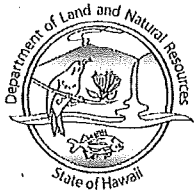


NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 3, 2014

RECEIVED

OCT - 6 2014

CHRIS HART & PARTNERS, INC.  
Landscape Architecture and Planning

CC: Brett  
136029

Piilani Promenade North, LLC & Piilani Promenade South, LLC  
c/o Sarofim Realty Advisors  
ATTENTION: Mr. Robert Poynor, Vice President  
8115 Preston Road, Suite 400  
Dallas, TX 75225

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

LAND USE COMMISSION  
STATE OF HAWAII  
2014 OCT 21 A 7:49

Dear Messrs. Poynor and Hart:

SUBJECT: Piilani Promenade

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 (a) Commission on Water Resources Management, (b) State Historic Preservation Division, and (c) Engineering Division on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

Kevin E. Moore  
Acting Land Administrator

Enclosure(s)  
cc: Central Files

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



WILLIAM J. AHLA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

August 27, 2014

MEMORANDUM

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

FR:

FROM:

Kevin E. Moore, Acting Land Administrator *KEM*

SUBJECT:

Piilani Promenade

LOCATION:

Makawao – Wailuku Districts; TMK: (2) 3-9-001:016, 170-174

APPLICANT:

Piilani Promenade North LLC & Piilani Promenade South LLC

RECEIVED  
LAND DIVISION  
2014 SEP 15 11:20 AM

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document which can be located here:

<https://sp01.ld.dlnr.hawaii.gov/LD/> (then click on "Request for Comments", then click on the subject link.

Username: LD/Visitor

Password: Opa\$\$word0 (first and last characters are zeros, not O's)

There are 3 files: DEIS Vol 1\_Text Figures – Appendix A; DEIS Vol 2 – Appendix B-H, and DEIS Vol 3 - Appendix I-N. Please submit any comments by **October 3, 2014**. 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.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed:

*Lenore N. Ohye*

Print Name:

LENORE N. OHYE, Acting Deputy Director

Date:

SEP 10 2014

cc: Central Files

RFD. 4041.6  
11782-v

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



WILLIAM J. AILA, JR.  
CHAIRPERSON  
KAMANA BEAMER  
MICHAEL G. BUCK  
MILTON D. PAVAO  
LINDA ROSEN, M.D., M.P.H.  
JONATHAN STARR

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
P.O. BOX 621  
HONOLULU, HAWAII 96809

WILLIAM M. TAM  
DEPUTY DIRECTOR

September 10, 2014

REF: RFD.4041.6

TO: Russell Tsuji, Administrator  
Land Division

FROM: William M. Tam, Deputy Director *William M. Tam*  
Commission on Water Resource Management

SUBJECT: Piilani Promenade, Makawao-Wailuku Districts

FILE NO.:

TMK NO.: (2) 3-9-001:016, 170-174

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore, all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://www.hawaii.gov/dlnr/cwrn>.

Our comments related to water resources are checked off below.

1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense/>.
5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://hawaii.gov/dbedt/czm/initiative/lid.php>.
6. We recommend the use of alternative water sources, wherever practicable.
7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>

DRF-IA 03/20/2013

8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at [http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH\\_Irrigation\\_Conservation\\_BMPs.pdf](http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf)
9. There may be the 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 CWRM:

Additional information and forms are available at [http://hawaii.gov/dlnr/cwrm/info\\_permits.htm](http://hawaii.gov/dlnr/cwrm/info_permits.htm).

10. 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.
11. A Well Construction Permit(s) is (are) required before any well construction work begins.
12. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
13. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
14. Ground water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
15. A Stream Channel Alteration Permit(s) is (are) required before any alteration(s) can be made to the bed and/or banks of a stream channel.
16. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is (are) constructed or altered.
17. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
18. 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:

Planning Response: We note that the document indicates that, upon the availability of R-1 reclaimed water, well water use will be replaced by reclaimed water to meet non-potable needs. CWRM encourages this conversion to an alternative water source.

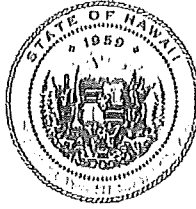
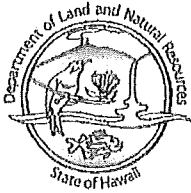
Ground Water Response: The Iao Aquifer System Area has an approved sustainable yield of 20 mgd. 19,089 mgd have been allocated. Another 1,635 mgd are requested in pending applications, which together with the existing allocations exceed the aquifer's sustainable yield.

Increased withdrawals above 4 mgd from the Waihee Aquifer System Area under the current well configuration may result in an initiation of ground water management area designation by CWRM.

There is an existing well, Well No. 6-4626-002, that was drilled in the Kamaole Aquifer System Area in 2012 for Piilani Promenade LLC and is equipped with a 150 gpm pump (0.216 mgd). This well is proposed to meet non-potable needs in the short-term. As noted above, CWRM recommends that reclaimed water be utilized to meet the development's long-term non-potable needs

If there are any questions, please contact Lenore Ohye of the Planning Branch at 587-0216 or W. Roy Hardy of the Ground Water Regulation Branch at 587-0225.

NEIL AHERCROMBIE  
GOVERNOR OF HAWAII



**HISTORIC PRESERVATION DIVISION  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

WILLIAM J. AHLA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
JESSEK SOUKI  
FIRST DEPUTY  
WILLIAM M. TAM  
DEPUTY DIRECTOR WATER  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
OBSERVATION AND COASTAL LAND  
ENFORCEMENT  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
4328  
STATE PARKS

September 19, 2014

**MEMORANDUM**

**TO:** Kevin E. Moore, Acting Land Administrator  
Land Division  
Via email to: [Kevin.E.Moore@hawaii.gov](mailto:Kevin.E.Moore@hawaii.gov)

Log No: 2014.04288  
Doc No: 1409MD42  
Archaeology

**FROM:** Morgan E. Davis, Lead Archaeologist, Maui Section

**SUBJECT:** Chapter 6E-42 Historic Preservation Review – Maui County  
Draft Environmental Impact Statement for the Piilani Promenade  
Ka'ono'ulu Ahupua'a, Makawao District, Island of Maui  
TMK (2) 3-9-001:016, 170-174

Thank you for correspondence regarding the above, which we received on August 21, 2014. This DEIS has been prepared in advance of the proposed Piilani Promenade project in Kihei. SHPD has provided the comments below to the planners (Log No. 2014.04288, Doc No. 1409MD41).

A search of our records indicates that an archaeological inventory survey (AIS) was conducted for the new proposed area of potential effect (APE) in 2014. However, it has not yet been reviewed or accepted by SHPD because it was not submitted to us prior to the receipt of the DEIS. This means that we are unable to determine whether further mitigation is needed (data recovery plan, preservation plan, and/or archaeological monitoring plan). The review letters included with Appendix F are not for the new APE, they are for the old one and do not apply to the project in its current form. In addition, text in the DEIS appears to indicate that the archaeological work for the gulch area in the new APE has not been incorporated into the updated 2014 AIS; if that is the case it is likely that the AIS will need to be revised to incorporate it as the current recommendation for this project is to prepare an AIS for the entire APE.

Therefore, at this time we determine that historic properties may be affected for this proposed project until archaeological mitigation is complete. We will inform your office when the SHPD reviews have been completed regarding the results of the survey and resulting mitigation commitments.

Please contact me at (808) 243-4641 or [Morgan.E.Davis@hawaii.gov](mailto:Morgan.E.Davis@hawaii.gov) if you have any questions or concerns regarding this letter.

NEH. ABERCROMBIE  
GOVERNOR OF HAWAII



WILLIAM J. AHLA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSIONER OF WATER RESOURCE MANAGEMENT

14 AUG 27 PM 2:03 ENGINEERING



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

August 27, 2014

MEMORANDUM

TO: FR

- 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

2014 SEP 30 PM 3:46  
RECEIVED  
LAND DIVISION  
DEPT. OF LAND AND NATURAL RESOURCES

TO:

FROM: Kevin E. Moore, Acting Land Administrator *KEM*

SUBJECT: Piilani Promenade

LOCATION: Makawao – Wailuku Districts; TMK: (2) 3-9-001:016, 170-174

APPLICANT: Piilani Promenade North LLC & Piilani Promenade South LLC

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document which can be located here:

<https://sp01.ld.dlnr.hawaii.gov/LD/> (then click on "Request for Comments", then click on the subject link.

Username: LD/Visitor  
Password: Opa\$\$word0 (first and last characters are zeros, not O's)

There are 3 files: DEIS Vol 1\_Text Figures – Appendix A; DEIS Vol 2 – Appendix B-H, and DEIS Vol 3 - Appendix I-N. Please submit any comments by **October 3, 2014**. 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.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *Chris J. Johnson*

Print Name: Chris S. Chang, Chief Engineer

Date: 9/20/14

cc: Central Files

DEPARTMENT OF LAND AND NATURAL RESOURCES  
ENGINEERING DIVISION

LD/ Kevin E. Moore  
Ref.: DEIS for Piilani Promenade, Makawao-Wailuku Districts  
Maui.024

COMMENTS

- (X) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.
- ( ) Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is also 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 site must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 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 Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

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. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
- ( ) Mr. Frank DeMarco at (808) 961-8042 of the County of Hawaii, Department of Public Works.
- ( ) Mr. Carolyn Cortez at (808) 270-7253 of the County of Maui, Department of Planning.
- ( ) Mr. Stanford Iwamoto at (808) 241-4896 of the County of Kauai, Department of Public Works.
  
- ( ) The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
- ( ) 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: \_\_\_\_\_

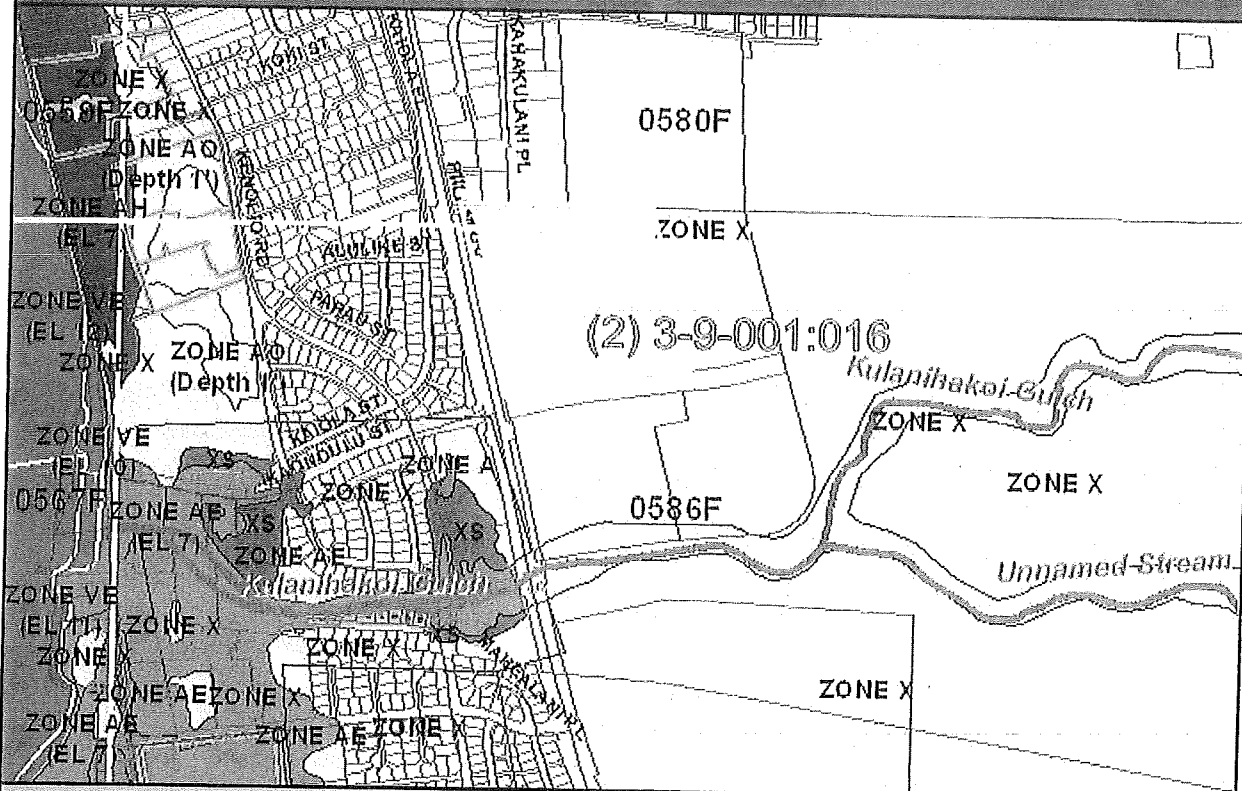
Should you have any questions, please call Mr. Dennis Imada of the Planning Branch at 587-0257.

Signed: Chang S. Chang  
CARTY S. CHANG, CHIEF ENGINEER

Date: 1/21/14



# FLOOD HAZARD ASSESSMENT REPORT



## NATIONAL FLOOD INSURANCE PROGRAM

### FLOOD ZONE DEFINITIONS

**SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD** – The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- Zone A:** No BFE determined.
- Zone AE:** BFE determined.
- Zone AH:** Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- Zone AO:** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- Zone V:** Coastal flood zone with velocity hazard (wave action); no BFE determined.
- Zone VE:** Coastal flood zone with velocity hazard (wave action); BFE determined.
- Zone AEF:** Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

**NON-SPECIAL FLOOD HAZARD AREA** – An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- Zone XS (X shaded):** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone X:** Areas determined to be outside the 0.2% annual chance floodplain.

### OTHER FLOOD AREAS

- Zone D:** Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

### PROPERTY INFORMATION

**COUNTY:** MAUI  
**TMK NO:** (2) 3-9-001-016  
**PARCEL ADDRESS:** PILLANI HWY, KIHAI, HI 96753  
**FIRM INDEX DATE:** SEPTEMBER 19, 2012  
**LETTER OF MAP CHANGE(S):** NONE  
**FEMA FIRM PANEL(S):** 1500030586F-SEPTEMBER 19, 2012  
 1500030580F-SEPTEMBER 19, 2012

**PARCEL DATA FROM:** JULY 2013  
**IMAGERY DATA FROM:** MAY 2005

### IMPORTANT PHONE NUMBERS

**County NFIP Coordinator**  
 County of Maui  
 Carolyn Cortez (808) 270-7253  
**State NFIP Coordinator**  
 Carol Tyau-Beam, P.E., CFM (808) 587-0267

*Disclaimer: The Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use of the information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR from any liability, which may arise from its use.*

*If this map has been identified as 'PRELIMINARY' or 'UNOFFICIAL', please note that it is being provided for informational purposes and is not to be used for official/legal decisions, regulatory compliance, or flood insurance rating. Contact your county NFIP coordinator for flood zone determinations to be used for compliance with local floodplain management regulations.*



## Greetings LUC Commissioners and Staff

I am a **very concerned** resident of the Kaonoulu neighborhood. I read in the Piilani Promenade EIS that the project would have no impacts on surrounding lands. **Who are they kidding? This is absolutely not true!** I hope you will not accept this assumption and I hope you will ask the applicants to do more work on this EIS.

I am concerned the EIS is not adequate because it concludes that there will be no traffic impacts after roadway "mitigations" are built. It looks like their traffic study only looks at a few of the new projects that will be bringing traffic to Piilani Hwy, rather than the big picture. **We already have a lot of traffic and traffic noise now.** Building a big shopping center and a couple hundred apartments across the street is going to be a **huge** increase in traffic and a **huge** increase in noise. Even the EIS admits the noise on Kaonoulu street will get worse. We residents don't care whether its above or below federal noise levels. **For me and my neighbors, it's way too noisy already.** The EIS should have looked for more ways to lower noise and traffic levels. The EIS should be honest and maybe scale down the size of the project.

I am concerned because there doesn't seem to be any real alternative plans discussed for the site. The EIS claims there will be no cultural impacts because the land has no cultural value. Again, this is absolutely and categorically untrue! This area has a lot of history and there are no plans to save any historic sites, even though native Hawaiians have asked that they be protected. **I have walked this land and it is loaded with valuable sacred historic cultural sites. It is a crime against the ancestors and this sacred aina and the Hawaiian people to bulldoze these precious landmarks of cultural history for a mega mall!** I am appalled and filled with shame that these sacred cultural sites would be treated in such an inhuman way on this island of aloha. **We must ask the developers to honor this land and its people and history and culture by including aloha in their plans, setting aside the historic sites as places for all the generations to come to visit and learn from and do what is pono here. If we don't protect these lands, who will?**

The main gulch through the land is shown as filled in on the maps I have seen. This is a terrible idea. We need an EIS that shows some alternative plans. We need a plan with the gulch as part of a park with a walking path and more open spaces to absorb all the flood waters that come through and flood our streets and pollute the ocean below the Piilani Hwy. We need a plan that has a greenway through the land with historic places preserved along it.

We **already** have big flooding problems below the Piilani highway when it rains heavily in Kihei or upcountry. The EIS says all the storm water will stay on site, but if you look closer, you see that all the water that comes down through the gulch across the land will still come down. Only now it will all be concentrated into pipes that lead to other pipes and then dumped in Kulanihako'i gulch, near our neighborhood. This is a major problem.

This dirty water goes to the ocean where we take our families to swim and residents go to fish and gather seaweed. It heads right out to where the whale sanctuary headquarters is. There has to be a better plan and studies like this should be looking at the options instead of telling us all that they represent smart growth. What's so smart about issuing a report that denies there will be any problems? **Who is holding these out of control developers accountable for their actions?**

Bottom line for this area: new developments need to not only take care of their own runoff, but they need to be part of the solution to the current problem. **Please do not accept this study as complete until it looks at some real alternative plans that are a win-win-win-win-win for the land, the historical sites, the surrounding neighborhood, the Hawaiian community and the developers.**

I thank you in advance for employing justice and right action.

Sincerely,

Sharon Rose