DRAFT EA REVIEW PROCESS


On June 26, 2012, the Maui Planning Commission convened and commented on the Draft EA. The MPC is serving as the accepting authority for the environmental review process. In addition, an article about the Draft EA was published in the July 2, 2012 edition of the Maui News. Based on coordination with Maui Planning Department, copies of the Draft EA were distributed to the following government agencies, organizations, and other parties as part of the environmental review process.

Federal Agencies (3)

Mr. George Young, P.E., Chief
Regulatory Branch
U.S. Army Engineer District, Honolulu
Fort Shafter, HI 96858-5440

Ms. Ranae Ganske-Cerizo, District Conservationist
Natural Resources Conservation Service
U.S. Dept. of Agriculture
77 Ho'okele Street, Suite 2020
Kahului, HI 96732

Mr. Loyal Mehrhoff, Field Supervisor
Pacific Islands Fish and Wildlife Office
U.S. Fish and Wildlife Service
300 Ala Moana Blvd., Room 3-122, Box 50088
Honolulu, HI 96850

State Agencies and Branches (18)

Mr. Russell Kokubun, Chairperson
Office of the Chairperson
Hawai'i Department of Agriculture
1428 S. King Street
Attention: Mr. Earl Yamamoto
Honolulu, HI 96814
Mr. Richard C. Lim, Director
Hawai‘i Dept. of Business, Economic Development & Tourism
P. O. Box 2359
Honolulu, HI 96804

Mr. Daniel Orodender, Executive Director
Land Use Commission
Hawai‘i Dept. of Business, Economic Development & Tourism
Honolulu, HI 96804-2359

Mr. Jesse K. Souki, Director
Office of Planning
Hawai‘i Dept. of Business, Economic Development & Tourism
P. O. Box 2359
Honolulu, HI 96804

Mr. Alapaki Nahale-a, Chairperson
Office of the Chairperson
Department of Hawaiian Home Lands
P.O. Box 1679
Honolulu, HI 96805

Mr. Wilfred Nagamine, Chief
Clean Air Branch
Hawai‘i Dept. of Health
919 Ala Moana Blvd., Suite 203
Honolulu, Hawaii 96814

Mr. Alec Wong, P.E., Chief
Clean Water Branch
Hawai‘i Dept. of Health
919 Ala Moana Blvd., Room 301
Honolulu, HI 96801-3378

Mr. Jeffrey M. Eckerd, Acting Program Manager
Indoor & Radiological Health Branch
Hawai‘i Dept. of Health
591 Ala Moana Blvd.
Honolulu, HI 96813

Ms. Joanna L. Seto, P.E., Chief
Safe Drinking Water Branch
Hawai‘i Dept. of Health
919 Ala Moana Blvd., Room 308
Honolulu, HI 96814-4920
Mr. Steven Chang, Chief
Solid & Hazardous Waste Branch
Hawai‘i Dept. of Health
919 Ala Moana Blvd., Room 212
Honolulu, HI 96814

Mr. Marshall Lum, Acting Chief
Wastewater Branch
Hawai‘i Dept. of Health
919 Ala Moana Blvd., Room 309
Honolulu, HI 96814-4920

Ms. Patti Kitkowski, Program Chief
Maui District Health Office
Hawai‘i Dept. of Health
54 High Street
Wailuku, HI 96793

Mr. Russell S. Tsuji, Land Administrator
Land Division
Hawai‘i Dept. of Land & Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, HI 96809

Mr. Daniel Ornellas, District Land Agent
Maui Land Division
Hawai‘i Dept. of Land & Natural Resources
54 High Street, Room 101
Wailuku, HI 96793

Mr. Clyde W. Namu‘o, Chief Executive Officer
Office of Hawaiian Affairs
State of Hawai‘i
711 Kapi‘olani Blvd., Suite 500
Honolulu, HI 96813

Ms. Jenny Pickett, Maui Archaeologist
Maui District Office
State Historic Preservation Division
130 Mahalani Street
Wailuku, HI 96793

Mr. Dean Nakagawa, Administrator
Statewide Transportation Planning Office
Hawai‘i Dept. of Transportation
200 Rodgers Blvd.
Honolulu, HI 96819
Mr. Ferdinand Cajigal, District Engineer  
*Maui Highways Division*  
*Hawai'i Dept. of Transportation*  
650 Papapala Drive  
Kahului, HI 96732

**County Agencies (8)**

Mr. Kyle Ginoza, Director  
*Maui Dept. of Environmental Management*  
2200 Main Street, Suite 175  
Wailuku, HI 96793

Mr. Paul Haake, Captain  
*Fire Prevention Bureau*  
*Maui Dept. of Fire & Public Safety*  
313 Manea Place  
Wailuku, HI 96793

Mr. Glenn T. Correa, Director  
*Maui Dept. of Parks & Recreation*  
700 Halia Nakoa Street  
Wailuku, HI 96793

Mr. Aaron Shinmoto, Administrator  
*Zoning Administration & Enforcement Division*  
*Maui Dept. of Planning*  
250 S. High Street  
Wailuku, HI 96793

Mr. Gary A. Yabuta, Chief  
*Maui Police Department*  
55 Mahalani Street  
Wailuku, HI 96793

Mr. David C. Goode, Director  
*Maui Dept. of Public Works*  
200 S. High Street  
Wailuku, HI 96793

Ms. Jo Anne Johnson, Director  
*Maui Dept. of Transportation*  
2145 Kaohu Street, Suite 102  
Kahului, HI 96732

Mr. David Taylor, P.E., Director  
*Maui Dept. of Water Supply*  
200 S. High Street  
Wailuku, HI 96793
**Other Parties** (9)

Mr. Gordon Yadao, Section Manager  
Network Engineering & Planning  
Hawaiian Telcom, Inc.  
60 S. High Street  
Wailuku, HI 96793

Mr. Dan Takahata, Manager  
Engineering Division  
Maui Electric Company, Ltd.  
P.O. Box 398  
Kahului, HI 96733-6898

Mr. Grant Chun, Vice President  
A&B Properties, Inc.  
P.O. Box 156  
Kahului, HI 96732

Mr. David Gomes, General Manager  
Hawaiian Cement  
P.O. Box 488  
Kahului, HI 96733

Mr. Randall Moore, Manager  
Agricultural Engineering Services  
Hawaiian Commercial & Sugar Company  
P.O. Box 266  
Pu‘unene, HI 96784

Kihei Community Association  
P.O. Box 662  
Kihei, HI 96753

LeSEA Broadcasting Corporation  
61300 South Ironwood  
South Bend, IN 46614

Kihei Public Library  
35 Walmahalhai Street  
Kihei, HI 96753

Maui Planning Commission  
c/o: Maui Dept. of Planning  
250 S. High Street  
Wailuku, HI 96793

Letters commenting on the Draft EA and letters responding to those comments are included in the following section.
Comment and Response Letters
Date: June 7, 2012

To: Chris Hart & Partners
   C/O Kurt F. Wollenhaupt
   115 Market Street
   Wailuku, HI 96793

Subject: (EA), (CPA), (DBA), and (CIZ) for the Pu‘unene Heavy Industrial Subdivision Near Mokulele Highway (CPA 2012/0002) (CIZ 2012/0005) (EA 2012/0001)

TMK: (2) 3-8-008:019

Dear Kurt:

Below are our requirements for our “Heavy Industrial Subdivisions”. We have no comment at this time, yet these requirements will be enforced during the subdivision and building permit processes.

Water supply for fire protection shall have a minimum flow of 2500 gallons per minute for a two hour duration. Fire hydrants shall be placed on the service road to all parcels with hydrant spacing a maximum of 250 feet between hydrants.

Service roads to proposed properties shall have a clear width of 20 feet. Any dead-end roads or cul-de-sacs shall have a clear width of 32 ft., and if greater than 150 ft. in length, shall be provided with an approved fire apparatus turn-around.

All turns and required turnarounds shall have an outside turning radius of 40.5 feet. The maximum grade for the service roads shall not be greater than 12%.

Once construction of buildings are planned, there shall be at least one hydrant within 300 feet of any building to be constructed.

If you have any questions, please call 808-244-9161 ext 25 or fax 808-244-1363.

Sincerely,

Lt. K. Davis

Mr. K. Davis, Lieutenant
Fire Prevention Bureau
Maui Dept. of Fire & Public Safety
513 Meane Place
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0003
TMK: (2) 3-8-008:019

Dear Mr. Davis,

In response to your letter dated June 7, 2012, we would like to note that the proposed project will be developed in accordance with the fire protection requirements set forth in your letter.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1355 should you have any questions.

Sincerely,

[Signature]

Glen Tadaisi
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Blanca Lafollette, FPL
    Stacy Otomo, P.E.
Mr. Tom Hutchison, OSP Engineer
Network Engineering and Planning
OSP Engineering - Maui
Hawaiian Telmom
60 South Church Street
Wailuku, HI 96793

SUBJECT: Comments on the Puunene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (C) 3-5-006:019

Dear Mr. Hutchison,

Pursuant to your letter dated June 7, 2012, we understand Hawaiian Telmom has no comments nor do you require any additional information at this time.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wellenhaupt, Maui Planning Department
Blanca Lafouette, PRL
Stacy Okano, P.E.

115 N. Market Street, Wailuku, Maui, Hawaii 96793-1717 • Ph 808-242-1955 • Fax 808-242-1956
www.chphmaui.com
TO: KURT F. WOLLENHAUPT, STAFF PLANNER, DEPARTMENT OF PLANNING
FROM: GARY A. YABUTA, CHIEF OF POLICE
SUBJECT: PERMIT NO.: CPA 2012/0002, DIZ 2012/0005, EA 2012/0001
TMK: (2) 3-8-008:019
Name: DEA for Community Plan Amendment
Applicant: Dept. of Planning

___ No recommendation or comment to offer.
___ Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.

Assistant Chief Victor K. Ramos
For: GARY A. YABUTA
Chief of Police

Enclosure

TO: GARY YABUTA, CHIEF OF POLICE, COUNTY OF MAUI
VIA: CHANNELS
FROM: JHUN-LEE CASIO, POLICE OFFICER III, COMMUNITY POLICING
SUBJECT: RESPONSE TO A REQUEST FOR COMMENTS REGARDING: DRAFT ENVIRONMENTAL ASSESSMENT (EA) FOR THE COMMUNITY PLAN AMENDMENT (CPA), DISTRICT BOUNDARY AMENDMENT (DBA), AND CHANGE IN ZONING (CIZ) FOR THE PU'UNENE HEAVY INDUSTRIAL SUBDIVISION, LOCATED APPROXIMATELY ONE (1) MILE SOUTHEAST OF THE INTERSECTION OF MOKULELE HIGHWAY, MEHAE MA Loop, AND KAMA'A MA ROAD, MAUI, HAWAII: TMK (2) 3-8-008:019,
(CPA 2012/0002) (CIZ 2012/0005) (EA 2012/0001)

This communication is submitted as a response to a request for comments by Kurt WOLLENHAUPT, County of Maui Department of Planning, Staff Planner regarding.

APPLICANT: CMBY 2011 INVESTMENT, LLC
TAX MAP KEY: (2) 3-8-008: 019
LOCATION: Approximately 1.0 mile southeast of the intersection of Mokulele Highway, Mehane Loop, and Kama'a Road
DESCRIPTION: The subject property encompasses 86.03 acres of vacant lot belonging to CMBY 2011 INVESTMENT, LLC proposing to change the zone from Agricultural to Heavy Industrial.

RESPONSE:

In review of the submitted documents, concerns from the police perspective are upon the safety of pedestrian and vehicular movement.

The proposed land development plan for the proposed heavy industrial subdivision currently calls for subdividing the 86 acres subject parcel to provide 28 developable lots on 86 acres of land including 10 lots ranging in size from 0.5 acres to 1 acre, five lots ranging from over 1 acre to 2 acres, and the remaining 13 lots ranging from over 2 acres to 20 acres in size.

Although the closest residential projects is located approximately 2.3 miles south of the project (North Kihei), extreme efforts should be made to minimize noise, dust, and debris so not to inhibit those whose health and well being may be affected. Adequate traffic control devices and personnel should also be utilized to minimize the impacts to pedestrian and vehicular movement by the heavy equipment and vehicles traveling in and out of the area.
It is the duty of the project manager to examine the impact of vehicular movement within the area while work is conducted on this project. The planned project for future development is expected to increase vehicular traffic along Mokulele Highway and Kama'aina Road for traffic movement. It also increase calls for service for Police Officers. It is also important to consider proper and adequate lighting during evening, late night, and early morning hours during construction and after the project is completed. Congregation of the unlawful element, whether it is by status offense or by criminal offense tends to occur in poorly lit areas that are easily accessible and away from the general population.

This type of congregation usually leads to offenses such as Curfew Violations, Underage Drinking, Drug offenses, Littering, and Criminal Property Damage. Although this concern would fall upon police services, by providing adequate lighting and minimizing the opportunities for this type of behavior to occur would not only benefit the Police, but the Business' and the County as a whole as damages to these areas would be expected to be less than if these areas had inadequate lighting. For these reasons, it is strongly suggested that proper lighting for this new heavy industrial project be provided in order for not only the safety of vehicular movement but for crime prevention and deterrence as well.

Considerations should be taken as the future development is located between the beach boundary of District I (Wailuku) and District VI (Kīhei), which would further tax the responding officers.

CONCLUSION:

There are no objections to the planned future development at this time, from the police standpoint, in regards to pedestrian and vehicular movement. However, consideration is requested for sufficient lighting to be installed for not only the safety of vehicular movement, but for crime prevention and deterrence as well.

Respectfully submitted,

[Signature]

Police Officer III / Community Policing
06/14/12 @ 0845 hrs.

[Handwritten Notes]

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<tr>
<th>Date</th>
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<td>06/14/12</td>
<td>0845</td>
<td>Additional comments on safety measures</td>
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Mr. Gary A. Yabuta, Chief
Maui Police Department
55 Mahalani Street
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
BA 2012/0001, CPA 2012/0000, CI2 2012/0006
TMK (2) 3-6-008.019

Dear Mr. Yabuta,

We acknowledge the receipt of your letter dated July 18, 2012 and are responding to your comments.

During and after construction of the project, proper and adequate lighting will be utilized for crime prevention and deterrence and to ensure safe vehicular movement.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

[Signature]

Glenn Tadao
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Blanca Lafollette, PRL

CHRIS HART
Landscape Architecture
City & Regional Planning
June 28, 2012

115 N. Market Street, Wailuku, Maui, Hawaii 96793-1717 • Ph 808-242-1955 • Fax 808-242-1366
www.chphmaui.com
NO PERMIT REQUIRED

Dear Mr. Tadaki:

This responds to your letter dated May 1, 2012 requesting review comments for the proposed Pu'umene Heavy Industrial Subdivision in Kahului, Island of Maui. We have assigned this project the reference number POH-2011-00179. Please cite this reference number in any future communications with this office regarding this project.

We have completed our review of the submitted documents pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and Section 404 of the Clean Water Act (Section 404). For your information, Section 10 requires that a Department of the Army (DA) permit be obtained from the U.S. Army Corps of Engineers (Corps) prior to undertaking any construction, dredging, or other activity occurring in, over, or under or affecting navigable waters of the U.S. For tidal waters, the shoreward limit of the Corps' jurisdiction extends to the Mean High Water Mark (MHWM). Section 404 requires that a DA permit be obtained for the discharge (placement) of dredged and/or fill material into waters of the U.S., including wetlands. For tidally influenced waters, in the absence of adjacent wetlands, the shoreward limit of the Corps' jurisdiction extends to the High Tide Line, which in Hawai'i may be approximated by reference to the Mean Higher High Water Mark (MHHWM). For non-tidal waters, the lateral limits of the Corps' jurisdiction extend to the Ordinary High Water Mark or the approved delineated boundary of any adjacent wetlands.

Based on the information you submitted, the project area does not consist of any navigable water of the U.S. subject to the Corps' regulatory jurisdiction. Additionally, this proposed land development project would not involve the placement and/or discharge of dredged and/or fill material into waters of the U.S.; including wetlands. Therefore, a DA permit is not required.

This determination does not relieve you of the responsibility to obtain any other permits, licenses, or approvals that may be required under County, State, or Federal law for your proposed work.

Thank you for giving us the opportunity to review this proposal and providing us with the opportunity to comment. Should you have any questions, please contact Ms. Michelle Lazzaro at (808) 855-4307, or through email at Michelle.K.Lazzaro@usace.army.mil. You are encouraged to provide comments on your experience with the Honolulu District Regulatory Branch by accessing our web-based customer survey form at http://per2.mwr.usace.army.mil/survey.html.

Sincerely,

George P. Young, P.E.
Chief, Regulatory Branch
Mr. George F. Young, P.E., Chief
Regulatory Branch
U.S. Army Engineer District, Honolulu
Fort Shafter, H I 96858-5440

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 5-8-006:019; Reference No. PCH-2011-00179

Dear Mr. Young,

Pursuant to your letter dated June 19, 2012, we understand that a Department of the Army permit is not required for the proposed project since it does not involve any navigable waters of the U.S. subject to the Corps’ jurisdiction nor would it involve the placement and/or discharge of dredged and/or fill material into waters of the U.S., including wetlands.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1555 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafeolte, P.E.
Stacy Otomo, P.E.
June 19, 2012

Mr. Glenn Tadaki, Consultant
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Maui, Hawaii 96793-1717

Dear Mr. Tadaki:

Subject: Draft Environmental Assessment — Puunene Heavy Industrial Subdivision at the intersection of Molulele Highway, Mekeamaka Loop and Kamaaina Road, Kihei, Maui, Hawaii 96753

TMK (2) 3-8-005: 019 86.03 acres

Thank you for allowing us the opportunity to comment on the Draft Environmental Assessment for the Puunene Heavy Industrial Subdivision. We have the following comments to offer.

The Wastewater Branch will not allow the use of multiple enhanced septic tanks to discharge into a central leach field. A separate soil absorption system, such as a leach field, must be provided for each proposed septic tank system. In addition, the septic tank system shall be constructed in accordance with applicable provisions of Hawaii Administrative Rules, chapter 11-52, "Wastewater Systems." If a sewer collection system is proposed for the subject project, a wastewater treatment plant shall be constructed in accordance with chapter 11-62, HAR, for the treatment and disposal of the wastewater.

All wastewater plans must conform to applicable provisions of the chapter 11-62, HAR. We do reserve the right to review the detailed wastewater plans for conformance to applicable rules.

Should you have any questions, please contact the Planning & Design Section of the Wastewater Branch at phone 984-5232 on Maui or to our Oahu office at (808) 986-4254 or fax to (808) 986-4300.

Sincerely,

MARSHALL LUM, P.E., ACTING CHIEF
Wastewater Branch

c: DHE's Environmental Planning Office — Ms. Laura McIntyre
DHEW/P's Maui Staff — Mr. Roland Tejano
County of Maui — Department of Planning — Mr. Kurt Wilkenhaupt

RECEIVED
JULY 21, 2012
Mr. Marshall Lum, P.E., Acting Chief  
Wastewater Branch  
Hawaii Dept. of Health  
919 Ala Moana Blvd., Room 309  
Honolulu, HI 96814-4920

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision  
EA 2012/0001, CPA 2012/0002, CZF 2012/0005  
TMK (2) 3-8-008:019

Dear Mr. Lum,

Thank you for providing us with your comments on the Draft EA. In response to your letter dated June 19, 2012 we would like to note the following.

We recently contacted the department’s Maui Wastewater Branch and verified that wastewater from multiple septic tanks can no longer be discharged into a central leach field pursuant to current DOH policy.

In light of the foregoing, the wastewater treatment plan for the proposed subdivision will be modified to call for the installation of an aerobic treatment unit and leach field on each developable lot. Based on our discussion with Wastewater Branch staff, aerobic treatment units are permissible and can be used within 1,000 feet of a drinking water well.

The cost and installation of this individual wastewater system will be borne by individual lot owners when their lots are developed in the future. Each lot owner will also be responsible for compliance with Chapter 11-62, HAR pertaining to “Wastewater Systems.”

Thank you for providing us with you comments and for participating in the environmental review process.

Sincerely,

cc: Kurt Wollenhaupt, Maui Planning Department  
Blanca Lafolle, PRL  
Shacy Otomo, P.E.  
Tom Nanoe, TNWRE

[Signature]

CHRIS HART
Landscape Architecture
City/Regional Planning
July 5, 2012

Proposed Pu‘unene Heavy Industrial Subdivision
TMK (2) 3-8-008:019
July 3, 2012
Page 2

Please feel free to call me at (808) 242-1955 should you have any questions.
Mr. Kurt P. Wollenhaupt, Staff Planner  
County of Maui, Department of Planning  
250 South High Street  
Wailuku, Hawaii 96793  

Dear Mr. Wollenhaupt:  

Thank you for your submittal requesting comments to the Draft Environmental Assessment (DEA) for the CPA, DBA and CIZ for the Pu‘unene Heavy Industrial Subdivision at TMK: (2) 3-8-008-019, Maui, Hawaii.  

Based on our review, we have no additional comments at this time.  

Should you have any questions, please contact me at (808) 586-4701.  

Sincerely,  

[Signature]  
Jeffrey M. Eckerd  
Program Manager  
Indoor and Radiological Health Branch  

---  

Mr. Jeffrey M. Eckerd, Program Manager  
Indoor & Radiological Health Branch  
Hawaii Dept. of Health  
P.O. Box 3378  
Honolulu, HI 96801-3378  

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision  
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005  
TMK (2) 3-8-008-019  

Dear Mr. Eckerd,  

As noted in your letter dated June 25, 2012, we understand that the Indoor and Radiological Health Branch has no additional comments at this time.  

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.  

Sincerely,  

[Signature]  
Glenn Tadaka  
Planner  

cc: Kurt Wollenhaupt, Maui Planning Department  
Blanca Lafolette, PRL  
Yoichi Ebisu, P.E.  

---  

Promoting Lifelong Health & Wellness  

115 N. Market Street, Wailuku, Maui, Hawaii 96793 • Ph 808-242-1955 • Fax 808-242-1956  
www.chpmaui.com
June 26, 2012

Mr. Glenn Tadaki  
Chris Hart & Partners, Inc.  
115 North Market Street  
Wailuku, Hawaii 96793-1717

Dear Mr. Tadaki:

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT (EA) FOR THE PROPOSED  
PU‘UNENE HEAVY INDUSTRIAL SUBDIVISION  
PU‘UNENE, MAUI, HAWAI‘I

The Safe Drinking Water Branch (SDWB) acknowledges receipt of the Draft  
Environmental Assessment (EA) dated April 2012, and expresses our appreciation for  
the opportunity to comment on the proposed project.

Please refer to our previous comments provided in the SDWB letter, dated July 5, 2011,  
submitted in response to your previous request for review and comment on the subject  
project.

If you have any questions, please call Craig Watanabe, of the SDWB Engineering  
Section, at (808) 586-4258.

Sincerely,

[Signature]

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

CW:cb

c: Mr. Kurt Wollenhaupt  
Staff Planner  
County of Maui  
Department of Planning  
253 South High Street  
Wailuku, Hawaii 96793

RECEIVED  
JUN 26 2012

CHRIS HART & PARTNERS, INC.  
Landscape Architecture and Planning
Ms. Joanna L. Seto, P.E., Chief  
Safe Drinking Water Branch  
Hawai‘i Dept. of Health  
919 Ala Moana Blvd., Room 308  
Honolulu, HI 96814-4920

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision  
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005  
TMK (2) 3-8-008:019

Dear Ms. Seto,

Thank you for your Draft EA comment letter dated June 26, 2012 which refers to the Safe Drinking Water Branch’s previous letter dated July 5, 2011 (see attached). In response to these comments we would like to reiterate the following:

1. Information about the source of drinking water for the proposed project has been included in the Draft EA. Refer to Appendix O, Groundwater Resources and Water System Assessment.

2. The public water system for the proposed project will comply with Title 11, Chapter 20, HAR entitled “Rules Relating to Potable Water Systems”.

3. The capacity requirements of the public water system for the proposed project will comply with Section 11-20-29.3, HAR relating to “Capacity demonstration and evaluation”.

4. The public water system for the proposed project will comply with provisions of Section 11-20-29, HAR relating to “Use of new sources of raw water for public water systems”. In addition, the land owner understands that the Director of Health must approve all new public water system sources prior to its use.

5. Pursuant to Section 11-20-29, HAR, the land owner acknowledges that an engineering report must be submitted to the Safe Drinking Water Branch (SDWB) for anyone proposing to use a new, natural water source to supply a public water system. As set forth in Subsection 11-20-29 (b) (6), all potential sources of contamination must be identified and control measures for reducing potential contamination must be evaluated. In addition, the land owner understands that a water quality analysis for all regulated contaminants must be submitted to the SDWB to evidence compliance with all drinking water standards.

6. The land owner acknowledges that all public water system sources are subject to a source water assessment which will delineate a water source protection area.

7. The land owner understands that any new public water system must be approved by the Director of Health before construction can commence pursuant to Section 11-20-30, HAR pertaining to “New and modified public water systems”.

8. The public water system for the proposed project will be operated in accordance with Title 11, Chapter 25, HAR entitled “Rules Pertaining to Certification of Public Water System Operators”.

9. The land owner understands that separate drinking water and non-potable systems need to be carefully designed and operated to prevent any cross-connections and potential backflow and that the dual system must be clearly labeled and physically separated to avoid drinking water contamination. The design and operation of the dual system for the proposed project shall comply with the provisions of Title 11, Chapter 21, entitled “Cross-connection and Backflow Control”.

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

11. Copies of the SDWB’s July 5, 2011 letter and contact information were previously provided to the land owner and the appropriate project consultants.

Thank you for providing us with your comments and for participating in the environmental review process.
Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

[Signature]

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafolette, PBL
Toni Nanci, TNWRE
Stacy Otomo, P.E.

Mr. Glenn Tadaki
Chris Hart & Partners, Inc.
115 N. Market Street
Wailuku, Hawaii 96793-2727

Dear Mr. Tadaki,

SUBJECT: EARLY CONSULTATION FOR THE PREPARATION OF A DRAFT ENVIRONMENTAL ASSESSMENT (EIA) FOR THE PROPOSED P'UNENEHE HEAVY INDUSTRIAL SUBDIVISION

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

1. The description of the project does not clearly identify the source of drinking water for the project. Please clearly identify the source of drinking water.

2. This project qualifies as a public water system. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, entitled “Rules Relating to Potable Water Systems.”

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

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

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

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

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

8. All public water systems must be operated by certified distribution system and water treatment plant operators as defined by HARR Title 11, Chapter 11-25 entitled, "Rules Pertaining to Certification of Public Water System Operators."

9. All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing drinking water system to meet irrigation or other needs must be carefully designed and operated to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the drinking water system. The two systems must be clearly labeled and physically separated by

air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the drinking water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with HARR Title 11, Chapter 21 entitled "Cross-Connection and Backflow Control" is also required.

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

11. For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact the Safe Drinking Water Branch at 586-4258.

If there are any questions, please call Jennifer Nakada at (808) 586-4258.

Sincerely,

[Signature]
JOANNA L. SETO, F.K. CHIEF
Safe Drinking Water Branch
Environmental Management Division

JH:slm
Mr. Kurt Wollenhaupt
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawai'i 96793

Dear Mr. Wollenhaupt:

Subject: Draft Environmental Assessment (DEA)
Pu' unene Heavy Industrial Subdivision
Pu' unene, Maui, Hawai'i
Tax Map Key: 3-8-08: 19

We have reviewed the DEA for the subject project and have the following comments to offer:

1) We suggest that a list of acronyms used throughout the DEA be included following the Table of Contents for ease of reference.

2) In Chapter I, Project Overview, page 3, the State Land Use Classification of the Site Area is incorrectly identified as “Urban.” As stated elsewhere in the DEA, the correct State land use designation of the Site Area is “Agricultural.”

3) In accordance with section 11-200-10(4), Hawai'i Administrative Rules (HAR), the DEA should include a general description of the area’s technical, economic, social, and environmental characteristics. We note that Chapter II, Description of the Property and Proposed Action, Section D, Description of the Proposed Action, Paragraph 2, Proposed Action, of the DEA describes the number and size of the proposed lots as well as the remaining acreage devoted to drainage facilities and the internal roadway system. Figure 5 of the DEA is identified for reference. However, Figure 5 does not depict the location, size, and configuration of these individual lots relative to the subdivision footprint. Although we acknowledge that the actual number and size of the lots will be impacted by market conditions, we believe that Figure 5 should be amended to provide a more detailed representation of the land development plan to better correspond with the written description provided in the above paragraph.

4) In accordance with section 11-200-10(6), HAR, the DEA should identify and summarize the impacts and alternatives considered. We note that there is no discussion in the DEA 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 EA address this matter, including any plan to fund and construct adequate civil defense measures (sirens) to serve the Petition Area as may be required by the State Department of Defense, Office of Civil Defense.

We also note that no inventory and assessment of arthropods on the property was conducted. Although the location of the property may not require that a comprehensive arthropod study be conducted, we request that this matter be addressed in the interest of full environmental disclosure.

Finally, the DEA does not include an analysis of the potential impacts and possible mitigation measures for cable television systems as it does for electrical and telephone services.

With respect to the discussion on alternatives, we acknowledge that Chapter II, Description of the Property and Proposed Action, Section E, Alternatives, of the DEA addresses various alternatives; however, this discussion does not appear to be an objective evaluation in that the alternatives presented are primarily discussed in a negative context relative to the proposed development. Please also include a discussion of the potential benefits of the alternatives, including the extent to which the
alternatives could avoid some or all of the short and long-term adverse environmental effects.

5) In the DEA, there are numerous references to the term potable water and non-potable water. We request that they be replaced by the terms drinking water and non-drinking water, respectively. We have been advised that although potable water has generally been used to mean drinking water, the State Department of Health (DOH) uses the latter term specifically to indicate water for human consumption that is derived from surface water and/or groundwater and is regulated by the DOH pursuant to chapter 11-20, HAR.

We have no further comments to offer at this time. Thank you for the opportunity to comment on the subject DEA.

Should you have any questions, please feel free to call Bert Saruwatari of our office at 587-3822.

Sincerely,

[Signature]

Daniel E. Orndorfer
Executive Officer

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c: Glenn Tadaki
Mr. Daniel Orodenker, Executive Director
Land Use Commission
Hawaii’s Dept. of Business, Economic
Development & Tourism
P.O. Box 2359
Honolulu, HI 96804

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIIZ 2012/0005
TMK (2) 3-8-008:019

July 31, 2012

Dear Mr. Orodenker,

On behalf of the land owner, CMBY 2011 Investments, LLC, we are responding to your letter dated July 2, 2012.

1. A list of the acronyms that were used throughout the Draft EA has been compiled and will be inserted after the Table of Contents in the Final EA.

2. The State land use classification that was erroneously identified on page 3 of the Draft EA has been corrected.

3. The Final EA will include an additional Figure showing the location, size, and configuration of the individual lots relative to the subdivision’s footprint.

4. In commenting on the Draft EA, the Land Use Commission indicated, “We note that there is no discussion in the DEA 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 EA address this matter, including any plan to fund and construct adequate civil defense measures (sirens) to serve the Petition Area as may be required by the State Department of Defense, Office of Civil Defense”. In response to your comments, we contacted Hawaii’s State Civil Defense, provided them with the preceding comments, and asked that they review and comment on the Draft EA. Although comments from State Civil Defense are currently pending, the Final EA will address their comments as well as the foregoing comments from the Land Use Commission.

In response to your comments, the Final EA will include a report documenting the findings of an Arthropod Study. The primary objective of the study, which involved a field survey conducted by Robert W. Hobdy on July 16, 2012, was to inventory all arthropod species in the project area. A total of 15 arthropods were recorded, representing seven Orders of spiders and insects. No rare or endangered insects were observed including the endangered Blackburn’s sphinx moth (Macroglossum stellatarum). None of the moth’s preferred hostplants, the tree tobacco (Nicotiana glauca) were found, and no adult moths, eggs or larvae were seen.

A discussion of existing cable television service in the project area as well as potential impacts and mitigation measures will be included in the Final EA.

The Final EA will include a discussion of the potential benefits of the alternatives, including the extent that the alternatives could avoid short and long-term adverse impacts.

5. The terms “potable water” and “non-potable water” will be respectively replaced with the terms “drinking water” and “non-drinking water”.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 342-1455 should you have any questions.

Sincerely,

[Signature]

Glen Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafolette, PRL
Mr. William R. Spence  
July 2, 2012
Page 2

3. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. The Indoor & Radiological Health Branch should be contacted at 808 586-4700.

It is strongly recommended that the Standard Comments found at the Department’s website: http://hawaii.gov/health/environmental/env-planning/landscape/landscape.html be reviewed, and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please call me at 808 984-8230 or E-mail me at patricia.kitkowski@doh.hawaii.gov.

Sincerely,

Patti Kitkowski
District Environmental Health Program Chief

cc: Glenn Tadaki, Chris Hart & Partners, Inc.
EFO
Ms. Patti Kitkowski, Chief
Maui District Health Office
Hawai‘i Dept. of Health
54 High Street
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019

Dear Ms. Kitkowski,

On behalf of the land owner, CMBY 2011 Investment, LLC, we are responding to your letter dated July 2, 2012.

1. The proposed project will comply with applicable National Pollutant Discharge Elimination System (NPDES) permit requirements for construction activities.

2. Preliminarily, the proposed project would create 28 developable lots ranging from 0.5-acre to 20-acres in size. It is highly unlikely that the total number of lots will exceed that amount. Based on recent discussions with your department’s Wastewater Branch, the wastewater treatment plan for the proposed subdivision will be modified to call for the installation of an aerobic treatment unit and leach field on each developable lot. Based on our discussion with Wastewater Branch staff, aerobic treatment units are permissible and can be used within 1,000 feet of a drinking water well.

3. Should noise from construction activities exceed the allowable daytime threshold (70 dBA) for industrial-zoned districts, the contractor shall obtain a Community Noise Permit from the Indoor and Radiological Health Branch pursuant to Chapter 11-46, HAR pertaining to “Community Noise Control”.

Thank you for providing us with your comments and for participating in the environmental review process.

Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Blanca Lafolette, PRL
    Stacy Otomo, P.E.
    Yoichi Ebise, P.E.
### AGENCY TRANSMITTAL RESPONSE e-FORM

**FOR DEPARTMENT OF PLANNING, COUNTY OF MAUI**

**June 13, 2012**

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**PROJECT:**
Draft EA for Community Plan Amendment (CPA), District Boundary Amendment (DBA), and Change In Zoning (CIZ) for the Punaene

**PROJECT DESCRIPTION:**
Heavy Industrial Subdivision located approx. one mile southeast of Nokulele Hwy., Mahana Loop & Kamanu Rd. intersection, Maui, HI

**APPLICANT:**

**PERMIT NO.:**

**TMK:**

2-3-8-068-019, CPA 2012/0002, CIZ 2012/0005, EA 2012/0001

See Above

### WASTEWATER RECLAMATION DIVISION COMMENTS

**COMMENTS/RECOMMENDATIONS**

**NO COMMENTS**

### SOLID WASTE DIVISION COMMENTS

**COMMENTS/RECOMMENDATIONS**

**NO COMMENTS**

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**Signed:**

**Print Name:** Michael M. Miyamoto, Deputy Director

**Date:** July 3, 2012

---

Mr. Michael Miyamoto, Deputy Director
Maui Dept. of Environmental Management
2200 Main Street, Suite 175
Wailuku, HI 96793

**SUBJECT:** Comments on the Punaene Heavy Industrial Subdivision

EA 2012/0001, CPA 2012/0002, CIZ 2012/0005

TMK (2) 3-8-068:019

Dear Mr. Miyamoto,

Pursuant to your comments dated July 3, 2012, we understand the Department of Environmental Management has no comments at this time.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1559 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Bianca Lafolette, PRL
    Stacy Otomo, P.E.
    Tom Nance, TNWRE

115 N. Market Street, Wailuku, Maui, Hawaii 96793 • Ph 808-240-1555 • Fax 808-242-1566
www.chpmaui.com
3 July 2012

Blanca Lafolette
In C/o: CMBY 2011 Investment LLC,
P.O. Box 220, Kihei,
HAWAIIAN ISLANDS, U. S. OCCUPIED TERRITORY 96793

Re: 86-Acre Heavy Industrial Subdivision

Greetings:

We are requesting information from you folks if you made any inquires with the Legal Kingdom of Hawai‘i Government on your proposed building and construction endeavor in the Pu‘unene area of Maui, as described above.

We and many folks would appreciate hearing from you in regards to this inquiry.

Sincerely,

Sam Miguel, Executive Director-Citizen Affairs

A Non-Profit Citizen Advocacy Group®
Proposed Pu‘unene Heavy Industrial Subdivision
TMK (2) 3-8-008:019
July 16, 2012
Page 2

Please feel free to call Blanca Lafaolette at (808) 270-5940 or me at (808) 262-1955 should you have any questions.

Sincerely,

[Signature]

[Name]

Planner

cc: Kurt Wellenhaupt, Maui Planning Department
Blanca Lafaolette, PRL

---

Mr. Sam Miguel, Executive Director
Citizen Affairs
Citizens for Truth and Justice - Maui County
P.O. Box 791071
Paia, HI 96779

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019; Reference No. PCH-2011-00179

Dear Mr. Miguel,

On behalf of CMBY 2011 Investment, LLC, we are responding to your letter dated July 3, 2012 and find that no inquiry had been made with the Legal Kingdom of Hawai‘i Government.

It should be noted, however, that the Office of Hawaiian Affairs (OHA) and the State Department of Hawaiian Home Lands were consulted during the preparation of the draft environmental assessment, and that preparation of the Cultural Impact Assessment (CIA) involved consultation with the State Historic Preservation Division, the Maui County Cultural Resources Commission, the Maui Planning Department, the Central Maui Hawaiian Civic Club, Hale Makahiki, and Mr. Kimokeo Kapahulehua. In addition, CIA Notices were published three times in the Honolulu Star-Advertiser and the Maui News during July 2011 and in the August 2011 edition of OHA’s monthly newspaper, Ke Wai Ola.

Information about the proposed project can be found on the following website.

http://oec.doh.hawaii.gov/Shared%20Documents/EA_and_FIS_Online_Library/Mau i/2010s/2012-06-08-DEA-Pu%5ChouseHeavy-Industrial-Subdivision.pdf

Thank you for expressing your interest in this project and for participating in the environmental review process.

115 N. Market Street, Wailuku, Maui, Hawaii 96793-1717 • Ph 808-242-1955 • Fax 808-242-1956
www.chpmau.com
In order to assess the project's potential cumulative impacts, a future scenario including all reasonably foreseeable projects must be analyzed. Such a future scenario is usually the horizon year of a travel forecast which has all reasonably foreseeable projects assumed as land use inputs in the model. However, the TIAR only provides one analysis scenario, an Opening Year (Year 2015) scenario in which the entire Project is assumed constructed. The Opening Year scenario may disclose direct traffic impacts but would not disclose cumulative traffic impacts. An additional analysis scenario farther in the future should be provided in the TIAR to analyze cumulative impacts.

In addition to not analyzing and disclosing potential cumulative traffic impacts, the DEA fails to address short term impacts caused by construction traffic for the Project. The DEA should be revised to address these potential short term impacts.

2. The Project may have significant impacts not disclosed in the DEA because the TIAR did not analyze the highest trip generating use allowed the proposed zone. Currently the County of Maui allows any use permitted in the B-1, B-2, or B-3 District in the M-2 Industrial zone (“pyramid zoning”) and does not limit the amount of these business uses in the M-2 zone. The DEA’s TIAR analyzed the Project as if the site were developed as an industrial park; however, an industrial park is a much lower trip generator than many uses allowed in the B-1, B-2, or B-3 Districts, such as commercial retail. In the event the Project were developed such that the site’s trip generation exceeds that assumed in the TIAR, significant traffic impacts may result that were not disclosed in the DEA’s TIAR. To eliminate the possibility of having undisclosed impacts, the TIAR should be revised to assume the site is comprised entirely of commercial retail.

Alternatively, if the applicant does not wish to revise the TIAR, then the Project Description in the DEA MUST be revised to state the maximum traffic that the Project would generate (average daily trips, a.m. peak hour inbound trips, p.m. peak hour outbound trips, p.m. peak hour inbound trips, p.m. peak hour outbound trips) as assumed in the TIAR. This maximum trip generation MUST be a condition of the forthcoming permit issued by the County of Maui, and the trip generation of the site MUST be monitored by the County of Maui as the site develops to ensure compliance with this permit condition. Otherwise, if the Project is not conditioned on trip generation, then "pyramid zoning" would invalidate the environmental assessment since the project could develop as a different use with higher traffic volumes. Developing with a different use and higher traffic volumes than stated in the TIAR would also violate the Hawaii Environmental Protection Act (HEPA) because the environmental impacts of traffic may not be fully disclosed to the public and the decision maker at the time of project approval.

Specific Comments to the DEA

3. Page 13 of the DEA states subdivision construction is expected to begin in 2016 with an estimated construction period of about 30 months, and subsequent lot build-out period for the subdivision is expected to last approximately 10 years. However,

- Page 29 of the DEA states Project traffic will result in an increase of 0.3 DNL by 2015 which makes no sense if construction is not to begin until 2016.
4. Page 126 of the DEA indicates that the proposed action is not expected to have an adverse effect upon the public’s health and welfare. The Project as proposed may increase the potential for vehicle crashes for the following two reasons:

A) The length of the southbound left turn pocket at Mokulele Highway and Kama‘aina Road may not be designed long enough to accommodate the left turn demand at this location since an average vehicle length of only 25 feet was used in the TIAR to calculate the length of this left hand turn pocket. A longer average vehicle length should be used in the calculation given the high percentage of heavy vehicles anticipated to use the Project site. According to the American Association of State Highway and Transportation Officials (AASHTO), heavy vehicles are forty, fifty, and even sixty or more feet in length (see Attachment A). In the event the left turn pocket is designed too short, vehicles may spill out into the through lanes of traffic, thereby increasing the potential for rear end collisions.

B) The Maui County Police Department had requested that the sugar cane be cut as necessary to ensure adequate corner sight distance and adequate visibility is maintained for traffic signal indications. However, the EA’s TIAR simply states that areas near intersections, “...should be monitored to ensure that the sugar cane growth does not impede sight distance and that visibility of traffic control devices is maintained.” Given that the Project will increase traffic to these intersections, the Project should be responsible for maintaining the height of the sugar cane so that adequate sight distance is provided; otherwise, the Project may have an adverse impact on public health and safety due to the potential increase in vehicle crashes. The DEA should be revised to state that the Project shall be responsible for maintaining adequate sight distance at intersections and safe stopping distance for traffic signal indications per AASHTO requirements. Additionally, the Project, when it receives its permit from Maui County, should be conditioned to this requirement.

5. The following comment does not address the adequacy of the DEA but should be addressed when the document is finalized: Many pages of the DEA’s appendices are scanned upside down. All pages of the electronic version of the DEA should be scanned up right so that a reader of the electronic document need not have to rotate the pages, over and over, to view it.

Comments to the TIAR (Appendix O of the DEA):

6. The TIAR should be signed and stamped by a Licensed Professional Engineer from the State of Hawaii to ensure that an individual knowledgeable in the area of transportation engineering completed the work, or reviewed the document and agrees with the content of the document.

7. The study area is insufficient to determine whether the Project has any significant traffic impacts. Figure 8 of the TIAR shows in the a.m. peak hour the Project would generate 192 inbound trips from the north and 149 inbound trips from the south along Mokulele Highway at Mokulele Highway and Kama‘aina Road. Per the Institute of Transportation Engineer (ITE) Transportation Impact Analysis for Site Development, an additional 100 vehicles per hour can change the level of service or appreciably increase the volume-to-capacity ratio of an intersection approach. (See Attachment B.) Therefore, the study area should be expanded on Mokulele Highway, north and south of the intersection of Mokulele Highway and Kama‘aina Road, to ensure the project has no significant traffic impacts to other intersections along Mokulele Highway.

8. The TIAR should indicate the average daily trips (ADT) anticipated from the Project. Based on trip rates published in Trip Generation, 8th Edition: An ITE Informational Report, an industrial park is estimated to generate 62.11 trips per acre on an average weekday. (See Attachment C.) Using the equation 65.92 acres x 63.11 trips/acre, the proposed 65.92 net acre industrial park is estimated to generate 4,169 ADT. This data value should be included in the TIAR.

9. The Year 2015 scenario only includes other projects from the central and south Kihei area. Projects from Kahului that would be expected to add traffic to Mokulele Highway, such as A&B’s Maui Business Park, should also be included.

10. An HCM arterial analysis should be performed for Mokulele Highway for all study scenarios (Opening Day and Horizon Year) and this analysis and its results should be provided to determine whether the project would have a significant impact on the capacity of Mokulele Highway.

11. To determine whether the proposed Project has any cumulative traffic impacts, the TIAR should provide another study scenario with a year coinciding with the Horizon Year of the most recent approved travel forecast for Maui County.

12. Page 8 of the TIAR states counts for the intersection of Mokulele Highway and Kama‘aina Road were conducted on Friday, August 12, 2011. Monday and Friday counts are typically lower than mid-week counts; therefore, traffic counts should only be gathered on Tuesday, Wednesday, or Thursday. The Project may have a significant traffic impact at this intersection that is not disclosed in the DEA, since the Friday counts used may be lower that the average weekday count resulting in an inaccurate baseline.

13. Page 10 of the TIAR states, "Level-of-service D is typically considered acceptable for peak hour conditions in urban areas." The Project site is in a rural area. Clarify what level-of-service is typically considered acceptable for peak hour conditions in rural areas.
14. Page 13 of the TIAR indicates that in the assessment of future background conditions, roadway improvements that are part of the related projects are assumed. There is no guarantee that the other roadway improvements will be constructed by the time the Project is operational or occupied; only roadway improvements that are currently assured by permit and bond should be assumed in the Opening Year (Year 2015) scenario.

15. Page 31 of the TIAR states the average length of a vehicle assumed in the calculation of the length of the southbound left turn pocket on Mokulele Highway at the intersection of Mokulele Highway and Kama'aina Road is 25 feet. However, a longer length should be used in this calculation since (according to the TIAR) 25% of the vehicles using the site are anticipated to be heavy vehicles.

16. The last paragraph on Page 31 of the TIAR describes the deceleration lane calculation and states, "The storage lane calculations are described above." However, what is described above is the storage lane calculations for left turn lanes, not deceleration lanes. Clarify how the lengths of deceleration lanes were calculated.

17. Page 32 of the TIAR states that it is recommended that areas adjacent to Kama'aina Road, South Firebreak Road and Lower Kibei Road should be monitored to ensure that the sugar cane growth does not impede sight distances and that visibility of traffic control devices is maintained. The Project should provide sight visibility easements for any areas on the Project site at intersections. Additionally, the Project should maintain the cane fields at a height no greater than 36" to ensure proper visibility is provided. The TIAR should be revised to state the Project shall cut down the sugar cane as necessary on the Project site or within the public right-of-way to maintain corner sight distance at intersections per requirements of AASHTO. The TIAR should also be revised indicating that the Project shall maintain the visibility of traffic control devices so that safe stopping distance for heavy vehicles is provided per requirements of AASHTO.

18. Appendix H of the TIAR: The TIAR's responses to the Maui Police Department's comments concerning public safety are unsatisfactory. The Project should take responsibility for providing adequate street lighting and should be responsible for maintaining the height of the cane fields if the cane fields lie within public rights-of-way or within the Project site.

Final Remarks:

In conclusion, the DEA fails to comply with HARP §11.200-12 because it fails to disclose cumulative traffic impacts and short-term traffic impacts. Further, the DEA may fail to disclose significant impacts because the highest trip generating use allowed in the M-2 Industrial Zone was not analyzed. Therefore, it cannot be concluded at this time that a Finding of No Significant Impact (FONSI) is the appropriate environmental determination for this project.

Thank you once again for providing me the opportunity to review and comment on the DEA. I hope you find these comments helpful in producing a legally defensible environmental document.

Sincerely,

[Signature]

Victoria A. Huffman, P.E.

cc: Glenn Tadaki, Chris Hart & Partners (electronic copy)
Blanca Lafalette, CMBY 2011 Investment, LLC (electronic copy)
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<td>Value 84</td>
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</table>

### US Customary

#### A POLICY on GEOMETRIC DESIGN of HIGHWAYS and STREETS 2001

[Image of book cover]
2. Initiating Transportation Impact Studies

Guidelines for Studies

In considering the transportation aspects of land development, it is important to determine early in the process if and when a transportation impact study is needed.

Transportation impact studies are currently being addressed in a variety of ways by jurisdictions throughout North America. A cross sampling of data collected by ITE shows the following situations or thresholds that commonly trigger a requirement for a transportation impact analysis:

- When development will generate a specified number of daily trips (the data collected by ITE found examples of 300, 750, 1,000, 2,000 and 3,000 vehicle trips per day, with 1,000 vehicle trips per day predominating);
- When development will generate a specified number of peak-hour trips (examples include 20, 30, 50, 75, 100, 150, 200 and 500 vehicle trips per peak hour, with peak-hour trips in the 50-100 range predominating)

A trip is defined as a single or one-directional travel movement with either the origin or the destination of the trip inside the study site.

- When a specified amount of acreage is being rezoned (examples include a wide variety of acreage based on type of land use; see Florida Department of Transportation 1997 and Georgia Department of Community Affairs 2002 for specific examples);
- When development contains a specified number of dwelling units or amount of square footage (examples include a wide variety of units and square footage based on type of land use; see Florida Department of Transportation 1997 and Georgia Department of Community Affairs 2002 for specific examples);
- When financial assessments are required and the extent of impact must be determined;
- When the development will require a significant amount of transportation improvements;
- When a previous transportation impact analysis for a site has been deemed out of date;
- At the judgment or discretion of staff, based upon unusual circumstances; or
- When development will occur in a sensitive area.

There is little consistency in specific threshold quantities for the first four criteria. Study requirements should be related to the cause of transportation needs and impacts, such as trips generated during peak or design hours.

A quantitative threshold for requiring a site transportation impact study should be established by each agency based on local needs, issues, and policies. The threshold level may vary among agencies in response to local conditions and priorities. In lieu of other locally preferred thresholds, it is suggested that a transportation impact study be conducted whenever a proposed development will generate 100 or more added (new) trips during the adjacent roadways’ peak hour or the development’s peak hour.

This site trip generation threshold is appropriate for the following reasons:

- An additional 100 vehicles per hour can change the level of service or appreciably increase the volume-to-capacity ratio of an intersection approach;
- Left- or right-turn lanes may be needed to satisfactorily accommodate site traffic without adversely affecting through (non-site) traffic.

It should be noted, however, that many jurisdictions in more densely populated areas tend to use lower thresholds for initiating a transportation impact analysis. These thresholds fall in the range of 30 to 100 peak-hour trips.

Judgment must also enter into the process. In some cases, although a development might generate fewer trips than the established threshold, a localized...
Average Vehicle Trip Ends vs: Acres
On a: Weekday

Number of Studies: 43
Average Number of Acres: 38
Directional Distribution: 50% entering, 50% exiting

<table>
<thead>
<tr>
<th>Trip Generation per Acre</th>
<th>Average Rate</th>
<th>Range of Rates</th>
<th>Standard Deviation</th>
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</table>

**Data Plot and Equation**

![Graph showing data plot and equation]

Fitted Curve Equation: \( T = 47.84X + 595.34 \)

\( R^2 = 0.52 \)

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Ms. Victoria Huffman  
c/o 163 Kali Pu' u Street  
Kahului, HI 96733-7164  

SUBJECT: Comments on the Pu' unene Heavy Industrial Subdivision EA 2012/0003, CPA 2012/0022, CIZ 2012/0005  
TMK (2) 3-8-008:019  

August 9, 2012

Dear Ms. Huffman,

On behalf of the Applicant (CMBY 2011 Investment, LLC), and with input from the project's traffic engineer, we are responding to your letter dated July 4, 2012.

1. Cumulative and secondary effects are discussed in Chapter VIII of the Draft EA entitled, Chapter 343, HRS Significance Criteria. An expanded discussion of cumulative and secondary effects will be included in the Final EA.

   The Final EA will also include a discussion about the cumulative effect of traffic.

Construction of the proposed project will primarily involve site work and the installation of subdivision infrastructure. After mobilization, construction equipment, materials and vehicles will be stored and secured onsite. As such, construction-related traffic impacts are expected to be minimal.

2. The trip generation analysis is not based on zoning but is predicated on the anticipated land uses for the proposed project. The Covenants, Conditions, and Restrictions for the subdivision will include language which will preclude the commercial uses that are currently allowed under existing M-2, Heavy Industrial District zoning. It should be noted that a proposed bill for M-3, Restricted Industrial District zoning, which specifically excludes general retail and office uses, is currently being reviewed by the County Council. Should the bill be adopted by the Council, the Change-in-Zoning application will be revised to reflect the change from M-2 to M-3 zoning.

3. Based on preliminary estimates in 2011, the construction of the project was anticipated to commence approximately four to five years from that time (i.e., 2015 at the earliest).

4 (A) The length of the left-turn storage lane was estimated using the procedure described in A Policy on Geometric Design of Highways and Streets published by the American Association of State Highway and Transportation Officials (AASHTO). An average vehicle length of 25 feet is the accepted vehicle length. It should also be noted that the storage length is in addition to the deceleration lane. No overlapping of storage length and deceleration length is allowed in the State of Hawai‘i. In addition, the definition of a heavy vehicle includes smaller vehicles, not just large trailer trucks as implied. The vehicle classification count did not segregate the heavy vehicles into separate categories as it is not required in the level-of-service analysis.

4 (B) The sugar cane fields adjacent to the intersections are owned by Hawaiian Commercial & Sugar Company (HC&S) and are not under the control of the Applicant. Notwithstanding this, the Applicant will work with HC&S to help minimize potential impacts to sight distance. As part of the subdivision application and review process, a driveway sight distance analysis and worksheet (for the subdivision driveway) will be submitted to the Department of Public Works; for review and approval to ensure that adequate sight distance is provided.

5. All appendices in the Final EA shall be uniformly scanned to optimize viewing.

6. The State of Hawai‘i does not stipulate that traffic engineers must sign and stamp their reports with a seal. Hawai‘i County and Kauai County have asked that traffic reports be signed and stamped albeit Maui County has not asked traffic engineers to do so.

7. The next significant intersection south of Kama‘ aina Road is at North Kihei Road, while the next intersection to the north is the access road for the Central Maui Baseyard. Both intersections operate at good levels-of-service based on the traffic engineer’s knowledge of the area, the conclusions of other recent traffic studies, and a reassessment of the area as part of the project’s traffic study.

8. The total daily traffic a project will generate is not applicable for the level-of-service as all the level-of-service analyses examine peak hour conditions.
9. At the time the project’s traffic study was prepared, 2015 was the appropriate horizon year. Maui Business Park will not be generating any significant traffic until after 2015.

10. The intersection of Molokulele Highway at Kara’aaina Road is not impacted by conditions at adjacent intersections due to its location. There is no progression with adjacent intersections because of the distances. Therefore, an arterial analysis is not warranted.

11. The horizon year was selected based on the anticipated completion of the project at the time the traffic study was prepared. It should be noted that past projects of this type on the island of Maui have been fully occupied in a very short time. The background projects were assumed to be built out and fully occupied. Therefore, extending the horizon year would only affect the background growth rate.

12. This a global statement that may be true in some areas of the mainland but not in Hawai‘i. Wednesday afternoon traffic is not counted in the State of Hawai‘i as public schools let out early on Wednesdays. As further information, the Hawai‘i County Public Works Department requires that all traffic counts in the Kona area be performed on Fridays.

Traffic counts performed on other weekdays can be used if they can be correlated with adjacent intersections. The PM count was performed on a Thursday afternoon and the AM count was performed the following Friday morning. Both were compared with counts at North Kihei Road, the next significant and signalized intersection south of Kama‘aina Road, which were performed on a Tuesday approximately one year earlier. The counts were comparable.

13. Since there is no established standard, Level-of-Service D has been used. The project area is included in the proposed Urban Growth Boundaries for the draft Maui Island Plan and is not a rural area compared to rural areas on the mainland.

14. The development projects that were included in the assessment of future background conditions are reasonably foreseeable future actions and are not proximate to or in the vicinity of the proposed project.

15. See response to 4(A).

16. Acceleration and deceleration lane lengths are not calculated. The deceleration lane lengths shown in Table 13 of the traffic study are taken from the existing intersection plans as indicated by Note (1) at the bottom of the table. The storage lengths are the lengths calculated in Table 12.
Mr. Glenn Tadaki, Planner
July 6, 2012
Page 2

Should you require further clarification, please contact Staff Planner Kurt Wolffenhaupt at kurt.wolffenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,

CLAYTON I. YOSHIDA, AICP
Planning Program Administrator

for

WILLIAM SPENCE
Planning Director

xc: Aaron H. Shinmoto, PE, Planning Program Administrator (PDF)
    John F. Summers, Planning Program Administrator (PDF)
    David Yamashita, Planning Supervisor (PDF)
    Kurt F. Wolffenhaupt, Staff Planner (PDF)
    Ms. Blanche Lafortune, Project Coordinator
    Project Files
    General File

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Mr. Glenn Tadaki, Planner
July 6, 2012
Page 2

Should you require further clarification, please contact Staff Planner Kurt Wolffenhaupt at kurt.wolffenhaupt@mauicounty.gov or at (808) 270-1789.

Sincerely,

CLAYTON I. YOSHIDA, AICP
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    Ms. Blanche Lafortune, Project Coordinator
    Project Files
    General File

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At a regular meeting held on June 26, 2012, the Maui Planning Commission reviewed the above-referenced document and provided the following comments:

1. Review and comment on potential resource protection and security measures to be enacted during the construction of the project to prevent criminal or nuisance behavior (e.g., theft, vandalism, loitering, etc.) from occurring on the project site.

2. Review and comment on potential fiscal mechanisms (e.g., surety bond, insurance policy, etc.) that could be put into place in order to ensure that corrective action would and could be undertaken by the developer and/or Land Owners Association should the project's private water supply experience a catastrophic failure resulting in ground water contamination. Such protective fiscal mechanisms would be used to ensure the County of Maui does not become by default the financially responsible party to provide water to the project site.

3. Review and comment on how potential landowners and business owners can be encouraged to promote energy generation and conservation on the project site.

Please provide written responses to the above comments in the Final Environmental Assessment.
The Honorable Chairman and Members of the
Maui Planning Commission
c/o: Maui Dept. of Planning
250 S. High Street
Wailuku, HI 96793

SUBJECT: Comments on the Pu’unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019

Dear Chairman Hiranaga and Commissioners,

Thank you for reviewing the Draft EA at your meeting on June 26, 2012 and for providing us with your comments via the Maui Planning Department’s letter dated July 6, 2012. In response to the Commission's comments we would like to note the following:

1. Appropriate lighting and security measures will be utilized during and after construction of the project for crime prevention and deterrence and to ensure safe vehicular movement. Existing security measures include perimeter fencing around the property and locked entry gates at roads providing access to the site.

2. The State Department of Health (DOH) adopted comprehensive rules in 1999 following a U.S. Environmental Protection Agency mandate that requires all new private water systems to demonstrate appropriate technical, managerial, and financial capacity in order to receive DOH approval for construction and operation. This approval process, which is set forth by Section 11-20-29.5 (Capacity Demonstration and Evaluation) of the Hawaii Administrative Rules for the DOH, greatly strengthened the capabilities of new small private water systems as compared to older private systems that were not subject to these rigorous standards.

3. Lot owners will be encouraged to utilize energy generation and energy conservation measures when developing their parcels in the future. Examples of such measures include, but are not limited to: the use of windmills or photovoltaic panels to generate electricity, and the use of solar water heating systems, energy-efficient lighting and appliances, fiberglass insulation, double-glazed windows, skylights, and extended roof eaves (to minimize heat gain through windows) to conserve energy.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-4955 should you have any questions.

Sincerely,

Gileri Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafollette, PRL
Harold Edwards, ITC
Tom Nance, TNIWRE
Stacy Otomo, P.E.
Ref. No. P-13650

July 9, 2012

Mr. William Spence, Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Attention: Mr. Kurt F. Wollenhaupt

Dear Mr. Spence:

Subject: Draft Environmental Assessment (EA) for the Community Plan Amendment (CPA), District Boundary Amendment (DBA), and Change in Zoning (CIZ) for the Pu‘unene Heavy Industrial Subdivision, Located Approximately One (1) Mile Southeast of the Intersection of Mokulele Highway, Mahana Loop, and Kama‘aina Road, Maui Hawaii, TMK: (2) 3-8-008: 019 (CPA 2012/0002) (CIZ 2012/0005) (EA2012/0001)

Thank you for the opportunity to review and comment upon the Draft EA to allow the development of the Pu‘unene Heavy Industrial Subdivision, located approximately one mile southeast of the intersection of Mokulele Highway, Mahana Loop and Kama‘aina Road. The developer proposes to develop the approximately 56-acre area with 28 lots, drainage areas, and internal roadways. We note that the applicant also intends to file for a Land Use District Boundary Amendment to reclassify the land from the State Agricultural District to the Urban District. According to the EA, a Finding of No Significant Impact (FONSI) is warranted. OP notes that the following comments and concerns regarding the EA do not preclude OP from other concerns that may be brought out during subsequent Land Use Commission proceedings.

1. **Compatibility with Surrounding Land Uses.** The proposed area is surrounded on three sides with land owned by the State Department of Land and Natural Resources and the Department of Hawaiian Homes Lands. These departments are working together with the Department of Public Safety and the Department of Accounting and General Services to master plan this area of over 1,000 acres. The proposed area is also adjacent to land that has an Executive Order to the County of Maui. The uses within all of these areas should be compatible with each other. We understand the applicant’s interest in developing a heavy industrial subdivision, however, we have strong concerns that the proposed uses should also be compatible with the current and future uses within the region.

2. **Waterbirds.** The proposed heavy industrial subdivision will be situated adjacent to a reservoir located north, in which waterbird species have been observed. We also note that the project area is about 1.75 miles away from the Kealia Pond National Wildlife Refuge. According to the EA, stormwater runoff will be directed to the west side of the property within a series of retention basins. Also, according to the fauna study, no endangered waterbirds were found on the project site, however, its proximity to the Kealia Pond Refuge and the adjacent reservoir suggests that water birds might fly over and/or otherwise utilize this area while traveling within and around the water bodies within the entire region. This should be noted in the EA.

3. **Nene Goose.** The EA also notes that the endangered Nene Goose has been seen around the Mokulele Highway area. According to the EA, a survey has not yet been completed to determine whether the Nene is utilizing the project site, but a survey may be done at a later time. Such a survey should be included as part of this EA.

4. **Hawaiian Bat.** The EA also notes that while a survey has been done for the Hawaiian Bat, the consultant’s recommendation that the trees in the project area not be cut down or disturbed between the months of April and August should be cited as a mitigation measure.

Thank you for the opportunity to review this document. If you have any questions, please contact Lorene Maki of our Land Use Division at (808) 587-2888.

Sincerely,

[Signature]

[Name]
Director

cc: Chris Hart & Partners, Inc.
Attention: Mr. Glenn Tadaki, Consultant
SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIT 2011/0005
TMK (2) 3-8-008:019

Dear Mr. Souki,

On behalf of the land owner, CMBY 2011 Investment, LLC, we are responding to your letter dated July 9, 2012.

1. In response to your comments, we contacted the Department of Hawaiian Home Lands (DHH) to ascertain the status of master planning the State lands in the vicinity of the Old Pu‘unene Airport. As you are aware, the DHH is one of the key State agencies involved in this master planning effort.

The DHH owns a 646-acre parcel to the south of the proposed Pu‘unene Heavy Industrial Subdivision. This land has been zoned for General Agricultural use by the DHH, which allows it to be used for Agricultural homesteads (i.e., farm lots). As noted by the DHH, this parcel is neither conducive for residential use or farm dwellings because of prevailing dust and wind conditions. Although its location has not yet been determined, the DHH has plans to set aside a 160-acre portion of the site for the future development of a private wastewater treatment plant (WWTP). The DHH has held a series of meetings with lessees to gather their input for the future development of the parcel. Although preliminary, the time frame for the development of the DHH parcel is projected to be at least five to seven years from now.

2. As a follow-up to your comments, the Final EA shall note that water birds might fly over the Subject Parcel or utilize the proposed drainage basins along the west side of the site as they travel between various water bodies within the region including the adjacent irrigation reservoir and the Kealia Pond National Wildlife Refuge.

3. In response to your comments, the Final EA will include a report documenting the findings of a survey for the nene (Hawaiian Goose). The survey, which was conducted by Robert W. Hobdy on July 16, 2012, notes that the Subject Parcel is not irrigated and is located in one of the driest regions on Maui. This area experiences long, hot and dry summers during which the grasses and...
herbaceous plants become seared and withered. Even in a substantial wet season, the vegetation is tough and the greener is fleeting. The report finds that nothing in this environment would equate to preferred habitat for nene or attract them to feed or breed here. The fact that no nene were observed during the survey was an expected outcome, consistent with the existing environmental resources.

4. Pursuant to your comments, the Final EA will include the recommendation that trees in the project area not be cut down or disturbed between the months of April and August to mitigate potential impacts to the Hawaiian Hoary Bat.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glenn Takaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafollette, PRL

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Mr. Glenn Tadaki
July 9, 2012
Page 2

2. The Ma'alea Beach, Pacific Ocean waters is identified as a Category 5 waters in the Clean Water Act, Section 303(d) list of impaired water bodies in Chapter IV of the 2006 State of Hawaii Water Quality Monitoring and Assessment Report. Priority 5 waters are described as surface waters where available data and/or information indicate that at least one (1) of the designated use is not being supported or is threatened. The Ma'alea Beach, Pacific Ocean waters is presently identified as not attaining the applicable water quality criteria for turbidity and chlorophyll a. Accordingly, the subject project should include considerations toward ensuring the protection and improvement of the Ma'alea Beach, Pacific Ocean waters.

3. You are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). For the following types of discharges into Class A or Class 2 State waters, you may apply for NPDES general permit coverage by submitting a Notice of Intent (NOI) form:

   a. Storm water associated with construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. This includes area used for a construction base yard and the storage of any construction related equipment, material, and waste products. An NPDES permit is required before the start of the construction activities.

   b. Construction dewatering effluent.

   c. Hydrotesting water effluent.

   d. Storm associated with industrial activity.

You must submit a separate NOI form for each type of discharge at least 30 calendar days prior to the start of the discharge activity, except when applying for coverage for discharges of storm water associated with construction activity. For this type of discharge, the NOI must be submitted 30 calendar days before the start of construction activities. The NOI forms may be picked up at our office or downloaded from our website at http://www.hawaii.gov/health/environmental/water/cleanwater/forms/gend-index.html.

4. For types of wastewater not listed in Item 3 above or wastewater discharging into Class 1 or Class AA waters, you may need an NPDES individual permit. The NPDES application forms may be picked up at our office or downloaded from our website at http://www.hawaii.gov/health/environmental/water/cleanwater/forms/indiv-index.html.
5. Please call the Army Corps of Engineers at (808) 438-9258 to determine if the subject project will require a Department of the Army (DA) permit(s). Permits may be required for work performed in, over, and under navigable waters of the United States. Projects requiring a DA permit also require a Section 401 Water Quality Certification (WQC) from our office.

6. Please note that all discharges related to the project construction or operation activities, whether or not a NPDES permit coverage and/or 401 WQC are required, must comply with the State’s Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of $25,000 per day per violation.

If you have any questions, please visit our website at http://www.hawaii.gov/health/environmental/water/cleanwater/index.html, or contact the Engineering Section, CWB, at 586-4309.

Sincerely,

ALEC WONG, P.E., CHIEF
Clean Water Branch

MT/st

c: Mr. Kurt Wollenhaupt, County of Maui, Department of Planning
  Mr. Roland Asakura, CWB-Maui, Kauai District Health Office [via email only]

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Proposed Puʻunene Heavy Industrial Subdivision
TMK (2) 3-8-008-019
July 19, 2012
Page 2

Mr. Alec Wong, P.E., Chief
Clean Water Branch
Hawaiʻi Dept. of Health
919 Ala Moana Blvd., Room 301
Honolulu, HI 96814-3978

SUBJECT: Comments on the Puʻunene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019

Dear Mr. Wong,

On behalf of the land owner, CMBY 2011 Investment, LLC, we are responding to your letter dated July 9, 2012.

1. The proposed project will comply with the applicable provisions of Chapter 11-54, HAR entitled “Water Quality Standards” and Chapter 11-55, HAR titled “Water Pollution Control.”

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

   a. Section 11-54-1.1, HAR (General Policy of Water Quality Anti-degradation).
   b. Section 11-54-3, HAR (Classification of Water Uses).
   c. The water quality criteria set forth in Sections 11-54-4 through 11-54-8, HAR.

2. Regardless of the magnitude of a storm event, no surface water (runoff), is expected to reach Maʻalaea Beach. Studies have indicated that the mud caprock along the southern two-thirds of Maʻalaea Bay prevents groundwater discharge along the shoreline, forcing it further offshore where it is thoroughly mixed to background ocean water levels. As a result, any impact to groundwater flowing beneath the project site and flowing south toward Maʻalaea Bay will not adversely impact the beach’s water quality, including its turbidity and chlorophyll a levels.

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

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

4. The proposed project will not involve discharges into Class 1 or Class AA State waters.

5. The U.S. Army Corps of Engineers (USACE) was consulted during the preparation of the Draft EA. A copy of the Draft EA was subsequently furnished to the Corps of Engineers for their review and comment. In a letter dated June 19, 2012 (see attached), the Corps indicated that a Department of the Army permit is not required for the proposed project since it does not involve any navigable waters of the U.S. subject to USACE jurisdiction nor would it involve the placement and/or discharge of dredged and/or fill materials into waters of the U.S., including wetlands.

6. Notwithstanding other permit requirements, the land owner understands that all project-related discharges must comply with the State’s Water Quality Standards as set forth in Chapter 11-54, HAR.

Thank you for providing us with your comments and for participating in the environmental review process.
Proposed Pu‘unene Heavy Industrial Subdivision
TMK (2) 3-8-008-019
July 19, 2012
Page 3

Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Blanca Lafolette, PRL
    Tom Nance, TNWRE
    Stacy Otomo, P.E.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT
FORT SHAFTER, HAWAII 96852-5640
June 19, 2012

Regulatory Branch

Chris Hart & Partners, Inc.
Attn: Glenn Tadaki
115 N. Market Street
Wailuku, HI 96793

File Number POH-2011-00179

NO PERMIT REQUIRED

Dear Mr. Tadaki:

This responds to your letter dated May 1, 2012 requesting review comments for the proposed Pu‘unene Heavy Industrial Subdivision in Kahului, Island of Maui. We have assigned this project the reference number POH-2011-00179. Please cite this reference number in any future communications with this office regarding this project.

We have completed our review of the submitted documents pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and Section 404 of the Clean Water Act (Section 404). For your information, Section 10 requires that a Department of the Army (DA) permit be obtained from the U.S. Army Corps of Engineers (Corps) prior to undertaking any construction, dredging, or other activity occurring in, over, under or affecting navigable waters of the U.S. For tidal waters, the shoreward limit of the Corps’ jurisdiction extends to the Mean High Water Mark (MHW). Section 404 requires that a DA permit be obtained for the discharge (placement) of dredged and/or fill material into waters of the U.S., including wetlands. For tidally influenced waters, in the absence of adjacent wetlands, the shoreward limit of the Corps’ jurisdiction extends to the High Tide Line, which in Hawai‘i may be approximated by reference to the Mean Higher High Water Mark (MHHWM). For non-tidal waters, the lateral limits of the Corps’ jurisdiction extend to the Ordinary High Water Mark or the approved delineated boundary of any adjacent wetlands.

Based on the information you submitted, the project area does not consist of any navigable water of the U.S. subject to the Corps’ regulatory jurisdiction. Additionally, this proposed land development project would not involve the placement and/or discharge of dredged and/or fill material into waters of the U.S.; including wetlands. Therefore, a DA permit is not required.

This determination does not relieve you of the responsibility to obtain any other permits, licenses, or approvals that may be required under County, State, or Federal law for your proposed work.

Thank you for giving us the opportunity to review this proposal and providing us with the opportunity to comment. Should you have any questions, please contact Ms. Michelle Lazaro at (808) 835-4307, or through email at Michelle.K.Lazaro@usace.army.mil. You are encouraged to
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
POST OFFICE BOX 421
HONOLULU, HAWAII 96809

July 9, 2012

Chris Hart & Partners, Inc.
Attention: Mr. Glenn Tadaki
115 N. Market Street
Wailuku, HI 96793-1717

Department of Planning
County of Maui
Attention: Mr. Kurt Wellenbaupt, Staff Planner
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Tadaki and Mr. Wellenbaupt:

SUBJECT: Draft Environment Assessment (EA) for the Community Plan Amendment (CPA), District Boundary Amendment (DBA) and Change in Zoning (CIZ) for the Pu‘unene Heavy Industrial Subdivision

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources’ (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from the Commission of Water Resource Management on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

Russell Y. Tsuji
Land Administrator

MEMORANDUM
TO:

DLNR Agencies:
__ Div. of Aquatic Resources
__ Div. of Boating & Ocean Recreation
X Engineering Division
__ Div. of Forestry & Wildlife
__ Div. of State Parks
X Commission on Water Resource Management
__ Office of Conservation & Coastal Lands
X Land Division – Maui District
__ Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Draft Environment Assessment (EA) for the Community Plan Amendment (CPA), District Boundary Amendment (DBA) and Change in Zoning (CIZ) for the Pu‘unene Heavy Industrial Subdivision

LOCATION:
Pulauhui & Wailuku, Island of Maui; TMK: (2) 3-8-008.019

APPLICANT:

County of Maui, Department of Planning

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by July 1, 2012.

Only one (1) copy of the CD is available for your review in Land Division office. Room 220.

If no responses is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachment

( ) We have no objections.
( ) We have no comments.
( ) Comments are attached.

Signed:
Date:

cc: Central Files
Russell Tsuji, Administrator
Page 2
July 2, 2012

5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area’s hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at http://pahou.hawaii.gov/permitting/stormwtr.html.

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

7. There may be potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer’s acceptance of any resulting requirements related to water quality.

Permits required by CVRM:

Additional information and forms are available at http://pahou.hawaii.gov/permitting/resources_permit.htm.

6. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.

9. A Well Construction Permit(s) is (are) required before any well construction work begins.

10. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.

11. If there is (are) well(s) located on or adjacent to this project, new well(s) shall be drilled and used only if necessary and regulated under any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.

12. Ground water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.

13. A Stream Channel Alteration Permit(s) is (are) required before any alteration(s) of a water body or change in stream channel.

14. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works are constructed or altered.

15. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.

16. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.

OTHER:

The estimated water requirements for this project are 0.119 mgd potable and 0.305 mgd non-potable (total = 0.424 mgd). Existing County sources serving this area are at maximum capacity. Estimated natural sustainable yield of the underlying Kahului Aquifer System Area is 1.0 mgd, which is augmented by return irrigation flow from excessive sugar cultivation. This is the last remaining sugar plantation in the State. It is not clear how long it will last. The sustainable yield of this aquifer is estimated with moderate confidence, due to uncertainty concerning upgradient aquifer systems. The document makes a higher estimate. This may be too optimistic. Importantly, surface water from East Maui and Ia‘au Zuma areas have an immediate impact and artificially increase the sustainable yield above the natural estimate of 1.0 mgd. The project proposes to shift three wells to meet the estimated demand, and install reverse osmosis treatment facilities for the potable fraction.

There are too many unanswered questions at this point to fully analyze the situation.

If there are any questions, please contact Charley ice at 887-0210.
Mr. Russell Y. Tsuji, Administrator
Land Division
Hawai‘i Dept. of Land & Natural Resources
P.O. Box 621
Honolulu, HI 96809

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019

Dear Mr. Tsuji,

On behalf of the land owner, CMBY 2011 Investment, LLC, we are responding to your letter dated July 9, 2012 which transmitted the Commission on Water Resource Management’s (CWRM) comments on the Draft EA.

- Copies of the Draft EA have been furnished to the Maui Planning Department and Maui Department of Water Supply so that information about the proposed project can be incorporated into the County’s Water Use and Development Plan.

- A copy of the Draft EA has also been provided to the Hawai‘i Department of Agriculture and will help the department incorporate the reclassification of agricultural lands and the redistribution of agricultural resources into the State’s Agricultural Water Use and Development Plan.

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

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

- The proposed project shall comply with the State’s Water Quality Standards as set forth in Chapter 11-54, HAR.

- In their Letter of Assurance dated July 2, 2012, the CWRM informed the land owner that the Well Construction and Pump Installation Permits for Well Nos. 4927-02 and 4927-03 are ready to be issued.

- The CWRM’s 1.0 million gallons per day (MGD) sustainable yield is based exclusively on rainfall-recharge on less than half of the Kahului Aquifer’s total area. Other sources of the aquifer’s recharge (natural and man-made) are substantially larger: underflow from Haleakala, surface runoff from Haleakala, underflow from the West Maui Mountains, surface runoff from the West Maui Mountains, leakage from the East Maui and Wailea Ditch systems, and irrigation return from HC&S sugar cane fields. Historically, these sources of recharge have supported pumping from the aquifer of 45 MGD for many decades. Present pumping is still in excess of 25 MGD, most of it by HC&S.

The total estimated groundwater use for the proposed project is about 0.5 MGD. The location of this draft is miles from the nearest wells and will have no impact on these wells. If HC&S no longer cultivates sugar cane, a substantial amount of that aquifer’s recharge would be reduced or eliminated altogether. However, it would also mean that about 25 MGD of pumping from the aquifer would also cease. The wells for the proposed project are well positioned, with respect to the aquifer’s natural sources of recharge, to continue to be viable.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Gian Traced
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafalette, PRL
Tom Nance, TNWRE
Stacy Otomo, P.E.
July 9, 2012

Mr. Glen Tadaki
Chris Hart and Partners
115 N. Market Street
Wailuku, Hawaii 96793

Re: L.D.: Draft Environmental Assessment (EA)
TMK: (2) 3-8-008; por. 019
Project Name: Pu‘unesne Heavy Industrial Subdivision

Dear Mr. Tadaki:

Thank you for the opportunity to comment on this Draft Environmental Assessment.

Although we previously submitted comments for the Early Consultation for the Preparation of a Draft EA on July 20, 2011, we have a few additional comments on this next phase in the EIR process: the Draft EA.

Water Use and Development Plan (WUDP) Final Candidate Strategy Report
The WUDP has recommended consideration be given to implementing a general hierarchy of water use priorities. The plan provides an example derived from existing law and practical considerations (page 103), in which “Industrial” use makes priority 10 of 12. How will the EIS address the potential for the proposed project to impact higher priority present and proposed future water uses/uses in the area by pumping an estimated 127,456 gpd from Kahului Aquifer and/or Paia Aquifer?

Brackish water desalinization is recommended as a final candidate strategy in the WUDP. How might the implementation of the proposed project impact the potential for brackish water desalinization in the area, for: 1) present users; 2) future users; 3) public uses; and 4) private uses?

Over-pumping of Kahului Aquifer
Although we note the proposed water system will be private, the aquifer over which part of the project lies—the Kahului Aquifer—is currently being over-pumped by over 2500% according to the Commission on Water Resources Management (CWRM) 2008 Water

“By Water All Things Real Life”

Sincerely,

David Taylor, Director

cc: Engineering Division
Mr. David Taylor, P.E., Director
Maui Dept. of Water Supply
200 S. High Street
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIT 2012/0005
TMK (2) 3-8-008:019

Dear Mr. Taylor,

On behalf of the land owner, CMBY 2011 Investment LLC, we are responding to your Draft EA comment letter dated July 9, 2012.

1. The proposed project plans to use the underlying brackish groundwater and will not be utilizing a potable water supply. In addition, there are no existing or proposed other higher priority water uses of groundwater in this part of the Kahunulai Aquifer. For these reasons, we feel that the proposed use is in conformance with the Water Use and Development Plan. This use is further supported by the approval of well construction and pump installation permits for the proposed project by the State Commission of Water Resource Management (CWRM). Refer to the attached Letter of Assurance from CWRM for CMBY Well Nos. 4927-02 and 4927-03.

2. The CWRM’s 1.0 million gallons per day (MGD) sustainable yield is based exclusively on rainfall-recharge on less than half of the aquifer’s total area. Other sources of the aquifer’s recharge (natural and man-made) are substantially larger: underflow from Haleakala, surface runoff from Haleakala, underflow from the West Maui Mountains, surface runoff from the West Maui Mountains, leakage from the East Maui and Waihe’e Eelk systems, and irrigation return from HC&S sugar cane fields. Historically, these sources of recharge have supported pumpage from the aquifer of 45 MGD for many decades. Present pumpage is still in excess of 25 MGD, most of it by HC&S.

The total estimated groundwater use for the proposed project is about 0.5 MGD. The location of this draft is miles from the nearest wells and will have no impact on these wells. If HC&S no longer cultivates sugar cane, a substantial amount of that aquifer’s recharge would be reduced or eliminated altogether. However, it would also mean that about 25 MGD of pumpage from the aquifer would also cease. The wells for the proposed project are well positioned, with respect to the aquifer’s natural sources of recharge, to continue to be viable.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glen Tadaki
Partner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafollette, PRL
Tom Nance, TINRLE
Stacy Otomo, P.E.
July 2, 2012

Ms. Blanca Lafollette
CMBY 2011 Investment, LLC
P.O. Box 220
Kihei, HI 96753

Dear Ms. Lafollette:

Letter of Assurance for Well No. 4927-02 & 03

We have completed the review process for your well Construction/Pump Installation Permit application(s) and the permit(s) are ready to be issued. However, in accordance with the State Water Code, §174C-84(a), the permit can only be issued to a licensed contractor and, to date, one has not been identified for your well(s).

Once you have selected a licensed contractor, please have the contractor sign and return to the Commission a copy of the original application, upon which a permit will be immediately issued provided that the following conditions are met:

1. The contractor has no outstanding issues with the Commission.
2. There are no significant changes to the application.
3. There have been no significant changes to applicable laws, rules or regulations since the application date.
4. There have been no significant changes to hydrogeologic conditions since the application date.

Also, attached for your information are copies of comments from reviewing agencies.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218 or toll-free at 984-2400 (Maui), extension 70218.

Sincerely,

WILLIAM M. TAM
Deputy Director

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DATE: 07/09/2012

FROM: David Penn
956-3974

TO: Maui Planning Commission (Kurt Wollenhaupt)
(808) 270-7634
Chris Hart & Partners (Glenn Tadaki)
(808) 242-1956
State of Hawaii Office of Environmental Quality Control (OEQC)
586-4186

SUBJECT: Draft Environmental Assessment
Punnene Heavy Industrial Subdivision, Maui

Draft Environmental Assessment
Punnene Heavy Industrial Subdivision
Punnene, Maui

CMBY 2011 Investment, LLC proposes to transform 86 acres of unused agricultural land into a 28 lot heavy industrial subdivision by constructing overhead and underground electrical transmission lines; eleven acres of internal roadways; a master drainage system, including a nine acre retention basin; a master wastewater system, including a common leach field and a water system drawing 43,650 gallons per day of nonpotable groundwater and treating over 1/4 of it for potable use. Potential activities within the proposed subdivision would include industrial uses that are permitted under M-2 zoning, as well as 1) energy systems, power plants, substations, and major utility facilities; 2) heavy equipment storage, servicing, and sales; 3) land fill, solid waste processing, and disposal; 4) biodiesel product manufacturing and wholesale storage of biofuels; and 5) recycling process facilities.

This review of the Punnene Heavy Industrial Subdivision Draft Environmental Assessment (DEA) is a service activity of the University of Hawaii’s Environmental Center to help determine and maintain the optimum quality of the environment. It is not intended to represent the official views of the University of Hawaii. The objectives of our review process are to enhance environmental consciousness, encourage cooperation and coordination, and facilitate public participation. Those comments were drafted with the assistance of Karl Kim, UH Manoa Urban and Regional Planning, and Sara Boldun, Environmental Center.

General Comments

On its face, at full build-out, the proposed action would involve land cover change and industrial activity that could have a significant effect on on-site and off-site environmental quality. Therefore, it may be useful for the DEA to provide greater detail about the specific types of industrial activities that could occur, such as quantifying the likely effects of each type of activity with regard to toxic releases, waste disposal, pollution loading, and utility demands. Such detail would provide a technical basis for identifying the sum effect of alternative patterns.
of industrial activity, assessing the range of potential for environmental degradation (including spills, emergencies, and natural disasters), and comparing degradation potential across a broader set of alternatives (e.g., no action and full build-out under existing agricultural zoning). We are particularly concerned about (1) the treatment and disposal of stormwater and wastewater associated with the above-listed industrial activities, including brines produced by water supply desalination; (2) the quality of downstream receiving waters, including sensitive Class 1 inland waters and Class AA marine waters and marine sanctuary; (3) regional aquifer dynamics, particularly in conjunction with anticipated effects of additional pumping and sea level rise; and (4) island-wide electrical power demand and supply.

Without more rigorous analysis of planned activities, potential effect, mitigative effect, and secondary and cumulative impacts, there may be considerable uncertainty about the appropriateness of Maui County Planning Department’s anticipated finding of no significant effect. The overarching rationale for this finding appears to be the applicant’s assertions that adherence to zoning ordinances and permit conditions, along with the implementation of best management practices, will prevent significant environmental degradation. If this supposition were true, then existing environmental quality, statewide, would be higher than its current state. Although these kinds of environmental management tools can help to control and reduce environmental impacts, they are not designed to provide absolute protection against significant, secondary, and cumulative effects.

Specific Comments

1. Supporting Information and Rationale for Conclusions

Many of the facts and conclusions presented in the main text of the DEIS refer to a particular appendix for supporting information. These references would be more useful for reviewers if they included specific page numbers indicating exactly where to find the supporting information in a technical appendix. Otherwise, the large size of the document and the lack of tools for navigating the electronic version increases the difficulty of reviewing the proposed action in a thorough and timely manner.

2. Description of the Proposed Action, Existing Environment, Potential Impacts, and Mitigation Measures

The description of the proposed action provides limited information about the types, density, and intensity of industrial activities that would occur. Much of the potential impact depends not just on the land use, but the nature of the industrial activities proposed on the site.

a. Climate, topography, and soils: How can the applicant be certain that site work for the proposed project would involve minimal grading and grading (p. 20) when the development of an individual lot would be the responsibility of the lot owner? Would grading restrictions be included in the subdivision covenants and enforced by the association of lot owners?

b. Water bodies: Although there may be no wetlands, streams, ponds or other water bodies on the subject parcel, there are some sensitive areas in proximinity — notably the HCAS reservoir/pond, Keeaumokua Pond National Wildlife Refuge, and the Hawaiian Humback Whale National Marine Sanctuary. It is important for the DEIS to characterize watersheds and waterbody status in the area surrounding the proposed action and to show how pre- and post-construction drainage patterns interact with downstream receiving waters. The Environmental Planning Office of the State Department of Health previously developed a set of standard comments that address these assessment issues (available from the Environmental Center on request). Also, the proposed nine acre retention basin would be a significant addition to the local water environment that would require ongoing maintenance. For example, how would the potential use of the detention basin by endangered waterbirds be managed, what would be the composition of the sediment that accumulates in the basin, and where would the accumulated material be deposited after it is dredged/removed for maintenance purposes?

c. Noise, air quality: How can noise and air quality impacts be measured when uses have not been identified? The DEIS maintains that “there is insufficient information regarding any kind of the uses or activities that may be located within the proposed heavy industrial subdivisions to perform any quantitative impact assessment” (p. 33). In such a case, it may be useful for the applicant to provide quantitative information about the known noise and emission impacts for a range of industrial uses and activities that could occupy the site, which should be readily available in the professional, scientific, and gray literature (such as project planning documents and environmental impact analyses and audits for similar subdivisions).

d. Solid and hazardous waste: What materials would be used in the production processes that would be permitted within the proposed subdivision, including hazardous materials? What types of management activities would be necessary to reduce the risk of environmental harm stemming from exposure to these materials?

e. Water: This would be useful for the main text of the DEIS to describe the relationship of proposed water use with the state water resources protection plan and the county water use and development plan, including projections for overall use and fragility of the source aquifer over the life cycle of the proposed project. How would the proposed changes in land cover and human activity affect aquifer recharge?

f. Wastewater: Under existing regulations, the statement that “lot owners must submit their IWS plans to the DOH for review and approval” (p. 76) implies that each lot would contribute no less than 1,300 gallons of domestic wastewater per day to the community disposal system (wastewater). The fact that the proposed development includes small buildings and dwellings means that the disposal system would handle no more than 15,000 gallons of domestic wastewater per day. How much non-domestic wastewater would be generated within the proposed heavy industrial subdivisions on a daily basis, and how would it be collected, treated, and disposed?

Does “sewage-type IWS” (p. 76) mean the same thing as “household sanitary unit” (DOH regulations)? Who would be responsible for compliance with DOH regulations concerning the operation and maintenance of each sanitary unit, the individual lot owner or the
association of lot owners? Would this affect the probability of significant impacts from malfunctioning treatment units?

Drainage: It is important to realize that county drainage standards are designed to protect against flood damage, and do not guarantee attainment of state water quality standards. In this regard, it may be useful for the DEA to explore the relationship between proposed drainage plans and the proposals and recommendations of a recent study sponsored by the State Department of Business, Economic Development, and Tourism, Final Report Stormwater Impact Assessment Project, available at http://www.state.hi.us/dbedt/com/resource/Stormwater_Impact_Assessment_Project.pdf. The report includes a Proposed Methodology for Stormwater Cumulative Impact Assessment and a Recommended EIS Stormwater Cumulative Impact Methodology. For watershed context assistance, see Appendix C: Sensitive Watersheds, Watershed Sensitivity Reference.

g. Energy consumption and carbon footprint: The maximum potential energy demand includes both lot and industry specific uses and subdivision uses (e.g. common area lighting, water and wastewater pumping, water treatment). It would be useful for the DEA to specify the potential magnitude of this demand and explain what sources of electrical power would be tapped to fill this demand. What would be the relationship between energy demand and generation within the proposed subdivision and state and county energy plans?

3. Alternatives Analysis

The alternatives analysis identifies several options for land use and human activity and explains why each would not be feasible or desirable by virtue of private business reasons and opinions about public needs. However, it would be useful for the analysis to also address the potential variation in environmental effects among these alternatives.

4. Accepting Authority and Determining Agency

The DEA states that "the Maui Planning Commission will serve as the accepting authority for the environmental review process" (page 2). We suggest revising this section of the DEA to conform more precisely with the governing regulatory language. "Accepting authority" means the final official or agency that determines the acceptability of the EIS document, and does not pertain to the DEA and the environmental review process in general. Hav. Admin. R. § 11-200-1. As indicated on page 8 of the DEA, it appears that Maui County cannot issue an approval for the proposed action until after the State Land Use Commission (LUC) approves the proposed district boundary amendment. Therefore, why isn't the LUC "the agency initially receiving and agreeing to process the request for an approval"? § 11-200-4.

5. Length of Document

The length of the DEA, nearly 800 pages, and the technical complexity of much of its content (e.g. the Environmental Site Assessment and Supplemental Data), increases the difficulty of thoroughly reviewing the document within the thirty day regulatory window. Although we advocate a comprehensive approach to environmental impact analysis, much of the information presented within the DEA is marginally substantive and overly repetitive. The Final Report on Hawaii's Environmental Review System (Kim et al., 2010), available at http://onr.noh.hawaii.gov/Shared%20Documents/Misc_Documents/Final-Report-on-Hawaii-Environmental-Review-System-2010.pdf, noted that "EAs increasingly resemble EISs as the distinction between EAs and EISs is becoming blurred" (page 50). This document is a prime example of this "blur," and may by its sheer size alone indicate that an EIS may be required for the proposed action.

6. Reviewer Assistance

The Final Report on Hawaii's Environmental Review System (Kim et al., 2010) noted that "the use of more technologically sophisticated systems could... improve the quality of participation" in the system (page 75), and recommended integrating new communication technology into the system (page 81). In order to assist reviewers and facilitate public participation, we suggest that the digital version of an environmental review document incorporate several user-friendly features for content access and readability, including:

(a) comprehensive bookmarks for navigating the file, which correspond directly with the sections, tables, figures, appendices, etc. shown in the document's table of contents;
(b) vertical page orientation throughout the document, such that a reader need not rotate a page before reading it on-screen; and
(c) searchable text, as specifically suggested in Kim et al. (2010), see page 81.

Thank you for considering our review of the Draft Environmental Assessment for Punaena Industrial Subdivision. Please contact me at 956-3974 to discuss our comments, and send us one hard copy of the Final Environmental Assessment when published.

Sincerely,

David Penn
Assistant Specialist

copy: Chris Hart & Partners (Glenn Tadaki)
State of Hawaii Office of Environmental Quality Control (OEQC)
Chesmar Ray, Interim Director
Karl Kim
Sara Bolduc
Proposed Pu‘unene Heavy Industrial Subdivision
TMK (2) 3-8-008:019
August 16, 2012
Page 2

are prescribed. If a regulatory permit is granted, specific terms of compliance are set forth to ensure that the permitted use will not adversely affect the environment. Failure to comply with the terms of the permit could result in enforcement action including penalties or revocation of the permit.

Response to Specific Comments

1. Supporting Information and Rationale for Conclusions

Key information from documents contained in the Appendix was brought forward and summarized in the main body of the EA for the reader’s convenience. Readers are encouraged to peruse any documents in the Appendix that are of specific interest to them.

2. Description of the Proposed Action, Existing Environment, Potential Impacts, and Mitigation Measures

Refer to the Response to General Comments

a. Climate, topography, and soils: Site work for the subdivision’s basic infrastructure (e.g., water, drainage, roadways) is expected to be minimal and will be the responsibility of the land owner. As lots within the subdivision are developed, each lot owner will be responsible for the site work on their lot. Provisions for the development of subdivision lots, including conformance with all applicable government requirements, shall be set forth in the CCRs and maintained by the association of subdivision lot owners.

b. Water bodies: Regardless of the magnitude of a storm event, no surface water (runoff), is expected to reach Ma‘a‘alea Beach. Studies have indicated that the mud caprock along the southern two-thirds of Ma‘a‘alea Bay prevents groundwater discharge along the shoreline, forcing it further offshore where it is thoroughly mixed with background ocean water levels. As a result, any impact to groundwater flowing beneath the project site and flowing south toward Ma‘a‘alea Bay will not adversely impact the beach’s water quality, including its turbidity and chlorophyll a levels. Provisions for the maintenance of the drainage retention area will be included in the CCRs and responsibility for its upkeep shall rest with the association of subdivision lot owners.

c. Noise, air quality: With regard to noise, worst case noise emissions from the proposed 28 subdivision lots, each continuously emitting 70 dBA (the maximum allowed under existing State noise regulations), were assumed in order to predict the resulting noise levels from the heavy industrial subdivision at the closest residential receptors. The results of the noise modeling indicated that worst case noise levels from the industrial subdivision could be between 3 and 29 dBA, and
well below 45 dBA at the closest residential receptors. Based on these noise modeling efforts, adverse noise impacts from on-site noise sources were not anticipated.

With regard to air quality, because future heavy industrial land uses on lots within the subdivision are unknown, the effects of each type of industrial activity cannot be quantified at this time. Some of the uses allowed by heavy industrial zoning could cause air pollution which could result in direct impacts on air quality. Given specific information about these land uses, potential air quality impacts from industrial sources can be estimated using computerized atmospheric dispersion models. It should be noted that before any facility with an air pollution source can be built anywhere in the State of Hawai‘i, an application must be submitted to the State Department of Health, Clean Air Branch for a permit to construct the facility. Detailed information about any air pollution emissions must be included in the application. Depending on the expected emission rates, a detailed air quality impact assessment may be required prior to construction and must demonstrate that the facility will comply with all applicable air quality standards. As such, an air quality impact assessment of project-related industrial emissions is not feasible at this time, an assessment may be required in the future depending on the specific nature of heavy industrial activity within the subdivision.

d. Solid and hazardous waste: Refer to the Response to General Comments

e. Water: Copies of the Draft EA were furnished to the Maui Planning Department and Maui Department of Water Supply so that information about the proposed project can be incorporated into the County’s Water Use and Development Plan. A copy of the Draft EA was also provided to the Hawai‘i Department of Agriculture and will help the department incorporate the reclassification of agricultural lands and the redistribution of agricultural resources into the State’s Agricultural Water Use and Development Plan. The proposed subdivision plans to use the underlying breckish groundwater and will not be utilizing a potable water supply. In addition, there are no existing or proposed other higher priority water uses of groundwater in this part of the Kahului Aquifer. For these reasons, we feel that the proposed use is in conformance with the County’s Water Use and Development Plan. This use is further supported by the July 2, 2012 approval of well construction and pump installation permits for the subdivision by the State Commission of Water Resource Management (CWRM) for Well Nos. 4927-02 and 4927-03. The CWRM’s 1.0 million gallons per day (MGD) sustainable yield is based exclusively on rainfall-recharge on less than half of the aquifer’s total area. Other sources of the aquifer’s recharge (natural and man-made) are substantially larger: underflow from Haleakalā, surface runoff from Haleakalā, underflow from the West Maui Mountains, surface runoff from the West Maui Mountains, leakage from the East Maui and Wai‘ale ‘e Ditch systems, and irrigation return from HC&S sugar cane fields. Historically these sources of recharge have supported pumpage from the aquifer of 45 MGD for many decades. Present pumpage is still in excess of 25 MGD, most of it by HC&S. The total estimated groundwater use for the proposed project is about 0.5 MGD. The location of this draft is miles from the nearest wells and will have no impact on these wells. If HC&S no longer cultivates sugar cane, a substantial amount of that aquifer’s recharge would be reduced or eliminated altogether. However, it would also mean that about 25 MGD of pumpage from the aquifer would also cease. The wells for the proposed project are well positioned, with respect to the aquifer’s natural sources of recharge, to continue to be viable.

f. Wastewater: Refer to the Response to General Comments. Also, in commenting on the Draft EA, the State Department of Health (DOH), Wastewater Branch indicated that wastewater from multiple septic tanks can no longer be discharged into a central leach field pursuant to current DOH policy. As such, the wastewater treatment plan for the proposed subdivision will be modified to call for the installation of an aerobic treatment unit and leach field on each developable lot which is permitted by the DOH and can be used within 1,000 feet of a drinking water well. The cost and installation of this individual wastewater system will be borne by individual lot owners when their lots are developed in the future. Each lot owner will also be responsible for compliance with Chapter 11-62, HAR pertaining to “Wastewater Systems”. Provisions for the development of subdivision lots, including compliance with all applicable regulatory standards, shall be included in the CC&Rs and enforced by the association of subdivision lot owners.

Drainage: The proposed project will comply with all applicable provisions of Chapter 11-54, HAR entitled “Water Quality Standards” and Chapter 11-55, HAR entitled “Water Pollution Control”. The land owner acknowledges that a National Pollutant Discharge Elimination System (NPDES) is required for discharges into Class A or Class 2 State waters. Prior to the start of construction, an application for an NPDES permit for storm water associated with construction activities will be submitted to the DOH, Clean Water Branch (CWB) for review and approval. No construction dewatering effluent or hydro-testing water effluent is anticipated at this time. However, if such work is required, NPDES permits for these activities will be obtained from the CWB. In addition, an application for an NPDES permit for storm water associated with industrial activity will be submitted to the CWB for review and approval if necessary. The proposed project will not involve discharges into Class 1 or Class AA State waters.

g. Energy consumption and carbon footprint: Electrical demand requirements will be submitted (by the project’s electrical consultant) at such time in the future that an application for subdivision approval is filed with the County of Maui. In addition to sustainable practices, subdivision lot owners will be encouraged to
implement and utilize energy generation and energy conservation measures during lot development and onsite operations.

3. Alternatives Analysis

The Final EA will examine the potential environmental effects of the various alternatives.

Housekeeping

4. Accepting Authority and Determining Agency

To conform more precisely to HAR 11-200-2, the Final EA will indicate that the Maui Planning Commission is the Approving Agency for the environmental review process. The State Land Use Commission (SLUC) initially agreed to serve as the Approving Agency. However, since the Executive Director’s position was going to be vacated at the time (due to retirement) and because the timeframe for the selection of a successor was indeterminate, the Maui Planning Commission, with the concurrence of the SLUC, agreed to serve as the Approving Agency.

5. Length of Document

Thank you; your comments have been duly noted.

6. Reviewer Assistance.

Thank you; your comments have been duly noted.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

[Signature]

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Blanca Lafollet, PRL

(This page intentionally left blank)
Chris Hart & Partners, Inc.
Attention: Mr. Glenn Tadaki
115 N. Market Street
Wailuku, HI 96793-1717

Department of Planning
County of Maui
Attention: Mr. Kurt Wollenhaupt, Staff Planner
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Tadaki and Mr. Wollenhaupt:

SUBJECT: Draft Environment Assessment (EA) for the Community Plan Amendment (CPA), District Boundary Amendment (DBA) and Change in Zoning (CIZ) for the Pu'unene Heavy Industrial Subdivision

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on July 9, 2012, enclosed are comments from the Engineering Division on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

Russell Y. Tuiji
Land Administrator

Enclosure(s)
cc: Central Files

TO: DLNR Agencies:
- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Maui District
- Historic Preservation

FROM: Russell Y. Tuiji, Land Administrator

SUBJECT: Draft Environment Assessment (EA) for the Community Plan Amendment (CPA), District Boundary Amendment (DBA) and Change in Zoning (CIZ) for the Pu'unene Heavy Industrial Subdivision

LOCATION: Pulehuulu & Wallapa, Island of Maui; TMX: (2) 3-8-008:019

APPLICANT: County of Maui, Department of Planning

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by July 5, 2012.

Only one (1) copy of the CD is available for your review in Land Division office, Room 220.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachment

( ) We have no objections.
( ) We have no comments.
( ) Comments are attached.

Signed: 
Date:  

cc: Central Files
DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/LydiaMorikawa
REF: DEA District Engr Amendment Pwenua
Mail: 576

COMMENTS

( ) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X. The National Flood Insurance Program does not have any regulations for developments within Zone X.

( ) Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone .

( ) Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is .

( ) Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 64 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tynan-Brown, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0257.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community’s local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

( ) Mr. Matthew Li at (808) 768-8098 or Mr. Arifin Shaw-Kim at (808) 768-8296 of the City and County of Honolulu, Department of Planning and Permitting.

( ) Mr. Frank DeMarco at (808) 961-6042 of the County of Hawaii, Department of Public Works.

( ) Mr. Francis Cerro at (808) 270-7771 of the County of Maui, Department of Planning.

( ) Ms. Wynne Ushigome at (808) 241-4890 of the County of Kauai, Department of Public Works.

( ) The applicant should include water demands and infrastructure required to meet project needs. Please note that projects within State lands requiring water service from the Honolulu Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.

( ) The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

( ) Additional Comments:

( ) Other:

Should you have any questions, please call Ms. Suzie S. Agran of the Planning Branch at 587-0258.

Signed: CYT S CHANG CHIEF ENGINEER

Date: 7/18/12

Mr. Russell Y. Tsuchi, Administrator
Land Division
Hawai‘i Dept. of Land & Natural Resources
P.O. Box 621
Honolulu, HI 96809

SUBJECT: Comments on the Pwenua Heavy Industrial Subdivision
EA 2012/0001, CFA 2012/0002, CIZ 2012/0003
TMK (2) 5-8-008620

Dear Mr. Tsuchi,

Thank you for your letter dated July 30, 2012 which transmitted the Engineering Division’s comments on the Draft EA. Pursuant to their comments, we acknowledge that the subject parcel is located in Flood Zone X, an area of minimal flood hazard, and that the National Flood Insurance Program does not have regulations for developments within Zone X.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Giften Tadaki
Planner

CC: Blanca Lafolette, PRL
Stacy Osurnia, P.E.

115 H. Market Street, Waikiki, Honolulu 96817-1717 • Ph 808-242-1955 • Fax 808-242-1956
www.christartn.com
July 10, 2012

Kurt Wollenhaput, Staff Planner
County of Maui
Department of Planning
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Wollenhaput:

SUBJECT: PUUNENE HEAVY INDUSTRIAL SUBDIVISION
TMK (2) 3-8-008:019
CPA 2012/0002, CIZ 2012/0005, EA 2012/0001

Thank you for the opportunity to review the Draft Environmental Assessment for the subject project. Our Department is interested in discussing with the applicant a water source for the Maui Raceway Park's potable water needs.

Please feel free to contact me or Karla Petere, CIP Coordinator, at 270-7981, should you have any questions.

Sincerely,

GLENN T. CORREA
Director of Parks and Recreation

c: Glenn Tadaki, Christ Hart & Partners, Inc.
Robert Helvorson, Chief of Planning and Development

GTC:RH:kp

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(RECEIVED)

2012}

CHRIS HART & PARTNERS, INC.
Landscape Architectural and Planning
Mr. Glenn T. Correa, Director
Maui Dept. of Parks and Recreation
700 Ha`a Nakoa Street, Unit 2
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CFA 2012/0002, CIZ 2012/0005
TMK (2) 3-6-008:019

Dear Mr. Correa,

On behalf of the land owner, CMBY 2011 Investment, LLC, we acknowledge the receipt of your July 10, 2012 letter commenting on the Draft EA. Since the receipt of your letter, the land owner met with Patrick Matsui, Robert Halvorson, and Karla Peters on August 6 to discuss the department’s interest in a water source for the Maui Raceway Park (MRP).

As discussed during the meeting, an existing ¾-inch meter provides water for the MRP. The Parks Department would like a larger 1-1/2 inch meter but were informed by the Water Department that the larger meter is unavailable. As such, the Parks Department has been interested in pursuing other potential water sources for the MRP.

In addition to the MRP, the private water system for the proposed project was also discussed. The land owner offered to enter into further discussions with the Parks Department to help develop a water system (on a fair share basis) that would serve the MRP. However, since no County funds are available for the pro-rata development of such a system, the Parks Department will likely refocus its efforts to obtain the larger water meter.

Thank you for providing us with your comments and for participating in the environmental review process.

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafote, PRL
Stacy Otomo, P.E.

Proposed Pu‘unene Heavy Industrial Subdivision
TMK (2) 3-6-008:019
August 8, 2012
Page 2

Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,
Glen Tadaki
Planner

115 N. Market Street, Wailuku, Maui, Hawaii 96793 • Ph 808-242-1955 • Fax 808-242-1658
www.ohpmail.com
July 10, 2012

Mr. Kurt Wollenhaupt, Staff Planner
County of Maui
Department of Planning
250 South High Street
Wailuku, Hawaii 96793

Subject: Draft Environmental Assessment (EA) for the Community Plan Amendment (CPA), District Boundary Amendment (DBA), and Change in Zoning for the Pu'unene Heavy Industrial Subdivision
Tax Map Key: (2) 3-8-008:019
Kheia, Maui, Hawaii

Dear Mr. Wollenhaupt,

Thank you for allowing us to comment on the Environmental Assessment for the subject project.

In reviewing our records and the information received, Maui Electric Company (MECO) would like to highly encourage the customer's electrical consultant to submit electrical drawings to us as soon as practical to address and coordinate any possible relocations of our facilities. Please also refer to our MECO letter addressed to Mr. Glenn Tadaki of Chris Hart & Partners, Inc. and July 18, 2011, in response to a prior request for this project.

Should you have any questions or concerns, please call Kelcie Kawamura at 872-3246.

Sincerely,

Ray Ogaichi
Supervisor, Engineering

c: Mr. Glenn Tadaki, Consultant, Chris Hart & Partners, Inc.

July 15, 2011

Mr. Glenn Tadaki, Planner
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793

Subject: Early Consultation for the Proposed Puunene Heavy Industrial Subdivision
Off Mokulele Highway
Kahului, Maui, Hawaii
Tax Map Key: (2) 3-8-008: 019

Dear Mr. Tadaki,

Thank you for allowing us to comment on the Early Consultation for the subject project.

In reviewing our records and the information received, Maui Electric Company (MECO) may be requiring access and electrical easements for our facilities to serve the subject project site. The existing area is currently served from our Maalaea Substation. Since the project's anticipated electrical demand may have a substantial impact to our system, we highly encourage the customer's electrical consultant to submit the electrical demand requirements and project time schedule as soon as practical so that service can be provided on a timely basis. MECO may need to complete system upgrades along with securing a new substation site to accommodate the anticipated electrical load.

Should you have any questions or concerns, please call me at 871-2341.

Sincerely,

Kyle Tamori
Staff Engineer
Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1953 should you have any questions.

Sincerely,

Girari Tadaaki
Planner

cc:  Blanca Lafolette, PRL
     Stacy Otomo, P.E.
Mr. Glenn Tadaki, Consultant  
CHRIS HART & PARTNERS, INC.  
115 North Market Street  
Wailuku, Maui, Hawaii 96793

Subject: DRAFT ENVIRONMENTAL ASSESSMENT FOR THE COMMUNITY PLAN AMENDMENT, DISTRICT BOUNDARY AMENDMENT AND CHANGE IN ZONING FOR THE PU'UNENE HEAVY INDUSTRIAL SUBDIVISION  
TMK: (2) 3-8-008:319 CPA 2012/0002, CIZ 2012/0005, EA 2012/0001

Dear Mr. Tadaki:  
We reviewed the subject application and have no comments at this time.  
Please call Rowena M. Dagdag-Andaya at 270-7845 if you have any questions regarding this letter.

Sincerely,  
David C. Goode  
Director of Public Works

cc: Highways Division  
Engineering Division

RECEIVED  
JUL 27 2012
CHRIS HART & PARTNERS, INC.  
Landscape Architecture and Planning

Mr. David C. Goode, Director  
Mai Dept. of Public Works  
200 S. High Street  
Wailuku, HI 96793

SUBJECT: Comments on the Pu'unene Heavy Industrial Subdivision  
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005  
TMK (2) 3-8-008:019

Dear Mr. Goode,  
As a follow-up to your letter dated July 25, 2012, we understand that the Department of Public Works has no comments at this time.  
Thank you for providing us with your comments and for participating in the environmental review process.  
Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,  
Glenn Tadaki  
Planner

cc: Kurt Wollerhaupt, Maui Planning Department  
Blanca Lafolette, PRL
Mr. Glenn Tadaki, Planner  
June 28, 2012  
Page 2

As the proposed project will involve a County of Maui Community Plan  
Amendment and the use of State of Hawaii lands (Kama‘aina Road and a 20-foot  
wide strip of land across three adjacent State parcels), an EA must be prepared  
in accordance with Chapter 343, Hawaii Revised Statutes (HRS) and Title 11,  
Chapter 200, Hawaii Administrative Rules (HAR); and  

The Accepting Authority of the EA will be the Maui Planning Commission.

Based on the foregoing, the Department provides the following comments with regards  
to the scope of work for the proposed Pu‘unene Heavy Industrial Subdivision and related District  

1. The Department recommends that the Applicant process the District Boundary  
Amendment with the State Land Use Commission PRIOR to a review of the  
Community Plan Amendment and Change in Zoning applications by the Maui  
Planning Commission.

2. The Department understands the Applicant desires to pursue a rezoning to the  
PROPOSED M3 - Industrial District designation and that legislation to enact an  
M-3 District is currently being reviewed by the County Council. Should the  
Council adopt this new district in a timely manner, the Applicant will revise their  
application to reflect a Change of Zoning application from Agricultural to M-3,  
Industrial District. The Maui Planning Commission will then consider the  
proposed request for M-3, Industrial District zoning.

3. The proposed M-3, Industrial District allows a range of heavy industrial uses  
without the need for additional review by the Planning Commission and County  
Council under the County Special Use Permit application procedures.  
Consequently, should the M-3, Industrial District zoning be approved prior to  
review of the CPA and CIZ by the Maui Planning Commission, the Department  
requests the Applicant review mitigation measures to reduce potential impacts of  
heavy industrial uses to surrounding lands and resources, including a review of  
procedures to address industrial emergencies.
Mr. William Spence, Director
Maui Dept. of Planning
250 South High Street
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019

Dear Mr. Spence,

On behalf of the Applicant, CMBY 2011 Investment, LLC, we are responding to your letter dated July 25, 2012.

1. The Applicant shall process the District Boundary Amendment with the State Land Use Commission prior the Maui Planning Commission’s review of the Community Plan Amendment and Change in Zoning.

2. The proposed bill for M-3, Restricted Industrial District zoning is currently being reviewed by the Council’s Planning Committee. Should the bill be adopted by the Council in a timely manner, the Change in Zoning application will be revised to reflect the change to M-3 zoning.

3. Because heavy industrial uses will be determined by future lot owners, specific activities that would occur within the subdivision are presently unknown. Notwithstanding this, since heavy industrial uses have the potential to affect the environment, the Covenants, Conditions, and Restrictions (CC&Rs) for the proposed subdivision will require that all lot owners prepare and implement Best Management Practices (BMPs) and emergency response plans that are specific to the heavy industrial use on their lots. The CC&Rs will also stipulate that lot owners must comply with all Federal, State, or County laws, including, but not limited to, regulations governing health, safety, and the environment. An association of subdivision lot owners shall be formed and, among its duties, will be responsible for reviewing the development plans of each lot owner and for ensuring compliance with the CC&Rs.

In Hawai‘i, a use or activity including a potential pollution source is subject to the regulatory review and approval process in which detailed information about the use or activity is evaluated, potential impacts are identified, and appropriate mitigation measures are prescribed. If a regulatory permit or approval is granted, specific terms of compliance are set forth depending on the nature of the potential impacts.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-8938 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Blanca Lafalette, PRL
Mr. Glenn Tadaki
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793

Dear Mr. Tadaki:

Pu‘unene Heavy Industrial Subdivision
Draft Environmental Assessment (DEA), TMK: 9-1-016:142

Thank you for the opportunity to comment on the subject project.

We strongly recommend one (1) omni-directional 121 db(c) siren be installed for coverage of the proposed development. State Civil Defense will work with the developer on placement of these additional sirens.

We defer to the appropriate State and federal agencies as to the protection of any cultural, historical, and archeological elements of the property.

If you have any questions, please call Ms. Havinne Okamura, Hazard Mitigation Planner, at (808)733-4300, extension 556.

Sincerely,

DOUG MAYNE
Vice Director of Civil Defense

Mr. Douglas Mayne, Vice Director
Hawai‘i State Civil Defense
3940 Diamond Head Road
Honolulu, HI 96815-4495

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-006:019

Dear Mr. Mayne,

On behalf of the developer, CMBY 2011 Investment, LLC, we would like to thank you for your August 2, 2012 letter commenting on the Draft EA.

In response to your comments, the developer will work with State Civil Defense to install one (1) omni-directional 121 db(c) siren to provide coverage for the project area.

Thank you for participating in the environmental review process. Please feel free to call me at (808) 242-1958 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
    Bert Sanwatar, SLUC
    Blanca Lafort, PRL

115 N. Market Street, Wailuku, Maui, Hawaii 96793-1717 • Ph 808-242-1955 • Fax 808-242-1955
www.cfpmau.com
TRANSMITTAL (Agency Reminder)

August 6, 2012

STATE AGENCIES
- Dept of AG, Honolulu
- Dept of Hawaiian Homelands
- Dept of Health, Honolulu, CIWB
- Dept of Health, Honolulu, SHANB
- DLNR-Land, Maui
- DOT-SHPD
- DOT, Maui
- DOT, Statewide Planning Office [4]
- Office of Hawaiian Affairs
- A&B Properties, Inc.
- Hawaiian Cement
- Khei Community Association
- LeSEA Broadcasting Corporation

COUNTY AGENCIES
- Dept of Transportation
- ZAED, Zoning & Enforcement Division
- USDA, NRCS
- Fish & Wildlife

FEDERAL AGENCIES
- DMR
- AEA

PROJECT NAME: PUUNENE HEAVY INDUSTRIAL SUBDIVISION
APPLICANT: CBIBY 2011 Investment, LLC
STREET ADDRESS: Approximately One-Mile Southeast of the Intersection of Makalapua Highway, Makamaka Loop, and Kama'aina Road, Puunene, Maui, Hawaii.
PROJECT DESCRIPTION: Proposed Heavy Industrial Subdivision on an 8-Acre Parcel
PERMIT NO.: CPA 2012/0002, CIZ 2012/0005, EA 2012/0001

TRANSMITTED TO YOU ARE THE FOLLOWING:
[Application(s) Previously Transmitted]

THESE ARE TRANSMITTED AS CHECKED BELOW:
- [ ] For your Comment and Recommendation

On May 1, 2012, a request for comment and recommendation was sent to your office regarding the above-referenced application(s). The deadline for response was on July 9, 2012; however, as of this date, the Department of Planning (Department) has not received a response from your agency. If comments have been transmitted, please disregard this reminder. If you have not responded, please address your comments and recommendations directly to me by August 22, 2012 or to Mr. Glenn Tadaki, Chris Hart & Partners, 115 N. Market Street, Wailuku, HI 96793. Please identify any comments you would like the Department to propose as conditions.

[Signature]
Kurt Wollenhaupt, Staff Planner

[Print Name]

[Date]
8-14-12

[Title]

[Agency Name]

[Phone]

[Agency Reminders]
- PLUUNENE HEAVY INDUSTRIAL SUBDIVISION (CPA 2012/0002) (CIZ 2012/0005) (EA 2012/0001)
August 6, 2012
Page 2

of project approval. Also, please provide any previous documentation pertinent to this application. A comment box is provided below to assist you. If no comment, please sign the "No Comment" box and fax to (808) 270-1775. Thank you for your time and assistance. For additional clarification, please contact Staff Planner Kurt Wollenhaupt at kurt.wollenhaupt@maui.gov or at (808) 270-1789.

Sincerely,

[Signature]
Ms. Jo Anne Johnson, Director  
Maui Dept. of Transportation  
2145 Kaohu Street, Suite 102  
Wailuku, HI 96793

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision  
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005  
TMK (2) 3-6-008-019

Dear Ms. Johnson,

Pursuant to your department's comments dated August 14, 2012, we acknowledge that the Maui Department of Transportation has no comments at this time.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glenn Tadaki  
Planner

cc: Kurt Wollenhaupt, Maui Planning Department  
Blanca Lafcolette, PRL

(This page intentionally left blank)
Hi Kurt, I am in receipt of your letter asking if Hawaiian Cement has any comments or concerns we would like to submit. I understand our deadline is 8-22-12. I would like to respond by stating Hawaiian Cement has no comments or concerns about this project. Thank you for asking.

Dave Gomes
General Manager
Hawaiian Cement, MC&A Division
808-871-7004
808-877-7414 (fax)
808-870-2949 (coll)
dave.gomes@hawaiiancement.com

Mr. David Gomes, General Manager
Maui Concrete & Aggregate Division
Hawaiian Cement
P.O. Box 488
Kahului, HI 96732

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CPA 2012/0002, CIZ 2012/0005
TMK (2) 3-8-008:019

Dear Mr. Gomes,

As a follow-up to your August 14, 2012 e-mail to Kurt Wollenhaupt, we understand that Hawaiian Cement has no comments at this time.

Thank you for providing us with your comments and for participating in the environmental review process.

Please feel free to call me at (808) 242-1955 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafollette, PRL

8/15/2012
Glenn Tadaki

From: ian_bordenave@fws.gov
Sent: Tuesday, August 21, 2012 2:40 PM
To: Glenn Tadaki
Cc: Patrice_Ashfield@fws.gov; Kurt.Wollenhaupt@co.maui.hi.us; biancal@pacificland.com
Subject: Re: Fw: Pu‘unene Heavy Industrial Subdivision - Draft EA

Aloha Glenn,

This is Ian Bordenave. I was the consulting biologist for the Technical Assistance letter that your office received from the Service (2011-TA-0384). I believe you and I spoke over the phone about a year ago regarding this project, too. Anyhow, I’ve gone through the biological surveys and the Flora and Fauna section of the Draft EA that you provided, and everything looks good except one small detail... Regarding the Hawaiian hoary bat (Lasiurus cinereus semotus), the latest guidance from the Service is to avoid cutting or trimming of trees and woody shrubs over 15 feet in height from June 1 through September 15. This recommendation was formulated by the Service using data from Tomich and Bonaccorso involving studies on lactation (Tomich) and fledging (Bonaccorso) corresponding to the vulnerable, non-volant period in the Hawaiian hoary bat’s life history. Although no bats were observed during this latest round of surveys at the Puunene site, the range and foraging behavior attributed to the species raises the possibility that they may be present (albeit intermittently) during the spring, summer, and fall months in vegetation exceeding 15 feet in height. Though I understand that the comment period for the Draft EA is closed, incorporation of these recommendations into the Final EA and project Master Plan is nonetheless suggested.

Mahalo!

Ian Bordenave
Biologist
U.S. Fish and Wildlife Service
Pacific Islands Field Office
Ecological Services, Consultations & HCP
303 Ala Moana Blvd., Suite 3-122
Honolulu, HI. 96815
Phone: (808) 792-0453
E-Mail: ian_bordenave@fws.gov

Patrice Ashfield/P/ER/I/FS/DOI
08/21/2012 11:44 AM

To: ian_bordenave@fws.gov

Subject: Fw: Pu‘unene Heavy Industrial Subdivision - Draft EA

Mr. Loyal Mehrhoff, Field Supervisor
Pacific Islands Fish and Wildlife Office
U.S. Fish and Wildlife Service
Attention: Ian Bordenave
300 Ala Moana Blvd., Room 3-122, Box 50088
Honolulu, HI. 96850

SUBJECT: Comments on the Pu‘unene Heavy Industrial Subdivision
EA 2012/0001, CFA 2012/0002, CIZ 2012/0005
TMK (Q) 3-8-008:019; Reference No. POH-2011-00179

Dear Mr. Mehrhoff,

On behalf of the land owner, CMBY 2011 Investment, LLC, we are responding to the U.S. Fish and Wildlife Service’s e-mailed comments dated August 21, 2012.

In accordance with the recommendations provided by the Fish and Wildlife Service, the cutting or trimming of trees and woody shrubs over 15 feet in height shall be avoided from June 1 through September 15 to mitigate potential impacts to the Hawaiian Hoary Bat.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-1555 should you have any questions.

Sincerely,

Glenn Tadaki
Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafolette, FRL

115 N. Market Street, Wailuku, Maui, Hawaii 96793-1717 • Ph 808-242-1955 • Fax 808-242-1956
www.chpmauai.com

8/21/2012
Clayton Yoshida  
August 23, 2012

MEMO TO:  Clayton Yoshida; Planning Program Administrator (PDF via email)  
Current Planning Division

ATTN:  Kurt Wollenhaupt, Staff Planner

FROM:  Aaron Shinmoto, Planning Program Administrator  
Zoning Administration and Enforcement Division

SUBJECT:  CIZ, CPA, & EA FOR THE PUUNENE HEAVY INDUSTRIAL SUBDIVISION  
PUUNENE, HAWAII  
TMK:  (2) 3-6-003:019  
CPA 2012/0002 & CIZ 2012/0005 & EA 2012/0001

TRANSMITTED TO YOU AS INDICATED:
(X) For Your Information  
(X) For Necessary Action

Our comments are noted below. These comments are not intended to be specific conditions of project approval. But, if you feel that any of them warrant a condition you may incorporate them into your recommended conditions of project approval.

1. The above parcel contains the following designations:
   A. State Land Use Agriculture.
   B. Community Plan Agriculture.
   C. County Zoning Agriculture.
   D. Special Management Area = No.
   E. Flood Zone X.

2. We will provide specific subdivision comments when we receive a preliminary subdivision map from the applicant or Development Services Administration (DSA). Please note that we would want a map equal in quality and size to a preliminary subdivision plat that is submitted to DSA.

3. The Proposed Land Use Development Plan as shown on Figure 5 shows that the subdivision will be accessed by a single connection on the northern side of the subdivision and a drainage retention swale along the western side of the development.

   A. Although a single connection to this subdivision may be fine for some time into the future, the neighboring parcels will eventually be developed, so this subdivision should be designed to allow for at least one additional connection to neighboring parcels (south, east, and/or west). As neighboring land is developed, this will help ensure better connectivity and linkages between neighboring land uses, provide an addition entress for emergency purposes, and shorten commute times.

   B. An option to ensure that an additional connection is reserved for this purpose would be to designate a future connection point as a "reserve strip". Section 18.016.100 of the Maui County Code states, "Reserve strips shall be required when the director determines such strips to be necessary for the orderly future development of the community according to either the general plan or projected future development in the area surrounding the subdivision. The land comprising such strips shall be reserved for future use and development under conditions approved by the director."

   C. The edge of the drainage retention swale is an ideal location to incorporate a greenway that includes a pedestrian/bicycle pathway that is separate from any roadway. This would initially be used by workers and customers of the businesses within the subdivision and provide connectivity points to neighboring lots as they are developed along this greenway.

   D. The Integration of a pedestrian/bikeway network (separate from roadways) within this proposed industrial subdivision including potential connections to neighboring parcels should be considered in this report. The submitted report does not seem to consider this in accordance with the County Wide Policy Plan or the Kiihi-Makena Community Plan.

   E. Conditions placed into the approved Change in Zoning addressing the above would help ensure that they are incorporated into the project.

4. The following items are copied from the County Wide Policy Plan (CWPP) and the Kiihi-Makena Community Plan (KMCP) in support of the above comment.

   A. CWPP, Promote Sustainable Land Use and Growth Management, Objective 3, Policy h: Ensure better connectivity and linkages between land uses.

   B. CWPP, Promote Sustainable Land Use and Growth Management, Objective 4, Policy d: "Promote creative subdivision designs that implement best practices in land development, sustainable management of natural and physical resources, increased pedestrian and bicycle functionality and safety, and the principles of livable communities."

   C. KMCP, Physical & Social Infrastructure, Transportation, Objectives and Policies: "Plan, design, and construct a pedestrian and bikeway network throughout the Kiihi-Makena region which includes the utilization of existing stream beds, drainageways, wetlands and public rights-of-way along coastal and inland areas."

   D. KMCP, Land Use, Objectives and Policies: "Establish a system of parts, utility easements, shoreline areas, drainageways and wetlands as an open space framework for the urban areas of the region, i.e. where structures exist or are planned to exist, and provide an integrated system of pedestrian and bicycle paths."

If you have any questions regarding this letter, please feel free to contact Paul Critchlow at paul.critchlow@mauicounty.gov or at 808-521-7867.

X.C. Paul Critchlow, Staff Planner (PDF via email)  
Kurt Wollenhaupt, Staff Planner (PDF via email)

CPA 2012/0002, CIZ 2012/0005 & EA 2012/0001  
(KVA Related Documents & Project Files)

General File

WRG:AH/FA/CPA/Block  
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Dear Mr. Shimoto,

On behalf of the land owner, CMBY 2011 Investment LLC, we are responding to your comment letter dated August 23, 2012.

1. The land owner concurs with the existing land use and flood zone information cited in your letter.

2. As noted in the Draft EA, the land development plan for the proposed heavy industrial subdivision is preliminary in nature and subject to change. The number, size, and layout of the lots within the subdivision will be largely influenced by economic conditions at the time the land owner is ready to file an application for preliminary subdivision approval and proceed with actual development of the project. Notwithstanding this, the preliminary plat map for the subdivision shall comply with the standards set forth by Chapter 18.88 of the Maui County Code regarding the preparation of preliminary plat maps.

3A. The land owner is willing to work with the County of Maui to identify an additional (access) connection to a neighboring parcel (e.g., Project District 10) to provide for future connectivity between land uses and to facilitate transportation and emergency access.

3B. Thank you; your comments regarding an optional "reserve strip" have been duly noted.

3C. The size, shape, and layout of the lots, roadways, and drainage swale could change in response to market conditions at the time the application for preliminary subdivision approval is submitted. Notwithstanding this, the land owner will examine the feasibility of including a pedestrian and bicycle pathway along the edge of the grassed drainage swale during the preparation of the preliminary plat map.

3D. A separate, shared pedestrian and bicycle path on the east side of Mokulele Highway currently links Kahului with Kihei. Kama'uma Road, South Firebreak Road, and Lower Kihel Road are privately-owned roadways that fall under the control of the State of Hawaii. In addition to the subject parcel, these roadways provide access to the Hawaiian Cement Quarry and sugar cane fields in the area. Heavy trucks and machinery used for sugar cane cultivation/transport and concrete manufacture/delivery characterize traffic along these roadways. Integrating a pedestrian and bicycle network along or in proximity to roadways that are actively used for agricultural and heavy industrial purposes is contrary to the best interests of public safety and well being.

There are no "hard and fast" rules for determining the most appropriate type of bicycle facility for a particular location, such as roadway speed, traffic volume, right-of-way width, presence of parking, adjacent land uses, and anticipated bicycle use. All factors must be considered. Unless a change is warranted by future conditions, the streets within the subdivision will function as a "shared roadway" facility in order to accommodate bicycle traffic.

The time frame for the future development of neighboring lands is highly indeterminate and subject to the availability of funding, the establishment of infrastructure, and contingent upon securing the necessary land use approvals. As part of the comprehensive master-planning process, the State of Hawaii is evaluating infrastructure needs for the future development of State and County lands in the vicinity of the Old Pu'ūnele Airport. The State Department of Hawaiian Home Lands (DHHL) owns a 646-acre parcel to the south of the subject parcel which it has zoned for Agricultural homesteads (i.e., farm lots) as dust and wind conditions make it unsuitable for residential or commercial use. The DHHL also has plans to develop a private wastewater treatment plant on a portion of their site. The Department of Public Safety's plans for the Maui Prison have been delayed due to the lack of government funding and the absence of infrastructure (i.e., water, sewer) to support the project. The County of Maui recently recommended that the Prison be moved to its proposed location in Project District 10 (Old Pu'ūnele Airport area) to State-owned land approximately one mile east of Mokulele Highway. The County's plans for PD 10 are pending the completion of an updated master plan, obtaining the necessary land use approvals for the project, and the availability of funding and
infrastructure. It is estimated that it could take at least 10 years or more before any ground-breaking construction commences on the State and County lands.

Notwithstanding this, the land owner is willing to meet with neighboring property owners to discuss potential connectivity should the establishment of a pedestrian and bicycle network in the area be warranted in the future.

3E. Thank you; your comments have been duly noted.

4A. A major guiding principle for the development of any pedestrian and bicycle network is that it should connect to places that people want to go such as homes, schools, work, public services, shopping, and recreational areas.

The lands within and in the vicinity of the subject parcel do not possess any of the basic elements that would justify the cost and development of a separate pedestrian and bicycle network on land that will be specifically utilized for purely heavy industrial activities and is geographically separate and spatially distant from other urban areas such as Kahului or Kihei which would benefit from such a network.

The subject parcel is located on the Central Maui plain in the vicinity of the Old Pu‘unene Airport. As identified on Page 13 of the KMCP, the four communities that comprise this region are: 1) Ma‘alaea, 2) Kihei, 3) Wailea, and 4) Makena. The KMCP describes Ma‘alaea as “a quiet, residential community,” Kihei as “the residential and commercial center of the region,” Wailea as “a master-planned resort community,” and Makena as containing “resort facilities, significant open spaces, and cultural landscapes while retaining rural village characteristics.”

The north-south linear development pattern in Kihei is directly tied to Pi‘ilani Highway and South Kihei Road and the community’s near total dependence on the automobile for travel within the region. To address this dependency and reduce traffic congestion, the KMCP encourages the establishment of a pedestrian and bicycle network since it would provide an alternate mode of transportation and improve travel in Kihei by connecting to places that people want to go.

While a pedestrian and bicycle network would provide connectivity within Kihei, it would not be as appropriate for a distant urban land use such as the proposed project whose location is better suited away from other urban areas.

Project District 10 (Old Pu‘unene Airport area) lies to the west of the subject parcel and is the only land use in the area that has been included in the KMCP. Although the subject parcel and PD 10 were included in the KMCP region, it can be argued that this area should have been included in the Wailuku-Kahului Community Plan region given its geographic location and proximity to Kahului, and its association with historic land use and development in Central Maui.

4B. The proposed project will comply with the applicable provisions of Title 18 of the Maui County Code (Subdivisions). Best Management Practices will be utilized in the design and development of the project.

4C. The subject parcel does not include any existing stream beds, drainageways, wetlands, and public rights-of-way along coastal and inland areas that would contribute to the development of a pedestrian and bicycle network for the Kihei-Makana region.

4D. While the proposed drainage swale along the west side of the subject parcel contributes an area of open space, there are no parks, utility easements, shoreline areas, and wetlands on the property which would contribute to the establishment of an open space framework for the area.

Thank you for providing us with your comments and for participating in the environmental review process. Please feel free to call me at (808) 242-4955 should you have any questions.

Sincerely,

[Signature]

Planner

cc: Kurt Wollenhaupt, Maui Planning Department
Blanca Lafont, PRL