

# **Conservation District Use Application**

## **PROPOSED KAWELA BRIDGE REPLACEMENT PROJECT**

**Prepared for:**

**State of Hawaii,  
Department of Transportation**

**January 2010**



# **Conservation District Use Application**

**for**

## **PROPOSED KAWELA BRIDGE REPLACEMENT PROJECT**

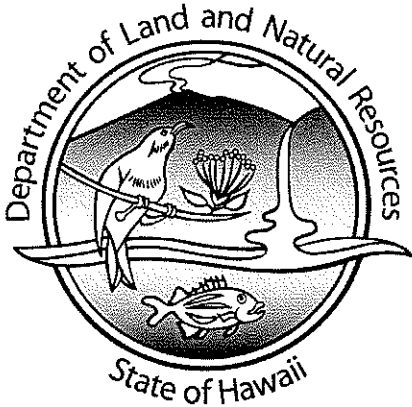
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# **1. CONSERVATION DISTRICT USE APPLICATION**

## Conservation District Use Application (CDUA)



For DLNR Use	
File #	
Reviewed by	
Date	
Accepted by	
Date	
180-Day Exp.	
EA/EIS Required	
PH Required	
Decision	
Date	

Project Location/Address Kamehameha V Highway, Milepost 5.110 to Milepost 5.118

District: Molokai Island/County: Molokai/Maui County

Subzone: Limited Tax Map Key(s) (2) 5-4-001:027

Total Area of Parcel in sq. ft or acres 11.44 acres Area of Proposed Use in sq. ft. or acres 0.78 acre

Commencement Date: September 2010 Completion Date: October 2011

Indicate which of the following approvals are being sought, as specified in the Hawaii Administrative Rules (HAR), Chapter 13-5.

- ☒ **Board Permit**
- ☐ **Departmental Permit**
- ☐ **Emergency Permit**
- ☐ **Temporary Permit**
- ☐ **Site Plan Approval**

**APPLICANT**

Legal Name: State of Hawaii, Department of Transportation  
Street Address: 869 Punchbowl Street  
City, State and Zip+4 Code: Honolulu, Hawaii 96813  
Mailing Address: same as above  
City, State and Zip+4 Code: \_\_\_\_\_  
Contact Person & Title: Brennon T. Morioka, Director  
Phone No.: (808) 587-2150 Fax No.: (808) 587-2167  
Email: brennon.morioka@hawaii.gov  
Interest in Property: Easement (in process)

\*Signature  Date 1-4-10

\*If for a Corporation, Partnership, Agency or Organization, must be signed by an authorized officer.

**AGENT**

Name: Munekiyo & Hiraga, Inc.  
Mailing Address: 305 High Street, Suite 104  
City, State and Zip+4 Code: Wailuku, Hawaii 96793  
Contact Person & Position: Mich Hirano, AICP, Principal  
Phone No.: (808) 244-2015 Fax No.: (808) 244-8729  
Email: mich@mhplanning.com

Signature  Date 1.19.10

**PROPERTY OWNER(S) (If other than the applicant)**

Legal Name: Pamela Phoebe Parker and Fred Ronald Parker  
Street Address: 963 Newport Road  
City, State and Zip+4 Code: Utica, New York 13502  
Mailing Address: Same as Above  
City, State and Zip+4 Code: \_\_\_\_\_  
Contact Person & Title: Fred Parker  
Phone No.: (315) 527-3261 Fax No.: ( )  
Email: parker\_f@msn.com  
Relationship to applicant: None

Signature \_\_\_\_\_ Date \_\_\_\_\_

**CONTRACTOR**

Name: To be selected Contractor I.D. # \_\_\_\_\_  
Scope of Work: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Contact Person & Position Title: \_\_\_\_\_  
Phone No.: ( ) Fax No.: ( )  
Email: \_\_\_\_\_

**Emergency Contact Information**

Company/Organization Name: Department of Transportation  
Contact Person and Title: Vincent Llorin, P.E., Project Engineer  
Phone No.: (808) 692-7568 Phone No.: ( )

## PRIOR CONSERVATION DISTRICT USE PERMITS (CDUP)

Please specify all prior CDUP received for the subject parcel.

None

## PROPOSED USE

Approximately 0.78 acre

Total Area of Proposed Use: (indicate in acres or sq. ft) (area of construction easement)

Describe the proposed use in detail. Include secondary improvements such as grading, septic tank placement, utilities, roads, driveways, fences, landscaping, etc. Illustrate general location of improvements on a TMK map; include preliminary architectural renderings with elevations and building footprints with application. Include existing (before) and proposed (after) graphics. If the parcel is or has been the subject of a violation, please include the violation number.

The Conservation district boundary is located on the southern boundary of Kamehameha V Highway right-of-way. The existing Kawela Bridge and proposed new Kawela Bridge are located outside the Conservation district. The proposed use in the Conservation district includes construction of a temporary detour route, providing two (2) lanes of traffic and placement of six (6) 42-inch reinforced concrete culverts under the detour route to maintain stream flow. There are two (2) large monkeypod trees that will be preserved, however, some scrub vegetation will need to be removed for the detour route. Fill will be placed over the culverts to bring the grade of the roadway to the existing grade of the highway (approximately 7 feet). The temporary detour route will be dismantled upon completion of the new bridge and the site restored to its original condition to the extent practicable. Permanent improvements within the Conservation district will include a 12-ft. wide concrete access ramp for maintenance of the concrete stream channel lining under the bridge, grouted rock rip-rap rubble apron and CRM retaining walls to stabilize the channel and stream banks and dumped rip-rap to protect the concrete liner from underscoring. The area for the permanent improvements in the Conservation district will involve an area of approximately 0.276 acre (12,014 sq. ft.). An Environmental Assessment has been completed for the bridge replacement project. The Finding of No Significant Impact issued by the State Department of Transportation was published in the Environmental Notice on July 23, 2009. See Attachment "C", Final EA, Chapter I (pages 1 to 7) for more details.

## CONSERVATION DISTRICT REQUIREMENTS

Demonstrate that the proposed use is consistent with the following criteria. Refer to HAR, Section 13-5-30, to review criteria. Attach additional sheets if necessary.

Is the proposed land use consistent with the purpose of the Conservation District?

Yes, the proposed project involves replacing a State highway bridge that is structurally deficient and hydraulically inadequate. The proposed project will help reduce flood-waters from (1) overtopping the bridge and (2) entering adjacent properties. Refer to Attachment "C", Final EA, Chapter III, Section A, Item No. 1 (page 42).

Is the proposed use consistent with the objectives of the subzone of the land in which the use will occur?

Yes, the proposed uses within the Conservation district is located in the Limited Subzone and is being undertaken to fulfill a mandated governmental function to replace the Kawela Bridge and maintain safety standards and improve highway conditions of a State highway. Refer to Attachment "C", Final EA, Chapter III, Section A, Item No. 2 (page 42).

Does the proposed land use comply with provisions and guidelines contained in Chapter 205A, Hawaii Revised Statutes (HRS), entitled "Coastal Zone Management," where applicable?

Yes, a Special Management Area (SMA) Use Permit was approved by the Molokai Planning Commission on September 28, 2009. See Attachment "D". Refer to Attachment "C", Final EA, Chapter III, Section F (pages 48 to 55) for more details.

Describe how the proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.

The new Kawela Bridge has been designed to improve hydraulic capacity of the bridge without increasing the flood limits upstream of the bridge. The proposed land use is not anticipated to result in substantial adverse impacts to existing natural resources within the area. Refer to Attachment "C", Final EA, Chapter II (pages 9 to 39) for more details.

Describe how the proposed land use, including buildings, structures and facilities, will be compatible with the locality and surrounding areas, and to the physical conditions and capabilities of the specific parcel or parcels.

The proposed new bridge will replace the existing Kawela Bridge that is structurally deficient and hydraulically inadequate. The existing Kawela Bridge was built in 1940. The proposed uses in the Conservation district are compatible with the surrounding land uses, which primarily consist of low density single-family residential uses. Refer to Attachment "C", Final EA, Chapter II, Section A, page 8 for more detail.

Describe how the existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon.

The proposed new bridge will replace an existing bridge. The new bridge will not adversely impact views. The stream channel under the bridge will be lined with concrete to allow for maintenance of the streambed and clear the debris washed down the stream during rain events. The construction of the proposed new bridge and maintenance of the streambed beneath the bridge will preserve the natural beauty of the area. Refer to Attachment "C", Final EA, Chapter III, Section A, Item No. 6 (page 43) for more details.

If applicable, describe how subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District.

Not applicable. There will be no subdivision of land within the Conservation district. The Kawela Bridge replacement project will not increase the intensity of land uses in the area.

Describe how the proposed land use will not be materially detrimental to the public health, safety and welfare.

The proposed land use within the Conservation district will be for a temporary detour route while the Kawela Bridge is being replaced. The temporary detour route will allow the public to use the highway while the bridge is under construction. The detour route will be well marked and illuminated to ensure public health and safety while in use. Refer to Final Environmental Assessment, Chapter II, Section C (pages 32 to 35). The permanent improvements within the Conservation district involve a 12-ft. wide concrete ramp which will allow maintenance equipment to access the concrete lined channel under the bridge for clean up debris after storms, as well as grouted rip-rap to stabilize the stream banks and dumped rip-rap apron to protect the underscoring of the concrete stream bed lining.

#### **ADDITIONAL INFORMATION**

Articles IX and XII of the State Constitution, other state laws, and the courts of the State require government agencies to promote and preserve cultural beliefs, practices, and resources of native Hawaiians and other ethnic groups. The Department of Health (DOH), Chapter 343, also requires an Environmental Assessment (EA) of cultural resources in determining the significance of a proposed project.

If applicable, please provide the identity and scope of "valued cultural, historical and natural resources" in which traditional and customary native Hawaiian rights are exercised in the area.

Based on the Cultural Impact Assessment carried out for the project, there are no cultural or traditional and customary native Hawaiian rights that will be adversely impacted by the proposed project. Refer to Attachment "C", Final EA, Chapter II, Section A.5 and A.6 (pages 18 to 27); and Appendix "C", Appendix "C-1", and Appendix "D" for more information.

Identify the extent to which those resources, including traditional and customary native Hawaiian rights, will be affected or impaired by the proposed action.

The proposed project will not adversely impact cultural or historical resources. Refer to Attachment "C", Final EA, Chapter II, Section A.5 and A.6 (pages 18 to 27) and Appendix "C", Appendix "C-1", Appendix "D", and Appendix "D-1" for more details.



What feasible action, if any, could be taken by the Board of Land and Natural Resources in regards to your application to reasonably protect native Hawaiian rights?

Ensure that State Department of Transportation submits an Archaeological Monitoring Plan to State Historic Preservation Division (SHPD) for review and approval prior to construction. Provide archaeological monitoring during all ground altering activity for the Kawela Bridge Replacement project to ensure adequate protection for potential undiscovered resources.

Does the proposed land use have an effect (positive/negative) on public access to and along the shoreline or along any public trail? There will be a positive effect on public access to and along the shoreline as a result of the proposed project. The temporary detour route is required to maintain traffic flow during construction of the new Kawela Bridge. The temporary detour route will be decommissioned upon project completion and the site restored to its original condition, as practicable. The new bridge will have a shoulder for pedestrians and bicycles which will improve public access along the highway and to the shoreline. Refer to Attachment "C", Final EA, Chapter III, Section F, Item Nos. 1 and 2 (pages 49 to 51) for more details. Does the proposed use have an effect (positive/negative) on beach processes?

The proposed action within the Conservation district, which involves a temporary detour route and a permanent access lane for maintenance, will not adversely affect beach processes. The proposed action is approximately 400 feet inland from the shoreline. Refer to Attachment "C", Final EA, Chapter III, Section F, Item No. 9 (page 54).

Will the proposed use cause increased runoff or sedimentation?

No increase in stormwater runoff is anticipated since the proposed project will replace an existing bridge. Best Management Practices (BMPs) will be employed during construction to reduce or mitigate increases in sedimentation, such as using silt screens and fences to contain sedimentation runoff, desiltation basins to collect and retain runoff and earthen berms to direct storm water runoff into desiltation and/or detention basins. The detour road within the Conservation district will be temporary and the access easement will not adversely impact storm water runoff. Refer to Attachment "C", Final EA, Chapter II, Section D, Item 4 (pages 37 to 38).

Will the proposed use cause any visual impact on any individual or community?

No, the proposed temporary detour route will be established at approximately the existing level of the highway and will not impact views. The access ramp will be at highway grade and slope down to the concrete lined streambed under the bridge. Refer to Attachment "C", Final EA, Chapter III, Section F, Item 3 (page 51).

### Existing Site Information

Are there existing structures on the parcel?

☒ Yes ☐ No

If yes, please describe below and include/illustrate on a map entitled *existing structures*.

There is a wooden fence approximately 70 ft. in length adjacent to the highway right-of-way on Parcel 27. See Resources Map, Attachment "E".

Will any existing structures be demolished or removed?

☒ Yes ☐ No

If yes, describe how below. Please indicate/illustrate demolished structure on a map entitled *structures to be demolished/removed*.

The existing wood fence will be removed in order to build the detour route and will be reconstructed when the detour route is dismantled.

Has the parcel been graded or landscaped?

☐ Yes ☒ No

If yes, describe below. Please describe cubic yards affected and/or area of landscaping on a map entitled *areas previously graded or landscaped*.

Not Applicable

Describe existing utilities. Include electricity, water, telephone, drainage, and sewerage. Please illustrate on a map entitled *existing utilities*.

There are no existing utilities at the site of the detour route.

Describe existing access. Illustrate and include roadways and public trails on a map entitled *existing access*. Give major street names if available.

The project site is adjacent to Kamehameha V Highway. The temporary detour route will be accessed off of Kamehameha V Highway approximately 40 feet to the west of and 40 feet to the east of the existing Kawela Bridge. Refer to Attachment "C", Final EA, Chapter II, Section D, Item No. 1 (pages 35 to 36).

Describe Flora and Fauna. Illustrate general location and types of flora and fauna on a map entitled *resources*. Indicate if rare or endangered native plants and/or animals are present.

Vegetation at the project site includes kiawe, ilima, Java Plum, monkeypod trees, akulikuli-kai and mangrove trees. Avifauna and mammals in the area include deer, goat, mongoose and wild pig. The black-crowned night heron have been observed in the project area. None of the plant species within the project site have been identified as rare, threatened or endangered, nor are the avifauna or mammals listed as threatened or endangered. Refer to Attachment "E", Resources Map. Refer to Final Environmental Assessment, Chapter II, Section A.4 (pages 16 to 17) for more details.

Describe topography and submit a map entitled *topography*. If ocean area, give depths. Submit detailed contour maps for ocean area and areas where slopes are 20% or more. Contour maps will also be required for uses involving tall structures, gravity flow and other special cases.

The project area is generally flat with elevations ranging from 4 feet to 7 feet above mean sea level (amsl) along the highway. At the Kawela streambed, the upper banks range in elevation from approximately 7.5 feet amsl on the east bank and 4.5 to 3 feet amsl on the west bank with the streambed at approximately 0.4 feet amsl. Refer to Attachment "C", Final EA, Chapter II, Section A.2 (pages 10 to 12) and Attachment "F", Topographic Map.

If shoreline area, describe shoreline and surrounding area. Indicate and illustrate if shoreline is sandy, muddy, rocky, cliffs, reefs, or other features (such as access to shoreline) on a map entitled *coastal resources*. A current shoreline certification is required for uses that may affect shoreline resources.

The project area is approximately 400 ft. inland from the shoreline. There is a muluwai (coastal estuarine pond) approximately 100 feet to the south of the existing Kawela Bridge. Refer to Attachment "C", Final EA, Chapter II, Section A.8 (pages 29 to 30) and Appendix "B" for more details.

If shoreline area, describe and illustrate any coastal hazards such as erosion, flooding, tsunami, etc. Attach any relevant maps delineating the hazard zone (FEMA, FIRM maps).

The project area is located on Flood Insurance Rate Map Zone A2, an area of 100-year flooding. Refer to Attachment "C", Final EA, Chapter II, Section A.3 (pages 12 to 16), Figure 9 and Appendix "A" for more details.

Describe existing covenants, easements, and restrictions. If State owned land, indicate present encumbrances.

Not applicable.

Identify any historic, archeological or cultural sites within or near the parcel. Please submit or include any current management plan. If applicable, indicate location(s) on a map entitled *historical, archaeological, and cultural resources* and describe below.

There are no archaeological sites or cultural resources in the project area. Two (2) sites are in proximity to the project area. Site 2478 is a series of three (3) terraces located along a tributary of Kawela Stream, upstream from the project area. Site 144 is a burial mound containing the remains of warriors. Site 144 is located to the east of the highway. See Attachment "G", Historical, Archaeological and Cultural Resources Map. Refer also to Attachment "C", Final EA, Chapter II, Section A.5 and A.6 (pages 18 to 27) and Appendix "C", "C-1", and "D".

**Adjacent Property Owners**

Please list all adjacent property owners. If no address is available indicate north, south, east and west or mauka, makai or other common county directionals.

TMK: (2) 5-4-001

Legal Name: State of Hawaii, Department of Transportation

Street Address: North of subject property

City, State and Zip code: \_\_\_\_\_

Mailing Address: 869 Punchbowl Street

City, State and Zip: Honolulu, Hawaii 96813 Phone No.: (808) 692-7568

Location to TMK: North

TMK: (2) 5-4-001:083

Legal Name: Mr. and Mrs. Fred Parker

Street Address: West of subject property

City, State and Zip code: \_\_\_\_\_

Mailing Address: 963 Newport Road

City, State and Zip: Utica, NY 13502 Phone No.: (315) 527-3261

Location to TMK: West

TMK: \_\_\_\_\_

Legal Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip code: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Location to TMK: \_\_\_\_\_

TMK: \_\_\_\_\_

Legal Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip code: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Location to TMK: \_\_\_\_\_

**PROPOSED SINGLE FAMILY RESIDENTIAL (SFR) PROJECT**    **Not Applicable**  
 Consult HAR, Chapter 13-5, Exhibit 4 entitled "Single Family Residential Standards"

Estimated cost of development (not including cost of land) \$\_\_\_\_\_

Maximum Height of proposed residence from base level \_\_\_\_\_ feet

Building Setbacks    Front \_\_\_\_\_ feet                      Back \_\_\_\_\_ feet

Side \_\_\_\_\_ feet                      Side \_\_\_\_\_ feet

If shoreline parcel or area, indicate the setback from the certified shoreline \_\_\_\_\_ feet

Total number of floors in structure, including subterranean floors, lofts, porte cochere, mezzanines and garages \_\_\_\_\_

Total Floor Area (include second story area, garage, decks) \_\_\_\_\_ sq. ft.

Total Floor Area **excluded** from the Maximum Developable Area (MDA) \_\_\_\_\_ sq. ft.  
 (Floor areas excluded from the MDA must be highlighted on preliminary construction plans.)

	Existing (sq. ft.)	New proposed (sq. ft.)	Total (sq. ft.)
TMK Area		N/A	
Building(s)			
Paved area(s)			
Landscaped area(s)			
Unimproved area(s)			
	Grand Total (should equal TMK area)		

Is any grading proposed? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, complete the following			
Amount of cut	Cu. yds.	Maximum height of cut slope	ft.
Amount of fill	Cu. yds.	Maximum height of fill slope	ft.
Amount of <b>import</b> or <b>export</b> soil	Cu. yds.	Location of disposal site	

Are utility extensions for the following needed to serve the project?

Water                      \_\_\_ Yes                      \_\_\_ No                      Electric                      \_\_\_ Yes                      \_\_\_ No

Sewer                      \_\_\_ Yes                      \_\_\_ No                      Telephone                      \_\_\_ Yes                      \_\_\_ No

Does the project include removal of trees or other vegetation?                      \_\_\_ Yes                      \_\_\_ No

If yes, indicate the number, type and size. \_\_\_\_\_

## CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ THIS COMPLETED APPLICATION AND THAT, TO THE BEST OF MY KNOWLEDGE, THE INFORMATION IN THIS APPLICATION AND ALL ATTACHMENTS AND EXHIBITS IS COMPLETE AND CORRECT. I UNDERSTAND THAT THE FAILURE TO PROVIDE ANY REQUESTED INFORMATION OR MISSTATEMENTS SUBMITTED IN SUPPORT OF THE APPLICATION SHALL BE GROUNDS FOR EITHER REFUSING TO ACCEPT THIS APPLICATION, FOR DENYING THE PERMIT, FOR SUSPENDING OR REVOKING A PERMIT ISSUED ON THE BASIS OF SUCH MISREPRESENTATIONS, OR FOR SEEKING OF SUCH FURTHER RELIEF AS MAY SEEM PROPER TO THE LAND BOARD.

I HEREBY AUTHORIZE REPRESENTATIVES OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT SITE INSPECTIONS ON MY OR MY CLIENT'S PROPERTY. UNLESS ARRANGED OTHERWISE, THESE SITE INSPECTIONS SHALL TAKE PLACE BETWEEN THE HOURS OF 8:00 A.M. AND 4:30 P.M.

---

*Signature of Authorized Agent(s) or if no agent, signature of **Applicant***

## AUTHORIZATION OF AGENT

I HEREBY AUTHORIZE Munekiyo & Hiraga, Inc. TO ACT AS MY REPRESENTATIVE AND TO BIND ME IN ALL MATTERS CONCERNING THIS APPLICATION.



---

*Signature of Applicant(s)*

# **ATTACHMENT A.**

## **Land Ownership Documentation**



**TO BE INSERTED IN ORIGINAL DOCUMENT ONLY**

## **ATTACHMENT B.**

### **Adjacent Property Owners**

## **ADJACENT PROPERTY OWNERS**

1.     TMK (2) 5-4-001  
       Kamehameha V Highway Right-of-Way  
  
       Owner:       State of Hawaii, Department of Transportation  
       Address:     869 Punchbowl Street  
                     Honolulu, Hawaii 96813
  
2.     TMK (2) 5-4-001:083  
  
       Owner:       Mr. and Mrs. Fred Parker  
       Address:     963 Newport Road  
                     Utica, NY 13502

# **ATTACHMENT C.**

## **Final Environmental Assessment**

**TO BE INSERTED IN ORIGINAL DOCUMENT ONLY**

# **ATTACHMENT D.**

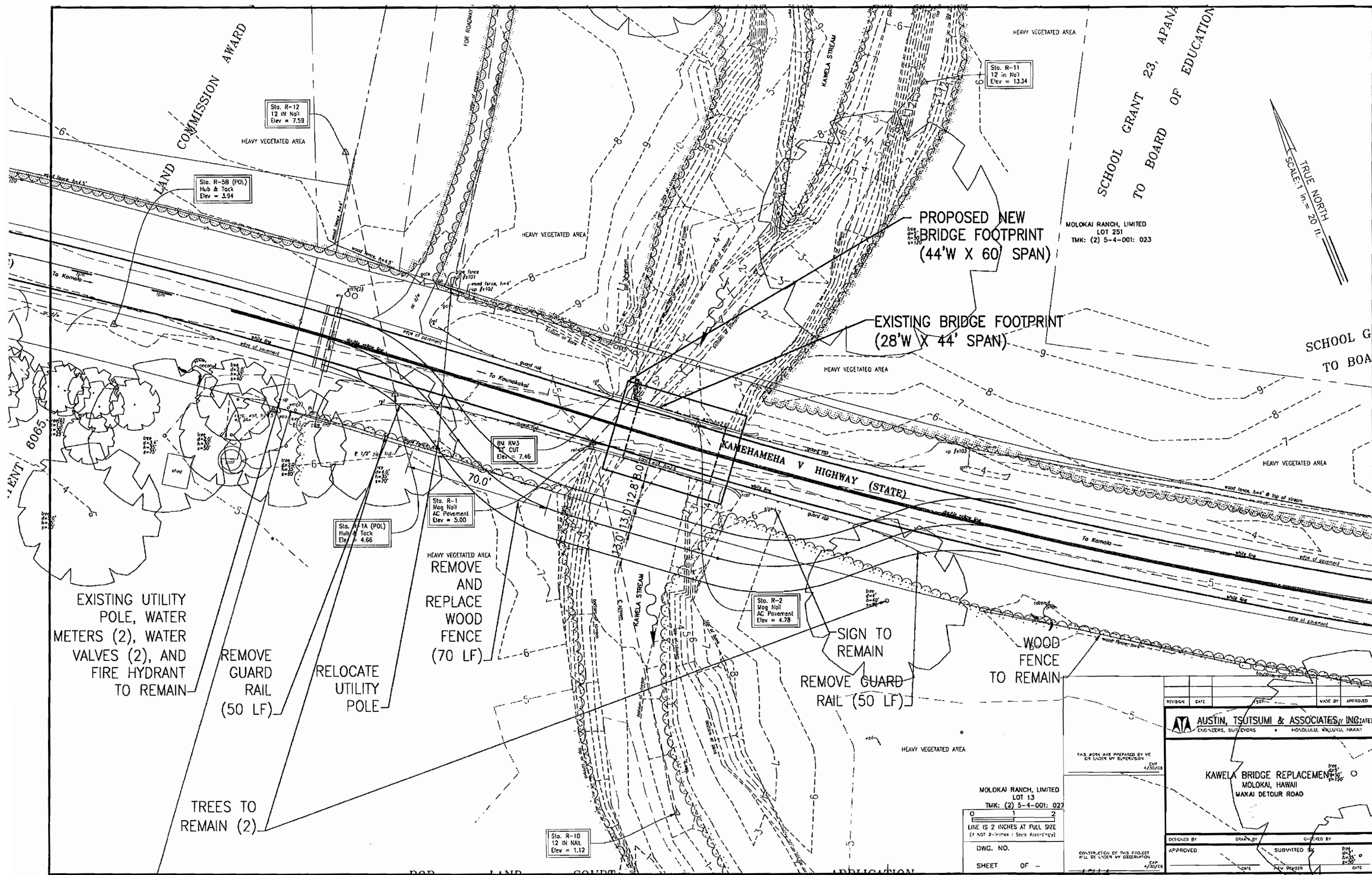
## **Special Management Area Use Permit**

**TO BE PROVIDED BY DEPARTMENT OF PLANNING**

# **ATTACHMENT E.**

## **Resources Map**





# **ATTACHMENT F.**

## **Topographical Map**

**(Prepared by: Austin, Tsutsumi &  
Associates, Inc.)**

15CH & KAMAKANA/  
KAMAKANA  
TMK: (2) 5-4-001: 029

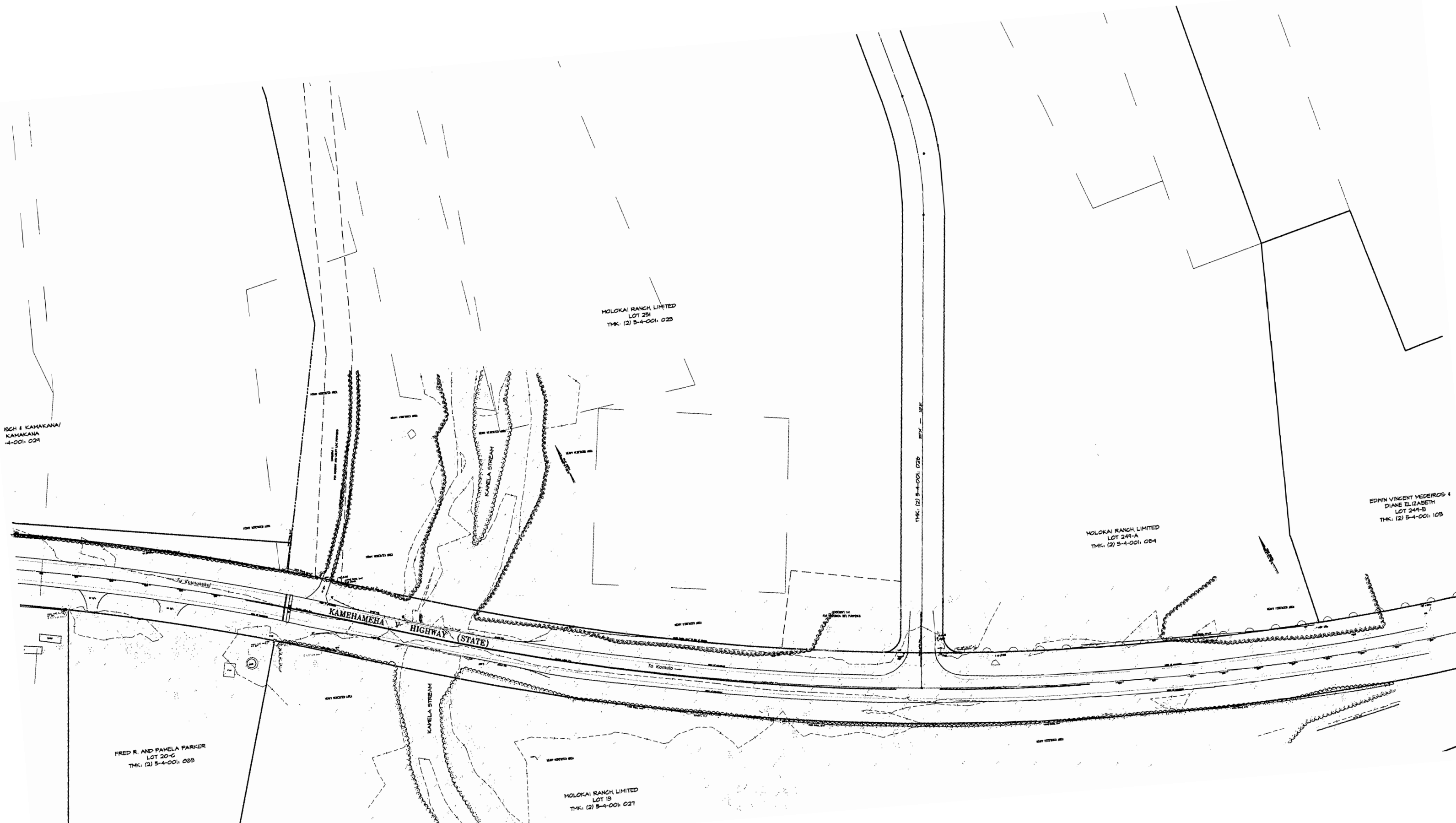
MOLOKAI RANCH, LIMITED  
LOT 251  
TMK: (2) 5-4-001: 023

EDWIN VINCENT MEDEIROS &  
DIANE ELIZABETH  
LOT 249-B  
TMK: (2) 5-4-001: 103

MOLOKAI RANCH, LIMITED  
LOT 249-A  
TMK: (2) 5-4-001: 084

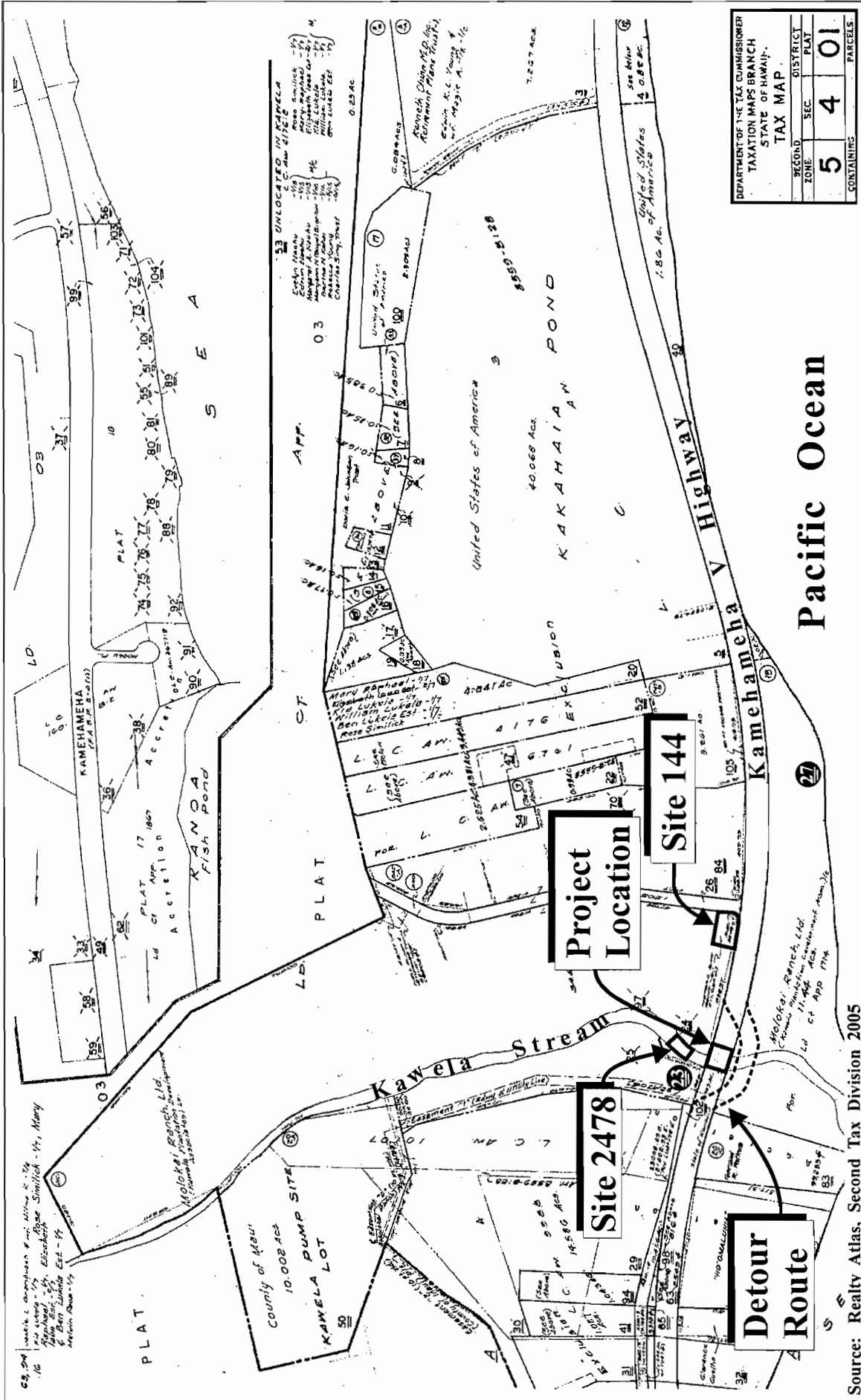
FRED R. AND PAMELA PARKER  
LOT 20-C  
TMK: (2) 5-4-001: 083

MOLOKAI RANCH, LIMITED  
LOT 19  
TMK: (2) 5-4-001: 027



## **ATTACHMENT G.**

### **Historical, Archaeological, and Cultural Resources Map**



DEPARTMENT OF THE TAX COMMISSIONER TAXATION MAPS BRANCH STATE OF HAWAII TAX MAP			
SECOND ZONE	5	DISTRICT	01
SEC	4	PLAT	
CONTAINING		PARCELS	

# NOT TO SCALE Proposed Kawela Bridge Replacement Historical, Archaeological and Cultural Resources Map



MUNEKIYO & HIRAGA, INC.

Prepared for: State of Hawaii, Department of Transportation