

NEIL ABERCROMBIE
Governor



DANIEL E. ORODENKER
Executive Officer

LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

October 3, 2014

Mr. Brett Davis
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793

Dear Mr. Davis:

Subject: Docket No. A94-706/Kaonoulu Ranch
Draft Environmental Impact Statement (DEIS)
Piilani Promenade
Kihei, Maui, Hawaii

We have reviewed the DEIS for the proposed project and have the following comments to offer:

- 1) In accordance with section 11-200-17(e), Hawaii Administrative Rules (HAR), a description of the project should be included. To this end, please provide information on the cost of the project, including both offsite and onsite infrastructural improvement and building construction costs. The description should also include the phasing and timing of the action. We acknowledge that the DEIS includes discussion on the development phasing. We request that this discussion be expanded to include more detailed information on the commencement and completion dates of each specific use planned for Phase I and Phase 2.
- 2) In accordance with section 11-200-17(h), HAR, the status of each identified approval should be described. We acknowledge that the DEIS includes a listing of entitlements and approvals. We request that to the extent possible the *projected* submittal dates (i.e., by month/year) of the various applications to the responsible agencies be provided.

- 3) In accordance with section 11-200-17(i), HAR, the probable impact of the proposed action on the environment shall be included. We note that there is no discussion in the DEIS on the existing civil defense facilities in the area and on the potential impacts on such facilities from the project. We request that the Final EIS address this matter, including any plan to fund and construct adequate civil defense measures (sirens) to serve the project site as may be required by the State Department of Defense, Office of Civil Defense.

Section 11-200-17(i), HAR, also requires that the interrelationships and cumulative environmental impacts of the proposed action and other related projects be discussed. We acknowledge that the DEIS includes a section on cumulative and secondary impacts on pages 208 through 212. Within this discussion, there are references to "other developments in Kihei," "other planned projects in the area," and "other area projects." We request that these other projects be specifically identified and their specific impacts on each public service/facility and resource be quantified together with the proposed development to more accurately disclose the scope and magnitude of their cumulative and secondary impacts on the environment.

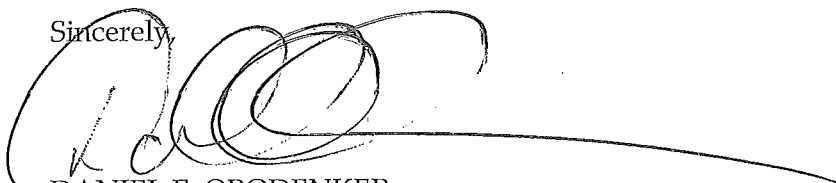
- 4) In accordance with section 11-200-17(j), HAR, a description of the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity should be provided. We acknowledge that the DEIS includes a section addressing this relationship. However, we request that the impacts and potential benefits be quantified to better assess the extent to which the proposed development involves trade-offs among short-term and long-term gains and losses, forecloses future options, narrows the range of beneficial uses of the environment, or poses long-term risks to health or safety.
- 5) In accordance with section 11-200-17(k), HAR, a description of all irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented should be included. We acknowledge that the DEIS includes a section addressing this requirement albeit in a very

generalized manner. We request that at a minimum, this discussion quantify the various commitments to more fully disclose the extent of such commitments of resources.

- 6) In accordance with section 11-200-17(m), HAR, mitigation measures proposed to avoid, minimize, rectify, or reduce impact, should be considered in the DEIS. We acknowledge that various mitigation measures to address potential impacts of the proposed development are discussed throughout the DEIS. However, we suggest that for ease of reference the DEIS include a separate and distinct section that collectively includes an enumeration of each potential impact and the corresponding mitigation measure(s). The basis for why a particular measure was selected and the timing of its implementation in the process should be described here as should the proposed provisions to ensure that each measure will be undertaken.
- 7) In accordance with section 11-200-17(o), HAR, the identity of the persons, firms, or agency preparing the document should be disclosed. This would include the preparers of the actual DEIS/FEIS itself and the authors/firms of the specific studies/reports. This listing may be incorporated within Chapter VIII entitled *Consultation and Review*.
- 8) On pages 91, 94, and 111 of the DEIS, it is stated that "[t]he Piilani Promenade does not lie within the Hawaii Coastal Zone Management Area...for the island of Maui." This is incorrect. Please be advised that pursuant to section 205A-1, Hawaii Revised Statutes, the Coastal Zone Management area encompasses the entire state.

We have no further comments to offer at this time. Thank you for the opportunity to comment on the subject DEIS.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Orodener", with a long horizontal line extending to the right.

DANIEL E. ORODENER
Executive Officer