CHRIS HART & PARTNERS

TRANSMITTAL

TO: Mr. Daniel E. Orodenker, Executive Director
State Land Use Commission
PO. Box 2359
Honolulu, Hawaii 96804

DATE: June 19, 2017

PROJECT: Piilani Promenade

SUBJECT: Revised Comment Response Letter

THE FOLLOWING IS ENCLOSED:

	FOR APPROVAL		FOR YOUR USE		FOR REVIEW AND COMMENT
	AS REQUESTED	x	FOR YOUR INFORMATION		OTHER

COPIES	DATE	DESCRIPTION
1	June 13, 2017	Revised Comment Response Letter dated June 13, 2017

We are sending you the attached revised comment response letter dated June 13, 2017 to correct typographical errors in the letter dated April 25, 2017. The attached letter has been revised on the following pages and in the FEIS text:

Page 4: Changed 343 Compliance Approval of FEIS from May 2017 to June 2017; Approval July 2017.
Page 6: Added table title to Table No. 16
Page 11: Added table title to Table No. 16a
Page 12: Added "a" to Table No 16
Page 14: Added table title to Table No. 16b & Added "b" to Table No 16
Page 15: Added table title to Table No. 16c
Page 16: Added "c" to Table No 16 & Added table title to Table No. 16d
Page 17: Added "d" to Table No 16 & Added table title to Table No. 16e
Page 18: Added "f" to Table No 16
Page 19: Added table title to Table No. 16f & Added "f" to Table No 16 & Added table title to Table No. 16g & Added "f" to Table No 16
Page 35: Changed VIII. to VII. & Replaced Mr. Mike Packard with Ms. Cheryl D. Soon and phone number
Page 36: Added the phone number for Alan Shinamoto

Please call should you have any questions.

COPY TO: Project File/13029

BY: Jordan E. Hart, President

LANDSCAPE ARCHITECTURE • CITY AND REGIONAL PLANNING
115 N. MARKET STREET • WAILUKU, MAUI, HAWAII 96793 • PHONE (808) 242-1955 • FAX (808) 242-1956

CHRIS HART
& PARTNERS, INC.
Landscape Architecture
City & Regional Planning

June 13, 2017

Mr. Daniel E. Orodenker, Executive Director
State Land Use Commission
PO. Box 2359
Honolulu, Hawaii 96804

Dear Mr. Orodenker,

RE: Comments on the Draft Environmental Impact Statement (DEIS) 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 3, 2014. In responding to your comments on the DEIS, we would like to note the following.

LUC Comment 1.
In accordance with section 11-200-17(e), Hawaii Administrative Rules (HAR), a description of the project should be included. To this end, please provide information on the cost of the project, including both offsite and onsite infrastructural improvement and building construction costs. The description should also include the phasing and timing of the action. We acknowledge that the DEIS includes discussion on the development phasing. We request that this discussion be expanded to include more detailed information on the commencement and completion dates of each specific use planned for Phase 1 and Phase 2.

Response 1: In response to comments regarding the proposed project schedule, the FEIS Section II. F. (Development Phasing) has been revised to include the following language:

Development Phasing
It is anticipated that the Pi`ilani Promenade project will be constructed in two (2) three (3) phases upon receipt of LUC approval and as market conditions warrant.

Phase one is the Pi`ilani Promenade North development will include development of the northern developable lot (Parcel 16) which will include 100,000 square feet of business commercial uses, 226 rental apartment uses and 57,558 square feet of light industrial use.

Phase one (1) includes over $22 million dollars in infrastructure improvements including construction of the future Kihei Upcountry Highway (KUH) through the project area, (Parcel 172) and improving the intersection of Kaonoulu and Pi`ilani Highway which provides access to the project. Phase one also includes construction of the 1.0 MG drinking water tank,

the relocation of the Maui County high pressure drinking water line, the irrigation (non-drinking water) well with pump and related utility and offsite easements.

Phase two (2) is the development of the northern developable lot (Parcel 16) which will include approximately 100,000 square feet of business commercial uses, 226 rental apartment uses and approximately 58,000 square feet of light industrial use development under roof on 5 acres of land.

Phase two three (3) is the development of the 2 southern parcels (Parcels 170 and 171) that will consist of 430,000 square feet of business commercial.

It is anticipated that all of the necessary entitlements to fully implement the Pi`ilani Promenade will be obtained by in the second quarter of 20162017 and construction for Phase 1 and 2 is expected to be completed in 2018. Phase 2 and Phase 3 developments are market driven and the exact timing is unknown, however estimated full buildout of the proposed project by 2031 - 2032.

As requested by the LUC and the Office of Planning, Table 1.a below provides an estimated timeline for development and estimated construction cost for the proposed project. The estimated construction costs will be privately paid for by the Applicant, no public funds are being used to construct the proposed project.

Table No. 1a
Development Phasing Timeline with Cost Estimate

Project	**Estimated Cost**	**Estimated Start Date**	**Estimated Completion Date**
Phase 1			
Site work Improvements	$1,256,710.00	Upon approval of the Motion to Amend by the LUC	16 months after approval of the Motion to Amend by the LUC
East Kaonoulu Street Improvements	$2,299,046.00	"	"
Pi`ilani Highway Widening Improvements	$1,411,106.00	"	"
Access Road and Swales	$1,771,330.00	"	"
Sewer System/Revisions	$712,592.00	"	"
Storm Drainage System/Revisions	$2,895,052.00	"	"
Onsite Water System	$834,700.00	"	"
12" Offsite Water/1MG Water Tank	$4,802,784.00	"	"
36" Water	$2,444,940.00	"	"

Project	Estimated Cost	Estimated Start Date	Estimated Completion Date
Main/Water/Misc. Revisions			
Electrical	$885,566.00	"	"
Traffic Signal Improvements	$643,000.00	"	"
Landscape/Irrigation	$1,202,000.00	"	"
CRM Walls	$900,000.00	"	"
Phase 2			
Light Industrial	$13,000,000	Prior to completion of Phase 1	15-16 months after commencing work
Business/Commercial	$27,500,000	"	"
Apartments	$33,500,000	"	12 to 13 months after commencing work
Phase 3			
Business/Commercial	$118,250,000	Prior to completion of Phase 2, this portion of development is market driven	15-16 months after commencing work

LUC Comment 2.
In accordance with section 11-200-17(h), HAR, the status of each identified approval should be described. We acknowledge that the DEIS includes a listing of entitlements and approvals. We request that to the extent possible the projected submittal dates (i.e., by month/year) of the various applications to the responsible agencies be provided.

Response 2: In response to comments regarding the proposed entitlements and approvals, the FEIS Section I. (Project Summary) has been revised to include the following language:

As requested by the Land Use Commission and the Office of Planning the table below provides an estimated timeline for Entitlements and other permit approvals in order to construct the proposed project.

ENTITLEMENTS AND APPROVALS

Table No. 1b Estimated Entitlements and Approvals

Permit / Approval Required	Responsible Authority	Projected Submittal Date
Order Granting Motion for Order Amending the Findings of Fact, Conclusions of Law, and Decision and Order dated February 10, 1995	LUC	Pending
HRS Chapter 343 Compliance, Approval of FEIS	LUC	June 2017; Approval July 2017
Jurisdictional Determination	Army Corps of Engineers	2017
Grading and Grubbing Permit	Maui County, Public Works, Development Services Administration	2017
NPDES Permit	State of Hawaii, DOH	2017
Air Pollution Control Permit	State of Hawaii, DOH	2017
Community Noise Permit	State of Hawaii, DOH	2017
Drainage Approval	DPW Engineering Division, and State DOT	2017
Permit to Perform Work Within the State ROW	State DOT	2017

Permit / Approval Required	Responsible Authority	Projected Submittal Date
Easements for Utilities and Roadways	Various	2017
Wastewater Discharge (Hookup) Permit	Maui County, Department of Environmental Management, Wastewater Division	2017
Building Permits	Maui County, Public Works, Development Services Administration	2017-2018

LUC Comment 3.
In accordance with section 11-200-17(i), HAR, the probable impact of the proposed action on the environment shall be included. We note that there is no discussion in the DEIS on the existing civil defense facilities in the area and on the potential impacts on such facilities from the project. We request that the Final EIS address this matter, including any plan to fund and construct adequate civil defense measures (sirens) to serve the project site as may be required by the State Department of Defense, Office of Civil Defense.

Section 11-200-17(i), HAR, also requires that the interrelationships and cumulative environmental impacts of the proposed action and other related projects be discussed. We acknowledge that the DEIS includes a section on cumulative and secondary impacts on pages 208 through 212. Within this discussion, there are references to "other developments in Kihei," "other planned projects in the area," and "other area projects." We request that these other projects be specifically identified and their specific impacts on each public service/facility and resource be quantified together with the proposed development to more accurately disclose the scope and magnitude of their cumulative and secondary impacts on the environment.

Response 3: In response to comments regarding civil defense, the FEIS Section III. C. 6 (Civil Defense) has been revised to include the following language.

In response to comments from LUC, the Applicant has contacted the Maui County Civil Defense Agency on several occasions and has not received any comments to date. The Maui

County Civil Defense Agency was provided a copy of the DEIS for comment in August 2014, and after receiving no comment the Applicant's planning consultant hand delivered a hardcopy of summary documents and figures, and a copy of the DEIS on December 11, 2014. The Applicant is willing to consider recommendations from Maui County Civil Defense Agency, should they provide comment on the proposed project.

Furthermore, Condition 4 of the 1995 Decision and Order states that the "Petitioner shall fund and construct adequate civil defense measures as determined by the State and County Civil Defense Agencies". The Applicant does not seek any modification or deletion of Condition 4.

In response to comments regarding the cumulative and secondary impacts, the FEIS Section V. C. (Cumulative and Secondary Impacts) has been revised to include the following language.

This section identifies secondary and cumulative impacts that may result from the phased development of the Pi'ilani Promenade and surrounding development projects.

Existing and future development projects that were considered likely to be constructed in the central Kihei region were the basis for analyzing potential cumulative and secondary impacts. It is noted that most projects are not yet constructed. The developments listed below are the same as those identified in the TIAR update and includes the Maui Research and Technology Park (MRTP). **(See: Table No. 16).**

Table No. 16 Other Potential Projects

Development	Land Use	Number of Units/ Development Area
Kaiwahine Village	Multi-Family Residential	120 affordable units
Maui Lu Resort	Hotel	788 hotel rooms & 154 affordable units
	Existing Hotel (Demolished)	174 rooms
Kihei High School	School	215,000 Square Feet
Kenolio Apartments	Multi-Family Residential	186 units
Kihei Residential	Single Family Residential	400 units
	Multi-Family Residential	200 units
	Commercial	7,000 Square Feet
Downtown Kihei	Commercial	258,000 Square Feet
	Hotel	150 rooms

Maui Research and Technology Park	Multi-Family Residential	500 units
	Single Family Residential	750 units
	Knowledge Industry/ Commercial /Business	2 million Square Feet
	Hotel	500 rooms
Honua'ula Affordable Housing Development	Multi-Family Residential	250 units

A brief description of each proposed development is provided as follows:

Kaiwahine Village
The proposed Kaiwahine Village is located at the east end of Kaiwahine Street. This 100% affordable housing residential development will consist of 120 multi-family units with landscape planting, parking, infrastructure and utility improvements. The affordable housing development will positively impact the community by providing 120 affordable rental units in Kihei, where housing is needed, and will positively impact the economy by providing real property taxes and creating construction jobs. Construction of the affordable housing development will involve development of vacant land, and short-term air and noise impacts. Future residents of the project will increase local traffic to and from the site, increase the demand for drinking water and non-drinking water, and require extension of drinking water and wastewater infrastructure. This project is anticipated to be completed by 2025.

Maui Lu Resort
Maui Lu Resort currently exists in the northeast quadrant of the intersection of South Kihei Road at Kaonoulu Street. Plans are for the existing resort to be demolished and a 400-unit timeshare constructed in its place along with related service and recreational amenities, and landscape planting, parking, infrastructure and utility improvements. The proposed action involves demolition and removal of the existing Maui Lu Resort complex on the mauka property. On the makai parcel, a two-story oceanfront structure parallel with South Kihei Road will be replaced with a single-story beach club. The other two existing buildings will be reduced in size and renovated. The redevelopment project will positively impact the local economy by generating revenue from visitors. Additionally, redevelopment will provide permanent employment opportunities at the project site in addition to construction jobs and enhancements to the shoreline area may include beach nourishment, sand dune stabilization, and/or improved public beach access. Construction will involve short-term air and noise impacts. Project site operations will increase local traffic to and from the site.

As part of the Maui Lu project, the intersection of South Kihei Road at Kaonoulu Street will be signalized. The proposed signalization had not been completed at the time of this report. Construction has started on the redevelopment of this resort with a proposed opening in 2017.

Kihei High School
The proposed Kihei High School will be located along the east side of Pi'ilani Highway, south of the proposed Pi'ilani Promenade development. According to the *Traffic Impact*

Report for Kihei High School (WOC, 2012), the school will have a capacity of approximately 1,650 students serving grades 9 through 12.

Appropriately designed infrastructure will be incorporated into the project to support the campus facilities, operations, and occupants. Access to the proposed high school campus is planned via a new right-in right-out access road off Piilani Highway. The high school will be designed and constructed to incorporate sustainable design features. The project will positively impact the community through provision of a new educational facility and employment opportunities in the construction and education fields. Construction of the high school will involve development of vacant land, minor loss of agricultural land, visual impacts to views from Piilani Highway, and short-term air and noise impacts. School operations will increase local traffic to and from the school, increase the demand for drinking water and non-drinking water, and require extension of drinking water and wastewater infrastructure. The development of the school will be in two phases with 800 students in Phase 1 and 850 students in Phase 2. Both phases are expected to be completed by 2025.

Kenolio Apartments
The Kenolio Apartments is located between Pi'ilani Highway and Kenolio Road in the southwest quadrant of the intersection of Kaonoulu Street at Pi'ilani Highway. The proposed project is a 100% affordable multi-family; residential development that will include construction of a total of 186 units including up to two (2) unrestricted on-site manager's units with necessary supporting infrastructure. The development will result in 63, 1-bedroom units, 100, 2-bedroom units and 23, 3-bedroom units.

The plan includes accessible walking paths and sidewalks throughout the site for residents to access common spaces and amenities within the development such as the Community Building (including fitness room, gathering area, computer center, common laundry and manager's office), pool, picnic areas, barbecue, trash and recycling areas. Additional sidewalk connectivity to the North South Collector Road (Kenolio Road) will be included in the final design.

Associated infrastructure improvements include paved roadways; concrete curbs, gutters and sidewalks; onsite parking, drainage systems, water system, sewer system, underground utilities, irrigation well for landscape planting, and offsite roadway improvements along Kenolio Road fronting a portion of the project site. It is anticipated that the project will be completed in 2017.

Kihei Residential
The proposed Kihei Residential development is located on the east side of Pi'ilani Highway, north of Kaiwahine Street. The project includes 400 single-family units, 200 multi-family units, 3,000 square feet of commercial areas, 7,000 square feet of offices, and a 10 acre park. The proposed commercial area will allow for business uses, which will provide services for the convenience of the surrounding neighborhoods. Groundbreaking occurred in mid-January 2016. The mixed use development will positively impact the community providing a variety of new housing types within walking distance of small neighborhood commercial area that will provide permanent employment opportunities at the project site in addition to

construction jobs. Construction of the mixed use development will involve development of vacant land, and short-term air and noise impacts. Project site operations will increase local traffic to and from the site, increase the demand for drinking water and non-drinking water, and require extension of drinking water and wastewater infrastructure. It is anticipated that 25% of the project will be completed by 2025 and full build out will be by 2032.

Krausz Companies Commercial Mixed-Use Development (Downtown Kihei)
The proposed Krausz Companies commercial mixed-use development (referred as Downtown Kihei) is located along Piikea Avenue between Liloa Drive and South Kihei Road. The project includes 249,450 square feet of retail space, approximately 18,500 square feet of office space, and a 150-room hotel. Related improvements include grading, landscaping, underground utilities, drainage facilities, lighting, vehicle parking, and roadway improvements, including the reconstruction of Piikea Avenue. The mixed use development will positively impact the community providing new commercial, hotel and entertainment space that will provide permanent employment opportunities at the project site in addition to construction jobs. Construction of the mixed use development will involve development of vacant land, and short-term air and noise impacts. Project site operations will increase local traffic to and from the site, increase the demand for drinking water and non-drinking water, and require extension of drinking water and wastewater infrastructure. The proposed completion is expected by 2025.

Maui Research and Technology Park
The Maui Research and Technology Park (MRTP) is located in Kihei, Maui, Hawaii. The Park is situated mauka (east) of Pi'ilani Highway and is accessible from Lipoa Parkway. The MRTP encompasses approximately 411 acres owned in fee simple by various land owners. MRTP was established in the 1980's to bring diversification to Maui's economy through investment in high technology. Today the Park has over 180,000 square feet of office space, with over 400 people working at over 20 high technology and professional services companies. The recently approved MRTP Master Plan Update proposes to utilize the principles of New Urbanism and Smart Growth to transform the current, single-use large lot research and technology campus into an integrated and vibrant mixed-use community focused around a regional knowledge-based industry employment base.

The mixed use development will positively impact the community providing new employment and housing opportunities in a compact walkable community. The development will provide permanent employment opportunities at the project site in addition to construction jobs. Construction of the mixed use development will involve development of vacant land, loss of agricultural land, and short-term air and noise impacts. Project site operations will increase local traffic to and from the site, increase the demand for drinking water and non-drinking water, and require extension of drinking water and wastewater infrastructure.

The park will be developed in two phases. Phase 1, through 2024, will include a mixed-use village center, knowledge-industry employment core, residential neighborhoods, schools and parks. Phase 2, through 2034, will include additional residential development and knowledge industry expansion campuses to the east and south. At build-out, in 2034, the Park will comprise knowledge industry, commercial, and civic uses totaling approximately 2

million square feet together with 1,250 single- and multi-family residences. It is estimated that 60% of the residential units will be single-family and 40% multi-family.

All of the necessary land use entitlements to fully implement the Plan were obtained and key infrastructure improvements are tied to each phase of development and as the improvements are warranted.

Honua'ula Affordable Housing Development
The proposed Honua'ula affordable housing development is located north of Pi'ilani Promenade. This development will include 125 units of affordable apartments and 125 owner-occupied units. Access to this development will be through East Kaonoulu Street. If construction of the Honua'ula affordable housing development commences prior to the construction of East Kaonoulu Street extension, temporary construction access to this development will be through a driveway off of Ohukai Road. Once the East Kaonoulu Street extension is open, all trips generated by this trip will use East Kaonoulu Street.

The affordable housing development will positively impact the community by providing 125 affordable rental units in Kihei, where housing is identified as major problem in the region. The proposed development will positively impact the economy by providing real property taxes and creating construction jobs. Construction of the affordable housing development will involve development of vacant land, and short-term air and noise impacts. Future residents of the project will increase local traffic to and from the site, increase the demand for drinking water and non-drinking water, and require extension of drinking water and wastewater infrastructure. An Environmental Assessment will be prepared for the proposed affordable housing development in the future to identify the potential impacts of the proposed development. This development is anticipated to be completed by 2025.

Impacts to Natural and Environmental Resources

~~Assuming all BMPs and mitigation measures documented in this DFEIS are implemented and all permit-induced requirements are complied with; no cumulative or secondary impacts are anticipated on the natural environment.~~

Flora and Fauna. Development of the Pi'ilani Promenade, together with other area projects, could have cumulative and/or secondary impacts on rare or endangered species of flora and fauna if natural habitats and/or species are directly or indirectly disturbed. As documented in Section III.A.5 of the ~~D~~FEIS, the Project will not impact rare or endangered flora and fauna species. Adjacent proposed developments will be required to conduct flora and fauna surveys prior to development. These surveys will be reviewed by the U.S. Fish and Wildlife Service and mitigation counter-measures will be required if warranted.

Of the projects listed in Table No. 16, the Downtown Kihei project will preserve 2 man-made wetlands and all of the other project sites do not contain wetlands or critical habitats and are therefore appropriate locations for urban development. The FEIS documents for the MRTP and the Kihei High School indicate that the Applicant will limit tree trimming during the

months of June 1 to September 15. The FEA for the Maui Lu notes the project will provide down shielded lighting to limit light impacts to birds.

In consideration of existing State and Federal regulations to protect rare and endangered species, there should be no significant cumulative and/or secondary impacts to flora and fauna resources arising from planned growth in the area.

Coastal Water Quality. Development of the Pi'ilani Promenade, together with other area projects, could have significant cumulative impacts to coastal water quality if BMPs are not strictly adhered to. During the construction phase, BMPs must be implemented to mitigate runoff of bare soils and other construction contaminants into drainageways and culverts. If not properly mitigated, the cumulative impact of these contaminants could impact coastal water quality.

During the Project's operation phase, any increase in runoff will be maintained on site as required by the County's drainage rules (See: Section III.D.2) Maintaining runoff on-site, together with filtration of contaminants from runoff, will mitigate the Project's impact to coastal waters. Likewise, future developments in the area will be required to implement similar mitigation measures as part of their operation phase BMPs.

The projects listed in Table No. 16a have the following increase in estimated peak runoff identified in their respective applications. Note: Honua'ula affordable housing development application has not been prepared at the time of this FEIS.

Table No. 16a Other Potential Projects: Drainage

Development	**Increase in Runoff from proposed projects (cubic feet per second, cfs)**
Kaiwahine Village	11.15 cfs
Maui Lu Resort	10.6 cfs
Kihei High School	60 cfs
Kenolio Apartments	15.57 cfs
Kihei Residential	96 cfs
Downtown Kihei	10.6 cfs
Maui Research and Technology Park	525 cfs
Honua'ula Affordable Housing Development	unknown
Total	**728.92 cfs**

The total increase in runoff as a result of the development of projects listed in Table No. 16a is 728.92 cfs. The total runoff amount will be retained by the individual projects in accordance with the Maui County drainage rules.

The specific mitigation measures identified for projects in Table No. 16a vary from above ground landscaped detention basins, underground basins within parking lots and roadways, vegetated swales and landscape planting to reduce the impacts associated with runoff. Water Quality will be maintained by the future drainage systems for surrounding projects including oil water separators and other filters as appropriate, and other BMPs as necessary to minimize non-point source pollution.

All surrounding projects will be required to implement the BMP's as required by the County and State. In addition, the Applicant understands that all other projects related water discharges must comply with the State's Water Quality Standards, which are set forth in Chapter 11-54, HAR.

The Applicant has reviewed the Guidance Document titled, *Stormwater Impact Assessments*, prepared by PBR Hawaii and Associates, Inc. for the Hawaii Office of Planning in May 2013. The purpose of the Guidance Document is to provide guidance on assessing stormwater impacts in the planning phase of project development.

"The Guidance Document suggests incorporating design concepts and mitigation measures into the planning phase of development to achieve compliance with existing ordinances, rules, and regulations. No new regulations are proposed with this Guidance Document."

As noted in the FEIS section V. C. (Drainage) the post-development peak storm flow of the Project, after mitigation measures are implemented, is the same as the pre-development storm flow, which is equal to or less than 85 cfs. The Project will retain the increase in post development runoff generated by development, consistent with County of Maui regulations.

The Project will comply with the condition of the 1995 Decision and Order, which requires that the Applicant fund the design and construction of its pro-rata share of drainage improvements required as a result of the development of the Project site, including oil water separators and other filters as appropriate, and other BMPs as necessary to minimize non-point source pollution. The Applicant understands that all Project-related water discharges must comply with the State's Water Quality Standards, which are set forth in Chapter 11-54, HAR.

BMPs prepared in accordance with MCC Chapter 20.08 (*Soil Erosion and Sedimentation Control*) will be submitted to the DPW for review and approval prior to the issuance of grubbing and grading permits. In addition, since Project site work will exceed one acre, a NPDES will be obtained from the DOH's Clean Water Branch for the discharge of storm water associated with construction activities. The Applicant will meet all of the requirements set forth by the DOH's Clean Water Branch.

Low-impact development strategies, including a series of strategically located drainage retention basins and channels, are designed to mitigate downstream impacts to *makai*

landowners. A Drainage Master Plan was designed to County standards, and includes measures that mitigate the increase in runoff generated from the development of impervious surfaces. On-site runoff will be collected by catch basins located at appropriate intervals along the interior roadways and landscaped area. Drain lines from the catch basins will convey the runoff to onsite detention basins or underground subsurface drainage systems.

The onsite drainage system will provide storage for the increase in stormwater runoff from a 50 –year, 1 –hour storm. The drainage system will be designed in compliance with Chapter 4 "Rules for the Design of Storm Drainage Facilities in the County of Maui" and Chapter 15-11 "Rules for the Design of Storm Water Treatment Best Management Practices."

Therefore the Project, together with other planned projects in the area, should not have a significant cumulative impact on coastal water quality if construction and operation phase BMPs are strictly adhered to. It is noted that only the Kihei Residential project has begun construction of those listed in Table No. 16.

Agricultural Lands. As documented in Section III.A.10 of the ~~D~~FEIS, the Pi'ilani Promenade is located on State designated Urban land, therefore, the Project is not expected to have a significant cumulative impact upon the long-term viability or growth of agriculture on Maui.

In regards to secondary impacts, urban development can impact agricultural land uses in two ways. First, in certain circumstances, urbanization of agricultural lands can cause agricultural lands prices to go higher making it more cost prohibitive for farmers to buy or lease land to farm. Second, urban development can create use conflicts between farmers and urban residents. In regards to the first issue, the establishment of Urban Growth Boundaries in the Maui Island Plan create more predictable development patterns and this will create more certainty in the urban and agricultural land markets; thereby, mitigating the escalation of agricultural land values. In regards to the second issue, HRS, Chapter 165 "Hawaii Right to Farm Act" protects farmers from lawsuits filed by residents living within close proximity of agricultural operations. Future residents of the Pi'ilani Promenade will continue to be notified prior to the purchase of property that ranching activities will occur on abutting agricultural lands. In addition, the Pi'ilani Promenade will establish landscape planting around the perimeter of the property with a buffer to mitigate potential agricultural use conflicts.

Of the projects listed in table No. 16, the Kihei High School (76 acres), Kihei Residential (94.3 acres), MRTP (102 acres) required a State Land Use District Boundary Amendment from Agricultural to Urban. The total designation of Agricultural land to urban for surrounding developments is 272.3 acres. The 272.3 acres represents 0.098 percent of the approximately 246,000 acres of State Agricultural district lands on the island of Maui. Based on this minimal impact to agricultural lands the Project with other potential projects is not anticipated to have a significant impact on Agricultural resources.

The remaining projects on Table No. 16 are located on land that is Urban and therefore no impacts to Agricultural resources are anticipated.

Drinking Water Resources. The development of the Pi'ilani Promenade, together with other area projects, will increase the demand for drinking water. The Applicant is constructing a 1.0 million gallon water tank and supporting infrastructure to provide water for the project and future south Maui water customers. The development of the 1.0 MG water tank will help support the drinking water needs for the future planned growth of South Maui. With these measures in place, significant cumulative and/or secondary impacts are not anticipated to threaten the long-term sustainability of the County's water resources. This 1.0 MG water tank will provide substantially more drinking water ~~source~~ storage than would be required both for the Pi'ilani Promenade Project, and for the Honua'ula affordable housing project, if that project is developed. Other proposed projects will be required to meet the requirements of the Department of Water Supply including but not limited to project specific improvements to the water transmission and storage systems.

Table No. 16b Other Potential Projects: Water

Development	Drinking water Demand (gallons per day)
Kaiwahine Village	67,200
Maui Lu Resort	148,800
Kihei High School	185,000
Kenolio Apartments	104,160
Kihei Residential	790,000
Downtown Kihei	48,500
Maui Research and Technology Park	798,065
Honua'ula Affordable Housing Development	210,000
Total	**2,351,725 gallons per day**

It is estimated that the total drinking water demand for the projects listed in Table No. 16b is 2,351,725 gallons per day. As noted in the FEIS the estimates that 0.421 MGD of groundwater can be allocated from the Iao Aquifer System, therefore all proposed projects in table No. 16b will not be able to utilize drinking water from the Iao Aquifer System. It is noted that only the Kihei Residential project has begun construction of those listed in Table No. 16b and as development occurs each individual project will need to provide a viable water source. Alternatives considered by the projects in Table No. 16b include but are not limited to drilling wells within the Kamaole Aquifer as a new water source.

Air Quality. The cumulative impact of the build-out of the Pi'ilani Promenade, together with other developments in Kihei, will increase the amount of pollutants entering the atmosphere. These pollutants will be generated by an increase in demand for energy in the form of transportation fuels for automobiles and carbon-based fuels to power the Ma'alaea Power Plant. Of the projects listed in Table No. 16, the Kihei High School and MRTP had air quality analysis conducted as part of their EIS documents. All other projects listed in table

No. 16 do not have an analysis to quantify air quality impacts. The conclusion of the MRTP and Kihei High School air quality reports is that implementing any air quality mitigation measures is unnecessary and unwarranted since the worst-case scenario carbon monoxide concentrations are projected to remain well within air quality standards.

Noise Quality. The cumulative impact of the build-out of the Pi'ilani Promenade, together with other developments in Kihei, will increase the amount of noise generated primarily from vehicles. Of the projects listed in Table No. 16, the Kihei High School, MRTP and Honua'ula Affordable housing development had noise quality analysis conducted as part of their EIS documents. The Honua'ula impacts were analyzed as part of the Project FEIS. All other projects listed in table No. 16 do not have an analysis to quantify noise quality impacts. The recommended mitigation measures for the MRTP and Honua'ula Affordable housing development is to place noise sensitive buildings adequately setback from roadways. The Kihei High School is setback at least 650 feet from Piilani Highway, where future noise levels are predicted to be acceptable at less than 55 DNL.

Impacts to the Socio-Cultural Environment

The development of the Pi'ilani Promenade, together with other developments in Kihei, will increase population, create jobs, and generate tax revenues. Together, these projects will also increase the demand for housing and place increasing demands on infrastructure and public facility systems both locally and island-wide.

Of the projects listed in Table No. 16, the Kihei High School, Downtown Kihei projects ae not proposing residential development. The activities of the School and the Downtown projects will require a population of students and teachers and employee and customers, however these facilities will serve people who already live in Kihei and are not expected to be population generations. The Maui Lu project and Honua'ula Affordable housing development are required to provide a total of 404 affordable units in the Kihei Makena plan region. It is unknown at this time what the unit size is for these two projects.

Table No. 16c Other Potential Projects: Population

Development	Estimated population
Kaiwahine Village	360
Maui Lu Resort	154 affordable units, population not estimated in report
Kihei High School	0
Kenolio Apartments	498
Kihei Residential	1,800
Downtown Kihei	0

Maui Research and Technology Park	2,756
Honua'ula Affordable Housing Development	250 affordable units, population not estimated
Total	**5,414 people**

Of the projects listed in Table No. 16c that provided population estimates, the following projects are estimated to generate 5,414 more people living in Kihei.

According to the Maui Island Plan, there will be a demand for an additional 34,637 housing units on Maui through 2030. The County of Maui's Land Use Forecast (November 2006) forecasted that there will be a demand for an additional 9,735 units in Kihei-Makena through 2030. The 226 units proposed at the project are approximately 2% of the forecasted Kihei-Makena demand. The proposed project together with other planned projects in Kihei, are a necessary source of housing to accommodate the forecasted population growth.

Table No. 16d Other Potential Projects: Housing

Development	**Land Use**	**Number of Units/ Development Area**
Kaiwahine Village	Multi-Family Residential	120 affordable units
Maui Lu Resort	Hotel	788 hotel rooms & 154 affordable units
	Existing Hotel (Demolished)	174 rooms
Kihei High School	School	215,000 Square Feet
Kenolio Apartments	Multi-Family Residential	186 units
Kihei Residential	Single Family Residential	400 units
	Multi-Family Residential	200 units
	Commercial	7,000 Square Feet
Downtown Kihei	Commercial	258,000 Square Feet
	Hotel	150 rooms
Maui Research and Technology Park	Multi-Family Residential	500 units
	Single Family Residential	750 units
	Knowledge Industry/ Commercial /Business	2 million Square Feet
	Hotel	500 rooms
Honua'ula Affordable Housing Development	Multi-Family Residential	250 units
Total	**Single Family** **Multi Family**	**1,150 SF units** **1,410 MF units** **2,560 total units**

The projects listed in Table No. 16d estimate construction of 2,560 multi-family and single-family units combined and represent approximately 26% of the forecasted demand for an additional 9,735 units in Kihei-Makena. The completion of the projects listed in Table No. 16d will support the goal of providing additional housing in the Kihei-Makena region to meet the demand of the growing community.

The continued build-out of Kihei will also change the area's urban design character and sense of place. Today, Kihei is a developing community with a number of undeveloped infill parcels intermixed with lower and medium-density residential, strip commercial, industrial, resort and public facility uses. In the coming years, pursuant to the land-use policies contained in the Maui Island Plan and Kihei-Makena Community Plan, Kihei will evolve to become a more unified and cohesive urban settlement. Urban development will likely become more compact, mixed-use and interconnected. Networks of open-space, parks, bikeways, trails and pedestrian-oriented streets will link districts and neighborhoods together. An increase in population, including population created by the Pi'ilani Promenade, may increase demand for coastal and inland active and passive recreation lands. The County's Infrastructure and Public Facilities Issue Paper (September 2007) recommends a pro-active public-sector strategy to acquire additional shoreline and inland park lands to accommodate the increasing demand for recreation and shoreline-based cultural activities. MCC Title 18.16.320 requires a park land dedication, or cash-in-lieu fee, to mitigate the impact of growth on park and recreation facilities.

Of the projects listed in Table No. 16e the Kihei Residential, the MRTP, and the Honua'ula Affordable Housing Development are subject to MCC Title 18.16.320 which requires a park land dedication, or cash-in-lieu fee, to mitigate the impact of growth on park and recreation facilities.

Table No. 16e Other Potential Projects: Recreation Facilities

Development	Parks Contribution
Kaiwahine Village	0
Maui Lu Resort	0
Kihei High School	0
Kenolio Apartments	0
Kihei Residential	On site park with restrooms and parking will be provided
Downtown Kihei	0
Maui Research and Technology Park	On site parks and open space will be provided
Honua'ula Affordable Housing Development	Cash-in-lieu fee to be paid to Maui County

The Kihei Residential, the MRTP, and the Honua'ula Affordable Housing Development are subject to MCC Title 18.16.320 and will therefore mitigate potential recreational impacts by providing park space in Kihei-Makena region.

With regard to the concern relative to sprawl, the proposed project is located immediately adjacent to an extensive and larger light industrial complex which is adjacent to a significant residential area in north Kihei. Immediately to the south of the proposed project is the proposed Kihei High School for which the State of Hawaii has acquired the land and is now in the process of design. The amount of residential or apartment zoned land in south Maui available for residential and especially apartment development is limited. The project site is County zoned Light Industrial and Apartments are a permitted use. The proposed project has been designated for urban development since 1995 and is located within the Maui Island Plan Urban Growth Boundary, an area determined to be the location of desired future urban development for south Maui. This mixed-use project will include light industrial, business /commercial and residential uses, active park space, pedestrian and bicycle connectivity within the site and along the frontage portions of the Kihei Upcountry Highway and Pi'ilani Highway to promote smart growth and less dependence on the automobile. In addition the project will provide an easement for pedestrian and bicycle connectivity from Ohukai Road to the mauka portion of the project site and the Applicant anticipates that there will be opportunities for future connection along Pi'ilani Highway with the Kihei High School. The onsite pedestrian oriented improvements will reduce the need for the automobile and create a healthier lifestyle for those who live there and the offsite easement will expand the regional non-vehicular transportation network.

The Applicant's for each proposed project will be required to comply with mitigation measures as mandated by County and State law.

Infrastructure and Public Facilities

The build-out of the Pi'ilani Promenade, together with other developments in Kihei, will increase population; thereby, increasing the demand for infrastructure and public facility systems, including water, wastewater, and roadways; solid waste, schools, and parks; and medical facilities, public transit and government offices. The County's Infrastructure and Public Facilities Issue Paper (September 2007) documents the impact of projected population growth on the County's infrastructure and public facility systems by region and identifies associated capital improvement projects to support this growth.

The TIAR update prepared for the project has examined and evaluated traffic impacts of the project, as well as the other potential projects identified on Table No. 16f. The projected trip generation impact of these projects is presented in table 10 in the TIAR update. As noted in the TIAR, these projects have been included in the traffic analysis, however some projects are in the planning and entitlement phase and for various reasons may not be constructed within the estimated completion date of this project.

Table No. 16f Other Potential Projects: Traffic

Development	Trip Generation AM	Trip Generation PM
Kaiwahine Village	66	80
Maui Lu Resort	316	363
Kihei High School	693	215
Kenolio Apartments	103	127
Kihei Residential	616	737
Downtown Kihei	230	393
Maui Research and Technology Park	2120	1713
Honua'ula Affordable Housing Development	127	158
Total	4271	3786

Of the projects listed in Table No. 16f the estimated traffic generation is 4,271 trips in the morning and 3,786 trips in the afternoon. The proposed traffic mitigation measures for the other potential developments are provided in Section D. 1 (Roadways) of the FEIS.

Table No. 16g Other Potential Projects: Wastewater

Development	Wastewater (gallons per day)
Kaiwahine Village	76,500
Maui Lu Resort	116,500
Kihei High School	210,000
Kenolio Apartments	47,430
Kihei Residential	935,000
Downtown Kihei	177,800
Maui Research and Technology Park	1,850,000
Honua'ula Affordable Housing Development	63,750
Total	**3,476,980**

Of the projects listed in Table No. 16g the estimated wastewater generation is 3,476,980 gallons per day and the available capacity at the KWWRF is approximately 4.6 million gallons per day, therefore the total of other developments listed can be accommodated.

Other developments will be required to pay assessment fees also and mitigate impacts to the County sewer and maintain system service.

Sewage generated by the Project will be treated at the KWRF. As indicated by the County DEM, wastewater capacity is available for the project. The Applicant will be required to make system improvements at the time of service and applicable assessment fees will be required.

As documented in Section III.D of the ~~D~~FEIS, the Pi'ilani Promenade will mitigate its impact on infrastructure and public facility systems through a variety of on- and off-site infrastructure and public facility counter-measures. One such counter measure, as documented in Section III.D.3 of the ~~D~~FEIS, is the development of a 1.0 MG drinking water storage tank to provide drinking water storage to accommodate the cumulative impact of projected population growth. Property taxes generated by the development, together with other planned projects in the area, will help fund County operations and capital improvement projects.

The mitigation of other projects potential adverse cumulative impacts resulting from infrastructure use will be provided during the course of development by providing additional facilities on-site and offsite such as park facilities, stormwater management, and water. Mitigation measures will also include required contribution of impacts fees such as school, traffic and wastewater.

The projects listed in Table No. 16 represent future potential developments identified, however the timeframe for these projects are dependent upon individual entitlement processes and market conditions which are not linked to the proposed Piilani Promenade project. It is in this context that Maui County has processes and mechanisms to ensure that mitigation measures attributable to cumulative impacts are provided.

Cumulative Impacts of Honua'ula Affordable Housing Development

The Preliminary Engineering Report (PER) was developed to address the engineering issues and impacts associated with the Promenade project in terms of utility service, drainage, access, grading and other aspects of site development. It is important to remember that the final subdivision map creating both the Promenade and Honua'ula Partners LLC (HPL) parcel was required to provide adequate utility service to each lot (water, sewer, electrical, etc.). The subdivision map and associated civil construction plans provide for all of these services for each lot including the HPL parcel. All of the drainage work done to date has been completed to address the on and off site infrastructure development needed to serve all of the parcels including HPL. The Promenade PER specifically addresses the drainage concerns associated with development of that project only while the HPL parcel, when developed, will need to comply with the County of Maui drainage requirements as a separate project not impacting the assumptions already addressed in the subdivision and Promenade PER documents.

In addition to the above the HPL parcel is owned by a separate entity with development timing subject to both Chapter 343 compliance and processing of a Motion to Amend with the Commission. Therefore, its development timing is uncertain and there are no specific

development plans yet developed to provide a basis for PER analysis other than the number of units.

AIS: the AIS includes the Honua'ula affordable housing development parcel in its Survey and no Historical Sites were identified on this project parcel outside of the Piilani Promenade.

CIA: The CIA included the Honua'ula parcel in its Assessment. Drainageway "A" was noted by some interviewees as having cultural importance however the CIA concludes that:

"Given the input received through the consultation process and a review of the archaeological data gathered in the project AIS we cannot conclude the minor drainageway "A" discussed within the project documents or consultation discussions has any relevant cultural significance. As part of the data recovery process proposed for the project area further information may reveal more about this drainage way and possible significance."

In addition SCS has prepared a separate CIA for the Honua'ula Affordable Housing development parcel. (**See:** Appendix I-2 "Cultural Impact Assessment for the proposed Honua'ula offsite workforce housing project dated April 2017").

The cultural and historical background presented in the CIA prepared by Hana Pono, LLC and the SCIA prepared by SCS, in addition to the findings of prior archaeological studies in the project area and in the neighboring areas, support the findings of the CIA prepared for the Honua'ula offsite workforce housing project. The findings are that there are no specific valued cultural, historical, or natural resources within the project area. Nor are there any traditional and customary native Hawaiian rights being exercised within the project area. (**See:** Appendix I-2 "Cultural Impact Assessment for the proposed Honua'ula offsite workforce housing project dated April 2017").

PER: The PER does not identify the drainage and electrical impacts of the Honua'ula affordable housing development yet that parcel will be served by all major utility connections already established and shown in the subdivision improvement plans and all infrastructure has been sized to reflect the buildout of both Piilani and Honua'ula affordable housing development. Honua'ula's affordable housing development electrical requirements will be served from the new MECO substation and any drainage by Honua'ula affordable housing development will be required to meet Maui County Standards. The Applicant calculated the estimated Drinking Water Demand for both Piilani and Honua'ula affordable housing development by using Maui County Code Standards.

TIAR: The estimated Traffic generated by Honua'ula affordable housing development were analyzed as part of the TIAR update by SSFM. This traffic along with other background

growth was used to understand the impacts of other projects, along with the proposed Piilani project.

ECON: The Study did not measure other projects economic impacts. The Study mentions the Honua'ula Affordable housing project in 2 places related to affordable housing. The statement is made that 125 units of the 250 will be rental with the remainder owner occupied. The positive social impact of the Affordable Housing Development can be identified in the FEIS.

Waimea Water Services Report: The irrigation well is located on Honua'ula Affordable Housing project parcel and will provide the water for construction dust control and temporary irrigation for the both Piilani and Honua'ula affordable housing development. The Waimea water services report has determined that during a test pumping of a well in the same area as the on property well , there was no change in the water level and quality at 3 observation wells. In addition the report noted that three irrigation wells are located downstream of the property, all of which are located at a distance of over 3000 feet from the well and it is the conclusion of the Waimea water services report that it is unlikely the proposed irrigation well will impact downstream irrigation wells.

Air Quality: The Air Quality Study included the Honua'ula affordable housing development, however the affordable project is separated from the Piilani Promenade project. Additionally, the essential data used for the air quality analysis is the data finalized within the TIAR update which includes the impacts of the Honua'ula affordable housing development. As previously mentioned, based on the review of the TIAR Update dated December 2016 it is the opinion of the air quality consultant that re-analysis of the project air quality impacts due to project traffic would not yield significantly different results and the conclusions stated in the air quality study of August 2014 remain valid. (**See:** Appendix D-2 "Air Quality Report Update dated February 2, 2017")

Noise Study: Based on the review of the TIAR Update dated December 20, 2016 it is the opinion of the Acoustic Study consultant that any potential adverse noise impacts at the Honua'ula affordable housing project can be compared to the potential noise impacts as follows:

There should be less exposure to noise from the Piilani Promenade project's noise source since on the south side of the Honua'ula affordable housing project will face the Piilani Promenade business/commercial activities;

Piilani Promenade traffic on E. Kaonoulu Street fronting the Honua'ula affordable housing project should be less than Piilani Promenade traffic on E. Kaonoulu Street fronting the Piilani Promenade's 226 residential units. Total predicted traffic noise in 2032 at the Honua'ula affordable housing project should also be less than the 59 to 61 DNL predicted at the Piilani Promenade's 226 residential units. (**See:** Appendix E-2 "Acoustic Study dated January 23, 2017")

Shared infrastructure Irrigation Well: The irrigation well is intended to serve both the Piilani and HPL parcels and is designed to do so with the irrigation system located for future connection by all parcels. Additionally, this private system has been designed for conversion to reclaimed water when that service is available from the County of Maui consistent with the zoning conditions for the parcel.

Kihei Up-Country Highway: The Piilani Promenade will construct the increment of the Kihei/Upcountry Highway from its intersection with the Piilani Highway through to the eastern boundary of the property serving all four parcels with a fully improved roadway section including major utilities, drainage, off road bicycle and pedestrian paths, roadway and landscaped shoulders and median strips.

Utilities: The improvements proposed by Piilani Promenade will provide full utility service to all parcels in the subdivision including the HPL parcel. Water, sewer, electrical, roadway drainage will all be provided per the subdivision construction plans.

Secondary impacts
Secondary impacts are those that have the potential to occur later in time or farther in the future, but which are reasonably foreseeable. They can be viewed as actions of others that are taken because of the presence of the project. Secondary impacts from highway projects, for example, can occur because they can induce development by removing transportation impediments to growth.

Secondary impacts could also result from investments into infrastructure and public facility improvements to support the Project. For example, development of the KUH could induce further growth mauka of Pi'ilani Highway. As documented in Section III.D.1 of the ~~D~~FEIS, development mauka of Pi'ilani Highway is supported by the Maui Island Plan. The future growth of the KUH outside of the project area is unknown at this time.

While the project is anticipated to add to the resident population, the proportion of in-migrants is expected to be modest given the demand for apartment rental housing in Kihei. As previously noted, the project will result in construction-term expenditures, wages and taxes. Real property taxes will contribute to the County's revenue tax base to support the increase in public services. The project is not anticipated to have a significant adverse impact on the physical environment. As previously noted, no adverse impacts to historic properties, or rare threatened or endangered species are anticipated. Necessary infrastructure systems and services can be reasonably provided to serve the project. The proposed action is not anticipated to result in significant adverse secondary impacts.

LUC Comment 4.
In accordance with section 11-200-17(j), HAR, a description of the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity should be provided. We acknowledge that the DEIS includes a section addressing this relationship. However, we request that the impacts and potential benefits be quantified to better assess the extent to which the proposed development involves trade-offs

among short-term and long-term gains and losses, forecloses future options, narrows the range of beneficial uses of the environment, or poses long-term risks to health or safety.

Response 4: In response to comments regarding the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity, the FEIS Section V. A. (relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity) has been revised to include the following language.

In response to comments from the LUC and in accordance with section 11-200-17(j), HAR, a description of the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity is provided in the context of the four specific areas of concern. Construction activities would result in short-term impacts involving temporary and permanent alteration of land for grading, site work, infrastructure and building. Localized degradation of air quality and increased noise levels would also occur in the short-term due to construction-related activities. Many short-term impacts can be avoided or mitigated by implementation of construction Best Management Practices (BMPs). Applicable BMPs include implementing erosion control measures, directing storm water run-off to detention/retention basins, and preventing the release of fuel or other contaminants. The tradeoffs among these short-term impacts are the increase in employment and immediate economic benefits of construction-related activities. These short-term impacts and benefits are documented in Section III.B. 3 of the FEIS.

In the long-term, the infrastructure and building construction associated with the Pi'ilani Promenade would facilitate the diversification of Maui's economy. Economic diversification and the creation of "living wage jobs" are key objectives of the Maui Island Plan and County-wide Policy Plan.

Ultimately, the long-term build-out of the Pi'ilani Promenade will produce impacts that must be weighed against the Project's benefits. Increased development will lead to an increase in population of the immediate area, whether in the form of residents living within the Pi'ilani Promenade or employees commuting to the Pi'ilani Promenade during regular business hours. With the projected population increases, the volume of traffic coming in and out of the Pi'ilani Promenade will increase. This will affect regional traffic conditions by increasing volumes on the region's existing roadway network. As documented in Section III.D.1 of the ~~D~~FEIS, creative strategies involving roadway improvements and upgrades, transportation demand-management counter-measures, and innovative urban design approaches are required to mitigate the Project's traffic impact. Likewise, an increase in population will produce greater demands upon the island's drinking water resources, wastewater systems and public facilities including parks, schools, police and fire. These impacts and the necessary mitigation counter-measures are thoroughly documented in Sections III.C and D of the ~~D~~FEIS.

With regard to long-term productivity, this project utilizes the principles of New Urbanism and Smart Growth to transform the current, single-use large lot light industrial subdivision into a mixed-use project with employment opportunities in close proximity. Implementation

of this vision will require a broadening of the development standards to allow a variety of lots sizes for the use of smaller firms and, professional services, restaurants, neighborhood serving retail, and housing.

The proposed Pi'ilani Promenade project will create jobs both temporary construction jobs and permanent long term employment. The economic impacts associated with the short and long-term implementation of the Pi'ilani Promenade are thoroughly documented in Section III.B.3 of the ~~D~~FEIS.

Forecloses future options: Development of the Piilani Promenade would reduce future development options for the property, however the project has been designed to allow for a mix of uses including Light Industrial, commercial/business, and multi-family. This mix of uses will provide the flexibility to accommodate the desired businesses for the growing South Maui community.

Narrows the range of beneficial uses of the environment: The proposed project would reduce the amount of land available for ranching by 68.19 acres of land. The property is poorly suited for agriculture and the Flora and Fauna reports did not identify any critical habitats such as wetlands on the property. The proposed project will include construction of a portion of a new Kihei-Upcountry Highway, rental housing, a location for a 1.0 Million gallon water tank and MECO substation to help provide housing, water storage, transportation and power to the growing South Maui Community.

Long-term risks to health and safety: The project is not expected to pose any such risk. The developer will comply with Federal, State and County regulations pertaining to grading codes, building codes, environmental health, etc. to ensure that risk to health and safety will be limited. No hazardous materials have been identified.

LUC Comment 5.
In accordance with section 11-200-17(k), HAR, a description of all Irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented should be included. We acknowledge that the DEIS includes a section addressing this requirement albeit in a very generalized manner. We request that at a minimum, this discussion quantify the various commitments to more fully disclose the extent of such commitments of resources.

Response 5: In response to comments regarding the irretrievable commitments of resources, the FEIS Section V. B. (irretrievable commitments of resources) has been revised to include the following language.

In response to comments from the LUC, the commitment of resources will be provided by the Applicant. The Applicant will finance the construction of the project with private funds. The following responses quantifies the Applicant's commitment of resources as a result of the proposed project.

Land: the project site development parcels and roadway widening lots total 74.871 acres of land that will be irretrievable.

Labor: Construction is estimated to provide 878 "worker years" of direct on-site employment and $66.5 million in total wages over a 12-15 year absorption period.

Construction materials: The cost of the project is estimated in Table No. 1a of the FEIS and the infrastructure for the project is estimated to cost approximately $22 million dollars, the estimated vertical construction cost for Phase 2 is $74,000,000.00 and Phase 3 is estimated at $118,250,000.00.

Energy: The project is estimated to utilize 6,250 kVA of electricity. MECO will supply electricity to the project site and has been provided a lot within the proposed development to construct a new MECO substation to provide stable power to the project site and future development in the area.

There will be a permanent commitment of funds and resources from the developer to design, construct and operate the project.

LUC Comment 6.
In accordance with section 11-200-17(m), HAR, mitigation measures proposed to avoid, minimize, rectify, or reduce impact, should be considered in the DEIS. We acknowledge that various mitigation measures to address potential impacts of the proposed development are discussed throughout the DEIS. However, we suggest that for ease of reference the DEIS include a separate and distinct section that collectively includes an enumeration of each potential impact and the corresponding mitigation measure(s). The basis for why a particular measure was selected and the timing of its implementation in the process should be described here as should the proposed provisions to ensure that each measure will be undertaken.

Response 6: In response to comments regarding the potential impacts and mitigation measures, the FEIS Section II.H (Potential Impacts and Mitigation Measures) has been revised as follows:

At the request of the LUC, the following section has been provided to identify the potential impact and the corresponding mitigation measure(s). The basis for why a particular measure was selected and the timing of its implementation in the process should be described here as should the proposed provisions to ensure that each measure will be undertaken.

1. TOPOGRAPHY AND SOILS

Potential Impact: Potential impacts to the land form include routing Drainageway "A" to the future East Kaonoulu Street right of way as part of the overall drainage system. Additional impacts may include soil erosion and the generation of dust during construction. Clearing and grubbing activities will temporarily disturb the soil retention values of the existing vegetation and expose soils to erosion forces. Some wind erosion of soils could occur without a proper watering and re-vegetation program.

Mitigation Measures: As part of the overall drainage master plan, Drainageway "A" will be routed to the East Kaonoulu Street right of way with no increase in flow and will terminate at the existing culverts routing the system under and *makai* of the Pi'ilani Highway. This change will not increase the quantity of drainage water traveling through this system or downstream.

During site preparation, storm runoff from the site will be controlled in accordance with the County's "Soil Erosion and Sediment Control Standards". Typical mitigation measures include appropriately stockpiling materials on the site to prevent runoff, temporary detention, and commencing building construction and/or establishing landscaping as early as possible in order to minimize the length of exposure of disturbed soils. After construction, the establishment of a permanent stormwater system and landscaping will provide additional long-term erosion control.

Why Mitigation Measures were selected: Drainageway "A" is proposed to be routed underground to the East Kaonoulu right of way as part of the drainage system improvements in order to accommodate the grade changes necessary for East Kaonoulu Street and develop the property as proposed. Maui County's "Soil Erosion and Sediment Control Standards "are the recommended mitigation measures for site preparation and stormwater runoff prevention.

Timing of Implementing Mitigation Measures: The proposed mitigation measures will be implemented during Phase 1 site work which will begin upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: Construction activities on the property will comply with all applicable Federal, State, and County regulations and rules for erosion and sediment control. Prior to the issuance of a grading permit, a final erosion control plan and best management practices will be submitted to the County of Maui for review and approval. All construction activities will comply with the provisions of Chapter 11-60.1, Hawaii Administrative Rules (HAR), Section 11-60.1-33, pertaining to Fugitive Dust.

2. NOISE QUALITY

Potential Impact: The Acoustic Study reports that the proposed extension of Kaonoulu Street mauka of Piilani Highway will increase the existing background ambient noise levels along the center portion of the Project site. Through project build-out in CY 2032, noise levels at the Project's planned residential buildings fronting Kaonoulu Street should not exceed the 65 DNL federal standard or the State DOT 66 Leq noise abatement criteria, as long as the residential buildings are located at least 51 feet from the centerline of Kaonoulu Street.

Mitigation Measures: Based on the best available traffic forecasts available for future conditions following completion of the Upcountry Highway, a setback distance of 70 feet from the centerline of Kaonoulu Street is required for 65 DNL and 66 Leq to not be exceeded at these residential buildings. The Project site will be designed such that rental residential uses within the Project are located at adequate setback distances from the future Kihei Upcountry Highway to eliminate the need for traffic noise mitigation measures. The Applicant will inform future residents of the potential for high noise levels due to existing light industrial activities adjacent to the northern corner of the Project site.

Why Mitigation Measures were selected: This mitigation measure of providing an ample setback from the roadway was selected in lieu of constructing a sound attenuating wall along the Kihei Upcountry Highway to reduce noise impacts to residences.

Timing of Implementing Mitigation Measures: DOH Community Noise Permit will be applied for upon approval of the Motion to Amend by the LUC and prior to the start of Phase 1 site work. The construction of the residential units is proposed as part of Phase 2.

Provision to ensure that each measure will be undertaken: The project will comply with State Department of Health noise regulations for construction activities. As stipulated by DOH permit requirements, noise-generating construction activities are not allowed on Sundays and holidays, during the early morning, and during the late evening and nighttime periods.

3. ARCHAEOLOGICAL RESOURCES

Potential Impact: Loss of historical sites identified on the property.

Mitigation Measures: Preparation of an Archaeological Data Recovery Plan and Archaeological Monitoring Plan.

Why Mitigation Measures were selected: The plans were recommended by the SHPD.

Timing of Implementing Mitigation Measures: The Archaeological Data Recovery Plan was received by the SHPD on June 17, 2016 and is under review. Prior to ground disturbing activities a project specific Archaeological Monitoring Plan will be prepared following the results of SHPD's review of the Data Recovery Plan.

Provision to ensure that each measure will be undertaken: DLNR, SHPD has required a preservation plan and Archeological monitoring plan per the AIS acceptance letter dated January 6, 2016.

4. GROUNDWATER RESOURCES

Potential Impact: Hydrologic impact to the Iao Aquifer from withdrawal of 171,000 gpd of drinking water and impact to the Kamaole Aquifer from withdrawal of 81,000 gpd of non-drinking water for irrigation.

Mitigation Measures: The CWRM estimates that 0.421 MGD of groundwater can be allocated within the Iao Aquifer System. The Piilani Promenade drinking water demand is expected to withdraw 171,000 gpd, and can be accommodated within the remaining 0.421 MGD of available groundwater. This limited amount of water is not anticipated to significantly impact the Iao Aquifer from recharging.

The CWRM approved an irrigation well permit for a well built in 2011 at a wellhead elevation of 118 feet. The well has the capacity to produce 216,000 gpd of non-drinking water from the Kamaole Aquifer, and a permanent pump with an additional capacity of 150 gpm has since been installed, but is not currently in use. In addition, the Applicant is required to provide for a future connection to the County reclaimed water system that would eliminate the need for the brackish irrigation well.

Why Mitigation Measures were selected: Three 3-inch domestic water meters have been approved by the County DWS and are available for the Project. The issuance of water meters for the Project by the DWS carries the implicit approval by the DWS of Piilani Promenade's use of the Iao Aquifer System for drinking water.

The irrigation well was approved, and when the Maui County reclaimed water system is expanded to the Project site, the Applicant will connect to the system in compliance with the condition imposed by the County in connection with obtaining the current zoning designation.

Timing of Implementing Mitigation Measures: The domestic water meters will connect to the County water system during Phase 1. The irrigation well will be utilized during Phase 1 site work and there is no established timetable for connection to the County reclaimed water system.

Provision to ensure that each measure will be undertaken: The Applicant is required to provide for a future connection to the County reclaimed water system is a condition of County zoning for this project (Ordinance 2772, May 25, 1999). In the future, connecting the Project to the reclaimed water system will eliminate the need for the brackish irrigation well.

5. RECREATION FACILITIES

Potential Impact: Incremental impact that new development places upon the region's park facilities.

Mitigation Measures: The Pi'ilani Promenade is anticipated to positively impact recreational facilities by providing an approximately 2-acre park site adjacent to the proposed 226 apartments.

The Applicant met with the County Department of Parks & Recreation on March 13, 2015 to discuss how the parks and playgrounds assessment requirements for the proposed Pi'ilani Promenade can be satisfied in accordance with MCC Section 18.16.320. As a result of the meeting, the Applicant is proposing the following general changes to the on-site park space:

1. Inclusion of active play space and facilities within the park areas;
2. Inclusion of parking for park users; and
3. Possible reconfiguration of the park acreage to create a more contiguous park area.

Additionally, improvements are being made to accommodate pedestrian and bicycle travel adjacent to and within the Project. Recognizing that the availability of existing off-street pedestrian and bike pathways is limited in south Maui, and that there is a need for projects to offer options other than vehicular access, the Pi'ilani Promenade includes a pedestrian and bike pathway system adjacent to and within the Project site, as shown in Figure 15 "Conceptual Circulation Plan". The red bike lane shown in Figure 15 is located within the Pi'ilani Highway right of way. The blue system shown provides for a series of pedestrian and bike pathways with the Project site and East Kaonoulu Road allowing for safe off street interconnectivity for the public using the various components of the land plan and providing for future connectivity to the areas north, south and east of the Project site.

Why Mitigation Measures were selected: The requirements for Parks and Playgrounds, pursuant to MCC Section 18.16.320, are required by the County of Maui.

Timing of Implementing Mitigation Measures: The Applicant proposes to construct the park space in conjunction with the multi-family units as part of Phase 2 development.

Provision to ensure that each measure will be undertaken: The Applicant will comply with the requirements for Parks and Playgrounds, pursuant to MCC Section 18.16.320. The park assessment requirements are designed to mitigate the incremental impact that new development places upon the region's park facilities.

6. SCHOOLS

Potential Impact: Increase in student population

Mitigation Measures: Payment of the DOE school impact fee to contribute to future South Maui school facilities.

Why Mitigation Measures were selected: The Project site is not a preferred location for a school site, therefore the contribution of a fee is anticipated.

Timing of Implementing Mitigation Measures: Upon approval of the Motion to Amend by the LUC and prior to grading or building permits for Phase 2 and 3 developments.

Provision to ensure that each measure will be undertaken: In 2007, the Hawaii Legislature enacted Act 245 as Section 302A, HRS, "School Impact Fees".

7. ROADWAYS

Potential Impact: The Project will generate 564 new trips during the morning peak hour, 2,482 new trips during the afternoon peak hour and 2,651 new trips during the Saturday peak hour.

Mitigation Measures: Consistent with previously approved subdivision plans for the Project site, the TIAR recommends the following mitigation measures to be constructed by the Applicant at the intersection of Piilani Highway and Kaonoulu Street as part of the Piilani Promenade:

- Install traffic signals and striped pedestrian crosswalks across Pi'ilani Highway.
- Southbound approach will have double left turn lanes, two through lanes, and a channelized right turn lane.
- Northbound approach will have a dedicated left turn lane, two through lanes, and a channelized right turn lane.
- Eastbound approach will have a left turn lane, a through lane, and a channelized right turn lane.
- Westbound approach will have dual left turn lanes, a through lane and channelized right turn lane with an acceleration lane.
- The Project also includes the construction of a shared-use pedestrian and bike path along the mauka-side of Pi'ilani Highway, adjacent to the Project and within the Project site, in addition to bike lanes on Pi'ilani Highway.

Why Mitigation Measures were selected: Recommendations of the TIAR.

Timing of Implementing Mitigation Measures: Upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: TIAR with mitigations will be approved by the DOT.

8. DRAINAGE

Potential Impact: Hydrologic impact on downstream properties.

Mitigation Measures: Surface runoff generated by Pi'ilani Promenade's buildings and pavement will be directed to drain inlets located throughout the development and then conveyed to stormwater detention facilities (by underground drainlines) in order to provide peak flow mitigation. Underground detention chambers located on the southern portion of the Project site and an open detention pond located in the northern portion of the Project site will provide a combined storage capacity of 7.6 acre-feet and will limit downstream stormwater discharges to a peak flow rate that does not exceed pre-development levels. Once the stormwater detention facilities are in place, the hydrologic impact on downstream properties resulting from the proposed development of Pi'ilani Promenade will be negligible because the pre-development peak flow is the same is the post-development peak flow.

Why Mitigation Measures were selected: Compliance with County engineering standards and the recommendation of the Project Civil Engineering Preliminary Drainage Report.

Timing of Implementing Mitigation Measures: Upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: The drainage system is required to be built in compliance with Maui County's Drainage Rules.

9. WATER

Potential Impact: The Project is estimated to consume on average of 252,000 gpd at full build-out, including 171,000 gpd of drinking water for domestic uses.

Mitigation Measures: The proposed Project will connect to the existing County water system for drinking water. At the request of the DWS, the Applicant agreed to construct a 1.0 MG water storage tank to serve the future needs of the Project and South Maui. Three 3-inch domestic water meters have been approved and are available for the Project. The combined flow capacity of these meters is 1,050 gpm, which exceeds the approximately 600 gpm of required flow capacity for the Project. Therefore, there will be adequate flow capacity to build out the Project. Consequently, no additional drinking water sources beyond the County-issued water meters are anticipated in order to construct and operate the Pi'ilani Promenade.

Why Mitigation Measures were selected: Consultation with DWS led to the request for construction of the 1.0 MG water tank as an alternative to source development. Additionally, the 1.0 MG water tank is part of the previously approved subdivision plans.

Timing of Implementing Mitigation Measures: 1 MG water tank and other water related infrastructure will occur during Phase 1 upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: As part of the final subdivision approval for the project site the required drinking water improvements are listed.

10. RELOCATION OF COUNTY WATERLINE

Potential Impact: Relocating the 36-inch diameter high pressure waterline could disrupt water service during improvement work.

Mitigation Measures: Previously approved DWS construction plans for the relocation work include a bypass line, comprehensive site preparation work, and disconnect/connection during non-peak hours.

Why Mitigation Measures were selected: The current location of the County line crosses diagonally through Project site, restricting use of land over water line alignment. The proposed high pressure waterline relocation was coordinated with the DWS and the construction plans have been approved.

Timing of Implementing Mitigation Measures: Waterline relocation will occur in Phase 1, upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: The proposed high pressure waterline relocation has been approved by the Department of Water Supply (DWS) and will be constructed in accordance with the rules and regulation of the department.

11. SOLID WASTE

Potential Impact: Solid Waste generated from the Project will contribute towards the use of the Central Maui Landfill.

Mitigation Measures: A solid waste management plan will be coordinated with the County Solid Waste Division for the disposal of onsite and construction-related waste material. The Applicant will work with the Project contractor to minimize the amount of solid waste generated during construction. In addition, the Project will provide on-site recycling opportunities in an effort to reduce solid waste entering the landfill. The County Solid Waste Division anticipates that additional phases of the Central Maui Landfill will be developed as needed to accommodate future waste, including waste generated by the Project.

Why Mitigation Measures were selected: A solid waste management plan is the recommended for construction projects. Providing the on-site recycling opportunities within the Pi'ilani Promenade site is a measure that will support waste diversion.

Timing of Implementing Mitigation Measures: Solid waste will be an ongoing impact of the project and the solid waste management plan will be implanted at the start of construction which is expected to begin upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: The Applicant is required to comply with the rules of the County of Maui Department of the Environmental Management as it relates to solid waste.

12. WASTE WATER

Potential Impact: Development of the Project will generate 114,000 gpd of wastewater.

Mitigation Measures: The Applicant will pay the Regional Wastewater Treatment System Facility Expansion Assessment Fee for treatment plant expansion, which is currently assessed at $4.65 per gallon of Project flow. The Pi'ilani Promenade will be assessed approximately $530,100 for the 114,000 gpd of anticipated wastewater flow. The Project will connect to the existing County sewer system.

Why Mitigation Measures were selected: The Regional Wastewater Treatment System Facility Expansion Assessment Fee is required by the Department of Environmental Management.

Timing of Implementing Mitigation Measures: Sewer systems improvements are proposed as part of Phase 1 and would start upon approval of the Motion to Amend by the LUC.

Provision to ensure that each measure will be undertaken: The Wastewater Reclamation Division of the Maui Department of Environmental Management reports that available capacity at the KWWR is approximately 4.6 million-gallons-per-day (mgd) of out 8.0 mgd total treatment capacity based on measured average daily flows. As such, there should be ample treatment capacity available to accommodate the 114,000 gallon (0.1 mgd) daily wastewater flow which the Pi'ilani Promenade project is expected to generate at full development.

13. ELECTRICAL

Potential Impact: MECO has advised that the existing 12 kV system, based on current electrical use growth projections, does not have sufficient spare capacity to accommodate the estimated 6,250 kVA of load required by the current Pi'ilani Promenade development plan.

Mitigation Measures: MECO is planning a new substation to provide the additional capacity needed to accommodate further growth in the Kihei and South Maui area.

Why Mitigation Measures were selected: The need for a substation in this area of Kihei was a requirement of MECO to continue to provide electrical needs the growth in the Kihei and south Maui areas.

Timing of Implementing Mitigation Measures: MECO plans to have the substation built by the fall of 2017.

Provision to ensure that each measure will be undertaken: MECO is moving forward to construct the substation and has informed the LUC that MECO intends to apply for and obtain all necessary permits to complete the substation by the fall of 2017.

LUC Comment 7.
In accordance with section 11-200-17(o), HAR the identity of the persons, firms, or agency preparing the document should be disclosed. This would include the preparers of the actual DEIS/FEIS itself and the authors/firms of the specific studies/reports. This listing may be incorporated within Chapter VIII entitled Consultation and Review.

Response 7: In response to comments regarding the document preparation, the FEIS Section VII. (Consultation and Review) has been revised as follows:

The following consultants prepared technical studies in preparation of the Draft and Final Environmental Impact Statements.

Primary Consultant / Planner
Chris Hart & Partners, Inc.
115 North Market Street, Wailuku, Hawaii 96753
Contact: Mr. Jordan E. Hart (808.242.1955)

Traffic
Phillip Rowell and Associates
47-273 'D' Hui Iwa Street, Kaneohe, Hawaii 96744
Contact: Mr. Phillip Rowell (808.239.8206)

SSFM International Inc.
501 Sumner Street, Suite 620, Honolulu, Hawaii 96817
Contact: Ms. Cheryl D. Soon (808.531.1308)

Civil Engineering
Warren S. Unemori Engineering, Inc.
2145 Wells Street, Suite 403, Wailuku, Hawaii 96793
Contact: Mr. Darren Unemori (808.249.6903)

Market & Econometric Analysis
The Hallstrom Group, Inc.
1003 Bishop Street, Suite 1350, Honolulu, Hawaii 96813
Contact: Mr. Tom W. Holliday (808.526.0444)

Water
Marine Research Consultants, Inc.
1039 Waakaua Pl., Honolulu, Hawaii 96817
Contact: Mr. Steve Dollar (808.988.5009)

Waimea Water Services, LLC.
65-1206 Mamalahoa Hwy., 1-206, Kamuela, Hawaii 96743
Contact: Mr. David Barnes (808.885.5941)

Botanical & Fauna
Robert W. Hobdy Environmental Consultant
Kokomo Road, Haiku, Hawaii 96708
Contact: Mr. Robert W. Hobdy (808.573.8029)

Archaeology
Xamanek Researches, LLC
P.O. Box 880131, Pukalani, Hawaii 96788
Contact: Mr. Erik Fredericksen (808.572.6118)

Cultural
Hana Pono, LLC
P.O. Box 2039, Wailuku, Hawaii 96793
Contact: Mr. Keli'i Tau'a (808.573.1643)

Scientific Consultant Services Inc.
1347 Kapiolani Blvd., Suite 408, Honolulu, HI 96814
Contact: Ms. Cathleen A. Dagher (808.597.1182)

Environmental
Malama Environmental, LLC
P.O. Box 880487, Pukalani, Hawaii 96788
Contact: Mr. John S. Vuich, M.S. (808.573.0200)

Geotechnical Engineering
Fewell Geotechnical Engineering, LTD.
360 Papa Place, Suite 103, Kahului HI, 96732
Contact: Mr. Alan Shinamoto, P.E. (808.873.0110)

Air Quality
B.D. Neal & Associates
P.O. Box 1808, Kailua-Kona, Hawaii 96745
Contact: Mr. Barry Neal (808.329.1627)

Acoustic
Y. Ebisu & Associates
1126 12th Avenue, Room 305, Honolulu, Hawaii 96816
Contact: Mr. Yoichi Ebisu (808.735.1634)

Architect/ View Analysis
Architects Orange
144 N. Orange St., Orange CA 92866
Contact: Mr. Jack Selman (714.639.9860)

LUC Comment 8.
On pages 91, 94, and 111 of the DEIS, it is stated that "[t]he Piilani Promenade does not lie within the Hawaii Coastal Zone Management Area..for the island of Maui." This is incorrect. Please be advised that pursuant to section 205A-1, Hawaii Revised Statutes, the Coastal Zone Management area encompasses the entire state.

Response 8: In response to comments regarding the Coastal Zone Management Area, the FEIS Section IV. C. (Hawaii State Plan) has been revised in several places as follows:

Pi`ilani Promenade does not lie ~~within the Hawaii Coastal Zone Management Area nor is it located~~ within the Special Management Area for the island of Maui.

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, Ownership Representative
Mr. Bert Saruwatari, LUC
Project File 13-029