

CHRIS
HART
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 7:59

June 18, 2014

Mr. Kyle K. Ginoza, P.E., Director
County of Maui, Department of Environmental Management
200 South High Street
Wailuku, HI 96793

Dear Mr. Ginoza:

RE: Comments on the Environmental Impact Statement Notice (EISPN)
for the Piilani Promenade, located in Kihei, Maui, Hawaii at
TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 24, 2013. The responses to your comments are as follows.

Wastewater Reclamation Division

Comment a. Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.

Response a. The Applicant acknowledges that the wastewater system capacity cannot be ensured until the issuance of the building permit.

Comment b. Provide discussion and calculations (sewer impact study) to substantiate that the existing wastewater system is adequate to serve this project.

Response b. The proposed project is estimated to generate 114,000 gallons of wastewater per day. It is anticipated that the Kihei Wastewater Reclamation Facility will have ample treatment capacity to accommodate the proposed project. Additionally during the building permit application review process, construction drawings and calculations for the project's wastewater system will be submitted to the WWRD for review.

Mr. Kyle K. Ginoza, P.E., Director
DEM Response Letter
Piilani Promenade DEIS
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Comment c. Wastewater contribution calculations are required before building permit is issued.

Response c. Wastewater contribution calculations will be submitted to the WWRD for their review as part of the building permit application review process.

Comment d. Developer shall pay assessment fees for treatment plant expansion costs in accordance with ordinance setting forth such fees. The property is located in Kihei Sewer Service Area 3.

Response d. The assessment fee for treatment plant expansion costs will be submitted in accordance with Chapter 14.34, Maui County Code (MCC) pertaining to Wastewater Assessment Fees for Facility Expansion and the Collection/Transmission System Upgrade for the Kihei Regional Wastewater Treatment System.

Comment e. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.

Response e. The Applicant is the developer and will fund any necessary off-site improvements to collection system and wastewater pump stations pursuant to Chapter 14.34, MCC.

Comment f. Show or list minimum slope of new sewer laterals.

Response f. The minimum slope of all new sewer laterals will be shown on the construction drawings that are submitted as part of the building permit application review process.

Comment g. Plans should show the installation of a single service lateral and advanced riser for each lot. Any request for waiver of this requirement shall be made submitted in writing for approval by WWRD.

Response g. Single service laterals and advanced risers for each of the developable lots shall be shown on the construction drawings. The Applicant also understands that any waiver from this requirement must be made in writing and is subject to WWRD approval.

Mr. Kyle K. Ginoza, P.E., Director
DEM Response Letter
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Comment h. Property sewer service manholes will be required near the property line for all commercial projects at the time of building permit application.

Response h. For commercial projects, the Applicant acknowledges that sewer service manholes are required near the property line at the time the building permit applications are submitted.

Comment i. Indicate on the plans of ownership of each easement (in favor of which party). Note: County will not accept sewer easements that traverse private property.

Response i. The ownership of each easement shall be shown on the construction drawings. In addition, the Applicant acknowledges that the County will not accept sewer easements that traverse private property.

Comment j. Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.).

Response j. Should any commercial kitchen facilities be developed with the project area, commercial kitchen users must comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.).

Comment k. Non-contact cooling water and condensate should not drain to the wastewater system.

Response k. The Applicant acknowledges that non-contact cooling water and condensate cannot drain into the wastewater system.

Comment l. Provide an estimation of how much wastewater (gpd) will be generated from the development of the lots of the subject subdivision.

Response l. The Draft EIS includes a Preliminary Engineering Report (PER) which estimates the daily wastewater flow that the proposed project is expected to generate is 114,000 gpd.

Comment m. Provide information on the proposed wastewater system improvements and how the wastewater from the subject subdivision will be discharged.

Mr. Kyle K. Ginoza, P.E., Director
DEM Response Letter
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Response m. The PER will include information about how the wastewater system for the proposed project will connect to the County sewer system for conveyance to the Kihei Wastewater Reclamation Facility. The proposed development will connect to the existing County sewerage system at a point approximately 1,400 feet west of project site at the intersection of Kaonoulu and Alulike Streets, makai of Piilani Highway, where the County's sewer system has sufficient capacity to accept the wastewater generated by the project. A 2,600 ft. long gravity sewer mainline consisting of 8 and 10-inch diameter pipe will extend eastward along Kaonoulu Street and across Piilani Highway from this connection point to the Piilani Promenade project site.

Comment n. Provide a 20 foot easement along Piilani Highway for future sewer transmission line.

Response n. The Applicant met with the Department on May 6, 2014 to discuss the location of a wastewater pump station and easement. The Applicant is committed to working with the department to coordinate the ideal location to provide a 10,000 square foot lot for a future wastewater pump station.

Comment o. Provide 10,000 s.f. lot in the southwest corner of the development for future wastewater pump station.

Response o. As mentioned, the Applicant met with the Department on May 6, 2014 to discuss the location of a wastewater pump station and easement. The Applicant is committed to working with the department to coordinate the ideal location to provide a 10,000 square foot lot for a future wastewater pump station.

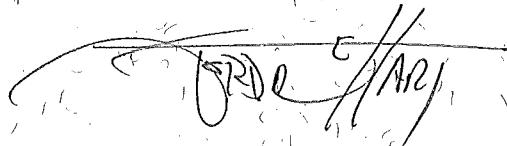
Comment p. Provide for sewer connection for future development of adjacent parcel TMK (2) 3-9-001:034.

Response p. The Applicant will provide a sewer connection for the future development of adjacent parcel TMK (2) 3-9-001:034.

Mr. Kyle K. Ginoza, P.E., Director
DEM Response Letter
Piliiani Promenade DEIS
June 18, 2014
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Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charles Jencks, Owner Representative
Mr. Daniel E. Orodenker, DBEDT-LUC ✓
Project File 13-029



Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 7:59

June 18, 2014

Mr. David Goode, Director
County of Maui, Department of Public Works
200 South High Street Room No 434
Wailuku, HI 96793

Dear Mr. Goode,

RE: Comments on the Environmental Impact Statement Notice (EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 15, 2013. The responses to your numbered comments are as follows.

Comment 1. The applicant shall be responsible for all required improvements as required by Hawaii Revised Statutes, Maui County Code and rules and regulations.

Response 1. The Applicant will provide all required improvements as required by the Hawaii Revised Statutes, the Maui County Code and all other applicable rules and regulations.

Comment 2. As applicable, construction plans shall be designed in conformance with Hawaii Standard Specifications for Road and Bridge Construction dated 2005 and Standard Details for Public Works Construction, 1984, as amended.

Response 2. The construction plans for the proposed project will be designed in accordance with the preceding standards and specifications as applicable.

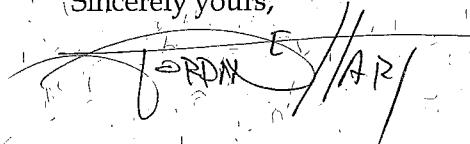
Mr. David C. Goode, Director
DPW Response Letter
Piilani Promenade DEIS
June 18, 2014
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Comment 3. As applicable, worksite traffic-control plans/devices shall conform to Manual on Uniform Traffic Control Devices for Streets and Highways, 2009.

Response 3. The Applicant will provide worksite traffic-control plans/devices that conform to the Manual on Uniform Traffic Control Devices for Streets and Highways, 2009.

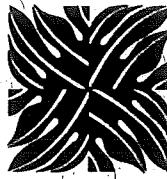
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "JORDAN E. HART".

Jordan E. Hart, President

CC: Mr. Charles Jencks, Owner Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029



CHRIS
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Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25-A 8:00

June 18, 2014

Mr. Glenn T. Correa, Director
County of Maui, Department of Parks & Recreation
700 Hālī'a Nakoa Street, Unit 2
Wailuku, HI 96793

Dear Mr. Correa,

RE: Comments on the Environmental Impact Statement Notice (EISPN)
for the Piilani Promenade, located in Kihei, Maui, Hawaii at
TMK's: (2) 3-9-001:016,170-174.

Thank you for your comment letter of October 21, 2013. In response to your comments, the Applicant will meet with the Parks Department to discuss how the parks and playgrounds assessment requirements for the proposed project can be satisfied in accordance with Section 18.16.320, Maui County Code.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmatui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

CC: Mr. Charles Jencks, Owner Representative
Mr. Daniel E. Orodener, DBEDT-LUC ✓
Project File 13-029



LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:00

Landscape Architecture
City & Regional Planning

June 18, 2014

Mr. Paul Haake, Captain
County of Maui,
Department of Fire and Public Safety
Fire Prevention Bureau
313 Manea Street
Wailuku, HI 96793

Dear Captain Haake,

RE: Comments on the Environmental Impact Statement Notice (EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii at TMK's: (2) 3-9-001:016,170-174.

Thank you for your Department's letter of September 30, 2013. The responses to your comments are as follows.

Comment 1. Water supply for fire protection and access roads for fire apparatus access shall meet the requirements for the designated land-use and shall be in place prior to approval of building permits.

Response 1. The Applicant will provide water supply for fire protection and the required access roads prior to approval of building permits.

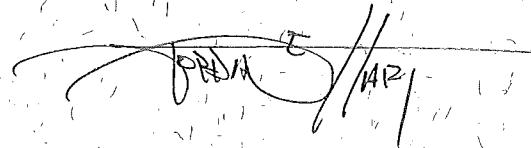
Comment 2. Our office reserves the right to comment on all proposed buildings for this project during the building permit review process when fire department access, water supply for fire protection, and life safety requirements for each structure shall be addressed.

Response 2. The Applicant acknowledges that all buildings that are proposed for the project will be reviewed during the building permit review process to ensure that fire department access, water supply, and life safety requirements for each structure are addressed.

Mr. Paul Haake, Captain
Fire Prevention Bureau Response Letter
Piilani Promenade DEIS
June 18, 2014
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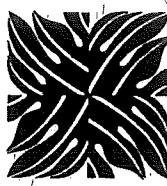
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

A handwritten signature consisting of the initials "JEH" enclosed in a circle, followed by the letters "AP" and a vertical line.

Jordan E. Hart, President

CC: Mr. Charles Jencks, Owner Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029



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Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Mr. Wayde T. Oshiro, Housing Administrator
County of Maui, Department of Housing and Human Concerns
35 Lunalilo St. Suite 102
Wailuku, HI 96793

Dear Mr. Oshiro,

RE: Comments on the Environmental Impact Statement Notice (EISP/N)
for the Pilani Promenade, located in Kihei, Maui, Hawaii at
TMK's: (2) 3-9-001:016,170-174.

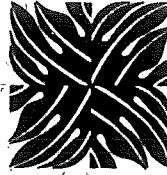
Thank you for your comment letter of September 24, 2013. The Applicant acknowledges that the proposed project is subject to Chapter 2.96, Maui County Code. As such, the Applicant will work with the Department of Housing and Human Concerns to coordinate and prepare a Residential Workforce Housing agreement for the project.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

CC: Mr. Charles Jencks, Owner Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029



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LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Mrs. JoAnne Johnson Winer, Director
County of Maui
Department of Transportation
200 South High Street
Wailuku, HI 96793-2155

Dear Mrs. Johnson Winer,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your comment letter of September 20, 2013 indicating that the department does not have any comments on the EISPN at this time.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Charles Jencks, Owner Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029



Landscape Architecture
City & Regional Planning

LAND USE OFFICE
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Mr. Dean H. Seki, State Comptroller
State of Hawaii
Department of Accounting and General Services
P.O. Box 119
Honolulu, HI 96810-0119

Dear Mr. Seki,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your comment letter of September 24, 2013 which indicates that the proposed project will not have any effect upon your Department's projects or facilities in the area and that you have no further comments to offer at this time.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodener, DBEDT-LUC
Project File 13-029



Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Mr. Alvin A. Takeshita, Highways Division
State of Hawaii, Dept. of Transportation
869 Punchbowl Street
Honolulu, HI 96813-5097

Dear Mr. Takeshita,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piliapi Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of February 26, 2014 indicating that your department will provide comments after review of the TIAR. The Applicant will provide two copies of the TIAR to the Highways Division, Planning Branch and one copy to the Maui District Office.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodenker, Executive Officer, DBEDT
Project File 13-029



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LAND USE COMMISSIONER
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Ms. Patti Kitkowski, District Environmental Health Program Chief
State of Hawaii
Department of Health, Maui District
54 High Street
Wailuku, HI 96793

Dear Ms. Kitkowski:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 15, 2013, the following responses to your numbered comments are provided.

Comment 1. National Pollutant Discharge Elimination System (NPDES) permit coverage maybe required for this project. The Clean Water Branch should be contacted at 808 586-4309.

Response 1. The Applicant is aware that a NPDES permit is required and will work with the Clean Water Branch to obtain permit coverage for construction-related activities.

Comment 2. Please provide more information on whether the wastewater generated will be discharged into the county sewer or private wastewater treatment plant. If you have any questions please contact Roland Tejano, Environmental Engineer, at 808 984-8232.

Response 2. The wastewater system for the proposed project will connect to the County Sewer system.

Comment 3. 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,

Ms. Patti Kitkowski, Chief
DOH, Maui District
Piliani Promenade DEIS
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"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.

Response 3. The development of the proposed project will comply with the applicable provisions of Chapter 11-46, Hawaii Revised Statutes, pertaining to "Community Noise Control".

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

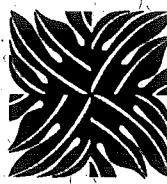
Unnumbered Comment Response. Copies of your letter, which included the website for the Department's Standard Comments have been furnished to the project team for their use during the detailed planning and design phase of the project.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmmaui.com, should you have any questions.

Sincerely yours,

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodener, DBEDT-LUC
Project File 13-029



**CHRIS
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Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Ms. Laura Leialoha Phillips McIntyre, AICP
Environmental Planning Office Manager
State of Hawaii, Dept. of Health
Environmental Planning Office
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Ms. Leialoha Phillips McIntyre:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

We acknowledge the receipt of your letter dated September 27, 2013 and are responding to your comments.

Copies of your letter, including the data sources for the Standard Comments of the Department of Health (DOH) and the strategies and principles for sustainable design, have been furnished to our project team for their use during the detailed planning and design phase of the project.

Besides your Office, we have received comment letters from the following DOH Branches:

1. Clean Water Branch (letter dated 9/26/13).
2. Safe Drinking Water Branch (letter dated 10/8/13).
3. Maui District Health Office (letter dated 10/15/13).
4. Wastewater Branch (letter dated 10/24/13).
5. Clean Air Branch (letter dated 11/13/13).

In addition to this original letter, a copy will be e-mailed to you at epo@doh.hawaii.gov.

Ms. Laura Leialoha Phillips McIntyre, AICP, Manager

DOH, EPO

Pilani Promenade DEIS

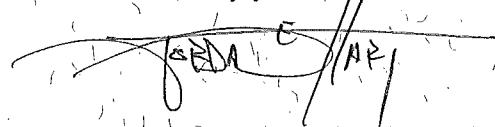
June 18, 2014

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In accordance with Chapter 11-200, Hawaii Administrative Rules pertaining to Environmental Impact Statement Rules, copies of all substantive comments and responses will be included in the Draft EIS, as well as a list of persons and/or agencies that have been consulted and had no comment.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

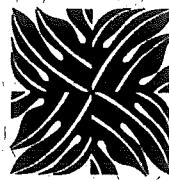
ENCLOSURES: (6)

1. DOH Maui District Health Office comment letter with response
2. DOH Clean Water Branch comment letter with response
3. DOH Safe Drinking Water Branch comment letter with response
4. DOH Wastewater Branch comment letter with response
5. DOH Clean Air Branch comment letter with response
6. DOH Wastewater Branch comment letter with response

CC: Mr. Charles Jencks, Ownership Representative

Mr. Daniel E. Orodenker, DBEDT-LUC

Project File 13-029



**CHRIS
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Landscape Architecture
City & Regional Planning

LAND USE COMMISSIONER
STATE OF HAWAII

2014 JUN 25 A 8:00

June 18, 2014

Ms. Joanna L. Seto, P.E., Chief
State of Hawaii, Dept. of Health
Safe Water Drinking Branch
Environmental Management Division
919 Ala Moana Blvd., Room 308
Honolulu, HI 96814 - 4920

Dear Ms. Seto,

**RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.**

Thank you for your letter of October 8, 2013 indicating that the Department has no comments.

Comment 1. This project may qualify as a public water system if the project has a master meter from the County of Maui, Department of Water Supply and then sells water to individual units. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, "Rules Relating to Public Water Systems."

Response 1. A Preliminary Engineering Report (PER) will be included in the Draft EIS. In addition to examining existing infrastructure systems in the project area, including the County water system, the PER will discuss the infrastructure system improvements that are proposed to be implemented for the project.

The Rules Relating to Public Water Systems are set forth in Chapter 11-20, Hawaii Administrative Rules (HAR) and encompasses applicability criteria, performance standards, and compliance measures for public water systems. The Applicant acknowledges that the water system for the proposed project may qualify as a public water system. Notwithstanding this, the proposed water system shall comply with the applicable provisions of Chapter 11-20, HAR.

Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piiilani Promenade EISPN
June 18, 2014
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should it be deemed a public water system by the Department of Health, Safe Drinking Water Branch (SDWB).

Comment 2. All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial and financial capacity to enable the system to comply with safe drinking water standards and requirements in accordance with HAR Section 11-20-29.5, "Capacity demonstration and evaluation."

Response 2. If the water system for the proposed project is determined to be a public water system by the SDWB, the Applicant will demonstrate that the water system will have sufficient technical, managerial and financial capability to enable the system to comply with safe drinking water standards and requirements in accordance with HAR Section 11-20-29.5, "Capacity Demonstration and Evaluation."

Comment 3. Projects that propose development of new sources of drinking water serving or proposed to serve a public water system must comply with the terms of HAR Section 11-20-29, "Use of new sources of raw water for public water systems." This section requires that all new public water system sources be approved by the Director of Health prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report which addresses the requirements set in HAR Section 11-20-29.

Response 3. The proposed project plans to connect to the existing County (public) water system. However, if a new source of drinking water becomes necessary, the Applicant will comply with Section 11-20-29, HAR "Use of New Sources of Raw Water for Public Water Systems." The Applicant is also aware that all new public water system sources must be approved by the Director of Health prior to its use.

Comment 4. The engineering report must identify all potential sources of contamination and evaluate alternative control measures which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water quality analyses for all regulated contaminants, performed by a laboratory certified by the State Laboratories Division of the State of Hawaii, must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.

Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
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Response 4. Pursuant to Section 11-20-29, HAR, the Applicant acknowledges that an engineering report must be submitted to the SDWB for anyone proposing to use a new, natural water source to supply a public water system. As set forth in Subsection 11-2-29(b)(5), all potential sources of contamination must be identified and control measures for reducing potential contamination must be evaluated. In addition, the Applicant understands that a water quality analysis for all regulated contaminants must be submitted to the SDWB to evidence compliance with all drinking water standards.

Comment 5. All sources of public water systems must undergo a source water assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the source of drinking water.

Response 5. The Applicant acknowledges that all public water system sources are subject to a source water assessment which will delineate a water source protection area.

Comment 6. Projects proposing to develop new public water systems or proposing substantial modifications to existing public water systems must receive approval by the Director of Health prior to construction of the proposed system or modification in accordance with HAR Section 11-20-30, "New and modified public water systems." These projects include treatment, storage and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.

Response 6. The Applicant understands that any new public water system must be approved by the Director of Health before construction can commence pursuant to Section 11-20-30, HAR pertaining to "New and Modified Public Water Systems".

Comment 7. All public water systems must be operated by certified distribution system and water treatment plant operators as defined by Hawaii Administrative Rules, Title 11, Chapter 25, "Rules Relating to Certification of Public Water System Operators."

Response 7. If deemed a public water system by the SDWB, the water system for the proposed project will be operated by qualified personnel in accordance with Title 11, Chapter 5, HAR entitled "Rules Relating to Certification of Public Water System Operators".

Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
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Comment 8. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing drinking water system to meet irrigation or other needs must be carefully designed and operated to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the drinking water system. The two systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the drinking water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 21, "Cross-Connection and Backflow Control" is also required.

Response 8. The Applicant understands that separate drinking water and non-potable systems need to be carefully designed and operated to prevent any cross-connections and potential backflow and that the dual system must be clearly labeled and physically separated to avoid drinking water contamination. The design and operation of this dual water system must comply with the provisions of Title 11, Chapter 21, entitled "Cross-connection and Backflow Control".

Comment 9. All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawaii Source Water Assessment Plan) within the source water protection area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.

Response 9. The Applicant acknowledges that all projects within a water source protection area that propose a potentially contaminating activity could affect an existing water source for a public water supply and that appropriate measures will need to be undertaken to prevent or reduce the potential for contamination of the drinking water source.

Comment 10. For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact the SDWB at (808) 586-4258.

Response 10. Copies of the SDWB comment letter and contact information have been provided to the Applicant and the appropriate project consultants for their use if additional information is needed.

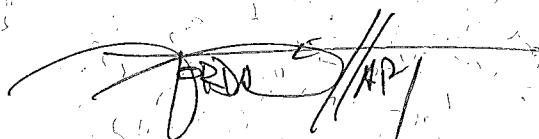
Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 5 of 5

Comment 11. If you plan to construct a new drainage injection well, or to operate an existing drainage injection well, you are first required to obtain written authorization from the Department of Health's Underground Injection Control (UIC) program. Written authorization is given either by an authorization letter or by a UIC permit, both of which represent the Department's approval to construct or to operate an injection well. Without written authorization, constructing or operating an injection well is a Chapter 23 violation. A Chapter 23 violation may result in a penalty and corrective action.

Response 11. The Applicant is not proposing to construct an injection well or operate an existing injection well as part of the proposed project.

Thank you for participating in the environmental review process. Please feel free to call Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodener, Executive Officer, DBEDT
Project File 13-029



Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Mr. Alec Wong, P.E., Chief
State of Hawaii, Dept. of Health
Clean Water Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Wong:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of September 26, 2013 and for a copy of the letter dated October 9, 2013. We have provided the following responses to your numbered comments.

Comment 1. Any project and its potential impacts to State waters must meet the following criteria: a. Antidegradation policy (HAR, Section 11-54-1 I), 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 1-54-4 through 11-54-8).

Response 1. The proposed project will comply with the applicable provisions of Chapter 11-54, Hawaii Administrative Rules (HAR) entitled Water Quality Standards and Chapter 11-55, HAR titled Water Pollution Control.

The proposed project will also be developed in accordance with the standards set forth by:

- a. Section 11-54-1.1, HAR (General Policy of Water Quality Anti-degradation).
- b. Section 11-54-3, HAR (Classification of Water Uses).

Mr. Alec Wong, P.E., Chief
DOH,CMB
Piiilani Promenade DEIS
June 18, 2014
Page 2 of 3

- c. The water quality criteria set forth in Sections 11-54-4 through 11-54-8, HAR.

Comment 2. You may be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the CWB Individual NPDES Form through the e-Permitting Portal and the hard copy certification statement with \$1,000 filing fee. Please open the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermView/home.aspx>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the "CWB Individual NPDES Form." Follow the instructions to complete and submit this form.

Response 2. The Applicant acknowledges that a National Pollutant Discharge Elimination System (NPDES) is required for discharges into Class A or Class 2 State waters.

- a. Prior to the commencement of construction, an application for an NPDES permit for storm water associated with construction activities will be submitted to the Clean Water Branch (CWB) for review and approval.
- b. No dewatering activities are anticipated at this time. However, if such work is required, an application for a NPDES permit for dewatering activities will be submitted to the CWB for review and approval.
- c. If necessary, an application for an NPDES permit for hydro-testing water effluent will be submitted to the CWB for review and approval.
- d. An application for an NPDES permit for storm water associated with industrial activity will be submitted to the CWB for review and approval as required.

Comment 3. If your project involves work in, over, or under waters of the United States, it is highly recommend that you 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 "[any 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

Mr. Alec Wong, P.E., Chief

DOH,CMB

Piilani Promenade DEIS

June 18, 2014

Page 3 of 3

"discharge" is defined in CWA, Subsections 502(16), 502(l2), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

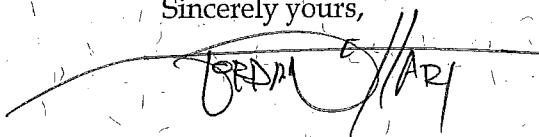
Response 3. The U.S. Army Corps of Engineers was provided with a copy of the EISPN as part of the consultation process for the preparation of the Draft EIS.

Comment 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.

Response 4. Notwithstanding other permit requirements, the Applicant understands that all project-related discharges must comply with the State's Water Quality Standards as set forth in Chapter 11-54, HAR.

Thank you participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

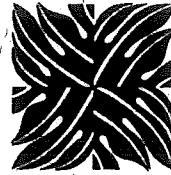
A handwritten signature in black ink, appearing to read "JORDAN E. HART". The signature is fluid and cursive, with "JORDAN" on top, "E." in the middle, and "HART" on the bottom right.

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative

Mr. Daniel E. Orodenker, DBEDT-LUC

Project File 13-029



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

LAND USE COMMISSIONER
STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Mr. Nolan S. Hirai, Acting Manager
State of Hawaii, Dept. of Health
Clean Air Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Hirai,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your comment letter of November 13, 2013. Please be assured that the proposed project will comply with the applicable provisions of Chapter 60.1, Hawaii Administrative Rules pertaining to Air Pollution Control and that dust control measures will be implemented during construction as required by Section 11-60.1-33, HAR (Fugitive Dust).

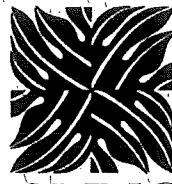
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodenker, Executive Officer, DBEDT
Project File 13-029



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Landscape Architecture
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LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Mr. Sina Pruder, P.E., Chief
State of Hawaii, Dept. of Health
Wastewater Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Pruder,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 24, 2013. In responding to your comments on the EISPN, we would like to note the following:

The Draft EIS will include a Preliminary Engineering Report which will examine the existing County wastewater system serving the project area and discuss proposed sewer system improvements which would provide for the collection and disposal of wastewater generated by the proposed project.

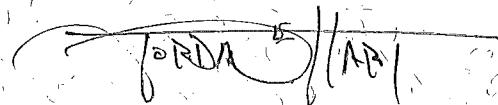
R-1 effluent, a by-product of the Kihei Wastewater Treatment Facility, is used for irrigation purposes by various users in the Kihei area that have access to this reclaimed water.

The existing R-1 network consists of a 1.0 million gallon storage reservoir and distribution lines that convey the reclaimed water to the Ellair Golf Club, Kalama Park, and along the North-South Collector Road alignment to Pi'ikea Street. Provisions for future R-1 connectivity will be examined during the detailed planning and design phase of the proposed project.

Mr. Sina Pruder, P.E. Chief
Dept. of Health
Wastewater Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 2 of 2

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodener, Executive Officer, DBEDT
Project File 13-029



Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Mr. William M. Tam, Deputy Director
State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
PO Box 621
Honolulu, HI 96809

Dear Mr. Tam:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 22, 2013, our responses to your numerated comments are provided below.

Comment 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.

Response 1. Copies of the Draft EIS will be furnished to the Maui Planning Department and Maui Department of Water Supply (DWS) so that information about the proposed project can be incorporated into the County's Water Use and Development Plan.

Comment 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense/>.

Response 4. The Applicant has reviewed the EPA website and will implement water efficient practices wherever possible to reduce the demand on water resources as a result of the proposed project.

Comment 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://hawaii.gov/dbedt/czmi/initiative/lid.php>.

Response 5. Best Management Practices prepared in accordance with Maui County Code, Chapter 20.08 (*Soil Erosion and Sedimentation Control*) will be submitted to the Maui Department of Public Works for review and approval prior to the issuance of grubbing and grading permits. In addition, since site work for the project will exceed one acre, a National Pollutant Discharge Elimination System Permit will be obtained from the Hawaii Department of Health's Clean Water Branch for the discharge of storm water associated with construction activities.

Comment 6. We recommend the use of alternative water sources, wherever practicable.

Response 6. Alternative water sources will be considered for use to the extent that they are available and practicable.

Comment 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/programs/achieving-efficiency/green-business-program>.

Response 7. The Applicant has reviewed the Hawaii Green Business Program and is considering participation in the program.

Comment 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://landscapehawaii.org/library/documents/lich_irrigation_conservation_bmps.pdf

Response 8. The proposed project will include a water and energy efficient landscaping irrigation system designed to conserve water.

Mr. William M. Tam, D. Director
DLNR, CWRM Response Letter
Piilani Promenade DEIS
June 18, 2014
Page 3 of 3

Other Comment 1. *The project expects water service from Maui County Department of Water Supply (MDWS). Whose potable water sources are in water management areas with limited supply. While MDWS allocations are near the limit of sustainable yield, MDWS has extended service through its conservation savings. Alternative sources are highly recommended.*

Other Comment Response 1. The Applicant is open to exploring alternative water sources based on availability and feasibility. However, preliminary meetings with the Department of Water Supply have determined that the proposed project will connect to the existing County water system.

Thank you again, for providing us with your letter. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodenker, DBEDT-LUC ✓
Project File 13-029



LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:01

Landscape Architecture
City & Regional Planning

June 18, 2014

Mr. Kenneth G. Masden II, Public Works Manager
Planning Section
State of Hawaii, Department of Education
P.O. Box 2360
Honolulu, HI 96804

Dear Mr. Masden,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 23, 2013. In responding to your comments on the EISPN, we would like to note the following.

The Applicant acknowledges that there has not been discussion with the DOE on the proposed project. The Applicant is still designing the residential component of the project and will coordinate with DOE in the near future. The Applicant will enter into an agreement with the Department of Education (DOE) before the issuance of building permits, subdivision approval.

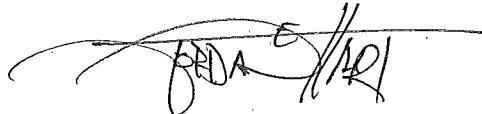
The EISPN mistakenly referenced Section 302A-1603(b) and we concur that the project does not qualify as exempt.

The Piilani Promenade project site contains land located within both the Makawao and Wailuku Judicial Districts. The District line bisects the project site diagonally. The residential component of the project will be located on lands in both the Wailuku and Makawao Districts. The Applicant will provide a detailed list of the number and size of the units as the site plan is refined and prior to an agreement with the DOE.

Mr. Kenneth G. Masden, II Public Works Manager
Planning Section
Dept. of Education
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 2 of 2

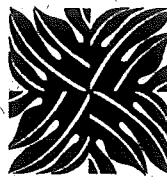
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager ✓
Mr. Daniel D. Orodener, Executive Officer, DBEDT ✓
Project File 13-029



CHRIS
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& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

LANDSCAPE ARCHITECTURE
STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Mr. Carty S. Chang, Chief Engineer

State of Hawaii

Department of Land and Natural Resources

Engineering Division

P.O. Box 621

Honolulu, HI 96809

Dear Mr. Chang,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2)3-9-001:016,170-174.

Thank you for your letter of October 23, 2013 which transmitted the comments of the Department's Engineering Division. As indicated by their comments, the Project Site is located in flood Zone D (areas of undetermined flood hazard where flooding is possible) and flood Zone X (areas determined to be outside the 0.2 percent annual chance floodplain). It was also noted that the National Flood Insurance Program does not have any regulations for developments within flood Zones D and X.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029



Landscape Architecture
City & Regional Planning

LAND USE COMMISSION
STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Mr. Russell Y. Tsuji, Land Administrator
State of Hawaii
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, HI 96809

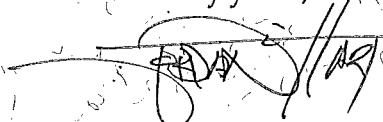
Dear Mr. Tsuji,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 22, 2013 which notes that the Land Division has provided copies of the EISPN to various Divisions within the Department for their review and comment.

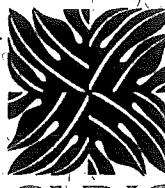
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029



CHRIS
HART
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

STATE OF HAWAII

2014 JUN 25 A 8:01

June 18, 2014

Ms. Laura Leialoha Phillips McIntyre, AICP
Environmental Planning Office Manager
State of Hawaii, Dept. of Health
Environmental Planning Office
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Ms. Leialoha Phillips McIntyre:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

We acknowledge the receipt of your letter dated September 27, 2013 and are responding to your comments.

Copies of your letter, including the data sources for the Standard Comments of the Department of Health (DOH) and the strategies and principles for sustainable design, have been furnished to our project team for their use during the detailed planning and design phase of the project.

Besides your Office, we have received comment letters from the following DOH Branches:

1. Clean Water Branch (letter dated 9/26/13).
2. Safe Drinking Water Branch (letter dated 10/8/13).
3. Maui District Health Office (letter dated 10/15/13).
4. Wastewater Branch (letter dated 10/24/13).
5. Clean Air Branch (letter dated 11/13/13).

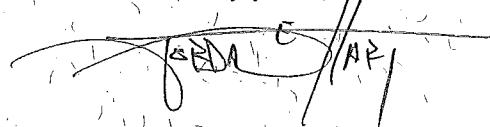
In addition to this original letter, a copy will be e-mailed to you at epo@doh.hawaii.gov.

Ms. Laura Leialoha Phillips McIntyre, AICP, Manager
DOH, EPO
Piilani Promenade DEIS
June 18, 2014
Page 2 of 2

In accordance with Chapter 11-200, Hawaii Administrative Rules pertaining to Environmental Impact Statement Rules, copies of all substantive comments and responses will be included in the Draft EIS, as well as a list of persons and/or agencies that have been consulted and had no comment.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

ENCLOSURES: (6)

1. DOH Maui District Health Office comment letter with response
2. DOH Clean Water Branch comment letter with response
3. DOH Safe Drinking Water Branch comment letter with response
4. DOH Wastewater Branch comment letter with response
5. DOH Clean Air Branch comment letter with response
6. DOH Wastewater Branch comment letter with response

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., 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, HAWAII 96793
October 15, 2013

RECEIVED

OCT 17 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
*CC: Jordan, Brett &
Glenn*

Mr. Jordon E. Hart
President
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawai'i 96793

136029

Dear Mr. Hart:

**Subject: Environmental Assessment/Environmental Impact Statement
Preparation Notice (EISPN) for Piilani Promenade
TMK: (2) 3-9-001:016, 170-174**

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 maybe required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. Please provide more information on whether the wastewater generated will be discharged into the county sewer or private wastewater treatment plant. If you have any questions, please call Roland Tejano, Environmental Engineer, at 808 984-8232.
3. 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.

Mr. Jordon E. Hart
October 15, 2013
Page 2

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 black ink, appearing to read "Patti Kitkowski".

Patti Kitkowski
District Environmental Health Program Chief

c: EPO



June 18, 2014

Ms. Patti Kitkowski, District Environmental Health Program Chief
State of Hawaii
Department of Health, Maui District
54 High Street
Wailuku, HI 96793

Dear Ms. Kitkowski:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 15, 2013, the following responses to your numerated comments are provided.

Comment 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.

Response 1. The Applicant is aware that a NPDES permit is required and will work with the Clean Water Branch to obtain permit coverage for construction-related activities.

Comment 2. Please provide more information on whether the wastewater generated will be discharged into the county sewer or private wastewater treatment plant. If you have any questions please contact Roland Tejano, Environmental Engineer, at 808 984-8232.

Response 2. The wastewater system for the proposed project will connect to the County Sewer system.

Comment 3. 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,

Ms. Patti Kitkowski, Chief
DOH, Maui District
Piilani Promenade DEIS
June 18, 2014
Page 2 of 2

"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.

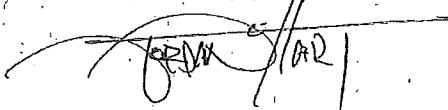
Response 3. The development of the proposed project will comply with the applicable provisions of Chapter 11-46, Hawaii Revised Statutes, pertaining to "Community Noise Control".

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

Unnumbered Comment Response. Copies of your letter, which included the website for the Department's Standard Comments have been furnished to the project team for their use during the detailed planning and design phase of the project.

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodenker, DBEDT-LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
SAFE DRINKING WATER BRANCH
919 ALA MOANA BLVD., ROOM 308
HONOLULU, HI 96814-4920

In reply, please refer to:
File: SDWB
PilianiPromenade01.docx

October 8, 2013

RECEIVED

OCT 11 2013

Mr. Jordan E. Hart, President
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793-1717

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

Cc: Jordan, Glenn
Brett

Dear Mr. Hart:

13/02a

SUBJECT: PI'ILANI PROMENADE ENVIRONMENTAL ASSESSMENT
ENVIRONMENTAL IMPACT STATEMENT PREPARATION NOTICE
(EISP), MAUI, TMK: (2) 3-9-001:016, 170-174

The Safe Drinking Water Branch (SDWB) has reviewed the subject document and has the following comments:

1. This project may qualify as a public water system if the project has a master meter from the County of Maui, Department of Water Supply and then sells water to individual units. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, "Rules Relating to Public Water Systems."
2. All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial and financial capacity to enable the system to comply with safe drinking water standards and requirements in accordance with HAR Section 11-20-29.5, "Capacity demonstration and evaluation."
3. Projects that propose development of new sources of drinking water serving or proposed to serve a public water system must comply with the terms of HAR Section 11-20-29, "Use of new sources of raw water for public water systems." This section requires that all new public water system sources be approved by the Director of Health prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report which addresses the requirements set in HAR Section 11-20-29.

Mr. Jordan E. Hart
October 8, 2013
Page 2

4. The engineering report must identify all potential sources of contamination and evaluate alternative control measures which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water quality analyses for all regulated contaminants, performed by a laboratory certified by the State Laboratories Division of the State of Hawaii, must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.
5. All sources of public water systems must undergo a source water assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the source of drinking water.
6. Projects proposing to develop new public water systems or proposing substantial modifications to existing public water systems must receive approval by the Director of Health prior to construction of the proposed system or modification in accordance with HAR Section 11-20-30, "New and modified public water systems." These projects include treatment, storage and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.
7. All public water systems must be operated by certified distribution system and water treatment plant operators as defined by Hawaii Administrative Rules, Title 11, Chapter 25, "Rules Relating to Certification of Public Water System Operators."
8. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing drinking water system to meet irrigation or other needs must be carefully designed and operated to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the drinking water system. The two systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the drinking water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 21, "Cross-Connection and Backflow Control" is also required.

Mr. Jordan E. Hart

October 8, 2013

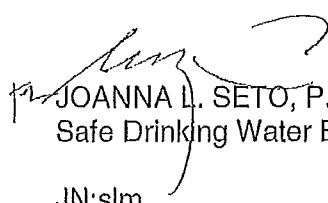
Page 3

9. All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawai'i Source Water Assessment Plan) within the source water protection area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.
10. For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact the SDWB at (808) 586-4258.
11. If you plan to construct a new drainage injection well, or to operate an existing drainage injection well, you are first required to obtain written authorization from the Department of Health's Underground Injection Control (UIC) program. Written authorization is given either by an authorization letter or by a UIC permit, both of which represent the Department's approval to construct or to operate an injection well. Without written authorization, constructing or operating an injection well is a Chapter 23 violation. A Chapter 23 violation may result in a penalty and corrective action.

In order to obtain written authorization, apply for a UIC permit through the e-permitting website at <https://eha-cloud.doh.hawaii.gov/epermit/View/default.aspx>.

If there are any questions, please call Ms. Jennifer Nikaido of the SDWB, Engineering Section, at (808) 586-4258.

Sincerely,


JOANNA L. SETO, P.E., CHIEF
Safe Drinking Water Branch

JN:slm

c: EPO #13-183



June 18, 2014

Ms. Joanna L. Seto, P.E., Chief
State of Hawaii, Dept. of Health
Safe Water Drinking Branch
Environmental Management Division
919 Ala Moana Blvd., Room 308
Honolulu, HI 96814 - 4920

Dear Ms. Seto,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 8, 2013 indicating that the Department has no comments.

Comment 1. This project may qualify as a public water system if the project has a master meter from the County of Maui, Department of Water Supply and then sells water to individual units. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, "Rules Relating to Public Water Systems."

Response 1. A Preliminary Engineering Report (PER) will be included in the Draft EIS. In addition to examining existing infrastructure systems in the project area, including the County water system, the PER will discuss the infrastructure system improvements that are proposed to be implemented for the project.

The Rules Relating to Public Water Systems are set forth in Chapter 11-20, Hawaii Administrative Rules (HAR) and encompasses applicability criteria, performance standards, and compliance measures for public water systems. The Applicant acknowledges that the water system for the proposed project may qualify as a public water system. Notwithstanding this, the proposed water system shall comply with the applicable provisions of Chapter 11-20, HAR.

Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 2 of 5

should it be deemed a public water system by the Department of Health, Safe Drinking Water Branch (SDWB).

Comment 2. All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial and financial capacity to enable the system to comply with safe drinking water standards and requirements in accordance with HAR Section 11-20-29.5, "Capacity demonstration and evaluation."

Response 2. If the water system for the proposed project is determined to be a public water system by the SDWB, the Applicant will demonstrate that the water system will have sufficient technical, managerial and financial capability to enable the system to comply with safe drinking water standards and requirements in accordance with HAR Section 11-20-29.5, "Capacity Demonstration and Evaluation."

Comment 3. Projects that propose development of new sources of drinking water serving or proposed to serve a public water system must comply with the terms of HAR Section 11-20-29, "Use of new sources of raw water for public water systems." This section requires that all new public water system sources be approved by the Director of Health prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report which addresses the requirements set in HAR Section 11-20-29.

Response 3. The proposed project plans to connect to the existing County (public) water system. However, if a new source of drinking water becomes necessary, the Applicant will comply with Section 11-20-29; HAR "Use of New Sources of Raw Water for Public Water Systems." The Applicant is also aware that all new public water system sources must be approved by the Director of Health prior to its use.

Comment 4. The engineering report must identify all potential sources of contamination and evaluate alternative control measures which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water quality analyses for all regulated contaminants, performed by a laboratory certified by the State Laboratories Division of the State of Hawaii, must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.

Ms. Joanna L. Seto, P.E. Chief
Safe/Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 3 of 5

Response 4. Pursuant to Section 11-20-29, HAR, the Applicant acknowledges that an engineering report must be submitted to the SDWB for anyone proposing to use a new, natural water source to supply a public water system. As set forth in Subsection 11-2-29(b)(5), all potential sources of contamination must be identified and control measures for reducing potential contamination must be evaluated. In addition, the Applicant understands that a water quality analysis for all regulated contaminants must be submitted to the SDWB to evidence compliance with all drinking water standards.

Comment 5. All sources of public water systems must undergo a source water assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the source of drinking water.

Response 5. The Applicant acknowledges that all public water system sources are subject to a source water assessment which will delineate a water source protection area.

Comment 6. Projects proposing to develop new public water systems or proposing substantial modifications to existing public water systems must receive approval by the Director of Health prior to construction of the proposed system or modification in accordance with HAR Section 11-20-30, "New and modified public water systems." These projects include treatment, storage and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.

Response 6. The Applicant understands that any new public water system must be approved by the Director of Health before construction can commence pursuant to Section 11-20-30, HAR pertaining to "New and Modified Public Water Systems".

Comment 7. All public water systems must be operated by certified distribution system and water treatment plant operators as defined by Hawaii Administrative Rules, Title 11, Chapter 25, "Rules Relating to Certification of Public Water System Operators."

Response 7. If deemed a public water system by the SDWB, the water system for the proposed project will be operated by qualified personnel in accordance with Title 11, Chapter 5, HAR entitled, "Rules Relating to Certification of Public Water System Operators".

Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 4 of 5

Comment 8. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing drinking water system to meet irrigation or other needs must be carefully designed and operated to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the drinking water system. The two systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the drinking water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 21, "Cross-Connection and Backflow Control" is also required.

Response 8. The Applicant understands that separate drinking water and non-potable systems need to be carefully designed and operated to prevent any cross-connections and potential backflow and that the dual system must be clearly labeled and physically separated to avoid drinking water contamination. The design and operation of this dual water system must comply with the provisions of Title 11, Chapter 21, entitled "Cross-connection and Backflow Control".

Comment 9. All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawai'i Source Water Assessment Plan) within the source water protection area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.

Response 9. The Applicant acknowledges that all projects within a water source protection area that propose a potentially contaminating activity could affect an existing water source for a public water supply and that appropriate measures will need to be undertaken to prevent or reduce the potential for contamination of the drinking water source.

Comment 10. For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact the SDWB at (808) 586-4258.

Response 10. Copies of the SDWB comment letter and contact information have been provided to the Applicant and the appropriate project consultants for their use if additional information is needed.

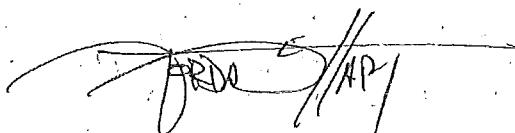
Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 5 of 5

Comment 11. If you plan to construct a new drainage injection well, or to operate an existing drainage injection well, you are first required to obtain written authorization from the Department of Health's Underground Injection Control (UIC) program. Written authorization is given either by an authorization letter or by a UIC permit, both of which represent the Department's approval to construct or to operate an injection well. Without written authorization, constructing or operating an injection well is a Chapter 23 violation. A Chapter 23 violation may result in a penalty and corrective action.

Response 11. The Applicant is not proposing to construct an injection well or operate an existing injection well as part of the proposed project.

Thank you for participating in the environmental review process. Please feel free to call Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodénker, Executive Officer, DBEDT
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., 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

09071PGH.13

September 26, 2013

RECEIVED

SEP 27 2013

Mr. Jordan E. Hart
President
115 North Market Street
Wailuku, Hawaii 96793-1717

Dear Mr. Hart:

SUBJECT: Comments on the Environmental Impact Statement Preparation Notice (EISPN) for the Piilani Promenade
TMK: (2) 3-9-001:016, 170-174
Kihei, Island of Maui, Hawaii

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Jordan, PCAT
+ Glenn
15/029

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, which was received in our office on September 18, 2013, requesting comments on your project. 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. You 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/2013/05/CWB-standardcomment.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. You may be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the CWB

Mr. Jordan E, Hart
September 26, 2013
Page 2

09071PGH.13

Individual NPDES Form through the e-Permitting Portal and the hard copy certification statement with \$1,000 filing fee. Please open the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermit/View/home.aspx>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the "CWB Individual NPDES Form." Follow the instructions to complete and submit this form.

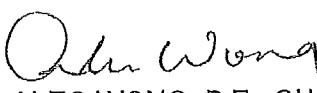
3. If your project involves work in, over, or under waters of the United States, it is highly recommend that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 438-9258) regarding their permitting requirements.

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 Hawaii Administrative Rules (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.

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

GH:rh

c: Mr. Daniel E. Orodener, DBEDT-LUC



June 18, 2014

Mr. Alec Wong, P.E., Chief
State of Hawaii, Dept. of Health
Clean Water Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Wong:

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of September 26, 2013 and for a copy of the letter dated October 9, 2013. We have provided the following responses to your numbered comments.

Comment 1. Any project and its potential impacts to State waters must meet the following criteria: a. Antidegradation policy (HAR, Section 11-54-1 I), 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 1-54-4 through 11-54-8).

Response 1. The proposed project will comply with the applicable provisions of Chapter 11-54, Hawaii Administrative Rules (HAR) entitled Water Quality Standards and Chapter 11-55, HAR titled Water Pollution Control.

The proposed project will also be developed in accordance with the standards set forth by:

- a. Section 11-54-1.1, HAR (General Policy of Water Quality Anti-degradation).
- b. Section 11-54-3, HAR (Classification of Water Uses).

Mr. Alec Wong, P.E., Chief
DOH, CMB
Pilani Promenade DEIS
June 18, 2014
Page 2 of 3

- c. The water quality criteria set forth in Sections 11-54-4 through 11-54-8, HAR.

Comment 2. You may be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the CWB Individual NPDES Form through the e-Permitting Portal and the hard copy certification statement with \$1,000 filing fee. Please open the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermView/home.aspx>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the "CWB Individual NPDES Form." Follow the instructions to complete and submit this form.

Response 2. The Applicant acknowledges that a National Pollutant Discharge Elimination System (NPDES) is required for discharges into Class A or Class 2 State waters.

- a. Prior to the commencement of construction, an application for an NPDES permit for storm water associated with construction activities will be submitted to the Clean Water Branch (CWB) for review and approval.
- b. No dewatering activities are anticipated at this time. However, if such work is required, an application for a NPDES permit for dewatering activities will be submitted to the CWB for review and approval.
- c. If necessary, an application for an NPDES permit for hydro-testing water effluent will be submitted to the CWB for review and approval.
- d. An application for an NPDES permit for storm water associated with industrial activity will be submitted to the CWB for review and approval as required.

Comment 3. If your project involves work in, over, or under waters of the United States, it is highly recommend that you 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 "[any 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

Mr. Alec Wong, P.E., Chief
DOH,CMB
Piilani Promenade DEIS
June 18, 2014
Page 3 of 3

"discharge" is defined in CWA, Subsections 502(16), 502(l2), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

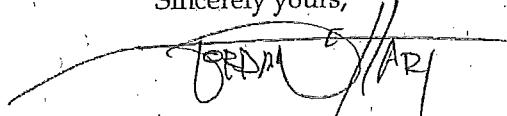
Response 3. The U.S. Army Corps of Engineers was provided with a copy of the EISPN as part of the consultation process for the preparation of the Draft EIS.

Comment 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.

Response 4. Notwithstanding other permit requirements, the Applicant understands that all project-related discharges must comply with the State's Water Quality Standards as set forth in Chapter 11-54, HAR.

Thank you participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

A handwritten signature consisting of the initials "J.E.H." followed by "HART" in a larger, stylized font.

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodener, DBEDT-LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., 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:
File:

13-970A CAB

November 13, 2013

RECEIVED

NOV 18 2013

Mr. Jordan E. Hart
President
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793-1717

Dear Mr. Hart:

SUBJECT: Environmental Impact Statement Preparation Notice
Pillani Promenade, Kihel, Maui

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

Cc: Jordan, Glenn
at PBCF

13/029

The project must comply with all applicable Air Pollution Control Permit conditions and requirements. To have a determination made on whether your proposed project would require an air pollution control permit, please contact the Engineering Section of the Clean Air Branch at (808) 586-4200.

A significant potential for fugitive dust emissions exists during all phases of construction. The activities must comply with the provisions of Hawaii Administrative Rules, §11-60.1-33 on Fugitive Dust. We encourage the contractor to implement a dust control plan as described in your document in order to comply with the fugitive dust regulations. The plan, which does not require approval by the Department of Health, may include the dust control measures identified in your document and may add other measures including the following:

- a) Planning the different phases of construction, focusing on minimizing the amount of dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact;
- b) Providing an adequate water source at the site prior to start-up of construction activities;
- c) Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase;
- d) Minimizing dust from shoulders and access roads;
- e) Providing adequate dust control measures during weekends, after hours, and prior to daily start-up of construction activities; and
- f) Controlling dust from debris being hauled away from the project site. Also, controlling dust from daily operations of material being processed, stockpiled, and hauled to and from the facility.

If you have any questions, please contact Mr. Barry Ching of the Clean Air Branch at (808) 586-4200.

Sincerely,

NOLAN S. HIRAI, P.E.
Manager, Clean Air Branch

BC:rg



June 18, 2014

Mr. Nolan S. Hirai, Acting Manager
State of Hawaii, Dept. of Health
Clean Air Branch
P.O. Box 3378
Honolulu, HI 96801-3378

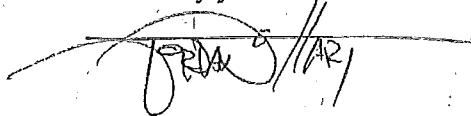
Dear Mr. Hirai,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Piilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your comment letter of November 13, 2013. Please be assured that the proposed project will comply with the applicable provisions of Chapter 60.1, Hawaii Administrative Rules pertaining to Air Pollution Control and that dust control measures will be implemented during construction as required by Section 11-60.1-33, HAR (Fugitive Dust).

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodenker, Executive Officer, DBEDT
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

LUD-2 3 9 001 016 etc-ID1469
EISPN Pilani Promenade

October 24, 2013

2013 OCT 28 | A 9:30
LAND USE COMMISSION
STATE OF HAWAII

Mr. Jordan E. Hart, President
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793-1717

Dear Mr. Hart:

Subject: Environmental Impact Statement Preparation Notice for
Pilani Promenade, Kaonolu Ranch, Subdivision No. 2
451 Kaonolu Street, Kihei, Maui 96753 TMK (2) 3-9-001: 016, 170-174

Thank you for allowing us the opportunity to review the subject document which requests comments on the Environmental Impact Statement Preparation Notice for the Pilani Promenade project. We have the following information and comments for the subject document.

The Pilani Promenade project is located in the critical wastewater disposal area as determined by the Maui County Wastewater Advisory Committee. Wastewater treatment and disposal have not been adequately addressed in the subject document; therefore, we cannot offer any substantial comments. If a County or Private sewer connection is not available, domestic wastewater generated by the project shall be handled by wastewater systems that comply with our chapter 11-62, Hawaii Administrative Rules, "Wastewater Systems".

We encourage the developer to connect to the County sewer service system if possible and utilize recycled water for irrigation and other non-potable water purposes such as dust control, open spaces or landscaping areas.

Should you have any questions, please contact Mr. Mark Tomomitsu of my staff at telephone (808) 586-4294 or fax (808) 586-4300.

Sincerely,

A handwritten signature in black ink, appearing to read "Sina Pruder".

SINA PRUDER, P.E., CHIEF
Wastewater Branch

LM/MST:lmj

c: Ms. Laura McInlyre, DOH-Environmental Planning Office (13-183)
Mr. Roland Tejano, DOH-WWB's Maui Staff
Mr. Daniel E. Orodener, Executive Officer



Landscape Architecture
City & Regional Planning

June 18, 2014

Mr. Sina Pruder, P.E., Chief
State of Hawaii, Dept. of Health
Wastewater Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Pruder,

RE: Comments on the Environmental Impact Statement Notice
(EISPN) for the Pilani Promenade, located in Kihei, Maui, Hawaii
at TMK's: (2) 3-9-001:016,170-174.

Thank you for your letter of October 24, 2013. In responding to your comments on the EISPN, we would like to note the following.

The Draft EIS will include a Preliminary Engineering Report which will examine the existing County wastewater system serving the project area and discuss proposed sewer system improvements which would provide for the collection and disposal of wastewater generated by the proposed project.

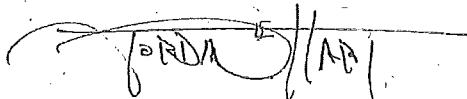
R-1 effluent, a by-product of the Kihei Wastewater Treatment Facility, is used for irrigation purposes by various users in the Kihei area that have access to this reclaimed water.

The existing R-1 network consists of a 1.0 million gallon storage reservoir and distribution lines that convey the reclaimed water to the Elleair Golf Club, Kalama Park, and along the North-South Collector Road alignment to Pi'ikea Street. Provisions for future R-1 connectivity will be examined during the detailed planning and design phase of the proposed project.

Mr. Sina Pruder, P.E. Chief
Dept. of Health
Wastewater Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 2 of 2

Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Project Manager
Mr. Daniel D. Orodener, Executive Officer, DBEDT
Project File 13-029