HAWAII  
(TMK: 2-3-08: 05)

Submitted to:

DOWLING COMPANY, INC.



ASSOCIATES, INC.  
ENGINEERS/ARCHITECTS

FEBRUARY 1996

## DISCLAIMER

GMP ASSOCIATES, INC. conducted this Phase I Environmental Site Assessment (ESA) in accordance with ASTM E1527-94. This assessment is intended to identify *recognized environmental conditions* in connection with the property, which includes the presence or likely presence of any hazardous substances or petroleum products on the property under conditions that indicated an existing release, a past release, or a material threat of a release onto the property. This information is obtained through an *appropriate inquiry*, a review of *practically reviewable* information, and a *site reconnaissance*. A Phase I ESA does not guarantee the absence or presence of contamination on the subject property. A more extensive assessment, including a subsurface investigation, a chemical analysis of soil, and groundwater samples may provide more definitive information concerning site specific conditions.

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**SECTION 1  
INTRODUCTION**

## SECTION 1

### INTRODUCTION

GMP Associates, Inc. has been retained by Dowling Company, Inc. to conduct a Phase I Environmental Site Assessment for the Kulamalu Subdivision (Pukalani Terrace and Country Club Subdivision Unit III). The assessed property is located in Pukalani, Maui, and has a Tax Map Key of 2-3-08:05.

Sports Shinko, a Hawaii corporation, and Dowling Company, Inc., a Maui based development company, currently own the subject parcel, which is in the process of being subdivided. Upon subdivision approval, approximately 24 acres on the western end of the property, which consists of the 5th, 6th, and 7th fairways of the Pukalani Terrace and Country Club golf course, will be solely owned by Sports Shinko. The remaining 281 acres of the original parcel will be solely owned by Dowling Company, Inc.

This Phase I Environmental Site Assessment (ESA) is being prepared as one of the possible requirements needed by the owner for future development of this property. The Phase I ESA is intended to inquire into the previous ownership and uses of the property, as well as the presence or likely presence of any hazardous substances or petroleum products on the property, which may have been caused by an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products on the property or into the ground, groundwater, or surface water of the property.

#### 1.1 METHODOLOGY

This Phase I ESA follows the procedures specified in the American Society for Testing Materials (ASTM) E1527-94. The following four components are required by ASTM

E1527-94 to fulfill the Phase I ESA requirements: 1) records review; 2) interviews with the owner, occupants, and local government officials; 3) a site reconnaissance; and 4) an assessment of the environmental contamination. The following activities were conducted during the preparation of this assessment:

- Reviewed public domain literature applicable to the subject property and surrounding properties;
- Reviewed surveys and maps of the area;
- Obtained information concerning location and status of facilities which are on either the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) database, Resource Conservation and Recovery Act (RCRA) list, Spill Report List, Active Leaking Underground Storage Tank (LUST) List, Permitted solid waste landfills, incinerators or transfer stations list, or the Registered Underground Storage Tank (UST) List within a two-mile radius of the subject property;
- Obtained information on location of groundwater wells in the area;
- Obtained legal records of past ownership;
- Reviewed geologic and hydrologic setting information;
- Conducted a site reconnaissance of the property;
- Interviewed the Vice President of Dowling Company, Inc., Mr. Don Fujimoto, the manager of Pukalani Terrace and Country Club Golf Course, Mr. Takuya Tsujimoto, Mr. Paul Liang, the compliance

environmental engineer at Chevron, and personnel from the Department of Health (DOH), Solid and Hazardous Waste Branch;

- Compiled and reviewed aerial photographs of the area for the years 1961 and 1977
- Retained VISTA Environmental Information, Inc., of San Diego, California, an environmental database company, to supplement the database search. The VISTA Site Assessment Report is included in Appendix A.

Table 1.1 summarizes the search distances from the subject property used during the records review. The geographic database search meets the ASTM standards for a government records review. A (✓) indicated that the records were reviewed to the specified search distance, and a (-) indicates the search distance exceeds ASTM search parameters.

## 1.2 LIMITING CONDITIONS

The Phase I ESA is limited to reasonably ascertainable information, meaning information that is publicly available, obtainable within reasonable time and cost constraints, and “practically reviewable”.

The ESA is also limited to the records that were reviewed (e.g. the U.S. Environmental Protection Agency (EPA) updates on an annual basis, resulting in data that may not be current).

TABLE 1.1

RECORDS REVIEW SEARCH DISTANCES

Site Distribution Summary		within 1 1/8 miles	1 1/8 to 1 1/4 miles	1 1/4 to 1 1/2 miles	1 1/2 to 2 miles
Agency/Database	Type of Record				
US EPA/NPL	National Priority List	✓	✓	✓	✓
US EPA/TSD	RCRA permitted treatment, storage, disposal facilities	✓	✓	✓	✓
US EPA/CERCLIS	Sites under review by US EPA	✓	✓	✓	-
STATE/LUST	Leaking Underground Storage Tanks	✓	✓	✓	-
STATE/SWLF	Permitted as solid waste landfills, incinerators, or transfer stations	✓	✓	✓	-
STATE/UST	Registered Underground Storage Tanks	✓	✓	-	-
US EPA/ERNS	Emergency Response Notification System of Spills	✓	-	-	-
US EPA/LG GEN	RCRA registered large generators of hazardous waste	✓	-	-	-
US EPA/SM GEN	RCRA registered small generators of hazardous waste	✓	-	-	-

SECTION 2  
SITE DESCRIPTION

## SECTION 2

### SITE DESCRIPTION

The following section describes the location, the existing physical conditions, and the current and past uses of the subject parcel. Aerial photographs are also provided to show the growth and development in the general area over a period of 16 years.

#### 2.1 LOCATION AND DESCRIPTION

The project site is located on the island of Maui, as shown in Figure 2-1. Specifically, the site is situated in the area known as Pukalani, Kula, on the northwestern slopes of Haleakala Crater. Site elevations range from approximately 1180 feet to 1860 feet above mean sea level (MSL). The entrance to the property from Kula Highway is directly across the entrance to Kula 200, a subdivision, or approximately 2,000 feet south of the intersection of Kula Highway and Haleakala Highway.

Pukalani is primarily a residential community with a small shopping center and several small businesses. There are no major business, commercial, or manufacturing activities conducted in this area.

The subject property covers approximately 305 acres, and has a tax map key of 2-2-3-8: 05. The property is bound on the northern side by Ka'akakai/Kaluapulani gulch and partially on the southern side by Kalialinui gulch. The rest of the southern boundary (between elevations 1,855 feet and 1,750 feet) is formed by a small unnamed gulch. The eastern portion of the parcel borders on Kula Highway for about 2,000 lineal feet, while the western boundary is Liholani Street, as shown in Figure 2-2.

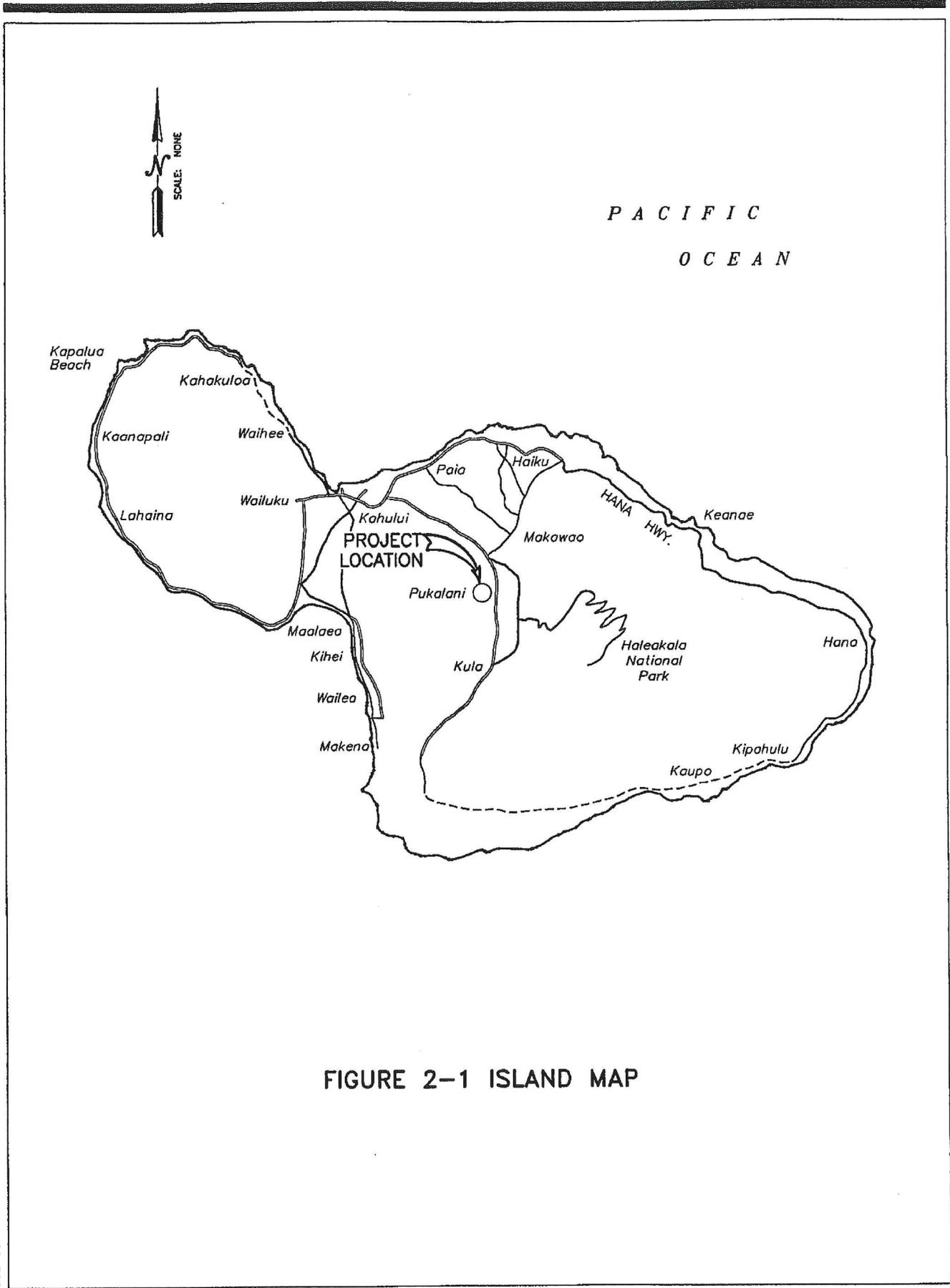


FIGURE 2-1 ISLAND MAP

SC2458AA

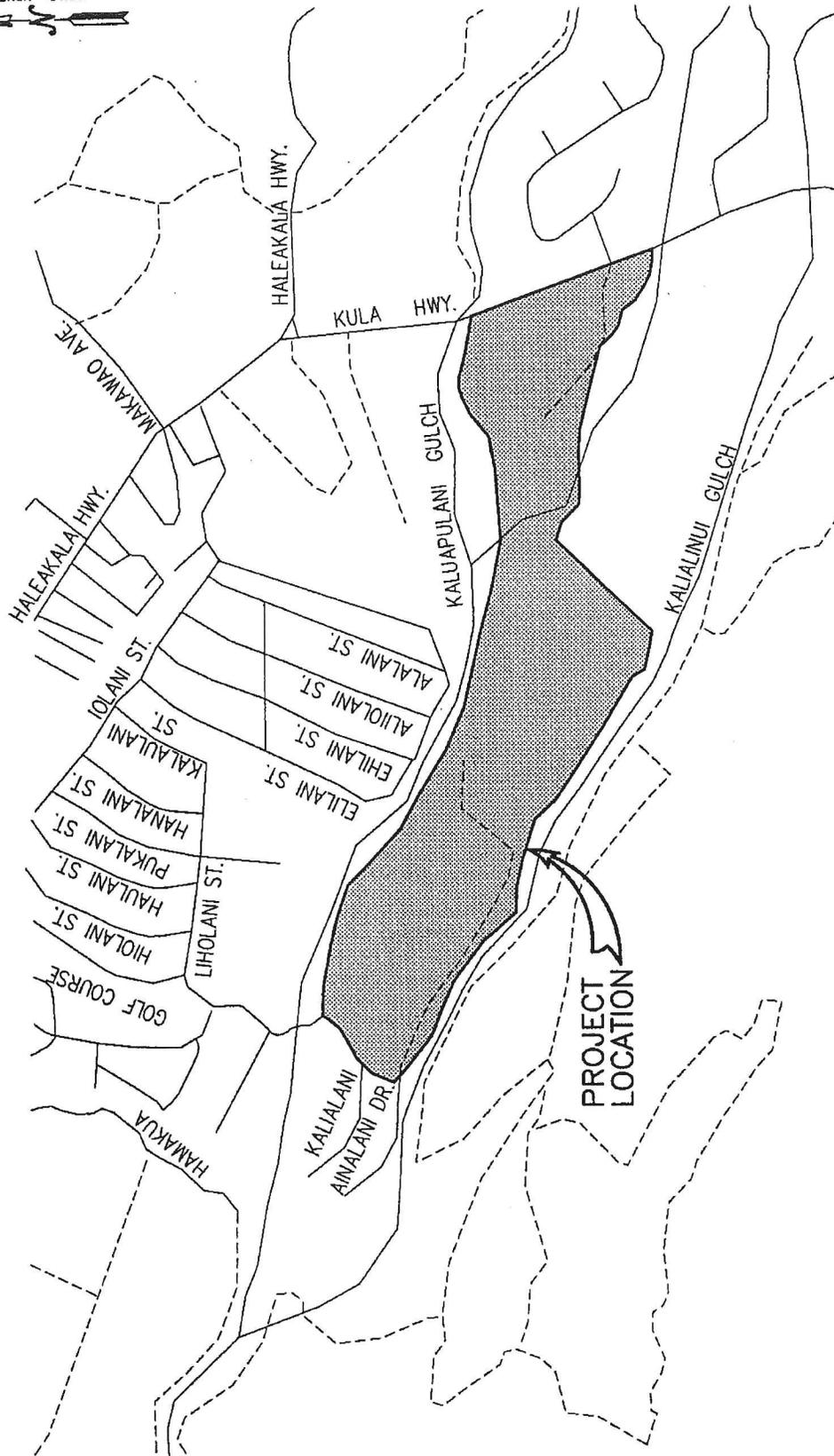
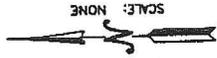


FIGURE 2-2 LOCATION MAP

SC2458AB

The surrounding areas are subjected to a variety of land uses. Agriculture subdivisions and pineapple cultivation are located to both the east and the south of the project site. A portion of the Pukalani Terrace and Country Club Golf Course and a single family residential subdivision are situated to the west of the subject parcel. The area to the north is used for several different purposes including the Pukalani Golf Course, undeveloped land zoned for hotels, undeveloped land zoned for apartments, a rural subdivision, and agricultural lots.

## 2.2 SITE CHARACTERISTICS

Site characteristics include geology, soil conditions, topography, regional hydrology, existing wells, and flood hazards. These existing conditions will help to determine how and where a contaminant may travel above and below ground.

### 2.2.1 Geology

The development of the island of Maui is believed to have occurred between one and twelve million years ago. Haleakala was built during three volcanic series. The main mass of Haleakala is made of thin-bedded pahoehoe and a'a lava flows. Above the main mass is a thicker andesitic series of a'a flows.

The subject property does contain one notable geologic feature. A cinder pit called Puu o Weli is located in the eastern portion of the property, according to the U.S.

Geological Survey topographic maps. The cider pit was confirmed during our site reconnaissance.

#### 2.2.2 Soil Conditions

The U.S. Department of Agriculture Soil Conservation Service's *Soil Survey of Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii* classifies the soils at the project site as the Keahua Series (KnB, KnhC, KnaD, KnC). These soils are characterized as being well drained, and were developed in material weathered from basic igneous rock.

#### 2.2.3 Topography

Elevations at the property range from 1,860 feet MSL at Kula Highway to approximately 1,180 feet MSL at Liholani Street. Slopes vary from 5% to 28%. A topographic map of the project site is shown in Figure 2-3.

#### 2.2.4 Regional Hydrology

The project site is situated over the central aquifer sector. Both of the gulches that border the property have intermittent streams, which when flowing, may discharge into the Pacific Ocean near the Kahului Airport. No perennial streams exist in the area. The Pukalani area has many irrigation ditches, tunnels, and reservoirs, but none of these features run through the property.

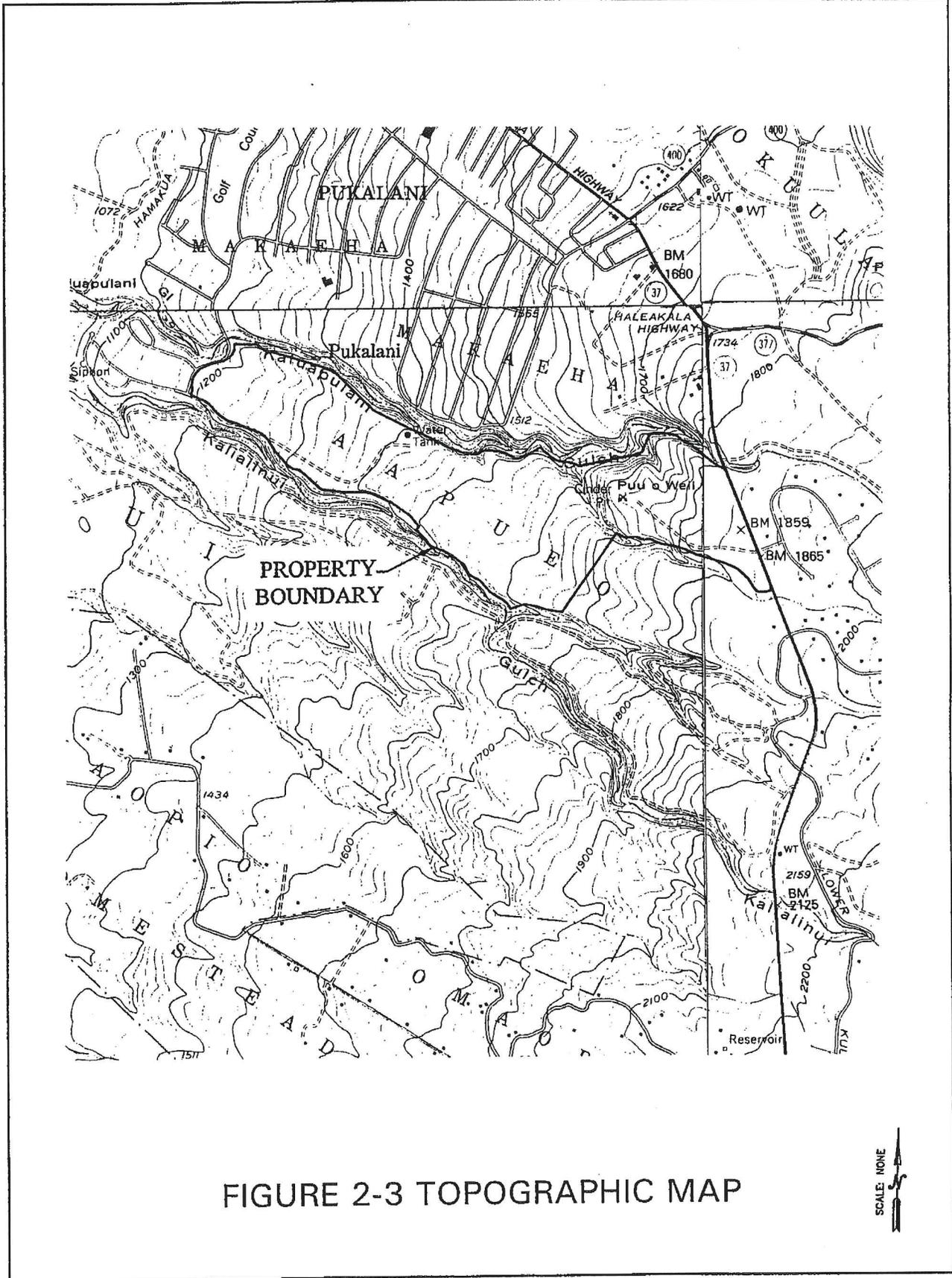


FIGURE 2-3 TOPOGRAPHIC MAP



### 2.2.5 Onsite and Offsite Drainage

The property is well drained. Most of the runoff sheet flows into Ka'akakai/Kaluapulani gulch, with the remainder flowing into Kalialinui gulch. Neither of these gulches carries a base flow.

### 2.2.6 Existing Wells

One well, with State well number 6-5021-01, is located less than a mile from the subject property. The total depth of the well is 1,140 feet, which places the bottom of the well at 54 feet below mean sea level. The diameter of the casing is 16 inches. The well is pumped upon demand to supplement the effluent from the sewage treatment plant, which is used to irrigate the golf course. This deep well is owned by Sports Shinko. No drinking water wells exist in this area. The existing water system is supplied by surface water collected on the windward slopes of Haleakala. The water is conveyed by the Wailoa irrigation ditch and tunnel system, which is owned and operated by the East Maui Irrigation Company. The County of Maui Department of Water Supply draws water from the East Maui Irrigation Company's system.

### 2.2.7 Flood Hazards

The Federal Emergency Management Agency (FEMA) produces Flood Insurance Rate Maps which identify existing flood plain boundaries as well as flood prone areas. The project site can be found on panel number 150003 0260B, and is indicated as zone "C", areas of minimal flooding.

### 2.3 CURRENT USES OF THE PROPERTY

Most of the subject property is currently used as cattle pasture. The Maui County Board of Water Supply owns a 850,000-gallon water tank and access easement. The tank is situated along the northern boundary of the property. The Pukalani Terrace and Country Club golf course uses 24 acres on the northwestern end of the parcel for their 5th, 6th, and 7th fairways.

### 2.4 PAST USES OF THE PROPERTY

The subject property was extensively cultivated by Libby for pineapple production during the 1940's, 1950's, and early 1960's. In the mid-1960's, the fields were plowed under and used for cattle pasture. No information on types of pesticides, herbicides, or fertilizers used by Libby for pineapple cultivation was obtained, as Libby is no longer in operation. However, most of the land has been fallow for the last 30 years.

### 2.5 AERIAL PHOTOGRAPHS

The aerial photographs obtained from R.M. Towill are for the years of 1961 and 1977, 1977 being the most recent photo for that area.

The photo from 1961, shown in Figure 2-4, supports the fact that the subject property was used for pineapple cultivation. Kula Highway and Haleakala Highway are the only prominent roads in the area. There are no large structures in the area.

Figure 2-5 shows that by 1977 the area had changed dramatically. The subdivision to the north of the project site has been developed. Kula 200, to the east of the subject property, is also being built. Liholani Street has been extended to form the western boundary for the

subject parcel. The dirt access road leading into the property from Liholani Street is evident, along with the water tank. Remnants of the pineapple fields can still be made out, even though pineapple cultivation had ended in the 1960's. Trees and some heavy vegetation can be made out. No structures or activities, other than the water tank, are evident on the subject parcel.

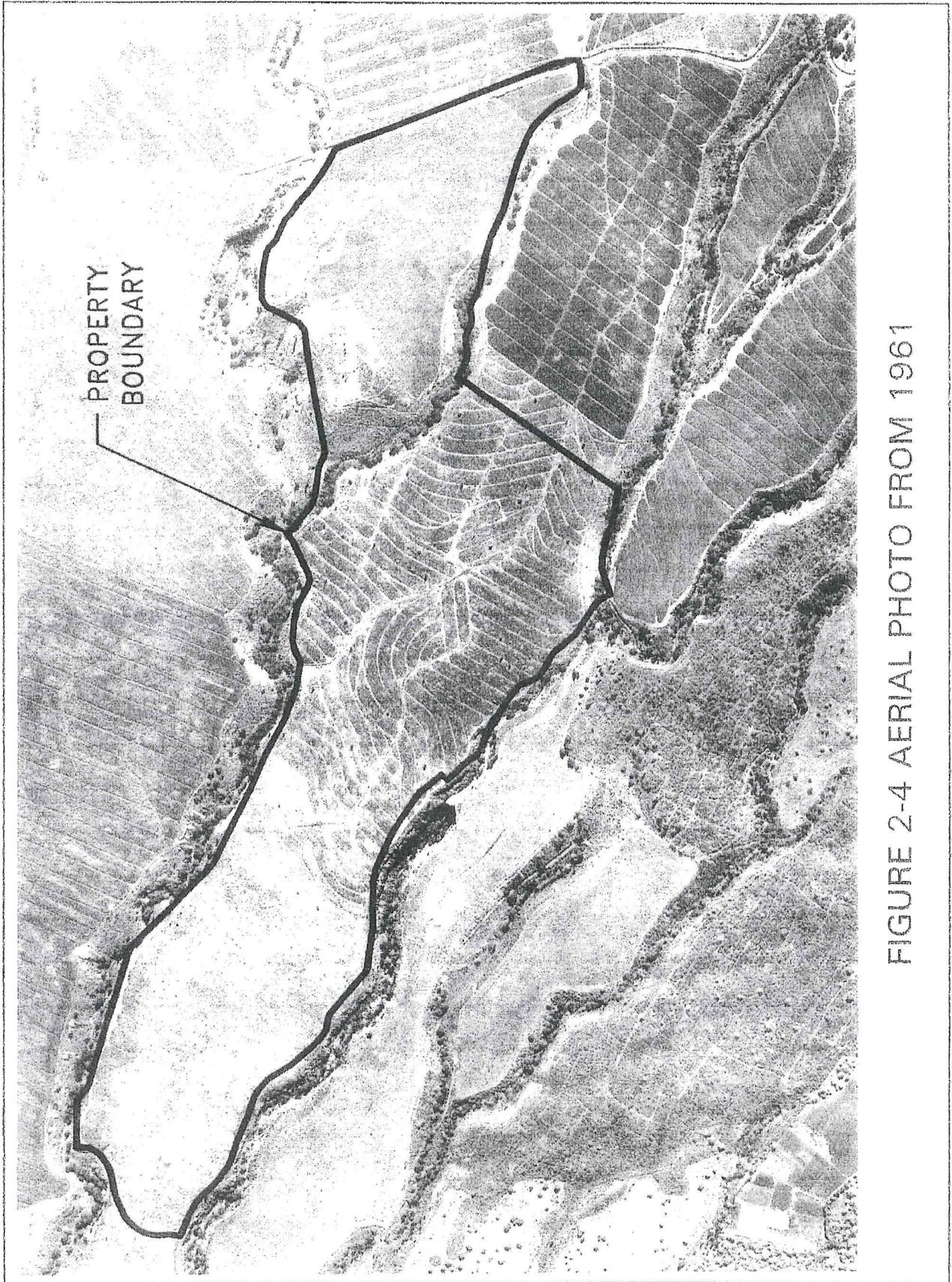


FIGURE 2-4 AERIAL PHOTO FROM 1961



FIGURE 2-5 AERIAL PHOTO FROM 1977

**SECTION 3  
RECORDS REVIEW**

## SECTION 3

### RECORDS REVIEW

A records review was conducted by obtaining the available information from Federal, State, and County agencies.

#### 3.1 STANDARD ENVIRONMENTAL RECORD SOURCES

Regulatory information has been obtained from Federal and State agencies for properties within the range of 1-1/8 miles to two miles of the subject parcel. The regulatory databases include:

- National Priority List (2 miles)
- RCRA permitted treatment, storage, disposal (TSD) facilities (2 miles)
- CERCLIS ( 1-1/2 miles)
- Leaking Underground Storage Tanks (1-1/2 miles)
- Permitted solid waste landfills, incinerators, or transfer stations (1-1/2 miles)
- Registered Underground Storage Tanks (1-1/4 miles)
- Emergency Response Notification System of Spills (1-1/8 miles)
- RCRA registered large and small generators of hazardous waste (1-1/8 miles)

#### 3.1.1 Comprehensive Environmental Response, Compensation, and Liability Information System

The Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) list contains sites which are either candidates for the National

Priority List (NPL) or are already on the NPL. The agency release date for CERCLIS files was September 1995. No CERCLIS sites were located within 1-½ miles from the project site. The agency release date for the NPL was also September 1995. No sites listed on the NPL were found within two miles of the project site.

### 3.1.2 Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. RCRA large generators are facilities which generate at least 1,000 kg/month of non-acutely hazardous waste or 1 kg/month of acutely hazardous waste. Small generators are facilities which generate less than 1,000 kg/month of non-acutely hazardous waste. Large and small generators of hazardous waste are required to report waste generation information to the Hawaii State Department of Health. These facilities are then included on the RCRA notifiers list. No facilities within 1-½ mile of the subject property were identified on the RCRA notifiers list.

### 3.1.3 Registered Underground Storage Tanks

Registered underground storage tanks (USTs) are identified through the Hawaii State Department of Health, Solid and Hazardous Waste Branch. The agency release for the UST database was February of 1995. A database search was conducted to identify all sites within 1-¼ miles of the subject property.

Four registered underground storage tanks (USTs) were found to be within 1-¼ miles of the project site. The first UST is owned by Pukalani Terrace Landco Sewage

Treatment Plant. This active UST is approximately 480 gallons in size and contains diesel fuel. The second UST site is owned by Wojcieski Texaco, and is located at 3370 Haleakala Highway. The Texaco station actually contained three USTs, all of which have been removed. Two of the USTs contained gasoline and were 4,000 gallons in size. The third UST at the Texaco station was used to hold used oil and was 550 gallons in size. Pukalani Chevron is the third UST site, and is located at the corner of Makawao Avenue and Highway 37. The Chevron station actually contains seven active USTs, two 30-gallon USTs, three 10,000-gallon USTs for gasoline, one 10,000-gallon UST for diesel, and one 1,000-gallon UST for waste oil. The fourth UST site is at the Pukalani Terrace and Country Club Golf Course baseyard. This location has two 2,000-gallon USTs. All of these UST sites are separated from the property by Kaluapulani gulch.

One UST is located between 1-¼ and 1-½ miles from the subject property. This UST is owned by Sports Shinko, and is associated with the deep well mentioned in Section 2.2.6 of this report. This site is also separated from the subject property by Kaluapulani gulch.

Five other USTs were identified by VISTA to be in the general area, but were not able to be located on the map due to insufficient address information. Four of the USTs are located in Makawao and another in Kula.

#### 3.1.4 Leaking Underground Storage Tanks

Active leaking underground storage tanks (LUSTs) are also identified through the Hawaii State Department of Health, Solid and Hazardous Waste Branch. The UST leak log is a database containing the names of facilities in Hawaii for which suspected or confirmed

releases of regulated substances (petroleum products and/or hazardous substances) from underground storage tanks and/or other sources has occurred. The agency release for the LUST database was July of 1995. A database search was conducted to identify all LUST sites within 1-½ miles of the subject property.

Three USTs found in the area are reported to be leaking. Two of the three LUSTs are located in Pukalani, specifically at the Pukalani Chevron and the Pukalani Terrace and Country Club Golf Course baseyard. The other LUST is located at the Makawao Fire Station.

The Pukalani Chevron is located almost a mile north of the project site at the corner of Highway 37 and Makawao Avenue. It is not located upgradient of the property, and is separated from the property by the Kaluapulani Gulch. The UST at the Pukalani Chevron failed a tank tightness test, which was reported on May 19, 1992. Any failure of a tank tightness test is required to be reported to the Hawaii State Department of Health (DOH) within 24 hours of the test. The UST is then listed on the UST Leak Log. The Chevron UST which failed the test was a 13 year old 10,000-gallon gasoline tank. An estimated 225 gallons of gasoline was released into the soil based upon inventory. According to Chevron, the UST was fixed and retested before being put back into service. The possibility of any petroleum products migrating from the LUST to the subject property is extremely remote. The groundwater level in this area is approximately eight feet above mean sea level according to the *Groundwater Index and Summary*. The possibility of water which is pumped from the deep well and used to irrigate the golf course, being contaminated with petroleum products is also very low.

The UST at the Pukalani Terrace and Country Club Golf Course baseyard failed a tank tightness test which was reported on February 8, 1993. This 16 year old 2,000-gallon UST is used to store diesel fuel. The UST is located over a mile away from the subject property, and is situated downgradient of the property. The possibility of any contaminants migrating to the subject property from this LUST is also considered very low. The manager of the golf course, Mr. Takuya Tsujimoto, confirmed that the diesel UST has not been in service since 1993, and that they are in the process of closing the LUST.

#### 3.1.5 Spill Reports

The Emergency Response Notification System (ERNS) is a nationwide database service used to collect information on reported releases of oil and hazardous substances. The agency release data for the ERNS was March of 1995. No sites were identified within 1-1/8 mile of the subject property.

The State of Hawaii Department of Health, Solid and Hazardous Waste Branch publishes an annual spill report for the releases of oil and hazardous substances in Hawaii. Spill reports from 1980 to 1995 were reviewed. No spills were found within the Pukalani area.

#### 3.1.6 Solid Waste Landfill Sites

A search through the Hawaii State Department of Health, Solid and Hazardous Waste Branch's database for Permitted Landfills and Transfer Station Incinerator Facilities

revealed no such facilities within 1-½ miles of the subject property. The database release date was December 1993.

3.1.7 Treatment, Storage, and/or Disposal of Hazardous Waste

No businesses registered with the EPA as RCRA permitted facilities to treat, store, and/or dispose of hazardous waste are located within two miles of the subject parcel.

3.1.8 Contaminated Public Wells

No contaminated public wells exist in the area according to the DLNR *Ground Water Index and Summary*.

3.2 PHYSICAL SETTING

In addition to the existing site information summarized in Section 2, the most up to date 7.5 minute U.S. Geological Survey Topographic Map has been used to evaluate the probability of migration of hazardous substances or petroleum products to the subject parcel. The lack of flowing waterways through the property, and the lack of industrial or commercial activities upslope of the site suggest that the probability of hazardous substances or petroleum products migrating to the property is low. Although pineapple cultivation to the east is located upslope of the property, it is separated from the subject property by Kaluapulani Gulch.

### 3.3 HISTORICAL AND ADDITIONAL RECORDS REVIEWS

Land use and zoning designations give an indication of what types of activities/uses are permitted on the property. Ownership and leases of the land may also help to determine the past uses.

#### 3.3.1 Land Use and Zoning Records

The State Land Use Commission has designated this project site as “urban”.

The Maui County Planning Designation for over 70% of the property is R-2 Single Family Residential use (SFR), which allows a minimum lot size of 7,500 square feet. Approximately 5% is zoned for R-1 SFR with a minimum lot size of 6,000 square feet, and 1% is zoned R-3 SFR with a minimum lot size of 10,000 square feet. Another 3% is zoned A-2 Duplex and A-2 Duplex Planned Unit Development, and 2% is A-1 Apartment. The non-residential uses include 8% for Open Space (gulches), 8% Golf Course (the existing three fairways), and 1% for Parks.

Approximately 44 acres of the R-2 zoned land are in the process of being redesignated to help meet the current and future needs of the nearby community. The proposed designations are 20 acres to Business/Commercial, 14.3 acres to Parks, 5 acres to Multi-family Elderly Housing, and 4.7 acres to Public/Quasi-Public.

The existing land use zoning designations are consistent with the Makawao-Pukalani-Kula Community Plan.

### 3.3.2 Land Title

The ownership of the subject property, TMK 2-2-3-8:05, was tracked back to the 1950's. In 1950, the property was deeded to A. Enos Trust Estate, Frank Enos, and Rosalie E. Thorne. Prior to that, the property was owned solely by the A. Enos Trust Estate. In 1953, the portion owned by the A. Enos Trust Estate was deeded to J. E. Lyons, Timothy A. Lyons, Enos K. Lyons, Auwae N. K. Lyons, Merwyn K. Lyons, Francis L. Lyons, and Thomas B. Lyons. In November of 1966, the portion of the property owned by the Lyons was sold to Frank Munoz and D. H. Tokunaga. That was followed by the sale of the rest of the property from Frank Enos and Rosalie Enos Gray, aka Rosalie E. Thorne Gray, to Frank Munoz and D. H. Tokunaga in 1971. Frank Munoz and D. H. Tokunaga sold the property to Sports Shinko (Pukalani) Co. in 1988. Sports Shinko (Pukalani) Co. sold the property to Pukalani Lots General Partnership in 1992. Pukalani Lots General Partnership is the current owner of the parcel. Copies of the recorded deeds and legal transactions are in Appendix B.

No evidence of any leases was found between 1950 and 1992. The lease to Libby was probably recorded in the 1940's.

**SECTION 4**  
**SITE INSPECTION AND INTERVIEWS**

## SECTION 4

### SITE INSPECTION AND INTERVIEWS

A site inspection of the property was conducted on January 22, 1996, along with interviews with Mr. Don Fujimoto, Vice President of Dowling Co., Inc., and Mr. Takuya Tsujimoto, Manager of the Pukalani Terrace and Country Club Golf Course. Mr. Jack Richardson of the Hawaii State Department of Health, Solid and Hazardous Waste Branch and Mr. Paul Liang, a compliance environmental engineer with Chevron, were also consulted for their knowledge on the leaking USTs.

#### 4.1 SITE INSPECTION

There are two ways to access the property, one from Liholani Street on the western end of the property, and the other from Kula Highway at the eastern end. An existing dirt road from the Liholani Street entrance leads to a 850,000-gallon Maui County Board of Water Supply tank located on the northern boundary of the property. The tank is completely fenced in, and access could not be gained into the tank site. According to a preliminary plat map, an existing 12-inch water line runs from the tank down the dirt road to Liholani Street.

The property is vacant land used for cattle pasture. The eastern two-thirds of the site, east of the water tank, consists of rolling hills with pasture grasses. Trees are located sparsely throughout the site. The lay of the land and the presence of furrows indicate that this portion of the property may have been used by Libby for pineapple cultivation.

The western one-third of the property, excluding the golf course, is overgrown with trees and shrubs. The entrance at Liholani Street appears to have been used as a dump site for old cars, as several old and rusty cars were noted to be along the dirt road. The remaining portion of the western one-third is used for the 5th, 6th, and 7th fairways of the golf course.

No evidence was observed to suggest any contamination by hazardous substances or petroleum products. No standing water or ponding was observed. The property is separated from most neighboring properties by large dry, gulches.

Photos of the site are included in Appendix C.

#### 4.2 GENERAL OBSERVATION OF SURROUNDING AREA

The area to the north of the property across Kaakakai Gulch is used for residential and golf course uses. Electrical transmission lines run along the bottom of the gulch, and an electrical substation is located at the eastern end of the gulch.

Kula 200, a subdivision, is located to the east across Kula Highway.

Kaliialinui Gulch borders approximately half of the southern portion of the property. Maui Land and Pineapple Co., Inc. cultivates pineapple across this gulch. The rest of the southern boundary is made up of a small unnamed gulch and some residential property.

The land to the west is used for a subdivision, which is part of the Pukalani Terrace Development. A sewage treatment plant and the baseyard for the golf course, both owned by Sports Shinko, are also located in this general area at an elevation of approximately 100 feet below the western end of the subject property. The sewage treatment plant is a domestic activated sludge plant including a secondary clarifier and storage reservoir. The effluent from

the plant is used for irrigation on the golf course. Activities at the golf course baseyard consist of maintaining and refueling the golf carts and other machinery used on the course, and storing of fertilizers, pesticides, herbicides, solvents, hydraulic fluid, and gasoline. Some of the herbicides stored include Round Up, Bensomec 4 LF, and Ronstar G. The pesticide and fertilizer stored in the chemical storage are Sevin and Ferromecc AC, respectively. The baseyard staff confirmed that these chemicals are used on the golf course in accordance with the manufacturing specifications. Occasionally, the breakdown of equipment on the golf course results in the release of insignificant amounts of hydraulic fluid or motor oil. The migration of hazardous substances or petroleum products from the adjacent golf course or its support facilities to the subject property is highly unlikely.

#### 4.3 GOVERNMENT AGENCY INTERVIEWS

Mr. Jack Richardson of the Hawaii State Department of Health, Solid and Hazardous Waste Branch, was contacted to obtain additional information on the two LUSTs identified by VISTA to be located in the Pukalani area. According to Mr. Richardson, both of the USTs are listed on the UST Leak Log because of tank tightness test failures. A copy of the telephone memorandum documenting this conversation is included in Appendix D.

#### 4.4 OTHER INTERVIEWS

Mr. Don Fujimoto, Vice President of Dowling Co., Inc., was consulted to obtain information on the past uses of the property.

Mr. Takuya Tsujimoto, manager of the Pukalani Terrace and County Club Golf Course, was interviewed to obtain information on the operation and maintenance of the golf course. Mr. Tsujimoto also had some knowledge of the sewage treatment plant located next to the golf course baseyard, and a deep well, which is operated by the golf course.

Mr. Paul Liang, a compliance environmental engineer at Chevron, was called to obtain information on the remediation of the LUST at the Pukalani Chevron station. A copy of the telephone memorandum documenting this conversation is contained in Appendix D.

**SECTION 5**  
**FINDINGS AND CONCLUSION**

## SECTION 5

### FINDINGS AND CONCLUSION

This Phase I ESA has been performed in conformance with the scope and limitations of the ASTM Practice E1527 for Kulamalu (Pukalani Terrace and Country Club Subdivision Unit III). Any exceptions to, or deviations from, this practice are described in Section 1.3 of this report.

This assessment has revealed no factual evidence of substantial releases of hazardous substances or petroleum products on the subject property.

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## REFERENCES

## REFERENCES

1. County of Maui. *Water Use and Development Plan Lahaina*. June 14, 1989.
2. ECM, Inc. *Draft Environmental Assessment for Pukalani Terrace and Country Club, Unit III*. December 30, 1993.
3. GMP Associates, Inc. *Phase I Environmental Site Assessment for Maui Court Apartments*. December 1995.
4. State of Hawaii, Department of Health, Environmental Management Division, Solid and Hazardous Waste Branch. *HEER Office Release Report Database*. 1980-1991, 1992, 1993, 1994, and Nov. 1, 1995.
5. State of Hawaii, Department of Health, Environmental Management Division, Solid and Hazardous Waste Branch. *UST Leak Log*. April 7, 1995.
6. State of Hawaii, Department of Land and Natural Resources, Division of Water Resource Management. *Ground Water Index and Summary*. February 5, 1991.
7. U.S. Department of Agriculture, Soil Conservation Service. *Soil Survey of Islands Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*. August 1972
8. U.S. EPA Region 9 - CERCLIS. *List 8 Report for the State of Hawaii*. June 5, 1995.

# APPENDICES

APPENDIX A  
VISTA ENVIRONMENTAL  
INFORMATION, INC. DATABASE

# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

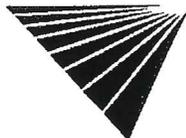
PROPERTY INFORMATION	CLIENT INFORMATION
Project Name/Ref #: 2458.00 PUKALANI TERRACE AND COUNTRY CLUB III TMK 2-2-3-08:05 KULA HWY PUKALANI, HI 96768 Latitude/Longitude: ( 20.823750, 156.339404 )	SUZETTE HOKAMA GMP ASSOCIATES INC-HONOLULU 841 BISHOP ST STE 1501 HONOLULU, HI 96813

Site Distribution Summary	<i>within 1 1/8 miles</i>	<i>1 1/8 to 1 1/4 miles</i>	<i>1 1/4 to 1 1/2 miles</i>	<i>1 1/2 to 2 miles</i>
<b>Agency / Database - Type of Records</b>				
<b>A) Databases searched to 2 miles:</b>				
US EPA NPL National Priority List	0	0	0	0
US EPA TSD RCRA permitted treatment, storage, disposal facilities	0	0	0	0
<b>B) Databases searched to 1 1/2 miles:</b>				
US EPA CERCLIS Sites under review by US EPA	0	0	0	-
STATE LUST Leaking Underground Storage Tanks	1	0	0	-
STATE SWLF Permitted as solid waste landfills, incinerators, or transfer stations	0	0	0	-
<b>C) Databases searched to 1 1/4 miles:</b>				
STATE UST Registered underground storage tanks	1	2	-	-
<b>D) Databases searched to 1 1/8 miles:</b>				
US EPA ERNS Emergency Response Notification System of spills	0	-	-	-
US EPA LG GEN RCRA registered large generators of hazardous waste	0	-	-	-
US EPA SM GEN RCRA registered small generators of hazardous waste	0	-	-	-

This geographic database search meets the American Society for Testing Materials (ASTM) standards for a government records review. A (-) indicates the search distance exceeds ASTM search parameters.

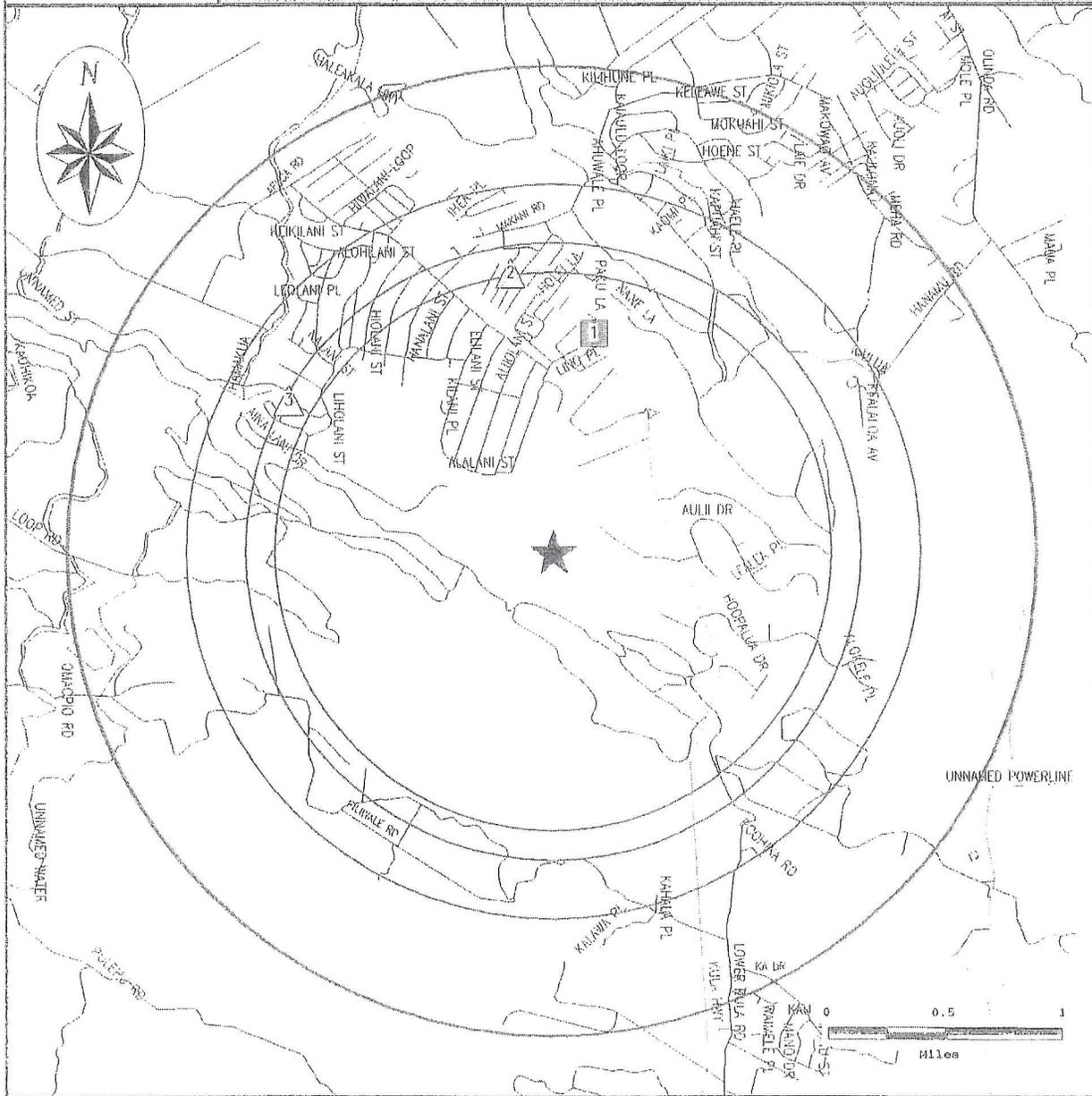
**LIMITATION OF LIABILITY**

Customer proceeds at its own risk in choosing to rely on VISTA services, in whole or in part, prior to proceeding with any transaction. VISTA cannot be an insurer of the accuracy of the information, errors occurring in conversion of data, or for customer's use of data. VISTA and its affiliated companies, officers, agents, employees and independent contractors cannot be held liable for accuracy, storage, delivery, loss or expense suffered by customer resulting directly or indirectly from any information provided by VISTA.



# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

## Map of Sites within Two Miles

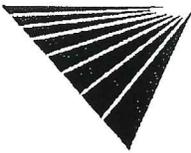


Subject Site	Category:	A	B	C	D
★	Databases Searched to:	2 mi.	1 1/2 mi.	1 1/4 mi.	1 1/8 mi.
	Single Sites	◆	■	△	○
	Multiple Sites	◆	■	△	○
	Roads	NPL, SPL, SCL, TSD			
	Highways	CERCLIS, LUST, SWLF			
	Railroads	UST			
	Rivers or Water Bodies	ERNS, GENERATORS			
	Utilities				

If additional databases are listed in the cover page of the report they are also displayed on this map. The map symbol used corresponds to the database category letter A,B,C,D.

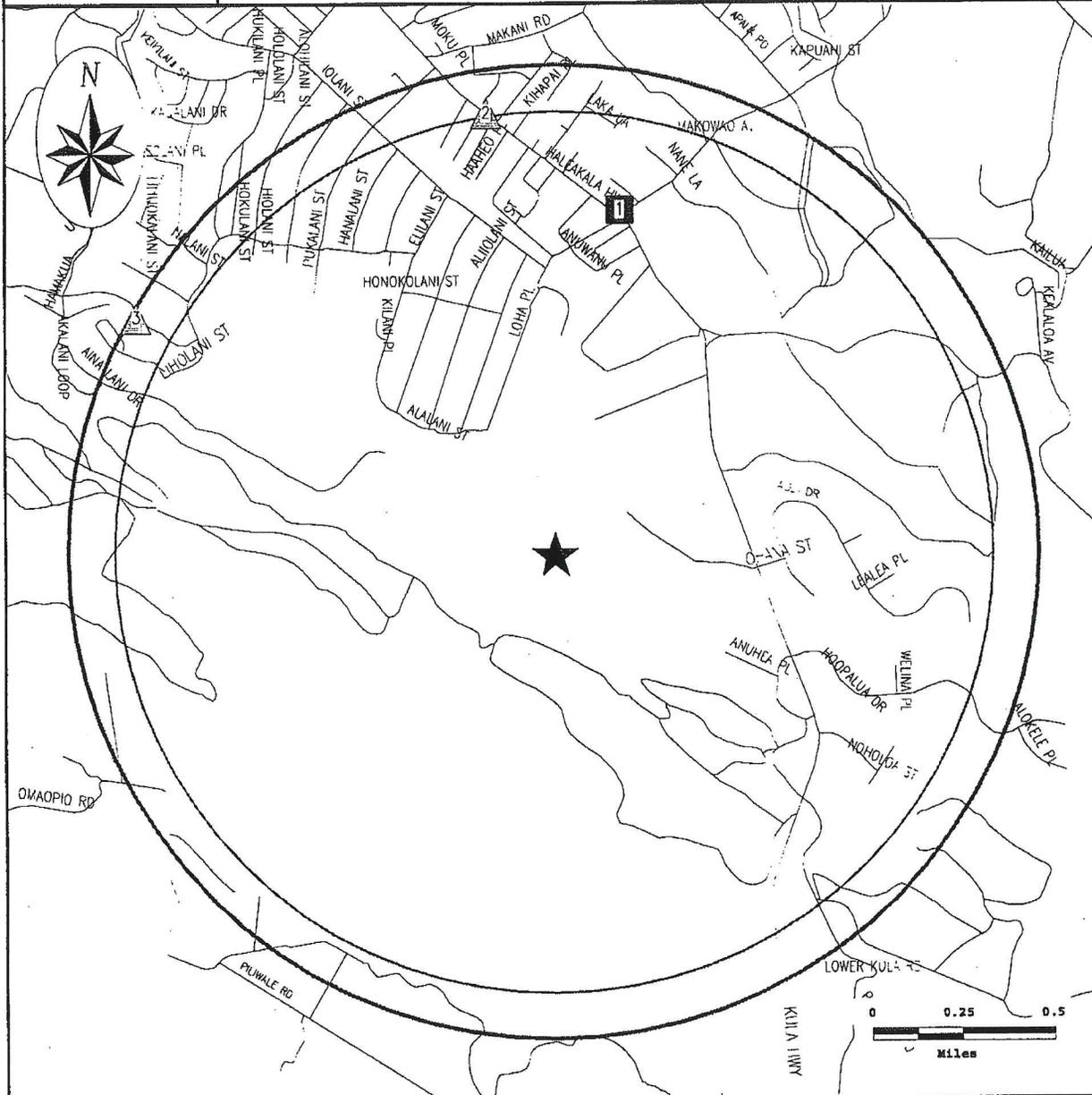
For More Information Call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403  
Report ID: 094608-001

Date of Report: January 24, 1996



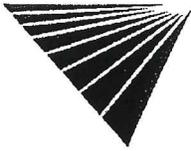
# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

## Map of Sites within One and One-Quarter Miles



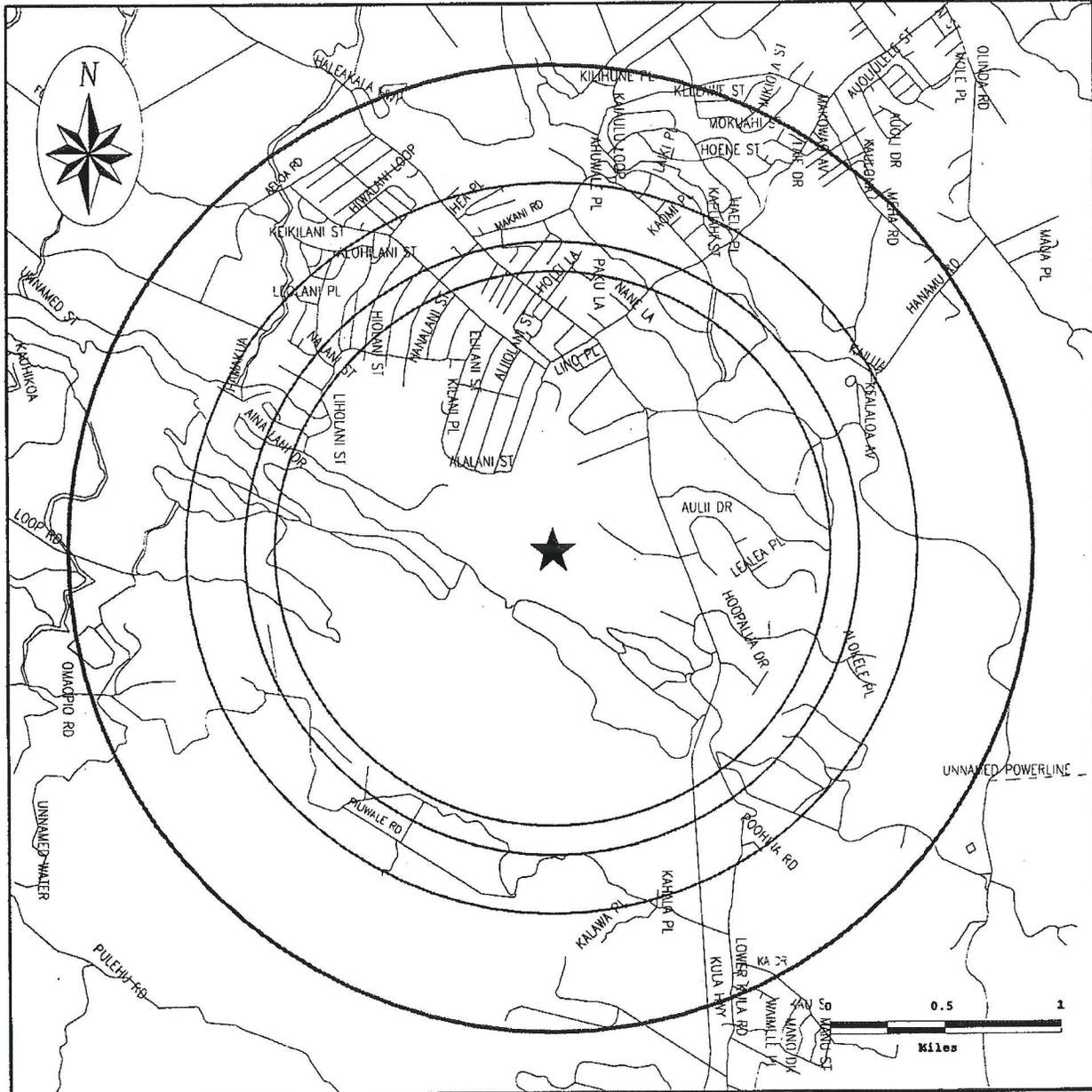
Subject Site	Category:	A	B	C	D
★	Databases Searched to:	2 mi.	1 1/2 mi.	1 1/4 mi.	1 1/8 mi.
	Single Sites	◆	■	▲	○
	Multiple Sites	◆◆	■■	▲▲	○○
		NPL, SPL, SCL, TSD	CERCLIS, LUST, SWLF	UST	ERNS, GENERATORS
	Roads				
	Highways				
	Railroads				
	Rivers or Water Bodies				
	Utilities				

If additional databases are listed in the cover page of the report they are also displayed on this map. The map symbol used corresponds to the database category letter A,B,C,D.



# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

## Street Map



Subject Site



— Roads, Highways, Rivers, Water Bodies  
- - - Railroads, Utilities

# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

## SITE INVENTORY

MAP ID	PROPERTY AND THE ADJACENT AREA (within 1 1/8 miles)	A		B		C	D		VISTA ID DISTANCE DIRECTION	
		NPL	TSD	CERCLIS	LUST	SWLF	UST	ERNS		LG GEN
1	PUKALANI CHEVRON P. O. BOX 178 PUKALANI, HI 96788				X		X			3430226 0.88 MI N

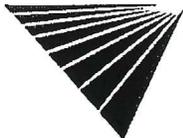
MAP ID	SITES IN THE SURROUNDING AREA (within 1 1/8 - 1 1/4 miles)	A		B		C	D		VISTA ID DISTANCE DIRECTION	
		NPL	TSD	CERCLIS	LUST	SWLF	UST	ERNS		LG GEN
2	WOJCIESKI TEXACO 3370 HALEAKALA HWY. MAKAWAO, HI 96768						X			3438572 1.13 MI N
3	PUKALANI TERRACE LANDCO SEWER TREATMENT PLANT PUKALANI, HI 96788						X			3440315 1.23 MI NW

MAP ID	SITES IN THE SURROUNDING AREA (within 1 1/4 - 1 1/2 miles)	A		B		C	D		VISTA ID DISTANCE DIRECTION
		NPL	TSD	CERCLIS	LUST	SWLF	UST	ERNS	

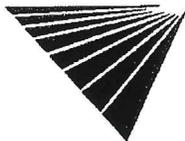
No Records Found

MAP ID	SITES IN THE SURROUNDING AREA (within 1 1/2 - 2 miles)	A		B		C	D		VISTA ID DISTANCE DIRECTION
		NPL	TSD	CERCLIS	LUST	SWLF	UST	ERNS	

No Records Found



UNMAPPED SITES	A		B		C		D		VISTA ID
	NPL	TSD	CERCLIS	LUST	SWLF	UST	ERNS	LG GEN	
PUKALANI ATERRANCE LANDCO -BASE LIHOLANI ST.ALONG KAAKAKAI PUKALANI, HI 96788				X		X			3994124
PUU MAHOE RADIO STATION MAKAWAO, HI 96768						X			4909095
PUKALANI TERRACE LANDCO DEEPWELL PUKALANI, HI 96788						X			3438388
MAKAWAO FIRE STATION MAKAWAO AVE MAKAWAO, HI 96768				X		X			4875626
MAKAWAO HIGHWAYS DIVISION BASEYA TMK 2-4-17:41 MAKAWAO, HI 96768						X			4050335
KOMODA S. BAKERY P.O. BOX 397 MAKAWAO, HI 96768						X			5348531
FRANK F. JACINTHO LOWER KULA ROAD KULA, HI 96790						X			5348837



# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

## DETAILS

### PROPERTY AND THE ADJACENT AREA (within 1 1/8 mile)

VISTA Address*:	PUKALANI CHEVRON P. O. BOX 178 PUKALANI, HI 96788	VISTA ID#:	3430226
		Distance/Direction:	0.88 MI / N
		Plotted as:	Point

Map ID

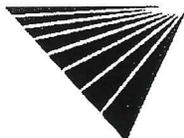
1

STATE LUST - State Leaking Underground Storage Tank / SRC# 2618	Agency ID:	9-501254
---	------------	----------

Agency Address:	SAME AS ABOVE
Tank Status:	NOT AVAILABLE
Media Affected:	NOT AVAILABLE
Leak Cause:	UNAVAILABLE
Remedial Action:	NOT AVAILABLE
Remedial Status 1:	NOT AVAILABLE
Remedial Status 2:	NOT AVAILABLE
Fields Not Reported:	Discovery Date, Substance, Quantity (Units), Leak Source

STATE UST - State Underground Storage Tank / SRC# 2277	EPA/Agency ID:	N/A
--	----------------	-----

Agency Address:	SAME AS ABOVE		
Underground Tanks:	7		
Aboveground Tanks:	NOT REPORTED		
Tanks Removed:	NOT REPORTED		
Tank ID:	H-AU	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	REPORTED AS "UNKNOWN" BY AGENCY	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	30 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	H-BU	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	REPORTED AS "UNKNOWN" BY AGENCY	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	30 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	1U	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	GASOLINE (UNSPECIFIED)	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	10000 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	2U	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	GASOLINE (UNSPECIFIED)	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	10000 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	3U	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	NOT REPORTED	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	10000 (GALLONS)	Tank Material:	NOT AVAILABLE



**PROPERTY AND THE ADJACENT AREA (within 1 1/8 mile) CONT.**

Tank ID:	4U	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	DIESEL	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	10000 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	5U	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	USED OIL	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	1000 (GALLONS)	Tank Material:	NOT AVAILABLE

**SITES IN THE SURROUNDING AREA (within 1 1/8 - 1 1/4 mile)**

VISTA Address*:	<b>WOJCIESKI TEXACO 3370 HALEAKALA HWY. MAKAWAO, HI 96768</b>	VISTA ID#:	3438572	Map ID <b>2</b>
		Distance/Direction:	1.13 MI / N	
		Plotted as:	Point	

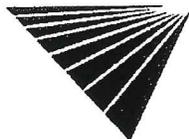
<b>STATE UST - State Underground Storage Tank / SRC# 2277</b>		EPA/Agency ID:	N/A
Agency Address:	WOJCIESKI TEXACO 3370 HALEAKALA HWY. PUKALANI, HI 96768		
Underground Tanks:	3		
Aboveground Tanks:	NOT REPORTED		
Tanks Removed:	3		

Tank ID:	R-01U	Tank Status:	REMOVED
Tank Contents:	USED OIL	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	550 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	R-02U	Tank Status:	REMOVED
Tank Contents:	GASOLINE (UNSPECIFIED)	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	4000 (GALLONS)	Tank Material:	NOT AVAILABLE
Tank ID:	R-03U	Tank Status:	REMOVED
Tank Contents:	GASOLINE (UNSPECIFIED)	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	4000 (GALLONS)	Tank Material:	NOT AVAILABLE

VISTA Address*:	<b>PUKALANI TERRACE LANDCO SEWER TREATMENT PLANT PUKALANI, HI 96768</b>	VISTA ID#:	3440315	Map ID <b>3</b>
		Distance/Direction:	1.23 MI / NW	
		Plotted as:	Point	

<b>STATE UST - State Underground Storage Tank / SRC# 2277</b>		EPA/Agency ID:	N/A
Agency Address:	PUKALANI TERRACE LANDCO SEWER TREATMENT PLANT PUKALANI, HI 96768		
Underground Tanks:	1		
Aboveground Tanks:	NOT REPORTED		
Tanks Removed:	NOT REPORTED		

Tank ID:	001U	Tank Status:	ACTIVE/IN SERVICE
Tank Contents:	DIESEL	Leak Monitoring:	NOT AVAILABLE
Tank Age:	NOT REPORTED	Tank Piping:	NOT AVAILABLE
Tank Size (Units):	480 (GALLONS)	Tank Material:	NOT AVAILABLE



\* VISTA address includes enhanced city and ZIP.

For more information call VISTA Information Solutions, Inc. at 1 - 800 - 767 - 0403.

Report ID: 094608-001

Date of Report: January 24, 1996

Version 2.4.1

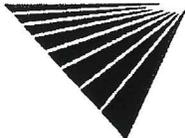
Page #8

**SITES IN THE SURROUNDING AREA (within 1 1/4 - 1 1/2 mile)**

No Records Found

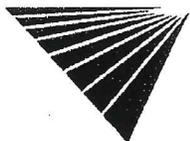
**SITES IN THE SURROUNDING AREA (within 1 1/2 - 2 miles)**

No Records Found



**UNMAPPED SITES**

VISTA Address*:	<b>PUKALANI ATERRANCE LANDCO -BASE LIHOLANI ST.ALONG KAAKAKAI PUKALANI, HI 96788</b>	VISTA ID#:	3994124
<b>STATE LUST - State Leaking Underground Storage Tank / SRC# 2618</b>		Agency ID:	9-500374
Agency Address:	<i>PUKALANI ATERRANCE LANDCO -BASE LIHOLANI ST.ALONG KAAKAKAI PUKALANI, HI 96768</i>		
Tank Status:	<i>NOT AVAILABLE</i>		
Media Affected:	<i>NOT AVAILABLE</i>		
Remedial Action:	<i>NOT AVAILABLE</i>		
Remedial Status 1:	<i>NOT AVAILABLE</i>		
Remedial Status 2:	<i>NOT AVAILABLE</i>		
Fields Not Reported:	<i>Discovery Date, Substance</i>		
VISTA Address*:	<b>MAKAWAO FIRE STATION MAKAWAO AVE MAKAWAO, HI 96768</b>	VISTA ID#:	4875626
<b>STATE LUST - State Leaking Underground Storage Tank / SRC# 2618</b>		Agency ID:	9-502765
Agency Address:	<i>SAME AS ABOVE</i>		
Tank Status:	<i>NOT AVAILABLE</i>		
Media Affected:	<i>NOT AVAILABLE</i>		
Remedial Action:	<i>NOT AVAILABLE</i>		
Remedial Status 1:	<i>NOT AVAILABLE</i>		
Remedial Status 2:	<i>NOT AVAILABLE</i>		
Fields Not Reported:	<i>Discovery Date, Substance</i>		



# SITE ASSESSMENT REPORT (EXTENDED BY 1 MILE)

## DESCRIPTION OF DATABASES SEARCHED

### A) DATABASES SEARCHED TO 2 MILES

**NPL**  
**SRC#: 2640** VISTA conducts a database search to identify all sites within 2. mile of your property.  
The agency release date for NPL was September, 1995.

The National Priorities List (NPL) is the EPA's database of uncontrolled or abandoned hazardous waste sites identified for priority remedial actions under the Superfund program. A site must meet or surpass a predetermined hazard ranking system score, be chosen as a state's top priority site, or meet three specific criteria set jointly by the US Dept of Health and Human Services and the US EPA in order to become an NPL site.

**RCRA-TSD**  
**SRC#: 2685** VISTA conducts a database search to identify all sites within 2. mile of your property.  
The agency release date for RCRIS was October, 1995.

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA TSDs are facilities which treat, store and/or dispose of hazardous waste.

### B) DATABASES SEARCHED TO 1 1/2 MILES

**CERCLIS**  
**SRC#: 2596** VISTA conducts a database search to identify all sites within 1.5 mile of your property.  
The agency release date for CERCLIS was September, 1995.

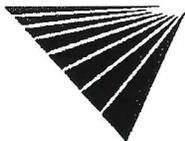
The CERCLIS List contains sites which are either proposed to or on the National Priorities List(NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL. The information on each site includes a history of all pre-remedial, remedial, removal and community relations activities or events at the site, financial funding information for the events, and unrestricted enforcement activities.

**NFRAP**  
**SRC#: 2632** VISTA conducts a database search to identify all sites within 1.5 mile of your property.  
The agency release date for CERCLIS was September, 1995.

NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.

**SWLF**  
**SRC#: 1682** VISTA conducts a database search to identify all sites within 1.5 mile of your property.  
The agency release date for Permitted Landfills, Transfer Station Incinerator Facilities Database was December, 1993.

This database is provided by the Department of Health, Solid Hazardous Waste Branch.



**LUST** VISTA conducts a database search to identify all sites within 1.5 mile of your property.  
**SRC#: 2618** The agency release date for Active Leaking Underground Storage Tank List was July, 1995.

This database is provided by the Department of Health, Solid Hazardous Waste Branch.

**C) DATABASES SEARCHED TO 1 1/4 MILES**

**UST's** VISTA conducts a database search to identify all sites within 1.25 mile of your property.  
**SRC#: 2277** The agency release date for UST Section Database was February, 1995.

This database is provided by the Department of Health, Solid Hazardous Waste Branch;  
Caution-Many states do not require registration of heating oil tanks, especially those used for residential purposes.

**D) DATABASES SEARCHED TO 1 1/8 MILES**

**ERNS** VISTA conducts a database search to identify all sites within 1.125 mile of your property.  
**SRC#: 2255** The agency release date for ERNS was March, 1995.

The Emergency Response Notification System (ERNS) is a national database used to collect information on reported releases of oil and hazardous substances. The database contains information from spill reports made to federal authorities including the EPA, the US Coast Guard, the National Response Center and the Department of transportation. A search of the database records for the period October 1986 through September 1994 revealed the following information regarding reported spills of oil or hazardous substances in the stated area.

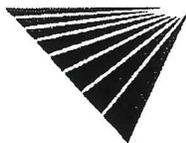
**RCRA-LgGen** VISTA conducts a database search to identify all sites within 1.125 mile of your property.  
**SRC#: 2685** The agency release date for RCRIS was October, 1995.

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA Large Generators are facilities which generate at least 1000 kg./month of non-acutely hazardous waste ( or 1 kg./month of acutely hazardous waste).

**RCRA-SmGen** VISTA conducts a database search to identify all sites within 1.125 mile of your property.  
**SRC#: 2685** The agency release date for RCRIS was October, 1995.

The EPA's Resource Conservation and Recovery Act (RCRA) Program identifies and tracks hazardous waste from the point of generation to the point of disposal. The RCRA Facilities database is a compilation by the EPA of facilities which report generation, storage, transportation, treatment or disposal of hazardous waste. RCRA Small and Very Small generators are facilities which generate less than 1000 kg./month of non-acutely hazardous waste.

**End of Report**



APPENDIX B  
RECORDED DEEDS AND  
LEGAL DOCUMENTS





SOURCE:		LOC & TITLE:		DIV.	
BY:	DATE:	DEED, ETC.:	TMB NO.	AREA OF PARCEL	GRANTEE ETC.
pl	1/8/63				
NO.	DATE:	GRANTOR, ETC.			
8	page 3				
		TTH 1099'62 PDK/pl 1/8/63	379.908 AC.	J E Lyons, Timothy A Lyons,	
		Jdgmt: Frank Enos & Rosalie Enos		Enos K Lyons, Auwae N K Lyons,	
		Civil 210, vs Wm Berger, etal. Trs.		Merwyn K Lyons, Francis L Lyons	
		Trust/Agrmt 5/7/50 is void & that the		Thomas B Lyons Trust, 1/2	
		same is hereby cancelled.		Frank Enos 1/4	
		Bk 4389 p 110 10/22/62 10/23/62		Rosalie E Thorne 1/4	
		TMB 1289'66(2307-06 etc) DL/gc 11/9/66	do	Frank Enos - 31/100	
		Exch/DiFrank Enos(&wf) & Rosalie E Thorne		Rosalie E I Gray - 31/100	
		Gray-Grantors To: J E Lyons Trustee for		J E Lyons	
		J E Lyons etal-Grantee Bk 5456 p 464		Timothy A Lyons	
		Cons: Exch 10/1/66 10/12/66 Grantee does		Enos K Lyons 38/100	
		hereby q/c unto Frank Enos-12% of grantee's		Auwae N K Lyons	
		and 1/2 int Rosalie E I Gray-12% of und		Merwyn K Lyons	
		1/2 int in No. des		Francis L Lyons	
		F/Di 2308-05: Owners & int		Thomas B Lyons Trust	
9		TMB 1296'66(2307-06etc) DL/gc 11/14/66	366.780 AC.	do	
		A/S: J E Lyons, Trustee under deed of tr		(Frank Munoz	
		made by J E Lyons etal-38/100 int		D H Tokunaga-Trustees)A/S	
		Rosalie E Gray aka Rosalie E I Gray(M)			
		by atty-31/100 Int Frank Enos(&wf) -			
		31/100 int Bk 5458 p 389 Cons: \$700,937			
		6% DP \$25,000 \$75,000 upon execution of			
		this A/S etal 10/1/66 10/13/66 Tog/non-excl			
		per R/W			
		F/D: 2308-05; A/S Revised area			

*Cont*

NOTE: LAST AREA & GRANTEE FINAL DATA AS SHOWN ON TAX MAPS.

TERRITORY OF HAWAII  
TAXATION MAPS BUREAU

TAX MAPS BRANCH HISTORY SHEET

DATE: 6/25/71  
 LOCATION: Kula  
 TITLE:

DIV.  
 Z B PLAT PAR  
 2 3 08 5

NO.	PAGE	GRANTOR, ETC.	AREA OF PARCEL	GRANTEE, ETC.
10	4	TMB 3866*70-71 (2308-5 etc) AS/en 6/25/71	366.780 Aq	To: Frank Munoz
		D: Frank Enos & Rosalie Enos Gray, aka		D H Tokunaga I/C -52/100
		Rosalie E & Thorne Gray To: Frank Munoz &		J E Lyons et al Trust -33/100
		D H Tokunaga Bk 7589 p 273 SCT\$00		(Frank Munoz
		4/26/71 6/7/71 DES Toq/non-excl/R/W		D H Tokunaga -Trustees)A/S
		F/D: 2308-5; Ownership & interest		
		J.K. (2308-5; 2309-4 & 10; 2401-02)		
11		TMB 3867*70-71 (2307-6 etc) AS/en 6/25/71	do	To: Frank Munoz
		D: T A Lyons & Hawn Trust Co Ltd, succ/tr		D H Tokunaga -T/C
		To: Frank Munoz & D H Tokunaga		
		Bk 7589 p 288 SCT\$00 4/15/71 6/7/71 DES		
		Toq/non-excl/R/W Und 38/100 int in		
		NOTE: Donald H Tokunaga aka D H Tokunaga		
12		TMB 1207*71-72 WD/en 10/14/71	do	do
		Quitclaim & Relocation: State of Hawaii		
		To: Frank Munoz & D H Tokunaga		
		Bk 7814 p 426 8/19/71 9/23/71		
		F/D: 2308-5; New access permitted over		
		Boundary "C"; no access permitted over		
		Boundary "B"		
13		TMB 1207*71-72 WD/en 10/19/71	do	do
		Quitclaim & relocation: State of Hawaii		
		To: Frank Munoz & D H Tokunaga		
		Bk 7814 p 426 SCT\$-- 8/19/71 9/23/71		
		F/D: 2308-5; New access permitted over		
		Bdry "C"; no access permitted over Bdry "B"		

*(Signature)*

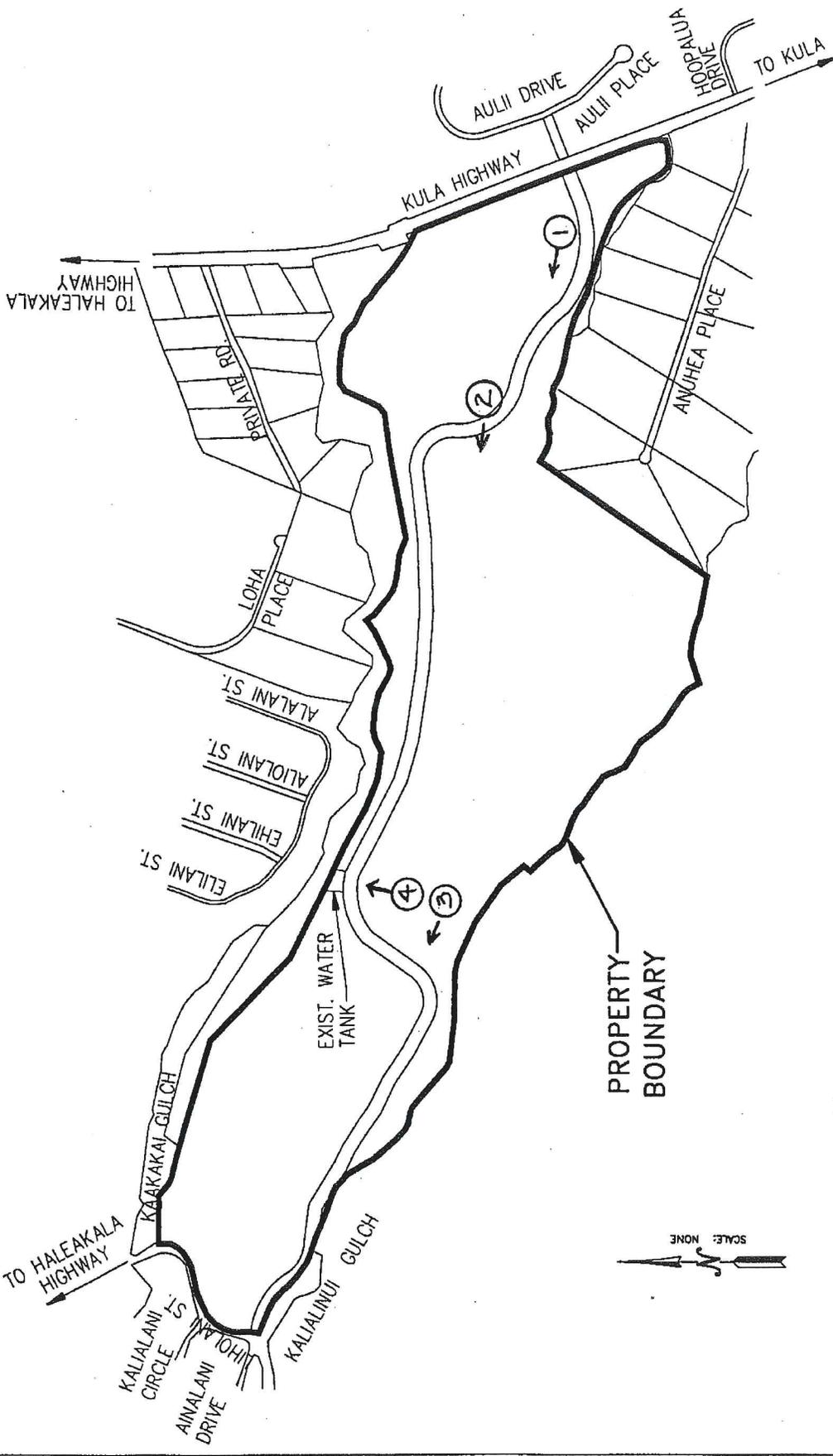
NOTE: INFORMATION ON THIS SHEET IS SUBJECT TO CHANGE





APPENDIX C  
SITE INSPECTION PHOTOGRAPHS

PHOTO MAP



SC2458AC

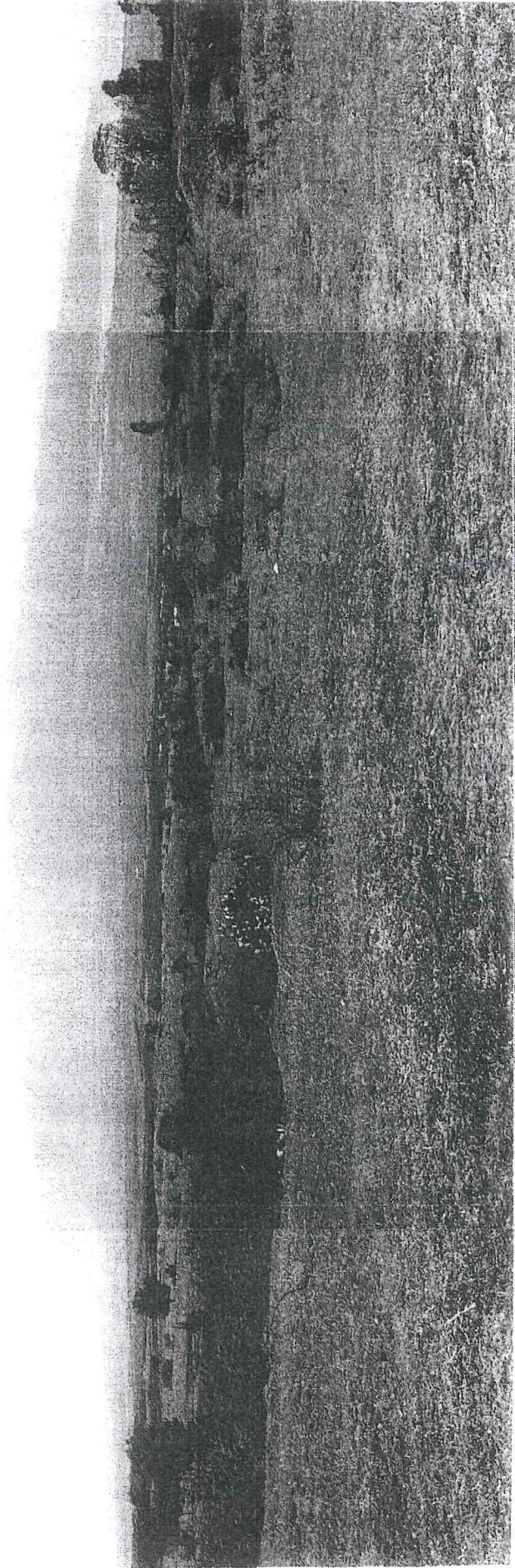


Photo No. 1

At the eastern end of the property (facing west).

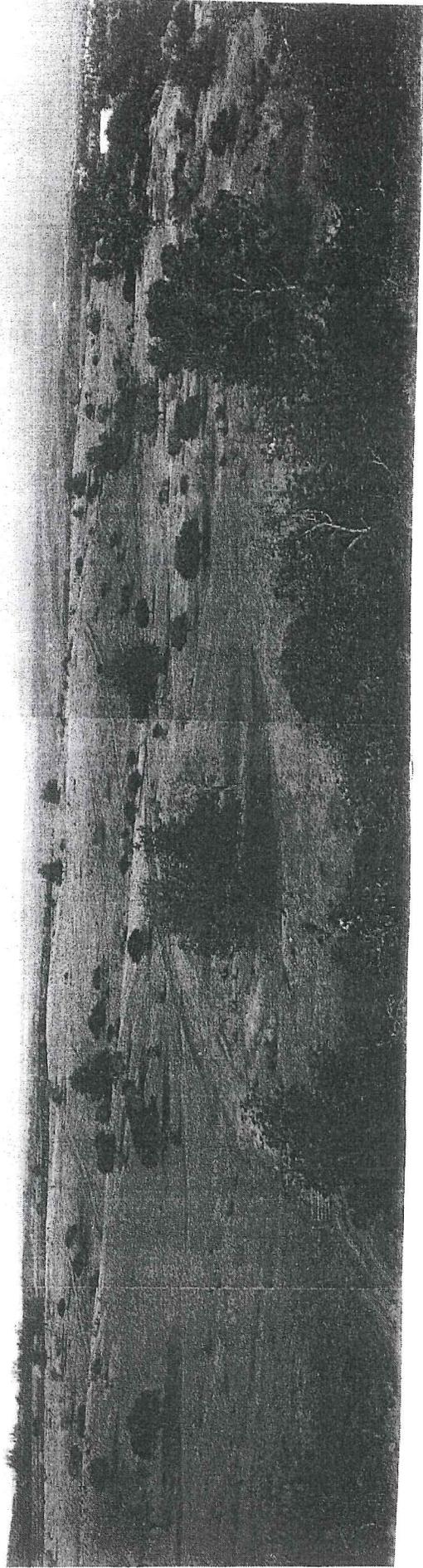


Photo No. 2

At the cinder pit (facing west).

The Maui County water tank is in the right corner of this picture.

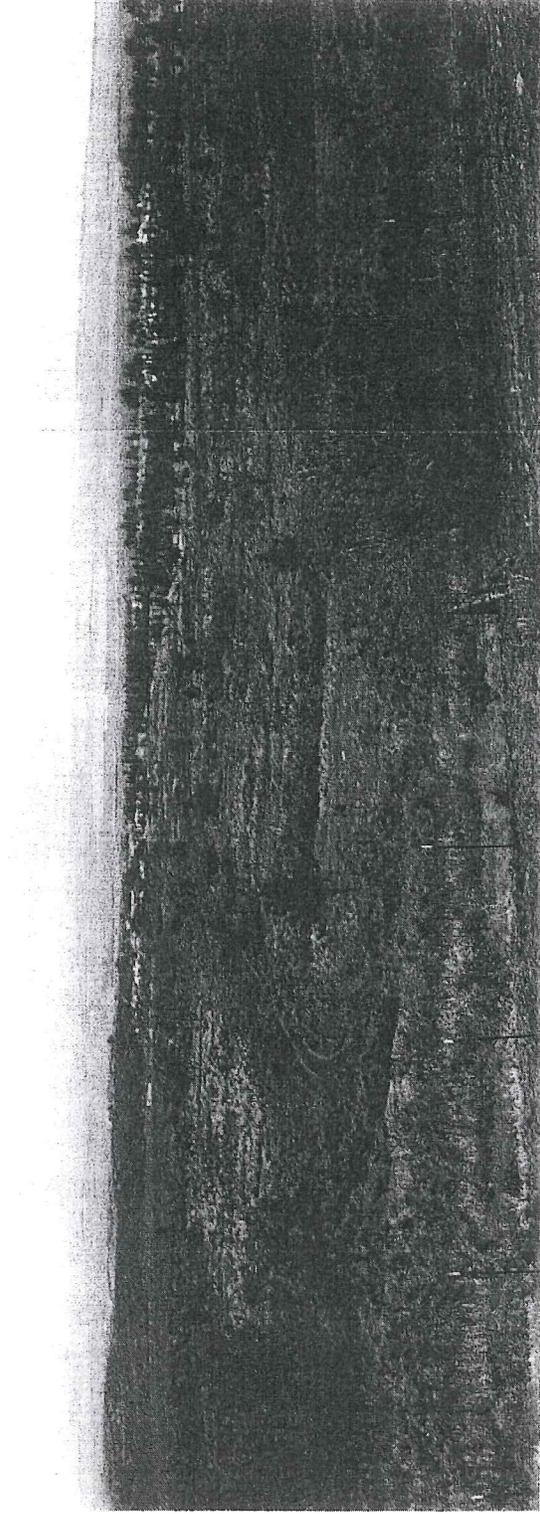


Photo No. 3

Right above the water tank site looking west onto the dirt road, subdivision west of Liholani Street, and part of the Pukalani Terrace and Country Club Golf Course.

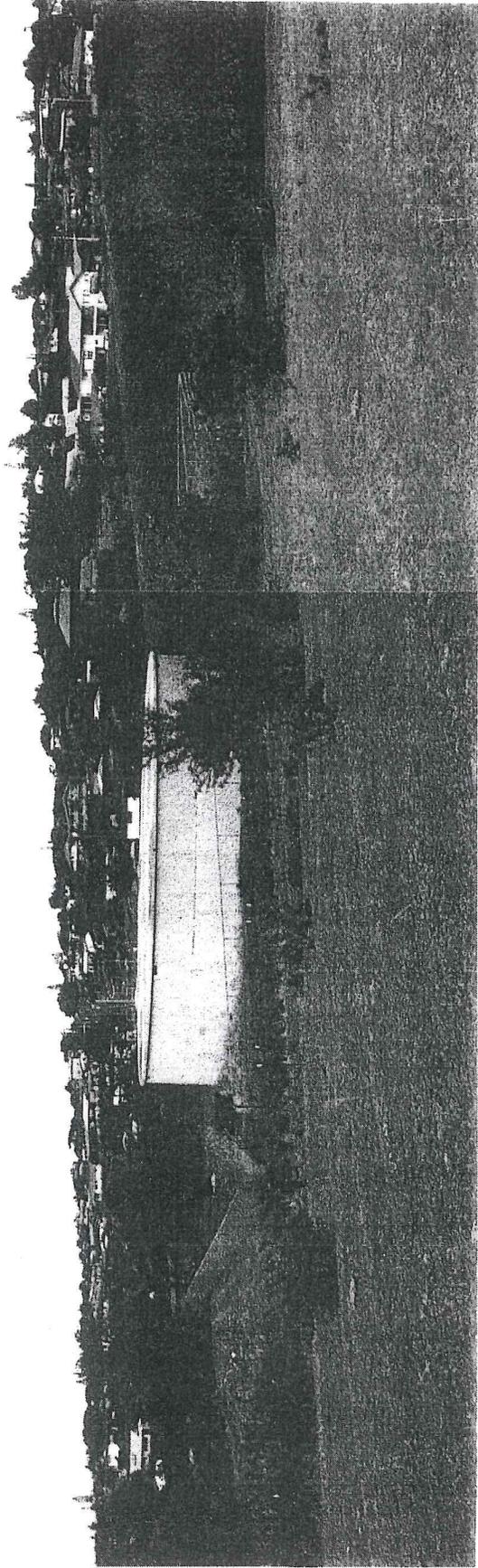


Photo No. 4  
Maui County Board of Water Supply water tank (facing north).

**APPENDIX D**  
**TELEPHONE MEMORANDA**

## TELEPHONE MEMO

SUBJECT: Pukalani ESA, LUST at Pukalani Chevron and  
Pukalani Terrace Landco.  
JOB NO: 2458/00  
Staff Consulted With: Jack Richardson, DOH, Solid and Hazardous  
Waste Branch  
Phone Number: 586-4225  
GMP Staff: Suzette Hokama  
DATE: 1/18/96

---

### Discussion Items:

1. The UST at the Pukalani Chevron failed a tank tightness test, which was reported on May 19, 1992. Any failure of the tank tightness test is required to be reported to the DOH within 24 hours of the test. The UST is then listed on the UST Leak Log. The UST which failed the test was a 13 year old 10,000 gallon gasoline tank. An estimated 225 gallons of gasoline was released into the soil. However, the contamination did not go any further than the soil.

The Pukalani Chevron has three 10,000-gallon USTs for gasoline, one 10,000 gallon UST for diesel, and one 1,000-gallon UST for waste oil.

For more information on this incident, we can call Connie Mills at 527-2766. She is the field environmental compliance officer for Chevron. We can also call Paul Liang at 527-2778. Paul is the compliance environmental engineer for Chevron.

2. The UST at the Pukalani Terrace Landco baseyard failed the tank tightness test and was reported on February 8, 1993. This 16 year old UST is located on the Pukalani Terrace and Country Club Golf Course. The UST is a 2,000-gallon tank used to hold diesel.

There are actually two 2,000-gallon USTs used for diesel at this location, but only one has failed the test.

## TELEPHONE MEMO

SUBJECT: Pukalani ESA, LUST at Pukalani Chevron  
JOB NO: 2458/00  
Staff Consulted With: Paul Liang, Chevron  
Phone Number: 527-2778  
GMP Staff: Suzette Hokama  
DATE: 1/23/96

---

### Discussion Items:

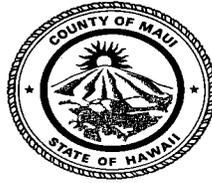
1. Mr. Liang said that the UST at the Pukalani Chevron Station, which failed the tank tightness test in May of 1992, was fixed. The UST was retested before being put back into service. There have been no problems with the UST since that incident.

# **EXHIBIT I.**

**January 8, 2016 Letter from the  
Department of Fire and Public  
Safety**

JAN 15 2016

ALAN M. ARAKAWA  
MAYOR



JEFFREY A. MURRAY  
FIRE CHIEF

ROBERT M. SHIMADA  
DEPUTY FIRE CHIEF

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

313 MANEA PLACE . WAILUKU, HAWAII 96793  
(808) 876-4690 . FAX (808) 244-1363

January 8, 201~~5~~<sup>6</sup>

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

Re: **Proposed Hale Mahaolu Ewalu Senior Residential Project**  
**HUD Distance Analysis**  
**(2) 2-3-066: 019 & 020**

Dear Colleen:

In regards to your request for information regarding aboveground storage tanks within a 1-mile radius of the proposed project, the spread sheet you provided has been filled with what information we have on file for the respective Tax Map Key numbers.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Haake", written in a cursive style.

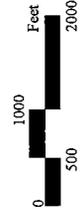
Paul Haake  
Captain, Fire Prevention Bureau



Source: County of Maui

# Hale Mahaolu Ewalu Senior Residential Project

## One-Mile Radius Map



Prepared for: Hale Mahaolu

**HALE MAHAOLU EWALU SENIOR RESIDENTIAL  
ONE-MILE RADIUS - LIST OF PROPERTIES**

Tax Map Key	AST Present (Y/N)	Type
2230070210000	Yes	550 gal. diesel dispenser / 2085
2230070320000	No	
2230080390000	Yes	1000 gal. gasoline dispenser / 2085
2230080430000	No	
2230080440000	No	
2230090390000	No	
2230170230000	No	
2230170240000	No	
2230170260000	No	
2230170320000	No	
2230170350000	No	
2230240070000	No	
2230240180000	No	
2230240280000	No	
2230320100000	No	
2230440010000	No	
2230440020000	No	
2230440030000	No	
2230440270000	No	
2230440280000	No	
2230440290000	No	
2230440300000	No	
2230440340000	No	
2230440350000	No	
2230440370000	No	
2230440450000	No	
2230440480000	No	

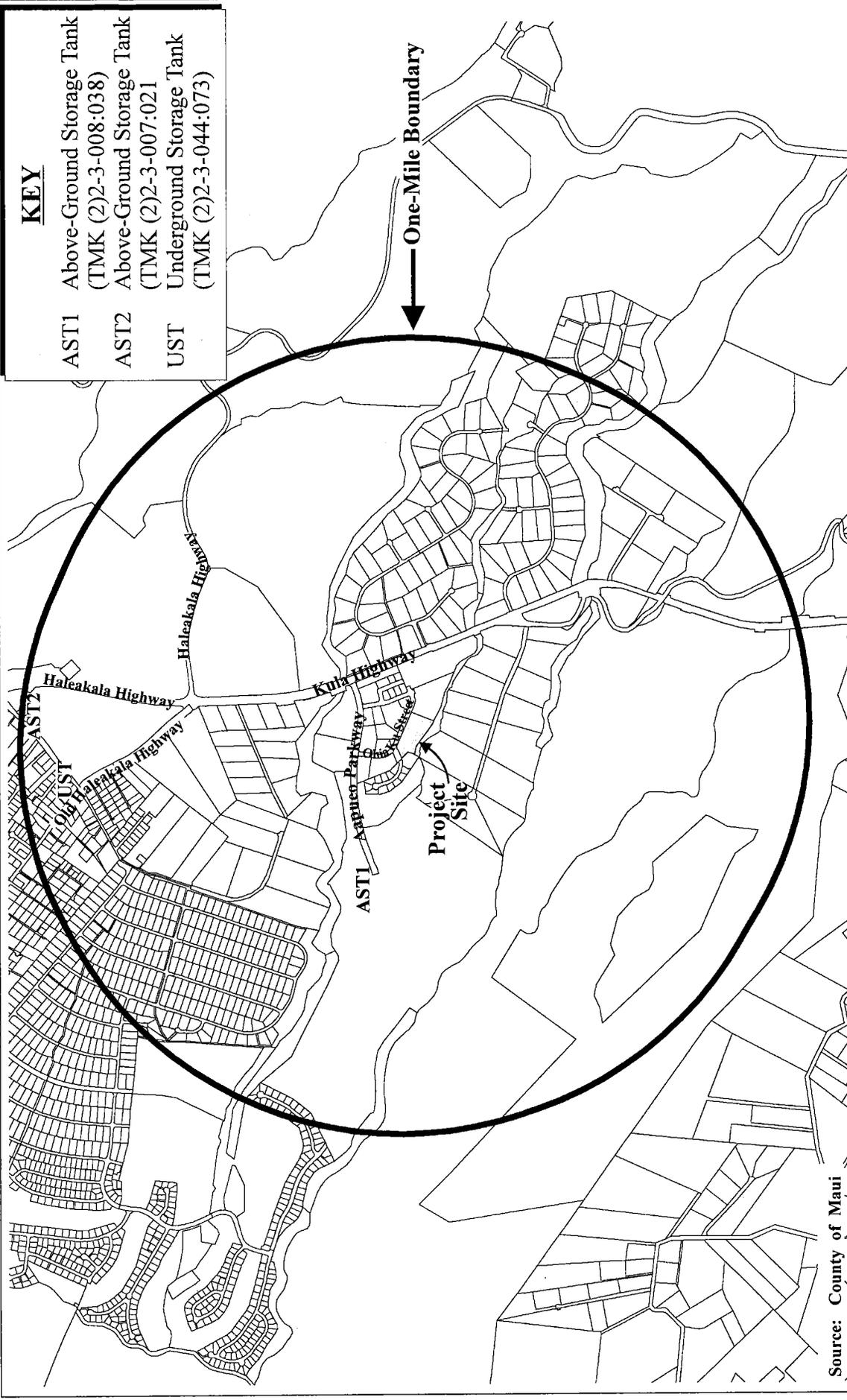
\*

HALE MAHAOLU EWALU SENIOR RESIDENTIAL  
ONE-MILE RADIUS - LIST OF PROPERTIES

Tax Map Key	AST Present (Y/N)	Type
223044050000	No	
2230440720000	No	
2230440730000	No. UST? Yes	Underground storage assoc. w/ gas station
2230440740000	No	
2230660010000	NA	
2230660020000	No	
2230660030000	No	
2230660040000	No	
2230660050000	No	
2230660060000	No	
2230660070000	No	
2230660090000	No	
2230660120000	No	
2230660130000	NA	No such parcel on records
2230660140000	NA	No such parcel on records
2230660150000	No	
2230660170000	No	
2230660240000	No	
2230660280000	No	
2230660300000	No	
2230660310000	No	

## **EXHIBIT I-1.**

# **Location Map of Above Ground and Underground Storage Tanks**



Source: County of Maui

# Hale Mahaolu Ewalu Senior Residential Project

## Location of Above-Ground and Underground Storage Tanks Within One-Mile Radius



Prepared for: Hale Mahaolu

## **EXHIBIT I-2.**

# **Acceptable Separation Distance (ASD) Worksheets**

**AST 1**  
**Kamehameha School**

[Environmental Review Main \(/programs/environmental-review/\)](#)

# Acceptable Separation Distance (ASD) Electronic Assessment Tool

The Environmental Planning Division (EPD) has developed an electronic-based assessment tool that calculates the Acceptable Separation Distance (ASD) from stationary hazards. The ASD is the distance from above ground stationary containerized hazards of an explosive or fire prone nature, to where a HUD assisted project can be located. The ASD is consistent with the Department's standards of blast overpressure (0.5 psi-buildings) and thermal radiation (450 BTU/ft<sup>2</sup> - hr - people and 10,000 BTU/ft<sup>2</sup> - hr - buildings). Calculation of the ASD is the first step to assess site suitability for proposed HUD-assisted projects near stationary hazards. Additional guidance on ASDs is available in the Department's guidebook "Siting of HUD- Assisted Projects Near Hazardous Facilities" and the regulation 24 CFR Part 51, Subpart C, Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature.

**Note:** Tool tips, containing field specific information, have been added in this tool and may be accessed by hovering over the ASD result fields with the mouse.

## Acceptable Separation Distance Assessment Tool

Is the container above ground?	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Is the container under pressure?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
Does the container hold a cryogenic liquified gas?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>
Is the container diked?	Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
What is the volume (gal) of the container?	<input type="text" value="1000"/>
What is the Diked Area Length (ft)?	<input type="text"/>
What is the Diked Area Width (ft)?	<input type="text"/>
<input type="button" value="Calculate Acceptable Separation Distance"/>	
Diked Area (sqft)	<input type="text"/>
ASD for Blast Over Pressure (ASDBOP)	<input type="text"/>
ASD for Thermal Radiation for People (ASDPPU)	<input type="text" value="276.57"/>
ASD for Thermal Radiation for Buildings (ASDBPU)	<input type="text" value="50.28"/>
ASD for Thermal Radiation for People (ASDPNPD)	<input type="text"/>
ASD for Thermal Radiation for Buildings (ASDBNPD)	<input type="text"/>

**For mitigation options, please click on the following link:** Mitigation Options (<https://onecpd.info/resource/3846/acceptable-separation-distance-asd-hazard-mitigation-options/>)

### Providing Feedback & Corrections

After using the ASD Assessment Tool following the directions in this User Guide, users are encouraged to provide feedback on how the ASD Assessment Tool may be improved. Users are also encouraged to send comments or corrections for the improvement of the tool.

Please send comments or other input using Ask A Question (<https://www.onecpd.info/ask-a-question/my-question/>).

**AST 2**  
**Makawao Fire Station**

[Environmental Review Main \(/programs/environmental-review/\)](/programs/environmental-review/)

# Acceptable Separation Distance (ASD) Electronic Assessment Tool

The Environmental Planning Division (EPD) has developed an electronic-based assessment tool that calculates the Acceptable Separation Distance (ASD) from stationary hazards. The ASD is the distance from above ground stationary containerized hazards of an explosive or fire prone nature, to where a HUD assisted project can be located. The ASD is consistent with the Department's standards of blast overpressure (0.5 psi-buildings) and thermal radiation (450 BTU/ft<sup>2</sup> - hr - people and 10,000 BTU/ft<sup>2</sup> - hr - buildings). Calculation of the ASD is the first step to assess site suitability for proposed HUD-assisted projects near stationary hazards. Additional guidance on ASDs is available in the Department's guidebook "Siting of HUD- Assisted Projects Near Hazardous Facilities" and the regulation 24 CFR Part 51, Subpart C, Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature.

**Note:** Tool tips, containing field specific information, have been added in this tool and may be accessed by hovering over the ASD result fields with the mouse.

## Acceptable Separation Distance Assessment Tool

Is the container above ground? Yes:  No:

Is the container under pressure? Yes:  No:

Does the container hold a cryogenic liquified gas? Yes:  No:

Is the container diked? Yes:  No:

What is the volume (gal) of the container?

What is the Diked Area Length (ft)?

What is the Diked Area Width (ft)?

Diked Area (sqft)

ASD for Blast Over Pressure (ASDBOP)

ASD for Thermal Radiation for People (ASDPPU)

ASD for Thermal Radiation for Buildings (ASDBPU)

ASD for Thermal Radiation for People (ASDPNPD)

ASD for Thermal Radiation for Buildings (ASDBNPD)

**For mitigation options, please click on the following link:** [Mitigation Options \(https://onecpd.info/resource/3846/acceptable-separation-distance-asd-hazard-mitigation-options/\)](https://onecpd.info/resource/3846/acceptable-separation-distance-asd-hazard-mitigation-options/)

### Providing Feedback & Corrections

After using the ASD Assessment Tool following the directions in this User Guide, users are encouraged to provide feedback on how the ASD Assessment Tool may be improved. Users are also encouraged to send comments or corrections for the improvement of the tool.

Please send comments or other input using Ask A Question (<https://www.onecpd.info/ask-a-question/my-question/>).

## **EXHIBIT J.**

# **Goals, Objectives, and Policies of the Maui County General Plan (Excerpt from Chapter 343 HRS, Final EA)**

# **GOALS, OBJECTIVES AND POLICIES OF THE GENERAL PLAN**

## **General Plan of Maui County**

As indicated by the Maui County Charter, the purpose of the general plan shall be to:

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

Chapter 2.80B of the Maui County Code, relating to the General Plan and Community Plans, implements the foregoing Charter provision through enabling legislation which calls for a Countywide Policy Plan and a Maui Island Plan. The Countywide Policy Plan was adopted as Ordinance No. 3732 on March 24, 2010, while the Maui Island Plan, which delineates areas for future urban and rural growth as part of a Directed Growth Strategy, was adopted as Ordinance No. 4004 on December 28, 2012.

The following sections identify pertinent objectives, policies, implementing actions and related provisions set forth in the Countywide Policy Plan and the Maui Island Plan. It is recognized that both documents are comprehensive in nature and address a number of functional planning areas which apply to all programs, plans, and projects. However, for purposes of addressing General Plan compliance requirements, policy considerations which are deemed most relevant in terms of compatibility and consistency are addressed in this report section.

### **1. Countywide Policy Plan**

With regard to the Countywide Policy Plan, Section 2.80B.030 of the Maui County Code states the following.

*The countywide policy plan shall provide broad policies and objectives which portray the desired direction of the County's future. The countywide policy plan shall include:*

- 1. A vision for the County;*
- 2. A statement of core themes or principles for the County; and*
- 3. A list of countywide objectives and policies for population, land use, the environment, the economy, and housing.*

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

1. *Excellence in the stewardship of the natural environment and cultural resources;*
2. *Compassion for and understanding of others;*
3. *Respect for diversity;*
4. *Engagement and empowerment of Maui County residents;*
5. *Honor for all cultural traditions and histories;*
6. *Consideration of the contributions of past generations as well as the needs of future generations;*
7. *Commitment to self-sufficiency;*
8. *Wisdom and balance in decision making;*
9. *Thoughtful, island appropriate innovation; and*
10. *Nurturance of the health and well-being of our families and our communities.*

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

1. *Natural environment*
2. *Local cultures and traditions*
3. *Education*
4. *Social and healthcare services*
5. *Housing opportunities for residents*
6. *Local economy*
7. *Parks and public facilities*
8. *Transportation options*
9. *Physical infrastructure*
10. *Sustainable land use and growth management*
11. *Good governance*

With respect to the Hale Mahaolu Ewalu Senior Residential Housing Project, the following goals, objectives, policies and implementing actions are illustrative of the project's compliance with the Countywide Policy Plan.

### **EXPAND HOUSING OPPORTUNITIES FOR RESIDENTS**

**Goal:** Quality, island appropriate housing will be available to all residents

**Objective:** Reduce the affordable housing deficit for residents

**Policy:** Provide for a range of senior-citizen and special needs housing choices on each island that affordably facilitates a continuum of care and services.

**Objective:** Increase and maintain the affordable housing inventory

**Policies:** Prioritize available infrastructure capacity for affordable housing

Develop public-private and nonprofit partnerships that facilitate the construction of quality affordable housing.

Streamline the review process for high-quality, affordable housing developments that implement the goals, objectives and policies of the General Plan.

In summary, the proposed project is consistent with the themes and principles of the Countywide Policy Plan.

## 2. Maui Island Plan

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

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

1. *An island-wide land use strategy, including a managed and directed growth plan*
2. *A water element assessing supply, demand and quality parameters*
3. *A nearshore ecosystem element assessing nearshore waters and requirements for preservation and restoration*
4. *An implementation program which addresses the County's 20-year capital improvement requirements, financial program for implementation, and action implementation schedule*
5. *Milestone indicators designed to measure implementation progress of the MIP*

It is noted the Ordinance No. 4004 does not address the component relating to the implementation program. Chapter 2.80B of the Maui County Code, relating to the General Plan, was amended via Ordinance No. 3979, October 5, 2012, to provide that the implementation program component be adopted no later than one (1) year following the effective date of Ordinance No. 4004. The implementation program component of the MIP was adopted by Ordinance No. 4126 on May 29, 2014.

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

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

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

The proposed Hale Mahaolu Ewalu Senior Residential Housing project is located within the UGB. In this regard, it is consistent with the directed growth strategy defined via growth maps adopted in the MIP.

In addition, the proposed Hale Mahaolu Ewalu Senior Residential Housing project has been reviewed with respect to pertinent goals, objectives, policies and implementing actions of the MIP. A summary of these policy statements are provided below:

**POPULATION**

Maui’s population is aging; and recent data shows that trends related to Maui’s aging population will be similar to the trends on the Mainland. This demographic change has significant impacts to public services as they relate to the elderly, including housing, transportation, health care, and elder care services.

**Goal:** Maui’s people, values, and lifestyles thrive through strong, healthy, and vibrant island communities.

**Policies:** Expand housing, transportation, employment, and social opportunities to ensure residents are able to comfortably age within their communities.

Support funding for transportation, housing, health care, recreation, and social service programs that help those with special needs (including the elderly and disabled).

## **HOUSING**

According to the MIP, with the number of people over age 65 growing in the coming decades, there is a need to work with the State, Federal government, community groups, landowners and others to find ways to provide affordable housing to senior citizens and those with special needs.

**Goal:** Maui will have safe, decent, appropriate, and affordable housing for all residents developed in a way that contributes to strong neighborhoods and a thriving island community.

**Objective:** More livable communities that provide for a mix of housing types, land uses, income levels, and age.

**Policy:** Support fast-track processing procedures for the following housing-related entitlements: affordable housing projects/ units; indigenous Hawaiian housing/units; and special-needs housing units (seniors, disabled, homeless, etc.).

## **LAND USE**

According to the MIP Maui's future urban growth will take place in four different physical forms: 1) as infill development; 2) within urban expansion areas; 3) as new towns and settlements; and 4) as orderly infill and expansion of existing country towns and villages. Each development pattern has benefits and costs that will determine the extent and location of their use.

The Hale Mahaolu Ewalu Senior Residential Housing project is an infill development. According to the MIP, infill development "represents the best utilization of our existing infrastructure and the best opportunity to preserve open space." It focuses growth to an existing urbanized area and creatively utilizes vacant or underdeveloped property.

# **EXHIBIT K.**

## **Makawao-Pukalani-Kula Community Plan Goals, Objectives, and Policies (Excerpt from Chapter 343 HRS, Final EA)**

## **MAKAWAO-PUKALANI-KULA COMMUNITY PLAN**

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

Land use guidelines are set forth by the Makawao-Pukalani-Kula Community Plan Land Use Map. As shown in **Figure 5**, the Hale Mahaolu Ewalu Senior Housing Residential Project site is designated “P, Public/Quasi-Public”. The proposed project is consistent with the underlying land use designation.

The proposed project is consistent with the following goals, policies, and objectives of the Community Plan:

### **LAND USE**

#### **Goal**

*The maintenance and enhancement of Upcountry’s unique and diverse rural land use character with sensitivity to existing land use patterns, natural resource values, and economic and social needs of the region’s residents.*

#### **Objective and Policy**

- *Ensure an adequate supply of lands designated for residential use to address the affordable and elderly housing needs of the region’s residents.*

#### **Implementation Actions**

- *Implement cooperative public and private land use activities (e.g., Hale Mahaolu programs) which address the region’s social welfare needs.*
- *Require that the development and dedication (pursuant to parks and playgrounds assessment requirements) of the 15.01-acre park and the development of the 5.11-acre public/quasi-public areas and 5-acre multi-family/elderly housing in the vicinity of the proposed Kulamalu development along Kula Highway be developed concurrently with the development of the 20-acre commercial site. The commercial site shall be Country-Town Business at the time of zoning.*

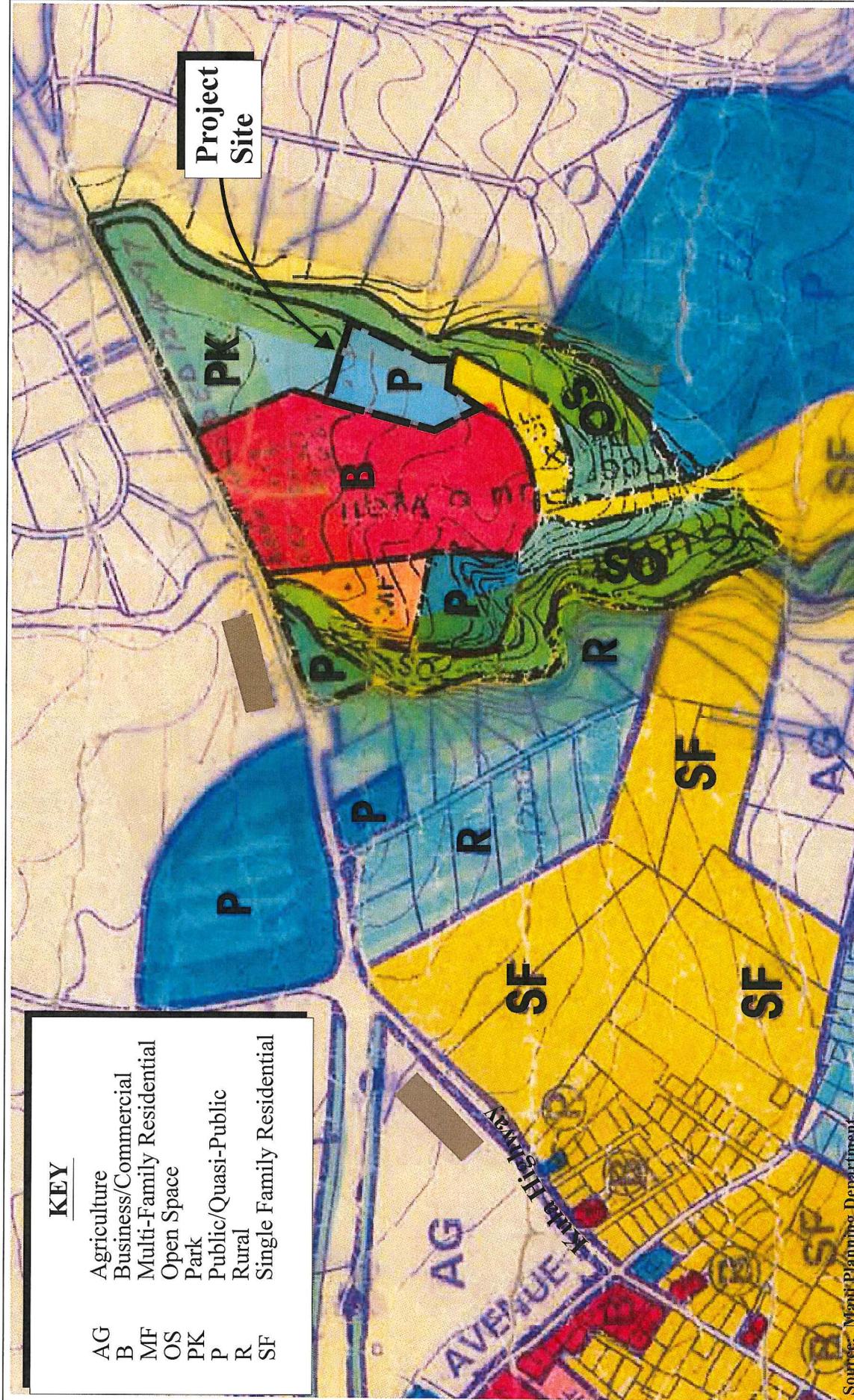


Figure 5



Hale Mahaolu Ewalu Senior  
Residential Housing  
Makawao-Pukalani-Kula  
Community Plan Land Use Map

NOT TO SCALE



MUNEKIYO HIRAGA

Prepared for: Hale Mahaolu

## **URBAN DESIGN**

### **Goal**

*Recognition and preservation of the unique design characteristics of the Makawao, Pukalani and Kula communities in order to enhance Upcountry's man-made environment.*

### **Objectives and Policies**

- *Utilize design standards for multi-family residential uses which respect Upcountry's rural residential lifestyle.*
- *Enforce a two-story or 35-foot height limitation throughout the region, except for public/quasi-public uses such as auditoriums, gymnasiums, and fire stations.*

## **HOUSING**

### **Goal**

*Housing opportunities for the residents of Makawao-Pukalani-Kula, to include all income and age groups, which are affordable, safe, and environmentally and culturally compatible.*

### **Objectives and Policies**

- *Provide independent living and assisted living elderly housing with support facilities and services to meet the needs of the region's elderly residents.*

### **Implementing Actions**

- *Provide housing opportunities for independent living for Upcountry's elderly within the Kulamalu project along Kula Highway and the new Project District 3/Crook Estate in Makawao Town.*

## **SOCIAL INFRASTRUCTURE**

### **Goal**

*An efficient and responsive system of people-oriented public services which enable residents to live a safe, healthy and enjoyable lifestyle, and offer the youth and adults of the region opportunities and choices for self and community improvement.*

## **Education and Family Services**

### **Objectives and Policies**

- *Coordinate the establishment of child care facilities, senior citizen centers, religious institutions and social services offices to benefit from complementary and mutually beneficial combination of service delivery.*
- *Encourage the expansion of programs and facilities for early childhood education, family day care, and youth services.*

## **PLANNING STANDARDS**

### **Design**

- *Limit building height throughout the region to two stories, not to exceed thirty-five feet above grade. Exceptions to this standard may be considered for public and quasi-public facilities such as gymnasiums, medical facilities and fire stations.*

The proposed Hale Mahaolu Ewalu Senior Residential Housing project proposes two- and three-stories with a maximum height of 44 feet which will exceed 35 feet. The “P1, Public/Quasi-Public” zoning of the project limits height to two-stories not to exceed 35 feet. The project will also require approval of a subdivision into two (2) lots that identifies the development phases for the project. Chapter 18, Section 18.04.030(A) of the Maui County Code (MCC), as amended, states “[T]his title shall be applied and administered within the framework of the county general plan, community plans, land use ordinances, the Maui County Code, and other laws relating to the use of land. The director shall not approve any subdivision that is not consistent with the county general plan, community plans, State land use classification, and zoning.” As such, a HRS 201H-38 Application will be filed with the Maui County Council seeking an exemption from these provisions of the MCC.

# **EXHIBIT L.**

**Ordinance No. 2623  
(Change in Zoning)**

ORDINANCE NO. 2623

BILL NO. 87 (1997)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM  
R-2 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC  
DISTRICT (CONDITIONAL ZONING) FOR PROPERTY  
SITUATED AT KOHOILO, KULA, MAUI, HAWAII

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Pursuant to Chapters 19.31 and 19.510, Maui County Code, zoning is hereby amended from R-2 Residential District to P-1 Public/Quasi-Public District for that certain parcel of land located in Kohoilo, Kula, Maui, Hawaii, identified for real property tax purposes by TMK:2-3-08:portion of 38, comprised of approximately 5.10 acres, and more particularly described in Exhibit "A", which is attached hereto and made a part hereof, and in Land Zoning Map No. L-1050, on file in the Office of the County Clerk, County of Maui, and by reference made a part hereof.

SECTION 2. Pursuant to Section 19.510.050, Maui County Code, the zoning established by this ordinance is subject to the conditions set forth in Exhibit "B", which is attached hereto and made a part hereof, and the Unilateral Agreement and Declaration for Conditional Zoning, which is attached hereto and made a part hereof as Exhibit "C".

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM  
AND LEGALITY:

  
\_\_\_\_\_  
KELLY A. CAIRNS  
Deputy Corporation Counsel  
County of Maui  
dowling/kulamalu/publquas.ord

Exhibit "A"

KULAMALU SUBDIVISION

Portion of Lot 3  
Change in Zoning

From R-2 Residential District to P-1 Public/Quasi-Public District

All of that certain parcel of land being a portion of Lot 3 of  
Kulamalu Subdivision, being also a portion of Grant 1829,  
Apana 1 to Keawe and Grant 1167 to Aui.

Situated at Kohoilo, Kula, Maui. Hawaii

Beginning at the Southwest corner of this parcel of land on  
top of the South branch of Haakakai Gulch, the coordinates of said  
point of beginning referred to Government Survey Triangulation  
Station "PUU-O-KOHA" being 708.23 feet South and 12,327.24 feet  
East and running by true azimuths measured clockwise from South:

- |    |              |        |   |
|----|--------------|--------|---|
| 1. | 203° 19' 03" | 93.84  | feet along the remainder of Lot 3 of<br>Kulamalu Subdivision;                               |
| 2. | 135° 54' 30" | 223.85 | feet along same;  |
| 3. | 248° 58' 40" | 227.91 | feet along same;  |
| 4. | 293° 58' 40" | 585.18 | feet along same;  |
| 5. | 23° 00'      | 406.16 | feet along same;  |
| 6. | 117° 13'     | 53.02  | feet along a Government Land and<br>along the top of the South branch of<br>Haakakai gulch; |
| 7. | 125° 43' 30" | 126.64 | feet along same;  |
| 8. | 129° 13'     | 192.50 | feet along same;  |
| 9. | 120° 50'     | 83.00  | feet along same;  |



10. 101° 37' 50" 101.84 feet along same to the point of beginning and containing an area of 5.10 acres, more or less.

**Note:**

This description is being prepared as part of a Change of Zone application submitted to the County of Maui and as such it describes an area for which a Change of Zone is being requested and it does not described a legally subdivided parcel.



Austin, Tsutsumi & Associates, Inc.

Description prepared by:

A handwritten signature in black ink, appearing to read "Ronaldo B. Aurelio".

\_\_\_\_\_  
RONALDO B. AURELIO  
Licensed Professional Land Surveyor  
Certificate Number 7564

Hilo, Hawaii  
March 24, 1997

TMK: 2nd Division  
2-3-08 : portion 38



1. The applicant shall submit a landscaping plan for the review and approval of the Arborist Committee.
2. The applicant shall contribute its pro-rata share to the design and construction of highway and traffic improvements on Kula Highway, including but not limited to storage lanes, acceleration and deceleration lanes, traffic signal(s), crosswalks and sidewalks, as required by the State Department of Transportation.
3. The applicant shall submit a drainage master plan for the review and approval of the Department of Public Works and Waste Management and the Natural Resources Conservation Service, United States Department of Agriculture.

## **EXHIBIT "B"**

2

DEC 8 1997 3:00  
97. 170960

LAND COURT SYSTEM

REGULAR SYSTEM

Return by Mail ( X ) Pickup ( ) To:  
Office of the County Clerk  
County of Maui  
200 S. High Street  
Wailuku, HI 96793

TDW:dkw\November 20, 1997\26030\33817

Affects TMK (2) 2-3-8:38 (por)  
Total No. of Pages: 7

UNILATERAL AGREEMENT AND DECLARATION FOR CONDITIONAL ZONING

THIS INDENTURE made this 19th day of November, 1997, by KULAMALU LIMITED PARTNERSHIP, a Hawaii limited partnership, whose business and mailing address is 1997 N. Main Street, Wailuku, Maui, Hawaii 96793, hereinafter referred to as "Declarant", and who is the owner of that certain land situate at Kohoilo, Kula, Maui, Hawaii, identified for tax purposes by Tax Map Key (2) 2-3-008:38 (portion), comprising approximately 5.10 acres, and more particularly described in Exhibit "1" which is attached hereto and made a part hereof and hereinafter referred to as the "Property".

WITNESSETH

WHEREAS, the Council of the County of Maui, State of Hawaii, hereinafter referred to as "Council", is considering a change in zoning of the Property from R-2 Residential District to P-1 Public Quasi Public District; and

26030\1\33817.1\TDW

EXHIBIT "C"

WHEREAS, the Council recommends through its Land Use Committee, Committee Report No. 97-256, as amended, that said establishment of zoning by the County be approved for passage on first reading subject to certain conditions pursuant to Maui County Code, Section 19.510.050;

WHEREAS, Declarant has agreed to execute this instrument pursuant to the conditional zoning provisions of Maui County Code Section 19.510.050;

NOW THEREFORE, Declarant hereby makes the following Declaration:

1. That this Declaration is made pursuant to the provisions of Section 19.510.050, Maui County Code, relating to conditional zoning;

2. That the Property, and all parts thereof, is and shall be held subject to the covenants, conditions, and restrictions contained herein and that all of such covenants, conditions, and restrictions shall be effective as to and shall run with the land as to the Property from and after the recording of this Declaration with the Bureau of Conveyances or Land Court of the State of Hawaii, as the case may be, without the execution, delivery or recordation of any further deed, instrument, document, agreement, declaration, covenant or the like with respect thereto by Declarant, the County of Maui, or any heir, devisee, executor, administrator, personal representative, successor or assign, as the case may be, of any of them, that the acquisition of any right, title or interest in or with respect to the Property by any person or persons, entity or entities, whomsoever, shall be deemed to constitute the acceptance of all of the covenants, conditions, and restrictions of this Declaration by such person or persons, entity or entities, and that upon any transfer of any right, title or interest in or with respect to the Property the same shall be subject to, and the transferee shall assume and be bound and obligated to observe and perform, all of the covenants, conditions, and restrictions of this Declaration;

3. This Declaration and all of the covenants, conditions, and restrictions contained herein shall continue to be effective as to and run with the land in perpetuity, or until the same is released as to the Property or any part thereof by the County;

4. The term "Declarant" and any pronoun in reference thereto, wherever used herein, shall be construed to mean the singular or the plural, the masculine or the feminine or the neuter, and vice versa, and shall include any corporation, and shall be held to mean and include "Declarant", his heirs, devisees, executors, administrators, personal representatives, successors, and assigns;

5. That the Declaration shall become fully effective on the effective date of the zoning ordinance approving the change of zoning for the Property as described in the preamble of this instrument and this Declaration shall be recorded in the Bureau of Conveyances or Land Court of the State of Hawaii, as the case may be;

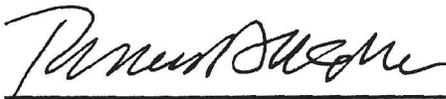
6. That Declarant agrees to develop said Property in conformance with the conditions set forth in Exhibit "2", which is attached hereto and made a part hereof and which shall be made a part of the zoning ordinance; and

7. Said conditions are (a) necessary to protect the public health, safety, convenience and welfare, and (b) reasonably conceived to mitigate impacts emanating from the Declarant's proposed land uses and to meet the criteria set forth in Maui County Code Section 19.510.050;

AND IT IS EXPRESSLY UNDERSTOOD AND AGREED that the conditions imposed in this Declaration shall run with the land identified hereinabove and shall bind and constitute notice to all subsequent lessees, grantees, assignees, mortgagees, lienors and any other persons who claim an interest in the said land, and the County of Maui shall have the right to enforce this Declaration by appropriate action at law or suit in equity against all such persons, provided that Declarant or its successor and assigns may at any time file a petition for the removal of the conditions and terminate this Unilateral Agreement, such petition to be processed in the same manner as petitions for change in zoning.

IN WITNESS WHEREOF, the undersigned has executed this Declaration the day and year first above written.

APPROVED AS TO FORM:



Thomas D. Welch, Jr.  
Attorney for Declarant

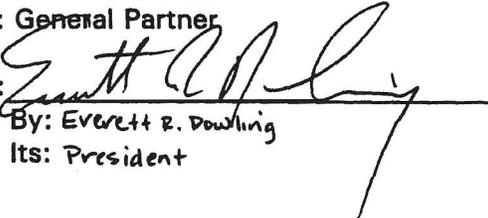
DECLARANT:

KULAMALU LIMITED PARTNERSHIP

By: Kulamalu, Inc.,

Its: General Partner

By:



By: Everett R. Dowling  
Its: President

APPROVED AS TO FORM & LEGALITY:



Deputy Corporation Counsel  
County of Maui

STATE OF HAWAII        )  
                                  ) SS.  
COUNTY OF MAUI        )

On this 20th day of November, 1997, before me appeared Everett R. Dowling, to me personally known, who, being by me duly sworn, did say that he is the President of Kulamalu, Inc., a Hawaii corporation, the general partner of Kulamalu Limited Partnership, a Hawaii limited partnership, that said instrument was signed on behalf of said corporation by authority of its Board of Directors and in behalf of said partnership, and said officers acknowledged said instrument to be the free act and deed of said corporation and said partnership.

LS

Daryl G. Watson  
Notary Public, State of Hawaii  
My Commission Expires: 11-21-98

KULAMALU SUBDIVISION

Portion of Lot 3  
Change in Zoning  
From R-2 Residential District to P-1 Public/Quasi-Public District

All of that certain parcel of land being a portion of Lot 3 of  
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Situated at Kohoilo, Kula, Maui, Hawaii

Beginning at the Southwest corner of this parcel of land on  
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East and running by true azimuths measured clockwise from South:

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4. 293° 58' 40" 585.18 feet along same;
5. 23° 00' 406.16 feet along same;
6. 117° 13' 53.02 feet along a Government Land and  
along the top of the South branch of  
Haakakai gulch;
7. 125° 43' 30" 126.64 feet along same;
8. 129° 13' 192.50 feet along same;
9. 120° 50' 83.00 feet along same;



10. 101° 37' 50" 101.84 feet along same to the point of beginning and containing an area of 5.10 acres, more or less.

**Note:**

This description is being prepared as part of a Change of Zone application submitted to the County of Maui and as such it describes an area for which a Change of Zone is being requested and it does not described a legally subdivided parcel.



Austin, Tsutsumi & Associates, Inc.

Description prepared by:

A handwritten signature in cursive script that reads "Ronaldo B. Aurelio".

\_\_\_\_\_  
RONALDO B. AURELIO  
Licensed Professional Land Surveyor  
Certificate Number 7564

Hilo, Hawaii  
March 24, 1997

TMK: 2nd Division  
2-3-08 : portion 38



1. The applicant shall submit a landscaping plan for the review and approval of the Arborist Committee.
2. The applicant shall contribute its pro-rata share to the design and construction of highway and traffic improvements on Kula Highway, including but not limited to storage lanes, acceleration and deceleration lanes, traffic signal(s), crosswalks and sidewalks, as required by the State Department of Transportation.
3. The applicant shall submit a drainage master plan for the review and approval of the Department of Public Works and Waste Management and the Natural Resources Conservation Service, United States Department of Agriculture.

## **EXHIBIT "2"**

WE HEREBY CERTIFY that the foregoing BILL NO. 87 (1997)

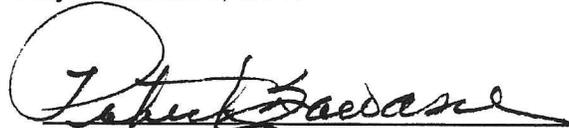
1. Passed FINAL READING at the meeting of the Council of the County of Maui, State of Hawaii, held on the 9th day of December, 1997, by the following votes:

Patrick S. KAWANO Chair	James "Kimo" APANA Vice-Chair	Alan ARAKAWA	J. Kalani ENGLISH	Sol P. KAHO'OHALAHALA	Alice L. LEE	Dennis Y. NAKAMURA	Wayne K. NISHIKI	Charmaine TAVARES
Aye	Aye	Aye	Abstained	Aye	Aye	Abstained	No	Aye

2. Was transmitted to the Mayor of the County of Maui, State of Hawaii, on the 15th day of December, 1997.

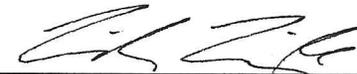
DATED AT WAILUKU, MAUI, HAWAII, this 15th day of December, 1997.

RECEIVED  
1997 DEC 15 AM 11:14  
CLERK OF THE CLERK

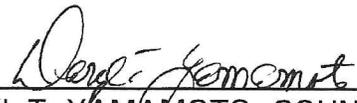
  
PATRICK S. KAWANO, CHAIR  
Council of the County of Maui

  
DARYL T. YAMAMOTO, COUNTY CLERK  
County of Maui

THE FOREGOING BILL IS HEREBY APPROVED THIS 16<sup>th</sup> DAY OF DECEMBER, 1997.

  
LINDA LINGLE, MAYOR  
County of Maui

I HEREBY CERTIFY that upon approval of the foregoing BILL by the Mayor of the County of Maui, the said BILL was designated as ORDINANCE NO. 2623 of the County of Maui, State of Hawaii.

  
DARYL T. YAMAMOTO, COUNTY CLERK  
County of Maui

Passed First Reading on December 1, 1997.  
Effective date of Ordinance December 16, 1997.

I HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 2623, the original of which is on file in the Office of the County Clerk, County of Maui, State of Hawaii.

Dated at Wailuku, Hawaii, on

\_\_\_\_\_  
County Clerk, County of Maui

RECEIVED  
1997 DEC 17 PM 2:03  
COUNTY CLERK

# **EXHIBIT M.**

**November 14, 2012 Letter from  
Maui Planning Department**

ALAN M. ARAKAWA  
Mayor

WILLIAM R. SPENCE  
Director

MICHELE CHOUTEAU McLEAN  
Deputy Director



COUNTY OF MAUI  
**DEPARTMENT OF PLANNING**

November 14, 2012

Ms. Chenise Kanemoto Iwamasa  
Law Offices of Wesley Y.S. Chang  
Harbor Court  
55 Merchant Street, Suite 2800  
Honolulu, Hawaii 96813

Dear Ms. Iwamasa:

**SUBJECT: KULAMALU COMMERCIAL SUBDIVISION CONDITIONS OF ZONING,  
ORDINANCE NO. 2623, AT KULA, ISLAND OF MAUI, HAWAII;  
TMK(S) : (2) 2-3-066:019 AND (2) 2-3-066:020 (RFC 2012/0155)**

The Department of Planning (Department) hereby confirms that the three (3) conditions contained in Ordinance No. 2623, which deals with landscaping plans, Kula Highway improvements, and a drainage master plan have been complied with.

Thank you for your cooperation. Should you require further clarification, please contact Current Planning Supervisor Ann Cua at [ann.cua@mauicounty.gov](mailto:ann.cua@mauicounty.gov) or at (808) 270-7521.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann T. Cua".

*for* CLAYTON I. YOSHIDA, AICP  
Planning Program Administrator

*for* WILLIAM SPENCE  
Planning Director

xc: Aaron H. Shinmoto, PE, Planning Program Administrator (PDF)  
Ann T. Cua, Current Planning Supervisor (PDF)  
Kulamalu Project Binder  
Project File  
General File

WRS:CIY:ATC:vb

K:\WP\_DOCS\PLANNING\RFC\2012\0155\_KulamaluCommercial\SatisfyConditions.doc

**EXHIBIT N.**

**Engineering Report**

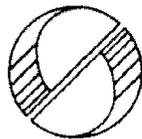
**ENGINEERING REPORT  
FOR  
HALE MAHAOLU EWALU**

Kula, Maui, Hawaii  
TMK: (2) 2-3-066: 019 & 020

*Prepared for*

**RIECKE SUNNLAND KONO ARCHITECTS, LTD.**  
33 LONO AVE., SUITE 200  
KAHULUI, HAWAII 96732

*Prepared by*



**SATO & ASSOCIATES, INC.**  
Consulting Engineers  
2115 Wells St.  
Wailuku, Hawaii 96793

December 2013

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**ENGINEERING REPORT  
FOR  
HALE MAHAOLU EWALU**

Kula, Maui, Hawaii  
TMK: (2) 2-3-066: 019 & 020

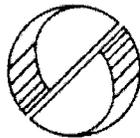


A handwritten signature in black ink, appearing to read "Michael T. Ishikawa".

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This work was prepared by me or under my supervision.  
Expiration Date: 4/30/14

*Prepared by*



**SATO & ASSOCIATES, INC.**  
Consulting Engineers  
2115 Wells St.  
Wailuku, Hawaii 96793

December 2013

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2. FLOOD HAZARD
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- A. DRAINAGE CALCULATIONS
  - B. DOMESTIC WATER CONSUMPTION CALCULATIONS
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-

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## I. INTRODUCTION

This report will summarize the existing infrastructure and utilities at the proposed Hale Mahaolu project site. Probable improvements to support the new elderly housing facility will also be evaluated.

## II. PROPOSED PROJECT

### Location

The project is situated in Kula, Maui, Hawaii. The 3.94-acre site is identified by Tax Map Key (2) 2-3-066:019 & 020 and is bordered by 'Ohi'a Lehua Place to the west and 'Ohi'a Ku Street to the north. A tributary branch of Kaluapulani Gulch is located south of the project site. Refer to Exhibit 1.

### Project Description

Hale Mahaolu proposes to consolidate and re-subdivide the two existing lots for development of elderly housing buildings, a senior center, and an adult day care facility. The project will consist of 60 units, with residential structures varying between two to three stories in height. The future subdivision will separate the adult day care building and senior center from the residential buildings into two lots.

## II. EXISTING CONDITIONS

### Existing and Adjacent Land Use

The site is within the Kulamalu Commercial Village, which is a mix of business, residential, park and public/quasi-public use. Currently, the parcels are zoned under the County of Maui P-1 Public/Quasi-Public District and the State Urban District. East of the site is a privately-owned paved parking lot and 9-acre park owned by the County of Maui. The University of Hawaii Institute for Astronomy is located to the west, across 'Ohi'a Lehua Place. Further down 'Ohi'a Lehua Place is Kulamalu Hilltop, which is a residential subdivision.

The land across 'Ohi'a Ku Street to the north is undeveloped. Directly south of the project site is a tributary branch of Kaluapulani Gulch. An existing retention basin which collects runoff from the commercial subdivision is located southwest of the project site.

### Topography and Soil Conditions

Presently the site is covered with dry brush, grasses, weeds and shrubs. The average grade of the site is about 7% and slopes from east to west. Elevations range from 1810 to 1765 feet above mean sea level. See Exhibit 5.

### Flood Hazard

Flood Insurance Rate Maps published by the Federal Emergency Management Agency indicate that the project site is located within Zone X. Zone X is categorized as areas determined to be outside the 0.2% annual chance floodplain. See Exhibit 2.

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### **Drainage**

Stormwater runoff currently sheet flows to the west across the site. For a 10-year, 1-hour storm, approximately 2.21 cfs flows into the adjacent gulch and 2.89 cfs flows to the offsite drainage system on 'Ohi'a Lehua and 'Ohia Ku Street. This drainage system conveys the runoff to the aforementioned southwest existing basin. The runoff generated from the site under existing conditions for a 10-year, 1-hour storm event is 5.10 cfs and 6.03 for a 50-year, 1-hour storm event.

### **Roadway**

'Ohi'a Lehua Place and 'Ohi'a Ku Street are both two-lane, privately-owned roads with a total right-of-way width of 60 feet. The roadways include 19-foot wide lanes, curb, gutter and 6 to 9 feet wide sidewalk on both sides of the street. 'Ohi'a Lehua Place is a dead-end street which encompasses developed commercial and residential lots. 'Ohi'a Ku Street intersects with Kupaoa Street to the east and A'apueo Parkway to the northwest.

Currently, both streets do not include driveway access to the proposed project.

### **Water**

According to the Kulamalu Commercial Village Preliminary Engineering Report, an offsite reservoir of approximately 1 MG located near King Kekaulike High School services a portion of Kulamalu, which includes the project site. The outflow at the reservoir is a 12-inch main which traverses along Haleakala Highway to Kulamalu.

A 12-inch waterline is located within the 'Ohi'a Ku Street corridor with laterals for existing fire hydrants.

### **Sewer**

Wastewater generated from the Kulamalu subdivision is conveyed westward by an 8-inch sewerline to a gravity system within Pukalani Terrace, Unit II Subdivision. Wastewater is transmitted to a privately-owned treatment plant and treated before being used by the Pukalani Golf Course for irrigation.

### **Electric, Telephone and Cable TV Service**

The Maui Electric Company (MECO) and Hawaiian Telcom provide electrical and telephone services to Kulamalu. Electrical and telephone lines are located underground adjacent to the site. MECO's facilities are serviced from a Pukalani substation through a 12.47 kilovolt distribution circuit. The subdivision has existing provisions for cable tv service.

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#### **IV. PROPOSED IMPROVEMENTS**

##### **Drainage Improvements**

The developed site will consist of asphaltic concrete pavement surfaces, concrete walkways and roof tops. Landscaped areas surrounding the new buildings will also be included. Stormwater from parking areas will sheet flow to grated inlets and catch basins, and stormwater from roofs will be piped to the on-site drainage system. The post-development runoff is 17.23 cfs for a 10-year, 1-hour storm and 20.94 cfs for a 50-year, 1-hour storm.

##### **Basin Volume**

The on-site drainage system will connect to an existing privately-owned 24" drainline on 'Ohi'a Ku Street which outlets into the existing basin. According to the drainage report<sup>1</sup> for the commercial subdivision, the total basin volume is 96,000 cubic feet. The estimated volume for the project site is 28,258 cubic feet. The existing basin is expected to retain the project site runoff generated for the 50-year 1-storm.

##### **Roadway**

The project will have two access driveways off 'Ohi'a Ku Street. An accessible pedestrian access route from the 'Ohi'a Ku Street sidewalk to the site will be provided. Appropriate signage and striping will be installed in accordance with the County of Maui Department of Public Works standards. Based on the existing lane and sidewalk width on 'Ohi'a Ku Street and 'Ohi'a Lehua Place, no major roadway improvements are anticipated as a result of the Hale Mahaolu development.

##### **Water**

In accordance with the Department of Water Supply Water System Standards, the proposed project will have an average daily consumption of 36,980 gallons per day and a maximum daily demand of 55,470 gallons per day. The project will utilize two 1-1/2" water meters. In reference to Table 100-19 – Fire Flow Requirements of the 2002 Water System Standards, a flow of 2000 GPM for a duration of 2 hours is required for fire protection. The project will not require upsizing of the main waterlines on 'Ohi'a Ku Street.

##### **Sewer**

The project intends to provide two connections to the existing 8-inch sewerline off 'Ohi'a Ku Street with 8-inch laterals. The estimated wastewater flow is 16,495 gallons per day. The project has purchased a sewer capacity credit of 8,384 GPD from Hawaii Water Service.

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<sup>1</sup> "GRADING AND DRAINAGE REPORT FOR KULAMALU COMMERCIAL VILLAGE AT KOHOILA, KULA, MAUI, HAWAII TMK: (2) 2-3-08:05 & POR. OF 39" Prepared by Austin, Tsutsumi & Associates Inc. Dated Sept. 2000, Revised June 2003.

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**Electrical, Telephone and Cable TV Service**

The electrical and telephone systems will be installed underground in conformance with MECO and Hawaiian Telcom requirements. The future west driveway onto 'Ohi'a Ku Street will require the relocation of an existing MECO box. This electrical box also services the properties across the street, thus the relocation work may be costly and require coordination with existing customers within the area. Preliminary discussions with MECO's Engineering Department concluded that there are no other major foreseen issues with providing service to the site.

**Temporary Erosion Control During Construction**

The project contract documents will require the Contractor to utilize best management practices such as stabilized entrances at the site ingress and egress, silt and dust fences, inlet and catch basin filters and temporary sediment basins. The Contractor shall also be responsible for accommodating storm runoff, protecting drainage structures, keeping the project site free from dust nuisance, and containing any vehicle and equipment leakage. Slope and exposed areas shall be watered, mulched, sodded or planted as soon as backfill and final grading has been established in order to control dust, erosion and sedimentation. Prior to construction the Contractor will be required to submit a site-specific BMP plan to the Department of Public Works and the State Department of Health for approval.

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## VI. REFERENCES

Federal Emergency Management Agency, National Flood Insurance Program, Maui County, Hawaii, Flood Insurance Rate Maps. Revised September 2009.

Title MC-15, Department of Public Works and Waste Management, County of Maui, Subtitle 01, Chapter 4, Rules for the Design of Storm Drainage Facilities in the County of Maui.

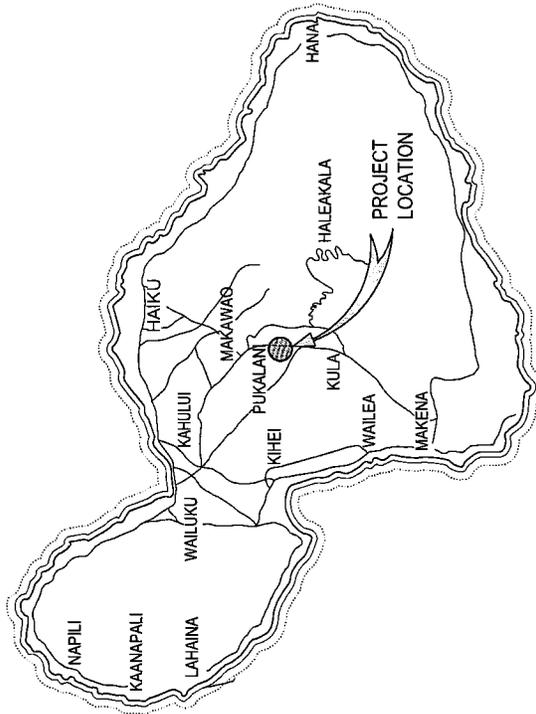
"Grading And Drainage Report For Kulamalu Commercial Village At Kohoila, Kula, Maui, Hawaii TMK: (2) 2-3-08:05 & POR. OF 39" Prepared by Austin, Tsutsumi & Associates Inc. Dated Sept. 2000, Revised June 2003.

"Preliminary Engineering Report for the Kulamalu Subdivision – Upper Section at Kula, Maui, Hawaii TMK: (2) 2-3-08: portion of 5, 38 and 39." Prepared by Austin, Tsutsumi & Associates, Inc. Dated July 1996, Revised March 1997.

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## **EXHIBITS**

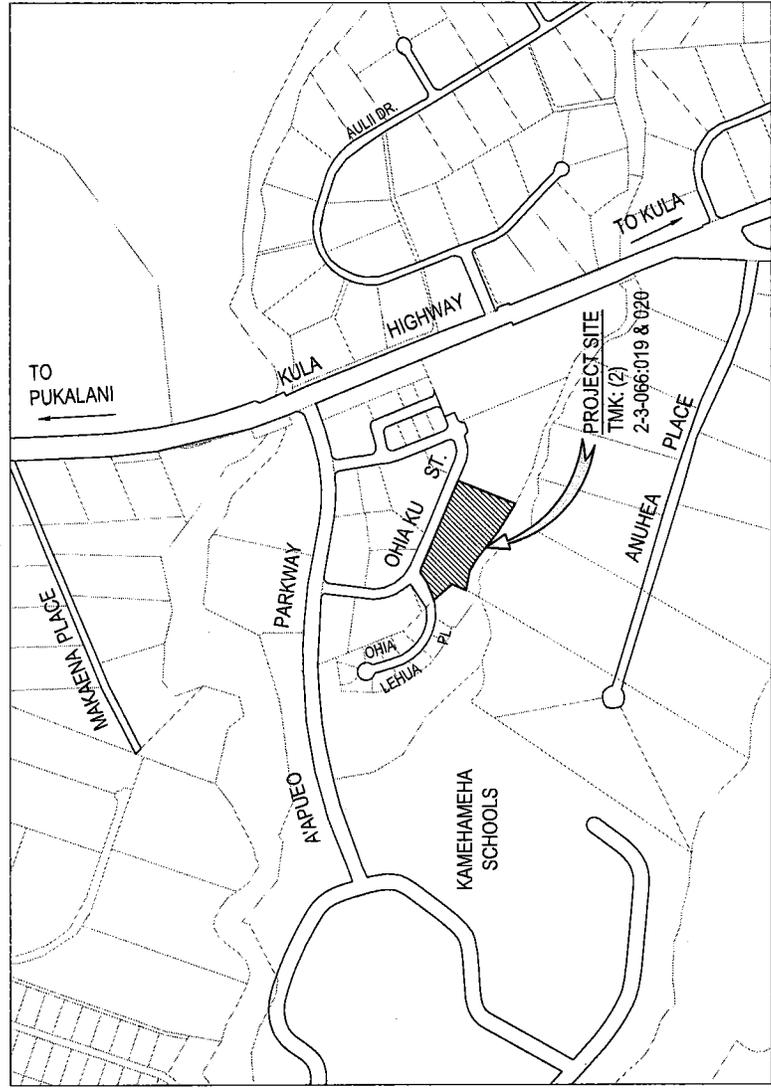
1. *Location & Vicinity Map*
  2. *Flood Hazard*
  3. *Existing Drainage Conditions*
  4. *Post-Development Drainage Conditions*
  5. *Topographic Survey*
  6. *Grading Plan*
  7. *Utility Plan*
-



**LOCATION MAP**  
NOT TO SCALE



NORTH



**VICINITY MAP**  
NOT TO SCALE



NORTH

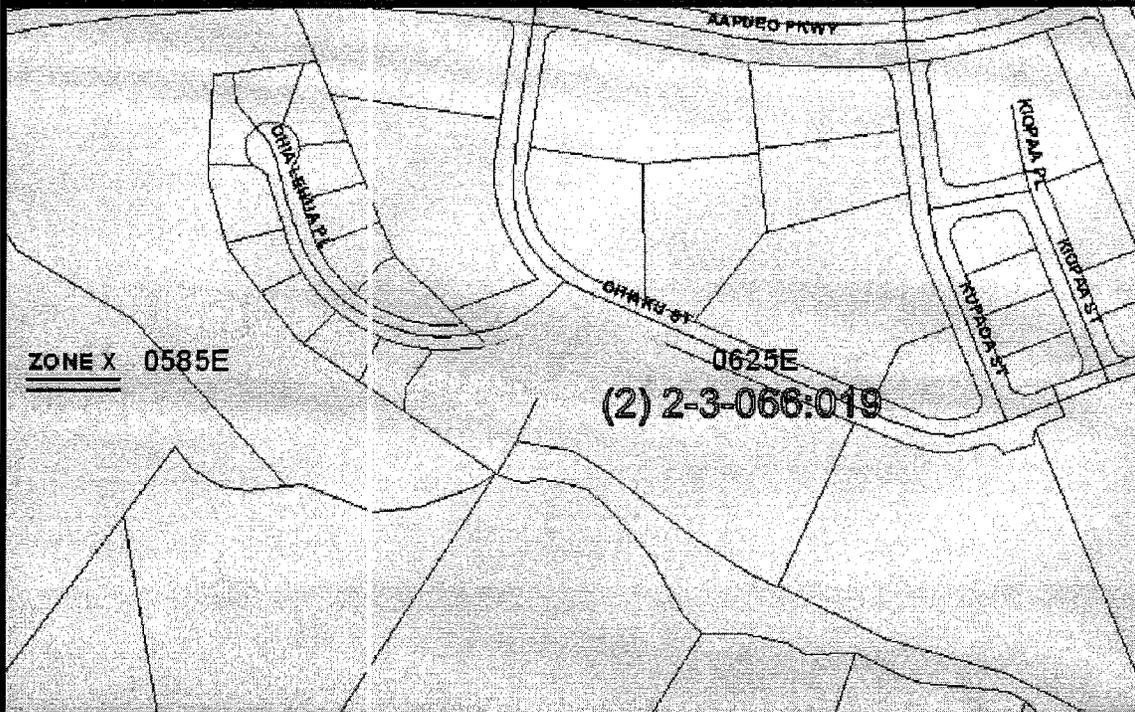
**SATO & ASSOCIATES, INC.**  
CONSULTING ENGINEERS • CIVIL • STRUCTURAL  
WAILUKU, MAUI • HONOLULU, OAHU

**EXHIBIT 1 - LOCATION & VICINITY MAP**

**HALE MAHAOLU EWALU**  
TMK (2) 2-3-066:019 & 020  
MAKAWAO, MAUI, HAWAII



State of Hawaii  
**FLOOD HAZARD ASSESSMENT REPORT**



**NATIONAL FLOOD INSURANCE PROGRAM**

**FLOOD ZONE DEFINITIONS**

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

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

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

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

**OTHER FLOOD AREAS**

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

**PROPERTY INFORMATION**

**COUNTY:** MAUI  
**TMK NO:** (2) 2-3-066-019  
**PARCEL ADDRESS:** 56 OHIA KU ST  
 MAKAWAO, HI 96768  
**FIRM INDEX DATE:** SEPTEMBER 19, 2012  
**LETTER OF MAP CHANGE(S):** NONE  
**FEMA FIRM PANEL(S):** 1500030525E  
**PANEL EFFECTIVE DATE:** SEPTEMBER 25, 2009

**PARCEL DATA FROM:** MAY 2012  
**IMAGERY DATA FROM:** MAY 2005

**IMPORTANT PHONE NUMBERS**

**County NFIP Coordinator**  
 County of Maui  
 Francis Cerizo, CFM (808) 270-7771  
**State NFIP Coordinator**  
 Carol Tyau-Beam, P.E., CFM (808) 587-0267

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

*If this map has been identified as "PRELIMINARY" or "UNOFFICIAL", please note that it is being provided for informational purposes and is not to be used for official/legal decisions, regulatory compliance, or flood insurance rating. Contact your county NFIP coordinator for flood zone determinations to be used for compliance with local floodplain management regulations.*

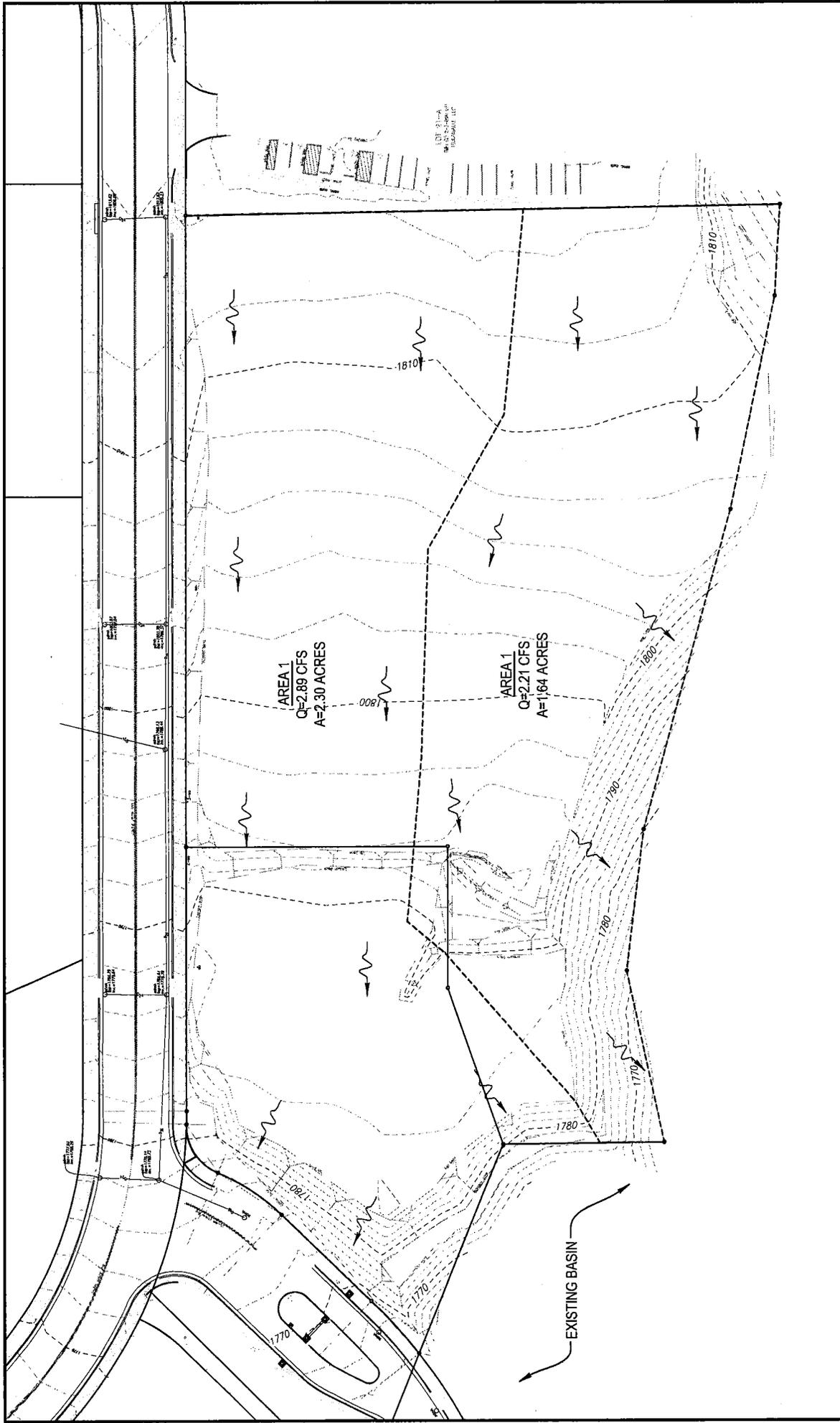
**EXHIBIT 2 - FLOOD HAZARD ASSESSMENT**



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 WAILUKU, MAUI • HONOLULU, OAHU

**HALE MAHAOLU EWALU**

TMK (2) 2-3-066:019 & 020  
 KULA, MAUI, HAWAII

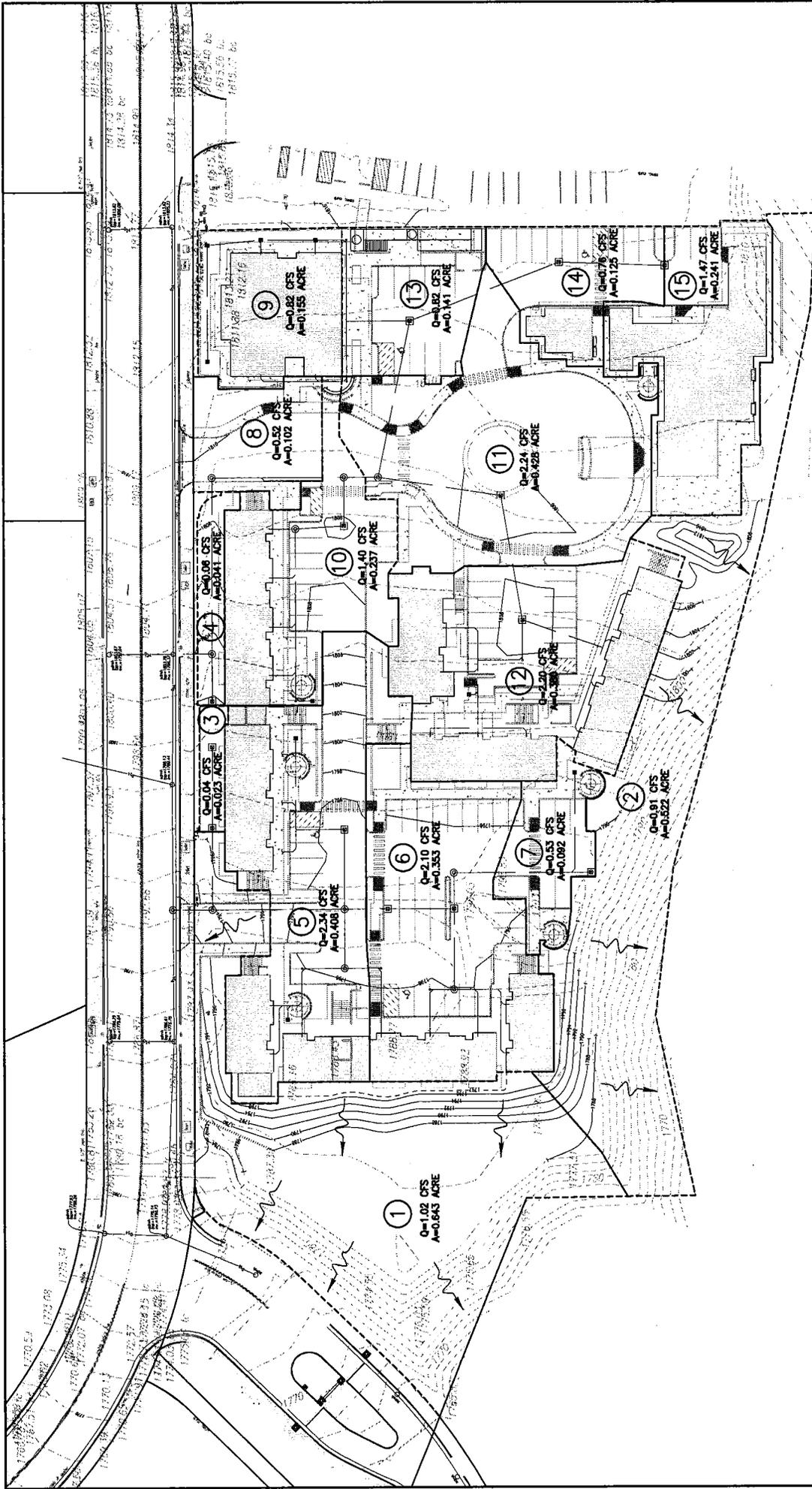


**EXHIBIT 3 - EXISTING DRAINAGE CONDITIONS**

SCALE: 1" = 50'

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**HALE MAHAOLU EWALU**  
 TMK (2) 2-3-066:019 & 020  
 MAKAWAO, MAUI, HAWAII



NOTE: REFER TO DRAINAGE CALCULATIONS FOR DRAINAGE AREAS AND RUNOFF VALUES.



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 WAILUKU, MAUI • HONOLULU, OAHU

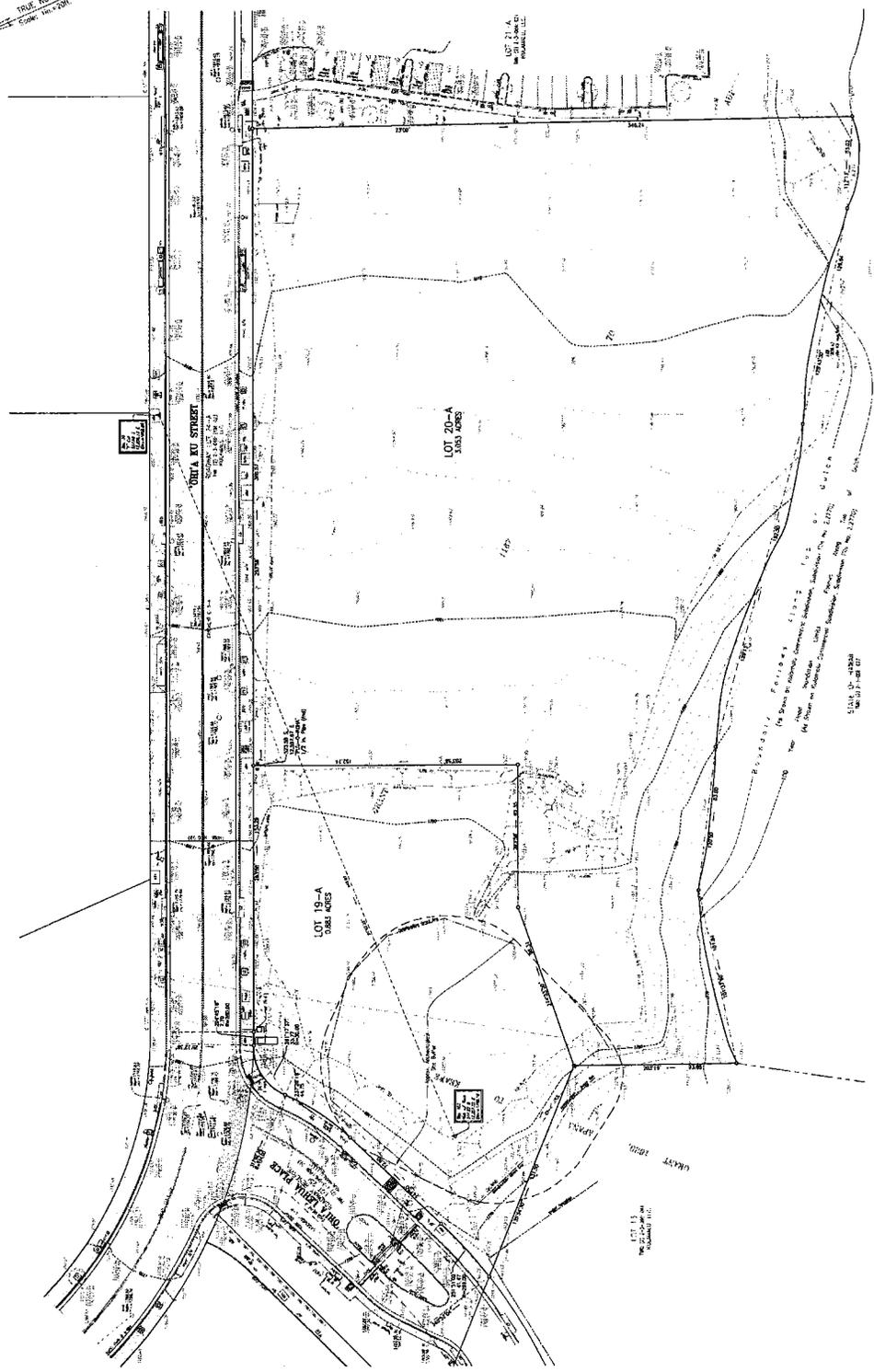
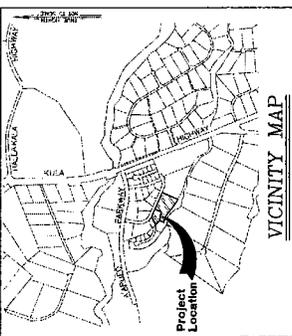


**EXHIBIT 4 - POST-DEVELOPMENT DRAINAGE CONDITIONS**

SCALE: 1" = 50'

**HALE MAHAOLU EWALU**  
 TMK (2) 2-3-066:019 & 020  
 MAKAWAO, MAUI, HAWAII

EXHIBIT 5 - TOPOGRAPHIC SURVEY



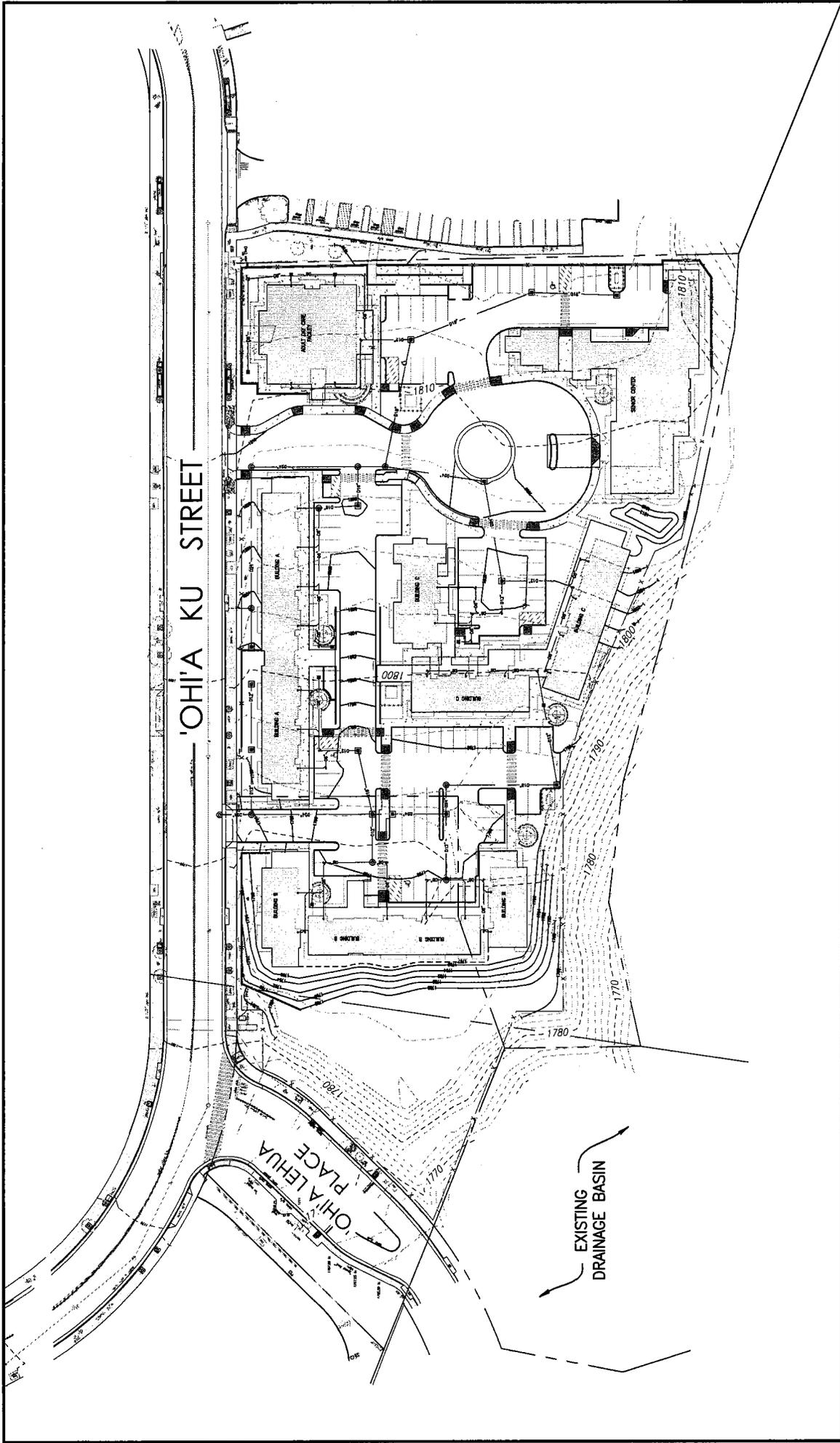
SYMBOL	DESCRIPTION
(Symbol)	BOUNDARY
(Symbol)	PROPERTY LINE
(Symbol)	ADJACENT PROPERTY
(Symbol)	ADJACENT ROAD
(Symbol)	ADJACENT LOT
(Symbol)	ADJACENT TRAIL
(Symbol)	ADJACENT FENCE
(Symbol)	ADJACENT UTILITY
(Symbol)	ADJACENT WATER
(Symbol)	ADJACENT WOODS
(Symbol)	ADJACENT OPEN
(Symbol)	ADJACENT CROPS
(Symbol)	ADJACENT PASTURE
(Symbol)	ADJACENT BARN
(Symbol)	ADJACENT SHED
(Symbol)	ADJACENT GARAGE
(Symbol)	ADJACENT DRIVE
(Symbol)	ADJACENT WALKWAY
(Symbol)	ADJACENT BIKEWAY
(Symbol)	ADJACENT TRAIL
(Symbol)	ADJACENT FENCE
(Symbol)	ADJACENT UTILITY
(Symbol)	ADJACENT WATER
(Symbol)	ADJACENT WOODS
(Symbol)	ADJACENT OPEN
(Symbol)	ADJACENT CROPS
(Symbol)	ADJACENT PASTURE
(Symbol)	ADJACENT BARN
(Symbol)	ADJACENT SHED
(Symbol)	ADJACENT GARAGE
(Symbol)	ADJACENT DRIVE
(Symbol)	ADJACENT WALKWAY
(Symbol)	ADJACENT BIKEWAY
(Symbol)	ADJACENT TRAIL



**TOPOGRAPHIC SURVEY**  
**OF LOTS 19-A AND 20-A OF THE**  
**KULAMALU COMMERCIAL SUBDIVISION**  
**BEING PORTIONS OF ROYAL PATENT GRANT 1167 TO AUI**  
**AND ROYAL PATENT GRANT 1829, APANA I TO KEAWE**  
**AT KOHOLO, KULA, MAUI, HAWAII**  
**TAX MAP KEY: (2) 2-3-066: 019 & 020**

- NOTES:**
1. This topographic survey was made and returned to Government Survey on February 15, 2007.
  2. All measurements were made in accordance with the Surveying Act of 1964, as amended.
  3. All measurements were made in accordance with the Surveying Act of 1964, as amended.
  4. All measurements were made in accordance with the Surveying Act of 1964, as amended.
  5. All measurements were made in accordance with the Surveying Act of 1964, as amended.
  6. All measurements were made in accordance with the Surveying Act of 1964, as amended.
  7. All measurements were made in accordance with the Surveying Act of 1964, as amended.
  8. All measurements were made in accordance with the Surveying Act of 1964, as amended.

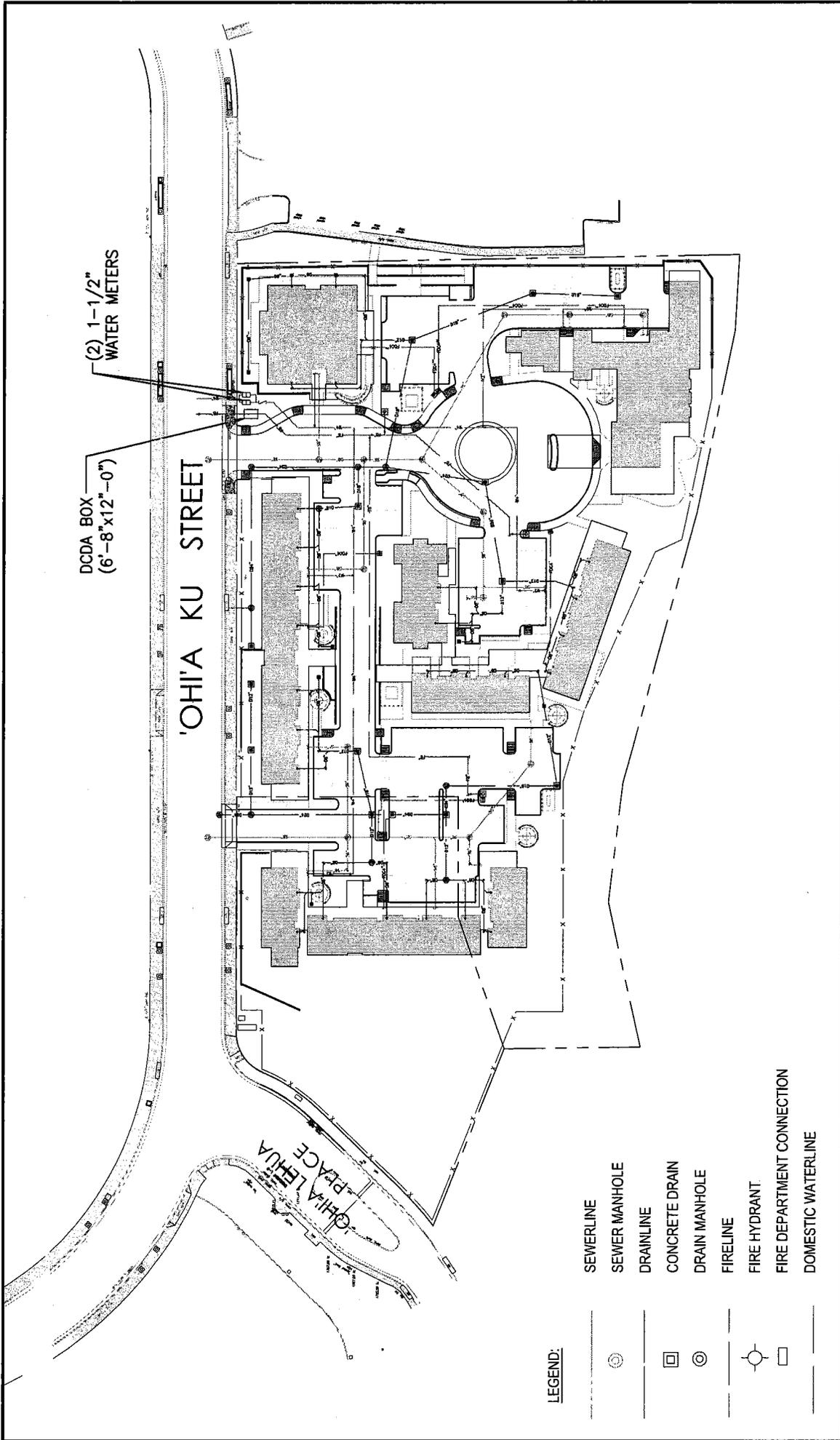




**HALE MAHAOLU EWALU AT KULAMALU**  
 TMK (2) 2-3-066:019 & 020  
 KULA, MAUI, HAWAII

**EXHIBIT 6 - GRADING PLAN**  
 NORTH  
 SCALE: 1" = 60'

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**HALE MAHAOLU EWALU AT KULAMALU**  
 TMK (2) 2-3-066:019 & 020  
 KULA, MAUI, HAWAII

**EXHIBIT 7 - UTILITY PLAN**  
 NORTH SCALE: 1" = 60'

**SATO & ASSOCIATES, INC.**  
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---

## **APPENDIX**

- A. *Drainage Calculations*
  - B. *Domestic Water Consumption Calculations*
  - C. *Wastewater Contribution Calculations*
-

## HYDROLOGIC RUNOFF CALCULATIONS

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Hydrologic calculations for both existing and developed conditions were performed using the Rational Method. Factors used in the calculations were taken from the County of Maui's Drainage Standards as outlines in "Title MC-15, Chapter 4, Rules for the Design of Storm Drainage Facilities in the County of Maui."

### Rational Method: $Q = CiA$

Q	=	Peak flow rate (cfs)
C	=	Runoff coefficient
i	=	Intensity (in/hr)
A	=	Area (acre)

The following factors were used:

A. Recurrence Intervals:

10 year, 1-hour storm  
I = 2.5" (From Plate 4)

50 year, 1-hour storm  
I = 3.0" (From Plate 4)

B. Time of Concentration:

Overland flow time was determined from Plate 1, using hydraulic length, slope, and ground characteristics to the intake point.

C. Rainfall Intensity:

Rainfall intensity (i) was determined by using Plate 2, comparing the time of concentration with 1 hour rainfall.

D. Runoff Coefficient:

Runoff coefficient (C) was determined from Tables 1 and 2, as follows:

Pavement, roof	C = 0.95
Driveways & walkways	C = 0.85
Landscaping	C = 0.30

For areas with multiple surfaces, a weighted "c" value was calculated using the above.

**STORM RUNOFF CALCULATIONS, EXISTING RUNOFF SUMMARY**

PROJECT: Hale Mahaolu Ewalu at Kulamalu  
 LOCATION Kula, Maui, Hawaii

Tm =            10 YEARS            1-HR. RAINFALL = 2.5 INCHES  
                   50 YEARS            1-HR. RAINFALL = 3 INCHES

AREA	OVERLAND FLOW TIME			i (IN./HR.)		A (SQ. FT.)	A (ACRES)	Q (CFS)		C VALUE	INLET	GOES TO	
	LENGTH (FEET)	SLOPE (FT/FT)	Tc (MIN.)	10YR	50YR			10 YR	50 YR				
				10YR	50YR			10 YR	50 YR				
1	580	5%	21	4.2	4.9	100072.000	2.297	2.89	3.38	0.30	-	Basin	
2	440	8%	17	4.5	5.4	71364.000	1.638	2.21	2.65	0.30	-	Gulch	
							<b>TOTAL</b>		<b>5.10</b>	<b>6.03</b>			

## STORM RUNOFF CALCULATIONS, POST-DEVELOPMENT RUNOFF SUMMARY

PROJECT: Hale Mahaolu Ewalu at Kulamalu  
 LOCATION: Kula, Maui, Hawaii

T<sub>m</sub> =            10 YEARS      1-HR. RAINFALL = 2.5 INCHES  
                     50 YEARS      1-HR. RAINFALL = 3 INCHES

AREA	OVERLAND FLOW TIME			i (IN./HR.)		A (SQ. FT.)	A (ACRES)	Q (CFS)		C VALUE	INLET	GOES TO
	LENGTH (FEET)	SLOPE (FT/FT)	T <sub>c</sub> (MIN.)	10YR	50YR			10 YR	50 YR			
1	180	15%	14	4.8	5.7	27998	0.643	1.02	1.22	0.33	Sheet flow	Basin
2	70	30%	8	5.7	6.8	22738	0.522	0.91	1.09	0.31	Sheet flow	Gulch
3	25	2%	7.5	5.8	7	1009	0.023	0.04	0.05	0.30	CDI	Basin
4	110	2%	13	4.9	5.8	1793	0.041	0.06	0.07	0.30	CDI	Basin
5	175	7%	5	6.4	7.8	17754	0.408	2.34	2.85	0.90	CDI	Basin
6	110	2%	5	6.4	7.8	15397	0.353	2.10	2.55	0.93	CDI	Basin
7	75	2%	5	6.4	7.8	3989	0.092	0.53	0.64	0.90	CDI	Basin
8	50	6%	5	6.4	7.8	4459	0.102	0.52	0.63	0.79	CDI	Basin
9	70	2%	5	6.4	7.8	6767	0.155	0.82	1.00	0.83	CDI	Basin
10	130	2%	5	6.4	7.8	10336	0.237	1.40	1.71	0.92	CDI	Basin
11	115	2%	5	6.4	7.8	18628	0.428	2.24	2.73	0.82	CDI	Basin
12	80	2%	5	6.4	7.8	16537	0.380	2.20	2.68	0.91	CDI	Basin
13	60	2%	5	6.4	7.8	6122	0.141	0.82	1.00	0.91	CDI	Basin
14	80	2%	5	6.4	7.8	5435	0.125	0.76	0.93	0.95	CDI	Basin
15	130	2%	5	6.4	7.8	10489	0.241	1.47	1.79	0.95	CDI	Basin

**17.23    20.94**

TOTAL RUNOFF TO EXISTING BASIN    **16.32    19.85**

Basin volume check:

$$Q_T = C \times I_{50} \times A \times 3630$$

Q<sub>T</sub> = Required storage volume

$$C = \frac{\text{Runoff coefficient of contributing areas}}{3.37} = \frac{2.08(0.95) + 0.85(0.30) + 0.44(0.85)}{3.37}$$

C = 0.77

A = Contributing area  
 A = 3.37 acres

I<sub>50</sub> = 3 inches (50-year, 1-hour storm)

$$Q_T = 0.77 \times 3 \times 3.37 \times 3630$$

Q<sub>T</sub> = **28,258 cf.**

Revised on 11/14/2013, KH

Printed on 11/14/2013

M:\Projects\M1303-00 Hale Mahaolu Ewalu\Drainage Report\Final\runoff\_sum REV 2013-10-31.xlsx



**DOMESTIC WATER CONSUMPTION CALCULATIONS  
FOR  
HALE MAHAOLU EWALU**

**DECEMBER 2013**

Reference: County of Maui, Department of Water Supply, Water System Standards, 2002, Table 100-18

Description: The proposed project will consist of 60 elderly housing units and one manager's unit. Also proposed are a community and office building, and an adult day care building.

<u>Type of Use</u>	<u>No. Units</u>	<u>No. Users</u>	<u>Usage</u>	<u>Ave. Daily Demand</u>
Elderly Housing	60		560 gal/unit	33,600
Manager's Unit	1		560 gal/unit	560
Adult Day Care				
Staff		6	60 gal/person	360
Offsite Users		30	60 gal/person	1,800
Comm/Office Bldg.				
Staff		1	60 gal/person	60
Offsite Users		10	60 gal/person	600
				<hr/>
		Average Daily Consumption	=	36,980 GPD
		Maximum Daily Demand	=	55,470 GPD



**WASTEWATER CONTRIBUTION CALCULATIONS  
FOR  
HALE MAHAOLU EWALU  
DECEMBER 2013**

Reference: County of Maui, Department of Environmental Management,  
Wastewater Reclamation Division, Wastewater Flow Standards

Description: The proposed project will consist of 60 elderly housing units and one manager's unit. Also proposed are a community and office building, and an adult day care building.

Estimated Wastewater Flow

<u>Type of Use</u>	<u>No. Units</u>	<u>No. Users</u>	<u>Usage</u>	<u>Flow (gal)</u>
Elderly Housing	60		255 gal/unit	15,300
Manager's Unit	1		255 gal/unit	255
Adult Day Care				
Staff		6	20 gal/staff	120
Offsite Users		30	20 gal/user	600
Comm/Office Bldg.				
Staff		1	20 gal/staff	20
Offsite Users		10	20 gal/user	200
				<hr/>
			Average Wastewater Flow =	16,495 GPD

**EXHIBIT O.**

**June 13, 2014 Letter from Maui  
Electric Company, Ltd.**

JUN 16 2014

Maui Electric Company, Ltd. • 210 West Kamehameha Avenue • P. O. Box 398 • Kahului, Maui, HI 96733-0698 • (808) 871-8461



June 13, 2014

Ms. Colleen Suyama, Senior Associate  
Munekiyo & Hiraga, Inc.  
305 High Street, Suite 104  
Wailuku, Hawaii 96793

Subject: Draft Environmental Assessment and 201H-38 Hawaii Revised Statutes (HRS)  
Affordable Housing Application for Proposed Hale Mahaolu Ewalu Senior Residential  
Housing Project  
Tax Map Key: (2) 2-3-066:019 and 020  
Pukalani, Makawao, Maui, Hawaii

Dear Ms. Suyama,

Thank you for allowing us to comment on the Draft Environmental Assessment for the subject project.

In reviewing our records and the information received, Maui Electric Company (MECO) would highly encourage the customer's electrical consultant to submit electrical demand requirements and drawings to us as soon as practical so that service can be provided on a timely basis.

Should you have any questions or concerns, please contact Kelcie Kawamura at 872-3246.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Okazaki". The signature is fluid and cursive.

Ray Okazaki  
Supervisor, Engineering

c: Ms. JoAnn T. Ridao, Director, Department of Housing and Human Concerns

**EXHIBIT P.**

**October 14, 2013 Letter from  
Kulamalu LLC**

# KULAMALU LLC

October 14, 2013

Roy Katsuda  
Executive Director  
Hale Mahaolu  
200 Hina Ave  
Kahului, HI 96732

Subject: Hale Mahaolu Ewalu Preliminary Design Review

Aloha Roy,

The attached proposed typical stair – exterior elevation is approved. This satisfies the preliminary design review of Hale Mahaolu Ewalu.

Thank you for addressing our concerns and we look forward to working with you on the next plan review.

Sincerely,



Mei Lee Wong  
Project Manager

# **EXHIBIT Q.**

**February 20, 2014 Letter from  
Hawaii Water Service Company**



**HAWAII WATER SERVICE COMPANY**

P.O. BOX 13220 • LAHAINA, HI 96761 • (808) 661-4510 • FAX (808) 662-0785

February 20, 2014

Hale Mahaolu Ewalu, Inc.  
200 Hina Avenue  
Kahului, HI 96732-1800  
Attn: Roy K. Katsuda, Executive Director

Re: Hale Mahaolu Senior Housing Project at Kulamalu Town Center (aka Kulamalu Commercial Subdivision) – Sewer Capacity Requirements

Dear Mr. Katsuda:

This letter is in response to your letter dated January 23, 2014 in which you asked Hawaii Water Service Company (HWSC) to review and approve the proposed sewer capacity requirements for Hale Mahaolu Ewalu, Inc.'s (Hale Mahaolu) Senior Housing Project at Kulamalu Town Center (the "Project"). In the agreement between HWSC and Kulamalu, LLC, the parties agreed that County of Maui Wastewater Flow Standards will be the basis of determining sewer flows for the properties to which Kulamalu, LLC's capacity is allocated. The proposed sewer capacity requirements proposed in your letter deviate from those standards based on the projected occupancy of units in the Project, as shown on Exhibit "B" to your letter. You note in your letter that the County of Maui Department of Water Supply (DWS) has approved a daily water demand that is lower than its design criteria for Phase 1 of your Project based on Hale Mahaolu's project plans and historical water usage. However, under the Memorandum of Understanding between Hale Mahaolu and DWS, DWS has the right to revise the usage for future phases of the Project based upon actual usage of Phase One.

HWSC approves the sewer capacity requirements proposed in your letter, subject to the following conditions:

1. After one full year of occupancy of Phase One of the Project, consisting of 39 units, HWSC shall have the right to review the sewer capacity requirements for the entire Project based upon a comparison of projected water usage to actual water usage for Phase One. If actual water usage exceeds projected water usage, HWSC shall have the right to increase the sewer capacity requirements for the entire Project consistent with the actual water usage of Phase One. In the event HWSC increases the sewer capacity requirements, Hale Mahaolu shall obtain the additional sewer capacity allocations required by HWSC from Kulamalu LLC. If such allocations are not available, Hale Mahaolu shall pay a contribution in aid of construction (CIAC) for the additional capacity in accordance with HWSC's Tariff filed with the Hawaii Public Utilities Commission in effect at the time payment is made.

2. Hale Mahaolu will provide copies of all of its water bills to HWSC promptly upon receipt of the bills, and will provide any additional information reasonably required by HWSC to determine water and wastewater usage for the Project. In addition, Hale Mahaolu will provide

any usage, occupancy, or other information reasonably requested by HWSC in connection with any cost of service study performed by HWSC.

3. The deviation from the County of Maui Wastewater Flow Standards is for this unique Project and will not be applicable to or precedent for any other projects.

If Hale Mahaolu agrees to the foregoing terms and conditions, please sign in the space provide below.

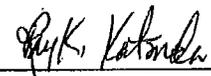
Sincerely,



Art Oughton  
Maui Local Manager

AGREED:

HALE MAHAOLU EWALU, INC.

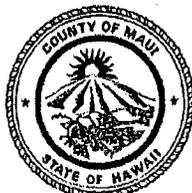
By:   
\_\_\_\_\_  
Roy K. Katsuda  
Its Executive Director

cc: Kulamalu, LLC, Attn. Brian Ige

**EXHIBIT R.**

**Department of Water Supply  
Memorandum of Understanding**

Alan M. Arakawa  
Mayor



David S. Taylor, P.E.  
Director

Paul J. Meyer  
Deputy Director

DEPARTMENT OF WATER SUPPLY  
COUNTY OF MAUI

200 South High Street  
Wailuku, Maui, Hawaii 96793-2155  
Telephone (808) 270-7816 • Fax (808) 270-7833 • [www.mauiwater.org](http://www.mauiwater.org)

January 13, 2014

Mr. Roy Katsuda  
Hale Mahaolu  
200 Hina Avenue  
Kahului, Hawaii 96732

Subject: HALE MAHAOLU EWALU SENIOR RESIDENTIAL HOUSING  
PROJECT  
Memorandum of Understanding  
TMK 2-3-066:019 and 020 Pukalani, Maui, Hawaii

Dear Mr. Katsuda:

Enclosed please find the fully executed Memorandum of Understanding (MOU) dated January 13, 2014 relating to water demands for the project.

If Hale Mahaolu has any questions or concerns, please contact Paul Meyer or Herbert Chang at 270-6193 or 270-7835, respectively.

Sincerely,

A handwritten signature in black ink, appearing to be "DST", written over a horizontal line.

David S. Taylor  
Director

enclosure

*By Water All Things Find Life*

The Department of Water Supply is an Equal Opportunity provider and employer.

MEMORANDUM OF UNDERSTANDING

Hale Mahaolu Ewalu at Kulamalu Town Center – Water Demand  
TMK Nos. (2) 2-3-066:019 & 020  
Pukalani, Maui, Hawaii

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made and entered into this 13 day of January, 2014, by and between Hale Mahaolu Ewalu, Inc., a Hawaii corporation, whose business address is 200 Hina Avenue, Kahului, Hawaii 96732, and Hale Mahaolu, a Hawaii nonprofit corporation, hereinafter collectively referred to as “Hale Mahaolu”, and the County of Maui, a political subdivision of the State of Hawaii, through its Department of Water Supply, whose business address is 200 South High Street, Wailuku, Hawaii 96793, hereinafter referred to as the “Department”.

WITNESSETH:

WHEREAS, Hale Mahaolu wishes to develop a 61-unit multi-family senior housing complex (with an adult day care and a senior center) in the Kulamalu Town Center (the “Project”); and

WHEREAS, the Department’s Water System Standards (2002) provides domestic water consumption design guidelines which should allow an adequate water system for projects;

WHEREAS, the domestic water consumption guidelines for a residential multi-family development require design criteria to be based on an average daily demand of 560 gallons/unit per day; and

WHEREAS, Hale Mahaolu has made a request to develop the Project at a lower demand than what the Water System Standards (2002) require; and

WHEREAS, a daily demand of 220 gallons per day for each of the 61 units is proposed by Hale Mahaolu; and

WHEREAS, in light of the need for governmental support and the community’s benefit of Hale Mahaolu’s nonprofit facility, the parties agree as follows:

1. The Department is willing to consider the request. The Department will allow the daily demand of 220 gallons/unit per day for Phase One of the project, which comprises 39 out of the 61 units.

2. After one year of full occupancy of Phase One, the actual daily demand will be compared to the requested daily demand of 220 gallons/unit per day. The actual demand of the one year period may be used for future phases of the development at the discretion and upon the approval of the Director of Water Supply, provided that the Department has a sufficient water supply developed for domestic, irrigation, and fire protection purposes to take on new or additional service without detriment to those already served.

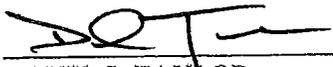
3. This deviation from the Water System Standards (2002) guidelines is for this unique project and will not be applicable or imply applicability to other projects.

IN WITNESS WHEREOF, the Parties have caused this MEMORANDUM OF UNDERSTANDING to be executed on the day and year first written above.

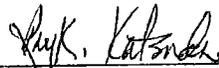
Hale Mahaolu Ewalu, Inc.

Department of Water Supply

By   
Roy K. Katsuda  
Its Executive Director

By   
DAVID S. TAYLOR  
Its Director

Hale Mahaolu

By   
Roy K. Katsuda  
Its Executive Director

**EXHIBIT S.**

**July 31, 2013 Traffic  
Assessment Letter**

# **Julian Ng Incorporated**

Transportation Engineering Consultant

P. O. Box 816

Kaneohe, Hawaii 96744-0816

email: [jngni@hawaii.rr.com](mailto:jngni@hawaii.rr.com)

phone: (808) 236-4325

fax: (808) 235-8869

July 31, 2013

Ms. Colleen Suyama  
Munekiyo & Hiraga, Inc.  
305 High Street, Suite 104  
Wailuku, Hawaii 96793

Subject: Traffic Assessment of Hale Mahaolu Ewalu Senior Housing Project  
TMK (2)2-3-066:019 and 020  
Kula, Maui, Hawaii

Dear Ms. Suyama:

This traffic assessment has been prepared for the subject project to identify the potential impact of development of two parcels in the Kulamalu Town Center in support of an Environmental Assessment being prepared as part of an application for Chapter 201H-38 exemptions from the County Council. Due to the project schedule, traffic counts in the field were not done because school traffic could not be captured. Traffic data that have been published by the State of Hawaii Department of Transportation were used in this assessment.

This assessment concludes that the traffic impact of the proposed project is less than 100 vehicles in the peak hours, or less than a threshold suggested for the preparation of a traffic impact study report. Project traffic impact was also found to be less than the traffic impact if other uses already permitted by the existing P-1 zoning were to be developed.

## **Existing Traffic Conditions in the Vicinity of the Proposed Project**

The proposed project is located within the Kulamalu Town Center, which is accessed via a signalized intersection at A'apueo Parkway and Kula Highway. A'apueo Parkway is a two-lane roadway within an 80-foot right-of-way that also provides access the campus of Kamehameha School Maui, two residential projects, a CVS/Longs Drugs store, several office buildings, a park, and several other vacant parcels. Kula Highway, along with a portion of Haleakala Highway, is part of State Route 37, which originates near Kahului and proceeds in a generally southbound direction.

The project site has frontage on Ohi'a Ku Street, which intersects with A'apueo Parkway. Traffic on Ohi'a Ku Street can also access A'apueo Parkway via a roundabout and Kupaoa Street; both streets are in 60-foot wide rights-of-ways.

# Julian Ng Incorporated

Ms. Colleen Suyama  
 July 31, 2013  
 Page 2 of 4

While no traffic counts have been taken of existing traffic, typical weekday (with school is session) traffic on A‘apueo Parkway is estimated to be 2,700 vehicles per day (1,350 entering, 1,350 exiting), with morning peak hour volumes being 400 vehicles per hour from the highway and 250 vehicles per hour from A‘apueo Parkway onto the highway.

Published traffic data from the State of Hawaii Department of Transportation include two-day counts taken in April 2009 on Route 37. At each of the two nearest locations, daily two-way volume on the highway were recorded at nearly 13,000 vehicles per day, with peak hourly volumes 1,150 vehicles per hour or more. Table 1 summarizes the count data.

**Table 1 – Traffic Data on State Route 37**

	Haleakala Highway (milepost 6.86)			Kula Highway (milepost 9.11)		
	24- Hour Total	AM Peak Hour	PM Peak Hour	24- Hour Total	AM Peak Hour	PM Peak Hour
Counts taken Tuesday, April 28, 2009 (northbound) *	5,186	835	434	6431	721	509
Counts taken Tuesday, April 28, 2009 (southbound) *	6,608	483	703	6449	447	602
Counts taken Wednesday, April 29, 2009 (northbound) *	6,647	790	473	6414	747	529
Counts taken Wednesday, April 29, 2009 (southbound) *	7,362	478	704	6344	432	660
<b>Average of northbound counts</b>	<b>5,917</b>	<b>813</b>	<b>454</b>	<b>6423</b>	<b>734</b>	<b>519</b>
<b>Average of southbound counts</b>	<b>6,985</b>	<b>481</b>	<b>704</b>	<b>6397</b>	<b>440</b>	<b>631</b>
<b>Two-way totals (of count averages)</b>	<b>14,902</b>	<b>1,294</b>	<b>1,158</b>	<b>12,820</b>	<b>1,174</b>	<b>1,150</b>
* Source: State of Hawaii Department of Transportation, Highways Division. <i>Traffic Survey Data, 2009.</i>						

## Traffic Impacts of the Proposed Project

The proposed project is not expected to have a significant impact to traffic conditions. Factors from the latest edition of the widely-used *Trip Generation Manual (9<sup>th</sup> Edition)* were applied to estimate the project’s contribution to peak hour traffic volumes, and to compare those estimates with other traffic using A‘apueo Parkway.

Table 2 summarizes the traffic estimate computations. While the factors in *Trip Generation Manual* for “Day Care Center” are based on data collected by child care centers, traffic patterns are thought to be similar for the two uses; for the proposed project, however, the rates were reduced by 1/3 to account for the expected use of bus transportation for half of the adult day care clients who arrive from off site.

# Julian Ng Incorporated

Ms. Colleen Suyama  
 July 31, 2013  
 Page 2 of 4

**Table 2 – Traffic Estimates for Hale Mahaolu Ewalu**

Trip rates (per parameter) *	Average Weekday (rate)	AM Peak Hour		PM Peak Hour	
		rate	% enter	rate	% enter
Senior Center (1000 SF building area)	33.82	2.05	66%	2.74	49%
Day Care Facility (1000 SF building area)	74.06	12.15	53%	12.34	47%
Senior Adult Housing (dwelling unit)	3.44	0.20	34%	0.25	54%
Traffic Estimate		AM Peak Hour		PM Peak Hour	
		enter	exit	enter	exit
<b>7,531 SF Senior Center</b>	<b>255</b>	<b>10</b>	<b>5</b>	<b>10</b>	<b>11</b>
<b>4,565 SF Adult Day Care Facility</b>	<b>225</b>	<b>20</b>	<b>18</b>	<b>18</b>	<b>20</b>
<b>61 Apartments, Elderly Housing</b>	<b>210</b>	<b>4</b>	<b>8</b>	<b>8</b>	<b>7</b>
<b>Total project</b>	<b>690</b>	<b>34</b>	<b>31</b>	<b>36</b>	<b>38</b>
<b>Total two-way project volume</b>	<b>690</b>	<b>65</b>		<b>74</b>	

\* Source: Institute of Transportation Engineers, *Trip Generation Manual, 9<sup>th</sup> Edition*, 2012.

## Significance of Project Traffic Impacts

Three checks were done to determine if the project impact is significant. First, when compared with two other development projects which could occur on the project site (zoned P-1, Public/Quasi-Public, building with 60,000 square feet floor area), the proposed project was found to have generally less traffic impact, as shown in Table 3.

**Table 3 – Traffic Estimates for Alternative Development of Property**

Trip rates (per parameter) *	Average Weekday (rate)	AM Peak Hour		PM Peak Hour	
		rate	% enter	rate	% enter
Elementary School (1000 SF floor area)	15.43	5.20	56%	1.21	45%
Office building (1000 SF floor area)	11.03	1.56	88%	1.49	17%
Traffic Estimates (60,000 SF)		AM Peak Hour		PM Peak Hour	
		enter	exit	enter	exit
<b>Elementary school</b>	<b>930</b>	<b>175</b>	<b>137</b>	<b>33</b>	<b>40</b>
<b>Total two-way project volume</b>	<b>930</b>	<b>312</b>		<b>73</b>	
<b>Offices for charitable organizations</b>	<b>660</b>	<b>82</b>	<b>11</b>	<b>15</b>	<b>74</b>
<b>Total two-way project volume</b>	<b>660</b>	<b>93</b>		<b>89</b>	

\* Source: Institute of Transportation Engineers, *Trip Generation Manual, 9<sup>th</sup> Edition*, 2012.

# Julian Ng Incorporated

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Ms. Colleen Suyama  
July 31, 2013  
Page 2 of 4

Secondly, the Institute of Transportation Engineers has adopted a recommended guideline (*Transportation Impact Analyses for Site Development*, 2005) that a traffic study be conducted when “development generation of 100 added vehicle trips during the adjacent roadway’s peak traffic hour” – as shown in Table 2 above, the project impacts are each less than this threshold.

Finally, the project traffic estimates were distributed onto the highway 55% to and from the north and 45% to and from the south, based on the existing highway volumes and the functions of the project. In comparison to highway volumes counted at the two nearest stations in 2009, the project would add less than 3% of the existing traffic in the peak direction, as shown in Table 4. Traffic impacts of 3% or less are commonly considered to not be significant.

**Table 4 – Comparison of Project Traffic with Counted Volumes**

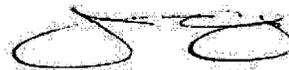
	Haleakala Highway (milepost 6.86)			Kula Highway (milepost 9.11)		
	2009 count	Project impact	%	2009 count	Project impact	%
AM Peak Hour, Route 31 northbound	813	17	2.1%	734	16	2.2%
PM Peak Hour, Route 31 southbound	704	20	2.8%	631	17	2.7%

At full development of the Kulamalu Town Center, the traffic generated by the Hale Mahaolu Ewalu project is estimated to be less than 6% of the total traffic on A‘apueo Parkway during the AM Peak Hour, and about 10% of the total traffic in the PM Peak Hour.

Should you have any questions, please contact me.

Sincerely,

JULIAN NG INCORPORATED



Julian Ng, P.E., P.T.O.E.  
President

# **EXHIBIT T.**

**July 23, 2014 Environmental  
Notice**

Charles and Diane Bundrant propose to build a single-family residence for a family caretaker, re-outfit an existing small irrigation well, and conduct landscaping activities on the already disturbed portions of a leased property in the Conservation District. The property is in a residential use area away from the shoreline. No actions would affect trails, sensitive view planes cultural uses, rare, threatened or endangered species or native ecosystems. Archaeological features have been inventoried and important features will be formally preserved. Pumping of minor volumes of brackish water for irrigating landscaping will not adversely affect the aquifer. Land clearing and construction activities would produce minor short-term impacts to noise, air and water quality, access and scenery. The contractor will be required to emplace best management practices (BMPs) to properly manage storm water runoff and prevent erosion. If during construction any previously unidentified sites or remains such as artifacts, shell, bone, charcoal deposits or human burials are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation.

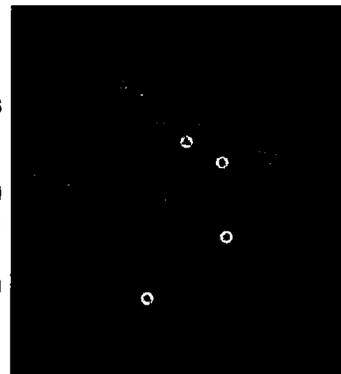
### **3. Natural Energy Laboratory of Hawai'i Authority FEA (FONSI)**

**Island:** Hawai'i  
**District:** North Kona  
**TMK:** Highway right-of-way, 7-3-043:072, and 7-3-043:073  
**Permits:** None specific to the proposed project; necessary permits will be obtained by associated projects.

**Proposing/Determination Agency:** Natural Energy Laboratory of Hawai'i Authority, 73-4460 Queen Ka'ahumanu Highway, #101, Kailua-Kona, HI 96740-2637. Contact: Greg Barbour, 808-327-9585.

**Consultant:** Parsons Brinckerhoff, 1001 Bishop Street, American Savings Bank Tower, Suite 2400, Honolulu, HI 96813. Contact: James Hayes, 808-566-2239.

**Status:** Finding of No Significant Impact Determination.



The Natural Energy Laboratory of Hawai'i Authority (NELHA) is a quasi-public agency of the State of Hawai'i and administers the Hawai'i Ocean Science and Technology Park (HOST Park) at Keāhole Point, Kailua-Kona. The purpose of the proposed project is to maintain and create connectivity between NELHA and HOST Park and regional transportation facilities. NELHA and the State of Hawai'i Department of Transportation (HDOT) are proposing to provide connections between NELHA's HOST Park roads and (a) HDOT's Queen Ka'ahumanu Highway, and (b) roadways within the Kona International Airport at Keāhole (KOA). Land use plans and traffic modeling indicate that as the overall region grows, and transportation demand grows, more roadway network interconnectivity will be required to avoid delays and maintain public safety. The first phase of the proposed project would be in the next ten years and Phase 2 of the proposed project would occur when NELHA, HOST Park, and surrounding developments, such as KOA expansion and nearby proposed or envisioned residential developments in long-range plans, approach full build-out. Phase 2 is not projected to occur until roughly 2035.

## **MAUI (HRS 343)**

### **4. Hale Maha'olu 'Ewalu Senior Residential Housing Project FEA (FONSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2)2-3-066:019 and 020  
**Permits:** Construction Permits

**Proposing/Determination**

**Agency:** County of Maui, Department of Housing and Human Concerns, 2200 Main Street, Suite 546, Wailuku, HI 96793.  
Contact: Jo Ann Ridao, 808-270-7805.  
**Consultant:** Munekiyo & Hiraga, Inc., 305 High Street, Suite 104, Wailuku, HI 96793.  
Contact: Colleen Suyama, 808-244-2015.  
**Status:** Finding of No Significant Impact Determination.



The Hale Mahaolu Ewalu Senior Residential Housing Project proposes to take advantage of the downward slope of the project site and construct three (3) two- and three-story apartment buildings containing one- and two-bedroom units for seniors and a three-bedroom unit for a resident manager totaling 61 housing units. Also, a one-story 7,518 sq. ft. senior center, one-story 4,428 sq. ft. adult day care center, 83 parking stalls, two (2) loading zones, and landscaping are planned. Existing burials, presumed to be of Chinese origin, are located on Parcel 19. The burial site will be kept in situ with a landscaped open space buffer zone separating it from the housing units. The buffer zone will be in accordance with a preservation plan approved by the State Historic Preservation Division (SHPD).

**5. Kenolio Apartments DEA (AFNSI)**

**Island:** Maui  
**District:** Makawao  
**TMK:** (2) 3-9-001: 157 & 158  
**Permits:** Maui County 201H Affordable Housing Application permit, Special Management Area (SMA) Permit Application, Building Permit, Wastewater Discharge (Hookup) Permit, Grading and Grubbing Permit, NPDES Permit, Air Pollution Control Permit, Community Noise Permit.  
**Applicant:** Pacific West Communities, 430 East State Street, Suite 100, Eagle, Idaho 83616. Contact: Shellan Rodriguez, 406-531-0401.  
**Approving Agency:** County of Maui, Maui Planning Commission, 2200 Main Street, Suite 315, Wailuku, HI 96793. Contact: William Spence, 808-270-7735.  
**Consultant:** Chris Hart and Partners, Inc., 115 North Market Street, Wailuku, HI 96793. Contact: Jordan Hart, 808-242-1955.  
**Status:** Statutory 30-day public review and comment period starts; comments are due by August 22, 2014. Please send comments to the applicant, approving agency and consultant.



The proposed project is a 100% affordable multi-family apartments. The residential development will include construction of a total of 186 units with necessary supporting infrastructure. The development will result in 63 one-bedroom units, 100 two-bedroom units and 23 three-bedroom units. Onsite amenities will include a swimming pool, covered picnic area, and community building with laundry facility.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting the project site.

In early consultation with the Department of Housing and Human Concerns, it was made clear that affordable rental units are needed in Kihei. As previously stated, the proposed project will provide 186 affordable rental units for Maui residents.

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**EXHIBIT U.**

**Maui County Council Resolution  
No. 14-108**

# Resolution

No. 14-108

APPROVING THE HALE MAHAOLU EWALU SENIOR RESIDENTIAL  
HOUSING PROJECT PURSUANT TO  
SECTIONS 201H-38 AND 201H-44, HAWAII REVISED STATUTES

WHEREAS, Section 201H-38, Hawaii Revised Statutes ("HRS"), provides a process for the review and development of affordable housing subdivision projects, where suitable projects can be exempted from statutes, ordinances, charter provisions, and rules of governmental agencies relating to planning, zoning, and construction standards for subdivisions, development and improvement of land, and the construction of units thereon, provided that such projects meet minimum requirements for health and safety and fulfill affordability criteria; and

WHEREAS, Hale Mahaolu submitted an Application for Affordable Housing Development pursuant to Section 201H-38, HRS, for the development of the proposed Hale Mahaolu Ewalu Senior Residential Housing Project on approximately 4.0 acres in Pukalani, Maui, Hawaii, identified for real property tax purposes as Tax Map Key Nos. (2) 2-3-066:019 and (2) 2-3-066:020 ("Application"), to the Department of Housing and Human Concerns of the County of Maui; and

WHEREAS, the proposed Project proposes the construction of three (3) multi-level buildings containing fifty-eight (58) one-bedroom and two (2) two-bedroom units for seniors, and a three-bedroom unit for a resident manager, totaling sixty-one (61) housing units; and

WHEREAS, in addition to the housing units, a senior center, an adult day care center, eighty-three (83) parking stalls, and two (2) loading zones are also proposed; and

WHEREAS, the sixty (60) senior housing units shall be made available for rental to individuals who are 62 years of age or older, with income equal or less than 60 per cent of the area median income as established by the U.S. Department of Housing and Urban Development; and

**Resolution No. 14-108**

WHEREAS, the Project will provide needed affordable housing to meet the current and growing demand for senior affordable housing; and

WHEREAS, Section 201H-44, HRS, provides that in connection with the development of any dwelling units under Chapter 201H, HRS, commercial, industrial, and other properties may also be developed if it is determined that the uses can be an integral part of the development and help to preserve the lifestyles of the purchasers of dwelling units in the development; and

WHEREAS, on August 25, 2014, the Department of Housing and Human Concerns submitted the preliminary plans and specifications and the Application to the Council of the County of Maui ("Council"), recommending approval of the Project pursuant to Section 201H-38, HRS; and

WHEREAS, the Department of Housing and Human Concerns also recommends approval of the resident manager's unit, senior center, adult day care center, and associated improvements detailed in the Application pursuant to Section 201H-44; and

WHEREAS, pursuant to Section 201H-38, HRS, the Council shall approve, approve with modification, or disapprove the Project by resolution within forty-five (45) days after the Department of Housing and Human Concerns has submitted the preliminary plans and specifications for the Project to the Council, which submittal occurred on August 25, 2014; and

WHEREAS, pursuant to Section 4-1 of the Revised Charter of the County of Maui (1983), as amended, and Section 201H-38, HRS, the Council is authorized to act by resolution; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That, based upon the transmittals and the representations of the Department of Housing and Human Concerns and Hale Mahaolu, the Council approves the Project, including the Project's preliminary plans and specifications, as submitted to the Council on August 25, 2014, pursuant to Sections 201H-38 and 201H-44, HRS; provided that Hale Mahaolu

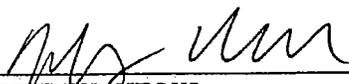
**Resolution No. 14-108**

shall comply with all statutes, ordinances, charter provisions, and rules of governmental agencies relating to planning, zoning, and construction standards for subdivisions, development and improvement of land, and the construction of units thereon, except for the exemptions specified in Exhibit "1", attached hereto and made a part hereof; and

2. That the final plans and specifications for the Project shall be deemed approved by the Council if the final plans and specifications do not substantially deviate, as determined by the Director of Housing and Human Concerns, from the preliminary plans and specifications submitted to the Council. Any substantial deviation from the preliminary plans and specifications shall be submitted to the Council for prior approval. The final plans and specifications shall constitute the zoning, building, construction, and subdivision standards for the Project; and

3. That certified copies of this resolution be transmitted to the Director of Public Works; the Planning Director; the Director of Housing and Human Concerns; and Hale Mahaolu.

APPROVED AS TO FORM  
AND LEGALITY:

  
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JEFFREY UEOKA  
Deputy Corporation Counsel  
County of Maui

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**HALE MAHAOLU EWALU SENIOR RESIDENTIAL HOUSING PROJECT  
PROPOSED 201H-38 EXEMPTIONS FROM THE MAUI COUNTY  
CODE (MCC) AND ADMINISTRATIVE RULES**

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**A. EXEMPTIONS FROM TITLE 2, MCC, ADMINISTRATION AND PERSONNEL**

1. An exemption from Chapter 2.80B, MCC, General Plan and Community Plans, shall be granted to permit the project to proceed without obtaining a community plan amendment.
2. An exemption from Chapter 2.96, MCC, Residential Workforce Housing Policy, shall be granted.

**B. EXEMPTIONS FROM TITLE 14, MCC, PUBLIC SERVICES**

1. An exemption from Section 14.05.060, MCC, Laterals, requiring a service lateral to each lot in the subdivision shall be granted to allow one set of water meters and fire check valves to serve the entire project site.
2. An exemption shall be granted from Section 14.10.010(E), MCC, Water Service Rates, which imposes the penalty of water meter removal for providing water service to lots other than the lot to which the service is assigned.
3. An exemption shall be granted from Section 14.12.040, MCC, Written Verification of Long-Term, Reliable Supply of Water, requiring written verification of either a county water meter or a long-term reliable water supply.
4. An exemption from Chapter 14.74, MCC, Impact Fees for Traffic and Roadway Improvements in Makawao-Pukalani-Kula, Maui, Hawaii, shall be granted to exempt the project from the payment of impact fees, which may be adopted prior to issuance of building permits for the project.

**C. EXEMPTIONS FROM TITLE 16, MCC, BUILDINGS AND CONSTRUCTION**

1. An exemption from Chapters 16.04B, MCC, Fire Code, 16.18B, MCC, Electrical Code, 16.20B, MCC, Plumbing Code, and 16.26B, MCC, Building Code, shall be granted to exempt the project from fire, electrical, plumbing, and building permit fees, as well as plan review and inspection fees.
2. The project shall conform with MCC Chapters 16.04B, Fire Code; 16.16A, Energy Code; 16.18B, Electrical Code; 16.20B, Plumbing Code; and 16.26B, Building Code, as stated at the time of the filing of the 201H-38 application (August 25, 2014) and despite any subsequent amendments to Chapters 16.04B, 16.16A, 16.18B, 16.20B, and 16.26B, or any updates to the Fire Code, Energy Code, Electrical Code, Plumbing Code, or Building Code adopted prior to the

issuance of the last building permit for the project, or within 10 years of the adoption of the resolution, whichever occurs first.

3. An exemption from Table 2902.1 of the 2006 International Building Code, shall be granted to exempt the project from providing drinking fountains within the Adult Day Care Center and Senior Center.

**D. EXEMPTION FROM TITLE 18, MCC, SUBDIVISIONS**

1. An exemption from Section 18.04.030(A), MCC, Administration, shall be granted to exempt the project from the requirement of consistency with the county general plan, community plans, State land use classification, and zoning. This is not intended to grant any additional exemptions from Title 19, MCC, other than those listed in Section E of these exemptions.

**E. EXEMPTIONS FROM TITLE 19, MCC, ZONING**

1. An exemption from Section 19.31.020, MCC, Permitted Uses, shall be granted to allow the following permitted uses: 1) multi-family residential housing units; 2) adult day care center; 3) community center, 4) offices; 5) kitchen; 6) recreational uses and structures; and accessory uses and structures such as parking, storage or accessory buildings and structures, trash enclosures, outdoor recreation, small-scale energy systems, and walls and fences.
2. An exemption from Section 19.31.050, MCC, Development Standards, to allow a maximum height of three stories not to exceed 45 feet, as measured from finished grade, and no setbacks from the common property line between the residential buildings lot and senior center and adult day care center lot.
3. An exemption from Section 19.36A.010, MCC, Designated Number of Spaces, shall be granted to allow a parking ratio of one (1) parking space per residential housing unit; and two (2) parking spaces per 1,200 sq. ft. of floor area for the adult day care center and the community center.
4. An exemption from Section 19.36A.030, MCC, Location, shall be granted to allow the parking spaces to be located either on the lot they serve or on the adjacent lot within the project site.
5. An exemption from Section 19.36A.070, MCC, Walls, Fences, and Landscaping, to allow for flexibility in the location of landscaping, for which one (1) large crown shade tree at minimum regular intervals of every five (5) spaces is required. For all other requirements of Section 19.36A.070, MCC, the project shall comply with Section 19.36A.070 as stated at the time of the filing of the 201H-38 application, and the project shall not be subject to any amendments to

Section 19.36A.070 adopted prior to the issuance of building permits for the project until construction is completed.

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6. An exemption from Section 19.36A.190, MCC, Loading Space, shall be granted to require only for two (2) loading spaces.

**F. EXEMPTIONS FROM TITLE 20, MCC, ENVIRONMENTAL PROTECTION**

1. An exemption from Section 20.08.090, MCC, Grubbing and Grading Permit Fees, shall be granted to exempt the project from payment of grading and grubbing permit fees.
2. An exemption from Sections 20.08.130, 20.08.140 and 20.08.150, MCC, Permit-Bond, shall be granted to exempt the project from filing a bond with the County of Maui for grading, construction of drainage improvements and implementation of erosion control measures.

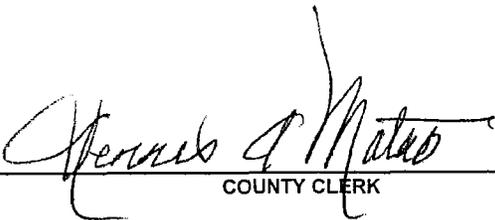
COUNCIL OF THE COUNTY OF MAUI

WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that RESOLUTION NO. 14-108 was adopted by the Council of the County of Maui, State of Hawaii, on the 3rd day of October, 2014, by the following vote:

MEMBERS	Gladys C. BAISA Chair	Robert CARROLL Vice-Chair	Eleanora COCHRAN	Donald G. COUCH, JR.	S. Stacy CRIVELLO	Donald S. GUZMAN	G. Riki HOKAMA	Michael P. VICTORINO	Michael B. WHITE
ROLL CALL	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye	Aye

  
COUNTY CLERK