

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

December 30, 2014

Mr. Nicholas Straka, P.E.
State of Hawaii
Department of Transportation
Highways Division
650 Palapala Drive
Kahului, Hawaii 96732

Dear Mr. Straka:

SUBJECT: SPECIAL MANAGEMENT AREA (SMA) ASSESSMENT FOR HIGHWAY GUARDRAIL AND SHOULDER REPAIR, LOCATED AT MILE POST 13.2 TO 13.3 ON HONOAPIILANI HIGHWAY IN UKUMEHAME, LAHAINA, MAUI, HAWAII; TMK: (2) 4-8-002:003 AND (2) 4-8-002:034 (SMX 2014/0446) (SM5 2014/0426) (SSA 2014/0077)

In response to your application received on September 9, 2014, and in accordance with the SMA Rules for the Maui Planning Commission (Commission), Sections 12-202-12, a determination has been made relative to the above project that:

1. The project is not a development, pursuant to Section 205-A-22 and may be issued a SMA exemption;
2. The project has a valuation in excess of \$500,000.00;
(Valuation: \$1,719,239.00)
3. The proposed scope of work consists solely of highway guardrail and shoulder repair;
4. The project has no significant adverse environmental or ecological effects, provided Best Management Practices (BMPs) are implemented;
5. The State of Hawaii, Department of Transportation, by document accepted by the Federal Highways Administration on August 22, 2014, determined that no significant environmental effects will result from the implementation of this project; and
6. The project is consistent with the objectives, policies, and SMA guidelines set forth in the Hawaii Revised Statutes (HRS), Chapter 205-A, and is consistent with the County General Plan and Zoning.

In consideration of the above determination, you are hereby granted a SMA Exemption (SM5 2014/0426).

Furthermore, in accordance with the Shoreline Rules for the Commission, Sections 12-203-3, 12-203-6, 12-203-10, 12-203-11, and 12-203-12, a determination has been made relative to the above-referenced project that:

1. The site is a shoreline property and is subject to the Commission Shoreline Rules;
2. The repairs will take place inside the shoreline setback area. The proposed repairs inside the shoreline setback area is a permissible activity, pursuant to Section 12-203(a)(5) which allows, "*A structure, excluding those defined as nonconforming, that received a written governmental approval and is the subject of repairs, provided that: (A) The repairs are valued by a licensed professional engineer or architect at less than fifty percent of the current replacement cost of the structure; (B) The repairs do not enlarge or expand the structure, nor intensify the structure's use; and (C) The repairs are permitted by the building code, flood hazard regulations, and special management area law*"; and
3. The proposed action will not have an adverse impact on a flood zone or streamway; and, according to the Zoning and Flood Confirmation Form, a flood development permit is not required.

Accordingly, you are hereby granted a Shoreline Setback Approval (SSA 2014/0077), subject to the following conditions:

1. That repairs were made according to plans titled, "Honoapiilani Highway Guardrail & Shoulder Improvements," prepared by the State of Hawaii, Department of Transportation, Highways Division, dated August 2014.
2. That BMPs shall be implemented to ensure water quality and marine resources are protected. No construction materials shall be stockpiled in the aquatic environment. All construction-related materials shall be free of pollutants and placed or stored in ways to avoid or minimize disturbance. No debris, petroleum products, or deleterious materials or wastes shall be allowed to fall, flow, leach, or otherwise enter near shore waters. Any turbidity and siltation generated from activities proposed at the site shall be minimized and contained in the immediate vicinity of construction through the use of effective silt containment devices. Construction during adverse weather conditions shall be curtailed to minimize the potential for adverse water quality impacts. Appropriate measures to minimize dirt and water runoff, noise, and dust must be used.
3. That a building permit shall be obtained as applicable from the Department of Public Works Development Services Administration.
4. That construction of the improvements shall be initiated by **December 31, 2016**, and shall be completed within one (1) year of said initiation.

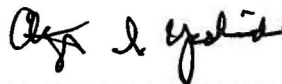
Mr. Nicholas Straka, P.E.
December 30, 2014
Page 3

5. That all work shall immediately cease should any historical or archeological artifacts be discovered during ground-altering activities and the Department of Land and Natural Resources-State Historic Preservation Division (DLNR-SHPD) office on Maui be contacted at (808) 243-5169.
6. That the structure will be kept in good and safe repair for the life of the structure.
7. That full compliance with all other applicable governmental requirements shall be rendered.

In summary, the Department grants a SMA Exemption (SM5 2014/0426) and a Shoreline Setback Approval (SSA 2014/0077) for the work described in your SMA Assessment Application (SMX 2014/0446).

Thank you for your cooperation. If additional clarification is required, please contact Staff Planner Keith Scott at keith.scott@mauicounty.gov or at (808) 463-3867.

Sincerely,



CLAYTON I. YOSHIDA, AICP
Planning Program Administrator

for WILLIAM SPENCE
Planning Director

Attachment: Project Plans

xc: John S. Rapacz, Planning Program Administrator (PDF)

Keith C. Scott, Staff Planner (PDF)

Development Services Administration

CZM File (SMX/SM5/SSA)

2014/SM5 Project File

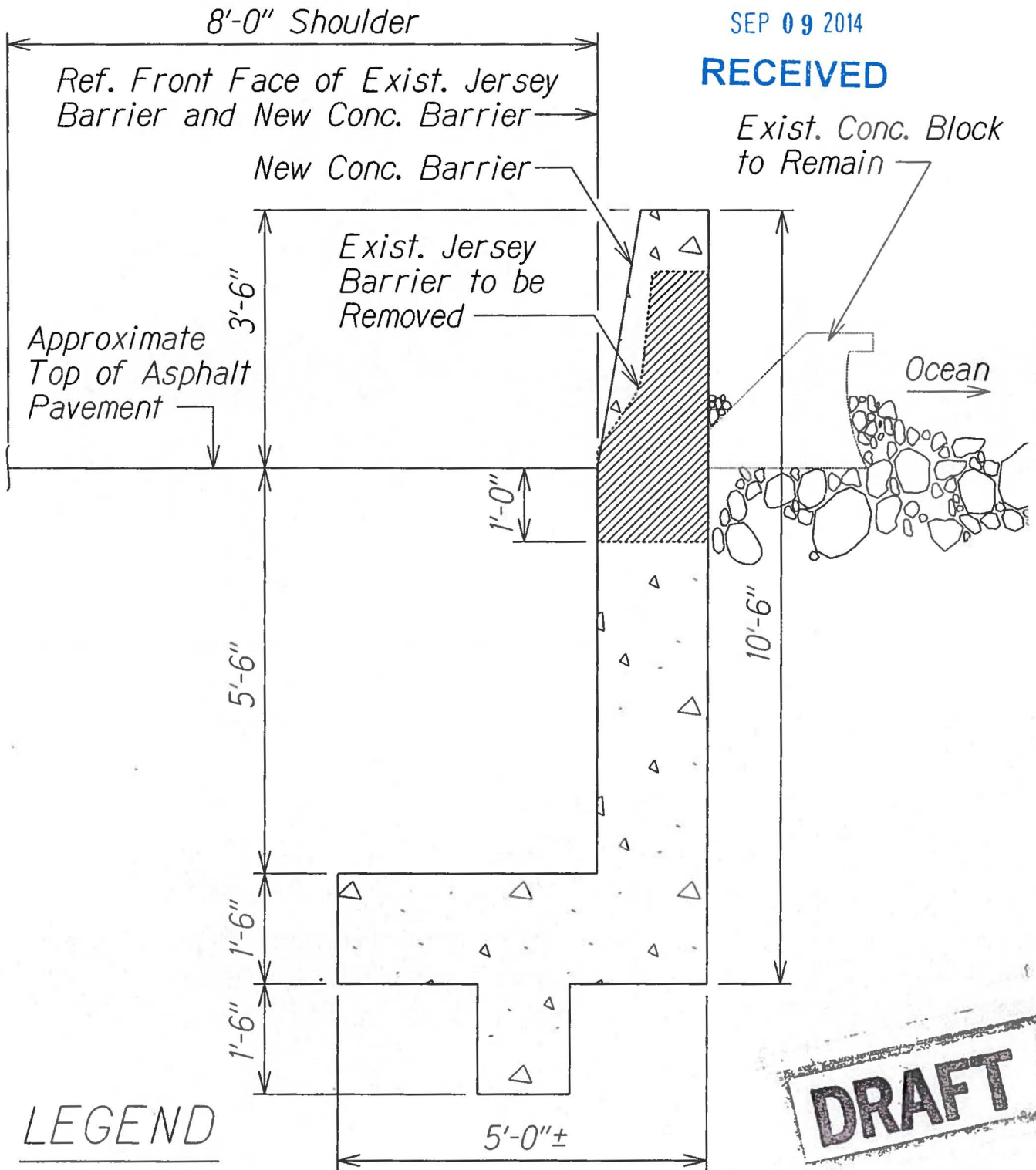
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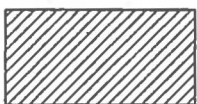
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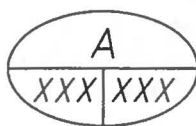
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LEGEND



Hatched area indicates barrier to be removed



TYP. SECTION

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