

DAVID C. GOODE  
Director



GLEN A. UENO, P.E., P.L.S.  
Development Services Administration

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OFFICE OF THE MAYOR

COUNTY OF MAUI  
DEPARTMENT OF PUBLIC WORKS  
**DEVELOPMENT SERVICES ADMINISTRATION**  
250 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793

November 13, 2018

Honorable Alan M. Arakawa  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL  
  
Mayor 11/16/18  
Date

For Transmittal to:

Honorable Elle Cochran, Chair  
Infrastructure and Environmental Management Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair Cochran:

**SUBJECT: TRAFFIC SAFETY AND ENVIRONMENTAL CONCERNS  
RESULTING FROM DEVELOPMENT IN MAKENA (IEM-80)**

This is in response to your letter dated October 26, 2018, in which you requested:

1. *During the Committee's meeting of August 20, 2018, community members stated that grading was seen taking place on parcels for which grading permits have **not** been issued, including tax map keys (2) 2-1-005:024, 108, 129, 131, 132 and 137.*
  - a. *Please explain whether the Department has explored these allegations or issued any related penalties.*

Grading Permit No. 2015/0117 was issued for Parcels 108, 129, 131, and 132 as a part of the Residence for Evan Holdings, LLC project.

Upon review of the KIVA permitting database for Parcels 24 and 137, it appears that no Request for Service regarding unpermitted grading was entered on these tax keys. Also, the database does not show pending or active grading permits for these two tax keys.

However, RFS No. 18-0000121 was entered on January 30, 2018, on a neighboring parcel, Parcel 135. This request stated in part, "according to one community member, the construction company reopened (bulldozed) a dirt road that was on State land adjacent (mauka) to the subject parcel in question." When the RFS was received, Public Works staff inspected the area and did not observe grading of a new roadway or grading of an existing roadway.

- b. Please also explain whether permits have been or will be granted after grading has taken place and the Department's policy for this practice.*

The Department is currently unaware of any unpermitted grading on the referenced parcels.

If grading work were done without a proper grading permit, the Department would require an after-the-fact grading permit. All normal permit requirements would be imposed, along with appropriate penalties and fines.

- 2. The land identified for real property tax purposes as tax map key (2) 2-1-005:024 is owned by the State of Hawaii. According to public testimony, grading was conducted on the parcel by the owners of adjacent parcels without a permit and, further, without an environmental assessment. Please explain whether the Department has addressed these allegations and potential courses of action or penalties.*

Please see comments above.

- 3. According to information provided by you and by the Department of Planning, an SMA Minor permit and a building permit were issued for tax map key (2) 2-1-005:135 for the building of a 100,000 gallon water tank.*

- a. Please identify the typical size of a water tank for a single-family residence.*

The Department does not size residential water tanks. Perhaps the Department of Fire and Public Safety could answer this question.

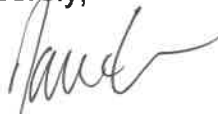
- b. Please also explain whether the submitted farm plan (attached) and permit for the construction of a single family residence (less than 7,500 square feet in size) align with the capacity of the water tank.*

The Department of Planning would have to reply to questions regarding farm plans.

Honorable Alan M. Arakawa  
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Honorable Elle Cochran, Chair  
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If you have any questions, please feel free to contact me at Ext. 7845.

Sincerely,



DAVID C. GOODE  
Director of Public Works

#### Attachments

S:\DSA\Engr\LLO\County Council\traffic safety and environmental concerns resulting from development in Makena IEM-80 - response 4.doc