



# MAUI TOMORROW

Protecting Maui's Future

October 6, 2014

**Applicant:**

Pi'ilani Promenade North, LLC  
Pi'ilani Promenade South, LLC  
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**Accepting Authority:**

Land Use Commission  
Department of Business & Economic Development  
State of Hawaii  
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**Consultant:**

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Re: DEIS for Pi'ilani Promenade TKM: (2) 3-9-001: 016,170-174

Maui Tomorrow Foundation appreciates the opportunity to review the proposed plans for the Kaonoulu Industrial Park site. We offered comments on the project's EISPN and find that much of the information we asked to be included in the DEIS is still missing.

It does not include adequate discussion in a number of key areas and the project site map (Fig 3) is inadequate for understanding the project and its impacts.

We ask the Land Use Commission (LUC) to require compliance with 11-200-16 which describes content requirements for an environmental document. It states: "*The environmental impact statement shall contain an explanation of the environmental consequences of the proposed action. The contents shall fully declare the environmental implications of the proposed action and shall discuss all relevant and feasible consequences of the action.*"

## C. PROJECT BACKGROUND

We commented on lack of environmental review for the proposed 13-acre Honua'ula affordable housing project which is dependent on the proposed 75-acre Piilani Promenade (PP)

Commercial/Residential project for basic infrastructure needs. We asked that both parcels be included in the DEIS.

The DEIS notes that: *"...the impact of the proposed development of the Honua'ula [Honua'ula Partners LLC (HPLLC)] Parcel is included as necessary background information."*

This is a violation of HAR 11-200-7, in that the impacts of any proposed project on the 13 acres should be examined in the DEIS as a matter of law regardless of ownership of the parcel. Honua'ula Partners LLC (HPLLC), owners of the 13 acre parcel, has common ownership with Maui Industrial Partners, the former owners (until 2009) of the entire 88 acre Piilani Promenade project parcel.

HAR 11-200-7 states in part: *"[a] group of actions proposed by an agency or an applicant shall be treated as a single action when:*

- A. The component actions are phases or increments of a larger total undertaking*
- B. An individual project is a necessary precedent for a larger project*

The PP project relies on parcels owned by others for its water tank and water tank access road. They are included for impact analyses in the DEIS.

The PP project's irrigation well is located on the 13 acre HPLLC parcel.

The housing proposed for the 13 acres HPLLC parcel cannot be built unless PP project Phase I creates an access road, relocates the Central Maui water pipe, and completes other related infrastructure projects. PP project must take place or the HPLLC project cannot. The two cannot be segmented.

The HPLLC Parcel (TMK (2) 3-9-01:169 - 13 acres) and its prospective use should be fully included and examined in every section of the DEIS but it is not.

The DEIS does not discuss whether the HPLLC project could be built without the 75 acre PP project providing its basic infrastructure - roads, water lines and storage, sewer lines, power lines and other utilities. Will the two multi-family housing projects share the referenced "park?" Unless it is made clear that the two projects do not depend upon actions taken by the other, they should both be covered in the DEIS.

## II. D. Project Description

DEIS: *"A network of vehicular roadways, bicycle and pedestrian pathways will establish connectivity throughout the project and will provide opportunities for connection with adjoining properties along Piilani Highway."*

Comment: Will the roadways, bicycle, and pedestrian paths actually connect with any adjoining properties, or merely give "future opportunities." How will the 1995 Land Use Commission (LUC) condition requiring a frontage road connecting to neighboring properties be fulfilled if the project is not successful in amending its LUC Decision to delete this condition? We ask the FEIS to address this.

DEIS: *"In addition the proposed project will include the construction of a portion of the future Kaonoulu Street Extension and two (2) Piilani Highway road-widening lots."*

Comment: This roadway is described as serving as a four-lane divided highway but pedestrian access across the four lanes, both to the project site and the new Kihei High School, is not discussed in the DEIS. Instead, the school access is listed as an “unresolved issue.” It should be considered an impact requiring mitigation.

## F. ALTERNATIVES

MTF asked that the DEIS include alternative project designs that could avoid elimination of Kaonoulu gulch and cultural sites; include management of increased traffic volume; and comply with the LUC condition for a frontage road. None of the proposed alternative designs include any of these items, and seem to be based on unsupported assumptions rather than reliable data.

DEIS: *“The proposed development plan will also foster a small residential community with connectivity to adjacent existing and future neighborhoods while contributing to Maui’s economic diversity and social fabric”*

Comment: It is unclear how this residential community will be connected to adjacent existing or future neighborhoods since there is no commitment to create a greenway or pedestrian connection. The neighborhood will be surrounded by urban-level highways and auto-centric commercial uses.

The TIAR assumes that Level of Service will be acceptable and existing roads and neighborhoods will not be impacted as long as new traffic signals and turn lanes are installed as mitigations. In reality the project will face challenges in managing increased traffic volume.

The TIAR assumes a new upper north-south road will connect Ohukai and Lipoa roads above the project area. What is the basis of this assumption?

The TIAR does not meet the standards set by 11-200-16 HAR and the FEIS should include alternative designs that would minimize traffic impacts.

The DEIS does not refer to consideration of any project design that could avoid elimination of Kaonoulu gulch, a natural and cultural feature that is part of Maui’s history and “sense of place” for the region. Since the EISPN acknowledges the region’s soil type is subject to “severe erosion hazard” a more natural project design would seem prudent. Alternative project designs that address this option should have been included in the DEIS.

The project parcel has a variety of traditional habitation sites, several with ceremonial use, yet the site’s natural and cultural resources are given no value in the discussion of alternative designs. One of the primary goals of the Kihei-Makena Community Plan (KMCP) is to protect cultural sites that foster a “sense of place” as the area develops.

The three alternatives presented are insufficient to meet the standards of HAR Title 11, DOH, Chapter 200, EIS Rules, Section 11-200-17 which specifically requires projects to discuss “alternative project designs” especially those which would minimize impacts to natural, cultural and environmental features. There is no discussion of any modifications in site design that might combine desirable features from one alternative with those of another, while minimizing impacts.

1. No Action Alternative (examines the Industrial Park design approved by the LUC):

DEIS: *“The owner/developer has determined that, based on current market conditions, the development of a 123-lot commercial and light industrial subdivision would not be economically feasible, and therefore, there exists a significant chance that the land would remain undeveloped under this alternative.”*

No reliable figures are offered to support this conclusion.

No alternatives that combine the original project with some updated features are discussed.

Assumption: “Mixed-use neighborhood centers are needed to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern. Under this alternative (“No-Action”), the project would not satisfy the Maui Island Plan.”

Comments: The “No Action Alternative” which provides for a light industrial area does comply with both KMCP and the Maui Island Plan (MIP).

The KMCP makes it clear that more light industrial facilities are needed as Kihei grows.

The KMCP directs future commercial growth to makai (ocean-side) of Piilani Highway because more commercial operations mauka of the already stressed Piilani Highway would generate more traffic.

The KMCP has language specific to this particular parcel asking to limit commercial use in this location.

The Preliminary Engineering report (Appendix L) shows that the original industrial park design (“Kaonoulu Marketplace” from 2006), which included some commercial space, had approximately one-third of the drainage impacts (106 cfs) of the currently proposed PP commercial center (291 cfs). An alternative design analysis addressing this should be provided in the FEIS.

The “mixed use developments” discussed in the MIP are usually larger residential projects with a moderate percentage of their land providing neighborhood-level commercial uses. The PP project appears to be over 80% commercial use and around 17% housing.

As currently planned there is no way children living in the proposed housing could safely walk or bike to the proposed high school or other existing schools. The DEIS projects only 60 to 70 school age children living in the 226 housing units although it is promoted as “near to schools.”

There is no analysis provided for how many individuals renting the apartments are likely to walk to work nearby. If the Workforce Housing Ordinance is amended, as proposed, only 56 affordable units will be created in this project. The DEIS does not discuss who will be able to afford these units.

This section should describe a mixed-use industrial park design including work-live units with dwellings on upper stories and adjoining multifamily rentals (possibly built by housing non-profit). This alternative could provide reasonably priced space for new businesses and more housing at needed price ranges rather than the 56 units likely to be the result of the currently proposed alternative. This compact design could allow flexibility to preserve more of the natural and cultural features of the land, create an east-west greenway, minimize drainage impacts, and create a sense of place, much desired in the Kihei area.

The FEIS should include additional "low impact" compact designs that allow storm water flows to be absorbed by the natural "drainage-way" through the project area, preserving cultural sites as advocated by cultural practitioners. These options are not discussed but are required by HAR 11-200-17.

### III Affected Environment

DEIS: *"The development of the site is not expected to have a significant impact on the existing land uses makai of the site."*

#### Comments:

Traffic: The development will greatly increase the amount of vehicles to the site each day and will impact residents immediately makai through increased traffic congestion.

The DEIS should have acknowledged these impacts and discussed mitigations. Instead, the TIAR claims traffic counts will be manageable with general road improvements in the area.

The traffic figures produced in the project's TIAR should have included traffic from other projects that will also use Piilani Highway for their main access. The cumulative effects of numerous projects will worsen traffic impacts and affect residents' quality of life.

#### Noise:

The DEIS states on p. 34 that the *"largest total increase (1.7 to 2.6 DNL) in traffic noise level is anticipated to occur along Kaonoulu Street."* Although this level does not exceed federal standards existing neighborhoods will be impacted by increase noise pollution.

#### Drainage:

The development will eliminate the natural gulch's ability to absorb drainage flows. This is not discussed as an "impact" since the flows during storms will be "intercepted" offsite and transported to Kulanihakoi gulch.

The DEIS assumes this a preferred outcome and provides no analyses of how much storm water the natural site now absorbs, making calculation of environmental impacts difficult.

DEIS: *"The proposed development will not impact or discharge storm water runoff into the Kulanihakoi Gulch and would provide additional housing in close proximity to the planned Kihei High School."*

Comments: The housing described as "in close proximity" to the proposed high school is separated from that site by a wide gulch (which the DEIS should note.) Unless the project provides an overpass across the gulch, as the community requested, the only safe access will be by vehicle (not supporting the County of Maui "walkable, bikeable" goals).

Storm water discharge from the project will be discharged into and impact Kulanihakoi gulch. The DEIS only refers to "new flows generated by the project" remaining onsite and "out of the Kulanihakoi gulch."

The DEIS states that 85 cfs (1 cfs= 500 gallons) of "pre- development flows" will still be sent into Kulanihakoi gulch, as currently happens, with the same intense flooding and water quality impacts left unaddressed.

No mechanism is offered to monitor drainage impacts. Will only 85 cfs flow through the PP site during storms or will the flow, increased under certain conditions, overwhelm the planned underground storage basins? The proposed “mitigation” does not comply with 11-200-17 HAR asking the EIS to include “Provisions proposed to assure that the mitigation measures will be taken.”

Flows from ranch lands above the PP project site, once partly absorbed by this undeveloped land, will now be diverted to Kulanihakoi gulch by a “drainage improvements” pipe system, with no opportunity to be absorbed by pervious surface. No mitigation is being offered to lessen or slow the velocity of intense storm flow volumes (498 cfs), which periodically overwhelm the coastal areas makai of the project site. The DEIS fails to discuss this lost capacity to absorb storm flow. Transporting the majority of storm water offsite is the mitigation offered, even though Kulanihakoi gulch, below the project site, is a major flood zone during rainstorms.

The DEIS does not acknowledge that the lands makai of the project site have been developed with inadequate provisions for natural storm water absorption capacity. This project will compound that lack of capacity and the extreme flooding events that result, by continuing to send the same amount of storm water offsite. Instead, the DEIS concludes that there is adequate capacity makai of the project site to absorb flows that will pass through the PP project. Numerous photographs exist of floods in this area disputing this assumption.

The natural wetlands that once allowed the massive flows of Kulanihakaoui to be absorbed are now confined to a narrow channel. To mitigate this situation this project and those surrounding it should secure an open space easement around the existing wetland channel and work with local agencies to restore the wetland area and its capacity to absorb storm flows. This long term mitigation should be discussed in the FEIS and we request that it be included.

## 2. Topography and Soils

DEIS: *“The project site is mauka of Piilani Highway and lies in an area of Kihei that is currently undeveloped and is characterized by pasture land with minimal vegetation.”*

Comments:

The above statement should be revised to be consistent with the biological information provided and indicate that the area has seasonal vegetation.

The area has abundant vegetation when rains come. The updated archeological report included in the DEIS mentioned the high vegetation that obscured the work of the archaeologists and included pictures of lush foliage.

The parcel had many kiawe trees along Kaonoulu gulch (‘unnamed Drainageway A’) before they were bulldozed in 2012. The Botanical Survey report summarized on p. 29 of the DEIS states: *“The Kiawe trees create an open woodland area cross the entire property with denser growth along the rocky gully.”* (i.e. *“Drainageway A”/ Kaonoulu gulch* )

The 1994 archaeological report mentions the proliferation of native pili grass, a culturally important plant and one interviewee in the Cultural Impact Assessment (CIA) described a mango grove in the project site area.

DEIS: *“includes an unnamed natural drainage way (Drainageway “A”) that runs in a northeast-to-southwest direction across the site before converging with the main stem of Kulanihakoi Gulch makai of Piilani Highway. “*

Comments: A glance at older maps of the region (example: USGS maps from 1920s) show that this gulch is one of the numerous tributaries of the Kulanihakoi gulch, indicating the importance of Kulanihakoi and all its tributaries as the major watercourse for the region. The topography of the parcel slopes towards this gulch from both the north and south sides and is a major feature of the landscape.

The “unnamed drainageway A” should not be eliminated as it passes through the project site as proposed. The DEIS doesn’t discuss this impact to a major feature of the parcel.

The archeological report shows a number of former habitation areas, indicated by “midden scatters” (prehistoric debris, such as shells and stone tools) that lie along this gulch, indicating the area’s historic and cultural importance.

The DEIS soil report describes the project as having poor quality soil for agriculture but doesn’t appear to have done soil testing or analyses of the area. Many core tests were done throughout the property as part of engineering studies and could offer soil profiles for an accurate view of the soil characteristics.

This is a high impact area for potential dust, erosion and degradation of down-slope water quality. Potential mitigation measures to prevent soil erosion are prefaced by the word “may” rather than “shall” and are not reassuring. The FEIS should summarize the soil erosion/dust mitigation measures that the project will commit to and also discuss alternative plans should these measures prove insufficient.

Will the onsite well be available to irrigate plantings in disturbed areas as proposed? There is currently no electrical hookup. Please state the source of irrigation water to stabilize new plantings.

### 3. Natural Hazards

Comments: Flood Maps (referred to in DEIS as “fig. 9”) are actually Fig 10. Fig. 9 is a Soils map.

Fig 10 Flood map shows the area immediately makai of the project as a significant flood zone.

Flood impacts occur from activities upslope. The DEIS should indicate that the project site lies immediately mauka of areas identified as high flood risk zones and discuss appropriate mitigations, such as improved down-stream flood water capacity.

The DEIS states that the project site is outside of any flood zone. This statement is not compliant with content requirements for EIS documents which require nearby wetlands, flood zones, and hazard areas to also be included in the discussion of potential impacts.

The PP engineering report (Appendix L) states that all storm water generated by the project modifications will be directed to onsite underground or above-ground basins but there is no discussion of what happens when the capacity of those basins is exceeded.

The DEIS can not assume that the basins will always function as desired, especially when so little information is provided on the project's soils or the depth of the water table. In many areas of Kihei the water table is 8ft below the surface; will the basins reach that depth? Has soil testing been done as part of well drilling? This information should be provided in the FEIS.

#### 6. Air Quality

Comments: The year 2018 analyses of air quality impacts from vehicle emissions should include cumulative impacts from more than just the proposed project and the proposed Honua'ula housing development as the proposed Makena Resort expansion, Wailea Resort projects, expansion of the nearby High Tech Park, Kihei High School and proposed Kihei Town Center will all increase vehicular trips and emissions along Piilani Highway.

The FEIS should base its emissions evaluations on the number of cumulative trips for all projects that rely on Piilani Highway as a primary access route.

The 2018 figure may not be an accurate benchmark to use; a range of 2018 to 2022 may be more accurate in determining impacts and mitigations, given that the PP project will be built in two phases and the high school may not be built until 2020.

#### 7. Noise

DEIS: *"The existing traffic noise levels in the project environs along Piilani Highway are in the "Significant Exposure, Normally Unacceptable" category, and at or greater than 65 DNL (Day-Night Average Sound Level) at the first row of existing homes on the makai side of the highway."*

Comment: The DEIS does not address how increased noise levels from Piilani Highway or the future Kihei-Upcountry Highway (KUH) will affect the new Kihei High School.

DEIS: *"The Applicant will inform future residents of the potential for high noise levels due to existing light industrial activities to the north of the project site."*

Comments: Will the project mitigate noise levels other than "informing residents?" Will there be landscape berms, sound attenuation walls or other design strategies employed; will the housing units nearest the noise impacts be the most "affordable?" The FEIS should discuss these issues.

#### 8. Historical and Archaeological Resources

MTF asked that the DEIS discuss how the extent of supplemental archaeological review will comply with KMCP "Cultural Resources Implementing Action b?"

*"Require development projects to identify all cultural resources located within or adjacent to the project area, prior to application, as part of the County development review process."*

Comments: The discussion of historic and archaeological resources in the DEIS notes a separate archaeological study (Shefcheck, 2008) ) for adjoining parcels owned by Kaonoulu Ranch included in the DEIS as an Appendix.

No summary of the findings of this study was included in the DEIS except for the statement that: *"The 2008 AIS indicates that no resources were found in the area fronting the property on either side of the Kulanihakoi Gulch."* In fact, the study shows one site along the gulch at the project parcel.



Cultural practitioners have stated that this study did not record a number of visible cultural sites of some substance found between PP's eastern fence-line and the slopes of Kulanihakoi gulch. We ask that the project comply with the KMCP and identify and discuss all cultural resources located within, or adjacent to, the project area.

Other Comments:

DEIS: *"The majority of the sites were associated with ranching and World War II military activities, while the petroglyph and surface scatter remains were interpreted as possible pre-contact sites."*

The PP project's AIS (1994) indicates that only four of the 20 recorded sites were believed to be associated with WWII military activities and one with ranching.

Six sites, the five midden scatters, and the petroglyph were determined to be pre-contact, while 10 of the 20 sites (including the six pre-contact sites) all had evidence of pre-contact tool making, artifacts, or midden nearby, or as part of the site. The FEIS should reflect this.

Potential Impacts and Mitigation Measures.

Cultural practitioners believe that there are a number of unrecorded archaeological sites, artifacts and midden scatters on the PP property (which they have documented) and are asking State Historic Preservation Dept. (SHPD) for further field surveys of the site.

Cultural practitioners indicate that a number of pre-contact sites on the property have specific cultural uses and importance, including ceremonial sites which serve as observation markers for celestial events. This information was not included in the summary of the February 25, 2014 public consultation meeting and should be added to the FEIS.

Cultural practitioners are working with SHPD to get these sites recorded/protected in a revised site plan and ask the FEIS to include a conceptual project site design where important cultural sites are protected.

Cultural practitioners have stated in consultation meetings that natural features such as the Kaonoulu ("Drainageway A") gulch and view planes of the area be considered cultural resources with impacts mitigated.

Cultural practitioners ask that the highly significant petroglyph marker, illegally removed from the site in the 1990's and then the subject of an after-the-fact permit, be returned to the site in a place of honor when the property is developed. The petroglyph was mentioned in the DEIS, but not the cultural status of the gulch. Please correct this omission in FEIS.

An AIS study of an adjacent parcel owned by Kaonoulu Ranch (Shefcheck, 2008) was included in the DEIS in an attempt to satisfy SHPD requirements that impacts to sites found in Kulanihakoi gulch be evaluated. This study fails to document sites visible in Kulanihakoi gulch and its slopes and needs to be supplemented.

These undocumented sites near the PP parcel should be fully recorded as part of the FEIS as they are in an area where heavy equipment may be operating. Cultural practitioners have asked the landowners to arrange a site visit with project archaeologists to allow practitioners to identify sites of concern. The FEIS should note that this request and respond.

As noted in the “Unresolved Issues” section of DEIS, the PP revised AIS (2014) and its recommendations of additional data recovery has not yet been accepted by SHPD.

## 9. Visual Resources

MTF asked that the DEIS include proposed mitigation strategies for loss of mauka view planes. While the DEIS mentions mitigations, not a single map, exhibit or diagram is provided to illustrate proposed building heights in relationship to view planes; proposed view corridors, or any other mitigation.

The KMCP states (under “Opportunities: Natural Resources” section) that such views are an important feature of the region and must be considered. The Community Plan states: *“The mauka view from Pi’ilani Highway represents a major view plane. Significant views of the mountains and surrounding agriculture should be preserved to the greatest extent practicable.”*

Alternative project designs should be included in the DEIS which address impacts to view planes. Preservation of Ka’ono’ulu gulch and creation of an adjacent view plane corridor could be one such strategy. No alternative plans mention view planes.

Other Comments: The FEIS should include illustrations of the location of open space view corridors, trails and buffers, and proposed building heights in relationship to existing building heights in the project vicinity, as well as other visual resource mitigations proposed.

The site plan provided (Fig 3) in the DEIS is inadequate. Will the extension of Kaonoulu Road be considered a “view corridor?”

Cultural practitioners are concerned about view planes associating the site with the sacred land form of Pu’u o Kali (commonly called “Red Hill”) known as the physical embodiment of the legendary mo’o goddess. They believe the site has archaeological features having to do with traditional observation of the horizon and connected with traditional fishing practices.

Please address the view planes to Pu’u o Kali in the FEIS and provide clear maps and images of mitigations planned for this and other view planes.

## 10. Agricultural Resources

Comments: The DEIS refers to agricultural fields immediately upslope of the project area: *“Monsanto Seed Farm is located northeast of the proposed utility and waterline easements.”* yet it claims the project site is worthless as farm land. Maps show Monsanto fields begin at the NE corner of parcel 169, once part of the original 88 acre Kaonoulu Industrial Parcel. The soil map. (Fig 9) shows the soil types as identical.

Historic maps show a large nursery operation adjacent to the project site (Hashimoto Farm.)

Section 7.1.2 of the Environmental Site Assessment states: *“Aerial photos indicate that agricultural activities occurred north of the subject property from the early 1960s up until the mid-2000s. Presently, limited diversified agricultural activities continue on the residential property located immediately west of the proposed utility/roadway easement off of Ohukai Road.”*[Monsanto fields]

The FEIS needs to address whether the soils in this area are unsuitable for farming, or need irrigation. The fact that the land was urbanized has little to do with its agricultural potential. The FEIS should accurately describe the agricultural history of the area.

## 11. Groundwater Resources

MTF asked the DEIS to discuss where the project's water will come from and what quantity will be used for potable consumption and landscaping. What water conservation strategies are planned, including R-1 water? The DEIS estimates water use but does not reveal a source for potable water nor discuss impacts to Kamaole aquifer from the non-potable irrigation well.

DEIS: *"Piilani Promenade will consume an average of 252,000 gallons of water per day (gpd) at build-out, including 171,000 gpd of potable water for domestic uses and 81,000 gpd (121 mgd maximum) of non-potable water for irrigation. (Appendix L)*

Comments: The DEIS does not state the source of the quarter million gallons a day (256,430 gpd) of potable water needed at peak demand. It fails to note the peak demand, rather than average demand, for potable and non-potable water (the figures are in Appendix L engineering report). 11-200-19 HAR requires that the EIS be "an essentially self-contained document, capable of being understood by the reader without the need for undue cross-reference." This information should be included in the FEIS.

The DEIS does not state whether the County of Maui Dept. of Water Supply (DWS) system currently has that amount of unallocated source water. The FEIS must define the project's water sources since no impacts/mitigations to groundwater resources can be determined without this information.

DEIS: on non-potable onsite well-*"The well has proven to be capable of producing 216,000 gallons of non-drinking water per day and a permanent pump (150 gpm) has since been installed." The engineering report notes 81,000 to 121,000 gal a day will be needed.*

Comments: No information or analyses about possible impacts to thirteen irrigation wells located down-slope of the project's well are included in the DEIS. A list of the surrounding wells and a map are in the appendices (Appendix B.)

No well drilling report is included in the Preliminary Engineering Report and should be included in the FEIS regarding impacts of this new non-potable groundwater source.

Impacts to the Kamaole aquifer, where the well is situated, should be addressed as well as impacts to other nearby wells.

The DEIS should provide more information on near shore impacts of groundwater pumping beyond Appendix J where the "baseline chemistry" of the Kihei coastline is discussed.

Traditional fisheries, including vana and limu gathering practices, could be impacted. Kaonoulu and Waiohuli are well-known for these marine resources. The Cultural Impact Assessment does not mention these resources. The FEIS is incomplete without this information.

The "marine baseline" study by Dr. Steve Dollar is inadequate, based upon a single day of data gathering, with no reference to other available long term studies of the area.

From: Baseline Assessment Marine Water Chemistry and Marine Biotic Communities Report:  
Appendix J

DEIS, Ap. J: *“As a result, potential effects to the marine environment from the project are limited only to alteration of basal groundwater flowing beneath the site with subsequent discharge to the ocean.”*

Comments: Information in the Baseline Assessment report is based upon a one day research sampling with no mention of plans to conduct future monitoring. Sampling was limited to near shore (30 m) waters; it is unclear whether areas further offshore were sampled for temperature changes indicating groundwater discharge. Information to address the impacts to near shore freshwater inputs from pumping the project’s non-potable well should be included.

The Appendix J report stated: *“If the existing groundwater input is of a minor extent, it can be assumed that there is not sufficient input for any subsidies from the project site to affect water quality to a detectable degree.”*

The report only analyzed “subsidies” or increased discharge of groundwater into the marine environment from onsite drainage inputs; it never considered the impacts of pumping over 100,000 gpd of groundwater (at peak demand) on marine zone groundwater discharges.

If current groundwater discharges are present (which the report confirmed) but not in robust amounts, the proposed brackish well pumping could eliminate the freshwater discharge entirely. The effect of this scenario must be included in the FEIS.

## B. SOCIO-ECONOMIC ENVIRONMENT

### 1. Population

DEIS: *“When fully built out, the total resident population of the multi-family developments is projected to be 607 persons.”*

Comments: If the 250 units are built on the adjoining HPLLC parcel (parcel 169) it would have around 670 additional residents (using same density rates as the 226 apartments.) The effects of increased residents should not be segmented out of population discussions in the DEIS.

Both housing projects will share the same potable water system, non-potable water system, primary sewer lines, roadways, etc. and they cannot be segmented. The HPLLC project cannot be constructed unless the Kaonoulu Road extension is built.

### 2. Housing

#### Potential Impacts and Mitigation Measures

DEIS: *“The proposed project includes the construction of 226 rental housing units, of which a required percentage will be rented at an affordable rate determined by the Maui County Department of Housing and Human Concerns.”*

Comments: The FEIS should discuss the range of that required percentage as the PP project promotes providing affordable housing.

If the current Workforce Housing ordinance is amended to require only 25% affordable units, as is under discussion at the Maui County Council, this project will result in 56 affordable apartments rather than 112. This should be made clear in the FEIS since the owners’ representative is among those asking for the change from 50% to 25%.

The FEIS should clearly define “affordable” as it applies to this project in order to be complete. The DEIS omits any reference to speculation and marketing to off shore demand as significant factors in the cost of Maui’s housing although experts acknowledge both trends present a formidable challenge to providing sufficient affordable housing.

### 3. Economy

Comments: The DEIS is missing key information relating to project “need.” It does not indicate how much commercial space in South Maui is currently available; vacancy rates over the last five years; or the vacancy rates compared to rental costs per square foot. If Kihei area has an “average of 63.4 square feet {of commercial space} per resident” as the DEIS contends, and has a vacancy rate comparable to or higher than the national or state average, it may only have the consumer base to support that 63.4 sq ft/ resident rate and not the higher rate the DEIS promotes.

DEIS: *“The Economic and Fiscal Impact Assessment estimates the projected demand for new residential units in Kihei-Makena is 7,250 – 11,500 units through 2035.”*

Comments: The MIP and its economic forecasts estimate the projected demand for housing in Kihei-Makena as 5,500 already entitled units (including 250 units in the original Kaonoulu project and 1,500 additional units needed for a total of 7,000 units). The FEIS should indicate how many of those projected units will meet offshore second home demand vs. full time residents.

DEIS: *“Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.”*

Comment: The DEIS does not provide detailed information to substantiate claims of the project’s economic importance.

### 4. Cultural Resources

DEIS: *“The project site is located in the Kula Moku and the Waiohuli and Kaonoulu ahupua’a.”*

Comment: The project is located entirely in the Kaonoulu ahupua’a. The project’s AIS (1994 and 2014) clearly states this and fig 7 map in the AIS (2014: p. 20) shows the project area entirely within the Kaonoulu boundary. Please correct this in the FEIS.

DEIS: *“The CIA indicates that any resources or practices occurring traditionally in the area are now non-existent and would have been obliterated.”*

Comments: The PP CIA draws this conclusion because consultants submitted their CIA report in December 2013 without input from cultural practitioners as offered at a February 25, 2014 gathering with the landowners’ representative and archaeologist (referenced in the DEIS). Attaching meeting transcripts is not the same as including practitioners comments in the CIA.

Oral history interviews in the CIA revealed no cultural impacts because those who have a cultural practice on the land were not included in the interview process.

DEIS: *“The CIA reports that the proposed project has no significant effects to cultural resources, beliefs, or practices. From a cultural practices and beliefs perspective, the subject property bears no apparent signs of cultural practices or gatherings currently taking place. The oral history interviews did not reveal any known gathering places on the subject property or any*

*access concerns as a result of the proposed project. Therefore it can be concluded that development of the site will not impact cultural resources on the property or within its immediate vicinity.”*

Comments: Several individuals have cultural practices associated with this land including Sally Oshiro and Kumu Michael Lee, while others have gathering and other cultural practices along the Kaonoulu shoreline and in Kulanihakoi gulch. .

Development of the site, as proposed, with no mitigations to protect a number of important cultural features will impact cultural practices on the land.

Cultural practitioners believed their comments would be incorporated into the CIA after the Feb 25, 2014 meeting and asked for a site visit which has not yet been arranged. The CIA should be updated to include comments from these individuals and other cultural practitioners and lineal descendants of the area who would like to participate in order for the CIA to be accurate and the FEIS deemed complete.

### 3. Police and Fire Protection Services

MTF asked that the DEIS discuss whether additional fire and police staff will be needed to service the 450 new units? If so, how many, and at what cost and phasing? The DEIS concluded that 607 more residents would not affect policing needs.

Comments: The DEIS does not address the combined increase in population of the PP and HP residential areas which would be over 1200 new residents. It also did not discuss any increase in police and fire service that may be needed by the project's commercial properties and should be included in the FEIS.

### 4. Schools

Comments: The DEIS assumes that only one out of three households in the proposed PP project would have one school age child yet the project mentions the positive contribution it will make by allowing families to live where their children can walk to school.

The DEIS gives no basis to calculate the low numbers of potential students from the 226 units. Is it based on the number of 2 bedroom units; will a portion of the 226 units be for senior housing?

The fact that Kihei needs another elementary and intermediate school is not emphasized in the DEIS and the conclusion, in table 2, that Kihei School enrollment (currently over capacity) will drop next year, needs a source. No students from the 250 HP units are included in any calculations. The FEIS should address this and segmentation of the connected sites.

### 5. Solid Waste

MTF asked the DEIS to discuss how much waste will be generated by each use category? Will commercial facilities have programs to reduce packaging materials associated with imported goods shipped to Maui?

Comments: The DEIS does not address this or whether property owners will provide any recycling opportunities for the large amount of packaging, pallets and other solid waste generated by commercial and industrial businesses. The FEIS should discuss this mitigation.

## D. INFRASTRUCTURE

### 1. Roadways

MTF asked that the DEIS improve its TIAR since the past TIAR for the Kaonoulu/PP project downplayed the amount of traffic trips generated; it did not include traffic impacts from the adjoining 13-acre Honua'ula affordable housing project.

DEIS: *"Piilani Highway is a four-lane, undivided highway with a north- south orientation connecting Mokulele Highway to the north with Wailea Resort to the south."*

Comment: Piilani Highway was designed as a two lane undivided highway that was "re-stripped" to accommodate four lanes. Each lane is less than standard width; the highway is considered "substandard" by federal standards and its accident rate is high under existing circumstances. The DEIS should have discussed this in detail as it affects the community's health and safety.

DEIS: *"However, if completed, Honua'ula Affordable Housing Project traffic would impact traffic along East Kaonoulu Road."*

Comments: The residents of the proposed 250 Honua'ula units would need to access Kaonoulu Road from Piilani Highway which will impact traffic counts there as well. To not include this in the Piilani traffic count analyses is to segment the impacts of the HPLLC project. The TIAR (Appendix M) figures show trips to the Honua'ula homes along both Piilani Highway and Kaonoulu Street. The FEIS should adequately address this.

DEIS: *"The level-of-service analysis confirmed that the following improvements should be implemented to satisfy 2025 traffic impacts: The mauka roadway should be completed between Ohukai Street and Lipoa Street."*

Comments: The PP project's TIAR in Appendix M anticipates that between 1300 and 1500 daily trips will be made along this upper road not currently built. Do TIAR calculations assume vehicles will use this nonexistent route instead of Piilani Highway? If so, the FEIS should provide Level of Service for Piilani Highway after the PP/HPLLC build-out, with and without this improvement. Projects often take decades to complete and the FEIS will be incomplete without this key information.

### 2. Drainage

MTF asked the DEIS to clearly describe where onsite and offsite storm water drainage will end up on the PP and HPLLC project sites and what impacts the projects could have on the flood prone area immediately makai. Will pervious parking surfaces be installed? Will rain gardens be built into the residential landscaping? Information was incomplete in the DEIS.

DEIS: *"This minor drainage is not recognized as a regulated drainage way, there is no documented evidence of a name for the drainage yet individuals have referred to the minor drainage as a Kaonoulu Gulch."*

Comment: This gulch is labeled "Kaonoulu" on some older maps. The same name is given to another much higher elevation tributary of Kulanihakoi gulch on other maps. It is common for gulches and other features to have a variety of names on different maps. Cultural advisors agree that the Kaonoulu/ "Drainageway A" gulch and all the tributaries of Kulanihakoi stream are cultural features and should not be eliminated. This "minor drainage" ascends quite a ways

mauka and is over several meters deep in some portions of the property. We ask that this feature be correctly referred to as a tributary of Kulanihakoi gulch.

DEIS: *“Storm runoff from approximately 471 acres of undeveloped land east (mauka) of Piilani Promenade is conveyed by Drainageway “A”, to the eastern boundary of the project area. Once across the eastern boundary, Drainageway “A” continues across the project area in an east-west direction to an existing 102-inch twin barrel culvert crossing at Piilani Highway. Once across Piilani Highway, Drainageway “A” converges with the main stem of much larger Kulanihakoi Gulch before reaching the Pacific Ocean.”*

Comments: The DEIS describes current storm water flows from 471 acres above the PP site and the drainage outlet from Ohukai Road converging into “Drainageway A” and carried to the twin culverts or directly into Kulanihakoi gulch.

The majority of existing onsite flows are going either directly or indirectly into Kulanihakoi gulch. Under current natural conditions some of this flow is absorbed along the route but the quantity absorbed by the land is not discussed in the DEIS. This information should be provided to better understand the impacts of urbanizing the 75 to 88 acres.

In the Preliminary Engineering Report offsite runoff volume is noted as 498 cfs (321.8 mgd) when measured as a 100-year, 24-hour peak runoff conveyed in Drainageway “A.” This should be quantified in the FEIS. It is now only noted in Appendix L. Engineering Report.

This massive amount of water will be concentrated in underground drainage lines and moved “away” to another massive culvert. In storm water management there is no “away.” The impacts always go somewhere and need to be addressed.

The Environmental Site Assessment (Appendix B) notes the *“potential for contaminants to migrate off-site and into nearby storm water drains.”* The study recommends: *“In order to minimize the regulatory profiling of the survey area as a potential responsible party for any newly discovered groundwater or surface water contamination, property managers should consider implementing conservative, proactive environmental policies for the current and future tenants.”*

This recommendation from Appendix B is not included in the DEIS discussion of Hazardous Substances and the DEIS informs us that many areas of potential contamination, such as roadways and utility service areas, will be exempt from Maui County’s new water quality standards for stormwater runoff, and therefore will have no filtration systems. The FEIS should acknowledge and address these impacts and their mitigations.

The DEIS mentions that the water will be conveyed from “Drainageway A”/ Kaonoulu Gulch but it is not clear how many underground drainage lines will be involved.

DEIS: *“Offsite surface runoff conveyed in Drainageways “A” and “B” will be routed via underground drain lines to a new diversion ditch constructed along the project’s eastern boundary where an underground drain line along the future East Kaonoulu Street will convey the runoff to the existing 102-inch culvert crossing at Piilani Highway. (See: Appendix L, “Preliminary Engineering Report”)*”

The Preliminary Engineering Report has a slightly different version that omits the first set of “underground drain lines.” App. L: *“Offsite surface runoff conveyed in Drainageways “A” and “B”*



*will be routed to a new diversion ditch constructed along the project's eastern boundary, then down along East Kaonoulu Street in a large underground drain line which will convey the runoff to the existing 102-inch culvert crossing at Piilani Highway ..."*

Which version is correct? Neither portion of the DEIS clearly discusses that "Drainageway A" /AKA Kaonoulu gulch will be filled in on the PP property and cease to exist.

Given the massive storm water flooding impacts in the areas immediately makai of this project the DEIS should examine alternative project designs that will have less impact on the environment. These should include plans to preserve and enhance "Drainageway A" as a riparian habitat that can absorb larger volumes of storm water and provide an aesthetic natural component to the project.

Since several cultural sites lie along the gulch they could be incorporated into the buffer area to maintain a sense of place and local history and add value to the project. A walking path with interpretive signage on the theme "traditional life in Kaonoulu ahupua'a" could connect the sites along the gulch.

*DEIS: "In compliance with Maui County's Drainage Rules, underground detention chambers within Promenade South and an open detention pond within Promenade North, will provide a combined storage capacity of 7.6 acre-feet and will limit downstream storm water discharges to a peak flow rate that does not exceed pre-development levels."*

Comments: What monitoring plan will be in place to ensure the project complies with this claim? How will excess flow be handled if intensifying storm cycles produce greater than peak flows?

The Engineering report notes that the Kaonoulu Road extension, Piilani Road improvements, and the other offsite improvements, and conditions of the original Kaonoulu Ranch large lot subdivision are exempt from the storm water quality requirements passed in 2012. The FEIS should state this and discuss pollutant types and levels likely to be found in those runoff areas and where potentially polluted storm water flows (23.4 cfs) will be transported.

*DEIS: "Once the storm water detention facilities are in place, the hydrologic impact on downstream properties resulting from the proposed development of Piilani Promenade will be negligible because the pre-development peak flow is the same as the post-development peak flow after mitigation."*

Comment: The project does not propose to retain all of its onsite storm water flows, as proposed for a number of projects, only those generated above the existing flow levels.

Current pre-development levels of onsite and offsite flows are already problematic in this area and at the mouth of Kulanihakoi gulch.

The DEIS does not provide enough information to evaluate whether there will continue to be impacts or not.

The current proposed PP drainage plan makes no real contribution to improving existing ocean water quality, merely promising "not to make it worst."

Policy makers should require alternative project designs that absorb the maximum amount of water onsite to reduce both offsite and onsite flow levels.

### 3. Water

Comments: it is unclear how the proposed improvements will mitigate the fact that there is no confirmed water allocation for this project.

If the project demands 250,000 gpd from the Central Maui well system will there be impacts to the Iao/Waihee aquifer? Will other projects waiting for water be unable to hook up to the system due to capacity restraints and will stream flows be impacted?

Water demand may be higher as the HPLLC project demands are not included in the DEIS. The PP system has the capacity to deliver nearly 1mgd of potable water; how would that affect existing aquifers?

Impacts of relocating a 2,500 ft. long segment of the Central Maui Water System's existing 36-inch diameter waterline from its present alignment, which currently crosses the project area, onto a new alignment along East Kaonoulu Street are not mentioned. How deep will the water line need to be buried? Will blasting be involved? Will water service to local residents be interrupted?

The DEIS provides no discussion of these likely impacts. Impacts of pumping up to 121,000 gpd from the proposed non-potable well and other water demands from the HPLLC project site are not stated and should be included in the FEIS.

### 4. Wastewater

MTF asked the DEIS to discuss why this project would have sewage capacity while other South Maui projects have been told there is no sewage capacity for their proposals at the Kihei Wastewater Treatment Plant? What volume of wastewater will the two housing areas (PP and HPLLC) and the commercial use generate? Is there a commitment for service at the Kihei facility? These topics are not discussed in the DEIS.

Comments: PP is expected to generate 114,000 gallons of wastewater per day. No figures are given for HPLLC residential wastewater demand. Maui County's Dept. of Public Works noted in their comments (DEIS, App. A) that no capacity could be confirmed at the Kihei facility until the time of project build out. The FEIS should include wastewater demand figures for both PP and HPLLC projects.

### 5. Electrical

MTF asked the DEIS to discuss what the anticipated energy usage of the proposed project would be? Are offset installations of renewable energy planned on site? What efficiency designs are being incorporated into buildings and systems? The DEIS provides some of this information but lacks a robust discussion of energy efficiency and renewable energy options and plans.

DEIS: *"the existing 12 kVA system does not have sufficient spare capacity to accommodate the estimated 6,250 kVA of load required by the current Piilani Promenade development plan."*

Comment: This is a tremendous amount of power (6.25 MW), enough to power almost 1000 houses. The FEIS should discuss in greater detail project plans to produce renewable energy on site and energy conservation measures incorporated into site design. Only solar hot water systems are mentioned in the DEIS. What are the impacts of generating this amount of energy?

*DEIS: "The new [MECO] substation will be located in the northwest corner of the Piilani Promenade development"*

Comment: On fig 3 site plan the MECO substation is shown in the NE corner of the project? Which is correct?

#### **IV Relationship to Government Plans and Policies**

##### **B. STATE LAND USE**

Comment: The DEIS notes that it has submitted support for a Motion to Amend the project's existing Findings of Fact, Conclusions of Law, and Decision and Order which the State Land Use Commission (LUC) issued on February 10, 1995. The DEIS does not sufficiently discuss why it is asking that various conditions be amended.

County Wide Policy Plan (CWPP):

*Objective 2: Improve the quality of environmentally sensitive, locally valued natural resources and native ecology of each island.*

*c) Improve the connection between urban environments and the natural landscape, and incorporate natural features of the land into urban design.*

*e) Mitigate the negative effects of upland uses on coastal wetlands, marine life, and coral reefs.*

Comment:

Objective 2.c. The project as currently designed does not incorporate natural features of the land, such as the Kaonoulu gulch, a tributary of Kulanihakoi gulch, into the project's design. It is inaccurate to claim that it supports this objective of the CWPP under the current project design.

Objective 2. e. By working with natural features of the land, such as the gulch, to increase the capacity to absorb storm flows the project has an opportunity to address a persistent cause of flooding and pollution to the near shore waters and marine life of South Maui.

In order to support this CWPP policy the project needs to limit storm water discharges created by the project itself and mitigate the existing levels of storm water discharge originating on the land (85 cfs) and passing through the land (498cfs).

The project has not offered any alternative designs to mitigate these existing drainage impacts and instead acts to concentrate flows, remove any chance they currently have to be absorbed by the earth, and then dump them into the already overburdened Kulanihakoi gulch. This should be explored in the DEIS but is not.

##### **B. Preserve Local Cultures and Traditions**

*Objective (1) Perpetuate the Hawaiian culture as a vital force in the lives of residents.*

*(f) Recognize and preserve the unique natural and cultural characteristics of each ahupua'a or district.*

Comment: Object 1.f. CWPP. The PP project spans an entire section of the Kaonoulu ahupua'a. Presently, not one natural or cultural feature in the project site will remain to represent the heritage of the ahupua'a.

To remedy this, the project is being asked to preserve several culturally significant sites on the land and work to return a significant cultural feature that was removed. In order to meet this objective of the CWPP the EIS should incorporate design alternatives that reflect the information given during the brief cultural consultation process. These would include:

- preservation of the natural gulch (“Drainageway A”) and associated cultural habitation sites - a major feature of the ahupua’a
- preservation of other culturally significant sites identified on the property
- return the petroglyph stone to the site since it is an important feature of the ahupua’a
- acknowledge that there is cultural use of the land and amend the CIA by interviewing cultural practitioners
- provide for cultural access and cultural use of the land for traditional seasonal celebrations
- 

#### E. Kihei-Makena Community Plan

##### Land Use

###### *Objectives and Policies:*

*(k) Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Piilani Highway, as well as limited marine-based industrial services in areas next to Maalaea Harbor. Provide for moderate expansion of light industrial use in the Central Maui Baseyard, along Mokulele Highway. These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use. These actions will place industrial use near existing and proposed transportation arteries for the efficient movement of goods.*

Comment: KMCP Land Use policy (k) addresses the subject property and its uses, as it is the only Light Industrial designated property in the KMCP that is “*south of Ohukai and mauka of Piilani Highway.*” It specifically requires that retail business or commercial activities in this parcel be “limited” to “accessory or provide service to the predominate light industrial use.”

Community Plans have the force of law. The argument that County zoning “implements” the Community Plans does not stand where the two conflict. The Community Plan has always held “*more weight.*”

The provision for five acres of a 75 acre site to be utilized as Light Industrial does not comply with the directive for “*predominate light industrial use.*”

The FEIS should clearly indicate that a Community Plan Amendment is needed for the project to proceed as proposed.

As required in HAR 11-200-17, more alternative project designs should be fully discussed and the EIS should give a “*rigorous exploration and objective evaluation of the environmental impacts of all such alternative actions,*” with supporting data, especially those that would avoid destruction of natural and cultural resources.

#### V. Contextual Issues

##### A. RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE OF LONG-TERM PRODUCTIVITY

*DEIS: “Economic diversification and the creation of “living wage jobs” are key objectives of the Maui Island Plan and County-wide Policy Plan.”*

Comment: Much of Maui's economy is already based upon visitor facilities, visitor activities and visitor-friendly commercial retail service centers such the proposed PP project; the project provides no real "*diversification*."

The DEIS claims the project diversifies the economy and creates living wage jobs without specifying how many non-service sector, high-wage employment opportunities are planned for the commercial spaces. The industrial park concept is likely to provide more opportunity for small business startups to diversify the economy, due to lower rents.

DEIS: "*this project utilizes the principles of New Urbanism and Smart Growth to transform the current, single-use large lot light industrial subdivision into a mixed-use project with employment opportunities in close proximity.*"

Comment: The project has little to do with "new urbanism" design principles which are based upon small streets, minimum parking lots, integration of natural systems and features into project design, housing integrated into upper levels of commercial buildings, and respect for the history of a place.

PP is bisected by a high traffic, four lane roadway destined to become a major east-west thoroughfare; it features large paved parking areas which increase heat and run-off; and elimination of natural and cultural features.

The FEIS should present an alternative project design that actually incorporates the principles of new urbanism.

## B. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Comment: The loss of natural and cultural resources such as Kaonoulu gulch, all evidence of pre-contact habitation sites, ceremonial markers and the cultural practices associated with them, should also be included in these remarks.

The loss of potential groundwater input into near shore waters from the project's irrigation well pumping, the continued degradation of down-slope waters and reefs due to the project not addressing current storm water drainage impacts (instead concentrating flows and sending them offsite) will result in irreversible commitments and harm of public trust resources.

HEPA instructs agencies: "*Agencies shall avoid construing the term 'resources' to mean only the labor and materials devoted to an action. 'Resources' also means the natural and cultural resources committed to loss or destruction by the action.*" The FEIS should reflect these losses.

## C. CUMULATIVE AND SECONDARY IMPACTS

### Impacts to Natural and Environmental Resources

Comment: Impacts to natural and environmental resources such as groundwater, coastal water quality, public view planes, natural and cultural resources and cultural practices, are likely to occur regardless of Best Management Practices and mitigation measures due to the data these mitigations are based on being incomplete or inaccurate. How will proposed mitigations be monitored for effectiveness? This lack of information fails to meet HEPA EIS review standards (11-200-17, HAR).

Coastal Water Quality.

*DEIS: "Development of the Piilani Promenade, together with other area projects, could have significant cumulative impacts to coastal water quality if BMP's are not strictly adhered to."*

Comment:

The FEIS should acknowledge the cumulative impacts associated with the onsite runoff when transported off property as it combines with storm water from the surrounding properties with solutions or mitigations proposed.

Agricultural Lands.

Comment: The cumulative impact of the conversion of hundreds of acres of grazing lands to urban use should be discussed in the FEIS, especially in terms of drainage, traffic, drinking water and groundwater demands, and impacts to near shore waters.

Drinking Water Resources.

Comments: The cumulative and secondary effect of installing the 1 mgd water storage tank means that already stressed 'Iao and Waihee aquifers (both nearing their sustainable yield) must supply water to this proposed urban development. The impacts of the HPLLC and its water use are not considered in the DEIS. The FEIS should acknowledge and discuss mitigations for future impacts to these aquifers.

Impacts to the Socio-Cultural Environment

*DEIS: "In the coming years, pursuant to the land-use policies contained in the Maui Island Plan and Kihei-Makena Community Plan, Kihei will evolve to become a more unified and cohesive urban settlement. Urban development will likely become more compact, mixed-use and interconnected. Networks of open-space, parks, bikeways, trails and pedestrian-oriented streets will link districts and neighborhoods together."*

Comments: The DEIS does not propose a compact, mixed use, interconnected development for PP, declining to build a frontage road and/or bike paths linking it with existing industrial/retail areas to the north; it features no mauka-makai greenways to link with any future growth to the east.

Infrastructure and Public Facilities

Comment: Construction of the KUH will have numerous secondary and cumulative impacts to growth areas beyond what is now proposed in the MIP. The DEIS assumes future growth will be confined to the MIP Urban Growth Boundary areas yet major roadways trigger urban conversion of adjoining lands. While the MIP proposes a limited area along the future KUH for potential growth it also proposes the establishment of mitigating features such as greenways and open spaces.

Unresolved Issues

MTF asked the DEIS to acknowledge the need for a Community Plan Amendment since the project is now proposed as mostly commercial with a small amount of Light Industrial and some housing, opposite of what is specified in the community plan. The 226 to 476 housing units that proposed for the entire 88 acres were not envisioned or approved in the community plan. The DEIS notes the issue as "unresolved."

All parcels involved in the original 1995 LUC DBA, the 13-acre Honua'ula housing project and 75-acre commercial/light industrial /housing project should be the subject of a Community Plan Amendment.

Thank you for this opportunity to comment

A handwritten signature in black ink that reads "Irene Bowie". The signature is written in a cursive style with a large initial 'I' and a stylized 'B'.

Irene Bowie, Executive Director

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