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BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of:

STATE OF HAWAII, DEPARTMENT OF  
EDUCATION

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District  
for Approximately 77.2 acres of land at Kihei,  
Maui, Hawaii, Maui Tax Map Key Nos. 2-2-  
02: 81 and 83.

)  
) DOCKET NO. A11-794

)  
) PETITIONER'S AMENDED EXHIBIT  
) LIST; EXHIBITS 24-30;  
) CERTIFICATE OF SERVICE

PETITIONER'S AMENDED EXHIBIT LIST

EXHIBITS 24-30

CERTIFICATE OF SERVICE

LAND USE COMMISSION  
STATE OF HAWAII  
2013 MAY 17 P 3:58

**DOCKET NO./PETITIONER: A11-794**  
**STATE OF HAWAII, DEPARTMENT OF EDUCATION**  
**PETITIONER'S AMENDED EXHIBIT LIST**

LAND USE COMMISSION  
STATE OF HAWAII

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EX. NO	DESCRIPTION	PARTY OBJECTIONS	ADMIT
1.	Draft Environmental Impact Statement		
2.	Survey Map describing Kaonoulu Ranch-Water Tank Subdivision Lot 1-A-1 by metes and bounds		
3.	Survey Map describing Anawio Subdivision Lot 2-A by metes and bounds		
4.	Metes and bounds property description of Kaonoulu Ranch-Water Tank Subdivision Lot 1-A-1		
5.	Metes and bounds property description of Anawio Subdivision Lot 2-A		
6.	Tax Map of the Project Area		
7.	Letter from Kaonoulu Ranch, LLP to Normand Lezy and William Spence regarding Authorization to use TMK 2-2-02-81 in the Petition Area for reclassification, dated 12/14/11		
8.	Letter from Haleakala Ranch, LLP to Normand Lezy and William Spence regarding Authorization to use TMK 2-2-02-83 in the Petition Area for reclassification, dated 12/9/11		
9.	Final Environmental Impact Statement		
10.	Letter from Neil Abercrombie to Katherine S. Matayoshi regarding Acceptance of the Kihei High School Final Environmental Impact Statement, dated 11/9/ 2012		
11.	Maui Tax Map No. 2-2-2 modified to show the Petition Area		
12.	Letter from David C. Goode to Michael E. Silva identifying the Petition Area lots by newly issued Maui Tax Map Parcel Nos. 2-2-02:81 & 83, dated 2/16/12		
13.	Deed, filed January 13, 2012 as Document No. A-43950673, from Kaonoulu Ranch LLLP to State of Hawaii, Board of Land and Natural Resources		
14.	Deed, filed January 13, 2012 as Document No. A-43950672, from Haleakala Ranch Company to State of Hawaii, Board of Land and Natural Resources		
15.	Letter from William J. Aila, Jr. to Kyle Chock and William Spence authorizing the State of Hawaii, Department of Education to file a petition for reclassification of the Petition Area, dated 2/5/13		
16.	PowerPoint presentation for Nick Nichols		

17.	HI-CHPS Criteria		
18.	Resume of Bruce Plasch, PhD		
19.	Resume of Dan Lum		
20.	Resume of Gavin Masaki, PE		
21.	Resume of Peter Pascua, PE		
22.	Resume of Christine Ruotola, AICP		
23.	Planning Department Directed Growth Map – North Kihei		
24.	Written Testimony of Bruce Plasch, PhD		
25.	Written Testimony of Dan Lum		
26.	Written Testimony of Gavin Masaki, PE		
27.	PowerPoint presentation for Peter Pascua, PE		
28.	Partial Written Testimony of Christine Ruotola, AICP		
29.	PowerPoint presentation for Christine Ruotola, AICP		
	<b>REBUTTAL EXHIBITS</b>		
30.	American Association of State Highway and Transportation Officials – Policy on Geometric Design of Highways and Streets, pp. 4-56 to 59, 6th Ed. 2011		

LAND USE COMMISSION  
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WRITTEN TESTIMONY OF  
BRUCE S. PLASCH, PH.D  
PLASCH ECON PACIFIC LLC

LAND USE COMMISSION  
STATE OF HAWAII

2013 MAY 17 P 2: 20

I am Bruce S. Plasch, Ph.D., an economist with a concentration in land use, including agriculture. I offer the following testimony:

Impact on Ranching

The Petition Area is made up of two parcels: one 44-acre parcel from Haleakala Ranch and one 32-acre parcel from Kaonoulu Ranch.

Withdrawing the Petition Area from ranching has not adversely affected either Haleakala Ranch's or Kaonoulu Ranch's cattle operations. The Petition Area has poor productivity because it is on the lower arid slopes of Haleakala. Haleakala Ranch grazes cattle on approximately 23,000 acres of land. Removal of 44 acres for Kihei High School is a negligible 0.2% of Haleakala Ranch's total grazing land. Kaonoulu Ranch grazes cattle on approximately 10,000 acres of land. Removal of 32 acres for Kihei High School is a negligible 0.3% of Kaonoulu Ranch's total grazing land.

Soils and Agriculture

The Petition Area is unsuitable for most commercial field crops due to poor soil quality and lack of water. For these reasons, the Petition Area was never farmed.

The Petition Area does not satisfy HRS §205-44 criteria for designation as important agricultural lands under the ALISH system. The Petition Area is not cultivated, has no water service, and most of the land is rated as poor by various agricultural productivity rating systems. The Land Study Bureau rated the Petition Area at the lowest quality "E."

Reclassification of the Property will reduce the availability of diversified agricultural land by approximately 77 acres. This small loss of poor agricultural land will not limit the growth of diversified agriculture since over 19,000 acres of high-quality farmland are available on Maui and over 170,000 acres are available statewide. Ample farmland is now available due to the contraction and closure of nearly all sugarcane and pineapple plantations in Hawaii.

Construction Expenditures and Related Sales

Total construction expenditures are expected to be approximately \$170 million: \$140 million for Phase I and \$30 million for Phase II. This translates into average construction expenditures of about \$62.2 million per year during the 2.25-year construction period of Phase I, and about \$15 million per year during the 2-year construction period Phase II.

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Indirect sales generated by construction are expected to average about \$61 million per year for Phase I, and about \$14.7 million per year for Phase II.

### Employment and Payroll

Over the 2.25-year construction period, Phase I construction will provide an average of about 340 construction jobs and about 320 indirect jobs on Maui, and about 160 indirect jobs on Oahu, for a total of 820 jobs. Annual payroll for these jobs will total about \$41.7 million. After completion of Phase I, Kihei High School will provide about 120 on-campus jobs, about 47 indirect Maui jobs, and about 23 indirect Oahu jobs. Annual payroll for these jobs will total about \$8.4 million.

Over the 2-year construction period, Phase II construction will provide an average of about 82 construction jobs and about 80 indirect jobs on Maui, and about 40 indirect jobs on Oahu, for a total of 200 jobs. Annual payroll for these jobs will total about \$10.1 million. After completion of full build-out, Kihei High School will provide about 206 on-campus jobs, about 81 indirect Maui jobs, and about 40 indirect Oahu jobs. Annual payroll for these jobs will total about \$14.7 million.

### Supported Population

Phase I construction is expected to support approximately 1,680 residents. Following completion of Phase I, the jobs generated by Kihei High School will support about 290 residents.

Phase II construction is expected to support approximately 400 residents. Following completion of Phase II, the jobs generated by Kihei High School will support about 500 residents.

### Transportation Savings

Following completion of Phase I, Kihei High School will save residents and DOE employees approximately \$1.01 million in annual transportation costs. In addition, students will save an estimated 108,000 hours per year in time commuting to high school in Kihei rather than to a high school in Central Maui.

Following completion of Phase II, Kihei High School will save residents and DOE employees approximately \$2.08 million in annual transportation costs. In addition, students will save an estimated 223,000 hours per year in commute time.

### Tax Revenue

Phase I construction activity will generate about \$12.9 million in State tax revenue; Phase II construction will generate about \$15.7 million in State tax revenue. After completion of Phase I, Kihei High School employees and related businesses will pay approximately \$590,000 per year in State taxes, and \$67,000 per year in County taxes. After

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completion of Phase II, Kihei High School employees and related businesses will pay approximately \$1 million per year in State taxes, and \$116,000 per year in County taxes.

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WRITTEN TESTIMONY OF  
DANIEL LUM, BA Geology, MS Geophysics  
WATER RESOURCE ASSOCIATES

LAND USE COMMISSION  
STATE OF HAWAII

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I am Daniel Lum, principal and owner of Water Resource Associates, a geology and hydrology consulting firm. I prepared the groundwater resources and supply report for the Kihei High School Project, Kihei, Maui, Hawaii. I offer the following written testimony regarding Kihei High School's water requirements and its impact on the underlying Kamaole Aquifer system.

Potable Water Source and Demand

Phase I of Kihei High School will initially require an estimated average of 4,900 gallons per day (GPD) of potable water in the year 2015, 9,000 GPD in 2016, 14,300 GPD in 2017, and 18,800 GPD in 2018. By 2025, at full build out, Kihei High School will require an estimated 37,450 GPD. The Project's potable water requirement will be met by connecting to the nearby Central Maui Water System of the County of Maui Department of Water Supply (DWS). The very modest 37,450 GPD of potable water required at full build out in 2025 is anticipated to have no adverse impact on the Central Maui Water System or its existing sources of supply.

There are no potable water resources, either surface or ground water, available within a two-mile radius of the Petition Area that could be economically or feasibly developed for the Project. The Project qualifies for an exemption from DWS's Water Availability Policy under §14.12.030, Maui County Code. Specifically, Petitioner plans to connect to an existing 18-inch transmission water main across Pi'ilani Highway on Liloa Drive. The Project will also utilize the DWS source of supply to meet County fire protection requirements.

Non-Potable Water Source and Demand

The Petition Area is underlain by brackish groundwater situated within the Kamaole Aquifer System as designated by the State Commission on Water Resource Management (CWRM). This aquifer system is recharged by rainfall which occurs at higher interior elevations and correspondingly averages from 10 to 40 inches a year. CWRM has estimated Kamaole Aquifer System's groundwater recharge at 25 million gallons per day (MGD) and its sustainable yield at 11 MGD. CWRM has also estimated existing groundwater use within the system at 1.859 MGD, primarily for non-potable golf course and other landscape irrigation purposes.

Kihei High School will require 185,000 GPD of non-potable groundwater to be developed for landscape irrigation use. Development of this amount of non-potable groundwater represents only 1.7% of Kamaole Aquifer's 11 MGD sustainable yield.

Petitioner proposes to drill two brackish water wells within the Petition Area to serve as the source of non-potable water for the Project. The two brackish wells are each expected to have a pumping capacity in the range of 250 to 350 gallons per minute (GPM), and are not anticipated to have any adverse impact on any existing wells or the underlying aquifer.





WRITTEN TESTIMONY OF  
GAVIN MASAKI, PE of GRAY HONG NOJIMA & ASSOCIATES, INC.

LAND USE COMMISSION  
STATE OF HAWAII

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I am Gavin Masaki, PE, a civil engineer employed by Gray Hong Nojima & Associates, Inc. I offer the following written testimony regarding civil engineering aspects of the Kihei High School Project:

Water Infrastructure

There are no on-site public or private water systems serving the property. Kihei High School will get its potable water and fire water supply through the Central Maui Water System by connecting to the existing 18-inch water main on Liloa Drive and upgrading the existing 8-inch water main in the Pi'ilani Subdivision. Irrigation will be supplied by on-site brackish wells. The potable, fire, and irrigation lines will consist of separate looped distribution systems following the main roadways and sidewalks throughout the campus.

Drainage Infrastructure

The Petition Area is currently undeveloped so there is no existing drainage system aside from that on Pi'ilani Highway. The majority of existing runoff drains towards a 72-inch diameter culvert under Pi'ilani Highway with the remainder flowing into either Kulanihakoi Gulch or Waipuilani Gulch. Petitioner will seek to minimize further drainage into Kulanihakoi Gulch.

Kihei High School is expected to increase storm water runoff into Waipuilani Gulch from a 50-year, 24-hour storm event from 8,881 to 8,902 CFS or by 21 CFS; and from a 100-year, 24-hour storm event from 10,796 to 10,822 CFS or by 26 CFS.

Petitioner proposes to construct both on and off-site drainage infrastructures. Petitioner plans to build an off-site ditch along the upper boundary of the Petition Area to divert sheet flow storm water runoff from mauka areas into Waipuilani Gulch.

Petitioner also plans to build an on-site storm water detention basin on the lower end of the Petition Area adjacent to Pi'ilani Highway. This detention basin is will be approximately 90 feet wide and 480 feet long, with an overall depth of 10 feet. The basin is expected to be able to hold 145,314 CF at a 3 foot depth, which capacity is greater than the estimated 112,807 CF needed to be detained based on a 50-year 1-hour storm event.

Wastewater Infrastructure

The wastewater system at Kihei High School will be designed to a capacity required by applicable Maui Department of Environmental Services standards.

There are no existing wastewater facilities on-site or sewer connections on Pi'ilani Highway. Petitioner plans to construct on-site wastewater collection facilities and an extension to connect to the County system and the Kihei Wastewater Reclamation Facility, preferably at the intersection of Kulanihakoi Street and Mahealani Street, or as approved by the County.





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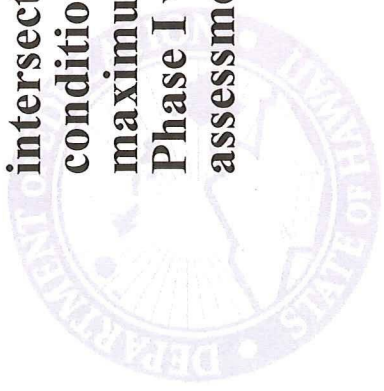
**Testimony of**  
**Pete G. Pascua, PE**  
*Wilson Okamoto Corporation*

Ex. No. 27



**STUDY METHODOLOGY  
&  
EXISTING ROADWAYS, TRAFFIC PATTERNS**

- **Pi`ilani Highway is a four-lane, two-way north-south roadway that is the primary access through Kihei to Central Maui.**
- **Kihei HS will be on the eastern side of Pi`ilani Highway with vehicular access at the unsignaled intersection of Kulanihako`i Street.**
- **Other connectors between Pi`ilani Highway and S. Kihei Road are to the North, Kaonoulu Street; and to the south E. Waipuilani Road and Pi`ikea Avenue.**
- **Traffic impacts of Kihei HS in 2015 will be minimal on study intersections with LOS projected to be similar to existing conditions. 2025 estimates are hypothetical, assuming maximum enrollment. TIAR update following completion of Phase I with closer enrollment projections will provide clearer assessment.**



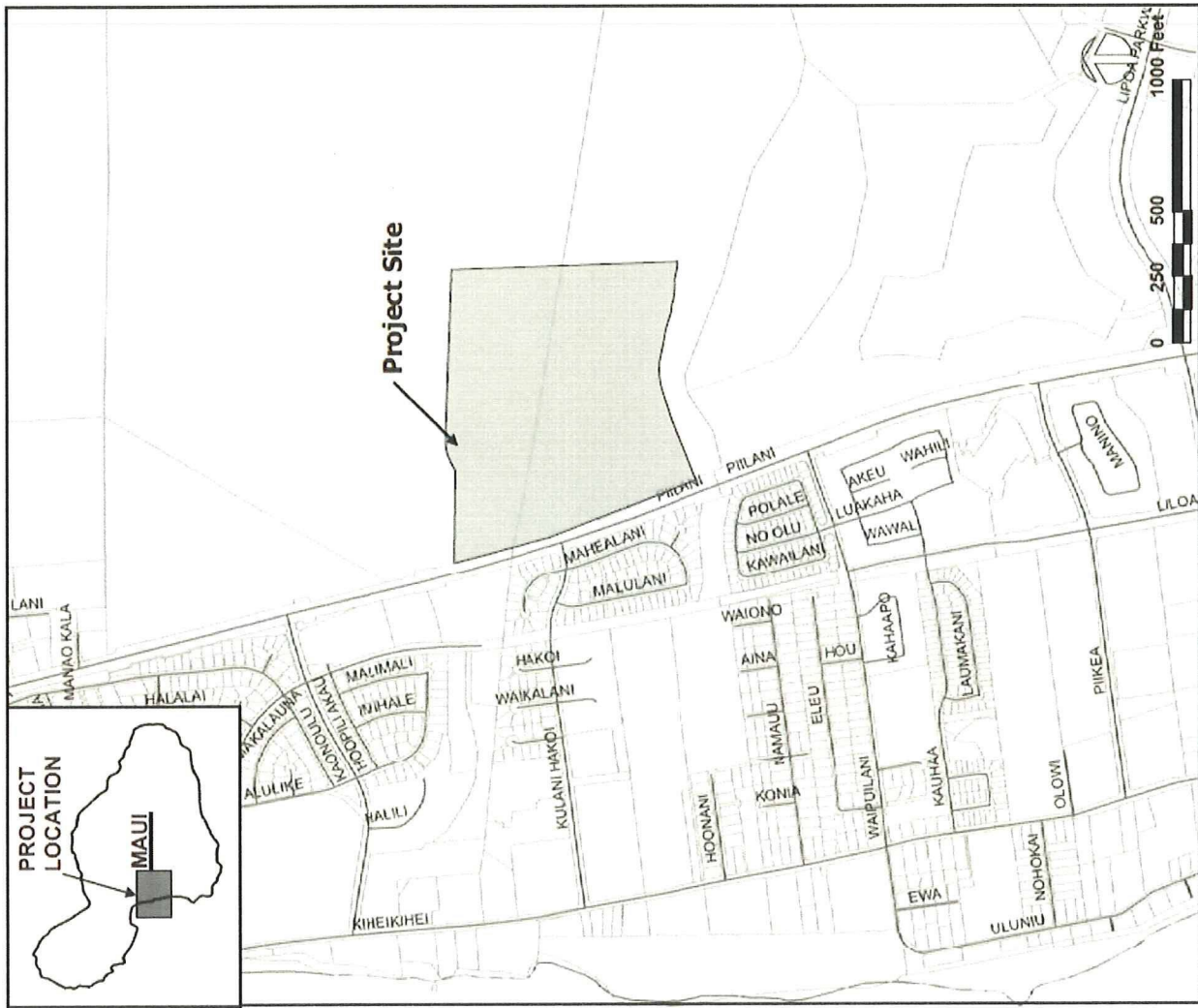


FIGURE 1

KIHEI HIGH SCHOOL

LOCATION MAP AND VICINITY MAP



**WILSON OKAMOTO CORPORATION**  
ENGINEERS • PLANNERS



# CRITICAL INTERSECTIONS AND IMPACTS

**Table 4-8 PROJECTED YEAR 2015 (WITHOUT AND WITH PROJECT) AND YEAR 2025 (WITH PROJECT) LOS TRAFFIC OPERATING CONDITIONS**

Intersection	Critical Traffic Movement	AM			PM		
		2015 w/o	2015 with	2025 with	2015 w/o	2015 with	2025 with
Pi'ilani Highway/ Ka'ono'ulu Street	Eastbound	C	C	D	D	D	E
	RT	C	C	C	C	C	C
Pi'ilani Highway/ Kūlanihāko'i Street*	Northbound	C	C	C	C	C	D
	Eastbound	D	D	D	D	D	D
	TH	-	-	-	-	-	-
	RT	C	D	D	C	D	D
Westbound	LT-TH	-	D	E	-	D	E
	RT	-	D	D	-	D	D
	LT	C	D	E	C	D	E
	TH	-	B	C	-	A	A
Southbound	LT	-	D	E	-	D	E
	TH	-	B	C	-	B	A
Eastbound	RT	B	B	C	B	B	B
Pi'ilani Highway/ East Waipu'ilani Road	Eastbound	D	D	E	D	D	E
	RT	D	D	D	D	D	D
Northbound	LT	D	D	E	D	D	E
	TH	C	C	C	C	C	C
Westbound	LT	C	C	C	C	C	C
Southbound	LT	B	B	B	A	B	B

\*Traffic signal system installed in conjunction with the proposed high school



## **RECOMMENDED TRAFFIC IMPROVEMENTS**

- **Construct access road to Kihei HS from Pi`ilani Highway at intersection of Kulanihako`i Street to create a four way intersection.**
- **Construct northbound deceleration and acceleration lanes along Pi`ilani Highway to facilitate entering and exiting traffic to Kihei HS.**
- **Install traffic signal system at Kulanihako`i and Pi`ilani intersection to accommodate vehicular and pedestrian movements.**

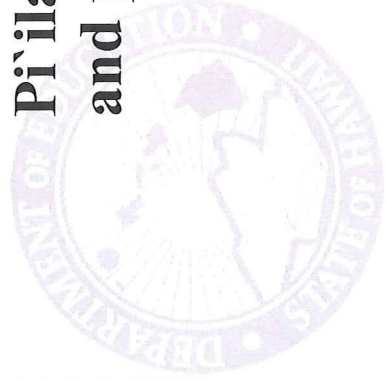






Figure 2-1  
Conceptual Site Plan

Ex. No. 27

## TIAR CONCLUSION

- Phase I of Kihei HS is not expected to have a significant impact on traffic operations at 5 study intersections in 2015 assuming recommended traffic improvements have been made.
- Projected LOS traffic operating conditions at 5 study intersections are expected to remain unchanged or deteriorate slightly due to Kihei HS in 2015. LOS conditions will change from 2015 to 2025 due to other projects and projected enrollment increases.



## **GRADE SEPARATION CONDITION**

- **Signalized intersection will accommodate both pedestrian and vehicular traffic movements safely.**
- **Considerations: Safety, system-wide coordination of P`ilani Highway corridor, economics, physical conditions.**
- **AASHTO Green book Policy on Geometric Design of Highways and Streets is a guideline and not an absolute standard. AASHTO guidance does not mandate as to when a grade-separated pedestrian crossing should be required.**





PARTIAL WRITTEN TESTIMONY OF  
CHRISTINE RUOTOLA, AICP of GROUP 70 INTERNATIONAL

2013 MAY 17 P 2:21

I am Christine Ruotola, AICP, a Principal at Group 70 International. I submit the following partial written testimony to summarize the work of my subconsultants, compliance with the Hawai'i State and Maui County Plans, the State Functional Plans and Coastal Zone Management Objectives and Policies:

Flora and Fauna

Rana Biological Consultants, Inc. conducted flora, fauna and avian surveys on the Petition Area. Rana recorded six species of flora on the Petition Area and the *'uhaloa* (*Waltheria indicia*) was the only native species observed. There is also the endemic Hawaiian cotton or *ma'o* (*Gossypium tomentosum*), which is not an endangered or threatened species, between the Petition Area and Pi'ilani Highway. There are no species of flora classified as an endangered or threatened species by the US Fish and Wildlife Service or the State of Hawai'i on or in the vicinity of the Petition Area, nor any plant species proposed as a candidate for listing as an endangered or threatened species on the Petition Area.

Rana also recorded 11 avian species, with one species being the native Pacific Golden-Plover (*Pluvialis fulva*).

Rana detected no species of fauna classified as an endangered or threatened species by the US Fish and Wildlife Service or the State of Hawai'i on the Petition Area, nor any species proposed as a candidate for listing as an endangered or threatened species on the Petition Area. Development of Kihei High School is not expected to have an adverse impact on the botanical resources or biological resources of the Petition Area.

Archeological, Historical and Cultural Resources

In 2009, Scientific Consultant Services, Inc. ("SCS") conducted a 100% pedestrian archeological inventory survey ("AIS") and limited subsurface testing on the Petition Area. There are eight features in the Petition Area. SCS re-documented one site located in the northeastern portion of the Petition Area, State Inventory of Historic Properties ("SIHP") No. 50-50-10-6393. SHPD concurred with SCS's finding that further mitigation for the site is unnecessary. The features have been adequately documented and additional research focused on the site would not contribute to the interpretation of the area or Hawaiian prehistory or history.

SCS completed a Cultural Impact Assessment ("CIA") in April 2010. No kama'aina was aware of use of the Petition Area for gathering or other cultural purposes or for access to other areas for cultural purposes. Haleakala Ranch and Kaonoulu Ranch had owned the Petition Area for almost a hundred years prior to selling the Petition Area to BLNR. Henry Rice, owner of Kaonoulu Ranch, did not know of any old trails, traditional properties, or cultural activities occurring on the Petition Area. The CIA concludes that no notable cultural activities took place on the Petition Area. There will be no adverse impact to any exercise of native Hawaiian rights or cultural resources on the Petition Area.

### Noise

Y. Ebisu and Associates conducted an Acoustic Study for the proposed Kihei High School in September 2011. The existing background noise levels at the Petition Area are estimated to range from approximately 63 DNL near the makai boundary of the Petition Area closest to Pi'ilani Highway to approximately 45 DNL at the mauka boundary of the Petition Area. The Kihei High School campus is planned so that the noise sensitive buildings and classrooms are set back at least 650 feet from Pi'ilani Highway, where future traffic noise levels are predicted to be "acceptable" at less than 55 DNL.

The potential noise from playground, practice field, pool, and athletic stadium activities could possibly disturb neighboring residences. The neighboring properties to the south and across Pi'ilani Highway to the west are the most likely areas to experience an increase in intermittent noise levels from outdoor activities.

### Air Quality

B.D. Neal and Associates prepared an Air Quality Study for the Petition Area in September 2011. Following completion of construction, motor vehicle emissions from vehicles entering and leaving the Kihei High School campus, during worst-case scenario conditions, will be well within both state and national ambient air quality standards. With or without the Project, carbon monoxide concentrations in the vicinity of the Petition Area during the next 15 years will likely decrease (improve) somewhat compared to existing concentrations. It will not be necessary to implement mitigation measures for traffic-related air quality impacts.

### Power, Telecommunications and Cable Services

Electrical power on Maui is provided by Maui Electric Company. Telephone and cable services in the project vicinity are provided by Hawaiian Tel and Oceanic Time Warner Cable, respectively. These service providers are anticipated to be able to provide the necessary services and no adverse impacts are expected.

### Solid Waste Infrastructure

Petitioner anticipates that the Kihei High School will be served by County of Maui solid waste collection and disposal services. Petitioner will emphasize waste diversion and recycling. During construction, waste will be hauled to the DeCoite Landfill for disposal.

### Hawai'i State Plan

Reclassification of the Petition Area generally conforms to the following applicable goals, objectives, policies and guidelines of the Hawai'i State Plan:

Chapter 226-4, HRS, State Goals.

226-4, HRS: (1) A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawaii's present and future generations.

(3) Physical, social and economic well-being, for individuals and families in Hawaii, that nourishes a sense of community responsibility, of caring, and of participation in community life.

#### Chapter 226-5, HRS, Objective and Policies for Population

226-5(b)(2), HRS: Encourage an increase in economic activities and employment opportunities on the neighbor islands consistent with community needs and desires.

#### Chapter 226-6, HRS, Objectives and Policies for the Economy – In General

226-6(b)(6), HRS: Strive to achieve a level of construction activity responsive to, and consistent with, State growth objectives.

#### Chapter 226-11, HRS: Objectives and Policies for the Physical Environment – Land Based, Shoreline, and Marine Resources.

226-11, HRS: (B) To achieve the land-based, shoreline and marine resources objectives, it shall be the policy of this State to:

(3) Take into account the physical attributes of areas when planning and designing activities and facilities.

(4) Manage natural resources and environs to encourage their beneficial and multiple uses without generating costly or irreparable environmental damage.

(8) Pursue compatible relationships among activities, facilities and natural resources.

(9) Promote increased accessibility and prudent use of inland and shoreline areas for public recreational, educational and scientific purposes.

#### Chapter 226-13, HRS, Objectives and Policies for the Physical Environment – Land, Air, and Water Quality.

226-13, HRS: (B) To achieve the land, air and water quality objectives, it shall be the policy of this State to:

(6) Encourage design and construction practices that enhance the physical qualities of Hawaii's communities.

(7) Encourage urban developments in close proximity to existing services and facilities.

#### Chapter 226-14, HRS, Objectives and Policies for Facility Systems – In General.

226-14 HRS: (A) Planning for the State's facility systems in general shall be directed towards achievement of the objectives of water, transportation, waste disposal and

energy and telecommunications systems that support statewide social, economic and physical objectives.

(B) To achieve the general facility systems objective, it shall be the policy of this State to:

- (1) Accommodate the needs of Hawaii's people through coordination of facility systems and capital improvement priorities in consonance with State and county plans.
- (2) Encourage flexibility in the design and development of facility systems to promote prudent use of resources and accommodate changing public demands and priorities.
- (3) Ensure the required facility systems can be supported within resources capacities and at reasonable cost to the *user*.

Chapter 226-16 HRS, Objective and Policies for Facility Systems – Water.

226-16 HRS: (A) Planning for the State's facility systems with regard to water shall be directed towards achievement of the objective of the provision of water to adequately accommodate domestic, agricultural, commercial, industrial, recreational and other needs within resource capacities.

(B) To achieve the facility systems water objective, it shall be the policy of this State to:

- (1) Coordinate development of land use activities with existing and potential water supply.
- (6) Promote water conservation programs and practices in government, private industry, and the general public to help ensure adequate water to meet long-term needs.

Chapter 226-21 HRS, Objective and Policies for Socio-Cultural Advancement – Education.

226-21 HRS: (A) Planning for the State's socio-cultural advancement with regard to education shall be directed towards achievement of the objective of the provision of a variety of educational opportunities to enable individuals to fulfill their needs, responsibilities and aspirations.

(B) To achieve the education objective, it shall be the policy of this State to:

- (1) Support educational programs and activities that enhance personal development, physical fitness, recreation and cultural pursuits of all groups.
- (2) Ensure the provision of adequate and accessible educational services and facilities that are designed to meet individual and community needs.
- (3) Provide appropriate educational opportunities for groups with special needs.
- (4) Promote educational programs which enhance understanding of Hawaii's cultural heritage.
- (7) Promote programs and activities that facilitate the acquisition of basic skills, such as reading, writing, computing, listening, speaking and reasoning.
- (8) Emphasize quality educational programs in Hawaii's institutions to promote academic excellence.
- (9) Support research programs and activities that enhance the education programs of the State.



Chapter 226-104, HRS, Population Growth and Land Resources Priority Guidelines

226-104 HRS: (A)(1) Encourage planning and resource management to insure that population growth rates throughout the State are consistent with available planned resource capacities and reflect the needs and desires of Hawaii's people.

(3) Ensure that adequate support services and facilities are provided to accommodate the desired distribution of future growth throughout the State.

(B)(1) Encourage urban growth primarily to existing urban areas where adequate public facilities are already available or can be provided with reasonable public expenditures and away from areas where other important benefits are present, such as protection of important agricultural land or preservation of lifestyles.

(2) Make available marginal or non-essential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district.

(9) Direct future urban development away from critical environmental areas or impose mitigating measures so that negative impacts on the environment would be minimized.

(12) Utilize Hawaii's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline conservation lands, and other limited resources for future generations.

Chapter 226-107, HRS, Quality Education Priority Guidelines

226-197 HRS: (A) Priority guidelines to promote quality education:

(1) Pursue effective programs which reflect the varied district, school and student needs to strengthen basic skills achievement.

(2) Continue emphasis on general education "core" requirements to provide common background to students and essential support to other university programs.

(5) Increase and improve the use of information technology in education by the availability of telecommunications equipment for:

(a) The electronic exchange of information.

(b) Statewide electronic mail.

(c) Access to the Internet.

Functional Plans

Reclassification of the Petition Area generally conforms to the functional plans in the following program areas: education, employment, energy and recreation.

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Conformance with Coastal Zone Management Objectives and Policies

The Kihei High School Property is approximately one mile inland from the shoreline and its development will not impact coastal recreational opportunities or affect existing public access to the shoreline.

Kihei High School is not expected to impact cultural resources as no archaeological or cultural resources have been identified on the Property; there is no evidence of past or present use for Hawaiian cultural practices, resources, or beliefs.

The Petition Area is designated Zone X, outside the 100-year flood plain and is not in the tsunami inundation zone.

Maui General Plan

Development of Kihei High School is consistent with the following objectives and policies of the Maui County General Plan. The Maui County Planning Department supports the boundary amendment for Kihei High School. The following General Plan objectives and policies are applicable to Kihei High School:

Improve Education

Objective 1: Encourage the State to attract and retain school administrators and educators of the highest quality.

Objective 2: Provide nurturing learning environments that build skills for the 21<sup>st</sup> century.

Objective 3: Provide all residents with educational opportunities that can help them better understand themselves and their surroundings and allow them to realize their ambitions.

Objective 4: Maximize community-based educational opportunities.

Strengthen the Local Economy

Objective 1: Maui County's economy will be diverse, sustainable and supportive of community values.

Improve Parks and Public Facilities

Objective 1: A full range of island-appropriate public facilities and recreational opportunities will be provided to improve the quality of life for residents and visitors.

Objective 2: Improve the quality and adequacy of community facilities.

Objective 3: Enhance the funding, management and planning of public facilities and park lands.

#### Diversify Transportation Options

Objective 2: Reduce the reliance on the automobile and fossil fuels by encouraging walking, bicycling and other energy-efficient and save alternative modes of transportation.

#### Improve Physical Infrastructure

Objective 4: Direct growth in a way that makes efficient use of existing infrastructure and to areas where there is available infrastructure capacity.

### Kihei-Makena Community Plan

Kihei High School supports the following goals, objectives, policies, and implementing actions set forth in the Kihei-Makena Community Plan:

#### Land Use

Goal: A well-planned community with land use and development patterns designed to achieve the efficient and timely provision of infrastructural and community needs while preserving and enhancing the unique character of Ma`alaea, Kihei, Wailea and Mākena as well as the region's natural environment, marine resources and traditional shoreline uses.

Objective (b): Identify priority growth areas to focus public and private efforts on the provision of infrastructure and amenities to serve existing residents and to accommodate new growth.

Objective (f): Establish a distribution of land uses which provides housing, jobs, shopping, open space, and recreation areas in close proximity to each other in order to enhance Kihei's neighborhoods and to minimize dependence on automobiles.

Implementing Action (f): Establish and enforce building height limits and densities mauka of Pi`ilani Highway which preserve significant mauka views and vistas.

#### Economic Activity

Goal: A diversified and stable economic base which serves resident and visitor needs while providing long-term resident employment.

Objective (b): Expand educational opportunities and encourage research and technological activities.

#### Physical and Social Infrastructure

---

Goal: Provision of facility systems, public services and capital improvement projects in an efficient, reliable, cost effective, and environmentally sensitive manner which accommodates the needs of the Kihei-Makena community, and fully support present and planned land uses, especially in the case of project district implementation.

Objective (c): Strengthen the coordination of land use planning and transportation planning to promote sustainable development and to reduce dependence on automobiles. New residential communities should provide convenient pedestrian and bicycle access between residences and neighborhood commercial areas, parks and public facilities.

Objective (d): Support ridesharing, bicycle and pedestrian use, alternative work schedules, traffic signal synchronization, and/or other transportation demand management strategies.

Implementing Action (g): Provide left turn storage lanes and acceleration/ deceleration lanes on Pi'ilani Highway, and traffic signals at important intersections along South Kihei Road.

#### Water Distribution

Objective (c): Develop water conservation, reuse and educational programs.

Objective (d): Encourage the use of non-potable water for irrigation purposes and water features. Prohibit the use of potable water in large water features or require substantial mitigation fees.

Objective (e): Encourage the use of plants which have a relatively low need for water.

#### Energy and Public Utilities

Objective (a): Promote energy efficiency as the energy resource of first choice, and increase energy efficiency in all sectors of the community.

Objective (b): Locate goods, services, and employment in close proximity to residential centers to minimize energy expenditures for transportation.

#### Recreation

Objective (a): Provide high-quality recreational facilities to meet the present and future needs of residents of all ages and physical ability.

Implementing Action (d): Provide adequate maintenance programs and enforce existing regulations regarding littering and defacement of public property at all public facilities.

#### Education

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Objective (c): Require the delivery of quality educational facilities at the time such facilities are needed. Emphasize advanced planning so that school facilities such as classrooms, playgrounds, libraries, cafeterias and other appurtenant structures are delivered in a timely manner so as to eliminate the use of portable facilities.

Objective (d): Enhance the classroom learning environment through measures which would reduce excessive temperature and background noise problems.

Objective (f): Build a high school to serve the Kihei region when required to accommodate growth.

Implementing Action (a): Enhance the classroom learning environment through such measures as the installation of air-conditioning and ceiling fans.

Implementing Action (d): Plan and locate a site for a high school to serve the Kihei region.

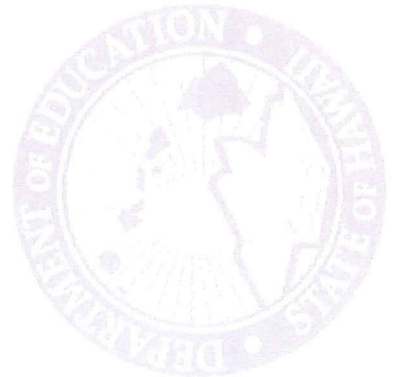




**Testimony of**  
**Christine Ruotola**  
*Group 70 International*

LAND USE COMMISSION  
STATE OF HAWAII

2013 MAY 17 P 2: 21



Ex. No. 29



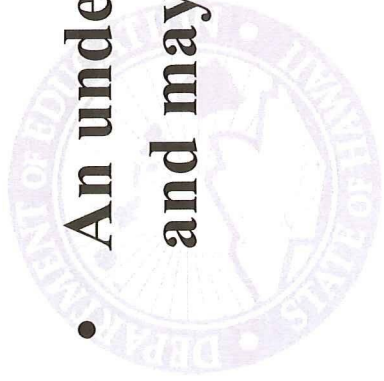
## PEDESTRIAN AND BICYCLE TRANSPORTATION

- Stantec Consulting found Kulanihako`i Street, anticipated to be a major travel route to Kihei HS, has nearly continuous sidewalks from Pi`ilani Highway to S. Kihei Road.
- No bicycle lanes on Kulanihako`i Street makai of Malulani Street to S. Kihei Road.
- Bicycle lanes along Pi`ilani Highway are not expected to attract much school traffic.
- Petitioner plans to construct bicycle paths and racks on campus, but is constrained from improving bicycle paths or bicycle lanes on neighborhood streets.



# PIILANI HIGHWAY PEDESTRIAN SAFETY

- Stantec’s pedestrian and bicycle analysis suggests grade separation – a pedestrian overpass or underpass – is not superior to a traffic signal, which will be adequate to provide pedestrian safety.
- Stantec’s experience is that pedestrians will avoid the effort of climbing bridges or walking down and up tunnels.
- An underpass poses security and maintenance issues and may attract unwanted behavior.



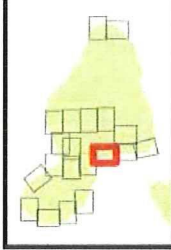
# MAUI ISLAND PLAN

- **Petition Area is within Urban Growth Boundary of the Maui Island Plan and within Kihei-Makena Growth Area as shown on the Maui Island Plan's Directed Growth Map S-1.**



**Maui Island  
Plan  
Directed  
Growth  
Map  
North Kihei  
S1**

- Legend**
- Growth Boundaries**
- Urban
  - Small Town
  - Rural
- Reference**
- 2011 Parcels
  - Primary Roads



Scale: 0 500 1000 2000 Feet

North Arrow

PROJECT NO. 10-07-2010-002  
 COUNTY OF MAUI  
 DEPARTMENT OF PLANNING  
 230 SOUTH HIGH STREET  
 HONOLULU, HAWAII 96825

Background Image: Worldview 2 - 2010

This is not a zoning map. Please contact the Planning Department for zoning information.

**PREPARED BY:**

Long Range Planning Division  
 Department of Planning  
 County of Maui  
 230 South High Street  
 Honolulu, Hawaii 96825



## **MAUI ISLAND PLAN cont.**

- **Urban growth boundary is a planning concept intended to control sprawl by limiting growth to identified urban and rural growth areas.**
- **Kihei HS is a designated public facility in the Maui Island Plan's Public Facility/ Infrastructure Improvement Map.**

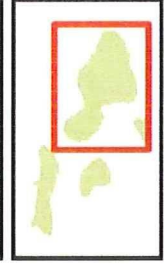


# Public Facility/Infrastructure Improvements Island of Maui

**Legend**

- Primary Road
- Parks & Public Access
- Emergency Shelter
- Existing Public Schools
  - High School
  - Intermediate School
  - Elementary School
- Proposed Public Schools
  - Elementary School
  - High School
- Public Facilities Infrastructure
  - Airport
  - Antenna Station
  - Fire Station
  - Police Station
  - Hospital
  - Government Office
  - Solid Waste Facility
  - Voice/Veter Treatment Plant
  - Transfer Center
  - Public Library
  - Jail

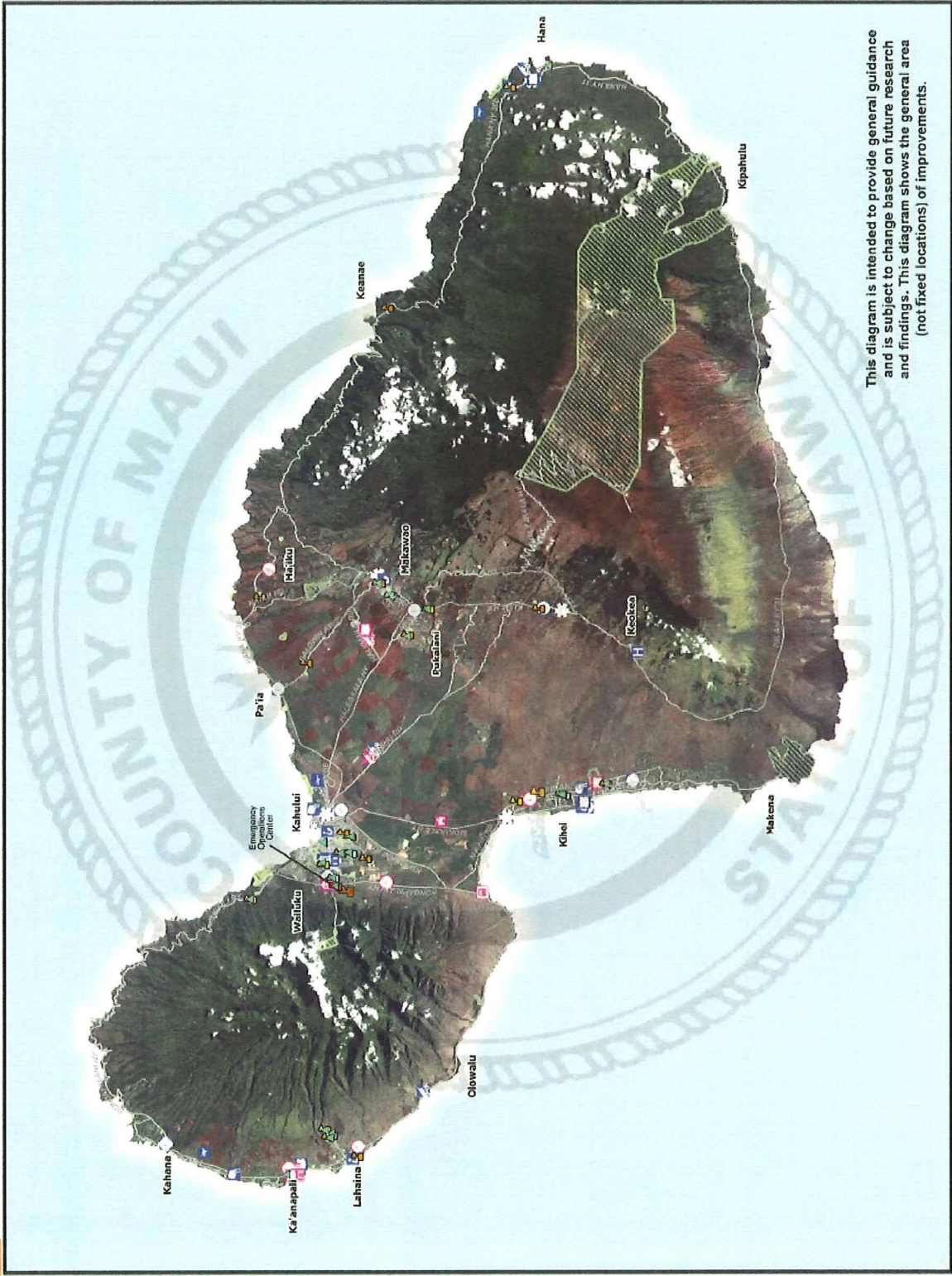
EXISTING      PROPOSED



Prepared By:  
Long Range Planning Division  
Department of Planning  
County of Maui  
250 South High Street  
Waialuku, Hawaii 96793

PROJECT NO. MGET 21125007  
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*This is not a zoning map. Please contact the Planning Department for zoning information.*

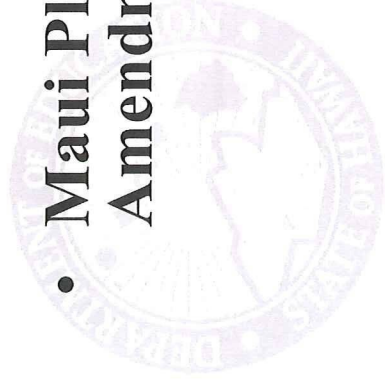
## Diagram 6-2

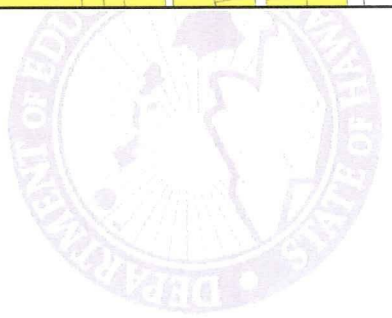


This diagram is intended to provide general guidance and is subject to change based on future research and findings. This diagram shows the general area (not fixed locations) of improvements.

# **KIHEI-MAKENA COMMUNITY PLAN**

- **Kihei HS partially conforms to the Kihei-Makena Community Plan Land Use Map.**
- **48 acres of Petition Area are designated for Public/Quasi-Public Facilities.**
- **29 acres of Petition Area are designated for Agriculture, Community Plan Land Use Map must be amended to Public/Quasi-Public Facilities.**
- **Maui Planning Dept. supports District Boundary Amendment.**





# LUC RECLASSIFICATION CRITERIA

- **Reclassifying Petition Area to Urban District conforms to Hawai`i State Plan in general and State Education, Employment, Energy and Recreation Functional Plans.**
- **No threatened or endangered species of flora or fauna or critical habitats within Petition Area.**
- **Development of Kihei HS will not adversely affect any significant historic, cultural, or archaeological resources.**
- **Petition Area does not contain important cultural, natural, or agricultural resources.**
- **Legislature approved \$130 million for Kihei HS in FY 2014-2015.**
- **Development of Petition Area will not impair agricultural production due to poor soil conditions and lack of irrigation water. Petition Area is low productivity ranching land, does not qualify as important agricultural land.**
- **Reclassification is predominantly consistent with County of Maui General Plan 2030's Countywide Policy Plan, Maui Island Plan, and Kihei-Makena Community Plan.**



# LUC URBAN DISTRICT CRITERIA

- **Area adjacent to Petition Area characterized by "city-like" concentrations of people, structures, streets, urban level services and other related land uses.**
- **Kihei HS will be adjacent to Pi`ilani Highway and continuous with the Urban District, in close proximity to Kihei and Wailea, South Maui's primary centers of trading and employment.**
- **Basic services such as commercial centers, parks, wastewater systems, drainage, potable water, transportation systems, public utilities and police and fire protection are available to Petition Area.**
- **Petition Area has satisfactory topography and drainage, and is free from danger of flood, tsunami, unstable soil conditions and other adverse environmental effects.**

## **LUC URBAN DISTRICT CRITERIA cont.**

- **Based on demand for education facilities, reclassification of Petition Area for Kihei HS is reasonably necessary for urban growth.**
- **Reclassification for Kihei HS is consistent with Maui Island Plan and predominantly consistent with Kihei-Makena Community Plan Land Use Map.**
- **Kihei HS is in appropriate location and contiguous to existing urban uses; reclassification will not be spot zoning.**

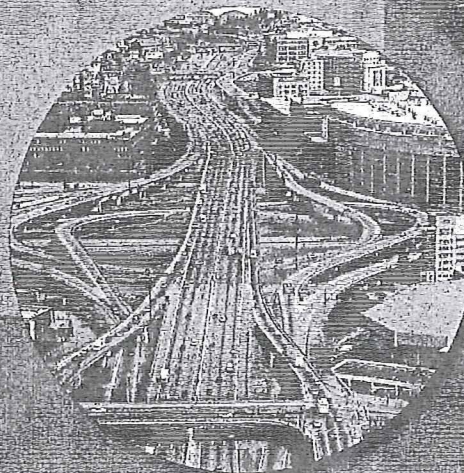
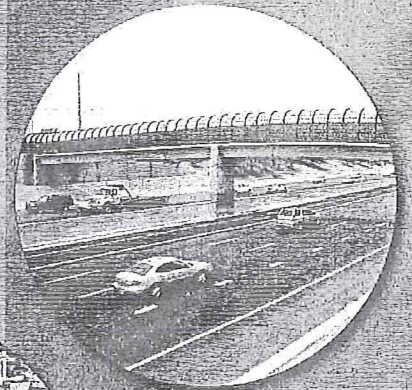




A Policy on  
**Geometric**  
**Design of**  
**Highways**  
and **Streets**

LAND-USE COMMISSION  
STATE OF HAWAII  
2013 MAR 17 P 2: 21

2011  
6th Edition



## 4.17 PEDESTRIAN FACILITIES

### 4.17.1 Sidewalks

Sidewalks are an integral part of city streets but are rarely provided in rural areas. However, the potential for collisions with pedestrians is higher in many rural areas due to the higher speeds and general absence of lighting. The limited data available suggest that sidewalks in rural areas are effective in reducing pedestrian collisions.

Sidewalks near or along the highway in rural and suburban areas are more often justified at points of development that generate pedestrian concentrations, such as residential areas, schools, businesses, and industrial plants. When suburban residential areas are developed, initial roadway facilities are needed for the community to function, but the construction of sidewalks is sometimes deferred. However, if pedestrian activity is anticipated, sidewalks should be included as part of the initial construction. Shoulders may obviate the need for sidewalks if they are of a type that encourages pedestrian use in all weather conditions. If sidewalks are utilized, they should be separated from the shoulder. If the sidewalk is raised above the level of the shoulder, the cross section typically approaches that of an urban highway.

In suburban and urban locations, a border area generally separates the roadway from a community's homes and businesses. The main function of the border is to provide space for sidewalks. Other functions are to provide space for streetlights, fire hydrants, street hardware, and aesthetic vegetation and to serve as a buffer strip. Border width varies considerably, but 2.4 m [8 ft] is considered an appropriate minimum width. Swale ditches may be located in these borders to provide an economical alternative to curb and gutter sections.

Sidewalk widths in residential areas may vary from 1.2 to 2.4 m [4 to 8 ft]. Sidewalks less than 1.5 m [5 ft] in width require the addition of a passing section every 60 m [200 ft] for accessibility. The width of a planted strip between the sidewalk and traveled-way curb, if provided, should be a minimum of 0.6 m [2 ft] to allow for maintenance activities. Sidewalks covering the full border width are generally justified and often appropriate in situations such as commercial areas, through adjoining multiple-residential complexes, near schools and other pedestrian generators, and where border width is restricted.

Where sidewalks are placed adjacent to the curb, the widths should be approximately 0.6 m [2 ft] wider than the minimum required width. This additional width provides space for roadside hardware and snow storage outside the width needed by pedestrians. It also allows for the proximity of moving traffic, the opening of doors of parked cars, and bumper overhang on angled parking.

Justification for the construction of sidewalks depends upon the potential for vehicle-pedestrian conflicts. Traffic volume-pedestrian warrants for sidewalks along highways have not been established. In general, wherever roadside and land development conditions affect regular pedestrian movement along a highway, a sidewalk or path area, as suitable to the conditions, should be furnished.

As a general practice, sidewalks should be constructed along any street or highway not provided with shoulders, even though pedestrian traffic may be light. Where sidewalks are built along a high-speed highway, buffer areas should be established so as to separate them from the traveled way.

Sidewalks should have all-weather surfaces to serve their intended use. Without them, pedestrians often choose to use the traveled way. Pedestrian crosswalks are regularly marked in urban areas but are rarely

marked on rural highways. However, where there are pedestrian concentrations, appropriate traffic-control devices should be used, together with appropriate walkways constructed within the right-of-way.

When two urban communities are in proximity to one another, consideration should be given to connecting the two communities with sidewalks, even though pedestrian traffic may be light. This may avoid driver-pedestrian conflicts along the roadway between these communities.

Pedestrian facilities such as sidewalks must be designed to accommodate persons with disabilities. The cross slope on sidewalks is not permitted to exceed 2 percent. For more information, refer to the *Public Rights-of-Way Accessibility Guidelines* (43) and the AASHTO *Guide for the Planning, Design, and Operation of Pedestrian Facilities* (5), Section 4.17.2 on “Grade-Separated Pedestrian Crossings,” and Section 4.17.3 on “Curb Ramps.”

Generally, the guidelines set forth in this section for the accommodation of pedestrians along roadways are also applicable to bridges. However, because of the high cost of bridges and the operational features that may be unique to bridge sites, pedestrian-way details on a bridge will often differ from those on its approaches. For example, where a planted strip between a sidewalk and the traveled way approaches a bridge, continuation of the offset, affected by the planted strip, will seldom be justified.

Where flush shoulders approach a bridge and light pedestrian traffic is anticipated on the shoulders, the shoulder width should be continued across the bridge, and possibly increased, to account for the restriction to pedestrian escape imposed by the bridge rail. A flush roadway shoulder should not be interrupted by a raised walkway on a bridge. Where such installations already exist, and removal is not economically justified, the ends of the walkway should be ramped into the shoulder at a rate of approximately 1:20 with the shoulder grade.

Provisions for pedestrians are often appropriate on street overcrossings and on longer bridge crossings. On lower-speed streets, a vertical curb at the edge of the sidewalk is usually sufficient to separate pedestrians from vehicular traffic. Continuity of curb height should be maintained on the approaches to and over structures. For higher speed roadways on structures, a barrier-type rail of adequate height may be used to separate the walkway and the traveled way. A pedestrian-type rail or screen should be used at the outer edge of the walkway. On long bridges (greater than 60 m [200 ft]), a single walkway may be provided. However, care should be taken so that approach walkways provide safe and relatively direct access to the bridge walkway. Fences may need to be erected to channelize pedestrians and prevent or control conflicts between pedestrians and vehicular traffic.

For a discussion of the potential problems associated with the introduction of a traffic barrier between a roadway and a walkway, see Section 4.10.3 on “Bridge Railings.” For a discussion on providing access between the street and the sidewalk to accommodate persons with disabilities, see Section 4.17.3 on “Curb Ramps.” Further guidance on sidewalk and pedestrian crossing design is presented in the current *Public Rights-of-Way Accessibility Guidelines* (43) and in the AASHTO *Guide for the Planning, Design, and Operation of Pedestrian Facilities* (5).

#### **4.17.2 Grade-Separated Pedestrian Crossings**

A grade-separated pedestrian facility allows pedestrians and motor vehicles to cross at different levels, either over or under a roadway. It provides pedestrians with a safe refuge for crossing the roadway without

vehicle interference. Pedestrian separations should be provided where pedestrian volume, traffic volume, intersection capacity, and other conditions favor their use, although their specific location and design need individual study. They may be warranted to accommodate heavy peak pedestrian movements, such as at central business districts, factories, schools, or athletic fields, in combination with moderate to heavy vehicular traffic or where unusual risk or inconvenience to pedestrians may result. Pedestrian separations, usually overpasses, may be needed at freeways or expressways where cross streets are terminated. On many freeways, highway overpasses for cross streets may be limited to three- to five-block intervals. Because this situation imposes an extreme inconvenience on pedestrians who desire to cross the freeway at the terminated streets, pedestrian separations may be provided. Local, state, and federal laws and codes should be consulted for possible additional criteria concerning the need for such pedestrian separations, as well as additional design guidance.

Where there are frontage roads adjacent to the arterial highway, the pedestrian crossing may be designed to span the entire facility or only the through roadway. Separations of both through roadways and frontage roads may not be justified if the frontage roads carry light and relatively slow-moving traffic; however, in some cases the separation should span the frontage roads as well. Fences may be needed to prevent pedestrians from crossing the arterial at locations where a separation is not provided.

Pedestrian crossings or overcrossing structures at arterial streets are not likely to be used unless it is obvious to the pedestrian that it is easier to use such a facility than to cross the traveled way. Pedestrians tend to weigh the perceived safety of using the grade-separated facility against the extra effort and time needed to cross the roadway (5). If the grade-separated route adds substantially to the travel time, usage may be limited. For more information, refer to the *AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities* (5).

Generally, pedestrians are more reluctant to use undercrossings than overcrossings. This reluctance may be minimized by locating the undercrossing on line with the approach sidewalk and ramping the sidewalk gently to permit continuous vision through the undercrossing from the sidewalk. Good sight lines and lighting are needed to enhance a sense of security. Ventilation may be needed for very long undercrossings.

Pedestrian ramps should be provided at all pedestrian separation structures. Where warranted and practical, a stairway can be provided in addition to the ramp. Elevators should be considered where the length of ramp would result in a difficult path of travel for a person with or without a disability.

Walkways for pedestrian separations should have a minimum width of 2.4 m [8 ft]. Greater widths may be needed through tunnels, where overpass screenings create a tunnel effect, and where there are exceptionally high volumes of pedestrian traffic, such as in the downtown areas of large cities and around sports stadiums or arenas.

A serious problem associated with both pedestrian overcrossings and highway overpasses with sidewalks is vandals dropping objects into the path of traffic moving under the structure. The consequences of objects being thrown from bridges can be very serious. In fact, there are frequent reports of fatalities and major injuries caused by this type of vandalism. There is no practical device or method yet devised that can be universally applied to prevent a determined individual from dropping an object from an overpass. For example, small objects can be dropped through mesh screens. A more effective deterrent is a solid plastic enclosure. However, these are expensive and may be insufferably hot in the summer. They also obscure and darken the pedestrian traveled way, which may be conducive to other forms of criminal activ-

ity. Any completely enclosed pedestrian overpass has an added problem that children may walk or play on top of the enclosure. In areas subject to snow and icing conditions, the possibility that melting snow and ice may drop from the roof of a covered overpass and fall onto the roadway below should be considered.

At present it is not practical to establish absolute warrants as to when or where barriers should be installed to discourage the throwing of objects from structures. The general need for economy in design and the desire to preserve the clear lines of a structure unencumbered by screens should be carefully balanced against the need to limit the potential for injury to pedestrians and damage to vehicles.

Overpass locations where screens definitely should be considered at the time of construction include:

- Near a school, a playground, or elsewhere where it would be expected that the overpass would be frequently used by children unaccompanied by adults;
- In large urban areas on overpasses used exclusively by pedestrians and not easily kept under surveillance by police; or
- Where the history of incidents on nearby structures indicates a need for screens.

Screens should also be installed on existing structures where there have been prior incidents of objects being dropped from the overpass and where no deterrence of future incidents is expected from increased surveillance, warning signs, or apprehension of a few individuals involved.

More complete information on the use of protective screens on pedestrian overpasses is available in the *AASHTO Roadside Design Guide (13)*.

Figure 4-18 illustrates two typical pedestrian overcrossings of major highways.



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Honolulu, Hawaii 96813  
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LAND USE COMMISSION  
STATE OF HAWAII

2013 MAY 17 P 2: 22

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of:

STATE OF HAWAII, DEPARTMENT OF  
EDUCATION

To Amend the Agricultural Land Use District  
Boundaries into the Urban Land Use District  
for Approximately 77.2 acres of land at Kihei,  
Maui, Hawaii, Maui Tax Map Key Nos. 2-2-  
02: 81 and 83.

)  
) DOCKET NO. A11-794

)  
) CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Petitioner's Amended Exhibit List and Exhibits 24-30, have been duly served on the following parties at their last known addresses by hand delivery or depositing in the US mail, postage prepaid on May 17, 2013.

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DATED: Honolulu, Hawaii, May 17, 2013



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MELISSA M. UHL  
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