

Brett Davis

From: zandraamaral@hawaii.rr.com
Sent: Friday, September 5, 2014 11:56 AM
To: Brett Davis
Subject: Re: Piilani Promenade

WE wanted to ask about the traffic issue which has been discussed in length. WE especially want to know what the plans for OHUKAI & KAWAIHINE Roads are. We have documented the traffic congestion and question the SAFETY of our families who ALREADY reside here.

We look forward to your CLEAR AND concise response to the above and thank you for your work in our community.

Zandra Amaral Crouse, Principal Broker
'Aina Hawaii Z.S.A. Properties
Phone: 879-7445
ZandraAmaral@Hawaii.rr.com

---- Brett Davis <BDavis@chpmaui.com> wrote:
> Good Morning Zandra, my name is Brett Davis, I am a Planner with Chris Hart and Partners, Inc. working on the this project.
>
> I wanted to ask what questions you have about the Piilani Promenade project?
>
> You can contact me directly at 808-270-1561 or reply to my email.
>
> Thank you,
>
> -Brett Davis
>
>

NEIL ABERCROMBIE
GOVERNOR



Dean H. Seki
Comptroller
Maria E. Ziellinski
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

AUG 25 2014

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AUG 26 2014 (P)1271.4

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett
136029

Mr. Jordan E. Hart, President
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793

Dear Mr. Hart:

Subject: Piilani Promenade
Makawao, Maui
TMK: (2) 3-9-001:016, 170-174

Thank you for the opportunity to provide comments for the subject project. This project does not impact any of the Department of Accounting and General Services' projects or existing facilities in this area and we have no comments to offer at this time.

If you have any questions, your staff may call Mr. Alva Nakamura of the Planning Branch at 586-0488.

Sincerely,

for 
JAMES K. KURATA
Public Works Administrator

AN:lmn

c: Mr. Robert Poynor, VP, Piilani Promenade North, LLC & Piilani Promenade South, LLC
Mr. William Spence, Director, County of Maui, Dept. of Planning

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GOVERNOR OF HAWAII



LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMD/CWB

09007PJF.14

September 8, 2014

Mr. Jordan E. Hart
President
Chris Hart & Partners, Inc.
115 N. Market Street,
Wailuku, Island of Maui, Hawaii 96793

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SEP - 9 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett 13/029

Dear Mr. Hart:

**SUBJECT: Comments on Draft Environmental Impact Statement (DEIS) for
Piilani Promenade
Makawao-Wailuku Districts, Island of Maui, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated August 20, 2014, requesting comments on the subject document. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. Your applicant may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: http://health.hawaii.gov/epo/files/2013/10/CWB_Oct22.pdf.

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. National Pollutant Discharge Elimination System (NPDES) permit coverage is required for pollutant discharges into State surface waters and for certain situations involving storm water (HAR, Chapter 11-55).

- a. Discharges into Class 2 or Class A State waters can be covered under an NPDES general permit only if all of the NPDES general permit requirements are met. Please see the DOH-CWB website (<http://health.hawaii.gov/cwb/>) for the NPDES general permits and instructions to request coverage.
- b. All other discharges into State surface waters and discharges into Class 1 or Class AA State waters require an NPDES individual permit. To request NPDES individual permit coverage, please see the DOH-CWB forms website located at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms/>.
- c. NPDES permit coverage for storm water associated with construction activities is required if your project will result in the disturbance of one (1) acre or more of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. NPDES permit coverage is required before the start of the construction activities.

Land disturbance includes, but is not limited to clearing, grading, grubbing, uprooting of vegetation, demolition (even if leaving foundation slab), staging, stockpiling, excavation into pavement areas which go down to the base course, and storage areas (including areas on the roadway to park equipment if these areas are blocked off from public usage, grassed areas, or bare ground).

3. If the project involves work in, over, or under waters of the United States, it is highly recommend that your applicant contact the Army Corp of Engineers, Regulatory Branch (Tel: 438-9258) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and HAR, Chapter 11-54.

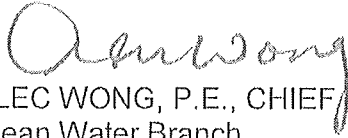
4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.

Mr. Jordan E. Hart
September 8, 2014
Page 3

09007PJF.14

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



ALEC WONG, P.E., CHIEF
Clean Water Branch

JF:bk

c: Mr. William Spence, State of Hawaii, Land Use Commission
Mr. Robert Poynor, Piilani Promenade North, LLC

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GOVERNOR OF HAWAII



LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU HI 96793

September 9, 2014

Mr. Robert Poynor
Vice President
Piilani Promenade North, LLC & Piilani Promenade South, LLC
c/o Sarofim Realty Advisors
8115 Preston Road, Suite 400
Dallas, Texas 75225

Dear Mr. Poynor:

Subject: Piilani Promenade

Thank you for the opportunity to review this project. We have the following comments to offer:

1. National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. The Indoor & Radiological Health Branch should be contacted at 808 586-4700.

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please call me at 808 984-8230 or E-mail me at patricia.kitkowski@doh.hawaii.gov.

Sincerely,

A handwritten signature in cursive script that reads "Patti Kitkowski".

Patti Kitkowski
District Environmental Health Program Chief

c EPO
✓ Jordan E. Hart

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SEP 10 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
CL: Bv/CAH 131029