

**Testimony of  
Jennifer L. Maydan, AICP  
Chris Hart & Partners, Inc.  
SLUC Docket No. A10-787 Maui R&T Partners, LLC.**

In the Matter of the Petition of Maui R&T Partners, LLC. to Amend the State Land Use District  
Boundary of Lands Situated at Kihei, Island of Maui, State of Hawaii, Consisting of 253.05 Acres  
from the Agricultural District to the Urban District,  
Tax Map Key Nos. (2) 2-2-024: 016 and 017, and (2) 2-2-002: 054 (por.)

My name is Jennifer L. Maydan and I am an Associate Senior Planner at Chris Hart & Partners. I am responsible for coordinating environmental and land use approvals for the Maui Research and Technology Park Master Plan Update. I have over 7 years of experience in master planning, land use planning, environmental assessments and development permitting in the State of Hawaii. A copy of my resume is attached.

I would like to provide a brief overview of the Land Use Commission (LUC) dockets and necessary County of Maui entitlements, summarize the major project impacts, and discuss the project's conformance with applicable Urban District standards.

**LUC Dockets & County of Maui Entitlements**

There are two (2) separate LUC dockets that encompass MRTP: A84-585 and A10-787. The following is a description of the two dockets.

The MRTP is an existing, operational technology park that sits on 150.032 acres of Urban District lands. The 150.032 acres were reclassified by the Commission in LUC Docket No. A84-585 for the development of an industrial high technology park. An additional 150 acres were also incrementally approved for the same use, however, the Petitioner is not seeking incremental districting because the Project being proposed today is different from the project that was proposed in 1984.

The Petitioner now seeks to expand the park and to diversify the uses by reclassifying an additional 253.05 acres of adjacent lands in LUC Docket No. A10-787. The Petitioner has updated the master plan for the project and seeks to transform the project from a technology park to a multi-use project that will take an existing employment center and create a sustainable and walkable community where people can live, work and play.

To update the master plan, the Petitioner will need to amend the Amended Findings of Fact, Conclusions of Law and Decision and Order dated February 25, 1986 in Docket No. A84-585 to

allow for the change in uses that will include a village center and housing, as well as an expansion of the industrial and employment component. Accordingly, the petitioner is bringing both dockets before the Commission at the same time so that the Commission may have an opportunity to evaluate the project as a whole.

The General Plan of the County of Maui includes the County-wide Policy Plan, Maui Island Plan, and Community Plans. The MRTP Master Plan Update site is located within the Maui Island Plan's Urban Growth Boundary, which is required for the proposed project to occur. County entitlements necessary to implement the proposed project include a Community Plan Amendment (CPA) and Change in Zoning (CIZ). The Kihei-Makena Community Plan will be amended to include the entire project within the proposed new "Maui Research and Technology Park District", a district that better aligns with the Master Plan vision. The Master Plan Update also requires a CIZ in order to bring the entire project into the proposed new "Maui Research and Technology Park District" (Chapter 19.33A, Maui County Code). The CIZ and CPA are subject to approval by the Maui County Council.

### **Major Project Impacts**

The Final Environmental Impact Statement (EIS) for the MRTP Master Plan Update was accepted by the LUC in April 2013. The EIS was prepared by Chris Hart & Partners under my general supervision and direction. The major impacts of the project on the natural environment, archaeological resources, agriculture, traffic, infrastructure and public facilities are summarized below.

Flora and Fauna: The project will not impact any threatened or endangered species of flora, fauna or invertebrates.

Soils: Construction activities on the property will comply with all applicable Federal, State and County regulations and rules for erosion control. Before issuance of a grading permit by the County of Maui, the final erosion control plan and best management practices required for the National Pollutant Discharge Elimination System (NPDES) permit will be completed. All construction activities will also comply with the provisions of Chapter 11-60.1, Hawaii Administrative Rules (HAR), Section 11-60.1-33, pertaining to Fugitive Dust. After construction, the establishment of permanent landscaping will provide long-term erosion control.

Groundwater: In the mauka/makai corridor of potential impact, the groundwater flow rate is about 6.5 MGD. The project's net draft of groundwater from the usable portion of the basal lens is 1.28 MGD for the offsite wells and 1.42 MGD for the onsite wells. Using the higher number and adding 40,000 MGD in downgradient wells results in a total draft of 1.46 MGD or about 22

percent of the groundwater flow rate in the mauka/makai corridor. For a thin basal lens such as exists in this area, the State Commission of Water Resource Management (CWRM) sets the sustainable yield at 44 percent of the groundwater flowrate. By that measure, the MRTTP expansion's use of groundwater would be well within the CWRM's definition of the sustainable supply.

Archaeological Resources: Consistent with the Barren Zone model for pre-contact settlement in the Kihei area, the project's Archeological Inventory Survey (AIS) yielded a very limited number of sites and therefore no further archaeological work is recommended for this project area. The State Historic Preservation Division (SHPD) determined that the AIS was acceptable and that no historic properties will be affected by the proposed project. SHPD recommends that Site -6241 should be bordered by a protective orange construction fencing prior to ground altering disturbance.

Cultural Resources: Development of the site will not impact cultural resources within the Petition Area. Cultural activities are not currently taking place on the property and cultural resources of importance to native Hawaiians for cultural practices were not identified in the Cultural Impact Assessment report.

Agricultural Impacts: The project will have no significant impact on the neighboring Monsanto 100-acre seed-corn operation, Haleakala Ranch, or the growth of diversified crop farming on Maui. The project will result in a small loss of low-quality agricultural land of which there is a large supply on Maui, but will not affect the supply of good farmland of which there is also a large supply.

Traffic Impacts: Extensive studies of traffic impacts were undertaken to address the impacts of development on the roadways surrounding the project site and to identify needed mitigation measures. Substantial roadway improvements to be privately funded are planned at intersections along Piilani Highway and within the MPTP to mitigate the project's impact.

Infrastructure: The project is not expected to adversely affect infrastructure and utility systems. Maui R&T Partners will construct or contribute its fair share to the on- and offsite drinking water, wastewater, storm drainage, electrical power, and communications systems necessary to serve the project. All infrastructure and utility systems will meet applicable Federal, State and County requirements.

Public Facilities - Schools: The project is within the boundaries of the State Department of Education's (DOE) Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area pay a construction fee and either a fee-in-lieu

of land or a land donation, at the DOE's discretion. At the appropriate time, the applicant will contact the DOE to enter into an impact fee agreement.

**Conformance with LUC Urban District Standards**

The MRTP Master Plan Update conforms to the applicable Urban District standards for reclassification as follows:

1. *It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban and other related land uses;*

At build-out the MRTP Master Plan Update will have 1,250 residential units, school(s), mixed uses in a higher-density core area, commercial, light industrial, neighborhood retail, community centers, and a network of parks and trails. The MRTP Master Plan Update proposes to utilize the principles of New Urbanism and Smart Growth to transform the current, single-use large lot research and technology campus into an integrated and vibrant mixed-use community focused around a regional knowledge-based industry employment base.

2. *Proximity to centers of trading and employment except where the development would generate new centers of trading and employment;*

The Petition Area is adjacent to an existing center of trading and employment, specifically the MRTP, which is home to such prominent employers as Akimeka, Boeing, The Pacific Disaster Center, and the U.S. Air Force who currently employ approximately 400 people in a variety of high technology and supporting industries. The Petition Area is also located within close proximity to one of three commercial nodes located in central Kihei. The Piilani Shopping Center, Azeka Shopping Center, and Lokelani Intermediate School, along with numerous professional and business services are all located a short distance from the Petition Area and generate substantial employment.

3. *Availability of basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection; and*

Basic public services and facilities, such as transportation systems, sewer, water, drainage, public utility hook-ups, parks, schools, police and fire are or will be available to serve the MRTP. The Applicant will finance or construct off-site wastewater and drainage improvements required for the Project and participate in fair-share contributions for public school and regional transportation facilities.

4. *Sufficient reserve areas for foreseeable urban growth;*

The Master Plan Update addresses a total of approximately 411 acres. With the requested District Boundary Amendment the MRTP will have sufficient urban lands to accommodate the land uses contemplated in the Master Plan. Having sufficient land area is necessary to reduce costs and delays associated with land use redistricting that would otherwise be born by prospective investors.

5. *It shall include lands with satisfactory topography, drainage, and reasonably free from the danger of any flood, tsunami, unstable soil condition, and other adverse environmental effects;*

The Petition Area is readily developable, with satisfactory topography and drainage, and is not subject to tsunami, unstable soil conditions or other adverse environmental effects which would render it unsuitable or inappropriate for the proposed development.

6. *Land contiguous with existing urban areas shall be given more consideration than non-contiguous land, and particularly when indicated for future urban use on state or county general plans;*

The Petition Area is immediately adjacent to lands designated "Urban", including land that is already part of the MRTP. In addition, the Petition Area itself is within the Maui Island Plan's Urban Growth Boundary and is also designated by the Kihei-Makena Community Plan for urban use. In addition, the future Kihei High School is proposed on lands adjacent to the Project's northwestern boundary. Just west of the MRTP, across Piilani Highway, are commercial, civic, and residential developments within central Kihei.

7. *It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on the state and county general plans;*

Given the "Project District 6" designation of the MRTP by the Kihei-Makena Community Plan and the placement of the Project area within the Urban Growth Boundary by the Maui Island Plan, the Petition Area is in an appropriate location for new urban concentration and growth. Both of these plans envision the MRTP becoming an even larger employment center, and with existing infrastructure and public facilities in close proximity, balancing employment with housing and services is a central tenet of smart growth.

8. *May include lands which do not conform to the standards in paragraphs (1) to (5):*  
*(A) When surrounded by or adjacent to existing urban development; and*  
*(B) Only when those lands represent a minor portion of this district;*

The Petition Area conforms to or will conform to the standards in paragraphs (1) to (5).

9. *It shall not include lands, the urbanization of which will contribute toward scattered spot urban development, necessitating unreasonable investment in public infrastructure or support services; and*

Urbanization of the Petition Area will not contribute to scattered spot urban development. The Petition Area is located adjacent to, and will become part of, the existing urban uses in the MRTTP and other residential and commercial subdivisions in the area. The proposed development will not necessitate unreasonable public investment in infrastructure facilities or public services. The Applicant will be engaging in infrastructure improvements to mitigate any potential impacts of the proposed development.

10. *It may include lands with a general slope of twenty per cent or more if the commission finds that those lands are desirable and suitable for urban purposes and that the design and construction controls, as adopted by any federal, state, or county agency, are adequate to protect the public health, welfare and safety, and the public's interests in the aesthetic quality of the landscape.*

The Petition Area is characterized by an average slope of four (4) percent.



**RESUME**  
**Jennifer L. Maydan, AICP**  
**Associate Senior Planner**

**EDUCATION**

- Master in Urban and Regional Planning (MURP), University of Colorado at Denver, Denver, Colorado, 2005.
- Bachelor of Science Natural Resources, Parks and Protected Area Management, Colorado State University, Ft. Collins, Colorado, 2000.

**PROFESSIONAL CERTIFICATION & MEMBERSHIP**

- Certified Planner, American Institute of Certified Planners (AICP)
- Member, Hawaii Chapter, American Planning Association

**EXPERIENCE**

- **June 2012 - Present**      **Chris Hart & Partners, Inc., Wailuku, HI**  
Associate Senior Planner  
Project management, community planning, master planning, development permitting, environmental assessment, special projects
- **May 2006 – June 2012**      **Chris Hart & Partners, Inc., Wailuku, HI**  
Land Use Planner  
Community planning, master planning, development permitting, environmental assessment, special projects

**PERSONAL**

Born and raised on Maui. Resides in Haiku with husband and son and enjoys hiking, surfing, and being outdoors.