



Testimony in Support of Olowalu Town FEIS

Bill Frampton

to:

luc@dbedt.hawaii.gov

12/06/2015 04:15 PM

Hide Details

From: Bill Frampton <bill@fwmaui.com>

To: "luc@dbedt.hawaii.gov" <luc@dbedt.hawaii.gov>

1 Attachment



Supprt for Olowalu Town ~ Hans Michel Ltr.~ 12.03.2015.pdf

Dear LUC Members -

At the request of Mr. Hans Michel, 53-year Resident of West Maui; I am respectfully transmitting via this email his written testimony which offers his support of Olowalu Town Final EIS. Please find attached to this email his letter of support.

Also, please note that I understand that today is Sunday, December 6, 2015; and the hearing set for tomorrow (Monday, December 7, 2015); thus, I understand that with complicated logistics of travel etc.. this message may not be delivered to each LUC member before start of tomorrow's LUC meeting. As such, I will simply bring hard copies of this same letter to the LUC Meeting tomorrow and submit via hand delivery.

MAHALO ~ BILL FRAMPTON

My name is Dave Minami and I was born and raised in West Maui. I remember travelling many times to Olowalu as young man for special events such as Pop Warner football campouts and Boy Scouts of America campouts. Olowalu was a wonderful place but for various reasons, Olowalu became a place for abandoned vehicles, chicken fights, drugs and places for people to go to hideout. It was a mess.

Thankfully, I have watched as Olowalu Elua Associates made an incredibly positive change to Olowalu. They worked to restore the coastline, cleaned up and provided access for people to enjoy the landing once again. This area is one of the best places for physically challenged or wheel chair bound people to get in and out of our beautiful ocean. They provided restrooms, showers, fresh water and weekly trash collection. Nightly security checks help to prevent crime. OEA has worked well with DLNR to enhance the coastline by removing debris and over grown keawe and Opiuma. They have restored the beaches, allowing people of the community to walk along the coast. While the Managers House is an event destination, it continues to lend itself to community and non-profit organizations for functions and meetings.

Olowalu Elua Associates have done a remarkable job in restoring Olowalu, making it beautiful, SAFE, and keeping its culture alive. Olowalu Elua Associates would provide families of West Maui with options. Families would not have to move off island to have what every family needs, a home. I would like to thank them for their vision and efforts as well as their attempt to create homes and jobs for families of West Maui.

Mahalo,

Dave Minami

Mr. Daniel E. Orodener, Executive Officer

State of Hawaii Land Use Commission

Dept. of Business, Economic Development and Tourism

Honolulu HI 96804

In the Matter of Docket A10-786 Olowalu Town

Dear Mr. Orodener

Please find attached testimony for the Dec. 7th hearing on Olowalu Town
FEIS.

Yours truly,

David Jenkins

My name is David Jenkins. My address is 74 S. Lauhoe Place, Lahaina. I am testifying today as an individual and asking the LUC to reject this EIS.

I testified on November 17th and suggested to you that this 3000 page document isn't really an EIS, since it is unlikely that you can drop a town of 5000 people, two Paia s, across the only highway to the Westside, put in a sewage plant on top of the most pristine reef in Hawaii and expect no environmental impact. Parts of the EIS might be believable but taken in its entirety it just lacks common sense credibility.

What we are dealing with here is just a hard sell marketing document to get re-zoning, and it is a truism of marketing that for a product or service to succeed the *promise* and the *product* have to tie up. This document is very long on promises and for the LUC to approve it you need to believe that the promises will be delivered.

How do you make that judgment...well I would suggest that history is the strongest predictor of future actions by this developer and I am drawing to your attention just one aspect from the year 2000 Environmental Assessment, for the development of the agricultural lots, the promised actions on drainage so as not to affect the reef.

A drive around the area shows how few of those promises were delivered and now they are saying in the FEIS that only this vast increase in entitlements can solve the problems they have not addressed in the last 15 years.

1. They were going to build extensive greenways, not obviously there
2. Drainage retention basins would be developed mauka of the highway. There are only a couple of small weed filled depressions dug about three years ago each side of the new access road.
3. The FEIS claims the majority of sediment on the reef is from the Olowalu stream running through the Cultural Reserve which in 2000 was touted as filtering run-off by maintaining natural drainage patterns. Seems contradictory.
4. They claimed little grading would occur in the makai area. There has been massive grubbing near Camp Pecusa, and currently next to one of the ocean front houses a large area has been clear-cut of vegetation leaving a field of brown dirt offering a threat of dirt on to the reef.
5. There was talk of a berm in government reserve to filter run-off and this is no longer referred to in the FEIS.

I do not want to labor the point but a past authority approved the development of the ag. lots conditional on these mitigations. These were mainly not delivered either at all or in a timely fashion. It seems that undertakings are given to get through the approval process and then Maui County's lax enforcement lets the developer take the proceeds of development without incurring the costs of promised mitigation.

I would strongly recommend a re-reading of the Sierra Club's submission to the LUC dated August 7th 2010 to get a full grasp of how little the developer delivered on environmental protection while spending heavily on marketing of the project.

You are now being asked to take a leap of faith that 'this time will be different'.

The main reason for the 15 day deferment was so that Dr. Dollar could be present in person. Today's hearing was convened at the applicant's request

and the attorney stated on November 18th that it was necessary in order to correct the “confusion and misinformation out there in the public”. What I think we are dealing with here is the opposite...there is no confusion. It is crystal clear that this is all about profit maximization by a developer who has changed their mind about reviving agriculture.

And if indeed there is misinformation out there then the source is pretty clear. I do not have a PhD, but I do have a thirty year career of managing many people who do, so I know how to filter advocacy from fact when I hear it being Piled High and Deep. Little PhD joke. And the preponderance of evidence from all experts other than the developer’s own is that this development will be damaging.

Which makes a lot of common sense!

Respectfully

David Jenkins

APPENDIX 2000 EA

Wastewater Systems

Existing uses in the Olowalu area are serviced by cesspools or other individual wastewater systems. Wastewater disposal for the assessment action would be addressed either through individual treatment systems or septic tanks and leach field type of individual wastewater systems.

Qratuagg

The assessment action will not alter the natural drainage patterns of the area. The existing drainage facilities crossing Honoapiilani Highway will be evaluated and incorporated into the project drainage plan.

The mauka subdivision incorporates a generous amount of greenways and cultural reserve areas. These areas will provide natural overland flow corridors to maintain the natural drainage patterns. Drainage retention/recharge basins

will be developed immediately mauka of Honoapiilani Highway to provide capacity and environmental controls.

Grading and roadway improvements within the makai subdivision will be limited to the area immediately makai of Honoapiilani Highway. This plan, along with the required shoreline setbacks provide for spacious planting areas between the developments and the shoreline. Furthermore, a berm exists within the government shoreline reserve which discourages and filters runoff before entering the near shore waters. Grading within the flood inundation limits and floodways will not have an adverse impact on the flood patterns or flood heights.

Since the existing cane fields are presently barren, there would be a decrease of surface runoff generated from the site after development (900 cfs predevelopment to 600 cfs post development). Comparing the formerly planted cane fields as the predevelopment benchmark, however, results in an increase of about 100 cfs (510 cfs predevelopment to 600 cfs post development).

The surface runoff generated as a result of the subdivision improvements will be addressed by drainage improvements incorporated with the development and will have no adverse effect on the adjoining properties or near shore waters.

Development of the project will not result in any significant increase in peak flow rates or runoff volumes. The addition of impervious areas such as subdivision roads, and future building roofs is minimal. The "flat" graded planting areas consistent with this type of development, together with the abundance of greenways and cultural reserves will reduce the flow velocity encouraging infiltration and reducing surface runoff to offset the developed hard surfaces. Detention/recharge basins incorporated into the development will provide further drainage controls and keep surface runoff to predevelopment levels. These basins will also serve an environmental function to reduce sediment discharge into the ocean. Therefore, the development of these agricultural lots will improve the drainage system in the area and will have no adverse effects on adjacent and downstream properties.

Based on the extent of grading, normal erosion control measures should be sufficient to prevent excessive soil loss during



Olowalu Final EIS and Town Development
Diane Pool
to:
luc
12/05/2015 06:37 AM
Hide Details
From: "Diane Pool" <trendi@maui.net>
To: <luc@dbedt.hawaii.gov>

6 Attachments



image011.jpg image012.jpg image013.jpg image014.jpg image015.jpg Community for Families.pdf



Drainage - Sugar Cane.pdf Ocean Access.pdf Existing Condition.pdf Highway Relocation.pdf EIS Process.pdf

I am submitting written testimony in favor for Olowalu Town.

Diane

Diane K. Pool, RB, ABR
Wailea Realty Corp.
Direct: 808-875-8535
Cell: 808-276-2004
Email: trendi@maui.net
Website Blog: [#SoldOnMaui](#)



Diane Pool
3166 S Kihei Rd.
Kihei, HI 9675

November 24, 2015

Land Use Commission
PO Box 2359
Honolulu, HI 96804
Fax: 808 587-3827
E-mail: luc@dbedt.hawaii.gov

Re: Testimony IN FAVOR of Final Environmental Impact Statement
Olowalu Town Master Plan (DKT. NO. A10-786)

Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786.

The Olowalu Town plan is designed to be a complete community based on a zoning model that is different than the standard zoning code used with most recent developments. This flexible zoning code allows construction of towns similar to Maui's historical towns. This flexibility allows for apartments, multi-family units, live-work units, senior housing, and single family housing to co-exist along the same street. This wide variety of housing types will meet the needs of Maui's family throughout their lives as incomes and family needs change with life.

The majority of the housing units within Olowalu are planned to be apartments, multi-family units, and small single family units. These housing types have a smaller footprint which allows the cost of the infrastructure to be much less than standard single family homes in many of the new subdivisions. The result is lower cost housing options for Maui's families. Similar to the way, most of the multi-family units in Wailuku are affordable to Maui's residents even without government restrictions; most of the housing in Olowalu will be affordable to Maui's residents due to the type of housing to be constructed.

Please approve the Olowalu Town Final Environmental Impact Statement.

Sincerely,

Diane Pool

Diane Pool
3166 S Kihei Rd.
Kihei, HI 96753

November 24, 2015

Land Use Commission
PO Box 2359
Honolulu, HI 96804
Fax: 808 587-3827
E-mail: luc@dbedt.hawaii.gov

Re: Testimony IN FAVOR of Final Environmental Impact Statement
Olowalu Town Master Plan (DKT. NO. A10-786)

Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786.

I understand that there has been some question as to whether there will be a reduction of sediment in the near shore waters as a result of this project. From a historical perspective, there is no question the situation will improve with the building of the mixed use community.

For 100+ years, sugar cane was grown and harvested on the lands within Olowalu. For the last 50+ years, the sugar cane crop was burned and harvested with mechanical equipment. The crop included the majority of the Olowalu lands including the areas makai of the existing highway. The rotation of the crop was every two years so all of the fields were cycled through every other year. Each harvest included roughly 20 acres so the 600+ acres in Olowalu were regularly in some form of harvest.

Over time, the fields installed agricultural practices to attempt to reduce sediment loading in near shore waters. In heavy rain events, the sediment came from existing planted fields and fields recently opened from a cane harvest. Additionally, dust occurred from harvesting of fields.

Both construction Best Management Practices (BMPs) and Low Impact Development (LID) standards as described in the Final Environmental Impact Statement will reduce sediment on near shore waters compared to previous agricultural practices during sugar cane years.

Given the history of Olowalu with limited agricultural drainage practices, it is logical that there will be a reduction in sediment in conjunction with installing modern drainage practices. The reef is in its current form in spite of these agricultural practices; the reef will be further protected with installation of modern drainage facilities.

Sincerely,

Diane Pool

Diane Pool
3166 S Kihei Rd
Kihei, HI 96753

November 24, 2015

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Re: Testimony IN FAVOR of Final Environmental Impact Statement
Olowalu Town Master Plan (DKT. NO. A10-786)

Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786.

The implementation of the Olowalu Town Master Plan will improve ocean access for fishermen, beachgoers, divers, and surfers. The Final EIS addresses existing and future traffic concerns with the relocation of Honoapi'ilani Highway within the project to a more mauka location. The relocation of the highway will remove the high volume, high speed highway away from the ocean activities which will improve the ocean activities experience. The plan calls for large parks at key recreational areas including the Olowalu surf site on the north side of the project.

By allowing limited housing on the lands makai of the existing Honoapi'ilani Highway, the plan will establish new large parks and open public space within these existing private lands. These parks makai of the existing highway will provide a direct connection of the Olowalu community to the ocean which will create a wonderful place for Maui's families to live, work, and play.

Please approve the Olowalu Town Final Environmental Impact Statement.

Sincerely,

Diane Pool

Diane Pool
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Kihei, HI 96753

November 24, 2015

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Re: Testimony IN FAVOR of Final Environmental Impact Statement
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Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786.

The lands within Olowalu are currently subdivided into 21 large agricultural lots. These lots are generally 15-25 acres in size. Each of these lots is allowed a main dwelling and an ohana dwelling. If sold to private individuals, these individual lots may be fenced and gated for private use. The ability to obtain a new mauka highway location will be much more difficult and expensive with a variety of owners along the corridor.

The continued and future agricultural uses of these lands will maintain the existing storm water systems. These systems channel stormwater underneath the existing highway directly into the ocean (see attached photo of culverts). Additionally, the highway location adjacent to the shoreline drains petrochemicals and other toxins from traffic directly into the near shore waters.

As an alternative, the Olowalu Town Master Plan offers to create a community for Maui's families to live, work, and play. In conjunction with this community, significant drainage improvements will be installed to protect the marine environment (see attached).

Please approve the Olowalu Town Final Environmental Impact Statement.

Sincerely,

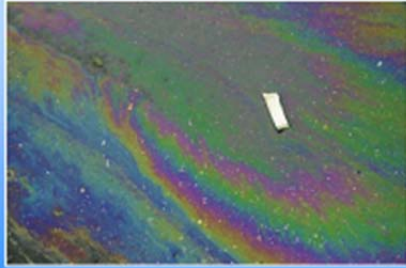
Diane Pool



CURRENT STORMWATER RUNOFF
DISCHARGES DIRECTLY INTO
COAST MARINE ENVIRONMENT

Pollutant, sediment,
Nutrient discharges

#1 - b Two 24 inch culverts drain a small coastal plain under
Honoapiʻiani Highway



CURRENT STORMWATER RUNOFF
DISCHARGES DIRECTLY INTO
COAST MARINE ENVIRONMENT





LOW IMPACT DEVELOPMENT (LID)
to capture, filter, store, treat
Storm-water Runoff
at source by use of
GREEN INFRASTRUCTURE

**GRASS &
BIO SWALES**



OLOWALU TOWN STORM-WATER RUNOFF
Council - Public Hearing RE: General Plan 11/27/12

LOW IMPACT DEVELOPMENT (LID)
to capture, filter, store, treat
Storm-water Runoff
at source by use of
GREEN INFRASTRUCTURE

**PERVIOUS PAVEMENT &
GRASS PARKING**



"Green Parking Lot" at Orange Bowl
in Miami, Florida (Source: Invisible Structures)

Diane Pool
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Kihei, HI 96753

November 24, 2015

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Re: Testimony IN FAVOR of Final Environmental Impact Statement
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Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786.

I understand that there has been some questions raised related to traffic. Traffic is generated by the number of times we get in our cars and how far we go each time. As detailed in the Final EIS, the type of complete community proposed at Olowalu generates less traffic by providing many goods, services, employment opportunities, and recreational activities in close proximity to where people live. .

Additionally, the location of the existing Honoapi'ilani Highway in Olowalu currently causes traffic problems for all of the West Side of Maui. The highway location dates back to a time when there was very little traffic on the roadway. With the current and future traffic to the West Side, the existing location does not work.

The existing location combines a high volume and high speed transportation roadway within an active recreational corridor. The recreational corridor provides friction points on the highway that over time cause traffic backups on the highway (see attached image of friction points). This is caused by cars trying to access and exit the existing snorkel location on the south side, the surf site on the north side, and the reduced speed limit and Olowalu General Store.

The Olowalu plan is to improve both the traffic problem and access to these recreational resources. By relocating the highway mauka, the traffic will flow freely along the highway without the current friction points. Additionally, much of the existing highway within Olowalu will be maintained as a country town road providing access to the existing surf site and snorkel area. Large parks will be created at these locations to provide additional buffers away from the relocated highway. Additionally, parks will be created on the makai side of the existing highway to provide a connection between the new community and the ocean resources.

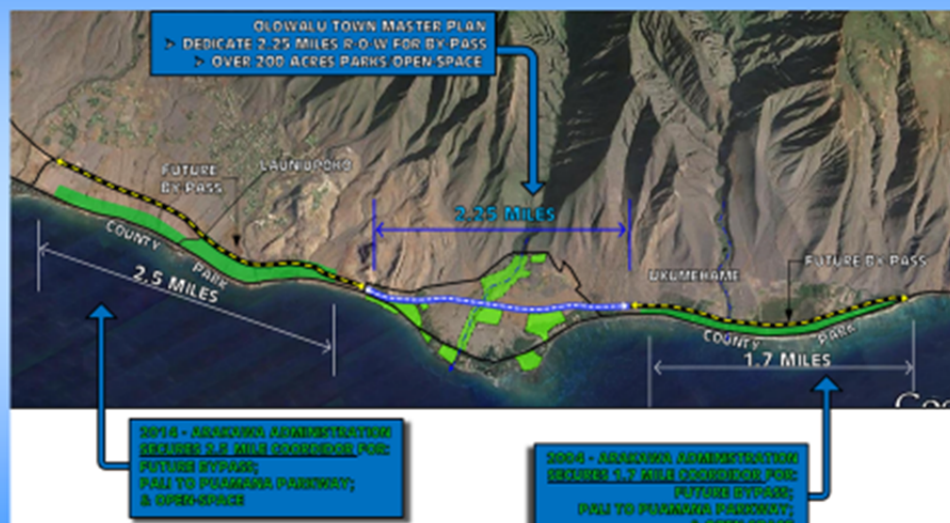
Please approve the Olowalu Town Final Environmental Impact Statement.

Sincerely,
Diane Pool

Traffic Discussion



Traffic Discussion



Diane Pool
3166 S Kihei Rd.
Kihei, HI 9675

November 24, 2015

Land Use Commission
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Honolulu, HI 96804
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E-mail: luc@dbedt.hawaii.gov

Re: Testimony IN FAVOR of Final Environmental Impact Statement
Olowalu Town Master Plan (DKT. NO. A10-786)

Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786. I have reviewed the Final EIS for this project and believe that the document is very thorough.

It is my understanding that a Final Environmental Impact Statement is utilized to disclose potential impacts for a proposed development. The Olowalu Town Final EIS utilizes many professionals in their various fields of expertise to provide information about the impacts of the Olowalu Town Master Plan.

It is not surprising that some members of the community do not agree with everything within the document. In fact, it would be impossible to create a document in which someone would not disagree. However, this Final EIS is a complete disclosure document that is well prepared and thorough. If this document is not acceptable, I fear that the system will not allow for worthy projects to progress through the review system which will be detrimental to Hawaii moving forward.

Please approve the Olowalu Town Final Environmental Impact Statement.

Sincerely,

Diane Pool



EIS Olowalu Town
 Donna Poseley
 to:
 luc
 12/06/2015 10:45 AM
 Hide Details
 From: Donna Poseley <donna@poseley@gmail.com>
 To: luc@dbedt.hawaii.gov

This is a rebuttal regarding the following testimony of Linda Nahina 11/18/15:

THE WITNESS: My name is Linda Nahina

Magalianes and I live in Lahaina. Did you guys ever ask that question to these guys, what you asked me, if they telling the truth?

CHAIRPERSON ACZON: They were sworn in. THE WITNESS: Just checking.

First of all I am a lineal descendant of Olowalu and there's many of us. I'm first of all against the EIS, even though I was a part of the EIS, but there is stuff in there that I shared, but it's not in there.

First of all, the impact that going to cause and this happened to me. On 11/11/11 I remarried, my second marriage. I

Donna, whoever works for them, told me I couldn't, and that she was going to call the police on me. So because I didn't want that to happen in my wedding, I walked away from that upset, sad because I am a lineal descendant.

I lived in Olowalu. Was a juice stand there right now. That's where I was partly raised. My kupunas buried on the top of Pu'u Kelia (phonetic). That place is so sacred that if you walk that area, walk in the valley, you going feel all that.

So now to be told, no, that I cannot use the public access for 15 minutes for my wedding, how this going impact the rest of the people in the future? It doesn't even state that in there, nothing about parking lot, access to the area, and the culture reserve. What is that reserved for? For who? Not for our people. You go check the culture reserve, all the Filipinos leasing the property for their own good. Not for us Hawaiians, not for the lineal descendants from there.

And this town impacting the heart of Olowalu. I sorry, you kupunas. Whatever you decide, that's your choice, auntie, you know that. I never down you guys, but if you like this project, why don't we move them by your side? Yeah, move them to that side, because they're the only one who live in Olowalu that wants it. I sorry I got to talk like that.

But I'm angry, very angry, because I'm also on the committee of the Ahu Moku. I handle the cultural aspect part of it, not cultural, iwi kupunas. When they find iwi kupunas in Olowalu, who they call? Me, Linda Nahina Magalianes. Remember that name.

And I got called out there three times already. Once because one worker found an iwi that they also told them about it, and they told him go to go throw away. What he did, he put it in the tree so he could find it next day. He got fired, but he brought it to us.

December 4, 2015

Dear Land Use Commission,

This is a rebuttal in reference to the testimony from Linda Nahina from 11/18/15.

My name is Donna Poseley and I have been the Property Manager for the Olowalu Plantation House, the old Managers House, since its introduction as a special event property in 1999.

Linda did come to Olowalu Elua Associates and asked if she could have her wedding at the wharf, on 11/11/11 at 4pm. The wharf is OEA's property which has been gifted for public use and has posted signs for its intent and use.

Linda wanted to have her wedding ceremony at exactly the same time, the Olowalu Plantation House wedding was scheduled. This wedding had been paid for and planned for well over a year. I contacted our bride and groom and asked if they could change their ceremony time to accommodate Linda, explaining that she was from Olowalu and this land was very special to her. They were very understanding and gracious and tried to change their time to 4:30 as their ceremony would be facing the wharf. Unfortunately, since this was such a popular day, 11/11/11, the Officiant, was unable to adjust his schedule.

I explained this to Linda and told her she could have her ceremony anytime that day before 3:00pm. Understanding that even though the ceremony itself may only take 15 minutes, it requires time for guest arrival, set-up and photos. I didn't feel it was fair for her or the long planned, paid wedding to have conflicting ceremonies going on. We offered Linda to use the wharf for her ceremony another day, along with the use of the Plantation House for her reception at no charge.

Since she was set on that date and that was not an option, I personally showed her alternative private OEA oceanfront areas in which to have her ceremony, again at no cost.

To read her testimony after all we tried to do to accommodate her is disturbing. For her to say that I would call the police is simply not true. I really felt like I went out of my way to try to make it work for her. It is unfortunate that her memory is only of anger. I feel confident that under oath she'd have to admit to what I've stated as the truth.

I'm sure most of our fellow Mauian's would attest that Olowalu Elua Associates has been very generous with the use of their properties and have hosted many local weddings, fundraisers, retirement parties, anniversaries and memorial services. When OEA first purchased the property in 1998, it was the owners wishes to keep the Plantation House for community use and not as a personal estate. If requested, I feel we could get many people to write letters stating OEA's generosity and commitment to the public as well as their personal connection to Olowalu Village.

Aloha,

Donna Poseley

Property Manager, Olowalu Plantation House

Eric S. Taniguchi, AIA

Architect

273 Hiwalani Loop
Pukalani, Maui, Hawaii 96768
(808) 276-8109

December 6, 2015

Land Use Commission
P.O. Box 2359
Honolulu, HI 96804
Fax: 808 587-3827
E-mail: luc@dbedt.hawaii.go

Reference: Testimony *In Favor* of Final Environmental Impact Statement
Olowalu Town Master Plan (DKT. No. A10-786)

Dear Land Use Commissioners,

I am writing in favor and support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. No. A10-786.

I am a long time resident of Maui, my father was born in Lahaina, Maui and my grandfather was born in Puunene, Maui. My two sons were born here as well. I am an avid waterman; I surf, free dive (spearfish) and fish. I was taught by my father and uncles and it is something I have passed on to my sons. I have dived from Honolua Bay to Makena Light House on the west to south side. I know the reef system of Olowalu like the back of my hand, from 'Cut Mountain' to 'Thousand Peaks'. So I am also very concerned about the ocean environment.

My family lives in Pukalani, it is a wonderful community and neighborhood. I wouldn't want to live anywhere else on the planet. Though Pukalani has an older part, there is a new part that evolved in the 70's, this is my neighborhood that I live. The newer Pukalani, brought shopping, school, parks, golf course, sewage treatment and underground utilities.

Olowalu is very similar in its design intent. To establish a new community and neighborhood that respects the older established Olowalu and provides much needed housing in a well-designed masterplan that is sensitive to the environment. Maui's population is growing and will continue to do so, there is no way to stop it. It is selfish, careless and inefficient to continue to have extremely wealthy single family residences on the large ag. lots covering the old Pioneer Mill lands. Olowalu Town Master Plan, is a comprehensive and complete design concept. It will be a wonderful community and neighborhood to live.

Sincerely,

Eric S. Taniguchi

Eric S. Taniguchi, AIA

EMAIL TRANSMITTAL MEMO

DATE: December 3, 2015

TO: State Land Use Commission

FROM: Hans Michel – Lahaina Resident 53 Years.

RE: SUPPORT FOR OLOWALU TOWN MASTER PLAN
State Land Use Commission Docket No. A10-786.
Olowalu Town, LLC and Olowalu Ekolu, LLC.
Final Environmental Impact Statement for Olowalu Town Master Plan.
Located at Olowalu, Island of Maui, State of Hawaii.
Portions of Tax Map Key: (2) 4-8-003: 084, 098, 099, 100, 101, 102, 103,
104, 105, 106, 107, 109, 110,111, 112, 113, 114, 115, 116, 117, 118 &
124.



Lahaina Dec. 3, 2015

Aloha Land Use Commissioner,

Subject: Olowalu Town

As a resident of West Maui for over 53 years, my wife and I know what we need is housing.

I have a deep interest in planning for the future, for our young people in this region. I participate as a member for the General plan advisory committee.

I 'am writing this letter to request consideration for Olowalu town proposal to be accepted and built, with 50% affordable housing.

Please don't put and road blocks on this Olowalu project, which will add a greater housing problem in West Maui.

Sincerely,

A handwritten signature in cursive script that reads "Hans F. Michel".

Hans F. Michel

West Maui Resident

My Name is Joshua Dean. I am 38 years old. I was born and raised in Lahaina. I still live in Lahaina. I have a lot of fond memories of Olowalu. Kayaking, snorkeling, spear fishing, fishing, camping out with boy scouts, hiking and family gatherings are activities that have connected me with Olowalu.

However, Olowalu hasn't always been as welcoming as it has been in recent years. As a child, I went camping in Olowalu with the boy scouts on the beach. It was pretty rough. The brush along the ocean was really thick with some cutouts where people would have chicken fights. Dead rooster carcasses were in the bushes. Illegal dumping of appliances and garbage along beach access routes were a common sight.

Since Olowalu Elua Associates (OEA) has been involved in this property, there has been a tremendous improvement in the cleanliness, safety, beach access and tranquility of Olowalu. They have spent hundreds of thousands of dollars in beautifying the ocean front by clearing out noxious trees and weeds. They've improved access to the landing area while adding waste disposal sites, beach showers, and portable toilets. They have renovated the dilapidated Camp PECUSA and turned it in to a place where visitors and locals alike can come to camp out or hold gatherings for various schools, churches, civil groups, and families.

Does it make sense that the culmination of a 15 year + effort to clean up and beautify places for people to enjoy of Olowalu would be to build a town that destroys the place? Of course not. The fact of the matter is that despite the lies and accusations of ill-informed opposition parties who use intimidation and scare tactics to influence decision makers, the development of Olowalu town will be better than the alternative. I have heard numerous testimonies of individuals citing their reason for not supporting development in Olowalu town because it's such a peaceful place where they can enjoy the beach, mountains etc... with friends and family. They take no thoughts as to why it is such a wonderful place, who pays for the maintenance, and whose property they are crossing in order to get to where they decide to enjoy Olowalu. The fact is that Olowalu is a more open, inviting place because of OEA's involvement. Olowalu town will increase the openness of Olowalu allowing more people, families, children, kupuna to enjoy the beauty of Olowalu.

The alternative to Olowalu town would be a sale of 20+ lots to wealthy lot owners. A lot of the amenities that opponents cite as reasons to deny Olowalu town would be lost as 20+ lot owners seek to privatize their own piece of paradise. Please do not close the door on Olowalu town because a group of hysterical protesters spreading hearsay. Please get the facts for yourself and take a stand for truth.

Sincerely,

Joshua Dean

I would like to clarify for Commissioners some of the statements made in the Olowalu Town (OT) December 4, 2015 responses to the Commissioner's questions.

1. Maui Island Plan (MIP) “ Applicant always intended to undertake development on both sides of existing Honoapiilani Hwy..”

Clarification: During the Maui island Plan process, the applicants presented a very different map (**Exhibit A attached**) with around 29 acres of makai land, (TMK (2) 4-8-003:084) proposed for the urban designation, not 45.

- About half of those 29 acres was shown as some sort of green space or park.
- I served on the General Plan Advisory Committee (GPAC). GPAC voted 13 to 4 to include several hundred acres of Olowalu in the MIP Urban and Rural growth boundary, **based on that map.**
- Applicant did not discuss with GPAC that all of Olowalu makai lands are in the tsunami impact zone and a portion are in the high hazard (“AO”) FEMA flood zone.
- A sixteen acre parcel ,TMK (2) 4-8-003:124, owned by Olowalu Ekolu, **was not proposed** for the Urban Growth Boundary. This parcel is now part of Alternative 1 in the FEIS.
- Parcel 124 was left off of the GPAC recommended growth boundary map. (**Exhibit B**)
- GPAC members were told that those lands were not part of the Olowalu Town project and had different owners.

Conclusion: It is clear that GPAC and the Maui Planning Commission did not consider the same project area now being proposed in the FEIS and DBA. The FEIS should make that clear, but it does not. It is also clear that Maui Planning Commission and Maui County Council left all makai lands out of the Urban Growth Boundary, and this Commission should follow their lead and do likewise.

2. “Makai lands were identified for Park, Open Space or retention basins in MIP...”

Clarification: Olowalu Town “Concept Maps” shown to GPAC and Planning Commission gave the impression that majority of makai lands were planned to be green spaces .(See **Exh A.**) These bodies based their support for the project on those lovely, but vague “concept maps,” just as you are being asked to do. All the details will supposedly come later....

- The West Maui Community Plan map shows a portion of makai Olowalu lands as Park and Open Space. It also specifies that a 30-acre coastal park is desired in the area if ag activities diminish:

“b. The development of a public beach park at Olowalu near Camp Pecusa for camping and ocean-related recreational and educational activities. The final boundaries of this park shall be determined in consultation with the landowner. However, if agriculture in the area is decreased by 50 percent, 20 acres of park land shall be considered for addition to the 10 acres of park land currently designated in the Land Use Map.”

Conclusion: All of the coastal lands of Olowalu are in high hazard tsunami or flood zone. The FEIS on p. 99 indicated that 30% of the Olowalu beach width has been lost to coastal erosion in the last 60 years. A commitment to open space and park use, and a deep shoreline setback area would be sensible planning. **The FEIS gives no specific commitment for these mitigations and only refers to “opportunities” for parks and keeps the same 150 ft shoreline setback required by the 2002 SMA permit for an Ag subdivision.** Commitment to Parks and Open Space and a much wider shoreline setback are needed as mitigations for the tsunami hazard, erosion, flooding, burials and cultural sites all found in the makai lands.

3. “Will the existing Honoapiilani Hwy through Olowalu be left in place as a secondary access road and will access to Awalua surf spot be inhibited?”

Clarification: The language in the FEIS is very vague, non-committal and inconsistent on this topic. The Applicant's response says the existing road will be "retained" and "open to the public." Of course it will be open to the public- it is a state highway and an historic road.

- The FEIS and the applicant's response does not specify clearly if the **entire road will be retained** for through vehicle use as it is presently, or if only a portion will be retained and connected to the new Olowalu Town internal street system? (which the FEIS seems to imply)
- While the response indicates that the road decision is for the state to make, It really appears that this project can't proceed unless it has a new bigger road and that road needs to connect to the existing road. The FEIS does not make this clear.
- New highway alignment will cut off the current easy access to Awalua surf spot. Future access to this popular area may be much more difficult and parking may be limited. The FEIS needs to discuss these very real impacts but it did not. It owns all the land surrounding the existing highway and therefore has a great degree of freedom to seek solutions. FEIS cannot assume or pretend they will all be worked out later during coastal review. Impacts are supposed to be discussed at the earliest practicable point in the project.

Conclusion: Commissioners should be told- will the existing Honoapiilani Hwy continue to be a through road for vehicles after the relocated highway is built, or is the Olowalu Town plan intrinsically based upon the south and north ends of the road being closed to vehicles? If this is the case, there will be impacts to Awalua beach access and the FEIS is not complete if they are not discussed.

4. "Was retention of 100% of pre and post construction runoff promised to Planning Commission?"

Clarification: Yes, this statement was made to the Planning Commission. Now we understand it to be "redefined" to mean 100% of post-construction runoff (required by law of every development) and 10% of pre-construction runoff.

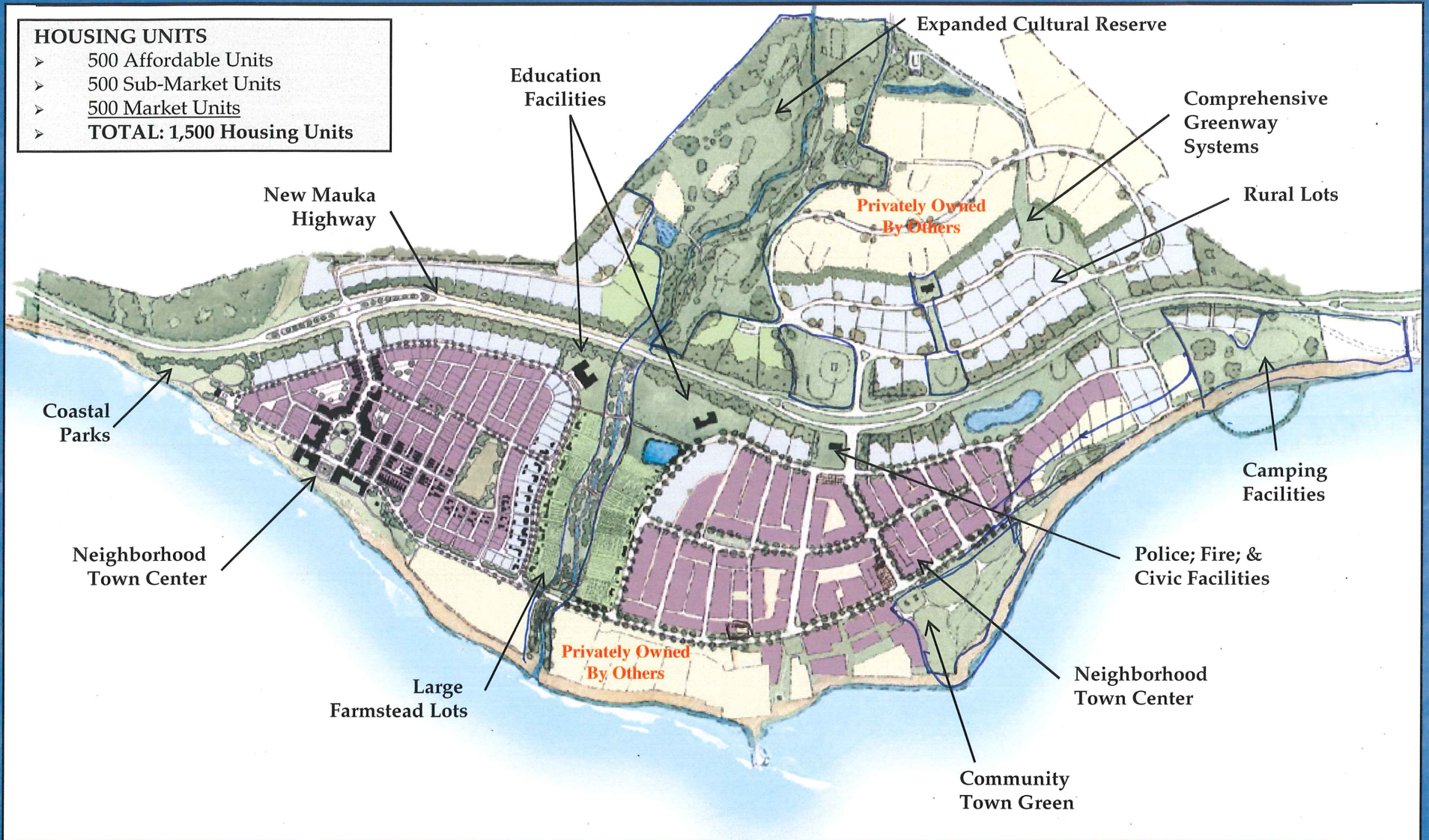
- What does this really mean? The total pre-construction stormwater flows are estimated in the Preliminary Engineering Report to be 322 acre ft from a 24hr/ 100 year storm.
- The entire stormwater retention system proposed for Olowalu has a capacity of 105 acre ft. Around 32 acre ft of that is for current runoff (10%). The rest (73 acre ft) is for post construction runoff.
- Applicant's response does not remind Commissioners that the project area is currently a 41-lot Agricultural subdivision that promised in its 2000 Environmental Assessment there would be no drainage impacts from that subdivision. Retention basins, coastal plantings, spacious greenways and minimal grading work were all promised as mitigations. These have not happened.

Conclusion: **What Olowalu Town promised the Planning Commission would have needed a retention capacity of 395 acre ft, not 105 acre feet.** The difference is very significant and the FEIS is incomplete if these impacts are not realistically addressed

OLOWALU TOWN - A Traditional Community For Maui's Families

HOUSING UNITS

- › 500 Affordable Units
- › 500 Sub-Market Units
- › 500 Market Units
- › **TOTAL: 1,500 Housing Units**



TDR
Makila
Area 3





Re: EIS Olowalu Town
 Peter Martin
 to:
 Donna Poseley
 12/06/2015 11:59 AM
 Cc:
 "luc@dbedt.hawaii.gov"
 Hide Details
 From: Peter Martin <Peter@westmauland.com>
 To: Donna Poseley <donnaposeley@gmail.com>
 Cc: "luc@dbedt.hawaii.gov" <luc@dbedt.hawaii.gov>

Thank you Donna
 Aristotle said courage is the most important virtue for without courage the other cities are useless

Pete

Sent from my iPhone

On Dec 6, 2015, at 10:43 AM, Donna Poseley <donnaposeley@gmail.com> wrote:

This is a rebuttal regarding the following testimony of Linda Nahina 11/18/15:

THE WITNESS: My name is Linda Nahina

Magalians and I live in Lahaina. Did you guys ever ask that question to these guys, what you asked me, if they telling the truth?

CHAIRPERSON ACZON: They were sworn in. THE WITNESS: Just checking.

First of all I am a lineal descendant of Olowalu and there's many of us. I'm first of all against the EIS, even though I was a part of the EIS, but there is stuff in there that I shared, but it's not in there.

First of all, the impact that going to cause and this happened to me. On 11/11/11 I remarried, my second marriage. I had ask

Donna, whoever works for them, told me I couldn't, and that she was going to call the police on me. So because I didn't want that to happen in my wedding, I walked away from that upset, sad because I am a lineal descendant.

I lived in Olowalu. Was a juice stand there right now. That's where I was partly raised. My kupunas buried on the top of Pu'u Kelia (phonetic). That place is so sacred that if you walk that area, walk in the valley, you going feel all that.

So now to be told, no, that I cannot use the public access for 15 minutes for my wedding, how this going impact the rest of the people in the future? It doesn't even state that in there, nothing about parking lot, access to the area, and the culture reserve. What is that reserved for? For who? Not for our people. You go check the culture reserve, all the Filipinos leasing the property for their own good. Not for us Hawaiians, not for the lineal descendants from there.

And this town impacting the heart of Olowalu. I sorry, you kupunas. Whatever you decide, that's your choice, auntie, you know that. I never down you guys, but if you like this project, why don't we move them by your side? Yeah, move them to that side, because they're the only one who live in Olowalu that wants it. I sorry I got to talk like that.

But I'm angry, very angry, because I'm also on the committee of the Ahu Moku. I handle the cultural aspect part of it, not cultural, iwi kupunas. When they find iwi kupunas in Olowalu, who they call? Me, Linda Nahina Magalians. Remember that name.

And I got called out there three times already. Once because one worker found an iwi that they also told them about it, and they told him go to go throw away. What he did, he put it in the tree so he could find it next day. He got fired, but he brought it to us.

December 4, 2015

Dear Land Use Commission,

This is a rebuttal in reference to the testimony from Linda Nahina from 11/18/15.

My name is Donna Poseley and I have been the Property Manager for the Olowalu Plantation House, the old Managers House, since its introduction as a special event property in 1999.

Linda did come to Olowalu Elua Associates and asked if she could have her wedding at the wharf, on 11/11/11 at 4pm. The wharf is OEA's property which has been gifted for public use and has posted signs for its intent and use.

Linda wanted to have her wedding ceremony at exactly the same time, the Olowalu Plantation House wedding was scheduled. This wedding had been paid for and planned for well over a year. I contacted our bride and groom and asked if they could change their ceremony time to accommodate Linda, explaining that she was from Olowalu and this land was very special to her. They were very understanding and gracious and tried to change their time to 4:30 as their ceremony would be facing the wharf. Unfortunately, since this was such a popular day, 11/11/11, the Officiant, was unable to adjust his schedule.

I explained this to Linda and told her she could have her ceremony anytime that day before 3:00pm. Understanding that even though the ceremony itself may only take 15 minutes, it requires time for guest arrival, set-up and photos. I didn't feel it was fair for her or the long planned, paid wedding to have conflicting ceremonies going on. We offered Linda to use the wharf for her ceremony another day, along with the use of the Plantation House for her reception at no charge. Since she was set on that date and that was not an option, I personally showed her alternative private OEA oceanfront areas in which to have her ceremony, again at no cost.

To read her testimony after all we tried to do to accommodate her is disturbing. For her to say that I would call the police is simply not true. I really felt like I went out of my way to try to make it work for her. It is unfortunate that her memory is only of anger. I feel confident that under oath she'd have to admit to what I've stated as the truth.

I'm sure most of our fellow Mauian's would attest that Olowalu Elua Associates has been very generous with the use of their properties and have hosted many local weddings, fundraisers, retirement parties, anniversaries and memorial services. When OEA first purchased the property in 1998, it was the owners wishes to keep the Plantation House for community use and not as a personal estate. If requested, I feel we could get many people to write letters stating OEA's generosity and commitment to the public as well as their personal connection to Olowalu Village.

**Aloha,
 Donna Poseley
 Property Manager, Olowalu Plantation House**



DKT. NO. A10-786
 via
 to:
 luc
 12/05/2015 12:34 PM
 Hide Details
 From: <vie@maui.net>
 To: <luc@dbedt.hawaii.gov>

Raymond J Hutaff
 53 Maukanani Rd
 Kula, Maui 96790

December 5, 2015

Land Use Commission
 PO Box 2359
 Honolulu, HI 96804
 Fax: 808 587-3827
 E-mail: luc@dbedt.hawaii.gov

Re: Testimony IN FAVOR of Final Environmental Impact Statement
 Olowalu Town Master Plan (DKT. NO. A10-786)

Dear Land Use Commissioners,

I am writing to provide my support for the approval of the Final Environmental Impact Statement for the Olowalu Town Master Plan; DKT. NO. A10-786.

When I served as Chair of the Maui County Resources Commission, this came before us. I was very impressed on how they had thought this through. I remember many of the commissioners had similar feelings. Unlike the developments, before them, on Maui, this Plan addresses all the concerns that caused much distrust now as a result of past development.

It is important that this Plan be approved and acts as a model for the Future Developments that WILL occur.

The lands within Olowalu are currently subdivided into 21 large agricultural lots. These lots are generally 15-25 acres in size. Each of these lots is allowed a main dwelling and an ohana dwelling. If sold to private individuals, these individual lots may be fenced and gated for private use. The ability to obtain a new mauka highway location will be much more difficult and expensive with a variety of owners along the corridor.

The continued and future agricultural uses of these lands will maintain the existing storm water systems. These systems channel storm water underneath the existing highway directly into the ocean (see attached photo of culverts). Additionally, the highway location adjacent to the shoreline drains petrochemicals and other toxins from traffic directly into the near shore waters.

I don't believe that any other method of developing the Land can insure our road ways will be improved, our traffic issue addressed and our responsibility to our ocean way of life will be addressed.

With the Olowalu Town Master Plan comes a way to create a community for Maui's families to live, work, and play. In conjunction with this community, significant drainage improvements will be

installed to protect the marine environment.

Please approve the Olowalu Town Final Environmental Impact Statement.

Sincerely,

Raymond J Hutaff



DKT. NO. A10-786.
via
to:
luc
12/05/2015 12:07 PM
Hide Details
From: <vie@maui.net>
To: <luc@dbedt.hawaii.gov>

Raymond J Hutaff
53 Maukanani Rd
Kula, Maui 96790

December 5, 2015, 2015

Land Use Commission
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It is important that this Plan be approved and acts as a model for the Future Developments that WILL occur.

For 100+ years, sugar cane was grown and harvested on the lands within Olowalu. For the last 50+ years, the sugar cane crop was burned and harvested with mechanical equipment. The crop included the majority of the Olowalu lands including the areas makai of the existing highway. The rotation of the crop was every two years so all of the fields were cycled through every other year. Each harvest included roughly 20 acres so the 600+ acres in Olowalu were regularly in some form of harvest.

Over time, the fields installed agricultural practices to attempt to reduce sediment loading in near shore waters. In heavy rain events, the sediment came from existing planted fields and fields recently opened from a cane harvest. Additionally, dust occurred from harvesting of fields. I have taken pictures of the culverts from that past. These are what is leading the runoff on to our reefs, we need to stop this right away. This Plan will do that, doing nothing will only continue to cause more harm to our reefs

Both construction Best Management Practices (BMPs) and Low Impact Development (LID) standards as described in the Final Environmental Impact Statement will reduce sediment on near shore waters compared to previous agricultural practices during sugar cane years.

Given the history of Olowalu with limited agricultural drainage practices, it is logical that there will be a reduction in sediment in conjunction with installing modern drainage practices. The reef is in its current form in spite of these agricultural practices; the reef will be further protected with installation of modern drainage facilities.

Sincerely,

Raymond J Hutaff

**Warren S. Shibuya
35 Kulamanu Circle
Kula, HI 96790**

**Land Use Commission
PO Box 2359
Honolulu, HI 96804**



Warren S. Shibuya
35 Kulamanu Circle
Kula Maui, HI 96790
December 5, 2015

Land Use Commission
PO Box 2359
Honolulu, HI 96804 E-mail: luc@dbedt.hawaii.gov

Subject: Testimony FAVORING FEIS for Olowalu Town Master Plan (DKT. NO. A10-786)

Aloha Honorable State Land Use Commissioners,

I ask for your acceptance of proposed use of Olowalu land, which was once productive Pioneer Mill sugar cane fields and unique piles of rocks.

I was Maui Planning Commissioner and Maui General Plan Advisory Board member who earlier thoroughly reviewed, did on-site inspection, provided inputs, and approved Master Plan, EIS and FEIS for Olowalu Town Master Plan DKT No. A10-786.

Maui developer has vision, has will to properly implement project developing and technical skills doing and sustaining "*Pono*" for "*Aina*," people and neighboring communities. I fully support Maui-born developer's Olowalu Town Master Plan.

Developer and families grew up with respectful aloha with me and my family members. They would never shame me or my family by messing-up now or ever! No threat, "*I would be first Uncle in their faces, if they mess-up!*"

I support preserving and improving our *Aina* and coastal life. Proposed drainage mitigations reflect sound and acceptable Best Management Practices and Low Impact Development standards. Sediment catchment basin near Honoapíilani Highway would contain, filter and percolate before waters drain through State Highways provided conduits. County must do due diligence clearing sand build-up along shoreline for draining storm waters into ocean.

Testimony FAVORING FEIS for Olowalu Town Master Plan (DKT. NO. A10-786)

Mauka relocating Honoapíilani Highway provides for most efficient moving traffic between Lahaina and Maalaea. Proposed traffic mitigation is safer and helps new community maintain their unique sense of place.

Project is a start toward affordable, flexible housing alternatives on Maui. Collectively, this and other developments can reduce Maui County's severe housing short-falls. Application of flexible zoning responsibly addresses needs for apartments, multi-family units, live-work units, senior housing, and single family housing co-existing along the same street. Days of permitting "Gentlemen's Estates" are pau, due to finite and limited useable land areas.

The Olowalu Town Master Plan incorporates best available technologies transforming natural resources into sustaining energies, supporting opportunities of quality sustaining-living, while enhancing economic systems and improving natural and human living environments. Project reduces earlier Ag related soil erosion polluting immediate shoreline eco-systems.

I say, "Olowalu Town Master Plan deserves a chance to be implemented and succeed!"

Mahalo for your services, time and consideration.

Respectfully,

Warren S. Shibuya