

DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR PIILANI PROMENADE

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

Planning Consultant:
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii, 96793-1717

Accepting Authority:
Land Use Commission
Department of Business, Economic Development & Tourism
State of Hawaii

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OVERVIEW

<i>Project Name:</i>	Piilani Promenade
<i>Type of Document:</i>	Draft Environmental Impact Statement
<i>Applicable Chapter 343 Review “Trigger”:</i>	Use of State land for Roadway widening purposes (HRS sec. 343-5(a)(1))
<i>Approving Agency:</i>	Hawaii State Land Use Commission Department of Business, Economic Development & Tourism State of Hawaii P.O. Box 2359, Honolulu, Hawaii 96804-2359 Contact: Mr. Daniel Orodener, Executive Officer (808.587.3822)
<i>Applicant:</i>	Piilani Promenade North LLC. and Piilani Promenade South LLC. c/o Sarofim Realty Advisors 8115 Preston Road, Ste. 400, Dallas, Texas, 75225 Contact: Mr. Robert Poynor, Vice President (214.692.4227)
<i>Consultant:</i>	Chris Hart & Partners, Inc. 115 North Market Street, Wailuku, Hawaii 96753 Contact: Mr. Jordan E. Hart, President (808.242.1955)
<i>Property:</i>	Kihei, Maui TMKs (2) 3-9-001: 016, 170, 171 (developable lots) TMKs (2) 3-9-001: 172, 173, 174 (roadway lots) TMKs (2) 3-9-001: Portion (Por.) 148 and Por. 169 (offsite improvements) TMK (2) 3-9-048: Por. 122 (offsite improvements) TMK (2) 2-2-002: 077 (water tank site) TMKs (2) 2-2-002: Por. 016 and Por. 082 (offsite improvements)
<i>Land Use Controls:</i>	State Land Use: Urban Community Plan: Light Industrial (LI) County Zoning: M-1 Light Industrial
<i>Project Summary:</i>	<p>The proposed project involves the development of Light Industrial, Business/Commercial, and Multi-Family land uses on approximately 75 acres of land in North Kihei. The project will include associated onsite and offsite infrastructure improvements including but not limited to water, sewer, roads, drainage, electrical, bicycle, and pedestrian pathways and landscaping. A Maui Electric Company (MECO) substation is also proposed on the project site.</p> <p>Offsite improvements include re-routing the County’s existing 36-inch high pressure water main which traverses the property, installing a 1.0 million gallon drinking water tank and water transmission lines, and</p>

providing utility system connections and an access easement *mauka* and to the north of the project site which will provide for future access and connectivity to Ohukai Road. The project will also provide road-widening lots and improve the intersection of Piilani Highway at Kaonoulu Street

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
ALISH	Agricultural Lands of Importance to the State of Hawai'i
ASTM	American Society of Testing and Materials
BMP	Best Management Practices
BWS	Board of Water Supply (County of Maui)
CDP	Census Defined Place
CIA	Cultural Impact Assessment
CWRM	Commission on Water Resource Management
CZM	Coastal Zone Management
DBEDT	Department of Business, Economic Development and Tourism (State of Hawai'i)
DEM	Department of Environmental Management (County of Maui)
DLNR	Department of Land and Natural Resources (State of Hawai'i)
DOE	Department of Education (State of Hawai'i)
DOH	Department of Health (State of Hawai'i)
DOT	Department of Transportation (State of Hawai'i)
DPW	Department of Public Works (County of Maui)
DU	Dwelling Units
DWS	Department of Water Supply (County of Maui)
DEIS	Draft Environmental Impact Statement
EISPN	Environment Impact Statement Preparation Notice
ESA	Environmental Site Assessment
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
GPD	Gallons per day
GPM	Gallons per minute
HRS	Hawaii Revised Statutes
HT	Hawaiian Telcom
KCA	Kihei Community Association
KUH	Kihei Upcountry Highway
KWWTF	Kihei Wastewater Treatment Facility



kV	Kilovolt
LEED-ND	Leadership in Energy and Environmental Design – New Development
LOS	Level of Service
LSB	Land Study Bureau
LUC	Land Use Commission (State of Hawai‘i)
MECO	Maui Electric Company
MG	Million gallons
MGD	Million gallons per day
MMA	Maui Market Area
MSL	Mean Sea Level
NPDES	National Pollutant Discharge Elimination System
NFIP	National Flood Insurance Program
Oceanic	Oceanic Time Warner Cable
OEQC	Office of Environmental Quality Control (State of Hawai‘i)
OHA	Office of Hawaiian Affairs
PV	Photovoltaic
ROW	Right-of-Way
SF	Square Feet
SHPD	State Historic Preservation Division (Hawai‘i)
SHWS	State Hazardous Waste Sites
SMA	Special Management Area
State	State of Hawai‘i
TMK	Tax Map Key
UBC	Uniform Building Code
UGB	Urban Growth Boundary
UST	Underground Storage Tank Site
WWRF	Wastewater Reclamation Facility



II. PROJECT DESCRIPTION

A. PROPERTY LOCATION

The proposed 74.871 acre project site is located in Kihei, *mauka* of the intersection of Kaonoulu Road and Piilani Highway. The project boundary is adjacent to the Kihei Commercial Center to the North, Kulanihakoi Gulch to the South, Piilani Highway to the West, and ranch land to the East extending up to Kula. (See: Figure No. 1 “Regional Location Map”)

The project site is comprised of TMK’s (2) 3-9-001:016, 170-174. Parcels 16, 170 & 171 are developable parcels. Parcel 172 is a roadway lot for the future East Kaonoulu Street which is the first segment of the future Kihei Upcountry Highway (KUH). Parcels 173 and 174 are roadway widening lots to improve the intersection of Kaonoulu Street at Piilani Highway. The proposed 74.871 acre project site is the petition area in the pending motion to amend before the State Land Use Commission.

There are several off-site improvements that are located in close proximity to the developable parcels, however they are owned by others including road widening lots for intersection improvements at Kaonoulu Street and Piilani Highway, an easement for utilities and roadway, an irrigation well with pump for landscaping and a 1 acre lot for a 1.0 million gallon water tank. (See: Figure Nos. 2 “Tax Map Key”, 3 “Conceptual Site Plan”, and 4 “Offsite Improvement Plan”)



B. LAND OWNERSHIP AND PROJECT APPLICANT

Except for the offsite parcels, the Applicant is the owner of the parcels comprising the project. The land ownership is provided below in Table 1: Land Ownership.

Table 1: Land Ownership

TMK	OWNERSHIP	Description	Acreage
LAND OWNED BY PPN/PPS			
Development Parcels			
(2) 3-9-01:016	PPN/PPS	Development Parcel Phase 1	30.132
(2) 3-9-01:170	PPN/PPS	Development Parcel Phase 2	18.519
(2) 3-9-01:171	PPN/PPS	Development Parcel Phase 2	19.539
Kihei Upcountry Highway Lot Lots			
(2) 3-9-01:172	PPN/PPS	Roadway Widening Lot (Kihei Upcountry Highway)	4.898
Piilani Highway Widening Lots			
(2) 3-9-01:173	PPN/PPS	Piilani HWY widening lot	0.924
(2) 3-9-01:174	PPN/PPS	Piilani HWY widening lot	0.859
			74.871 total
LAND NOT OWNED BY PPN/PPS			
Piilani Highway Widening Lots			
(2) 3-9-048:122	KENRANES LTD.	Piilani HWY widening lot	0.332
(2) 3-9-01:148	Pacific West Communities Inc.	Piilani HWY widening lot	0.407
Offsite Easements			
(2) 2-2-02:082 (portion)	Kaonoulu Ranch LLLP	1.0 MG Water Tank transmission line easement	10.646
(2) 2-2-02:016 (portion)	Haleakala Ranch Company	Roadway and utility easement	1.119
(2) 3-9-01:169 (portion)	Honua'ula Partners	Landscape Irrigation Well	0.135
Offsite Water Tank lot			
(2) 2-2-02:077	Kaonoulu Ranch LLLP	1.0 MG Water Tank site	1.154
			13.793 total
Land Not Part of Piilani Promenade Project			
Offsite Multi-family			
(2) 3-9-01:169	Honua'ula Partners	Future affordable Multi-family development	13.129



C. PROJECT BACKGROUND

On July 6, 1994, Kaonoulu Ranch filed a Petition for a Land Use District Boundary Amendment with the Land Use Commission (Docket No. A94-706). Kaonoulu Ranch's Petition encompassed approximately 88 acres of land located at Kaonoulu, Makawao-Wailuku (the "Petition Area"), including the entire 75 acres comprising the project site. Kaonoulu Ranch proposed to develop a 123-lot commercial and light industrial subdivision within the Petition Area. In the Petition, the Kaonoulu Ranch sought an amendment of the land use district boundary to effect reclassification from the Agricultural District to the Urban District.

On February 10, 1995, the Land Use Commission ("the Commission") issued its Findings of Fact, Conclusions of Law, Decision and Order for Docket No. A94-706 (the "1995 Decision and Order"). The 1995 Decision and Order reclassified the Petition Area from the State Agricultural District to the State Urban District subject to conditions specified therein.

In 1998, the Kaonoulu Ranch applied to the County of Maui for a change in the zoning of the Petition Area from Agricultural to M-1 Light Industrial, as required by Condition 1 of the 1995 Decision and Order. In 1999, County of Maui Ordinance No. 2772 was passed, granting the change in zoning application. After obtaining the change in the zoning of the Petition Area to M-1 light industrial, the Kaonoulu Ranch applied for and obtained from the County of Maui final approval for a large lot subdivision for the 88 acre Petition Area in 2001, and subsequently a large lot subdivision consisting of four (4) lots, for which preliminary approval was granted in 2003.

In 2005, Kaonoulu Ranch sold the lands comprising the Petition Area to Maui Industrial Partners, LLC, which worked with various consultants and State and County agencies, to obtain approval of a further large lot subdivision of the Petition Area. On August 14, 2009, the County of Maui approved the subdivision of the Petition Area into seven (7) lots, six (6) of which are affected by this Motion.

On August 20, 2009, Maui Industrial Partners, LLC sold one parcel of the Petition Area identified by Tax Map Key No. (2)3-9-001:169, comprising approximately 13 acres and located on the northeast corner of the Petition Area, to Honua`ula



Partners, LLC (the "Honua`ula Parcel"). Honua`ula Partners, LLC is the current owner of the Honua`ula Parcel. Honua`ula Partners, LLC is not related or in any way connected to Applicant, and does not share any common ownership, members, shareholders, or control with Applicant. The Honua`ula Parcel is not the subject matter of this Environmental Impact Statement. However, the impact of the proposed development of the Honua`ula Parcel is included as necessary background information.

On September 10, 2010, Maui Industrial Partners sold the project parcels – TMK's (2) 3-9-001:016, 170-174 - to the Applicant. The project parcels comprise approximately 75 of the 88 acres contained within the Petition Area (hereinafter "the Piilani Parcels").

Applicant, through Eclipse Development Company, LLC, originally planned to develop a shopping complex known as "Piilani Promenade" on the Piilani Parcels. On April 11, 2012 and April 18, 2012, Maui County issued to Applicant two grading permits, placing Applicant in a position to begin construction of on-site and off-site infrastructure for the Piilani Parcels. However, on May 23, 2012, Maui Tomorrow Foundation, Inc., South Maui Citizens for Responsible Growth, and Daniel Kanahele filed a Motion for a Hearing, Issuance of Order to Show Cause, and Other Relief with the Commission, which was granted on September 10, 2012 (the "Order to Show Cause").

On November 1, 2, 15 and 16, 2012, the Commission heard evidence and arguments in the first of two phases of the Order to Show Cause proceeding. At a meeting on February 7, 2013, a majority of the members of the Commission determined by oral vote that Applicant's proposed use of the Piilani Parcels and Honua`ula's proposed use of the Honua`ula Parcel would violate Conditions 5 and 15 of the 1995 Decision and Order, and that Condition 17 had also been violated. No written order regarding the foregoing has been entered.

On April 18, 2013, Applicant filed a Motion to Stay the Order to Show Cause Proceeding. Applicant represented in said Motion that Applicant intended to file a motion to amend the 1995 Decision and Order to allow Applicant to develop a project different from that originally presented to the Commission when the 1995 Decision and Order was issued. Applicant requested that the Commission stay the Order to Show Cause Proceeding to allow the Commission to consider the Motion to Amend. On June 27, 2013, the Commission granted the Motion to Stay the Order to Show Cause Proceeding, and ordered that further proceedings on the Order to Show Cause would be stayed on the condition that Applicant file



this Motion to Amend before December 31, 2013, and that no construction on the Property occur during the stay.

In December 2013, the Applicant filed a Motion to Amend the 1995 Decision and Order with the Commission in order to facilitate the development of the proposed project which is described in greater detail below. The Environmental Impact Statement which has been prepared for the proposed project will be submitted to the Land Use Commission for processing in connection with their review of the Motion to Amend.

D. PROPOSED PROJECT DESCRIPTION

The proposed project will involve the development of a mixed-used project consisting of retail, office, business/commercial, light industrial, multi-family (226 apartment units), and public/quasi-public (park, MECO substation) uses. The proposed uses are permitted by M-1, Light Industrial zoning which is codified by in Chapter 19.24 of the Maui County Code. A network of vehicular roadways, bicycle and pedestrian pathways will establish connectivity throughout the project and will provide opportunities for connection with adjoining properties along Piilani Highway. In addition the proposed project will include the construction of a portion of the future Kaonoulu Street Extension and two (2) Piilani Highway road-widening lots. (**See:** Figure 3 “Concept site Plan”)

Project Parcels Owned by PPN/PPS

Parcel 16 is 30.132 acres in size and is proposed for a mixture of uses including 100,000 square feet of business commercial uses, 57,558 square feet of light industrial use, and multi-family, and public/quasi-public activities. Approximately 20 acres of Parcel 16 are proposed as a mix of light Industrial, business/commercial uses. This portion of the project will also provide vehicular, bicycle, and pedestrian connectivity within the project site and with neighboring parcels along Piilani highway. The remaining acreage will be allocated for multi-family use and a MECO substation.

The proposed multi-family component will consist of 226 units with a 2-acre park space and necessary support infrastructure including, but not limited to, off-street parking, sewer, water, roadways, and sidewalks. The units will be a mix of one and two bedroom units, of which a portion will be rented at an affordable rate in compliance with the Maui County Residential Workforce Housing Ordinance.



The MECO substation will be located near the project boundary north of the multi-family housing component, in the northern sector of Parcel 16. (See: Figure 3 “Concept Site Plan”)

Parcels 170 and 171 have a combined area of approximately 38 acres make up the southern portion of the project site. This area will consist of business/commercial uses including but not limited to retail, restaurants, and office space. This portion of the project will also provide vehicular, bicycle, and pedestrian connectivity within the project site and with neighboring parcels along Piilani highway.

Parcel 172 is the new East Kaonoulu Street (*aka*, Kaonoulu Street Extension, the first segment of the future Kihei Upcountry Highway) which will be constructed as a four (4) lane divided roadway providing access to the project from Piilani Highway. The design of this roadway will include designated bicycle lanes and pedestrian walkways which are separated from the street. (See: Figure 3 “Concept Site Plan”)

Parcels 173 & 174 are road-widening lots along the *mauka* side Piilani Highway, which are being provided for the construction of intersection improvements at Kaonoulu Street and Piilani Highway.

Off-site Improvements (On parcels not owned by PPN/PPS)

Offsite infrastructure improvements include construction of a 1.0 million gallon, above-ground drinking water storage tank and transmission lines located *mauka* of the project site. Identified by TMK (2) 2-2-02: 077, the tank site is located on a 1.154 acre parcel owned by Kaonoulu Ranch and will be dedicated to the County of Maui upon completion. The transmission lines connecting the drinking water storage tank to the public water system will require an easement on Parcel (2) 2-2-02: portion of 082 which is owned by Kaonoulu Ranch.

A water well and storage tank for landscape irrigation will be constructed *mauka* of the project site. The offsite irrigation well and storage tank will require an easement of approximately 0.135 acres on TMK (2) 3-9-01: portion of 169 which is owned by Honua’ula Partners. (See: Figure 4 “Offsite Improvement Plan”)

Portions of **Parcels 122 and 148** are road-widening lots along the *makai* side of Piilani Highway, which are being provided for the construction of intersection improvements at Kaonoulu Street and Piilani Highway.

Off-site Easements

In addition to the water tank transmission line easement, a 44-foot wide (1.119 acre) access and utility easement will be provided on the north and *mauka* side of the project site on TMK (2) 2-2-02: portion of 016 which is owned by Haleakala Ranch. The access easement will allow for utilities and future connectivity from



Ohukai Road to a point located to the north of the project site. (See: Figure 4 “Offsite Improvement Plan”)

E. DEVELOPMENT PHASING

It is anticipated that the Piilani Promenade project will be constructed in two (2) phases as market conditions warrant.

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

Phase one includes construction of the future Kihei Upcountry Highway (KUH), (Parcel 172) and improving the intersection of Kaonoulu and Piilani Highway which provides access to the project. Phase one also includes construction of the 1.0 MG water tank, the irrigation well with pump and related utility and offsite easements.

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

It is anticipated that all of the necessary entitlements to fully implement the Piilani Promenade will be obtained by early 2016 and construction completed in 2018.

F. ALTERNATIVES

Under HAR Title 11, DOH, Chapter 200, EIS Rules, Section 11-200-17(F), a Draft EIS must contain a section discussing alternatives that could attain the project objectives, regardless of cost, in sufficient detail to explain why the specific alternative was rejected. Alternatives to the preferred Piilani Promenade plan, along with reasons why each alternative was rejected, are described below.

Piilani Promenade Objectives – Objectives of the Piilani Promenade project are rooted in the desire contribute to the Maui economy and by creating employment opportunities. The proposed development plan will also foster a small residential community with connectivity to adjacent existing and future neighborhoods while contributing to Maui’s economic diversity and social fabric.



The objectives of the project are to:

- Provide greater diversity and flexibility of commercial space to attract both very small and large-scale employers;
- Provide light industrial space for south Maui business,
- Provide much needed residential rental housing in south Maui,
- Provide housing within walking distance of employment; and
- Reduce the project's energy demand through conservation and energy efficient design.

Three (3) alternatives to the Preferred Alternative (Proposed Plan) were considered. These alternatives are discussed below.

1. **No Action Alternative**

Under the no action alternative, existing entitlements would remain and the property could be developed as a 123-lot commercial and light industrial subdivision within the Petition Area. The owner/developer has determined that, based on current market conditions, the development of a 123-lot commercial and light industrial subdivision would not be economically feasible, and therefore, there exists a significant chance that the land would remain undeveloped under this alternative. According to the Maui Island Plan, residential and commercial land uses are predominately segregated within the Kihei-Makena Community plan region. Mixed-use neighborhoods centers are needed to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern.¹ Under this alternative, the project would not satisfy the Maui Island Plan.

Under the no action alternative, there would be no rental workforce housing, on-site recreational amenities, or opportunity to provide additional commercial and office space in advance of demand for south Maui as follows:

- ***Rental housing opportunities.*** The project will bring 226 multi-family rental units. Pricing for rental units is expected to be largely affordable for Maui Island residents.
- ***Opportunity to live within walking/biking distance of jobs, parks, shopping and schools.*** At build-out the Project will be located in close

¹ Maui County General Plan 2030, Directed Growth Plan, 8-27



proximity to the future Kihei High School. The proposed residential units will be within a short 5-minute walk from on-site commercial uses and employment.

- ***Parks and open space.*** The site plan proposes a 2 acre park and open space will be provided throughout the site between buildings. These areas will be accessible to the public in a manner that is not possible in the currently undeveloped condition.
- ***Infrastructure Improvements.*** The project proposes constructing a 1.0 MG public drinking water tank and providing land for a future MECO substation to provide electricity for the project and future surrounding planned development. In addition the project is providing an easement for future vehicular access to Ohukai Road to increase connectivity mauka of Piilani Highway.
- The Maui Island Plan calls for the development of over 3,000 residential dwelling units in Kihei planned growth areas to address future demand for housing. Associated with that growth will be the need for light industrial space for future small businesses, commercial and office space to address this future growth.

The no action alternative would also deprive the State, County and general public of the significant economic benefits associated with the Piilani Promenade, including an estimated:

- \$212 million in direct capital investment in the Maui economy during the build-out period;
- 878 “worker years” of direct on-site employment and \$66.5 million in total wages over a 12-15 year absorption period;
- 1,210 permanent jobs after build-out with an annual payroll of about \$36.6 million.
- \$2.3 billion base economic impact during build-out and \$348.7 million annually upon stabilization.
- \$210.7 million in net tax revenue (profit) during development and \$26 million per year to the State of Hawaii on an annualized basis thereafter.
- \$25.9 million in net tax revenue (profit) during the build-out period and \$2.2 million in annual net tax revenue (profit) to the County of Maui after the build-out period.

Potential benefits of the no action alternative would include: 1) no short-term construction-related impacts (such as construction noise, construction equipment



exhaust emissions and fugitive dust); 2) avoidance of additional infrastructure demands (water, wastewater flows, and solid waste disposal); 3) no increased Piilani Highway traffic impacts and associated infrastructure costs; and 4) less demand upon the region's coastal and inland parks and recreation facilities. The no action alternative would not add to regional population increases, or require any public services, such as parks and schools, to accommodate an increased population in the area.

For the following reasons, the no action alternative was rejected:

- Does not meet the objectives of the Piilani Promenade ownership;
- Would not address the current and future demand for residential, commercial, office and light industrial space needed for the future planned growth of south Maui;
- Would deny the entire region of many substantive benefits that would be implemented under the plan; and
- Would not provide the State, County and general public the significant economic benefits associated with the implementation of the Piilani Promenade.

In summary, the benefits associated with the no action alternative are far outweighed by the benefits to the community that the Proposed Project (Preferred Alternative) would bring.

2. No Residential Uses Alternative

An alternative to the proposed project (preferred alternative) could be to not allow residential uses in the Piilani Promenade. However, this alternative would allow for the development of additional light industrial and business/commercial uses and foreclose on the opportunity to develop a true mixed use project providing for housing and employment within close proximity. Under this alternative, business, retail and commercial uses, and support services, would be permitted.

Research of successful employment centers in other locations has shown that businesses and industries are attracted to locations offering a mix of uses and workforce housing opportunities. Residential development is an important component of the mixed use, complete community concept, and the Piilani Promenade may not be as attractive to future investors without the housing options proposed. Under this alternative, no affordable housing will be



provided within walking and biking distance of employment, thus not utilizing “smart growth” and “neo-traditional” planning principles. With no residential component, there will be less construction phase employment associated with the development of the Piilani Promenade, providing fewer economic benefits to the region and Maui at large. Additionally, there could be less long-term employment should the Piilani Promenade be less successful than it would otherwise be with the residential component.

Potential benefits of the no residential alternative would include: 1) avoidance of additional infrastructure demands (water, wastewater flows, and solid waste disposal); 2) less demand upon the region’s coastal and inland parks and recreation facilities. The no residential alternative would not add to regional population increases, or require public services, such as parks and schools, to accommodate an increased population in the area.

For the following reasons, the no residential uses alternative was rejected:

- Does not meet the objectives of the Piilani Promenade and Maui Island Plan;
- Would deny the entire region of many substantive infrastructure benefits that would be implemented under the preferred alternative; and
- Would not provide Maui residents with the opportunity for affordable rental housing.

In summary, the benefits associated with the no residential component alternative are far outweighed by the benefits to the community that the Proposed Project (Preferred Alternative) would bring.

3. Alternative Site

The final alternative considered is the Alternative Site option. This option would require that the owner/applicant find and develop another entitled property of a comparable size and location.

The positive impacts of the alternative site option are that in the short term the existing project site would remain vacant and open and the impacts of development will be felt in another location on Maui.



Potential benefits of the alternative site outside of Kihei would include: 1) avoidance of additional infrastructure demands (water, wastewater flows, and solid waste disposal); 2) reduction of future Kihei Upcountry Highway traffic impacts; and 3) less demand upon the region's coastal and inland parks and recreation facilities. Depending upon location, the alternative site option would not add to regional population increases, or require public services, such as parks and schools.

In the last few decades Kihei has become a significant urban center on the island of Maui; however a majority of businesses and retail services are located approximately 8 miles away in Kahului. Growth is planned for the area including a new high school and substantial residential development that will create need for jobs, services and retail/dining options, which the Piilani Promenade could provide. The proposed project is located centrally within Kihei to provide jobs, services and housing to the existing and future residents of Kihei. If the project was relocated the residents of Kihei would not benefit from the opportunity to stay within Kihei rather than driving to Kahului.

For the following reasons, the alternative site option was rejected:

- Does not meet the objectives of the Piilani Promenade and Maui Island Plan;
- Demand for police, fire, electrical and water services and roadway infrastructure would not change.
- Would not provide south Maui residents with the opportunity for affordable rental housing.
- Would not provide the first segment of the Kihei Upcountry Highway (KUH) and improvements to the intersection of Piilani Highway and Kaonoulu Street.

In summary, the benefits associated with the alternative site option are far outweighed by the benefits to the community that the Proposed Project (Preferred Alternative) would bring.



G. ENTITLEMENTS AND APPROVALS

<u>Permit / Approval Required</u>	<u>Responsible Authority</u>
Amendment of Decision & Order Docket No. A94-706	<u>State Land Use Commission</u>
<u>HRS Chapter 343 Compliance, Draft Environmental Impact Statement</u>	<u>State Land Use Commission</u>
<u>Final Environmental Impact Statement (EIS)</u>	<u>State Land Use Commission</u>
<u>Community Plan Amendment (CPA)</u>	<u>Maui Planning Commission & Maui County Council</u> (Note: Although the County of Maui has determined that the proposed project complies with the Kihei-Makena Community Plan (“KMCP”), and the Applicant’s position is that the proposed project complied with the KMCP, the Applicant recognizes that certain parties have asserted that an amendment to the KMCP is necessary for the project. If the Land Use Committee disagrees with the position of the County and Applicant and finds that an amendment to the KMCP is necessary, then, the Applicant recognizes that it may need to seek to amend the KMCP. This is further discussed in the Unresolved Issues section of this document.)
<u>Driveway Permit</u>	<u>Maui County, Public Works, Development Services Division</u>
<u>Building Permit</u>	<u>Maui County, Public Works, Development Services Division</u>



<u>Wastewater Discharge (Hookup) Permit</u>	<u>Maui County, Department of Environmental Management, Wastewater Division</u>
<u>Grading and Grubbing Permit</u>	<u>Maui County, Public Works, Development Services Division</u>
<u>NPDES Permit</u>	<u>State of Hawaii, DOH</u>
<u>Air Pollution Control Permit</u>	<u>State of Hawaii, DOH</u>
<u>Community Noise Permit</u>	<u>State of Hawaii, DOH</u>
<u>Easements for Utilities and Roadways</u>	<u>Various</u>
<u>Drainage Approval</u>	<u>Maui Department of Public Works, Engineering Division, and State of Hawaii, DOT</u>
<u>Permit to Perform Work Within the State ROW</u>	<u>State of Hawaii, DOT</u>



III. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATION MEASURES

A. PHYSICAL ENVIRONMENT

1. Surrounding Land Uses

Existing Conditions. The project area is located in the State Urban District (See: Figure 5. “State Land Use Map”) and is zoned for M-1, Light Industrial uses (See: Figure 6 “Maui County Zoning Map”). The site is designated for Light Industrial (LI) purposes by the Kihei-Makena Community Plan (See: Figure 7, “Kihei-Makena Community Plan Map”) and is intended for future urban development.

The project site is proximate to existing urban development in the area including a light industrial-zoned complex situated on State Urban District lands to the north of the site which includes a self-storage facility, a gasoline filling station, and business/commercial enterprises.

On the *mauka* or eastern side of the property are commercial agricultural uses and ranch lands which extend to Lower Kula. Kulanihakoī Gulch and the future Kihei High School lie to the south of the project site. Lands *makai* (west) of the project site include Piilani Highway, the Kaonoulu Estates residential subdivision, the Maui Lu Resort, and South Kihei Road.

In addition to land uses adjacent to the site, their State land use, zoning, and community plan designations are summarized below:

North:	<u>Community Plan:</u> Light Industrial, Rural, Single Family and Agriculture
	<u>State Land Use:</u> Urban
	<u>Zoning:</u> Light Industrial, Agricultural



Existing Uses: Gasoline Station, Light Industrial/commercial

South:

Community Plan: Agriculture

State Land Use: Agricultural, Urban

Zoning: Agricultural

Existing Uses: Kulanihakoi Gulch, Future Kihei High School site

East:

Community Plan: Agriculture

State Land Use: Agricultural

Zoning: Agricultural

Existing Uses: Commercial agricultural uses and Kaonoulu Ranch Lands

West:

Community Plan: Single-Family, Business and Multi-Family

State Land Use: Urban

Zoning: A-1 Apartment, R-1 & R-2 Residential

Existing Uses: Kaonoulu Estates Single-Family Residential subdivision

Potential Impacts and Mitigation Measures. The project area is designated for M-1, Light Industrial uses and Light Industrial (LI) purposes by Maui County zoning code and the Kihei-Makena Community Plan, respectively, and has thus been designated for future urban development.

To the east or *mauka* of the site lie Kaonoulu Ranch lands which are used for grazing purposes. Proper livestock fencing along the property boundary will ensure that grazing animals are kept separate from the site. The development of the Piilani Promenade will include the construction of a 1.0 MG water tank on approximately one (1) acre of land that will require use of existing Kaonoulu Ranch lands. The water tank will be fenced and will not impact mauka grazing lands.



The proposed development would include a variety of uses including light industrial, multi-family housing, commercial, office, retail and restaurants.

The development of the site is not expected to have a significant impact on the existing land uses *makai* of the site.

The proposed development will not impact or discharge stormwater runoff into the Kulanihakoi Gulch and would provide additional housing in close proximity to the planned Kihei High School.

As previously mentioned the lands *makai* and across the highway from the project site include Kaonoulou Estates, a mixture of single and multi-family residential development. The Piilani Promenade will help achieve and sustain the County's goal of creating greater economic diversification while ensuring that housing and support services are in close proximity to jobs. The uses proposed for the Piilani Promenade are compatible with other lands uses within the State Urban District.

2. Topography and Soils

Existing Conditions. The project site is *mauka* of Piilani Highway and lies in an area of Kihei that is currently undeveloped and is characterized by pasture land with minimal vegetation.

Elevations across the project area range from approximately 123 feet above Mean Sea Level (MSL) at the mauka (East) property boundary to approximately 30 feet MSL along the property's Piilani Highway frontage. The project site has an average slope of 4 percent and includes an unnamed natural drainageway (Drainageway "A") that runs in a northeast-to-southwest direction across the site before converging with the main stem of Kulanihakoi Gulch *makai* of Piilani Highway. The offsite 1.0 MG water tank is located 234 feet above Mean Sea Level (MSL).

As described in the *Soil Survey of the Islands of Kauai, Oahu, Maui, Molokai, and Lanai, State of Hawaii*, two (2) different soil types underlie the subject property (See: Figure 8, "Soil Map"). "Waiakoa extremely stony silty clay loam", 3 to 25 percent slopes, eroded (WID2), is characterized by medium runoff and severe erosion hazard if left exposed, with at least half the surface layer eroded in most areas. The southwestern portion of the property may contain Alae sandy loam, 3 to 7 percent slopes (AaB). Alae Series soil consists of excessively drained soils on



alluvial fans on the island of Maui. These soils developed in volcanic ash and recent alluvium derived from basic igneous rock. Runoff is slow and the erosion hazard is slight.

Potential Impacts and Mitigation Measures. The development of the Piilani Promenade will require will require site grading for the project's buildings and infrastructure and to create a level roadway for the future KUH. The project Civil Engineer will update the grading plan for the project site as the conceptual site plan is refined and building pad locations are identified.

During site preparation, storm runoff from the site will be controlled in accordance with the County's "Soil Erosion and Sediment Control Standards". Typical mitigation measures include appropriately stockpiling materials on the site to prevent runoff, and commencing building construction and/or establishing landscaping as early as possible in order to minimize the length of exposure of disturbed soils.

Potential impacts to the land form include the soil erosion and the generation of dust during construction. Clearing and grubbing activities will temporarily disturb the soil retention values of the existing vegetation and expose soils to erosion forces. Some wind erosion of soils could occur without a proper watering and re-vegetation program.

Measures taken to control erosion during the site development period may include, but are not limited to:

- Minimizing the time of construction;
- Retaining existing ground cover as long as possible;
- Constructing drainage control features early;
- Using temporary area sprinklers in non-active construction areas when ground cover is removed;
- Providing a water truck on-site during the construction period to provide for immediate sprinkling as needed;
- Using temporary berms and cut-off ditches, where needed, for control of erosion;
- Watering graded areas when construction activity for each day has ceased;
- Grassing or planting all cut and fill slopes immediately after grading work has been completed; and



- Installing silt screens where appropriate.

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

After construction, the establishment of permanent landscaping will provide additional long-term erosion control.

3. Natural Hazards

Existing Conditions. Natural hazards impacting the Hawaiian Islands include hurricanes, tsunamis, volcanic eruptions, earthquakes, and flooding.

Seismic hazards are those related to ground shaking. Landslides, ground cracks, rock falls, and tsunamis are all seismic hazards. Engineers and other professionals have created a system of classifying seismic hazards on the basis of the expected strength of ground shaking and the probability of the shaking actually occurring within a specified time. The results are included in the Uniform Building Code (UBC) as seismic provisions.

The UBC seismic provisions contain six seismic zones, ranging from 0 (no chance of severe ground shaking) to 4 (10 percent chance of severe shaking in a 50-year interval). Kauai County is located in Zone 1, the City and County of Honolulu is in Zone 2A, the County of Maui is in Zone 2B, and the County of Hawaii is in Zone 4.

In addition to seismic hazards, devastating hurricanes occur and have impacted Hawaii twice since 1980: Hurricane Iwa in 1982 and Hurricane Iniki in 1992. While it is difficult to predict these natural occurrences, it is reasonable to assume that future events could be likely given the recent record.

Tsunamis are large, rapidly moving ocean waves triggered by a major disturbance of the ocean floor, which is usually caused by an earthquake but sometimes can be produced by a submarine landslide or a volcanic eruption. About 50 tsunamis have been reported in the Hawaiian Islands since the early



1800s, including the most recent tsunami as a result of the March 2011 earthquake in Japan. The Piilani Promenade is located beyond the Civil Defense Agency's Tsunami Evacuation Zone.

Volcanic hazards are not a concern in the South Maui area due to the dormant status of Haleakala.

In Hawaii, most earthquakes are linked to volcanic activity, unlike other areas where a shift in tectonic plates is the cause of an earthquake. Each year, thousands of earthquakes occur in Hawaii, the vast majority of them so small they are detectable only with highly sensitive instruments. On October 16, 2006, a 6.7 magnitude earthquake struck on the underwater segment of the major rift zone of the Hualalai volcano on the northwest side of the Island of Hawaii. The earthquake caused rockslides and some damage to roadways on Maui.

Flood hazards are primarily identified by the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency's (FEMA), National Flood Insurance Program. According to the Federal Insurance Rate Map (FIRM) Panel 1500030580E and 0586E, September 25, 2009 the Piilani Promenade is located in Zone X, which represents an area beyond the limits of a flood hazard (See: Figure 9, "Flood Map").

Potential Impacts and Mitigation Measures. The project site is not located beyond the limits of a flood hazard and is located approximately 0.5 miles from the coastline, therefore the proposed project is not anticipated to be affected by natural hazards such as storms events or tsunamis.

Any structures built within the Piilani Promenade will be constructed in accordance with the Building Code adopted by the County of Maui.

4. Hazardous Substances

Existing Conditions. A Phase I Environmental Site Assessment (ESA) of the Piilani Promenade site was prepared by Malama Environmental, LLC. (MEV) in December 2013. (See: Appendix B, "Environmental Site Assessment"). The investigation and report format follows the guidelines of the American Society of Testing and Materials (ASTM) Publication E1527-05, which is recognized by 40 CFR Part 312 as an acceptable guidance document for satisfying the EPA's final "All Appropriate Inquiries" rule.



After a review of records the ESA noted that there were no current investigations of the site under any Federal, State, or local environmental agency. Two (2) potential risk sites, listed as State hazardous Waste Sites (SHWS) were identified within a 1-mile radius of the project site.

1. Selland Construction Inc. located at 454 Ohukai Road had a confirmed diesel fuel and oil release in 1994 due to overfill of maintenance equipment when the area was called "Ohukai Baseyard". This area is now a residential subdivision.
2. Kihei Chevron located at 1281 S. Kihei Road is listed as a SHWS due to a station spill.

The field survey was conducted on July 23, 2013 and focused on identifying physical recognized environmental conditions on the property and assessing the property in relation to surrounding land uses and natural surface features. The following observations were made during the field survey:

- The majority of the subject property was historically used for cattle grazing and ranch land during the ownership of Kaonoulu Ranch.
- The Monsanto Seed Farm is located north east of the proposed utility and waterline easements.
- A small portion of the northwest corner of the site is a gravel staging area, previously used as a construction baseyard for the adjacent gas station and commercial properties.
- Several boulders debris piles were noted near the above mentioned baseyard. No hazardous substances were found.
- No bulk hazardous/regulated substances are currently stored on-site.

Potential Impacts and Mitigation Measures. The ESA found no evidence of recognized environmental conditions in connection with the property. Additionally MEV does not believe the two (2) potential risk sites would have environmentally and adversely affected the subject property due to their distance from the Piilani Promenade site and the down gradient proximity. However, the Shell Station, which was constructed in 2007 and is located immediately adjacent to the northwestern corner of the project site, is not listed as a UST site. Due to the close proximity and slightly higher elevation of the gas station with respect to the survey area, this facility may pose a negative impact to the environmental



condition of the subject property if a leak in the underground storage tanks should occur in the future.

The ESA stated that there was no evidence of historic or current significant misuse of hazardous or regulated substances and or petroleum products on the subject property (See: Appendix B, "Environmental Site Assessment")

The remaining potential concerns identified by the ESA such as illegal solid waste dumping are limited in scope and will be mitigated prior to or during project development. No impacts from hazardous substances are anticipated at the site based on the conclusions of the Phase I ESA. (See: Appendix B, "Environmental Site Assessment")

5. Flora and Fauna

Existing Conditions. Botanical and Faunal Surveys were conducted for the Piilani Promenade site by Mr. Robert W. Hobdy in July 2013. (See: Appendix C, "Botanical and Fauna Surveys").

Formerly, the project site was a dry, seasonal pasture situated on gently sloping lands above the coastal plain in north Kihei. For the past 150 years, the area has been grazed by livestock which has resulted in a gradual loss of native plant species and the subsequent growth of hardy pasture grasses and weeds. During the past 40 years introduced axis deer (*Axis axis*) have eliminated native plants and fires have swept through the area as evidenced by charred stumps throughout the property.

The site is now dominated by two (2) non-native species, Kiawe trees (*Prosopis pallida*) and buffelgrass (*Cenchrus ciliaris*). These two (2) species make up more than 95 percent of the plant cover. The Kiawe trees create an open woodland area cross the entire property with denser growth along the rocky gully. The buffelgrass forms an almost uniform grassland area between and underneath the trees. All other plant species were uncommon on the property. Small parts of the property had bare patches of soil and surface stones.

A total of ten (10) species of plants were recorded during the survey. Of these two (2) were native Hawaiian species, ilima (*Sida fallax*) and uhaloa (*Waltheria indica*). Both are indigenous to Hawaii as well as other countries and both are widespread and of common occurrence in Hawaii.



No Federally listed endangered or threatened native plants were encountered during the course of the botanical and fauna survey. No special habitats or rare plant communities were seen on the property.

Four (4) mammalian species, seven (7) non-native bird species, and six (6) insect species were observed. Using sight survey and a bat listening device, the surveys found no evidence of the Hawaiian hoary bat (*Lasiurus cinereus semotus*). The bat is the only land mammal native to the Hawaiian Islands. The report also found no evidence of the Blackburn's sphinx moth (BSM). The BSM (*Manduca blackburni*) is Hawaii's largest native insect.

Potential Impacts and Mitigation Measures. The vegetation is dominated by non-native plants, and no rare or protected species occur on or adjacent to the property. The proposed land uses are not expected to have a significant negative impact on the botanical resources in this part of Maui. The development will incorporate native dry-land plants into the landscape design of the completed project.

The sighting of six (6) endangered Nene geese flying over the project area was recorded in the inventory, but has to be considered tangential in nature and not an indication of use of this habitat by these birds. There are no food or water resources that would lure the birds to feed or rest here.

No Hawaiian bats were recorded on the project area nor were any Blackburn's sphinx moths or their larvae found. The total lack of their required host plant species on the project site effectively prohibits their use of this habitat.

No native birds were found on the property and none are expected in this habitat. However, since birds fly over these lowland areas to burrows higher up the mountain, outdoor lights will be downward directed and shielded as required by the Maui County Code.

6. Air Quality

Existing Conditions. The air quality in the South Maui area is generally good. Existing impacts to air quality include periodic increase in particulates from distant volcanic emissions (Vog) and possibly occasional localized impacts from traffic congestion or agricultural activities.



Both Federal and State standards have been established to maintain ambient air quality. Seven parameters are regulated: particulate matter, sulfur dioxide, hydrogen sulfide, nitrogen dioxide, carbon monoxide, ozone, and lead. State of Hawaii air quality standards are either equally or more stringent than the comparable national standards.

Potential Impacts and Mitigation Measures. An Air Quality Study (AQS) will be prepared for the Final EIS (FEIS). The AQS will be prepared with the results of the revised TIAR based on comments from the Department of Transportation. In addition to examining potential short- and long-term air quality impacts that could result from the construction of the project and post-development land uses, the AQS will provide suggestions to mitigate potential air quality impacts where possible and appropriate.

7. Noise Quality

Existing Conditions. Ambient noise levels are an important indicator of environmental quality. In an urban environment, noise is primarily generated by vehicular traffic, air travel, heavy machinery, construction activities, and heating and cooling systems. The ramifications of various activities and their corresponding sound levels may impact health conditions and the physical or sensory appeal of an area.

An Acoustic Study (February, 2014) was prepared by Y. Ebisu & Associates to describe the existing and future traffic noise levels in the environs of the proposed Piilani Promenade. Traffic noise level increases and impacts associated with the proposed project were determined within the project site and along public roadways servicing the development. The Acoustic Study assumes the proposed project will be build out in 2018. (See: Appendix E, "Acoustic Study")

The existing traffic noise levels in the project environs along Piilani Highway are in the "Significant Exposure, Normally Unacceptable" category, and at or greater than 65 DNL (Day-Night Average Sound Level) at the first row of existing homes on the *makai* side of the highway. The existing traffic noise levels in the project environs along South Kihei Road are in the "Significant Exposure, Normally Unacceptable" categories, and at or greater than 65 DNL within 60 to 63 feet of the roadway's centerline. Along the lower volume connector streets, existing



noise levels are in the “Moderate Exposure, Acceptable” category, and less than 65 DNL at 50 feet or greater distance from the roadways’ centerlines.

Potential Impacts and Mitigation Measures. Chapter 7 of the Acoustic Study reports that increases in future traffic noise levels of 0.2 to 0.8 DNL are expected along Piilani Highway in the project environs by 2018 as a result of project-related traffic. The growth in non-project traffic by 2018 is predicted to result in traffic noise level increases of 0.6 to 0.8 DNL along Piilani Highway. The largest total increase (1.7 to 2.6 DNL) in traffic noise level is anticipated to occur along Kaonoulu Street. Adverse traffic noise impacts along Kaonoulu Street are not expected to occur since existing traffic noise levels are very low, and the addition of both project plus non-project traffic is not expected to cause traffic noise to exceed 65 DNL at existing residences along Kaonoulu Street, therefore traffic noise mitigation measures is not required for the existing residences.

The project site will be designed such that residential uses within the project are situated at adequate setback distances from the future Kihei Upcountry Highway to eliminate the need for traffic noise mitigation measures. The Applicant will inform future residents of the potential for high noise levels due to existing light industrial activities to the north of the project site.

Unavoidable, but temporary, noise impacts may occur during construction of the proposed project, particularly during the earth-moving activities on the project site. While construction activities are predicted to be audible within the project site and at nearby properties the quality of the acoustic environment may be degraded to unacceptable levels during periods of construction. Mitigation measures to reduce construction noise to inaudible levels will not be practical in all cases. Notwithstanding this, the project will comply with State Department of Health noise regulations for construction activities. As stipulated by DOH permit requirements, noise-generating construction activities are not allowed on Sundays and holidays, during the early morning, and during the late evening and nighttime periods.

8. Historical and Archaeological Resources

Existing Conditions. An Archaeological Inventory Survey (AIS) was previously undertaken and completed by Xamanek Researches in July 1994. A total of 20 sites were located during the 1994 AIS of the 88-acre property. Of these sites there were eight (8) rock piles and cairns, two (2) enclosures, three (3) parallel alignments, one (1) erosion containment wall segment, five (5) surface scatters,



and a petroglyph on a boulder. These sites were designated 50-50-10-3727 through 3746. The majority of the sites were associated with ranching and World War II military activities, while the petroglyph and surface scatter remains were interpreted as possible pre-contact sites. The petroglyph boulder (Site 3746) was relocated to the property of a former land owner after the 1994 AIS with a relocation study completed and with the approval of the State Historic Preservation Division. **Note:** The 1994 AIS is included as an Appendix in the 2014 AIS. (**See:** Appendix F, “Archaeological Inventory Survey 2014”)

In connection with the proposed project, the Applicant retained Xamanek Researches to update the 1994 AIS to include the project area and areas included for off site improvements. The purpose of the updated AIS (March 2014) was to determine the presence/absence of archaeological midden, deposits, and/or artifact deposits on the surface of the parcels and to assess the potential for the presence of subsurface cultural deposits. (**See:** Appendix F, “Archaeological Inventory Survey 2014”).

During the consultation process questions were raised as to the presence of historical sites within Kulanihakoi Gulch and the need for additional survey work to assess the presence of possible sites. In response to this request, the Applicant contacted Kaonoulu Ranch and received their approval to submit an SHPD accepted AIS (2008) done for the area south of the project boundary including the gulch area adjacent to and mauka of the project area. The 2008 AIS indicates that no resources were found in the area fronting the property on either side of the Kulanihakoi Gulch. (**See:** Appendix G, “Kulanihakoi Gulch AIS dated 2008”).

Potential Impacts and Mitigation Measures.

The significance assessments for Sites 50-50-10-3727 through 3746 remain the same, while data recovery is the recommended mitigation for several of the remaining sites. A forthcoming data recovery plan will be developed for Sites 3727, 3728, 3735, 3736, and 3741-3745.

The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (**See:** Appendix F, “Archaeological Inventory Survey”).



A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing the return of the petroglyph boulder and potential impacts to Kulanihakoi Gulch, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and the previously removed petroglyph stone be returned to the property. The Applicant has discussed the possible return of the petroglyph stone and the owner rejected this request given the fact that the relocation plan was submitted and approved by SHPD. In addition, an archaeological monitoring plan was submitted to SHPD for review and approval, was approved and referenced for all recent work on the site. The monitoring plan may be found in Appendix H and will be updated once project construction is initiated. (See: Appendix H, "Archaeological Monitoring Plan").

9. Visual Resources

Existing Conditions. The project site is located in North Kihei along the southern flank of Haleakala. Elevations on the project site range from 30 feet above mean sea level near Piilani Highway to approximately 115 feet AMSL. The project site lies between existing light industrial development to the north of the site and Kulanihakoi Gulch which defines the southern boundary of the site (See: Figure 1, "Regional Location Map").

Scenic resources that are visible from certain areas in the Kihei region include the West Maui Mountains to the north, Haleakala to the east, Pu`u Olai to the south, and the Pacific Ocean and offshore islands of Molokini, Kaho`olawe, and Lana`i to the west.

Potential Impacts and Mitigation Measures. The Maui Coastal Scenic Resources Study (August 31, 1990) was prepared by Environmental Planning Associates, Inc. on behalf of the Maui Planning Department. The proposed Piilani Promenade is located in an area which is largely characterized by open space views on the *mauka* side of Piilani Highway (See: Figure 10, "Scenic Resources Map"). Most of these lands are owned by Haleakala Ranch and Kaonoulou Ranch and have been used for cattle grazing although the project site has been designated for urban use and development by the Kihei-Makena Community Plan for over 20 years.



The project site is to the Piilani Highway. Building heights within this area are limited to 60 feet. The site plan and building layout for the Piilani Promenade will be designed to preserve the view towards Haleakala from Piilani Highway. In addition the project will be setback from Piilani Highway and the future KUH and will also be buffered by landscape planting.

The proposed project will transform the character of the site from its existing large lot-only approved design to mixed-used development consisting of retail, office, business/commercial, light industrial, multi-family (226 apartment units), and public/quasi-public (park, MECO substation) uses, as well as pedestrian and bicycle networks. The project will set forth building height limits and setbacks in order to help maintain views towards the summit of Haleakala and the Pacific Ocean. In addition the open space areas incorporated into the Piilani Promenade will provide view corridors in between buildings toward the Pacific Ocean and Haleakala.

With regard to design, the proposed project will complement the high quality architectural character as other developed properties in the area. The Piilani Promenade is being designed to control the density, architectural design, and variation of all buildings in the project without sacrificing views or the aesthetic character of the proposed project. As noted, the maximum building height within the Project will be 60 feet and buildings will be setback from Piilani Highway to maintain public views towards the summit of Haleakala from Piilani Highway. Overall urban design of the project will position buildings fronting landscaped roadways to screen the massing of the buildings.

All buildings within the Piilani Promenade will be designed in accordance with the applicable Maui County building code standards.

10. Agricultural Resources

Existing Conditions. The project site is located in the State Urban District, the County's M-1, Light Industrial Zoning District, and is designated for Light Industrial (LI) use by the 1998 Kihei-Makena Community Plan.



LSB. In 1967 The University of Hawaii, Land Study Bureau (LSB), developed the Overall Productivity Rating, which classifies soils according to five (5) levels, ranging from “A”, representing the class of highest productivity soils, to “E”, representing the lowest.

The lands underlying the project site are classified as “E”, or very poorly suited for agricultural production. (See: Figure 11, “Land Study Bureau Map”).

ALISH. In 1977, the State Department of Agriculture developed a classification system to identify Agricultural Lands of Importance to the State of Hawaii (ALISH). The classification system is based primarily, although not exclusively, upon the soil characteristics of the lands. The three (3) classes of ALISH lands are: “Prime”, “Unique”, and “Other”, with all remaining lands termed “Unclassified”. When utilized with modern farming methods, “Prime” agricultural lands have a soil quality, growing season and moisture supply necessary to produce sustained crop yields economically. “Unique” agricultural lands possess a combination of soil quality, growing season, and moisture supply to produce sustained high yields of a specific crop. “Other” agricultural lands include those that have not been rated as “Prime” or “Unique” but are still considered important agricultural lands.

The ALISH system classifies the majority of the project site as “Unclassified”. A 3-acre portion of the project site, located by the southwest corner of the site, is classified as “Prime”. (See: Figure 12, “Agricultural Lands of Importance to the State of Hawaii Map”).

Potential Impacts and Mitigation Measures. The LSB and ALISH classification systems indicate that the lands underlying the project site possess poor soil and low soil ratings for productive agricultural uses. As such, the utilization of these poorly-rated agricultural lands for urban use and development is deemed appropriate.

A Phase I Environmental Site Assessment (ESA) for the proposed project found no presence of any fertilizers, herbicides, pesticides, or other types of agricultural products which may have been used on the site or the presence of any hazardous substance or petroleum products on the property.

In addition, there is no evidence of any historic or current significant misuse of hazardous or regulated substances on the subject property (See: Appendix B, “Environmental Site Assessment”). While the proposed project will result in the



loss of low-quality agricultural land, the inventory of good quality, productive agricultural lands will not be affected. the supply of good farmland of which there is also a large supply. As such, the proposed project is not expected to impact the long-term viability or growth of agriculture on the island of Maui.

11. Groundwater Resources

Existing Conditions. Drinking water for the proposed project will come from the network owned and operated by the Maui Department of Water Supply (DWS). Water for the Central Maui Water System is pumped from existing groundwater wells located in upper Waiehu and North Waihee which draws groundwater from the Iao and Waihee Aquifers.

The Piilani Promenade has an agreement with the DWS to construct a 1.0 million gallon (MG) water storage tank which will serve the future needs of the project and South Maui. Three 3-inch domestic water meters have been approved and are available for the project. The combined flow capacity of these meters is 1,050 gallons per minute (gpm) which exceeds the approximately 600 gpm of flow capacity which the Piilani Promenade will need to build out the project. Consequently, no additional potable water sources beyond the County-issued water meters are anticipated in order to construct and operate the Piilani Promenade (See: Appendix L, Preliminary Engineering Report")

The State Commission on Water Resource Management approved an irrigation well permit for a well built in 2011 at a wellhead elevation of 118 feet. The well has proven to be capable of producing 216,000 gallons of non-drinking water per day and a permanent pump (150 gpm) has since been installed. Construction of the distribution infrastructure for the irrigation system is currently pending. When permanent electrical power is available, the well will be used for landscape irrigation. In addition, a connection point for utilizing reclaimed water from the County's R-1 system in the future will be provided (See: Appendix L, Preliminary Engineering Report").

Potential Impacts and Mitigation Measures. The Applicant retained Marine Research Consultants, Inc. to prepare a Baseline Assessment of Marine Water Chemistry and Marine Biotic Communities. The purpose of the report was to assess potential impacts to groundwater and the marine environment as a result of the proposed project. In connection with this work, water quality testing was



conducted and the underwater biotic composition along the Kihei coastline was analyzed.

The findings of the report indicate that the proposed project will not have any significant negative effect on water quality. (See: Appendix J, “Baseline Assessment of Marine Water Chemistry and Marine Biotic Communities Report”)

B. SOCIO-ECONOMIC ENVIRONMENT

1. Population

Existing Conditions. The population of the County of Maui has exhibited relatively strong growth from 2000-2010. The population increased from 128,241 in 2000 to 154,924 residents in 2010. The Maui Island population is projected to increase to 181,017 in 2020 and 207,307 in 2030.²

The proposed project site is located in Kihei, a Census Designated Place (CDP). In 2010 the population of the Kihei CDP was 20,881 residents.

In addition to the resident population, for the year 2010 the Maui County Planning Department projects that the Maui Island average visitor census is 49,476 people. Approximately 21,621 (43 percent of total) of these visitors are in the Kihei-Makena region.³ Currently the property does not contain any residents.

Potential Impacts and Mitigation Measures. An Economic and Fiscal Impact Assessment was prepared for the Project by The Hallstrom Group Inc. in December 2013. (See: Appendix H, “Economic and Fiscal Impact Assessment”). When fully built out, the total resident population of the multi-family developments is projected to be 607 persons. After completion the mixed use project could support an estimated 1,210 permanent jobs.

1. ² *Maui County Data Book, 2012*

2. ³ *Maui County Planning Department 2006*



The projected population increase as a result of 226 apartment units is relatively small when compared to other proposed projects in South Maui such as the MRTTP (1,250 units); however the project will result in a small increased population which will use local streets, recreation facilities, and other public services such as schools, and fire and police protection services. The Piilani Promenade will contribute to various assessment and impacts fee programs as required to offset impacts associated with the proposed project.

2. Housing

Existing Conditions. For a variety of reasons, there has been a generally high appreciation of real estate prices on Maui since the early 1970s. At the same time, the population has expanded significantly, leading to high demand for residential units.

Median home prices have increased over the last year. In March 2014, the median sales price of a single-family home on Maui was \$596,000, a 15% percent increase from the March 2013 median sales price of \$508,000. In the Kihei area, median home prices have increased substantially over the past year from \$489,550 in March 2013 to \$817,500 in March 2014.⁴

The median family income for the island of Maui (except for Hana) is \$75,800.00 based on income data provided by the U.S. Department of Housing and Urban development, adjusted for Maui County. As home prices increase more residents are seeking rental options. The Department of Housing and Human Concerns has indicated there is a need for rental units in Kihei.

According to the Economic and Fiscal Impact Assessment prepared for the Project (**See:** Appendix H), the demand for new residential units in the Kihei-Makena Corridor will be from 7,250 to 11,500 units over the next 22 years (through 2035).

Potential Impacts and Mitigation Measures.

The proposed project includes the construction of 226 rental housing units, of which a required percentage will be rented at an affordable rate determined by

3. ⁴ Realtors Association of Maui, April 2014.



the Maui County Department of Housing and Human Concerns. In response to comments from the Hawaii Housing Finance and Development Corporation the apartment units will be a mix of one and two bedroom units and are targeted at the full spectrum of workers in the development. The units will be rented for a range of consumer groups, including workforce affordable units. The exact rental prices for the units and allocation of units by income is unknown at this time and will be determined after the environmental review process and when the project is ready for construction. The project will comply with the affordability requirements of Chapter 2.96 MCC (Residential Workforce Housing Policy).

As mentioned above there is a demand for new residential units in the Kihei-Makena region especially rental units, therefore it is anticipated that long-term regional growth of south Maui will support the proposed 226 apartments at the project site.

3. Economy

Existing Conditions. An Economic and Fiscal Impact Assessment was prepared for the Project by The Hallstrom Group Inc. in December 2013. (See: Appendix K, "Economic and Fiscal Impact Assessment"). Hawaii has steadily rebounded from the 2008-09 recession and associated down-cycle in the real estate market with Maui and Oahu showing the strongest recovery. Unemployment in Maui County has dropped to a current level of 4.5 percent to a high of 9.1 percent during the 2008-09 recession. In addition median household income has grown two percent in each of the last two years, leasing of commercial and industrial space has shown strong gain in 2013.

Maui currently has some 16.1 million square feet of "commercial" floor area, including light industrial, retail and office uses, or about 108.8 square feet per resident, which is lower than the U.S. average of 138.8 square feet per resident. The Kihei -Makena region currently has 1.8 million square feet of commercial space, which is an average of 63.4 square feet per resident. The Economic and Fiscal Impact Assessment estimates that there will be a demand for an additional 936,000 to 1,505,000 square feet of leasable commercial floor space in Kihei-Makena region by 2035.

Contending with Maui's high cost of living, most households support themselves on two or more jobs and many are forced into renting housing. According to the



Department of Business, Economic Development and Tourism, the median household income is \$64,583.⁵ Rental housing in Kihei is under-supplied, with low vacancies and is a result of the focus of developers on upper-end housing which usually includes high land and construction costs. The Economic and Fiscal Impact Assessment estimates the projected demand for new residential units in Kihei-Makena is 7,250 – 11,500 units through 2035.

According to the Maui Island Plan (December 2012), diversifying Maui's economy has been a key, longstanding County policy. The Economic Development chapter of the plan includes the following statement in its analysis of the island's challenges and opportunities:

"The Island of Maui, like the County as a whole, faces two fundamental challenges in economic development: (1) diversification; and (2) increasing the number and proportion of living wage jobs. There is a subset of more specific challenges, such as the high cost of housing and the need to strengthen public education".

Potential Impacts and Mitigation Measures. Over the past 20 years the Maui light industrial sector has evolved and the initial conceptual plan of 123 small lots to support approximately 900,000 SF of business floor area and is no longer valid in today's market. The updated Piilani promenade project proposes a smaller development at 530,000 square feet of business commercial space, and 60,000 square feet of light industrial space, and the 226 multi-family units. Therefore it is anticipated that this development is more appropriate and will be successful in current and future market conditions.

The construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 "worker years" of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will provide direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After "stabilization," the Piilani Promenade is envisioned to support 1,210 permanent

⁵ Maui County Data Book, 2012.



jobs with an annual payroll of about \$ 36.6 million. (See: Appendix K, “Economic and Fiscal Impact Assessment”).

During the build out period, the project will generate approximately \$2.3 billion in economic activity. After completion and stabilization of the project, the onsite businesses will generate approximately \$348.7 million in revenues/sales per year. (See: Appendix K, “Economic and Fiscal Impact Assessment”).

The State of Hawaii will receive \$210.7 million in net tax revenue (profit) during development of the project and \$26 million per year to the State on an annualized basis thereafter. The project will generate \$25.9 million in net tax revenue (profit) during the build-out period and \$2.2 million in annual net tax revenue (profit) to the County of Maui after the build-out period.

In summary, the Piilani Promenade will create jobs for residents, which will in turn have a positive impact on the rest of the Maui economy. Piilani Promenade will contribute to the standing of South Maui as a destination for business by offering quality, well-located, building parcel inventory capable of supporting a wide variety of commercial and light industrial use types meeting the demands of companies seeking an accessible location in Kihei.

4. Cultural Resources

Existing Conditions. Hana Pono LLC. prepared a Cultural Impact Assessment (CIA) for the Piilani Promenade to identify historical and current cultural uses of the project area and to assess the impact of the proposed action on the cultural resources, practices, and beliefs. The CIA was conducted in accordance with the State of Hawaii Office of Environmental Quality Control (OEQC) guidelines for Assessing Cultural Impact Assessments.

The project site is located in the Kula Moku and the Waiohuli and Kaonoulu ahupua’a. The area of Kihei that includes the project site has been severely disturbed from its original and unaltered state for many decades, by the effects of grazing cattle and the construction of ranch roads, county roads and the construction of Piilani Highway. The CIA indicates that any resources or practices occurring traditionally in the area are no longer existent and would have been obliterated. (See: Appendix I “Cultural Impact Assessment Report”)

Interviews with individuals (*kapuna/makua*) knowledgeable about the lands of the Kaonoulu ahupua’a were conducted in 2006 and 2013 by Hana Pono LLC.



as part of the CIA. The oral history interviews were conducted in order to collect information on possible pre-historic and historic cultural resources associated with these lands, as well as traditional cultural practices (See: Appendix I “Cultural Impact Assessment Report”).

A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing the return of the petroglyph boulder and potential impacts to Kulanihakoi Gulch, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and the previously removed petroglyph stone be returned to the property. The Applicant has discussed the possible return of the petroglyph stone and the owner rejected this request given the fact that the relocation plan was submitted and approved by SHPD. In addition, an archaeological monitoring plan was submitted to SHPD for review and approval, was approved and referenced for all recent work on the site. The monitoring plan may be found in Appendix H and will be updated once project construction is initiated. (See: Appendix F, “Archaeological Inventory Survey”).

Potential Impacts and Mitigation Measures. The CIA reports that the proposed project has no significant effects to cultural resources, beliefs, or practices. From a cultural practices and beliefs perspective, the subject property bears no apparent signs of cultural practices or gatherings currently taking place. The oral history interviews did not reveal any known gathering places on the subject property or any access concerns as a result of the proposed project. Therefore it can be concluded that development of the site will not impact cultural resources on the property or within its immediate vicinity.

C. PUBLIC SERVICES

1. Recreational Facilities.

Existing Conditions. Sub-regional parks include mini-, neighborhood, and district/community parks. Most parks within the South Maui area are located along the coast, and are mainly beach parks with few recreational facilities. Phase I of the South Maui Community Park was completed and opened in 2011, significantly adding to Kihei’s inventory of regional park acreage.



The following County public parks and community centers are currently available in the region:

- South Maui Community Park, Phase I;
- Charley Young Park;
- Cove Park;
- Hale Piilani Park;
- Haycraft Park;
- Kalama Park;
- Kalepolepo Park;
- Kamaole Beach Park (I, II, III);
- Kenolio Recreation Complex;
- Keonekai Park;
- Kihei Aquatic Center;
- Kihei Beach Reserve / Waipuilani Park;
- Kihei Community Center;
- Kilohana Park;
- Mai Poina Park / Maipoina OE IAU Beach Park;
- Piikea Park; and
- Poolenalena Park / Chang's Beach.

In addition to County parks, Makena State Park is located in the Kihei-Makena region, encompassing 164-acres of scenic beach park. Numerous recreational facilities, including golf courses and tennis courts, are also present within the region's private hotels.

Potential Impacts and Mitigation Measures. A number of existing park facilities, including South Maui Community Park, Kihei Aquatic Center, Kihei Community Center, Kalama Park, and Charley Young Park are within close proximity to the project site.

On-site park space will include a central neighborhood park, totaling approximately two (2) acres and small open spaces throughout the development. The owners of the project will comply with the requirements for Parks and Playgrounds, pursuant to Maui County Code Section 18.16.320. The park assessment requirements are designed to mitigate the incremental impact that new development places upon the region's park facilities. As such, the Piilani Promenade is anticipated to positively impact recreational facilities by providing an approximately 2-acre park site adjacent to the proposed Apartments.



2. Medical Facilities

Existing Conditions. Maui Memorial Medical Center, located in Wailuku and approximately 10 miles from the project site, is the island's only acute care hospital. This 240-bed facility provides acute, general, and emergency care services. Various private medical offices and facilities are located in the South Maui area including Kihei Clinic and Wailea Medical Service, Kihei Pediatric Clinic, Kihei Physicians, the Kihei-Wailea Medical Center, Maui Medical Group, and Kaiser Permanente.

Potential Impacts and Mitigation Measures. The Project will produce an increase in the population of the immediate area. The increase in population will produce a marginal increase in demand for physicians, dentists, nurses, mental health personnel, and hospital beds. In the context of the overall population growth for the island, the proposed project is not anticipated to produce an overall significant impact to the island's medical facilities.

The Piilani Promenade commercial areas will provide the opportunity for expanded services, such as medical and dental offices to serve the central Kihei area.

3. Police and Fire Protection Services

Existing Conditions. The Maui Police Department is headquartered at the Wailuku Police Station on Mahalani Street. The Piilani Promenade falls within the Maui Police Department's Kihei Patrol District 6 (Ma'alaea, Kihei, Wailea, Makena). This police district is served by the recently completed Kihei District Police Station located at the intersection of Piilani Highway and Kanani Road, approximately 1.5 miles south of the project site.

There are two fire stations servicing South Maui; Wailea Fire Station and Kihei Fire Station. The Kihei Fire Station is located near Kalama Park on South Kihei Road, about 1.5 miles from the project site, sufficiently proximate to provide adequate fire service to the site.

Potential Impacts and Mitigation Measures. The Project will produce a minimal increase in the population of the immediate area. The increase in population will



produce a marginal increase in demand for police and fire protection services, including personnel, vehicles, and facilities. According to the *Maui County Public Facilities Assessment Update* (R.M. Towill Corporation, 2007) the Maui Police Department's generation rate for officers per 1,000 population is 1.96, and the generation rate for total employees per 1,000 population is 2.56. Assuming the project increases population by 607 people and using the provided generation rates the proposed project is estimated to generate the need for 1.19 additional officers and 1.55 additional total employees.

Increased tax revenues generated by the project will provide additional funds to the County for police and fire capital facility improvements and service upgrades. Additionally, the Project will comply with any impact fee ordinances for police and fire that may be adopted.

4. Schools

Existing Conditions. Maui schools are organized into complexes and complex-areas. A complex consists of a high school and all of the intermediate/middle and elementary schools that flow into it. Groups of two to four complexes form a "complex area" that is under the supervision of a complex area superintendent.

The Piilani Promenade site is located within the State Department of Education's (DOE) Maui Complex, within the Baldwin-Kekaulike-Maui Complex-Area. Currently there is capacity at all public schools for additional students. Current and projected enrollment and capacities for area schools are given in Table 2, "DOE School Enrollment & Capacity" below. ***Note:** the "Capacity" column numbers are based on the results of a classroom space survey conducted by DOE in the 2012-13 school year.

Table 2 DOE School Enrollment & Capacity

Schools	2013- 2014 Enrollment	Capacity	2014-2015 Projected Enrollment
Kihei Elementary	947	890	851
Kamalii Elementary	585	928	584
Lokelani Intermediate	550	836	525
Maui High	1908	2035	1967



Currently, the State DOE is planning to build a new high school for grades 9-12 in Kihei on approximately 77 acres mauka of Piilani Highway between Kulanihakoi and Waipuiani Gulches, south of the Piilani Promenade. Phase I is slated to open in 2017 with a design capacity of 930 students, staff and visitors and Phase II is planned to open in 2025 with a design capacity of 1,941.

Additionally, Kihei Charter School, provides K through 12 education for 546 students.

Potential Impacts and Mitigation Measures. The Economic Impact Assessment estimates that the proposed project will generate 60-70 students that will attend public schools. (See: Appendix K, “Economic and Fiscal Impact Assessment”).

In 2007, the Hawaii Legislature enacted Act 245 as Section 302A, HRS, “School Impact Fees”. Based upon this legislation, the Department of Education has enacted impact fees for residential developments that occur within indentified school impact districts. The Project is within the boundaries of the Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area pay a construction fee and either a fee-in-lieu of land or a land donation, at the DOE’s discretion. The Economic Impact Assessment estimates the projects impact fee is \$535,846.00. (See: Appendix K, “Economic and Fiscal Impact Assessment”). At the appropriate time, the applicant will contact the DOE to enter into an impact fee agreement.

5. Solid Waste

Existing Conditions. Weekly, residential solid-waste collection in the area is provided by the County of Maui, Department of Environmental Management (DEM), Solid Waste Division. The Department’s Residential Collection program collects and disposes of residential waste in three major districts: Wailuku (including Kahului and South Maui), Makawao (including Kula, Pukalani, Paia, and Haiku) and Lahaina (West Maui).

The Central Maui Landfill, which is located in the Wailuku-Kahului Community Plan region, receives residential solid waste from the area. Green waste is collected by Eko Compost, which is located at the Central Maui Landfill. Construction and demolition (C&D) waste is accepted at the privately operated C&D Landfill in Maalaea.



Plastic, glass, metal, cardboard, and newspaper can be recycled when left at various drop-boxes throughout the County. Green waste recycling is provided by several private organizations.

Potential Impacts and Mitigation Measures. The proposed project will consist of industrial, commercial and Multi-Family uses therefore the owners are required to contract a private refuse company to handle solid waste generated at the project site. In 2009 the Integrated Solid Waste Management Plan (ISWMP) for Maui County was updated and projected that the Central Maui Landfill will have adequate capacity to accommodate Residential and Commercial waste through the year 2026. This estimate does not take into account future increases in source reduction and waste diversion. Increases in waste diversion achieved through education, recycling, composting, and reuse programs are expected to decrease demand for landfill space and extend the life of the Central Maui Landfill beyond the currently projected closure year. The County's Department of Environmental Management, Solid Waste Division, anticipates that additional phases of the Central Maui Landfill will be developed as needed to accommodate future waste.

Waste generated by site preparation will primarily consist of rocks, and debris from clearing, grubbing, and grading. Very little demolition material is expected, as the site is vacant.

During the short term, construction activities will require the disposal of the existing onsite waste, as well as cleared vegetation and construction-related solid waste. A solid waste management plan will be coordinated with the County's Solid Waste Division for the disposal of onsite and construction-related waste material. The applicants will work with the contractor to minimize the amount of solid waste generated during the construction of the project.

In addition the project will provide on-site recycling opportunities for residents in an effort to reduce solid waste entering the landfill.



D. INFRASTRUCTURE

1. Roadways

Existing Conditions: A Traffic Impact Analysis Report was prepared by Phillip Rowell and Associates, Inc. in June 2014 which describes the traffic characteristics of the proposed project and likely impacts to the adjacent roadway network (See: Appendix M, “Traffic Impact Analysis Report”).

Existing Roadway System

Piilani Highway provides primary regional mobility for the Kihei and Wailea-Makena areas. Piilani Highway is a four-lane, undivided highway with a north-south orientation connecting Mokulele Highway to the north with Wailea Resort to the south. The posted speed limit is 40 miles per hour south of Ohukai Street and 45 miles per hour north of Ohukai Street.

Ohukai Street is a two-lane, two-way street, but widens to provide two approach lanes as it approaches Piilani Highway. The posted speed limit is 20 miles per hour. Both the eastbound and westbound approaches provide a through and left turn lane and a separate right turn lane. The eastbound and westbound approaches move concurrently, which means that left turns are permitted rather than protected.

Kaonoulu Street currently connects Piilani Highway with South Kihei Road. Currently, it is a two-lane, two-way street with separate left turn lanes at intersections. The posted speed limit is 20 miles per hour. The intersection with Piilani Highway is currently an unsignalized, T-intersection.

Kaiwahine Street is a two-lane, two-way residential collector street connecting the project with Piilani Highway. The posted speed limit is 20 miles per hour. Residential parking is allowed along both sides of the street. Uwapo Road is an extension of Kaiwahine Street west of Piilani Highway to South Kihei Road.

Uwapo Road is a two-lane, two-way roadway. There is no development along the north side and there are multi-family residential unit along the south side. No parking is allowed along either side. The assumed speed limit is 20 miles per hour.

South Kihei Road is a collector road providing north-south mobility and property access within the Kihei Community. It is generally a two-lane roadway.



Major segments of South Kihei Road have been improved to provide either a median turn lane or parallel parking on the makai-side. Sidewalks were provided on these enhanced segments along with striped bike lanes. Unimproved sections of South Kihei Road usually have only two undivided traffic lanes. The posted speed limit on South Kihei Road is 25 miles per hour.

Bicycle and Pedestrian Access

No dedicated bicycle facilities or sidewalks currently exist at the vacant site. Bicycles share the pavement with motor vehicles along Piilani Highway.

Public Transit

The island of Maui is served by the Maui Public Bus Transit System, operated by Maui County. Kihei is served by the Kihei Villager and Islander bus routes. The Kihei Islander route extends further to the north and south, connecting Kahului to Makena via Maalaea and Kihei. Both routes operate with a headway of one hour throughout the day. Within Kihei, the Maui buses use South Kihei Road. The closest bus stop to the site is located at the intersection of Kaonoulou Street and South Kihei Road.

Existing Traffic Volumes

Traffic turning movement counts were conducted at the following study area intersections in May and October 2013 at the following intersections shown in Table 3.

Table 3 Existing Traffic Volumes		
Intersection	Jurisdiction	Existing Right-of-Way Control
Piilani Highway at Ohukai Road	State	Signals
Piilani Highway at Kaiwahine Street & Uwapo Road	State	Signals
Piilani Highway at Mokulele Highway & North Kihei Road	State	Signals
North Kihei Road at South Kihei Road	State	Signals
Piilani Highway at Piikea Avenue	State	Signals
Piilani Highway at Kaonoulou Street	State	Stop Sign
Kaonoulou Street at South Kihei Road	County	Stop Sign
Piilani Highway at Kulanihakoi Street	State	Stop Sign
Kaonoulou Street at Kenolio Road	County	Stop Sign
Kaonoulou Street at Alulike Street	County	Stop Sign



Existing Intersection Operations

The intersections were analyzed during weekdays from 6:00-9:00AM and 3:00-6:00PM and the Saturday traffic counts were performed from 10:00AM to 2:00PM.

Operating conditions at an intersection by approach are expressed as a qualitative measure known as Level of Service (LOS) ranging from A to F. LOS A represents free-flow operations with low delay, while LOS F represents congested conditions with relatively high delay. The overall intersection LOS is a weighted average of the LOS of individual traffic movement groups. Field observations were performed at selected intersections to verify the results of the intersection analyses. Table Nos. 4 and 5 display the existing conditions level of service (LOS) for each signalized and unsignalized intersection.

**Table 4 2013 Levels-of-Service of Signalized Intersections**

Intersection and Lane Group	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
	V/C	Delay ¹	LOS ²	V/C	Delay	LOS	V/C	Delay	LOS
<i>Piilani Highway at Ohukai Road</i>	0.95	46.7	D	0.87	50.3	D	0.88	29.7	C
Eastbound Left & Thru	0.88	80.6	F	0.97	122.0	F	0.85	50.1	D
Eastbound Right	0.08	46.8	D	0.06	60.4	E	0.11	26.6	C
Westbound Left & Thru	1.05	116.6	F	0.91	84.4	F	0.71	37.9	D
Westbound Right	0.13	44.4	D	0.12	49.4	D	0.03	26.7	C
Northbound Left	0.36	61.1	E	0.70	67.9	E	0.60	40.8	D
Northbound Thru	0.86	31.7	C	0.87	47.5	D	0.92	32.5	C
Northbound Right	0.04	13.0	B	0.08	30.4	C	0.10	15.2	B
Southbound Left	0.91	100.0	F	0.71	90.1	F	0.68	40.9	D
Southbound Thru	0.97	37.3	D	0.85	33.6	C	0.82	23.4	C
Southbound Right	0.06	2.6	A	0.08	7.4	A	0.05	12.9	B
<i>Piilani Highway at Kaiwahine Street</i>	0.69	32.0	C	0.64	33.3	C	0.55	10.4	B
Eastbound Left & Thru	0.87	77.6	E	0.82	93.9	F	0.55	30.0	C
Eastbound Right	0.11	41.4	D	0.06	58.0	E	0.05	24.2	C
Westbound Left & Thru	0.61	52.2	D	0.51	63.5	E	0.43	27.4	C
Westbound Right	0.06	40.9	D	0.04	57.8	E	0.03	24.1	C
Northbound Left	0.28	31.8	C	0.50	57.2	E	0.49	30.5	C
Northbound Thru	0.64	30.3	C	0.61	32.6	C	0.51	7.5	A
Northbound Right	0.04	42.6	D	0.07	36.3	D	0.03	5.1	A
Southbound Left	0.38	45.1	D	0.60	51.4	D	0.55	30.9	C
Southbound Thru	0.57	23.1	C	0.54	22.2	C	0.59	7.7	A
Southbound Right	0.02	12.9	B	0.05	26.9	C	0.05	4.7	A
<i>Piilani Highway at North Kihei Road</i>	0.66	30.5	C	0.86	48.0	D	0.58	16.6	B
Eastbound Left	0.70	70.8	E	0.82	65.4	E	0.55	31.2	C
Eastbound Left & Thru	0.72	72.0	E	0.86	71.2	E	0.55	31.0	C
Eastbound Right	0.22	26.7	C	0.09	134.3	F	0.15	15.2	B
Westbound Left, Thru & Right	0.31	60.0	E	0.84	83.6	F	0.06	32.4	C
Northbound Left	0.71	41.2	D	0.89	77.4	E	0.55	27.0	C
Northbound Thru & Right	0.54	19.2	B	0.61	15.3	B	0.45	8.3	A
Southbound Left	0.73	172.3	F	0.57	86.1	F	0.60	62.4	E
Southbound Thru	0.66	27.0	C	0.82	41.6	D	0.70	17.9	B
Southbound Right	0.08	18.1	B	0.18	25.7	C	0.11	12.0	B
<i>North Kihei Road at South Kihei Road</i>	0.39	19.5	B	0.53	22.4	C	0.51	10.4	B
Eastbound Thru	0.27	9.7	A	0.54	29.3	C	0.39	9.9	A
Eastbound Right	0.14	8.6	A	0.30	24.5	C	0.20	8.7	A
Westbound Left	0.59	57.3	E	0.58	25.4	C	0.70	26.6	C
Westbound Thru	0.17	1.3	A	0.16	3.7	A	0.13	3.3	A
Northbound Left	0.75	54.2	D	0.32	44.2	D	0.47	16.7	B
Northbound Right	0.13	0.0	A	0.12	0.0	A	0.11	0.0	A
<i>Piilani Highway at Piikea Avenue</i>	0.71	19.2	B	0.98	19.8	B	0.73	16.3	B
Eastbound Left	0.87	71.2	E	0.99	113.8	F	0.76	29.4	C
Eastbound Right	0.51	47.4	D	0.66	71.8	E	0.17	18.5	B
Northbound left	0.67	27.9	C	0.96	57.8	E	0.74	32.7	C
Northbound Thru	0.41	6.0	A	0.54	6.7	A	0.45	6.4	A
Southbound Thru	0.60	12.0	B	0.46	1.7	A	0.71	18.7	B
Southbound Right	0.25	31.3	C	0.25	0.8	A	0.24	13.4	B

NOTES:

(1) Delay is in seconds per vehicle.

(2) LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. Level-of-Service is based on delay.(3) See [Appendix B](#) for Level-of-Service Analysis Worksheets.

**Table 5 2013 Levels-of-Service of Unsignalized Intersections**

Intersection and Lane Group	AM Peak Hour		PM Peak Hour		Saturday Peak Hour	
	Delay ¹	LOS ²	Delay	LOS	Delay	LOS
<i>Piilani Highway at Kaonoulu Street</i>	11.5	B	1.8	A	1.7	A
Eastbound Left	72.3	F	36.0	E	24.0	C
Eastbound Right	122.6	F	24.2	C	15.6	C
Northbound Left	20.7	C	16.9	C	12.4	B
<i>South Kihei Road at Kaonoulu Street</i>	2.7	A	2.9	A	3.2	A
Westbound Left	29.6	D	42.7	E	32.7	D
Westbound Right	13.5	B	12.8	B	12.5	B
Southbound Left	0.6	A	1.9	A	0.6	A
<i>Piilani Highway at Kulanihako Street</i>	5.0	A	2.0	A	1.4	A
Eastbound Left	159.2	0	62.5	F	23.7	C
Eastbound Right	44.2	E	24.0	C	15.0	C
Northbound Left	24.4	C	19.3	C	11.8	B
<i>Kaonoulu Street at Kenolio Road</i>	7.5	A	5.4	A	5.7	A
Eastbound Left	7.5	A	7.6	A	7.5	A
Westbound Left	7.4	A	7.5	A	7.4	A
Northbound Left	0.0	A	0.0	A	0.0	A
Northbound Thru & Right	9.1	A	10.0	B	9.6	A
Southbound Left	14.5	B	14.4	B	12.2	B
Southbound Thru & Right	9.1	A	10.2	B	9.1	A
<i>Kaonoulu Street at Alulike Street</i>	3.8	A	3.4	A	5.0	A
Eastbound Left	7.4	A	7.5	A	7.5	A
Westbound Left	7.4	A	7.5	A	7.5	A
Northbound Left, Thru & Right	10.2	B	11.3	A	10.9	B
Southbound Left, Thru & Right	9.0	A	9.5	A	10.2	B

NOTES:

(1) Delay is in seconds per vehicle.

(2) LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. Level-of-Service is based on delay.(3) See [Appendix B](#) for Level-of-Service Analysis Worksheets.**Existing Deficiencies**

For signalized intersections, Level-of-Service D is the minimum acceptable Level-of-Service⁶ and this standard is applicable to the overall intersection and major through movements. Minor movements, such as left turns, and minor side street approaches may operate at Level-of-Service E or F for short periods of time during the peak hours so that the overall intersection and major movements along the major highway will operate at Level-of-Service D, or better. All volume-to-capacity ratios must be 1.00 or less⁷.

⁶ Institute of Transportation Engineers, *Transportation Impact Analyses for Site Development: A Recommended Practice*, 2006, page 60.

⁷ Transportation Research Board, *Highway Capacity Manual*, Washington, D.C., 2000, p. 16-35.



A standard has not been established for unsignalized intersections that has been agreed to by State of Hawaii Department of Transportation. Therefore, we have used a standard that Level-of-Service D is an acceptable level-of-service for major controlled lane groups, such as left turns from a major street to a minor street. Side street approaches may operate at Level-of-Service E or F for short periods of time. This is determined from the delays of the individual lane groups. If the delay of any of the side street approaches appears to be so long that it will affect the overall level-of-service of the intersection, then mitigation measures should be accessed.

At the intersection of Piilani Highway at Ohukai Road, the westbound left and through lane group operates at Level-of-Service F during the morning peak hour. The volume-to-capacity ratio is 1.05 and the average vehicle delay is 116.6. This lane group operates at Level-of-Service F during the afternoon peak hour and Level-of-Service D during the Saturday peak hour, but the volume-to-capacity ratio is less than 1.00.

Potential Impacts and Mitigation Measures.

Projected Year 2018 Background Traffic

The TIAR analyzed the future traffic conditions of the Year 2018 to estimate the traffic impacts of surrounding developments. The Year 2018 background traffic volumes were derived using existing traffic along with trip generation obtained from the Maui Travel Demand Forecasting Model. The future Year 2018 background traffic assumes the presence of the following developments:

- Kaiwahine Village
- Maui Lu Resort
- Kihei High School Phase 1
- Kenolio 6 affordable housing project



The projected Year 2018 trip generation summary of related projects is shown in Table 6.

Table 6 Trip Generation Summary of Related Projects

	<u>Related Project</u>	<u>Description</u>	<u>AM Peak Hour</u>			<u>PM Peak Hour</u>			<u>Saturday Peak Hour</u>		
			<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
A	Kaiwahine Village	120 Multi-Family	19	47	66	49	31	80	26	26	52
B	Maui Lu Resort	400 Timeshares + 400 Lock Off Units (Maximum)	245	140	385	205	230	435	350	275	625
C	Kihei High School (Phase 1)	800 Students Grades 9 thru 12	228	108	336	104	55	159	0	0	0
D	Kenolio 6 Affordable Housing Project	124 Multi-Family	20	48	68	51	32	83	32	32	64
TOTALS FOR 2018			512	343	855	409	348	757	408	333	741

The results of the level-of-service analysis of the signalized intersections for 2018 background without project generated traffic are shown in the TIAR, which summarizes the volume-to-capacity ratios, average vehicle delays and levels-of-service of the overall intersection and all controlled lane groups.

The conclusion of the level-of-service of 2018 baseline conditions is that roadway improvements are required at the intersection of Piilani Highway at Ohukai Road and the intersection of Piilani Highway at Kaiwahine Street and Uwapo Road to accommodate traffic associated with background growth and the related projects. The recommended improvements are:

- At the intersection of Piilani Highway at Ohukai Road, the eastbound and westbound approaches should be modified to provide one left turn lane, one optional left turn or thru lane and one right turn lane and the southbound approach should be modified to provide an additional left turn only lane.
- At the intersection of Piilani Highway at Kaiwahine Street and Uwapo Road, the eastbound and westbound approaches should be modified to provide separate left turn, through and right turn lanes.



Project Related Traffic Conditions

Future traffic volumes generated by the project were estimated using the procedures described in the *Trip Generation Handbook*⁸ and data provided in *Trip Generation*⁹. This method used trip generation rates or equations to estimate the number of trips that the project will generate during the peak hours of the project and along the adjacent street.

The results of the trip generation calculations are summarized in Table 7 below. The trips shown are the peak hourly trips generated by the project during the peak hours of the adjacent street. As shown, the project will generate 613 new trips during the morning peak hour, 1,830 new trips during the afternoon peak hour and 2,278 new trips during the Saturday peak hour.

Table 7 Summary of Trip Generation Analysis

Time Period	Direction	North Parcel					South Parcel				Total Project		
		Retail (100,000 SF)			Light Industrial (5 Acres)	Apartment (226 Units)	Retail (358,091 SF)			Outdoor Garden Total Trips (28,000 SF)			
		Total Trips	Pass By Trips	Net New Trips			Total Trips	Pass By Trips	Net New Trips		Total Trips	Pass By Trips	Net New Trips
AM Peak Hour	Total	145	15	130	38	114	327	33	294	37	661	48	613
	In	88	8	80	32	23	199	17	182	19	361	25	336
	Out	57	7	50	6	91	128	16	112	18	300	23	277
PM Peak Hour	Total	593	238	355	135	142	1496	404	1092	106	2472	642	1830
	In	291	119	172	30	92	733	202	531	53	1199	321	878
	Out	302	119	183	105	50	763	202	561	53	1273	321	952
Saturday Peak Hour	Total	800	294	506	5	112	1964	617	1347	308	3189	911	2278
	In	416	147	269	2	56	1021	309	712	154	1649	456	1193
	Out	384	147	237	3	56	943	308	635	154	1540	455	1085

The project-related trips were distributed along the anticipated approach routes to the project site based on following assumptions:

1. The purpose of the project is to provide services for the residents and visitors of South Maui. Thus marketing and advertising will be directed toward this area. Accordingly, it was assumed that 75% of the traffic to and from the project will be generated by Kihei and South Maui.

⁸ Institute of Transportation Engineers, *Trip Generation Handbook*, Washington, D.C., 1998, p. 7-12

⁹ Institute of Transportation Engineers, *Trip Generation*, Washington, D.C., 2003



2. 25% of the project generated traffic will approach and depart via Mokulele Highway (10%) and North Kihei Road (15%). Of the 15% from North Kihei Road, 10% will use North Kihei Road to Piilani Highway at then Piilani Highway to the project. The remaining 5% will use South Kihei Road and Kaonoulu Street.

3. The traffic generated from within Kihei (75%) was distributed based on the distribution of residential units and hotel rooms (including timeshares and vacation rentals) using the data presented in the *Maui Long-Range Land Transportation Plan* with adjustments to reflect Maui Lu Resort Redevelopment, the Kihei Residential Development, Honua'ula, Makena Resort and additional Wailea Resort units. Using this distribution, 20% of the trips would be generated by the area north of Kaonoulu Street and 80% would be generated by the area south of Kaonoulu Street.

Trips were assigned based on the following assumptions:

1. Kaonoulu Street is extended mauka of Piilani Highway to provide access to the project and the intersection of Piilani Highway at Kaonoulu Street is signalized.
2. There are four (4) driveways along East Kaonoulu Street to serve the project.

The results of the Level-of-Service analysis for the 2018 background plus project traffic of the signalized intersections are summarized in Table 8 and the results of the Level-of-Service analysis of the unsignalized intersections are summarized in Table 9.

Table 8 2018 Background Plus Project Levels-of-Service - Signalized Intersections

Intersection and Movement	AM Peak Hour						PM Peak Hour						Saturday Peak Hour					
	Without Project			With Project			Without Project			With Project			Without Project			With Project		
	V/C	Delay ¹	LOS ²	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS
Piilani Hwy at Ohukai Rd	0.77	25.8	C	0.82	29.9	C	0.77	34.3	C	0.90	44.2	D	.62	18.8	B	0.80	24.3	C
Eastbound Left	0.46	51.7	D	0.46	51.7	D	0.62	72.7	E	0.72	84.2	F	0.57	37.7	D	0.54	38.2	D
Eastbound Left & Thru	0.41	51.1	D	0.41	51.1	D	0.63	73.1	E	0.72	83.4	F	0.59	38.4	D	0.56	38.8	D
Eastbound Right	0.05	47.6	D	0.06	47.7	D	0.06	61.7	E	0.08	63.7	E	0.09	32.2	C	0.39	36.1	D
Westbound Left	0.60	55.9	E	0.63	56.6	E	0.69	72.8	E	0.78	80.7	F	0.63	48.2	D	0.80	68.6	E
Westbound Left & Thru	0.63	56.9	E	0.65	58.0	E	0.72	74.2	E	0.80	83.1	F	0.55	42.4	D	0.81	70.1	E
Westbound Right	0.12	48.3	D	0.12	47.9	D	0.24	60.1	E	0.43	62.2	E	0.03	35.8	C	0.03	37.4	D

Piilani Promenade



Northbound Left	0.27	74.8	E	0.32	58.9	E	0.69	85.4	F	0.82	86.6	F	0.43	38.8	D	0.83	77.0	E
Northbound Thru	0.69	14.1	B	0.76	18.6	B	0.76	13.9	B	0.87	28.1	C	0.60	14.9	B	0.75	18.2	B
Northbound Right	0.03	2.2	A	0.04	17.1	B	0.05	2.3	A	0.08	11.3	B	0.07	10.2	B	0.10	10.1	B
Southbound Left	0.46	65.2	E	0.46	66.4	E	0.62	63.4	D	0.73	65.2	E	0.30	34.4	C	0.37	38.1	D
Southbound Thru	0.83	19.1	B	0.92	25.8	C	0.74	33.8	C	0.90	43.7	D	0.60	12.7	B	0.81	18.6	B
Southbound Right	0.07	2.4	A	0.07	4.1	A	0.07	35.6	D	0.07	33.0	C	0.07	8.3	A	0.07	9.2	A
Piilani Hwy at Kaiwaha St	0.60	24.5	C	0.63	26.6	C	0.65	22.1	C	0.74	26.9	C	0.58	10.0	B	0.71	15.1	B
Eastbound Left	0.66	56.8	E	0.66	56.8	E	0.65	75.9	E	0.63	73.7	E	0.44	33.0	C	0.35	37.2	D
Eastbound Thru	0.06	44.1	D	0.06	44.1	D	0.12	62.2	E	0.11	61.7	E	0.07	29.1	C	0.06	34.3	C
Eastbound Right	0.07	44.3	D	0.08	44.4	D	0.05	61.7	E	0.08	61.5	E	0.04	28.9	C	0.08	34.5	C
Westbound Left	0.33	47.3	D	0.41	48.3	D	0.27	63.9	E	0.56	69.5	E	0.30	31.2	C	0.55	40.9	D
Westbound Thru	0.10	44.5	D	0.10	44.5	D	0.26	63.5	E	0.25	63.0	E	0.21	30.0	C	0.17	35.1	D
Westbound Right	0.07	44.3	D	0.07	44.3	D	0.05	61.6	E	0.05	61.2	E	0.03	28.9	C	0.03	34.2	C
Northbound Left	0.25	38.0	D	0.33	32.5	C	0.47	79.2	E	0.62	76.5	E	0.33	34.3	C	0.56	43.4	D
Northbound Thru	0.60	19.7	B	0.64	22.5	C	0.65	18.2	B	0.74	23.5	C	0.53	6.7	A	0.64	10.2	B
Northbound Right	0.04	26.7	C	0.05	26.3	C	0.08	10.2	B	0.11	13.2	B	0.04	4.3	A	0.07	5.8	A
Southbound Left	0.37	44.4	D	0.37	45.5	D	0.63	83.5	F	0.63	82.9	F	0.67	45.2	D	0.53	41.8	D
Southbound Thru	0.56	20.3	C	0.63	22.6	C	0.60	12.3	B	0.71	17.2	B	0.62	7.2	A	0.77	12.8	B
Southbound Right	0.01	13.3	B	0.01	16.9	B	0.05	5.0	A	0.05	6.7	A	0.03	3.8	A	0.03	5.6	A
Piilani Hwy at N. Kihei Rd	0.61	29.6	C	0.64	29.6	C	0.78	36.5	D	0.85	39.9	D	0.61	17.1	B	0.69	19.0	B
Eastbound Left	0.57	59.7	E	0.58	58.9	E	0.75	56.8	E	0.74	55.6	E	0.46	29.8	C	0.54	37.8	D
Eastbound Left & Thru	0.59	60.9	E	0.60	59.8	E	0.78	59.6	E	0.77	58.1	E	0.46	29.8	C	0.54	37.8	D
Eastbound Right	0.22	59.9	E	0.28	54.4	D	0.13	58.2	E	0.23	39.5	D	0.14	15.6	B	0.33	20.4	C
Westbound Left, Thru & Rt	0.20	58.3	E	0.22	59.0	E	0.58	73.5	E	0.58	73.5	E	0.02	32.5	C	0.02	38.5	D
Northbound Left	0.71	42.1	D	0.74	44.5	D	0.84	72.9	E	0.94	85.0	F	0.54	27.4	C	0.69	34.3	C
Northbound Thru & Right	0.54	19.0	B	0.56	18.7	B	0.56	16.9	B	0.61	18.7	B	0.50	8.7	A	0.51	7.9	A
Southbound Left	0.19	63.6	E	0.21	64.4	E	0.46	78.4	E	0.46	78.4	E	0.35	38.3	D	0.41	46.3	D
Southbound Thru	0.66	23.0	C	0.68	23.8	C	0.76	32.5	C	0.86	39.0	D	0.80	20.6	C	0.81	21.4	C
Southbound Right	0.08	14.7	B	0.08	14.8	B	0.16	20.0	C	0.17	21.4	C	0.11	11.8	B	0.11	11.7	B
N. Kihei Rd at S. Kihei Rd	0.40	20.5	C	0.42	20.2	C	0.58	24.5	C	0.64	28.6	C	0.59	10.1	B	0.61	12.5	B
Eastbound Thru	0.27	9.9	A	0.30	10.5	B	0.42	19.8	B	0.51	21.8	C	0.39	10.1	B	0.54	14.0	B
Eastbound Right	0.18	9.2	A	0.19	9.5	A	0.36	18.8	B	0.42	20.1	C	0.27	9.3	A	0.30	11.7	B
Westbound Left	0.59	68.9	E	0.59	70.5	E	0.71	98.7	F	0.71	99.7	F	0.57	21.2	C	0.51	24.5	C
Westbound Thru	0.17	1.1	A	0.19	1.1	A	0.15	2.1	A	0.19	1.8	A	0.14	3.3	A	0.18	4.2	A
Northbound Left	0.77	54.8	D	0.77	54.5	D	0.37	49.7	D	0.43	50.7	D	0.52	17.9	B	0.52	21.8	C
Northbound Right	0.13	0.0	A	0.13	0.0	A	0.12	0.0	A	0.12	46.1	D	0.10	0.0	A	0.10	0.0	A

Table 8 2018 Background Plus Projects Levels-of-Service - Signalized Intersections (Continued)

Intersection and Movement	AM Peak Hour						PM Peak Hour						Saturday Peak Hour					
	Without Project			With Project			Without Project			With Project			Without Project			With Project		
	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS	V/C	Delay	LOS

Piilani Promenade



Piilani Hwy at Kaonoulu St	0.79	16.1	B	0.78	32.9	C	0.74	13.0	B	0.88	50.5	D	0.61	6.1	A	0.87	37.2	D
Eastbound Left	0.36	55.5	E	0.48	59.8	E	0.45	70.2	E	0.57	91.8	F	0.27	21.0	C	0.51	41.9	D
Eastbound Thru				0.26	53.7	D				0.66	85.0	F				0.64	41.4	D
Eastbound Right	0.42	56.3	E	0.64	48.4	D	0.13	66.6	E	0.62	75.1	E	0.46	22.4	C	0.39	30.5	C
Westbound Left				0.74	70.0	E				0.90	78.7	E				0.97	62.3	E
Westbound Thru				0.50	56.6	E				0.52	66.4	E				0.54	31.4	C
Westbound Right				0.05	42.4	D				0.40	44.8	D				0.36	15.5	B
Northbound Left	0.62	43.2	D	0.55	38.6	D	0.72	71.9	E	0.57	84.0	F	0.59	8.6	A	0.74	54.0	D
Northbound Thru	0.39	7.9	A	0.52	26.8	C	0.56	4.1	A	0.90	51.0	D	0.46	4.1	A	0.94	49.4	D
Northbound Right				0.05	36.4	D				0.28	13.6	B				0.48	16.5	B
Southbound Left				0.53	41.3	D				0.89	86.8	F				0.96	56.5	E
Southbound Thru	0.68	12.7	B	0.80	26.1	C	0.63	9.0	A	0.70	28.7	C	0.52	4.4	A	0.73	25.4	C
Southbound Right	0.05	13.4	B	0.05	26.2	C	0.07	7.6	A	0.08	16.8	B	0.08	2.9	A	0.08	17.4	B
S. Kihei Rd at Kaonoulu St	0.45	6.2	A	0.47	6.6	A	0.50	8.4	A	0.66	15.9	B	0.44	6.4	A	0.55	7.2	A
Westbound Left	0.42	23.8	C	0.42	20.8	C	0.46	28.4	C	0.57	22.6	C	0.48	23.6	C	0.55	15.4	B
Westbound Right	0.03	21.5	C	0.05	18.6	B	0.03	25.4	C	0.08	18.6	B	0.02	20.8	C	0.08	12.5	B
Northbound Thru	0.45	3.5	A	0.49	4.7	A	0.49	6.1	A	0.63	10.9	B	0.44	3.6	A	0.55	6.0	A
Northbound Thru	0.06	2.3	A	0.08	3.2	A	0.11	4.3	A	0.16	7.3	A	0.09	2.5	A	0.16	4.2	A
Southbound Left	0.06	2.3	A	0.14	3.5	A	0.70	48.5	D	0.95	79.1	E	0.10	2.5	A	0.43	5.8	A
Southbound Thru	0.30	2.9	A	0.33	4.0	A	0.40	2.6	A	0.45	4.3	A	0.37	3.3	A	0.46	5.4	A
Piilani Hwy at Kulanihako St	0.76	15.5	B	0.81	16.7	B	0.66	10.8	B	0.79	15.1	B	0.53	6.4	A	0.67	8.1	A
Eastbound Left & Thru	0.37	54.2	D	0.52	57.0	E	0.51	72.0	E	0.64	75.2	E	0.29	28.2	C	0.57	41.3	D
Eastbound Right	0.27	53.1	D	0.37	54.1	D	0.06	65.8	E	0.06	62.1	E	0.06	26.6	C	0.06	34.5	C
Westbound Left & Thru	0.61	62.3	E	0.66	67.4	E	0.47	71.3	E	0.39	66.2	E	0.00	0.0	A	0.00	0.0	A
Westbound Right	0.02	50.8	D	0.02	50.8	D	0.01	65.4	E	0.01	61.6	E	0.00	0.0	A	0.00	0.0	A
Northbound Left	0.51	74.1	E	0.60	85.6	F	0.60	67.0	E	0.60	64.7	E	0.73	73.4	E	0.44	44.0	D
Northbound Thru	0.54	9.7	A	0.58	10.0	B	0.68	4.6	A	0.80	8.5	A	0.48	3.1	A	0.63	4.2	A
Northbound Right	0.08	4.3	A	0.08	3.1	A	0.02	2.1	A	0.02	3.9	A	0.00	0.0	A	0.00	0.0	A
Southbound Left	0.51	63.0	E	0.55	56.9	E	0.32	57.3	E	0.32	77.5	E	0.00	0.0	A	0.00	0.0	A
Southbound Thru	0.76	12.4	B	0.80	14.5	B	0.64	8.4	A	0.80	14.8	B	0.53	5.7	A	0.68	8.4	A
Southbound Right	0.02	5.5	A	0.03	7.7	A	0.06	7.8	A	0.09	5.4	A	0.05	3.7	A	0.07	4.3	A
Piilani Hwy at Piikea Ave	0.80	19.7	B	0.84	21.6	C	0.78	30.8	C	0.92	32.3	C	0.79	17.4	B	0.91	28.4	C
Eastbound Left	0.86	67.2	E	0.89	70.4	E	0.86	77.1	E	0.97	93.6	F	0.79	30.8	C	0.92	55.5	E
Eastbound Right	0.16	42.1	D	0.24	41.3	D	0.17	50.8	D	0.25	47.3	D	0.17	18.2	B	0.18	24.8	C
Northbound Left	0.67	65.1	E	0.76	77.3	E	0.85	79.9	E	0.85	79.9	E	0.77	35.5	D	0.91	75.1	E
Northbound Thru	0.46	7.0	A	0.51	8.3	A	0.61	9.5	A	0.73	14.8	B	0.51	7.0	A	0.65	12.3	B
Southbound Thru	0.80	17.2	B	0.84	19.3	B	0.72	32.3	C	0.91	31.5	C	0.80	21.4	C	0.90	32.7	C
Southbound Right	0.28	10.5	B	0.32	11.6	B	0.34	31.6	C	0.47	17.7	B	0.26	13.5	B	0.33	18.2	B

NOTES:

- (1) Delay is in seconds per vehicle.
- (2) LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. Level-of-Service is based on delay.
- (3) See [Appendix D](#) for Level-of-Service Analysis Worksheets without Project.
- (4) See [Appendix E](#) for Level-of-Service Analysis Worksheets with Project.

**Table 9 2018 Background Plus Project Levels-of-Service - Unsignalized Intersections**

Intersection and Movement	AM Peak Hour				PM Peak Hour				Saturday Peak Hour			
	Without Project		With Project		Without Project		With Project		Without Project		With Project	
	Delay ¹	LOS ²	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
<i>Kaonoulu St at Kenolio Rd</i>	6.9	A	6.9	A	5.1	A	6.8	A	6.4	A	6.2	A
Eastbound Left	7.6	A	7.8	A	7.7	A	8.3	A	8.1	A	8.4	A
Westbound Left	7.5	A	7.6	A	7.6	A	8.0	A	7.7	A	8.1	A
Northbound Left	11.2	B	12.5	B	12.8	B	19.1	C	17.9	C	19.6	C
Northbound Thru & Right	9.4	A	9.9	A	10.2	B	12.3	B	11.5	B	13.1	B
Southbound Left	16.0	C	20.4	C	16.2	C	39.0	E	27.7	D	39.5	E
Southbound Thru & Right	9.5	A	10.0	B	11.0	B	14.2	B	12.0	B	12.6	B
<i>Kaonoulu St at Alulike St</i>	2.8	A	2.4	A	2.7	A	1.9	A	3.4	A	2.4	A
Eastbound Left	7.5	A	7.6	A	7.7	A	8.1	A	7.7	A	8.2	A
Westbound Left	7.5	A	7.6	A	7.7	A	8.0	A	7.6	A	8.1	A
Northbound Left, Thru & Right	11.7	B	12.8	B	11.9	B	15.5	C	12.6	B	18.5	C
Southbound Left, Thru & Right	9.2	A	9.6	A	9.7	A	11.2	B	10.3	B	12.8	B

NOTES:

- (1) Delay is in seconds per vehicle.
- (2) LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. Level-of-Service is based on delay.
- (3) See [Appendix C](#) for Level-of-Service Analysis Worksheets for Without Project conditions.
- (4) See [Appendix D](#) for Level-of-Service Analysis Worksheets for With Project conditions.



The results of the Level-of-Service analysis of the project driveways are summarized in Table 10. Drive A, which is the only signalized driveway, will operate at Level-of-Service A during the morning peak hour, Level-of-Service D during the afternoon peak hour and Level-of-Service C during the Saturday. Drives B, C and D will operate at Level-of-Service A during all peak hours.

Table 10 2018 Levels-of-Service of Project Driveways

Intersection and Movement	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
	With Project			With Project			With Project		
	V/C ⁽¹⁾	Delay ⁽²⁾	LOS ⁽³⁾	V/C	Delay	LOS	V/C	Delay	LOS
<i>E. Kaonoulu Street at Drive A</i>	0.13	7.6	A	0.63	45.5	D	0.76	35.0	C
Eastbound Left	0.15	8.0	A	0.72	47.4	D	0.94	54.9	D
Eastbound Thru	0.03	7.3	A	0.11	19.5	B	0.15	13.6	B
Eastbound Right	0.06	7.6	A	0.22	87.3	F	0.32	14.9	B
Westbound Left	0.00	0.0	A	0.00	0.0	A	0.00	0.0	A
Westbound Thru & Right	0.06	7.4	A	0.71	38.8	D	0.82	35.7	D
Northbound Left	0.07	7.5	A	0.68	36.6	D	0.91	46.3	D
Northbound Thru & Right	0.00	0.0	A	0.00	0.0	A	0.00	0.0	A
Southbound Left	0.00	0.0	A	0.00	0.0	A	0.00	0.0	A
Southbound Thru & Right	0.04	7.5	A	0.13	25.3	C	0.13	23.6	C
<i>E. Kaonoulu St at Drive B South</i>	nc	0.0	A	nc	0.0	A	nc	0.0	A
Northbound Right	nc	0.0	A	nc	0.0	A	nc	0.0	A
<i>E. Kaonoulu St at Drive B North</i>	nc	1.5	A	nc	2.2	A	nc	2.1	A
Southbound Right	nc	9.4	A	nc	18.0	C	nc	22.5	C
<i>E. Kaonoulu Street at Drive C</i>	nc	5.8	A	nc	7.7	A	nc	8.9	A
Northbound Left	nc	8.8	A	nc	11.4	B	nc	13.8	B
<i>E. Kaonoulu Street at Drive D</i>	nc	5.1	A	nc	5.8	A	nc	5.8	A
Northbound Left & Right	nc	8.5	A	nc	8.7	A	nc	8.8	A

NOTES:

- (1) Denotes volume-to-capacity ratio. Volume-to-capacity ratios are not calculated for the unsignalized intersections.
- (2) Delay is in seconds per vehicle.
- (3) LOS denotes Level-of-Service calculated using the operations method described in *Highway Capacity Manual*. Level-of-Service is based on delay.
- (4) See [Appendix D](#) for Level-of-Service Analysis Worksheets.
- (5) nc = not calculated.



Conclusion and Recommended Mitigation Measures

The TIAR has determined that proposed Piilani Promenade project will warrant the following improvements at the intersection of Piilani Highway at Kaonoulu Street.

1. Modify eastbound approach to provide one left turn lane, one through lane and one right turn lane
2. Provide two southbound to eastbound left turn lanes
3. Provide two left turn lanes, one through lane and one right turn lanes along the westbound approach

Table 11 is summary of the recommended Mitigation Measures for the proposed project, and surrounding developments.

Table 11 Summary of Recommended Mitigation Measures

Location	Mitigation Required to Mitigate 2018 Background Conditions (These improvements are to be implemented by others)	Improvements Recommended As Part of Piilani Promenade Project	Additional Mitigation Required to Mitigate 2018 Background Plus Project
Overall			1. Provide set backs along East Kaonoulu Street at all project driveways for future right turn decelerations lanes. (Required by SDOT)
Piilani Highway at Kaonoulu Street	1. Install traffic signals	<ol style="list-style-type: none"> 1. Modify eastbound approach to provide one left turn lane, one through lane and one right turn lane 2. Provide two southbound to eastbound left turn lanes 3. Provide two left turn lanes, one through lane and one right turn lanes along the westbound approach 	No additional mitigation required



Piilani Highway at Ohukai Street	<ol style="list-style-type: none"> 2. Modify the westbound approach to provide a one left turn lane, one optional left or thru lane and one right turn lane. 3. Modify the eastbound approach to provide one left turn lane, one thru lane and one right turn lane. 4. Modify the southbound approach to provide an additional left turn lane. 		No additional mitigation required
Piilani Highway at Kaiwahine St and Uwapo Road	<ol style="list-style-type: none"> 1. Modify the eastbound approach to provide separate left, through and right turn lanes 2. Modify the westbound approach to provide two left turn lanes, one through lane and one right turn lane. 3. Modify the southbound approach to provide a second left turn lane. 		No additional mitigation required
South Kihei Road at Kaonoulu Street	<ol style="list-style-type: none"> 1. Install traffic signals 2. Provide southbound to eastbound left turn lane and northbound to eastbound right turn lane. 		No additional mitigation required
Piilani Highway at Kulanihakoi Road			No additional mitigation required

Impacts of Pedestrians

An assessment of the potential impacts of pedestrians on traffic conditions at the intersection of Piilani Highway at Kaonoulu Street was performed. It is anticipated that there will be pedestrian traffic across Piilani Highway at this intersection. However, there are no pedestrian trip generation data to develop reliable estimates. In order to assess the impacts of pedestrian traffic across



Piilani Highway, the level-of-service was rerun assuming that 100 pedestrians per hour would use the crosswalks across Piilani Highway. The addition of 100 pedestrians per hour increased the intersection volume-to-capacity ratios and increased the overall intersection delays slightly but not enough to change the intersection level-of-service. It has been recommended that traffic conditions at this intersection be assessed at 65% occupancy.

Impacts on Emergency Services

There is no indication within the TIAR that operation of emergency vehicles on the Piilani Highway or the future improved section of the Kihei Upcountry Highway within the proposed Piilani Promenade project will be impaired in any way. All the final levels-of-service are within accepted standards. To the contrary, the traffic signal systems planned for the project will be designed to automatically prioritize emergency vehicle operations, subject to State of Hawaii Department of Transportation's approval of the plans. The roadways and intersections included in the TIAR will operate within acceptable ranges of operation and there is no indication that development of the proposed project or roadway improvements will create a system that impairs the operation of emergency vehicles.

Impacts of Honua'ula

The Honua'ula Affordable Housing Project is not part of the Piilani Promenade Project, nor is it considered a related background project, because it cannot be constructed until after East Kaonoulu Road is completed, which will be done as part of the Piilani Promenade project. Until this roadway is completed, there is no roadway to assign Honua'ula trips. However, if completed, Honua'ula Affordable Housing Project traffic would impact traffic along East Kaonoulu Road.

Based on the LOS analysis, the TIAR concludes that no additional mitigation is required to accommodate traffic generated by the Honua'ula Affordable Housing project.

Long Range Forecast

State of Hawaii Department of Transportation requested long-range forecasts of the intersections along Piilani Highway that included traffic generated by the south Maui projects (Honua'ula, Wailea Resort and Makena Resort) for the year 2025.



The *Kihei Master Traffic Plan Study*¹⁰ contained morning and afternoon traffic forecasts for the intersections along Piilani Highway that included traffic associated with the Upcountry Highway. The report also implies that the forecast include traffic associated with major South Maui projects known at the time, primarily Wailea, Makena and Honua'ula.

The traffic forecasts in the *Kihei Master Traffic Plan Study* were also adjusted to include traffic from the following projects

- Kaiwahine Village
- Maui Lu Resort
- Kenolio 6 Residential
- Kihei Residential
- Kihei High School Phases 1 and 2
- Honua'ula Off-site Affordable Housing
- Maui Research and Technology park

The resulting morning and afternoon 2025 traffic projections are provided in the TIAR in Figures 29 and 30, respectively. The resulting peak hour projections along East Kaonoulu Street are shown on Figure 31. A level-of-service analysis was performed to confirm that the study intersections would operate at acceptable levels-of-service.

The level-of-service analysis confirmed that the following improvements should be implemented to satisfy 2025 traffic impacts:

1. The North-South Collector Road should be completed between Kaonoulu Street and Waipuilani Road.
2. The mauka roadway should be completed between Ohukai Street and Lipoa Street. It should be noted that the connection between Lipoa Street and the proposed Kihei High School was recommended in the TIAR for the Maui Research and Technology Park and the connection between Ohukai Road and East Kaonoulu Street is recommended in this report.
3. The intersection of East Kaonoulu Street at Drive C should be signalized. This intersection provides access and egress to the proposed Honua'ula Affordable Housing project.

¹⁰ Parsons Brinckerhoff Quade & Douglas, *Kihei Master Traffic Plan Study*, Honolulu, HI, September 2003



Transportation Management Plan

The purpose of the Transportation Management Plan (TMP) is typically to identify and describe transportation management strategies to reduce travel demand, primarily “single-occupancy private vehicles”, or to redistribute demand in time. These strategies should accomplish the following:

1. Reduce the need for employees and customers of Piilani Promenade to use “single-occupancy private vehicles” by encouraging the use of alternative modes of transportation, such as walking, biking, and public transportation and ride sharing.
2. Provide alternative modes and facilities for these alternative modes.
3. Coordinate the establishment of programs, such as carpools and other ride sharing programs that reduce the amount of traffic generated by the project.

Transportation Management Plan Strategies

- A Transportation Coordinator should be designated by the developer or property manager. The Transportation Coordinator will be responsible for establishing, coordinating and managing the TMP strategies identified in the plan. The Transportation Coordinator should also document any traffic related complaints received from the surrounding community.
- Employers should allow flexible work hours. Examples of flexible work hour are:
 - Start the work day such that employees get to work before or after the weekday commute peak hours.
 - Some employees have scheduled four 10-hour work days per week, with alternating Monday through Thursday and Tuesday through Friday work weeks. Every other week end is a four day weekend. Employees are divided into two groups so that offices are always covered with half the staff on the alternating Monday and Fridays.
- The Transportation Coordinator should establish and coordinate a ride sharing program for employees. Since the Transportation Coordinator is employed by the developer or property manager, employees of various



employers of Piilani Promenade can be brought into the program, not those from just a single major employer.

- The Transportation Coordinator should coordinate with the Maui Department of Transportation to establish bus routes to provide service between the project, hotels and Kihei.
- Bus passes should be provided to employees free or at a subsidized price.
- Bus stops should be provided within the project that will minimize walking distances to the various businesses in the project.
- The Transportation Coordinator should coordinate with the hotels, especially those in Kihei and adjacent area, to provide shuttle bus service between the hotels and Piilani Promenade.
- A voucher program should be established for employees that participate in one of the ride sharing programs or bus pass programs and have to leave work for family emergencies.
- Preferential parking spaces should be provided for employees that participate in ride sharing programs.
- Secure bicycle storage facilities should be provided at several locations within the project. Showers for employees should also be considered.
- Pedestrian walkways should be designated within the parking lot area to encourage pedestrian circulation and enhance safety of pedestrians between the roadways and buildings.



2. Drainage

Existing Conditions. A Preliminary Engineering Report was prepared by Warren S. Unemori Engineering, Inc. on December 2013. (See: Appendix L, "Preliminary Engineering Report"). Elevations across the project area range from approximately 123 feet above Mean Sea Level (MSL) at the mauka (East) property boundary to approximately 30 feet MSL along the property's Piilani Highway frontage. The project site has an average slope of 4 percent and includes a small unnamed natural drainageway (Drainageway "A") that runs in a northeast-to-southwest direction across the site before converging off site with the much larger Kulanihakoi Gulch *makai* of Piilani Highway. This minor drainage is not recognized as a regulated drainage way, there is no documented evidence of a name for the drainage yet individuals have referred to the minor drainage as a Kaonoulu Gulch. The offsite 1.0 MG water tank is located 234 feet above Mean Sea Level (MSL).

Offsite Storm Flows Storm runoff from approximately 471 acres of undeveloped land east (*mauka*) of Piilani Promenade is conveyed by Drainageway "A", to the eastern boundary of the project area. Once across the eastern boundary, Drainageway "A" continues across the project area in an east-west direction to an existing 102-inch twin barrel culvert crossing at Piilani Highway. Once across Piilani Highway, Drainageway "A" converges with the main stem of much larger Kulanihakoi Gulch before reaching the Pacific Ocean.

Ohukai Subdivision, an existing residential development located to the northeast of Piilani Promenade, discharges approximately 25 cfs of stormwater runoff toward the project area from a drainage outlet located on the south side of Ohukai Road. Runoff discharged from Ohukai Subdivision's drainage culvert is conveyed southward by Drainageway "B" until it converges with Drainageway "A" which was described earlier. (See: Appendix L, "Preliminary Engineering Report").

Onsite Storm Flows The existing, undeveloped project area generates approximately 85 cfs of surface runoff during a 50-year 1-hour storm. This runoff sheetflows in a westerly direction until it is intercepted by either 1) Kulanihakoi Gulch, 2) Drainageway "A", existing concrete drainage ditches along Piilani Highway, or an existing 54-inch culvert at Piilani Highway located near the northwest corner of the project area (See Figure 2-3 of the Preliminary Engineering Report) - all of which eventually drain to the main stem of



Kulanihakoi Gulch before reaching the ocean. (See: Appendix L, “Preliminary Engineering Report”).

Potential Impacts and Mitigation Measures. Warren S. Unemori Engineering, Inc. has prepared a drainage plan to mitigate surface runoff caused by seasonal storm events.

Offsite runoff: Offsite runoff will be allowed to pass through the project area and will not be affected by the development of the Piilani Promenade. Offsite surface runoff conveyed in Drainageways “A” and “B” will be routed via underground drainlines to a new diversion ditch constructed along the project’s eastern boundary where an underground drain line along the future East Kaonoulou Street will convey the runoff to the existing 102-inch culvert crossing at Piilani Highway. (See: Appendix L, “Preliminary Engineering Report”)

Onsite runoff: Once developed, the Piilani Promenade project area is expected to produce a peak runoff volume of 292 cfs from a 50-year 1-hour storm. This represents a net increase of approximately 207 cfs attributable to development of the project area as shown in Table 12.

TABLE 12 Increase in Runoff Attributable to Development of Piilani Promenade

Drainage Area	Pre-Development Flow	Post-Development Flow before Mitigation	Net Change
Onsite	85 cfs	292 cfs	+207 cfs

(See: Appendix L, “Preliminary Engineering Report”)

Proposed Improvements: Surface runoff generated by Piilani Promenade’s buildings and pavement will be directed to drain inlets located throughout the development and then conveyed to stormwater detention facilities (by underground drainlines) in order to provide peak flow mitigation (See: Figure 2-4 of the Preliminary Engineering Report). In compliance with Maui County’s Drainage Rules, underground detention chambers within Promenade South and an open detention pond within Promenade North, will provide a combined storage capacity of 7.6 acre-feet and will limit downstream stormwater discharges to a peak flow rate that does not exceed pre-development levels.



Water Quality Measures

Maui County now requires the implementation of water quality control measures to reduce water pollution from stormwater runoff. Both “flow through” and “detention based” treatments will be employed by Piilani Promenade to mitigate stormwater-related water pollution associated with the Promenade North and South development sites. “Flow through” treatment will be achieved by outfitting parking lot drain inlets with filters capable removing up to 80 percent of Total Suspended Solids. “Detention based” treatment will be provided by providing additional storage volume in the subsurface detention chambers and surface detention pond to facilitate sediment removal in addition to peak flow mitigation.

The proposed stormwater detention improvements will accommodate and mitigate the increase in peak flow attributable to development while simultaneously providing water pollution control. Table 13 summarizes the storage capacity within the stormwater detention system needed to achieve both of these objectives.

TABLE 13 Drainage Detention System Capacity for Piilani Promenade

Storage Capacity Required to Meet Water Quality Criteria	Additional Storage Capacity Required to Mitigate Peak Flow	Total Storage Capacity to be Provided
2.5 ac. -ft.	5.1 ac. -ft.	7.6 ac. -ft.

Once the stormwater detention facilities are in place, the hydrologic impact on downstream properties resulting from the proposed development of Piilani Promenade will be negligible because the pre-development peak flow is the same as the post-development peak flow after mitigation as summarized in Table 14 below.

**TABLE 14 Result of Peak Runoff by Piilani Promenade**

Drainage Area	Acreage	Pre-Development Peak Flow	Post-Development Peak Flow Before Mitigation	Post-Development Peak Flow After Mitigation	Net Change in Peak Runoff
North	30.1	31.2 cfs	107.7 cfs	9.6 cfs	-21.6 cfs
South	38.1	41.0 cfs	148.2 cfs	39.2 cfs	-1.8 cfs
Roads, Water Tank, Diversion Ditch	9.4	12.5 cfs	35.9 cfs	35.9 cfs	+23.4 cfs
TOTAL	77.6	84.7 cfs	291.8 cfs	84.7 cfs	0.0 cfs

3. Water

Existing Conditions. The Piilani Promenade lies within the Central Maui Water System's service area which falls under the jurisdiction of the Maui Department of Water Supply (DWS). Drinking water for the south Maui area currently comes from existing wells located in upper Waiehu and North Waihee which draws groundwater from the Iao and Waihee Aquifers. Drinking water from these wells is pumped into to an existing 1.0 million gallon (MG) capacity concrete water storage tank located in upper Waiehu, then conveyed across the isthmus by the Central Maui Water System's 36-inch diameter transmission main to consumers in South Maui. The existing DWS drinking water distribution system does not currently extend into the project area.

The State Commission on Water Resource Management approved an irrigation well permit for a well built in 2011 at a wellhead elevation of 118 feet. The well has proven to be capable of producing 216,000 gallons of non-drinking water per day and a permanent pump (150 gpm) has since been installed. Construction of the distribution infrastructure for the landscape irrigation system is currently pending.

Potential Impacts and Mitigation Measures. The Piilani Promenade will be served by the water system improvements that the Applicant is required to construct in order to complete the subdivision improvements for the Kaonoulu



Ranch Large-Lot Subdivision No. 2.17 (See: Figure 3-2 of Appendix L, “Preliminary Engineering Report”). These improvements will consist of:

- 1) Relocating a 2,500 ft. long segment of the Central Maui Water System’s existing 36-inch diameter waterline from its present alignment, which currently crosses the project area, onto a new alignment along East Kaonoulu Street;
- 2) Constructing a new 1.0 MG capacity concrete water storage reservoir located 234 feet MSL which will be dedicated to the DWS upon completion;
- 3) Installing a 3,200 ft. long, 12-inch diameter transmission waterline from the Central Maui Water System’s existing 36-inch transmission line to the new 1.0 MG storage reservoir for refilling the storage tank;
- 4) Installing a 5,500 ft. long, 16-inch diameter distribution main from the new 1.0 MG storage reservoir to and along East Kaonoulu Street which will deliver potable water for domestic use and provide fire protection for the Piilani Promenade project site; and
- 5) Installing a 1,100 ft. section of a 12-inch diameter distribution main across Piilani Highway to a connection point at the 18-inch diameter waterline on Kenolio Road in order to provide water circulation and link the new water system improvements to the County water distribution system serving the Kihei area.

4. Wastewater

Existing Conditions. The project site is currently undeveloped and is not served by the County’s wastewater collection system which is located to the west of the site across Piilani Highway. Wastewater collected by the County’s Kihei wastewater system is conveyed by a series of existing gravity lines, pump stations, and force mains along Kihei Road which transports the collected wastewater to the County’s Kihei Wastewater Reclamation Facility (KWWRF) for processing and disposal.

Potential Impacts and Mitigation Measures. The Piilani Promenade is expected to generate 114,000 gallons of wastewater per day. Wastewater service for the



project will be provided by connecting the Piilani Promenade to the existing County sewerage system at a connection point at the intersection of Kaonoulu and Alulike Streets (*makai* of Piilani Highway) where the County sewer system has sufficient capacity to accept the wastewater generated by the project. (See: Figure 4-1 of Appendix L, “Preliminary Engineering Report”)

The Wastewater Reclamation Division of the Maui Department of Environmental Management reports that available capacity at the KWWP is approximately 4.6 million-gallons-per-day (mgd) of out 8.0 mgd total treatment capacity based on measured average daily flows. As such, there should be ample treatment capacity available to accommodate the 114,000 gallon (0.1 mgd) daily wastewater flow which the Piilani Promenade project is expected to generate.

In a comment letter from the Department of Environmental Management, Wastewater Division, the County is requesting that the Applicant provide a 10,000 square foot lot for a future wastewater pump station and easement for transmission line that would service future development in north-central Kihei. (See: Appendix A “Early Consultation Letters with Responses”) the Applicant is coordinating with the Department on the optimal location for the 10,000 square foot lot.

As noted below, the Piilani Promenade will be subject to two (2) impact fees levied by the County of Maui in order to cover the cost of wastewater collection and treatment infrastructure for the Kihei area.

1. “Regional Wastewater Treatment System Facility Expansion Assessment Fee, for treatment plant expansion, which is assessed at \$4.65 per gallon of project flow. The Piilani Promenade will be assessed approximately **\$530,100** for the 114,000 gpd of wastewater flow which the project is expected to generate.
2. “Kihei Regional Wastewater Treatment System - Collection/Transmission System Project Assessment Fee,” for collection system upgrades, which is assessed at \$6.64 per gallon of project flow. The Piilani Promenade will be assessed approximately **\$756,960** for the 114,000 gpd of wastewater flow which the project is expected to generate.



5. Electrical

Existing Conditions. There are no existing Maui Electric Company (MECO) power sources in the immediate vicinity of the proposed development. The closest existing MECO power source is an overhead 69 kV and 12 kV pole line running through an existing subdivision just *makai* of Piilani Highway. The 69 kV is part of MECO's transmission loop for the Island of Maui and is the nearest source of large power. The 12 kV pole lines provide distribution power to existing commercial and residential developments in the area. However, MECO has advised that the existing 12 kV system does not have sufficient spare capacity to accommodate the estimated 6,250 kVA of load required by the current Piilani Promenade development plan. MECO has agreed to provide temporary power to the project until the substation is complete. We need to account for that commitment.

Potential Impacts and Mitigation Measures. MECO is planning a new substation to provide the additional capacity needed to accommodate further growth in the north Kihei area. The new substation will be located in the northwest corner of the Piilani Promenade development, and will be fed by an overhead 69 kV line extension across Piilani Highway, which will be tapped into MECO's transmission loop pole line below the highway. (See Figure 6-1 of Appendix L, "Preliminary Engineering Report"). The new MECO substation is a permitted use in the LI zoning district and subject to review and approval by the State Public Utilities Commission. The substation will contain two (2) MECO transformers to step down the voltage from 69 kV to 12 kV for local distribution. A new 12 kV concrete-encased underground ductline and manholes will be provided to extend power from the substation to a major ductline along the Kaonoulu Street extension. Stubouts for 12 kV distribution line will be provided at each bulk-lot for future onsite distribution. All power distribution serving uses within the project will be underground, including the wiring along East Kaonoulu Street for MECO's street lighting system. MECO will provide temporary power to serve the project during construction.

6. Communication and Cable TV Systems

Existing Conditions. Hawaiian Telcom (HT) and Oceanic Time Warner Cable (Oceanic) do not have any existing telecommunications facilities in the immediate vicinity of the proposed development. The closest source of



telephone and CATV service is MECO's 69 kV pole line which is *makai* of Piilani Highway.

Potential Impacts and Mitigation Measures. To provide telephone and CATV service for the project, an underground ductline extension from the existing 69 kV pole line (across Piilani Highway) and an underground installation along the Kaonoulu Street extension are proposed. Conduit stubouts will be provided for each bulk-lot for future onsite distribution. HT and Oceanic will provide the fiber optic cables for the ductlines on an "as-needed" basis. No central offices or electronic equipment pads are anticipated. However, small cross connects and CATV node pads may be required along Kaonoulu Street. As with MECO, all HT and Oceanic distribution lines serving uses within the project will be placed underground.



IV. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES, AND CONTROLS

A. CHAPTER 343 HAWAII REVISED STATUTES

This EIS has been prepared in accordance with the provisions of Chapter 343, HRS, (Environmental Impact Statement Law) and Title 11, Chapter 200, HAR, Environmental Impact Statement Rules.

Section 343.5 HRS, establishes nine “triggers” that require the preparation of an Environmental Assessment (EA) or EIS. **The trigger for the Piilani Promenade includes work in the State Right-of-Way on Piilani Highway.**

B. STATE LAND USE

Chapter 205, Hawaii Revised Statutes, relating to the Land Use Commission (LUC), establishes four (4) major land use districts in which all lands in the state are placed. These districts are designated as *Urban*, *Rural*, *Agricultural*, and *Conservation*. The lands of the Piilani Promenade lie within the State *Urban* district. (See: Figure No. 5, “State Land Use Map”)

The Applicant is not proposing a reclassification or amendment of the State Land Use District Boundaries; however the Applicant is proposing a use that the Commission has determined is different from that which was represented to the Commission by the Original Petitioner to obtain the 1995 Decision and Order.

As previously described in the Background section herein, there is currently pending an Order to Show Cause proceeding, which has been stayed pending



Applicant filing a Motion for Order Amending the Findings of Fact, Conclusions of Law, and Decision and Order Dated February 10, 1995 ("Motion to Amend"). Applicant submitted its Motion to Amend to the LUC, however, without an Environmental Impact Statement ("EIS"), that Motion to Amend is considered incomplete by the LUC, and will not be set for hearing before the LUC until this EIS has been completed and/or accepted by the LUC.

In the Motion to Amend, Applicant requests that the LUC issue a new docket sheet for that portion of the property subject to the LUC's 1995 Decision and Order that is owned by Applicant, that the Applicant be released from the conditions of the 1995 Decision and Order, and that the LUC issue new Findings of Fact, Conclusions of Law, and a Decision and Order specific to the planned Piilani Promenade project that is the subject of this EIS. Attached hereto as Appendix N is a review and analysis of the currently existing conditions in the 1995 Decision and Order that would be included in the new Findings of Fact, Conclusions of Law and Decision and Order and would apply only to the Piilani Parcels, as sought by Applicant in the Motion to Amend.

Sec 15-15-18, Hawaii Administrative Rules. The proposed Piilani Promenade is consistent with the following standards of the Urban District, Sec 15-15-18, Hawaii Administrative Rules:

- 1. It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban and other related land uses.*

Analysis:

The Piilani Promenade project site is located in Kihei which is the urban center of South Maui. The project site is located immediately south and adjacent to existing commercial uses. Along the Project's southern boundary is the Kulanihakoi Gulch and future Kihei High School. Across Piilani Highway and within close proximity of the project site are the Kihei Aquatic and Community Center, Piilani Shopping Center and a variety of business and commercial services along with single-family and multi-family residential development.

- 2. Proximity to centers of trading and employment except where the development would generate new centers of trading and employment;*

Analysis:



The Piilani Promenade is located within close proximity to one of three commercial nodes located in central Kihei. The Piilani Shopping Center, Azeka Shopping Center, the Maui Research and Technology Park along with numerous professional and business services are all located a short distance from the Piilani Promenade and generate substantial employment. In addition, the Kihei-Makena Community Plan and the Maui Island Plan identify the project in the Urban Growth Boundary.

3. Availability of basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection; and

Analysis:

Basic public services and facilities, such as transportation systems, sewer, water, drainage and public utility hook-ups are available in close proximity to the proposed project. All of the drainage improvements for the proposed development will comply with County of Maui standards. The County of Maui currently does not provide solid waste disposal service to multi-family residences in the area. The Piilani Promenade is also adjacent to Piilani Highway, a major roadway serving the general Kihei area. A new roadway will be constructed to provide access from Piilani Highway; this roadway will also become the future Kihei Upcountry Highway (KUH connecting to Haleakala Highway in the future.

The lands of the project area have poor soil conditions, limited topography, and are close to existing infrastructure making the subject property a suitable location for the proposed development. Section III.D (Infrastructure) details the preliminary engineering and drainage analyses conducted for the proposed development. Schools and several parks are located in close proximity to the Piilani Promenade, such as the three (3) Kamaole Beach Parks, Charley Young Park, Kalama Park and South Maui Community Park. Other recreational facilities include the Kihei Aquatic Center and Community Center, both a short distance from the Piilani Promenade. It should be noted that the proposed development will also include open space and a park, which will help to mitigate vehicular traffic to and from the subject property.

The State Department of Education's public school system in the Kihei region includes Kamalii and Kihei Elementary Schools (Grades K to 5), Lokelani Intermediate School (Grades 6 to 8) and Maui and Kihei Public Charter High School (Grades 9 to 12). The Kihei Charter School provides K-12 classes within



close proximity of the project site at Lipoa Center and Kihei Commercial Center. The future Kihei High School is proposed for development adjacent to the Kulanihakoi Gulch, south of the subject property, along Piilani Highway, and the State Department of Education is preparing and processing land use entitlements for this development. Once developed, the Piilani Promenade will be within a short distance of an elementary, intermediate and high school.

Police protection for the Kihei area is provided by the Maui County Police Department, with the existing Kihei Station located approximately 1.5 miles from the Piilani Promenade. Likewise, fire protection for the Kihei area, which encompasses fire prevention, suppression, rescue, and emergency services, is provided by the Maui County Fire Department, with the Kihei Fire Station located near Kalama Park on South Kihei Road, approximately 1.5 miles from the Piilani Promenade. The proposed development will not result in any extension of the existing service area limits for these emergency services.

4. Sufficient reserve areas for foreseeable urban growth.

Analysis:

The Kihei-Makena Community Plan region will have sufficient reserve areas for foreseeable urban growth. The Maui Island Plan, Directed Growth Plan identifies Planned Growth Areas for Central Kihei, mauka of Piilani Highway that are ideal for a new community. The lands mauka of Piilani Highway offer suitable topography for a new community, and is located outside of the tsunami inundation zone.

5. It shall include lands with satisfactory topography, drainage, and reasonably free from the danger of any flood, tsunami, unstable soil condition, and other adverse environmental effects.

Analysis:

Elevations across the project area range from approximately 123 feet above Mean Sea Level (MSL) at the mauka (East) property boundary to approximately 30 feet MSL along the Piilani Highway fronting the site. The average slope across the project site is 4%.

The site includes two soil types "Waiakoa extremely stony silty clay loam", 3 to 25 percent slopes, eroded (WID2) and Alae sandy loam, 3 to 7 percent slopes (AaB). These soils developed in volcanic ash and recent alluvium derived from



basic igneous rock. Runoff is slow and the erosion hazard is slight therefore these soils are appropriate for development.

As indicated by the Flood Insurance Rate Map, the Piilani Promenade is located within Zone X, which is outside of any flood hazard. The project site is not subject to tsunami, unstable soil conditions or other adverse environmental effects which would render it unsuitable or inappropriate for the proposed development.

- 6. Land contiguous with existing urban areas shall be given more consideration than non-contiguous land, and particularly when indicated for future urban use on state or county general plans.*

Analysis:

As reflected on the State Land Use Classification map, the project site is already designated "Urban". In addition, the surrounding project is within the Maui Island Plan's Urban Growth Boundary and is also designated by the Kihei-Makena Community Plan for urban use.

As noted above, the project site is contiguous to existing urban areas, including a Gas station and light industrial/commercial uses, and the Kaonoulu Estates residential subdivision. In addition, the future Kihei High School is proposed on lands south of the project site. Just west of the project site, across Piilani Highway, are commercial, civic, and residential developments within central Kihei.

- 7. It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on the state and county general plans.*

Analysis:

Given the Light Industrial (LI) designation of the property by the Kihei-Makena Community Plan and the placement of the Project area within the Urban Growth Boundary by the Maui Island Plan, the project site is in an appropriate location for new urban concentration and growth. Both of these plans support an urban use of the subject property, and with existing infrastructure and public facilities in close proximity, balancing employment with housing and services is a central tenet of smart growth.

- 8. May include lands which do not conform to the standards in paragraphs (1) to (5):*



- (A) *When surrounded by or adjacent to existing urban development; and*
- (B) *Only when those lands represent a minor portion of this district;*

Analysis:

The project site is located in the State Land Use Urban District and conforms to the standards in paragraphs (1) to (5).

9. *It shall not include lands, the urbanization of which will contribute toward scattered spot urban development, necessitating unreasonable investment in public infrastructure or support services.*

Analysis:

Development of the Project area will not contribute to scattered spot urban development. The property is located adjacent to, and will become part of, the existing urban uses mauka of Piilani Highway and other residential and commercial subdivisions in the area.

The proposed development will not necessitate unreasonable public investment in infrastructure facilities or public services. The Applicant will be engaging in infrastructure improvements to mitigate any potential impacts of the proposed development.

10. *It may include lands with a general slope of twenty per cent or more if the commission finds that those lands are desirable and suitable for urban purposes and that the design and construction controls, as adopted by any federal, state, or county agency, are adequate to protect the public health, welfare and safety, and the public's interests in the aesthetic quality of the landscape.*

Analysis:

The project area is characterized by an average slope of four (4) percent.

The site is not suitable for productive agricultural land use and is better suited for urban development. The proposed development would provide additional opportunities for housing and employment. Basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection are in close proximity to the site. The Piilani Promenade is currently within the General Plan's Urban Growth Boundary.



Sec 15-15-24, Hawaii Administrative Rules. Permissible uses within the “U” Urban District.

The proposed Piilani Promenade is located within the Urban District; therefore the project is in compliance with section 15-15-24 HAR.

C. HAWAII STATE PLAN

The Hawaii State Plan (Chapter 226, HRS), establishes a set of goals, objectives, and policies that serve to guide the long-term growth and development of the State. The Plan consists of three (3) parts. Part I includes its Overall Theme, Goals, Objectives, and Policies; Part II encompasses Planning, Coordination, and Implementation; and Part III establishes Priority Guidelines. Since Part II of the State Plan covers its administrative structure and implementation process, comments relating to the applicability of Part II to the proposed project are not appropriate. In addition to sections of the State Plan that are applicable to the proposed project, a discussion of how the project conforms to the State Plan is included below.

Hawaii State Plan, Chapter 226, HRS Part 1. Overall Themes, Goals, Objectives and Policies Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable	S	N/S	N/A
HRS 226-1: Findings and Purpose			
HRS 226-2: Definitions			
HRS 226-3: Overall Theme			
HRS 226-4: State Goals. In order to guarantee, for the present and future generations, those elements of choice and mobility that insure that individuals and groups may approach their desired levels of self-reliance and self determination, it shall be the goal of the State to achieve: 1. A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawaii’s present and future generations. 2. A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well being of the people. 3. Physical, social, and economic well-being, for individuals and families in Hawaii, that nourishes a sense of community responsibility, of caring, and of participation in community life.			
<u>Analysis:</u> The proposed Piilani Promenade achieves the above-referenced goals by 1) creating a			



<p>more conducive environment for the diversification of the State's economy; and 2) creating employment opportunities and affordable rental housing for Maui residents, thereby providing greater opportunity for self-reliance and self-determination. Moreover, the project will include contributions such as constructing a portion of the Upcountry Highway and dedication of a 1.0 MG drinking water tank for public use, and enhancing the County's infrastructure and public facilities.</p>			
<p><u>Chapter 226-5, HRS, Objective and Policies for Population</u></p>			
<p>Objective: It shall be the objective in planning for the state's population to guide population growth to be consistent with the achievement of physical, economic and social objectives contained in this chapter.</p>			
<i>Policies:</i>	S	N/S	N/A
(1) Manage population growth statewide in a manner that provides increased opportunities for Hawaii's people to pursue their physical, social, and economic aspirations while recognizing the unique needs of each county.	✓		
(2) Encourage an increase in economic activities and employment opportunities on the neighbor islands consistent with community needs and desires.	✓		
(3) Promote increased opportunities for Hawaii's people to pursue their socio-economic aspirations throughout the islands.	✓		
(4) Encourage research activities and public awareness programs to foster an understanding of Hawaii's limited capacity to accommodate population needs and to address concerns resulting from an increase in Hawaii's population.			✓
(5) Encourage federal actions and coordination among major governmental agencies to promote a more balanced distribution of immigrants among the states, provided that such actions do not prevent the reunion of immediate family members.			✓
(6) Pursue an increase in federal assistance for states with a greater proportion of foreign immigrants relative to their state's population.			✓
(7) Plan the development and availability of land and water resources in a coordinated manner so as to provide for the desired levels of growth in each geographic area. [L 1978, c 100, pt of §2; am L 1986, c 276, §4; am L 1988, c 70, §3; am L 1993, c 213, §3]	✓		
<p><i>Analysis:</i> The proposed project includes a residential component that will help accommodate foreseeable population growth on Maui. The Piilani Promenade incorporates current land use planning themes which encourages mixed use projects and incorporates a variety of compatible</p>			



uses on the same property. The Piilani Promenade will strengthen Maui's economy by creating jobs for Maui residents which will in turn have a positive impact on the rest of the Maui economy. The result will be an increase in economic activities and employment opportunities on the neighbor islands consistent with community needs and desires, which will promote increased opportunities for Hawaii.			
<u>Chapter 226-6, HRS, Objectives and Policies for the Economy - in General</u>			
Objectives: Planning for the State's economy in general shall be directed toward achievement of the following objectives:			
Objectives:	S	N/S	N/A
(1) Increased and diversified employment opportunities to achieve full employment, increased income and job choice, and improved living standards for Hawaii's people, while at the same time stimulating the development and expansion of economic activities capitalizing on defense, dual-use, and science and technology assets, particularly on the neighbor islands where employment opportunities may be limited.	✓		
(2) A steadily growing and diversified economic base that is not overly dependent on a few industries, and includes the development and expansion of industries on the neighbor islands.	✓		
Policies:	S	N/S	N/A
(1) Expand Hawaii's national and international marketing, communication, and organizational ties, to increase the State's capacity to adjust to and capitalize upon economic changes and opportunities occurring outside the State.	✓		
(2) Promote Hawaii as an attractive market for environmentally and socially sound investment activities that benefit Hawaii's people.	✓		
(3) Seek broader outlets for new or expanded Hawaii business investments.	✓		
(4) Expand existing markets and penetrate new markets for Hawaii's products and services.	✓		
(5) Assure that the basic economic needs of Hawaii's people are maintained in the event of disruptions in overseas transportation.			✓
(6) Strive to achieve a level of construction activity responsive to, and consistent with, state growth objectives.	✓		
(7) Encourage the formation of cooperatives and other favorable marketing arrangements at the local or regional level to assist Hawaii's small scale producers, manufacturers, and distributors.			✓



(8) Encourage labor-intensive activities that are economically satisfying and which offer opportunities for upward mobility.	✓		
(9) Foster greater cooperation and coordination between the government and private sectors in developing Hawaii's employment and economic growth opportunities.	✓		
(10) Stimulate the development and expansion of economic activities which will benefit areas with substantial or expected employment problems.	✓		
(11) Maintain acceptable working conditions and standards for Hawaii's workers.	✓		
(12) Provide equal employment opportunities for all segments of Hawaii's population through affirmative action and nondiscrimination measures.	✓		
(13) Stimulate the development and expansion of economic activities capitalizing on defense, dual-use, and science and technology assets, particularly on the neighbor islands where employment opportunities may be limited.	✓		
(14) Encourage businesses that have favorable financial multiplier effects within Hawaii's economy, particularly with respect to emerging industries in science and technology.	✓		
(15) Promote and protect intangible resources in Hawaii, such as scenic beauty and the aloha spirit, which are vital to a healthy economy.	✓		
(16) Increase effective communication between the educational community and the private sector to develop relevant curricula and training programs to meet future employment needs in general, and requirements of new, potential growth industries in particular.			✓
(17) Foster a business climate in Hawaii--including attitudes, tax and regulatory policies, and financial and technical assistance programs--that is conducive to the expansion of existing enterprises and the creation and attraction of new business and industry. [L 1978, c 100, pt of §2; am L 1986, c 276, §5; am L 1988, c 70, §4; am L 1993, c 213, §4; am L 2009, c 167, §2]	✓		
<i>Analysis:</i> As discussed in Section III.B.3 (Economy) the construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 "worker years" of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will provide			



direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After “stabilization,” the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.			
<u>Chapter 226-7 Objectives and policies for the economy-agriculture.</u>			
<u>Analysis:</u> As discussed in Section III.A.10 (Agricultural Resources) The LSB and ALISH classification systems indicate that the lands underlying the project site possess poor soil and low soil ratings for productive agricultural uses. As such, the utilization of these poorly-rated agricultural lands for urban use and development is deemed appropriate; therefore Chapter 226-7 is not applicable to the proposed project.			
<u>Chapter 226-8 Objective and policies for the economy-visitor industry.</u>			
<u>Objectives:</u> Planning for the State's economy with regard to the visitor industry shall be directed towards the achievement of the objective of a visitor industry that constitutes a major component of steady growth for Hawaii's economy.			
<u>Analysis:</u> The Piilani Promenade is not targeting the visitor industry; hotels, transient vacation rentals, timeshares, and bed and breakfast operations will be prohibited; however visitors may choose to visit the Piilani Promenade to shop or dine at future retail and restaurant establishments.			
<u>Chapter 226-9 Objective and policies for the economy-federal expenditures.</u>			
<u>Objective:</u> Planning for the State's economy with regard to federal expenditures shall be directed towards achievement of the objective of a stable federal investment base as an integral component of Hawaii's economy.			
<u>Analysis:</u> The Piilani Promenade will not use federal funds or land nor will it require additional federal expenditures in the State. Therefore, Chapter 226-9 does not apply to the proposed project.			
<u>Chapter 226-10 Objective and policies for the economy-potential growth activities.</u>			
<u>Objective:</u> Planning for the State's economy with regard to potential growth activities shall be directed towards achievement of the objective of development and expansion of potential growth activities that serve to increase and diversify Hawaii's economic base.			
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Facilitate investment and employment growth in economic activities that have the potential to expand and diversify Hawaii's economy, including but not limited to diversified agriculture, aquaculture,	✓		



renewable energy development, creative media, and science and technology-based sectors;			
(2) Expand Hawaii's capacity to attract and service international programs and activities that generate employment for Hawaii's people;			
(3) Enhance and promote Hawaii's role as a center for international relations, trade, finance, services, technology, education, culture, and the arts;			✓
(4) Accelerate research and development of new energy-related industries based on wind, solar, ocean, and underground resources and solid waste;	✓		
(5) Promote Hawaii's geographic, environmental, social, and technological advantages to attract new economic activities into the State;	✓		
(6) Provide public incentives and encourage private initiative to attract new industries that best support Hawaii's social, economic, physical, and environmental objectives;	✓		
(8) Develop, promote, and support research and educational and training programs that will enhance Hawaii's ability to attract and develop economic activities of benefit to Hawaii;			✓
(9) Foster a broader public recognition and understanding of the potential benefits of new, growth-oriented industry in Hawaii;			✓
(10) Encourage the development and implementation of joint federal and state initiatives to attract federal programs and projects that will support Hawaii's social, economic, physical, and environmental objectives;			✓
(11) Increase research and development of businesses and services in the telecommunications and information industries; and	✓		
<u>Analysis:</u> The Piilani Promenade will encompass a variety of permitted land uses which is expected to attract a broad range of businesses because of this diversity. This mixture of light industrial, residential, commercial, and retail uses will make the Piilani Promenade a more vibrant and attractive environment for businesses to setup shop and to grow their operations.			
<u>Chapter 226-10.5 Objectives and policies for the economy-information industry.</u>			
<u>Objective:</u> Planning for the State's economy with regard to telecommunications and information technology shall be directed toward positioning Hawaii as a leader in broadband communications and applications in the Pacific Region.			
<u>Analysis:</u> The mixture and variety of land uses within the Piilani Promenade will provide opportunities for research and technology-based businesses and would complement the future			



uses of the property.			
<u>Chapter 226-11, HRS, Objectives and Policies for the Physical Environment – Land Based, Shoreline, and Marine Resources</u>			
(a) Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the following objectives:			
<u>Objectives:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Prudent use of Hawaii's land-based, shoreline, and marine resources.	✓		
(2) Effective protection of Hawaii's unique and fragile environmental resources.	✓		
<u>Policies:</u>			
(1) Exercise an overall conservation ethic in the use of Hawaii's natural resources.	✓		
(2) Ensure compatibility between land-based and water-based activities and natural resources and ecological systems.	✓		
(3) Take into account the physical attributes of areas when planning and designing activities and facilities.	✓		
(4) Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.	✓		
(5) Consider multiple uses in watershed areas, provided such uses do not detrimentally affect water quality and recharge functions.	✓		
(6) Encourage the protection of rare or endangered plant and animal species and habitats native to Hawaii.	✓		
(7) Provide public incentives that encourage private actions to protect significant natural resources from degradation or unnecessary depletion.	✓		
(8) Pursue compatible relationships among activities, facilities, and natural resources.	✓		
(9) Promote increased accessibility and prudent use of inland and shoreline areas for public recreational, educational, and scientific purposes. [L 1978, c 100, pt of §2; am L 1986, c 276, §10]			✓
<u>Analysis:</u> The Piilani Promenade does not lie within the Hawaii Coastal Zone Management Area nor is it located within the Special Management Area for the island of Maui. No listed or endangered species of flora and fauna were identified on the property. During the construction and operational phases of the project, Best Management Practices (BMPs) will be implemented to mitigate non-point source pollution to coastal resources and mitigate the effects of fugitive dust. Through the public review process for the EIS, mitigation measures will be identified to help			



address any environmental impacts that may arise from the proposed project.			
<u>Chapter 226-12, HRS, Objective and Policies for the Physical Environment – Scenic, Natural Beauty, and Historic Resources</u>			
<u>Objective:</u> Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural/historical resources.			
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Promote the preservation and restoration of significant natural and historic resources.	✓		
(2) Provide incentives to maintain and enhance historic, cultural, and scenic amenities.	✓		
(3) Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.	✓		
(4) Protect those special areas, structures, and elements that are an integral and functional part of Hawaii's ethnic and cultural heritage.	✓		
(5) Encourage the design of developments and activities that complement the natural beauty of the islands. [L 1978, c 100, pt of §2; am L 1986, c 276, §11]	✓		
<p><u>Analysis:</u> As discussed in Section III.A. 8 (Historical and Archaeological Resources) The proposed project will not impact Kulanihakoī Gulch and is not anticipated to significantly impact the physical environment. The project promotes the preservation of historic resources and the Applicant will work with the State Historic Preservation Division to prepare a data recovery plan.</p> <p>The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (See: Appendix F, “Archaeological Inventory Survey”).</p> <p>A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing potential impacts to Kulanihakoī Gulch and the return of the petroglyph boulder that was previously removed from the project site by a former land owner, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and that the petroglyph boulder be returned to the property. The Applicant has discussed the possible return of the petroglyph boulder with the former land owner; however, the former owner rejected this request since the relocation plan was approved by State Historic</p>			



Preservation Division (SHPD). In addition, the archaeological monitoring plan that was submitted to the SHPD for review has been approved and is referenced for all recent work on the site. The monitoring plan may be found in Appendix H and may be updated once project construction is initiated.

As discussed in Section III.B.4 (Cultural Resources) the cultural impact statement (CIA) which was prepared for the proposed project reported that there were no visible cultural resources, (*i.e.* medicinal plants, shoreline resources, religious sites, or archeological resources) observed on the property. From a cultural practices and beliefs perspective, the subject property bears no apparent signs of cultural practices or any gatherings currently taking place on the site. The oral history interviews did not reveal any known gathering places on the subject property nor did any access concerns surface as a result of the proposed Project. In light of the foregoing, it can be concluded that development of the site will not impact cultural resources on the property or within its immediate vicinity.

As discussed in Section III.A.9 (Visual Resources) the Piilani Promenade is not anticipated to have significant impacts on views from Piilani Highway toward Haleakala. The property is setback substantially from Piilani Highway and building heights are limited to 60 feet. The proposed project will complement the architectural character of South Maui as well as other developed properties in the area.

Chapter 226-13, Hawaii Revised Statutes, Objectives and Policies for the Physical Environment - Land, Air, and Water Quality

<u>Objectives:</u>	S	N/S	N/A
(1) Maintenance and pursuit of improved quality in Hawaii's land, air, and water resources.	✓		
(2) Greater public awareness and appreciation of Hawaii's environmental resources.	✓		
<u>Policies:</u>	S	N/S	N/A
(1) Foster educational activities that promote a better understanding of Hawaii's limited environmental resources.			✓
(2) Promote the proper management of Hawaii's land and water resources.	✓		
(3) Promote effective measures to achieve desired quality in Hawaii's surface, ground, and coastal waters.	✓		
(4) Encourage actions to maintain or improve aural and air quality levels to enhance the health and well-being of Hawaii's people.	✓		
(5) Reduce the threat to life and property from erosion, flooding, tsunamis, hurricanes, earthquakes, volcanic eruptions, and other	✓		



natural or man-induced hazards and disasters.			
(6) Encourage design and construction practices that enhance the physical qualities of Hawaii's communities.	✓		
(7) Encourage urban developments in close proximity to existing services and facilities.	✓		
(8) Foster recognition of the importance and value of the land, air, and water resources to Hawaii's people, their cultures and visitors. [L 1978, c 100, pt of §2; am L 1986, c 276, §12]	✓		
<p><u>Analysis:</u> The Piilani Promenade does not lie with the Hawaii Coastal Zone Management Area nor is it located within the Special Management Area for the island of Maui. No listed or endangered species of flora and fauna were identified on the subject property. During the construction and operational phases of the project, Best Management Practices (BMPs) will be implemented to mitigate non-point source pollution to coastal resources and mitigate the effects of fugitive dust. Through the public review process for the EIS, mitigation measures will be identified to help address any environmental impacts that may arise from the proposed project.</p> <p>From a site planning perspective, the design and layout of the project involved an evaluation of existing topographic conditions in order to create a viable development plan which would minimize potential impacts to the land form. To the extent practicable, the layout and orientation of future buildings will strive to preserve view planes toward the Pacific Ocean.</p> <p>As discussed in Section III.A.6 (Air Quality), appropriate mitigation measures will be implemented during construction to minimize any temporary impacts on air quality. The proposed project will be developed in accordance with applicable Federal and/or State air quality standards.</p> <p>As discussed in Section III.A.4 (Natural Hazards), the development of the Piilani Promenade will not increase the possibility of natural hazards such as flooding, tsunami inundation, hurricanes, and earthquakes. The Piilani Promenade will be constructed in compliance with County, State and Federal standards.</p> <p>The New Urbanism concept is a globally successful design practice which will be utilized for the Piilani Promenade. The design of the project will enhance the physical quality of the property by providing housing, development, and related infrastructure on the same site.</p>			
<u>Chapter 226-14 Objective and policies for facility systems-in general.</u>			
<u>Objective:</u> Planning for the State's facility systems in general shall be directed towards achievement of the objective of water, transportation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives.			



<u>Analysis:</u> The proposed Piilani Promenade does not involve planning for the State's facility systems; therefore these objectives and policies are not applicable.			
<u>Chapter 226-15, Hawaii Revised Statutes, Objectives and Policies for Facility Systems - Solid and Liquid Waste.</u>			
<u>Objectives:</u> Planning for the State's facility systems in general shall be directed towards achievement of the objective of water, transportation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives.			
<u>Objectives:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Maintenance of basic public health and sanitation standards relating to treatment and disposal of solid and liquid wastes.	✓		
(2) Provision of adequate sewerage facilities for physical and economic activities that alleviate problems in housing, employment, mobility, and other areas.	✓		
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Encourage the adequate development of sewerage facilities that complement planned growth.	✓		
(2) Promote re-use and recycling to reduce solid and liquid wastes and employ a conservation ethic.	✓		
(3) Promote research to develop more efficient and economical treatment and disposal of solid and liquid wastes. [L 1978, c 100, pt of §2; am L 1986, c 276, §14]	✓		
<u>Analysis:</u> As discussed in Section III.D.5 (Wastewater), the Piilani Promenade will connect to the Maui County sewer system and the Kihei Wastewater Reclamation Facility (KWWRF). The KWWRF was designed to accommodate future population growth in South Maui and has a sufficient capacity to accommodate the expected wastewater generated by Piilani Promenade. As discussed in Section III.C.5 (Solid Waste), the Piilani Promenade will develop strategies for reducing solid waste delivered to the County landfill by providing options for recycling and promoting recycling practices among future residents and businesses.			
<u>Chapter 226-16, Hawaii Revised Statutes, Objectives and Policies for Facility Systems - Water.</u>			
<u>Objective:</u> Planning for the State's facility systems in general shall be directed towards achievement of the objective of water, transportation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives.			
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Coordinate development of land use activities with existing and potential water supply.	✓		
(2) Support research and development of alternative methods to meet future water requirements well in advance of anticipated needs.	✓		



(3) Reclaim and encourage the productive use of runoff water and wastewater discharges.	✓		
(4) Assist in improving the quality, efficiency, service, and storage capabilities of water systems for domestic and agricultural use.	✓		
(5) Support water supply services to areas experiencing critical water problems.	✓		
(6) Promote water conservation programs and practices in government, private industry, and the general public to help ensure adequate water to meet long-term needs. [L 1978, c 100, pt of §2; am L 1986, c 276, §15]	✓		
<p><u>Analysis:</u> As discussed in Section III.D.4 (Water), the drinking water source for the Piilani Promenade is water provided by the Maui Department of Water Supply (DWS), while the source of non-drinking water is brackish water provided by an onsite well. The proposed project includes construction of a 1.0 MG water tank for public drinking water use.</p> <p>In addition to developing its own onsite water source, the developer is committed to water conservation strategies for reducing consumption, conserving resources, and minimizing water demands, and implementing the water conservation measures of the DWS.</p>			
<u>Chapter 226-17 Objectives and policies for facility systems-transportation.</u>			
<u>Objectives:</u> Planning for the State's facility systems with regard to transportation shall be directed towards the achievement of the following objectives:			
<u>Objectives:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) An integrated multi-modal transportation system that services statewide needs and promotes the efficient, economical, safe, and convenient movement of people and goods.	✓		
(2) A statewide transportation system that is consistent with and will accommodate planned growth objectives throughout the State.	✓		
<u>Policies:</u>			
(1) Design, program, and develop a multi-modal system in conformance with desired growth and physical development as stated in this chapter;	✓		
(2) Coordinate state, county, federal, and private transportation activities and programs toward the achievement of statewide objectives;	✓		
(3) Encourage a reasonable distribution of financial responsibilities for transportation among participating governmental and private parties;	✓		



(4) Provide for improved accessibility to shipping, docking, and storage facilities;			✓
(5) Promote a reasonable level and variety of mass transportation services that adequately meet statewide and community needs;			
(6) Encourage transportation systems that serve to accommodate present and future development needs of communities;	✓		
(7) Encourage a variety of carriers to offer increased opportunities and advantages to interisland movement of people and goods;			✓
(8) Increase the capacities of airport and harbor systems and support facilities to effectively accommodate transshipment and storage needs;			✓
(9) Encourage the development of transportation systems and programs which would assist statewide economic growth and diversification;	✓		
(10) Encourage the design and development of transportation systems sensitive to the needs of affected communities and the quality of Hawaii's natural environment;	✓		
(11) Encourage safe and convenient use of low-cost, energy-efficient, non-polluting means of transportation;	✓		
(12) Coordinate intergovernmental land use and transportation planning activities to ensure the timely delivery of supporting transportation infrastructure in order to accommodate planned growth objectives; and	✓		
(13) Encourage diversification of transportation modes and infrastructure to promote alternate fuels and energy efficiency. [L 1978, c 100, pt of §2; am L 1986, c 276, §16; am L 1993, c 149, §1; am L 1994, c 96, §3]	✓		
<p><u>Analysis:</u> As discussed in Section II.E.3 and 4 of the DEIS, the proposed project establishes a settlement pattern that is significantly more compact and mixed-use in character as compared to the previously approved 123-lot light industrial subdivision. This new site plan also reflects the creation of a unified system of pedestrian and bicycle infrastructure which will provide connectivity between the residential and employment areas within the project site.</p> <p>The proposed project will also provide a segment of the future Upcountry Highway. Transportation demand and management strategies for the Piilani Promenade support methods such as ridesharing, bicycle and pedestrian use, off-peak commuting and other measures discussed in the TIAR (see Appendix M).</p>			
Chapter 226-18, Hawaii Revised Statutes, Objectives and Policies for Facility Systems - Energy.			
Objectives: Planning for the State's facility systems with regard to energy shall be directed toward			



the achievement of the following objectives, giving due consideration to all:			
<u>Objectives:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Dependable, efficient, and economical statewide energy systems capable of supporting the needs of the people;	✓		
(2) Increased energy self-sufficiency where the ratio of indigenous to imported energy use is increased;	✓		
(3) Greater energy security and diversification in the face of threats to Hawaii's energy supplies and systems; and	✓		
(4) Reduction, avoidance, or sequestration of greenhouse gas emissions from energy supply and use.	✓		
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Support research and development as well as promote the use of renewable energy sources;	✓		
(2) Ensure that the combination of energy supplies and energy-saving systems is sufficient to support the demands of growth;	✓		
(3) Base decisions of least-cost supply-side and demand-side energy resource options on a comparison of their total costs and benefits when a least-cost is determined by a reasonably comprehensive, quantitative, and qualitative accounting of their long-term, direct and indirect economic, environmental, social, cultural, and public health costs and benefits;	✓		
(4) Promote all cost-effective conservation of power and fuel supplies through measures, including:	✓		
(A) Development of cost-effective demand-side management programs;	✓		
(B) Education; and	✓		
(C) Adoption of energy-efficient practices and technologies;	✓		
(5) Ensure, to the extent that new supply-side resources are needed, that the development or expansion of energy systems uses the least-cost energy supply option and maximizes efficient technologies;	✓		
(6) Support research, development, demonstration, and use of energy efficiency, load management, and other demand-side management programs, practices, and technologies;	✓		
(7) Promote alternate fuels and transportation energy efficiency;	✓		
(8) Support actions that reduce, avoid, or sequester greenhouse gases	✓		



in utility, transportation, and industrial sector applications;			
(9) Support actions that reduce, avoid, or sequester Hawaii's greenhouse gas emissions through agriculture and forestry initiatives; and	✓		
(10) Provide priority handling and processing for all state and county permits required for renewable energy projects. [L 1978, c 100, pt of §2; am L 1986, c 276, §17; am L 1990, c 319, §2; am L 1994, c 96, §4; am L 2000, c 176, §1; am L 2007, c 205, §6; am L 2009, c 155, §17 and c 156, §3]	✓		
<p><u>Analysis:</u> As discussed in Section III.D.5 “Electrical,” the Piilani Promenade will include conservation measures to encourage the use of energy-efficient technology throughout the project, specifically in areas involving lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development. Occupants of the Piilani Promenade will be encouraged to install Photovoltaic Energy Systems where appropriate and feasible.</p> <p>In addition, the Piilani Promenade is utilizing smart growth planning techniques that will help to reduce automobile trips. The design of the project will help minimize automobile trips by providing employment, goods, services and housing within walking or biking distance of each other. The design and layout of the Piilani Promenade includes a unified pedestrian and bicycle system within the project site, as well as connections to areas of existing and future development. The pedestrian and bicycle system will provide future residents with an alternative to motorized transport within the Piilani Promenade. In addition, the Applicant will work with the Maui Department of Transportation to provide a location for a Maui Bus stop.</p>			
<u>Chapter 226-18.5 Objectives and policies for facility systems-telecommunications.</u>			
<p><u>Objectives:</u> (a) Planning for the State's telecommunications facility systems shall be directed towards the achievement of dependable, efficient, and economical statewide telecommunications systems capable of supporting the needs of the people.</p> <p>(b) To achieve the telecommunications objective, it shall be the policy of this State to ensure the provision of adequate, reasonably priced, and dependable telecommunications services to accommodate demand.</p>			
<p><u>Analysis:</u> The Piilani Promenade does not involve any planning for the State’s telecommunication systems; therefore, this objective is not applicable.</p>			
<u>Chapter 226-19 Objectives and policies for socio-cultural advancement-housing.</u>			
<p><u>Objectives:</u> Planning for the State's socio-cultural advancement with regard to housing shall be directed toward the achievement of the following objectives:</p>			



<u>Objectives:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Greater opportunities for Hawaii's people to secure reasonably priced, safe, sanitary, and livable homes, located in suitable environments that satisfactorily accommodate the needs and desires of families and individuals, through collaboration and cooperation between government and nonprofit and for-profit developers to ensure that more affordable housing is made available to very low-, low- and moderate-income segments of Hawaii's population.	✓		
(2) The orderly development of residential areas sensitive to community needs and other land uses.	✓		
(3) The development and provision of affordable rental housing by the State to meet the housing needs of Hawaii's people.	✓		
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Effectively accommodate the housing needs of Hawaii's people.	✓		
(2) Stimulate and promote feasible approaches that increase housing choices for low-income, moderate-income, and gap-group households.	✓		
(3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.	✓		
(4) Promote appropriate improvement, rehabilitation, and maintenance of existing housing units and residential areas.	✓		
(5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.	✓		
(6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.	✓		
(7) Foster a variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods that reflect the culture and values of the community.	✓		
(8) Promote research and development of methods to reduce the cost of housing construction in Hawaii. [L 1978, c 100, pt of §2; am L 1986, c 276, §18; am L 1992, c 27, §2]	✓		
<u>Analysis:</u> As discussed in Section III.B.2 (Housing), the Piilani Promenade will offer multi-family housing to address the diverse housing needs of Maui residents. The multi-family housing will include affordable housing units in compliance with Maui County Code, Chapter 2.96 (Residential Workforce Housing Policy). Workforce homes will be subject to the requirements of Chapter 2.96, MCC to ensure that affordable homes are available for full-time Maui residents.			



<u>Chapter 226-20 Objectives and policies for socio-cultural advancement-health.</u>			
<u>Objectives:</u> Planning for the State's socio-cultural advancement with regard to health shall be directed towards achievement of the following objectives:			
<u>Objectives:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Fulfillment of basic individual health needs of the general public.	✓		
(2) Maintenance of sanitary and environmentally healthful conditions in Hawaii's communities.	✓		
<u>Analysis:</u> The Applicant is supportive of advances in healthcare; however the Piilani Promenade does not involve or require the advancement of a State initiative or program with regard to health. Based on the preceding, these objectives are not applicable.			
<u>Chapter 226-21, Hawaii Revised Statutes, Objectives for Socio-Cultural Advancement - Education.</u>			
<u>Objective:</u> Planning for the State's socio-cultural advancement with regard to education shall be directed towards achievement of the objective of the provision of a variety of educational opportunities to enable individuals to fulfill their needs, responsibilities, and aspirations.			
<u>Analysis:</u> As discussed in Section III.C.4 (Schools), the Piilani Promenade has not been designed to accommodate a public school site. However, the Hawaii Legislature enacted Act 245 in 2007 as Section 302A, HRS, "School Impact Fees". The Piilani Promenade is within the boundaries of the Department of Education's (DOE) Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area are required to pay a construction fee and either a fee-in-lieu of land or a land donation (at the discretion of the DOE). At the appropriate time, the Applicant will contact the DOE to enter into an impact fee agreement.			
<u>Chapter 226-22 Objective and policies for socio-cultural advancement-social services.</u>			
<u>Objective:</u> Planning for the State's socio-cultural advancement with regard to social services shall be directed towards the achievement of the objective of improved public and private social services and activities that enable individuals, families, and groups to become more self-reliant and confident to improve their well-being.			
<u>Analysis:</u> The proposed project does not require nor does it involve any State initiative or program for the advancement of social services. In this light, this objective is not applicable.			
<u>Chapter 226-23, Hawaii Revised Statutes, Objectives for Socio-Cultural Advancement - Leisure.</u>			
<u>Objective:</u> Planning for the State's socio-cultural advancement with regard to leisure shall be directed towards the achievement of the objective of the adequate provision of resources to accommodate diverse cultural, artistic, and recreational needs for present and future generations.			
<u>Policies:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
(1) Foster and preserve Hawaii's multi-cultural heritage through supportive cultural, artistic, recreational, and humanities-oriented	✓		



programs and activities.			
(2) Provide a wide range of activities and facilities to fulfill the cultural, artistic, and recreational needs of all diverse and special groups effectively and efficiently.	✓		
(3) Enhance the enjoyment of recreational experiences through safety and security measures, educational opportunities, and improved facility design and maintenance.	✓		
(4) Promote the recreational and educational potential of natural resources having scenic, open space, cultural, historical, geological, or biological values while ensuring that their inherent values are preserved.	✓		
(5) Ensure opportunities for everyone to use and enjoy Hawaii's recreational resources.	✓		
(6) Assure the availability of sufficient resources to provide for future cultural, artistic, and recreational needs.	✓		
(7) Provide adequate and accessible physical fitness programs to promote the physical and mental well-being of Hawaii's people.	✓		
(8) Increase opportunities for appreciation and participation in the creative arts, including the literary, theatrical, visual, musical, folk, and traditional art forms.	✓		
(9) Encourage the development of creative expression in the artistic disciplines to enable all segments of Hawaii's population to participate in the creative arts.			✓
(10) Assure adequate access to significant natural and cultural resources in public ownership. [L 1978, c 100, pt of §2; am L 1986, c 276, §22]	✓		
<p><u>Analysis:</u> As discussed in Section II.D.F.5, the site plan for the Piilani Promenade provides a neighborhood park and open spaces with pedestrian and bicycle pathways. Additionally, the Piilani Promenade is subject to, and will comply with, the provisions of Section 18.16.320, MCC which requires developers to provide land and/or money for park and playground purposes in the in the Kihei-Makena Community Plan region.</p>			
<p><u>Chapter 226-24 Objective and policies for socio-cultural advancement-individual rights and personal well-being.</u></p>			
<p><u>Objective:</u> Planning for the State's socio-cultural advancement with regard to individual rights and personal well-being shall be directed towards achievement of the objective of increased opportunities and protection of individual rights to enable individuals to fulfill their socio-economic needs and aspirations.</p>			



<u>Analysis:</u> The proposed project does not require or involve any State initiatives or programs for socio-cultural advancement relative to individual rights and personal well being. As such, this objective is not applicable.			
<u>Chapter 226-25, Hawaii Revised Statutes, Objectives for Socio-Cultural Advancement – Culture.</u>			
<u>Objective:</u> Planning for the State's socio-cultural advancement with regard to culture shall be directed toward the achievement of the objective of enhancement of cultural identities, traditions, values, customs, and arts of Hawaii's people.			
<u>Analysis:</u> The Piilani Promenade does not require nor does it involve any State initiatives or programs for socio-cultural advancement with regard to culture. Accordingly, this objective is not applicable.			
<u>Chapter 226-26 Objectives and policies for socio-cultural advancement-public safety.</u>			
<u>Objectives:</u>	S	N/S	N/A
(1) Assurance of public safety and adequate protection of life and property for all people.	✓		
(2) Optimum organizational readiness and capability in all phases of emergency management to maintain the strength, resources, and social and economic well-being of the community in the event of civil disruptions, wars, natural disasters, and other major disturbances.	✓		
(3) Promotion of a sense of community responsibility for the welfare and safety of Hawaii's people.	✓		
<u>Analysis:</u> The proposed project does not require or involve any State initiatives or programs for public safety; therefore, these objectives are not applicable.			
<u>Chapter 226-27 Objectives and policies for socio-cultural advancement-government.</u>			
<u>Objectives:</u> Planning the State's socio-cultural advancement with regard to government shall be directed towards the achievement of the following objectives:			
(1) Efficient, effective, and responsive government services at all levels in the State.	✓		
(2) Fiscal integrity, responsibility, and efficiency in the state government and county governments.	✓		
<u>Analysis:</u> The Applicant supports government responsibility and efficiency; however the proposed project does not involve planning for the State's socio-cultural advancement with regard to			



government. In light of the foregoing, these objectives are not applicable.

PART III. PRIORITY GUIDELINES

The priority guidelines of the Hawaii State Plan establish overall priority guidelines which address areas of State-wide concern. The Hawaii State Plan notes that the State shall strive to improve the quality of life for Hawaii's present and future population through the pursuit of desirable courses of action in five (5) major areas of Statewide concern which merit priority attention: 1) economic development; 2) population growth 3) affordable housing; 4) crime and criminal justice; and 5) quality education (§226-102). The development of the Piilani Promenade is supportive of the following priority guidelines of the Hawaii State Plan.

Hawaii State Plan, Chapter 226, HRS Part III. Priority Guidelines Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable	S	N/S	N/A
HRS 226-101: Purpose. The purpose of this part is to establish overall priority guidelines to address areas of statewide concern.			
HRS 226-102: Overall Direction. The State shall strive to improve the quality of life for Hawaii's present and future population through the pursuit of desirable courses of action in five major areas of statewide concern which merit priority attention: economic development, population growth and land resource management, affordable housing, crime and criminal justice, and quality education. [L 1978, c 100, pt of §2; am L 1986, c 276, §29]			
HRS 226-103: Economic Priority Guidelines.			
(a) Priority Guidelines to stimulate economic growth and encourage business expansion and development to provide needed jobs for Hawaii's people and achieve a stable and diversified economy;			
Priority Guidelines:	S	N/S	N/A
(1) Seek a variety of means to increase the availability of investment capital for new and expanding enterprises.	✓		
(A) Encourage investments which:			
(i) Reflect long term commitments to the State;	✓		



(ii) Rely on economic linkages within the local economy;	✓		
(iii) Diversify the economy;	✓		
(iv) Reinvest in the local economy;	✓		
(v) Are sensitive to community needs and priorities; and	✓		
(vi) Demonstrate a commitment to provide management opportunities to Hawaii residents.	✓		
(2) Encourage the expansion of technological research to assist industry development and support the development and commercialization of technological advancements.	✓		
(3) Improve the quality, accessibility, and range of services provided by government to business, including data and reference services and assistance in complying with governmental regulations.			✓
(4) Seek to ensure that state business tax and labor laws and administrative policies are equitable, rational, and predictable.			✓
(5) Streamline the building and development permit and review process, and eliminate or consolidate other burdensome or duplicative governmental requirements imposed on business, where public health, safety and welfare would not be adversely affected.	✓		
(6) Encourage the formation of cooperatives and other favorable marketing or distribution arrangements at the regional or local level to assist Hawaii's small-scale producers, manufacturers, and distributors.			✓
(7) Continue to seek legislation to protect Hawaii from transportation interruptions between Hawaii and the continental United States.			✓
(8) Provide public incentives and encourage private initiative to develop and attract industries which promise long-term growth potentials and which have the following characteristics:			✓
(A) An industry that can take advantage of Hawaii's unique location and available physical and human resources.			✓
(B) A clean industry that would have minimal adverse effects on Hawaii's environment.	✓		
(C) An industry that is willing to hire and train Hawaii's people to meet the industry's labor needs at all levels of employment.	✓		
(D) An industry that would provide reasonable income and steady employment.	✓		
(9) Support and encourage, through educational and technical assistance programs and other means, expanded opportunities for employee ownership and participation in Hawaii business.			✓



(10) Enhance the quality of Hawaii's labor force and develop and maintain career opportunities for Hawaii's people through the following actions:	✓		
(A) Expand vocational training in diversified agriculture, aquaculture, information industry, and other areas where growth is desired and feasible.			✓
(B) Encourage more effective career counseling and guidance in high schools and post-secondary institutions to inform students of present and future career opportunities.			✓
(C) Allocate educational resources to career areas where high employment is expected and where growth of new industries is desired.			✓
(D) Promote career opportunities in all industries for Hawaii's people by encouraging firms doing business in the State to hire residents.	✓		
(E) Promote greater public and private sector cooperation in determining industrial training needs and in developing relevant curricula and on- the-job training opportunities.	✓		
(F) Provide retraining programs and other support services to assist entry of displaced workers into alternative employment.			✓
(b) Priority guidelines to promote the economic health and quality of the visitor industry:			
Priority Guidelines:	S	N/S	N/A
(1) Promote visitor satisfaction by fostering an environment which enhances the Aloha Spirit and minimizes inconveniences to Hawaii's residents and visitors.	✓		
(2) Encourage the development and maintenance of well-designed, adequately serviced hotels and resort destination areas which are sensitive to neighboring communities and activities and which provide for adequate shoreline setbacks and beach access.			✓
(3) Support appropriate capital improvements to enhance the quality of existing resort destination areas and provide incentives to encourage investment in upgrading, repair, and maintenance of visitor facilities.			✓
(4) Encourage visitor industry practices and activities which respect, preserve, and enhance Hawaii's significant natural, scenic, historic, and cultural resources.			✓
(5) Develop and maintain career opportunities in the visitor industry for Hawaii's people, with emphasis on managerial positions.			✓
(6) Support and coordinate tourism promotion abroad to enhance Hawaii's share of existing and potential visitor markets.			✓
(7) Maintain and encourage a more favorable resort investment climate consistent with the objectives of this chapter.			✓



(8) Support law enforcement activities that provide a safer environment for both visitors and residents alike.	✓		
(9) Coordinate visitor industry activities and promotions to business visitors through the state network of advanced data communication techniques.	✓		
(e) Priority guidelines for water use and development:			
Priority Guidelines:	S	N/S	N/A
(1) Maintain and improve water conservation programs to reduce the overall water consumption rate.	✓		
(2) Encourage the improvement of irrigation technology and promote the use of non-drinking water for agricultural and landscaping purposes.	✓		
(3) Increase the support for research and development of economically feasible alternative water sources.	✓		
(4) Explore alternative funding sources and approaches to support future water development programs and water system improvements.	✓		
(f) Priority guidelines for energy use and development:			
Priority Guidelines:	S	N/S	N/A
(1) Encourage the development, demonstration, and commercialization of renewable energy sources.			✓
(2) Initiate, maintain, and improve energy conservation programs aimed at reducing energy waste and increasing public awareness of the need to conserve energy.	✓		
(3) Provide incentives to encourage the use of energy conserving technology in residential, industrial, and other buildings.	✓		
(4) Encourage the development and use of energy conserving and cost-efficient transportation systems.	✓		
(g) Priority guidelines to promote the development of the information industry:			
Priority Guidelines:	S	N/A	N/A
(1) Establish an information network that will serve as the catalyst for establishing a viable information industry in Hawaii.			✓
(2) Encourage the development of services such as financial data processing, products and services exchange, foreign language translations, telemarketing, teleconferencing, a twenty-four-hour international stock exchange, international banking, and a Pacific Rim management center.	✓		



(3) Encourage the development of small businesses in the information field such as software development, the development of new information systems and peripherals, data conversion and data entry services, and home or cottage services such as computer programming, secretarial, and accounting services.	✓		
(4) Encourage the development or expansion of educational and training opportunities for residents in the information and telecommunications fields.	✓		
(5) Encourage research activities, including legal research in the information and telecommunications fields.	✓		
(6) Support promotional activities to market Hawaii's information industry services. [L 1978, c 100, pt of §2; am L 1984, c 236, §15; am L 1986, c 276, §30; am L Sp 1988, c 1, §6; am L 1989, c 250, §2]	✓		
<p><u>Analysis:</u> The purpose of the updated Piilani Promenade is to provide an opportunity for a mix of uses for greater flexibility to attract a broader range of desirable businesses with a diversified offering. New Urbanism planning techniques and urban design strategies will make the Piilani Promenade a more vibrant and attractive environment for businesses to locate and grow their operations. The Piilani Promenade will expand Maui's employer base and increase employment and management opportunities for residents.</p> <p>As discussed in Section III.D.6 (Utilities) the Piilani Promenade will include energy-efficient design and conservation measures. Specifically, the Applicant will encourage the use of energy efficient technology throughout the project, specifically, in lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development and installation of Photovoltaic Energy Systems will be encouraged in all areas of the Piilani Promenade.</p> <p>As discussed in Section III.B.3 (Economy) the construction of the Piilani Promenade is projected to generate approximately \$212 million of new capital investment into the Maui economy and will provide an estimated 878 "worker years" of employment and \$66.5 million in total wages over a 12-15 year period. This will result in expenditures that will have a positive direct, indirect and induced impact on the County of Maui economy. During the operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The Piilani Promenade will provide direct employment opportunities for Maui residents and contribute to the diversification and growth of the Island's and State's economies. After "stabilization" is estimated that the Promenade will support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.</p>			
<u>Chapter 226-104, HRS, Population Growth and Land Resources Priority Guidelines</u>			



(a) Priority guidelines to effect desired statewide growth and distribution:			
Priority Guidelines:	S	N/S	N/A
(1) Encourage planning and resource management to insure that population growth rates throughout the State are consistent with available and planned resource capacities and reflect the needs and desires of Hawaii's people.	✓		
(2) Manage a growth rate for Hawaii's economy that will parallel future employment needs for Hawaii's people.	✓		
(3) Ensure that adequate support services and facilities are provided to accommodate the desired distribution of future growth throughout the State.	✓		
(4) Encourage major state and federal investments and services to promote economic development and private investment to the neighbor islands, as appropriate.	✓		
(5) Explore the possibility of making available urban land, low-interest loans, and housing subsidies to encourage the provision of housing to support selective economic and population growth on the neighbor islands.	✓		
(6) Seek federal funds and other funding sources outside the State for research, program development, and training to provide future employment opportunities on the neighbor islands.			✓
(7) Support the development of high technology parks on the neighbor islands.	✓		
(b) Priority guidelines for regional growth distribution and land resource utilization:			
Priority Guidelines:	S	N/S	N/A
(1) Encourage urban growth primarily to existing urban areas where adequate public facilities are already available or can be provided with reasonable public expenditures, and away from areas where other important benefits are present, such as protection of important agricultural land or preservation of lifestyles.	✓		
(2) Make available marginal or nonessential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district.	✓		
(3) Restrict development when drafting of water would result in exceeding the sustainable yield or in significantly diminishing the recharge capacity of any groundwater area.	✓		
(4) Encourage restriction of new urban development in areas where water is insufficient from any source for both agricultural and domestic use.	✓		
(5) In order to preserve green belts, give priority to state capital-improvement funds which encourage location of urban development within existing urban	✓		



areas except where compelling public interest dictates development of a noncontiguous new urban core.			
(6) Seek participation from the private sector for the cost of building infrastructure and utilities, and maintaining open spaces.	✓		
(7) Pursue rehabilitation of appropriate urban areas.	✓		
(8) Support the redevelopment of Kakaako into a viable residential, industrial, and commercial community.			✓
(9) Direct future urban development away from critical environmental areas or impose mitigating measures so that negative impacts on the environment would be minimized.	✓		
(10) Identify critical environmental areas in Hawaii to include but not be limited to the following: watershed and recharge areas; wildlife habitats (on land and in the ocean); areas with endangered species of plants and wildlife; natural streams and water bodies; scenic and recreational shoreline resources; open space and natural areas; historic and cultural sites; areas particularly sensitive to reduction in water and air quality; and scenic resources.	✓		
(11) Identify all areas where priority should be given to preserving rural character and lifestyle.			✓
(12) Utilize Hawaii's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline, conservation lands, and other limited resources for future generations.	✓		
(13) Protect and enhance Hawaii's shoreline, open spaces, and scenic resources. [L 1978, c 100, pt of §2; am L 1984, c 236, §16; am L 1986, c 276, §31]	✓		
<p><u>Analysis:</u> As discussed in Section III.B.1 (Population) the Piilani Promenade will provide housing and employment opportunities for the growing population of the Kihei-Makena region. The subject property is located within the Maui Island Plan's Urban Growth Boundary and the property is designated for Light Industrial use in the Kihei-Makena Community Plan. Significant urban development and supporting infrastructure adjoin the site and existing urban development and future urban growth areas in Kihei are in close proximity.</p> <p>As discussed in Section III.D (Infrastructure), the Piilani Promenade will be responsible for all required infrastructure improvements including water source and system improvements for drinking water use, onsite drainage improvements, a portion of regional traffic-related improvements attributable to the project, required on- and off-site wastewater system improvements, and utility upgrades as determined by the appropriate governmental agencies and public utility companies.</p>			



From a site planning perspective, the design and layout of the project involved an evaluation of existing topographic conditions in order to create a viable development plan which would minimize potential impacts to the land form. To the extent practicable, the layout and orientation of future buildings will strive to preserve view planes toward the Pacific Ocean.

As discussed in Section III.C.4 (Schools), the Piilani Promenade has not been designed to accommodate a public school site. However, the Hawaii Legislature enacted Act 245 in 2007 as Section 302A, HRS, "School Impact Fees". The Piilani Promenade is within the boundaries of the Department of Education's (DOE) Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area are required to pay a construction fee and either a fee-in-lieu of land or a land donation (at the discretion of the DOE). At the appropriate time, the Applicant will contact the DOE to enter into an impact fee agreement.

As discussed in Section III.C.3 (Police and Fire protection services) increased tax revenues generated by the project will provide additional funds to the County for police and fire capital facility improvements and service upgrades. Additionally, the applicant will comply with any impact fee ordinances for police and fire.

As discussed in Section III.A.10 (Agricultural Resources) The LSB and ALISH classification systems indicate that the lands underlying the project site possess poor soil and low soil ratings for productive agricultural uses. As such, the utilization of these poorly-rated agricultural lands for urban use and development is deemed appropriate.

The Piilani Promenade does not lie with the Hawaii Coastal Zone Management Area nor is it located within the Special Management Area for the island of Maui. No listed or endangered species of flora and fauna were identified on the subject property. During the construction and operational phases of the project, Best Management Practices (BMPs) will be implemented to mitigate non-point source pollution to coastal resources and mitigate the effects of fugitive dust. Through the public review process for the EIS, mitigation measures will be identified to help address any environmental impacts that may arise from the proposed project.

Chapter 226-105 Crime and criminal justice.

Priority guidelines in the area of crime and criminal justice:	S	N/S	N/A
(1) Support law enforcement activities and other criminal justice efforts that are directed to provide a safer environment.	✓		
(2) Target state and local resources on efforts to reduce the incidence of violent crime and on programs relating to the apprehension and prosecution			✓



of repeat offenders.			
(3) Support community and neighborhood program initiatives that enable residents to assist law enforcement agencies in preventing criminal activities.	✓		
(4) Reduce overcrowding or substandard conditions in correctional facilities through a comprehensive approach among all criminal justice agencies which may include sentencing law revisions and use of alternative sanctions other than incarceration for persons who pose no danger to their community.			✓
(5) Provide a range of appropriate sanctions for juvenile offenders, including community-based programs and other alternative sanctions.			✓
(6) Increase public and private efforts to assist witnesses and victims of crimes and to minimize the costs of victimization. [L 1978, c 100, pt of §2; am L 1984, c 236, §17; am L 1986, c 276, §32]			✓
<u>Analysis:</u> The priority guidelines for crime and criminal justice are not applicable to the Piilani Promenade project.			
<u>Chapter 226-106 Affordable housing. Priority guidelines for the provision of affordable housing:</u>			
Priority guidelines for the provision of affordable housing:	S	N/S	N/A
(1) Seek to use marginal or nonessential agricultural land and public land to meet housing needs of low- and moderate-income and gap-group households.	✓		
(2) Encourage the use of alternative construction and development methods as a means of reducing production costs.	✓		
(3) Improve information and analysis relative to land availability and suitability for housing.	✓		
(4) Create incentives for development which would increase home ownership and rental opportunities for Hawaii's low- and moderate-income households, gap-group households, and residents with special needs.	✓		
(5) Encourage continued support for government or private housing programs that provide low interest mortgages to Hawaii's people for the purchase of initial owner- occupied housing.	✓		
(6) Encourage public and private sector cooperation in the development of rental housing alternatives.	✓		
(7) Encourage improved coordination between various agencies and levels of government to deal with housing policies and regulations.	✓		
(8) Give higher priority to the provision of quality housing that is affordable for Hawaii's residents and less priority to development of housing intended	✓		



primarily for individuals outside of Hawaii. [L 1986, c 276, §33; am L 1989, c 250, §3]			
<i>Analysis:</i> As discussed in Section III.B.2 (Housing), the Piilani Promenade will offer multi-family housing to address the diverse housing needs of Maui residents. The multi-family housing will include affordable housing units in compliance with Maui County Code, Chapter 2.96 (Residential Workforce Housing Policy). Workforce homes will be subject to the requirements of Chapter 2.96, MCC to ensure that affordable homes are available for full-time Maui residents.			
<u>Chapter 226-107 Quality education.</u>			
Priority guidelines to promote quality education:			
Priority Guidelines:	S	N/S	N/A
(1) Pursue effective programs which reflect the varied district, school, and student needs to strengthen basic skills achievement;			✓
(2) Continue emphasis on general education "core" requirements to provide common background to students and essential support to other university programs;			✓
(3) Initiate efforts to improve the quality of education by improving the capabilities of the education work force;			✓
(4) Promote increased opportunities for greater autonomy and flexibility of educational institutions in their decision making responsibilities;			✓
(5) Increase and improve the use of information technology in education by the availability of telecommunications equipment for:			✓
(A) The electronic exchange of information;			✓
(B) Statewide electronic mail; and			✓
(C) Access to the Internet.			✓
Encourage programs that increase the public's awareness and understanding of the impact of information technologies on our lives;			
(1) Pursue the establishment of Hawaii's public and private universities and			✓



colleges as research and training centers of the Pacific;			
(2) Develop resources and programs for early childhood education;			✓
(3) Explore alternatives for funding and delivery of educational services to improve the overall quality of education; and			✓
(4) Strengthen and expand educational programs and services for students with special needs. [L 1986, c 276, §34; am L 1999, c 178, §18]			✓
<p><u>Analysis:</u> As discussed in Section III.C.4 (Schools), the Piilani Promenade has not been designed to accommodate a public school site. However, the Hawaii Legislature enacted Act 245 in 2007 as Section 302A, HRS, "School Impact Fees". The Piilani Promenade is within the boundaries of the Department of Education's (DOE) Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area are required to pay a construction fee and either a fee-in-lieu of land <u>or</u> a land donation (at the discretion of the DOE). At the appropriate time, the Applicant will contact the DOE to enter into an impact fee agreement.</p>			



D. HAWAII STATE FUNCTIONAL PLANS

The Hawaii State Plan directs State agencies to prepare functional plans for their respective program areas. There are fourteen (14) State Functional Plans that serve as the primary implementing vehicle for the goals, objectives, and policies of the Hawaii State Plan. The functional plans which are pertinent to the proposed project, along with each plan's applicable objectives, policies, and actions are discussed below.

Hawaii State Functional Plans Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable	S	N/S	N/A
State Functional Plan – Agriculture			
Objectives:	S	N/S	N/A
a. Achievement of increased agricultural production and growth through cultural and management practices.			✓
b. Achievement of an orderly agricultural marketing system through product promotion and industry organization.			✓
c. Achievement of optimal contribution by agriculture to the State's economy.			✓
e. Achievement of adequate capital, and knowledge of its proper management, for agricultural development.			✓
f. Achievement of increased agricultural production and growth through pest and disease controls.			✓
g. Achievement of effective protection and improved quality of Hawaii's land, water, and air.			✓
h. Achievement of productive agricultural use of lands most suitable and needed for agricultural use.			✓
i. Achievement of efficient and equitable provision of adequate water for agricultural use.			✓
j. Achievement of maximum degree of public understanding and support of agriculture in Hawaii.			✓
k. Achievement of adequate supply of properly trained labor for agricultural needs.			✓
l. Achievement of adequate transportation services and facilities to meet agricultural needs.			✓
m. Achievement of adequate support services and infrastructure to meet agricultural needs.			✓
<u>Analysis:</u> As discussed in Section III.A.10 (Agricultural Resources), the development of the			



Piilani Promenade will not reduce the inventory of significant agricultural lands on Maui or in the State of Hawaii. The subject property is rated "E" by the Land Study Bureau (LSB) classification system which represents poor overall agricultural productivity. The majority of the project site is "Unclassified" (i.e., unrated or residual land) by the maps which identify Agricultural Lands of Importance to the State of Hawaii (ALISH). Approximately three (3) acres located at the southwest corner of the site are classified as "Prime" by the ALISH maps.

State Functional Plan – Conservation Lands

Objectives:	S	N/S	N/A
1a. Establishment of data bases for inventories of existing lands and resources.			✓
1b. Establishment of criteria for management of land and natural resources.			✓
2a. Establishment of plans for natural resources and land management.			✓
2b. Protection of fragile or rare natural resources.			✓
2c. Enhancement of natural resources.			✓
2d. Appropriate development of natural resources designated for commercial development.			✓
2e. Promotion and marketing of appropriate natural resources designated for commercial development.			✓
2f. Increase enforcement of land and natural resource use laws and regulations.			✓
3a. Develop and implement conservation education programs for the general public and visitors.			✓
3b. Increase access to land and natural resources data by the public and increase cooperation between agencies by making access to land and natural resource information more efficient.			✓

Analysis: The Piilani Promenade is not located within the State Conservation District. While the southern boundary of the site is adjacent to Kulanihakoi Gulch, the proposed project is not expected to have an impact upon the gulch as future design schemes will incorporate generous landscape buffers along the portion of the site that borders the gulch. In connection with the preparation of the EIS, a Flora and Fauna Assessment was prepared, and no rare, threatened, or endangered species of plant or animal life were identified on the property.



State Functional Plan – Education			
Objectives:	S	N/S	N/A
A1. Academic Excellence. Emphasize quality educational programs in Hawaii's institutions to promote academic excellence.			✓
A2. Basic Skills. Promote programs and activities that facilitate the acquisition of basic skills, such as reading, writing, computing, listening, speaking, and reasoning. Pursue effective programs which reflect the varied district, school, and student needs to strengthen basic skills achievement.			✓
A3. Education Workforce. Initiate efforts to improve the quality of education by improving the capabilities of the education workforce.			✓
A4. Services and Facilities. Ensure the provision of adequate and accessible educational services and facilities that are designed to meet individual and community needs.			✓
B1. Alternatives for funding and delivery. Explore alternatives for funding and delivery of educational services to improve the overall quality of education.			✓
B2. Autonomy and flexibility. Promote increased opportunities for greater autonomy and flexibility of educational institutions in their decision making responsibilities.			✓
B3. Increase use of Technology. Increase and improve the use of information technology in education and encourage programs which increase the public's awareness and understanding of the impact of information technologies on our lives.			✓
B4. Personal Development. Support education programs and activities that enhance personal development, physical fitness, recreation, and cultural pursuits of all groups.			✓
B5. Students with Special Needs. Provide appropriate educational opportunities for groups with special needs.			✓
C1. Early Childhood Education. Develop resources and programs for early childhood education.			✓
C2. Hawaii's Cultural Heritage. Promote educational programs which enhance understanding of Hawaii's cultural heritage.			✓
C3. Research programs and (Communication) Activities. Support research programs and activities that enhance the education programs of the State.			✓
<i>Analysis:</i> As discussed in Section III.C.4 (Schools), the Piilani Promenade has not been designed to accommodate a public school site. However, the Hawaii Legislature enacted Act 245 in 2007 as			



Section 302A, HRS, "School Impact Fees". The Piilani Promenade is within the boundaries of the Department of Education's (DOE) Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area are required to pay a construction fee and either a fee-in-lieu of land or a land donation (at the discretion of the DOE). At the appropriate time, the Applicant will contact the DOE to enter into an impact fee agreement.

State Functional Plan – Employment

Objectives:	S	N/S	N/A
a. Improve the qualifications of entry-level-workers and their transition to employment.	✓		
b. Develop and deliver education, training and related services to ensure and maintain a quality and competitive workforce.			✓
c. Improve labor exchange.			✓
d. Improve the quality of life for workers and families.	✓		
e. Improve planning of economic development, employment and training activities.	✓		

Analysis: The proposed development of the Piilani Promenade is in response to the needs of industrial users and other entrepreneurs, both large and small, who are seeking to open and/or expand businesses on Maui. This can be accomplished by creating greater flexibility in site planning and building design to help reduce operational costs for employers and provide employees with a good working environment.

The Piilani Promenade will help improve the quality of life for employees and their families by providing affordable rental housing opportunities that are proximate to local services and centers of employment.

State Functional Plan – Energy

Objectives:	S	N/S	N/A
a. Moderate the growth in energy demand through conservation and energy efficiency.	✓		
b. Displace oil and fossil fuels through alternate and renewable energy resources.	✓		
c. Promote energy education and legislation.			✓
d. Support and develop an integrated approach to energy development and management.	✓		



e. Ensure State's ability to implement energy emergency actions immediately in event of fuel supply disruptions. Ensure essential public services are maintained and provisions are made to alleviate economic and personal hardships which may arise.			✓
<p><i>Analysis:</i> As discussed in Section III.D.5 "Electrical," the Piilani Promenade will include conservation measures to encourage the use of energy-efficient technology throughout the project, specifically in areas involving lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development. Occupants of the Piilani Promenade will be encouraged to install Photovoltaic Energy Systems where appropriate and feasible.</p>			
State Functional Plan – Health			
Objectives:	S	N/S	N/A
1. Health promotion and disease prevention. Reduction in the incidence, morbidity and mortality associated with the preventable and controllable conditions.			✓
2. Prevention and control of communicable diseases. Reduction in the incidence, morbidity, and mortality associated with infectious and communicable diseases.			✓
3. Health needs of special populations with impaired access to health care. Increased availability and accessibility of health services for groups with impaired access to health care programs.			✓
4. Community hospitals system. Development of a community hospital system which is innovative, responsive and supplies high quality care to the constituencies it serves.			✓
5. Environmental programs to protect and enhance the environment. Continued development of new environmental protection and health services programs to protect, monitor, and enhance the quality of life in Hawaii.			✓
6. DOH leadership. To improve the Department of Health's ability to meet the public health need of the State of Hawaii in the most appropriate, beneficial and economical way possible.			✓
<p><i>Analysis:</i> The Piilani Promenade does not propose the creation of any medical or health programs; therefore, this Functional Plan is not applicable. The proposed project will provide opportunities for physicians, medical clinics, and other health care practitioners, services, and facilities to locate to the Piilani Promenade and help serve the needs of the community.</p>			
State Functional Plan – Higher Education			



Objectives:	S	N/S	N/A
A. A number and variety of postsecondary education institutions sufficient to provide the diverse range of programs required to satisfy individual and societal needs and interests.			✓
B. The highest level of quality, commensurate with its mission and objectives, of each educational, research, and public service program offered in Hawaii by an institution of higher education.			✓
C. Provide appropriate educational opportunities for all who are willing and able to benefit from postsecondary education.			✓
D. Provide financing for postsecondary education programs sufficient to ensure adequate diversity, high quality, and wide accessibility.			✓
E. Increase program effectiveness and efficiency through better coordination of education resources.			✓
<u>Analysis:</u> The Piilani Promenade does not propose the creation of higher education programs; therefore, this Functional Plan is not applicable.			
State Functional Plan – Historic Preservation			
Objectives:	S	N/S	N/A
A. Identification of historic properties.	✓		
B. Protection of historic properties.	✓		
C. Management and treatment of historic properties.	✓		
D. Provision of adequate facilities to preserve.	✓		
E. The establishment of programs to collect and conserve historic records, artifacts, and oral histories and to document and perpetuate traditional arts, skills, and culture.	✓		
F. Provision of better access to historic information.	✓		
G. Enhancement of skills and knowledge needed to preserve historical resources.	✓		
<u>Analysis:</u> The project promotes the preservation of historic resources and the Applicant will work with the State Historic Preservation Division to prepare a data recovery plan.			
<p>The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (See: Appendix F, "Archaeological Inventory Survey").</p> <p>A public information meeting for the proposed project was held on February 25, 2014.</p>			



Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing potential impacts to Kulanihakoi Gulch and the return of the petroglyph boulder that was previously removed from the project site by a former land owner, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and that the petroglyph boulder be returned to the property. The Applicant has discussed the possible return of the petroglyph boulder with the former land owner; however, the former owner rejected this request since the relocation plan was approved by State Historic Preservation Division (SHPD). In addition, the archaeological monitoring plan that was submitted to the SHPD for review has been approved and is referenced for all recent work on the site. The monitoring plan may be found in Appendix H and may be updated once project construction is initiated.

State Functional Plan – Housing

Objectives and Policies:	S	N/S	N/A
A. Homeownership for at least sixty percent, or roughly 248,500 households by the year 2000.			✓
B. Sufficient amount of affordable rental housing units by the year 2000 so as to increase the State's rental vacancy rate to at least 3% with priority given to increasing the supply of units affordable to very low and lower income households.	✓		
C. Increased development of rental housing units for the elderly and other special needs groups to afford them an equal access to housing.	✓		
D. Preservation of existing public and private housing stock.	✓		
E. Acquire and designate land suitable for housing development in sufficient amount to locate the deficit in housing units by the year 2000.	✓		
F. Maintain a statewide housing data system for use by public and private agencies engaged in the provision of housing.	✓		
<u>Analysis:</u> The Piilani Promenade will help satisfy the growing demand for rental housing in Kihei by providing 226 apartment units which include affordable rental units in compliance with the County's Residential Workforce Housing Policy set forth in Chapter 2.96, MCC.			

State Functional Plan – Human Services

Objectives and Policies:	S	N/S	N/A
A. To sustain and improve current elder abuse and neglect services.			✓
B. To increase cost-effective, high quality home and community based services.			✓



C. To increase home-based services to keep children in their homes and to increase placement resources for those children who must be temporarily or permanently removed from their homes, due to abuse or neglect.			✓
D. To address factors that contribute to child abuse and other forms of family violence.			✓
E. To provide affordable, accessible, and quality child care.			✓
F. To maximize efforts of self-sufficiency through provision of transitional medical care services.			✓
G. To provide AFDC recipients with a viable opportunity to become independent of the welfare system.			✓
H. To facilitate client access to human services.			✓
I. To eliminate organizational barriers which limit client access to human services.			✓
<i>Analysis:</i> The Piilani Promenade does not include the creation of human service programs; therefore, this Functional Plan is not applicable.			
State Functional Plan – Recreation			
Objectives and Policies:	S	N/S	N/A
1a. Address the problem of saturation of the capacity of beach parks and nearshore waters.			✓
1b. Reduce the incidence of ocean recreation accidents.			✓
1c. Resolve conflicts between different activities at heavily used ocean recreation areas.			✓
1d. Provide adequate boating facilities. Balance the demand for boating facilities against the need to protect the marine environment from potential adverse impacts.			✓
2a. Plan, develop, and promote recreational activities and facilities in mauka and other areas to provide a wide range of alternatives.	✓		
2b. Meet special recreation needs of the elderly, the disabled, woman, single-parent families, immigrants, and other groups.			✓
2c. Improve and expand the provision of recreation facilities in urban areas and local communities.	✓		
3a. Prevent the loss of access to shoreline and upland recreation areas due to new developments.			✓
3b. Resolve the problem of landowner liability that seriously hampers public access over private lands.			✓
3c. Increase access to State Forest Reserve lands over federal property, leased			✓



State lands, and other government lands.			
3d. Acquire, develop, and manage additional public access ways.	✓		
4a. Promote a conservation ethic in the use of Hawaii's recreational resources.			✓
4b. Prevent degradation of the marine environment.			✓
4c. Improve the State's enforcement capabilities.			✓
4d. Mitigate adverse impacts of tour helicopters on the quality of recreational experiences in wilderness areas.			✓
5a. Properly maintain existing park and recreation areas.	✓		
5b. Promote interagency coordination and cooperation to facilitate sharing of resources, joint development efforts, clarification of responsibilities and jurisdictions, and improvements in enforcement capabilities.			✓
5c. Assure adequate support for priority outdoor recreation programs and facilities.			✓
6a. Increase recreational access and opportunities in Hawaii's wetlands.			✓
6b. Develop and adequate information base to assist the County planning departments and other regulatory agencies in making decisions regarding the wetlands.			✓
6c. Assure the protection of the most valuable wetlands in the State.			✓
<p><i>Analysis:</i> As discussed in Section II.D.F.5, the site plan for the Piilani Promenade will provide an approximately 2-acre neighborhood park and open spaces with pedestrian and bicycle pathways. In addition, the Piilani Promenade is subject to, and will comply with, the provisions of Section 18.16.320, MCC which requires developers to provide land and/or money for park and playground purposes in the Kihei-Makena Community Plan region.</p>			
State Functional Plan – Tourism			
Objectives:	S	N/S	N/A
1a. Development, implementation and maintenance of policies and actions which support the steady and balanced growth of the visitor industry.			✓
2a. Development and maintenance of well-designed visitor facilities and related developments which are sensitive to the environment, sensitive to neighboring communities and activities, and adequately serviced by infrastructure and support services.			✓
3a. Enhancement of respect and regard for the fragile resources which comprise Hawaii's natural and cultural environment. Increased preservation and maintenance efforts.			✓
4a. Support of Hawaii's diverse range of lifestyles and natural environment.			✓



4b. Achievement of mutual appreciation among residents, visitors, and the visitor industry.			✓
5a. Development of a productive workforce to maintain a high quality visitor industry.			✓
5b. Enhancement of career and employment opportunities in the visitor destination in specific desired market segments.			✓
6a. Maintenance of a high customer awareness of Hawaii as a visitor destination in specific desired market segments.			✓
<u>Analysis:</u> The Piilani Promenade is not targeting the visitor industry and there are no hotel uses proposed as part of the project; however, restaurants and retail opportunities within the Piilani Promenade may attract visitors to the site.			
State Functional Plan – Transportation			
Objectives:	S	N/S	N/A
1a. Expansion of transportation system.	✓		
1b. Reduction of travel demand through zoning and decentralization initiatives.	✓		
1c. Management of existing transportation systems through a program of transportation systems management (TSM).	✓		
1d. Identification and reservation of lands and right-of-way required for future transportation improvements.	✓		
1e. Planning and designing State highways to enhance inter-regional mobility.	✓		
1f. Improving and enhancing transportation safety.	✓		
1g. Improved transportation maintenance programs.			✓
1h. Ensure that transportation facilities are accessible to people with disabilities.	✓		
2a. Development of a transportation infrastructure that supports economic development initiatives.			✓
3a. Expansion of revenue bases for transportation improvements.	✓		
4a. Providing educational programs.			✓
<u>Analysis:</u> As discussed in Section III.D (Infrastructure) the Piilani Promenade will provide a variety of traffic-related improvements that will include improving the intersection of Piilani Highway and Kaonoulu Street and constructing a segment of the future Upcountry Highway.			
The Piilani Promenade's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) pedestrian oriented streets integrating street trees, sidewalks, and traffic calming, 3) both striped and separated bike lanes in appropriate locations, and 4)			



supporting connectivity to adjacent developments, such as the Kihei High School and uses *makai* of Piilani Highway.

The transportation demand and management measures proposed for the project include encouraging alternate work schedules and off-peak hours for employment generators and supporting park and ride, ridesharing, carpooling, and van pooling. In addition, the Applicant will also meet with the Maui Department of Transportation to discuss the possibility of establishing bus stops within the project site.

State Functional Plan – Water Resources Development

Objectives:	S	N/S	N/A
a. Enunciate State water policy and improve management framework.			✓
b. Maintain the long-term availability of freshwater supplies, giving consideration to the accommodation of important environmental values.	✓		
c. Improve management of floodplains.	✓		
d. Assure adequate municipal water supplies for planned urban growth.	✓		
e. Assure the availability of adequate water for agriculture.			✓
f. Encourage and coordinate with other water programs the development of self-supplied industrial water and the production of water-based energy.	✓		
g. provide for the protection and enhancement of Hawaii's freshwater and estuarine environment.	✓		
h. Improve State grant and loan procedures for water program and projects.			✓
i. Pursue water resources data collection and research to meet changing needs.			✓

Analysis: The proposed project will be served by the County's public water system. The Applicant will dedicate a 1.0 million gallon water tank and associated infrastructure to Maui County to be used by the project and the public.

In developing the property, Best Management Practices will be incorporated to mitigate potential impacts during the construction phase. In compliance with applicable regulatory requirements, a drainage plan has been prepared to capture and retain the incremental increase in stormwater runoff on the project site. As such, no adverse impacts to Hawaii's freshwater and estuarine environment are anticipated.



MAUI COUNTY GENERAL PLAN

1. County-wide Policy Plan

The County-wide Policy Plan establishes a list (below) of county-wide goals, objectives, policies, and implementing actions related to key strategies.

Countywide Policy Plan Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable	S	N/S	N/A
A. Protect the Natural Environment			
Goal: Maui County's natural environment and distinctive open spaces will be preserved, managed, and cared for in perpetuity.			
Objective:	S	N/S	N/A
(1) Improve the opportunity to experience the natural beauty and native biodiversity of the islands for present and future generations.	✓		
<u>Analysis:</u> The Piilani Promenade is not located within the State's Special Management Area and no listed or endangered species of flora and fauna were identified on the property. During build-out and during the operation phase best management practices will be implemented to mitigate non-point source pollution to Maui's coastal resources as well as to mitigate fugitive dust impacts. In addition, through the environmental impact statement application process, mitigation measures will be identified to help address any environmental impacts that may arise from the proposed project.			
Objective:			
(2) Improve the quality of environmentally sensitive, locally valued natural resources and native ecology of each island.			
Policies:	S	N/S	N/A
a. Protect and restore nearshore reef environments and water quality	✓		
b. Protect marine resources and valued wildlife	✓		
c. Improve the connection between urban environments and the natural landscape, and incorporate natural features of the land into urban design.	✓		



d. Utilize land-conservation tools to ensure the permanence of valued open spaces.	✓		
e. Mitigate the negative effects of upland uses on coastal wetlands, marine life, and coral reefs.	✓		
f. Strengthen coastal zone management, re- naturalization of shorelines, where possible, and filtration or treatment of urban and agricultural runoff.	✓		
g. Regulate the use and maintenance of stormwater-treatment systems that incorporate the use of native vegetation and mimic natural systems.	✓		
h. Advocate for stronger regulation of fishing, boating, cruise ship, and ecotourism activities.			✓
i. Restore watersheds and aquifer-recharge areas to healthy and productive status, and increase public knowledge about the importance of watershed stewardship, water conservation, and ground water protection.	✓		
Implementing Actions:			
a. Develop regulations to minimize runoff of pollutants into nearshore waters and reduce nonpoint and point source pollution.			✓
<u>Analysis:</u> The Piilani Promenade is not located within the State's Special Management Area and is not expected to impact the shoreline or reef environments. During build-out and during the operation phase best management practices will be implemented to mitigate non-point source pollution to Maui's coastal resources. In addition, through the EIS and entitlement application processes mitigation measures will be identified to help address any environmental impacts that may arise from the project. The site itself is not located within an area of critical habitat and surveys have confirmed that no threatened or endangered species of flora or fauna are on the property.			
Objective:			
(3) Improve the stewardship of the natural environment.			
Policies:	S	N/S	N/A
a. Preserve and protect natural resources with significant scenic, economic, cultural, environmental, or recreational value.	✓		
b. Improve communication, coordination, and collaboration among government agencies, non profit organizations, communities, individuals, and land owners that work for the protection of the natural environment.			✓
c. Evaluate development to assess potential short-term and long-term impacts on land, air, aquatic, and marine environments.	✓		



d. Improve efforts to mitigate and plan for the impact of natural disasters, human influenced emergencies, and global warming.	✓		
e. Regulate access to sensitive ecological sites and landscapes.	✓		
f. Reduce air, noise, light, land, and water pollution, and reduce Maui County's contribution to global climate change.			
g. Plan and prepare for and educate visitors and residents about the possible effects of global warming.	✓		
h. Provide public access to beaches and shoreline for recreational and cultural purposes where appropriate.			✓
i. Educate the construction and landscape industries and property owners about the use of best management practices to prevent erosion and nonpoint source pollution.	✓		
j. Support the acquisition of resources with scenic, environmental, and recreational value, and encumber their use.			✓
k. Improve enforcement activities relating to the natural environment.			✓
l. For each shoreline community, identify and prioritize beach conservation objectives, and develop action plans for their implementation.			✓
Implementing Actions:	S	N/S	N/A
a. Document, record, and monitor existing conditions, populations, and locations of flora and fauna communities.	✓		
b. Implement Federal and State policies that require a reduction of greenhouse-gas emissions.	✓		
c. Establish a baseline inventory of available natural resources and their respective carrying capacity.			✓
<p><u>Analysis:</u> The Piilani Promenade is not located within the State's Special Management Area and no listed or endangered species of flora and fauna were identified on the property. During build-out and during the operation phase best management practices will be implemented to mitigate non-point source pollution to Maui's coastal resources as well as to mitigate fugitive dust impacts. In addition, through the EIS review process mitigation measures will be identified to help address any environmental impacts that may arise from the project.</p> <p>As discussed in Section III.A.3 (Natural Hazards) the development of the Piilani Promenade will not increase the possibility of natural hazards such as flooding, tsunami inundation, hurricanes and earthquakes. The Piilani Promenade will be constructed in compliance with County, State and Federal standards.</p>			



As discussed in Section III.A.6 (Air Quality) the Piilani Promenade may create short term impacts on air quality directly and indirectly during construction, however mitigation measures will be implemented. It is anticipated that the Piilani Promenade does not violate Federal or State air quality standards.

As discussed in Section III.D.6 (Utilities) the Piilani Promenade will include energy-efficient design and conservation measures specifically, in lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development and installation of Photovoltaic Energy Systems will be encouraged in all areas of the Piilani Promenade.

In addition, the Piilani Promenade is utilizing smart growth planning techniques that will help to reduce automobile trips and associated pollution. The design will help to minimize automobile trips by providing employment, goods, services and housing within walking or biking distance of each other. The Piilani Promenade has a unified pedestrian and bicycle system within the project and will provide opportunities for connections to its existing and future surrounding uses.

Objective :	S	N/S	N/A
(4) Educate residents and visitors about responsible stewardship practices and the interconnectedness of the natural environment and people.			✓
Policies:			
a. Expand education about native flora, fauna, and ecosystems.			✓
b. Align priorities to recognize the health of the natural environment and the health of people.			✓
c. Promote programs and incentives that decrease greenhouse-gas emissions and improve environmental stewardship.	✓		

Analysis: The Piilani Promenade is not located within the State's Special Management Area and no listed or endangered species of flora and fauna were identified on the property. During build-out and during the operation phase best management practices will be implemented to mitigate non-point source pollution. In addition, through the EIS and entitlement application processes mitigation measures will be identified to help address any environmental impacts that may arise from the project.

As discussed in Section II.E.3 and 4 (Proposed Action) the Piilani Promenade creates a development pattern that by its more compact and mixed-use character is less dependent on motorized transportation. The Piilani Promenade also makes considerable investment into public water and roadway infrastructure. The project will include a unified pedestrian and bicycle



<p>system within the Piilani Promenade with connections to its existing and future surroundings.</p> <p>As discussed in Section III.D.6 (Utilities) the Piilani Promenade will include energy-efficient design and conservation measures. Specifically, the design guidelines will encourage the use of energy efficient technology throughout the Piilani Promenade, specifically, in lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development and installation of Photovoltaic Energy Systems will be encouraged in all areas of the Piilani Promenade.</p>			
B. Preserve Local Cultures and Traditions			
Goal: Maui County will foster a spirit of pono and protect, perpetuate, and reinvigorate its residents' multi-cultural values and traditions to ensure that current and future generations will enjoy the benefits of their rich island heritage.			
Objective:	S	N/S	N/A
(1) Perpetuate the Hawaiian culture as a vital force in the lives of residents.	✓		
Policies:			
a. Protect and preserve access to mountain, ocean, and island resources for traditional Hawaiian cultural practices.	✓		
b. Prohibit inappropriate development of cultural lands and sites that are important for traditional Hawaiian cultural practices, and establish mandates for the special protection of these lands in perpetuity.	✓		
c. Promote the use of ahupua'a and moku management practices.			✓
d. Encourage the use of traditional Hawaiian architecture and craftsmanship.	✓		
e. Promote the use of the Hawaiian language.			✓
f. Recognize and preserve the unique natural and cultural characteristics of each ahupua'a or district.	✓		
g. Encourage schools to promote broader incorporation of Hawaiian and other local cultures' history and value lessons into curriculum.			✓
h. Ensure the protection of Native Hawaiian rights.			✓
i. Promote, encourage, and require the correct use of traditional place names, particularly in government documents, signage, and tourism	✓		



industry.			
Implementing Actions:			
a. Establish alternative land use and overlay zoning designations that recognize and preserve the unique natural and cultural characteristics of each ahupua'a or district.			✓
b. Develop requirements for all County applicants to perpetuate and use proper traditional place names in all applications submitted.	✓		
<p><u>Analysis:</u> As discussed in Section III.A. 8 (Historical and Archaeological Resources) The proposed project will not impact Kulanihakoi Gulch and is not anticipated to significantly impact the physical environment. The project promotes the preservation of historic resources and the Applicant will work with the State Historic Preservation Division to prepare a data recovery plan.</p> <p>The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (See: Appendix F, "Archaeological Inventory Survey").</p> <p>A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing potential impacts to Kulanihakoi Gulch and the return of the petroglyph boulder that was previously removed from the project site by a former land owner, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and that the petroglyph boulder be returned to the property. The Applicant has discussed the possible return of the petroglyph boulder with the former land owner; however, the former owner rejected this request since the relocation plan was approved by State Historic Preservation Division (SHPD). In addition, the archaeological monitoring plan that was submitted to the SHPD for review has been approved and is referenced for all recent work on the site. The monitoring plan may be found in Appendix H and may be updated once project construction is initiated.</p> <p>As discussed in Section III.B.4 (Cultural Resources) the cultural impact statement (CIA) which was prepared for the proposed project reported that there were no visible cultural resources, (<i>i.e.</i> medicinal plants, shoreline resources, religious sites, or archeological resources) observed on the property. From a cultural practices and beliefs perspective, the subject property bears no apparent signs of cultural practices or any gatherings currently taking place on the site. The oral history interviews did not reveal any known gathering places on the subject property nor did</p>			



any access concerns surface as a result of the proposed Project. In light of the foregoing, it can be concluded that development of the site will <u>not</u> impact cultural resources on the property or within its immediate vicinity.			
Objective:	S	N/S	N/A
(2) Emphasize respect for our island lifestyle and our unique local cultures, family, and natural environment.	✓		
Policies:	S	N/S	N/A
a. Acknowledge the Hawaiian culture as the host culture, and foster respect and humility among residents and visitors toward the Hawaiian people and their practices.	✓		
b. Perpetuate a respect for diversity, and recognize the historic blending of cultures and ethnicities.	✓		
c. Encourage the perpetuation of each culture's unique cuisine, attire, dance, music, and folklore, and other unique island traditions and recreational activities.	✓		
d. Recognize the interconnectedness between the natural environment and the cultural heritage of the islands.	✓		
e. Protect and prioritize funding for recreational activities that support local cultural practices, such as surfing, fishing, and outrigger-canoe paddling.			✓
<p><i>Analysis:</i> As discussed in Section III.B.4 (Cultural Resources) the cultural impact statement (CIA) which was prepared for the proposed project reported that there were no visible cultural resources, (i.e. medicinal plants, shoreline resources, religious sites, or archeological resources) observed on the property. From a cultural practices and beliefs perspective, the subject property bears no apparent signs of cultural practices or any gatherings currently taking place on the site. The oral history interviews did not reveal any known gathering places on the subject property nor did any access concerns surface as a result of the proposed Project. In light of the foregoing, it can be concluded that development of the site will <u>not</u> impact cultural resources on the property or within its immediate vicinity.</p>			
Objective:	S	N/S	N/A
(3) Preserve for present and future generations the opportunity to know and experience the arts, culture, and history of Maui County.	✓		



Policies:			
a. Foster teaching opportunities for cultural practitioners to share their knowledge and skills.	✓		
b. Support the development of cultural centers.			✓
c. Broaden opportunities for public art and the display of local artwork.	✓		
d. Foster the Aloha Spirit by celebrating the Hawaiian host culture and other Maui County cultures through support of cultural-education programs, festivals, celebrations, and ceremonies.	✓		
e. Support the perpetuation of Hawaiian arts and culture.	✓		
f. Support programs and activities that record the oral and pictorial history of residents.			✓
g. Support the development of repositories for culture, history, genealogy, oral history, film, and interactive learning.			✓
Implementing Actions:			
a. Establish incentives for the display of public art.			✓
b. Establish centers and programs of excellence for the perpetuation of Hawaiian arts and culture.			✓
<u>Analysis:</u> The Piilani promenade project will include an active park that could provide an opportunity for a variety of gatherings to celebrate the Aloha Spirit, provide education on Hawaiian arts, and to provide a place for practitioners to share their knowledge and skills. In addition as the project is developed the owner can encourage the use of Hawaiian artwork.			
Objective:	S	N/S	N/A
(4) Preserve and restore significant historic architecture, structures, cultural sites, cultural districts, and cultural landscapes.	✓		
Policies:	S	N/S	N/A
b. Promote the rehabilitation and adaptive reuse of historic sites, buildings, and structures to perpetuate a traditional sense of place.			✓
d. Protect and preserve lands that are culturally or historically significant.	✓		
g. Seek solutions that honor the traditions and practices of the host culture while recognizing the needs of the community.	✓		
i. Protect summits, slopes, and ridgelines from inappropriate development.	✓		
j. Support the registering of important historic sites on the State and Federal historic registers.	✓		



k. Provide opportunities for public involvement with restoration and enhancement of all types of cultural resources.	✓		
l. Foster partnerships to identify and preserve or revitalize historic and cultural sites.	✓		
Implementing Actions:	S	N/S	N/A
a. Identify, develop, map, and maintain an inventory of locally significant natural, cultural, and historical resources for protection.	✓		
d. Nominate important historic sites to the State and Federal historic registers.	✓		
<p><u>Analysis:</u> The project promotes the preservation of historic resources and the Applicant will work with the State Historic Preservation Division to prepare a data recovery plan.</p> <p>The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (See: Appendix F, "Archaeological Inventory Survey").</p> <p>A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing potential impacts to Kulanihakoi Gulch and the return of the petroglyph boulder that was previously removed from the project site by a former land owner, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and that the petroglyph boulder be returned to the property. The Applicant has discussed the possible return of the petroglyph boulder with the former land owner; however, the former owner rejected this request since the relocation plan was approved by State Historic Preservation Division (SHPD). In addition, the archaeological monitoring plan that was submitted to the SHPD for review has been approved and is referenced for all recent work on the site. The monitoring plan may be found in Appendix H and may be updated once project construction is initiated.</p>			
C. Improve Education			
Goal: Residents will have access to lifelong formal and informal educational options enabling them to realize their ambitions.			
Objectives:			



(1) Encourage the State to attract and retain school administrators and educators of the highest quality.			
(2) Provide nurturing learning environments that build skills for the 21st century.			
(3) Provide all residents with educational opportunities that can help them better understand themselves and their surroundings and allow them to realize their ambitions.			
Implementing Actions:	S	N/S	N/A
a. Develop safe walking and bicycling programs for school children.	✓		
<i>Analysis:</i> As discussed in Section III.C.4 (Schools) the Piilani Promenade proposes residential use on a portion of the property and is adjacent to the proposed Kihei High School. The Project site is being planned to accommodate a future pedestrian connection with the proposed Kihei High School.			
D. Strengthen Social and Healthcare Services			
Goal: Health and social services in Maui County will fully and comprehensively serve all segments of the population.			
<i>Analysis:</i> The Piilani Promenade does not include the creation of health or social services; therefore, this goal is not directly applicable. However, the Piilani Promenade will allow medical services such as doctor's offices and ancillary services.			
E. Expand Housing Opportunities for Residents			
Goal: Quality, island-appropriate housing will be available to all residents.			
Objective:			
(1) Reduce the affordable housing deficit for residents.			
Policies:	S	N/S	N/A
a. Ensure that an adequate and permanent supply of affordable housing, both new and existing units, is made available for purchase or rental to our resident and/or workforce population, with special emphasis on providing housing for low- to moderate-income families, and ensure that all affordable housing remains affordable in perpetuity.	✓		
b. Seek innovative ways to lower housing costs without compromising the quality of our island lifestyle.	✓		



j. Redevelop commercial areas with a mixture of affordable residential and business uses, where appropriate.	✓		
k. Ensure residents are given priority to obtain affordable housing units developed in their communities, consistent with all applicable regulations.	✓		
l. Establish pricing for affordable housing that is more reflective of Maui County's workforce than the United States Housing and Urban Development's median-income estimates for Maui County.	✓		
m. Develop neighborhoods with a mixture of accessible and integrated community facilities and services.	✓		
q. Support the opportunity to age in place by providing accessible and appropriately designed residential units.	✓		
<u>Analysis:</u> As discussed in Section III.B.2 (Housing) the Piilani Promenade will offer 226- rental housing units. The Piilani Promenade will include the required affordable rental housing units in compliance with Chapter 2.96, MCC Residential Workforce Housing Policy.			
Objective:			
(3) Increase and maintain the affordable housing inventory.			
Policies:	S	N/S	N/A
a. Recognize housing as a basic human need, and work to fulfill that need.	✓		
b. Prioritize available infrastructure capacity for affordable housing.	✓		
g. Minimize the intrusion of housing on prime, productive, and potentially productive agricultural lands and regionally valuable agricultural lands.	✓		
h. Encourage long-term residential use of existing and future housing to meet residential needs.	✓		
<u>Analysis:</u> As discussed in Section III.B.2 (Housing) the Piilani Promenade will offer 226 rental housing units. The Piilani Promenade will include the required affordable rental housing units in compliance with Chapter 2.96, MCC Residential Workforce housing Policy. Workforce homes will be subject to the requirements of Chapter 2.96, MCC to ensure the affordable rentals are available for full time Maui residents.			
As discussed in section III.A.10 (Agricultural Resources) the development of the Piilani Promenade will not reduce the inventory of agriculturally significant lands therefore the proposed development is appropriate for the site.			



Objective:			
(4) Expand access to education related to housing options, homeownership, financing, and residential construction.			
<u>Analysis:</u> The Piilani promenade does not directly expand access to education with regard to housing options, home-ownership, financing and residential construction; therefore this objective is not applicable.			
F. Strengthen the Local Economy			
Goal: Maui County's economy will be diverse, sustainable, and supportive of community values.			
Objective:			
(1) Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.			
Policies:	S	N/S	N/A
a. Support economic decisions that create long-term benefits.	✓		
b. Promote lifelong education, career development, and technical training for existing and emerging industries.	✓		
c. Invest in infrastructure, facilities, and programs that foster economic diversification.	✓		
d. Support and promote locally produced products and locally owned operations and businesses that benefit local communities and meet local demand.	✓		
e. Support programs that assist industries to retain and attract more local labor and facilitate the creation of jobs that offer a living wage.	✓		
f. Encourage work environments that are safe, rewarding, and fulfilling to employees.	✓		
g. Support home-based businesses that are appropriate for and in character with the community.			✓
h. Encourage businesses that promote the health and well-being of the residents, produce value-added products, and support community values.	✓		
i. Foster an understanding of the role of all industries in our economy.	✓		
j. Support efforts to improve conditions that foster economic vitality in our historic small towns.			✓
k. Support and encourage traditional host-culture businesses and			✓



indigenous agricultural practices.			
l. Support public and private entities that assist entrepreneurs in establishing locally operated businesses.	✓		
Implementing Actions:			
a. Develop regulations and programs that support opportunities for local merchants, farmers, and small businesses to sell their goods and services directly to the public.			✓
b. Monitor the carrying capacity of the islands' social, ecological, and infrastructure systems with respect to the economy.			✓
<p><u>Analysis:</u> As discussed in Section III.B.3 (Economy) the construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 "worker years" of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will provide direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After "stabilization," the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.</p>			
Objective:			
(2) Diversify and expand sustainable forms of agriculture and aquaculture.			
<p><i>Analysis:</i> The proposed Piilani Promenade will not include agriculture or aquaculture operations; therefore this objective is not applicable.</p>			
Objective 3:			
Support a visitor industry that respects the resident culture and the environment.			
<p><i>Analysis:</i> The Piilani Promenade is not targeting the visitor industry; however visitors will likely shop at future retail uses proposed as part of the project.</p>			
Objective:			



(4) Expand economic sectors that increase living-wage job choices and are compatible with community values.			
Policies:	S	N/S	N/A
a. Support emerging industries, including the following: <ul style="list-style-type: none"> • Health and wellness industry; • Sports and recreation industry; • Film and entertainment industry; • Arts and culture industry; • Renewable-energy industry; • Research and development industry; • High-technology and knowledge-based industries; • Education and training industry; • Ecotourism industry; and • Agritourism industry. 	✓		
<p><i>Analysis:</i> The Piilani Promenade project would support several of the above listed industries. The proposed updated project responds to the most current trends in the development of mixed use industrial and commercial centers. The Piilani Promenade will strengthen Maui's economy by providing a convenient location for a mixed use project with related/supportive businesses. These industries will create a diverse range of jobs for residents, which will benefit the rest of the economy. The result will be an increase in economic activities and employment opportunities consistent with community needs and desires, which will promote increased employment and entrepreneurial opportunities for Maui's residents.</p>			
<u>G. Improve Parks and Public Facilities</u>			
Goal: A full range of island-appropriate public facilities and recreational opportunities will be provided to improve the quality of life for residents and visitors.			
Objective 1:			
Expand access to recreational opportunities and community facilities to meet the present and future needs of residents of all ages and physical abilities.			
Policies:	S	N/S	N/A
a. Protect, enhance, and expand access to public shoreline and mountain resources.	✓		
b. Expand and enhance the network of parks, multi-use paths, and bikeways.	✓		



c. Assist communities in developing recreational facilities that promote physical fitness.	✓		
f. Encourage and invest in recreational, social, and leisure activities that bring people together and build community pride.	✓		
g. Promote the development and enhancement of community centers, civic spaces, and gathering places throughout our communities.	✓		
h. Expand affordable access to recreational opportunities that support the local lifestyle.	✓		
<p><u>Analysis:</u> The New Urbanism design technique will provide a complete and vibrant community with employment opportunities, a range of housing types, parks and open spaces, and a bicycle and pedestrian pathways. These elements encourage future residents to interact with each other, rely less on automobiles and enjoy the outdoors.</p> <p>As discussed in Section II.E.3 and 4 the Piilani Promenade plans to provide a 2-acre neighborhood park and a unified pedestrian and bicycle system within the property and opportunities for connections to its existing and future surroundings. The Piilani Promenade is subject to the Department of Parks and Recreation Parks Assessment that requires the owner, to provide land or money in lieu of, for recreational and leisure space in the Kihei-Makena Community Plan region.</p>			
Objective:			
(2) Improve the quality and adequacy of community facilities.			
Policies:	S	N/S	N/A
a. Provide an adequate supply of dedicated shelters and facilities for disaster relief.			✓
b. Provide and maintain community facilities that are appropriately designed to reflect the traditions and customs of local cultures.			✓
c. Ensure that parks and public facilities are safe and adequately equipped for the needs of all ages and physical abilities to the extent reasonable.	✓		
d. Maintain, enhance, expand, and provide new active and passive recreational facilities in ways that preserve the natural beauty of their locations.	✓		
e. Redesign or retrofit public facilities to adapt to major shifts in environmental or urban conditions to the extent reasonable.			✓
<p><u>Analysis:</u> The Piilani Promenade's plans to provide a 2-acre active park space. In addition open spaces and bicycle and pedestrian networks will provide a variety of recreational options that</p>			



create an enhanced community.			
Objective:			
(3) Enhance the funding, management, and planning of public facilities and park lands.			
<p><i>Analysis:</i> As discussed in Section II.D.F.5, the site plan for the Piilani Promenade will provide an approximately 2-acre neighborhood park and open spaces with pedestrian and bicycle pathways. In addition, the Piilani Promenade is subject to, and will comply with, the provisions of Section 18.16.320, MCC which requires developers to provide land and/or money for park and playground purposes in the Kihei-Makena Community Plan region.</p>			
<u>H. Diversify Transportation Options</u>			
Goal: Maui County will have an efficient, economical, and environmentally sensitive means of moving people and goods.			
Objective:			
(1) Provide an effective, affordable, and convenient ground-transportation system that is environmentally sustainable.			
Policies:	S	N/S	N/A
a. Execute planning strategies to reduce traffic congestion.	✓		
b. Plan for the efficient relocation of roadways for the public benefit.	✓		
c. Support the use of alternative roadway designs, such as traffic-calming techniques and modern roundabouts.	✓		
d. Increase route and mode options in the ground-transportation network.	✓		
e. Ensure that roadway systems are safe, efficient, and maintained in good condition.	✓		
f. Preserve roadway corridors that have historic, scenic, or unique physical attributes that enhance the character and scenic resources of communities.	✓		
g. Design new roads and roadway improvements to retain and enhance the existing character and scenic resources of the communities through which they pass.	✓		
h. Promote a variety of affordable and convenient transportation services that meet countywide and community needs and expand ridership of transit systems.	✓		



i. Collaborate with transit agencies, government agencies, employers, and operators to provide planning strategies that reduce peak-hour traffic.	✓		
j. Develop and expand an attractive, island-appropriate, and efficient public-transportation system.	✓		
k. Provide and encourage the development of specialized transportation options for the young, the elderly, and persons with disabilities.	✓		
l. Evaluate all alternatives to preserve quality of life before widening roads.	✓		
m. Encourage businesses in the promotion of alternative transportation options for resident and visitor use.	✓		
n. Support the development of carbon-emission standards and an incentive program aimed at achieving County carbon-emission goals.	✓		
Implementing Actions:			
a. Create incentives and implement strategies to reduce visitor dependence on rental cars.			✓
b. Establish efficient public-transit routes between employment centers and primary workforce residential areas.	✓		
c. Create attractive, island-appropriate, conveniently located park-and-ride and ride-share facilities.	✓		
<p><u>Analysis:</u> As discussed in Section III.D (Infrastructure) the Piilani Promenade will provide a variety of traffic-related improvements that will include improving the intersection of Piilani Highway and Kaonoulu Street and constructing a segment of the future Upcountry Highway.</p> <p>The Piilani Promenade's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) pedestrian oriented streets integrating street trees, sidewalks, and traffic calming, 3) both striped and separated bike lanes in appropriate locations, and 4) supporting connectivity to adjacent developments, such as the Kihei High School and uses <i>makai</i> of Piilani Highway.</p> <p>The transportation demand and management measures proposed for the project include encouraging alternate work schedules and off-peak hours for employment generators and supporting park and ride, ridesharing, carpooling, and van pooling. In addition, the Applicant will also meet with the Maui Department of Transportation to discuss the possibility of establishing bus stops within the project site.</p>			



Objective:			
(2) Reduce the reliance on the automobile and fossil fuels by encouraging walking, bicycling, and other energy-efficient and safe alternative modes of transportation.			
Policies:	S	N/S	N/A
a. Make walking and bicycling transportation safe and easy between and within communities.	✓		
b. Require development to be designed with the pedestrian in mind.	✓		
c. Design new and retrofit existing rights-of-way with adequate sidewalks, bicycle lanes, or separated multi-use transit corridors.	✓		
d. Support the development of a countywide network of bikeways, equestrian trails, and pedestrian paths.	✓		
e. Support the reestablishment of traditional trails between communities, to the ocean, and through the mountains for public use.			✓
f. Encourage educational programs to increase safety for pedestrians and bicyclists.			
Implementing Actions:			
a. Design, build, and modify existing bikeways to improve safety and separation from automobiles.	✓		
b. Increase enforcement to reduce abuse of bicycle and pedestrian lanes by motorized vehicles.	✓		
c. Identify non-motorized transportation options as a priority for new sources of funding.	✓		
<i>Analysis:</i> The Piilani Promenade's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) pedestrian oriented streets integrating street trees, sidewalks, and traffic calming, 3) both striped and separated bike lanes in appropriate locations, and 4) supporting connectivity to adjacent developments, such as the Kihei High School and uses <i>makai</i> of Piilani Highway.			
Objective:			



(3) Improve opportunities for affordable, efficient, safe, and reliable air transportation.			
<i>Analysis:</i> The Piilani Promenade does not include facilities for air transportation; therefore, this objective is not applicable.			
Objective:			
(4) Improve opportunities for affordable, efficient, safe, and reliable ocean transportation.			
<i>Analysis:</i> The Piilani Promenade is not located on the coastline and does not include facilities for ocean transportation; therefore, this objective regarding ocean transportation is not applicable.			
Objective:			
(5) Improve and expand the planning and management of transportation systems.			
Policies:	S	N/S	N/A
a. Encourage progressive community design and development that will reduce transportation trips.	✓		
b. Require new developments to contribute their <i>pro rata</i> share of local and regional infrastructure costs.	✓		
c. Establish appropriate user fees for private enterprises that utilize public-transportation facilities for recreational purposes.	✓		
d. Support the revision of roadway-design criteria and standards so that roads are compatible with surrounding neighborhoods and the character of rural areas.	✓		
e. Plan for multi-modal transportation and utility corridors on each island.			✓
f. Support designing all transportation facilities, including airport, harbor, and mass-transit stations, to reflect Hawaiian architecture.			✓
g. Utilize transportation-demand management as an integral part of transportation planning.	✓		
h. Accommodate the planting of street trees and other appropriate landscaping in all public rights-of-way.	✓		
<i>Analysis:</i> As discussed in Section III.D (Infrastructure) the Piilani Promenade will provide a variety of traffic-related improvements that will include improving the intersection of Piilani Highway and Kaonoulu Street and constructing a segment of the future Upcountry Highway.			
The Piilani Promenade's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) pedestrian oriented streets integrating street trees, sidewalks, and			



traffic calming, 3) both striped and separated bike lanes in appropriate locations, and 4) supporting connectivity to adjacent developments, such as the Kihei High School and uses *makai* of Piilani Highway.

The transportation demand and management measures proposed for the project include encouraging alternate work schedules and off-peak hours for employment generators and supporting park and ride, ridesharing, carpooling, and van pooling. In addition, the Applicant will also meet with the Maui Department of Transportation to discuss the possibility of establishing bus stops within the project site.

I. Improve Physical Infrastructure

Goal: Maui County's physical infrastructure will be maintained in optimum condition and will provide for and effectively serve the needs of the County through clean and sustainable technologies.

Objective:

(1) Improve water systems to assure access to sustainable, clean, reliable, and affordable sources of water.

Policies:	S	N/S	N/A
a. Ensure that adequate supplies of water are available prior to approval of subdivision or construction documents.	✓		
b. Develop and fund improved water-delivery systems.	✓		
c. Ensure a reliable and affordable supply of water for productive agricultural uses.			✓
d. Promote the reclamation of gray water, and enable the use of reclaimed, gray, and brackish water for activities that do not require drinking water.	✓		
e. Retain and expand public control and ownership of water resources and delivery systems.	✓		
f. Improve the management of water systems so that surface-water and groundwater resources are not degraded by overuse or pollution.	✓		
g. Explore and promote alternative water-source-development methods.			✓
h. Seek reliable long-term sources of water to serve developments that achieve consistency with the appropriate Community Plans.	✓		
Implementing Actions:			
a. Develop a process to review all applications for desalination.			✓



<p><i>Analysis:</i> As discussed in Section III.D.4 (Water) the Piilani Promenade's source of drinking water will be supplied by the County Department of Water Supply (DWS) and the non-drinking water is brackish water from an on-site well.</p> <p>In addition the developer is committed to water conservation strategies to reduce consumption, conserve resources and minimize water demands, and it will implement water conservation recommendations of the County of Maui Department of Water Supply.</p>			
Objective:			
(2) Improve waste-disposal practices and systems to be efficient, safe, and as environmentally sound as possible.			
Policies:	S	N/S	N/A
a. Provide sustainable waste-disposal systems and comprehensive, convenient recycling programs to reduce the flow of waste into landfills.	✓		
b. Support innovative and alternative practices in recycling solid waste and wastewater and disposing of hazardous waste.	✓		
c. Encourage vendors and owners of automobile, appliance, and white goods to participate in the safe disposal and recycling of such goods, and ensure greater accountability for large waste producers.	✓		
d. Develop strategies to promote public awareness to reduce pollution and litter, and encourage residents to reduce, reuse, recycle, and compost waste materials.			✓
e. Pursue improvements and upgrades to existing wastewater and solid-waste systems consistent with current and future plans and the County's Capital Improvement Program.	✓		
<p><i>Analysis:</i> As discussed in Section III.C.5 (Solid Waste), The Piilani Promenade will support the County's recycling, reuse, and composting activities. The County of Maui Integrated Solid Waste Management Plan (2009) provides strategies for diverting solid waste from landfills to reduce landfill dependency, save landfill capacity and improve operational efficiency. The Piilani Promenade will implement these strategies by providing options for recycling, such as collection systems and bin space, within the site, and promoting sound recycling practices among residents and businesses.</p>			
Objective:			



(3) Significantly increase the use of renewable and green technologies to promote energy efficiency and energy self-sufficiency.			
Policies:	S	N/S	N/A
a. Promote the use of local renewable energy sources, and reward energy efficiency.	✓		
b. Consider tax incentives and credits for the development of sustainable- and renewable-energy sources.			✓
c. Expand education about energy conservation and self-sufficiency.			✓
d. Encourage small-scale energy generation that utilizes wind, sun, water, biowaste, and other renewable sources of energy.	✓		
e. Expand renewable-energy production.			✓
f. Develop public-private partnerships to ensure the use of renewable energy and increase energy efficiency.	✓		
g. Require the incorporation of locally appropriate energy-saving and green building design concepts in all new developments by providing energy-efficient urban design guidelines and amendments to the Building Code.	✓		
h. Encourage the use of sustainable energy to power vehicles.	✓		
i. Promote the retrofitting of existing buildings and new development to incorporate energy-saving design concepts and devices.	✓		
j. Encourage green footprint practices.	✓		
k. Reduce Maui County's dependence on fossil fuels and energy imports.			✓
l. Support green building practices such as the construction of buildings that aim to minimize carbon dioxide production, produce renewable energy, and recycle water.	✓		
m. Promote and support environmentally friendly practices in all energy sectors.	✓		
Implementing Actions:			
a. Adopt an energy-efficiency policy for Maui County government as a model for other jurisdictions.			✓
b. Adopt a Green Building Code, and support green building practices.			✓
<u>Analysis:</u> As discussed in Section III.D.5 "Electrical," the Piilani Promenade will include			



conservation measures to encourage the use of energy-efficient technology throughout the project, specifically in areas involving lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development. Occupants of the Piilani Promenade will be encouraged to install Photovoltaic Energy Systems where appropriate and feasible.			
Objective:			
(4) Direct growth in a way that makes efficient use of existing infrastructure and to areas where there is available infrastructure capacity.			
Policies:	S	N/S	N/A
a. Capitalize on existing infrastructure capacity as a priority over infrastructure expansion.	✓		
b. Planning for new towns should only be considered if a region's growth is too large to be directed into infill and adjacent growth areas.			✓
c. Utilize appropriate infrastructure technologies in the appropriate locations.	✓		
d. Promote land use patterns that can be provided with infrastructure and public facilities in a cost-effective manner.	✓		
e. Support catchment systems and on-site wastewater treatment in rural areas and aggregated water and wastewater systems in urban areas if they are appropriately located.	✓		
Implementing Actions:			
a. Develop a streamlining system for urban infill projects.	✓		
b. Identify appropriate areas for urban expansion of existing towns where infrastructure and public facilities can be provided in a cost-effective manner.	✓		
<u>Analysis:</u> The Piilani Promenade is utilizing smart growth planning techniques. The design of the project will help minimize automobile trips by providing employment, goods, services and housing within walking or biking distance of each other. The design and layout of the Piilani Promenade includes a pedestrian and bicycle network within the project site, as well as opportunities for future connections to areas of existing and future development. The pedestrian and bicycle system will provide future residents with an alternative to motorized transport within the Piilani Promenade. The project's close proximity to Central Kihei brings residents into easy commuting distance of the region's multitude of public facility systems, including schools, police, fire, and park and recreation facilities. The Project site is also proximate to the regions, public water system, sewer system and existing State and County roadways.			



Objective:			
(5) Improve the planning and management of infrastructure systems.			
Policies:	S	N/S	N/A
a. Provide a reliable and sufficient level of funding to enhance and maintain infrastructure systems.			✓
b. Require new developments to contribute their <i>pro rata</i> share of local and regional infrastructure costs.	✓		
c. Improve coordination among infrastructure providers and planning agencies to minimize construction impacts.	✓		
d. Maintain inventories of infrastructure capacity, and project future infrastructure needs.			✓
e. Require social-justice and -equity issues to be considered during the infrastructure-planning process.	✓		
f. Discourage the development of critical infrastructure systems within hazard zones and the tsunami-inundation zone to the extent practical.	✓		
g. Ensure that infrastructure is built concurrent with or prior to development.	✓		
h. Ensure that basic infrastructure needs can be met during a disaster.			✓
i. Locate public facilities and emergency services in appropriate locations that support the health, safety, and welfare of each community and that minimize delivery inefficiencies.	✓		
j. Promote the undergrounding of utility and other distribution lines for health, safety, and aesthetic reasons.	✓		
Implementing Actions:			
a. Develop and regularly update functional plans for infrastructure systems.			✓
b. Develop, adopt, and regularly update local or community-sensitive level-of-service standards for infrastructure systems.			✓
<i>Analysis:</i> The implementation of the Master Plan Update will increase demand for public infrastructure and facility systems. In response, mitigative measures will be implemented to address the impacts. For example, the Piilani Promenade will make land available for schools, parks, and other necessary public facilities. In addition, the project will contribute off-site infrastructure improvements as warranted. The Applicant will also pay required impact fees for infrastructure and public facility systems, as law requires.			
J. Promote Sustainable Land Use and Growth Management			



Goal: Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.			
Objective:			
(1) Improve land use management and implement a directed-growth strategy.			
Policies:	S	N/S	N/A
a. Establish, map, and enforce urban- and rural-growth limits.			✓
b. Direct urban and rural growth to designated areas.	✓		
e. Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farm land and open-space resources.	✓		
g. Restrict development in areas that are prone to natural hazards, disasters, or sea-level rise.	✓		
h. Direct new development in and around communities with existing infrastructure and service capacity, and protect natural, scenic, shoreline, and cultural resources.	✓		
j. Support the dedication of land for public uses.	✓		
l. Enable existing and future communities to be self-sufficient through sustainable land use planning and management practices.	✓		
<i>Analysis:</i> The proposed development is located entirely within the Maui Island Plan's Urban Growth Boundary. The Project site is located in the Maui County Light Industrial District. The proposed project is in a location that is proximate to infrastructure and public facilities and existing employment. The Project site is not located within an area that is subject to natural hazards and no critical wildlife habitats are on the property.			
Objective:			
(2) Improve planning for and management of agricultural lands and rural areas.			
<i>Analysis:</i> As discussed in Section III.A.11 (Agricultural Resources) the development of the Piilani Promenade is located in the State Land Use Urban District therefore agricultural lands and rural areas will not be impacted by the proposed Piilani Promenade project.			
Objective:			
(3) Design all developments to be in harmony with the environment and to protect each community's sense of place.			
Policies:	S	N/S	N/A
a. Support and provide incentives for green building practices.	✓		
b. Encourage the incorporation of green building practices and			✓



technologies into all government facilities to the extent practicable.			
c. Protect and enhance the unique architectural and landscape characteristics of each Community Plan Area, small town, and neighborhood.	✓		
d. Ensure that adequate recreational areas, open spaces, and public-gathering places are provided and maintained in all urban centers and neighborhoods.	✓		
e. Ensure business districts are distinctive, attractive, and pedestrian-friendly destinations.	✓		
f. Use trees and other forms of landscaping along rights-of-way and within parking lots to provide shade, beauty, urban-heat reduction, and separation of pedestrians from automobile traffic in accordance with community desires.	✓		
g. Where appropriate, integrate public-transit, equestrian, pedestrian, and bicycle facilities, and public rights-of-way as design elements in new and existing communities.	✓		
h. Ensure better connectivity and linkages between land uses.	✓		
i. Adequately buffer and mitigate noise and air pollution in mixed-use areas to maintain residential quality of life.	✓		
j. Protect rural communities and traditional small towns by regulating the footprint, locations, site planning, and design of structures.			✓
k. Support small-town revitalization and preservation.			✓
l. Facilitate safe pedestrian access, and create linkages between destinations and within parking areas.	✓		
<i>Analysis:</i> As previously mentioned, the proposed project will encourage the use of green building practices for both employment and residential uses; incorporate bicycle and pedestrian infrastructure throughout; utilize street trees for beautification, heat reduction, and traffic calming; and will ensure better connectivity and linkages between land uses than what is possible through traditional suburban development practices.			
Objective:			
(4) Improve and increase efficiency in land use planning and management.			
Policies:	S	N/S	N/A
a. Assess the cumulative impact of developments on natural ecosystems, natural resources, wildlife habitat, and surrounding uses.	✓		
b. Ensure that new development projects requiring discretionary permits demonstrate a community need, show consistency with the General Plan, and provide an analysis of impacts.	✓		
c. Encourage public and private partnerships to preserve lands of importance, develop housing, and meet the needs of residents.			✓



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.	✓		
e. Coordinate with Federal, State, and County officials in order to ensure that land use decisions are consistent with County plans and the vision local populations have for their communities.	✓		
f. Enable greater public participation in the review of subdivisions.			✓
g. Improve land use decision making through the use of land- and geographic-information systems.			✓
Implementing Actions:			
A. Institute a time limit and sunseting stipulations on development entitlements and their implementation.			✓
<u>Analysis:</u> During the preparation of the EIS, a site analysis was conducted to ensure that urban development would mitigate impacts to the natural and cultural environment. The subject project is consistent with the County's General Plan and impacts have been analyzed in the subject EIS including assessment of the cumulative impact of the development and its potential impacts to natural ecosystems, natural resources, wildlife habitat and surrounding land uses.			
<u>K. Strive for Good Governance</u>			
Goal:			
Objective:			
(1) Strengthen governmental planning, coordination, consensus building, and decision making.			
(2) Promote civic engagement.			
(3) Improve the efficiency, reliability, and transparency of County government's internal processes and decision making.			
(4) Adequately fund in order to effectively administer, implement, and enforce the General Plan.			
(5) Strive for County government to be a role model for implementing cultural and environmental policies and practices.			
<u>Analysis:</u> The public participation program involved numerous participatory meetings with key stakeholders, community groups, neighboring property owners and governmental agencies at various stages of the planning process. These meetings provided opportunity for the public to ask questions and present concerns about the project prior to the submittal of the EIS.			
Further review of the proposed project will include review of this EIS by the State Land Use Commission. These steps provide for agency and public input and comments, as well as			



opportunities for the public and decision makers to ask for more information to address any additional concerns that may arise.

The Piilani Promenade will not directly improve government administration, programs, or plans; therefore these objectives are not applicable. However, the Piilani Promenade build out will have a positive impact on the Maui County economy and will contribute to increased County revenues in the form of increased property taxes, general excise taxes, and income taxes, a portion of which could be used to help fund implementation of the General Plan.

The Piilani Promenade will not directly improve government policies and practices; therefore this objective and these policies are not applicable. However, the Piilani Promenade build out will have a significant positive impact on the Maui County economy and will contribute to increased County revenues in the form of increased property taxes, general excise taxes, and income taxes.

2. Maui Island Plan

The Maui Island Plan, December 2012, serves as the regional plan for the Island of Maui. The Plan is comprised of the following ten elements: 1) Population; 2) Heritage Resources; 3) Natural Hazards; 4) Economic Development; 5) Housing; 6) Infrastructure and Public Facilities; 7) Land Use; 8) Directed Growth Plan; 9) Long Range Implementation Plan; and 10) Monitoring and Evaluation. Each element contains goals, objectives, policies and implementing actions. The Directed Growth Plan identifies the location of future development through 2030. The Directed Growth Plan is intended to guide the location and general character of future urban development and will direct future zoning changes and guide the development of the County's short-term and long-term capital improvement plan budgets.

The General Plan of the County of Maui refers to a hierarchy of planning documents that together set forth future growth and policy direction in the County. The General Plan is comprised of the following documents: 1) County-wide Policy Plan; 2) Maui Island Plan; and 3) nine community plans.

The County-wide Policy Plan was adopted in March 2010 and is a broad policy document that identifies a vision for the future of Maui County. It establishes a set of guiding principles and provides comprehensive goals, objectives, policies and implementing actions that portray the desired direction of the County's future. The County-wide Policy Plan provides the policy framework for the development of the Maui Island Plan and nine Community Plans.



The Maui Island Plan functions as a regional plan and addresses the policies and issued that are not confined to just one community plan area, including regional systems such as transportation, utilities and growth management, for the Island of Maui. Together, the Island and Community Plans develop strategies with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design and other matters related to development.

The Maui Island Plan is approved it will be used to guide the growth and development of Maui County. As indicated by the Planning Department's proposed Directed Growth Maps, the Piilani Promenade lies within the limits of the proposed Urban Growth Boundary for Kihei. (**See:** Figure No. 13)

The EIS will discuss portions of Chapters 4 and 7 of the Maui Island Plan that are applicable to the development of the Piilani Promenade.

Chapter 4 Economic Development

Maui Island Plan	S	N/S	N/A
Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable			
Economic Development			
Economic Diversification			
Goal: Maui will have a balanced economy composed of a variety of industries that offer employment opportunities and well-paying jobs and a business environment that is sensitive to resident needs and the island's unique natural and cultural resources.			
Objective:	S	N/S	N/A
Objective 4.1.1: A more diversified economy.	✓		
Policies:	S	N/S	N/A
Policy 4.1.1.a: Encourage an economy that is driven by innovation, research and development, and human resource development.	✓		
Policy 4.1.1.b: Support the creation of new jobs and industries that provide a living wage.	✓		



Analysis: The updated Piilani Promenade plan responds to the most current trends in the development of innovation centers nationwide. After build-out the Piilani Promenade will strengthen Maui's economy and will create a diverse range of jobs for residents. This will in turn benefit the rest of the economy. The result will be an increase in economic activities and employment opportunities consistent with community needs and desires, which will promote increased employment and entrepreneurial opportunities for Maui's residents.

As discussed in Section III.B.3 (Economy) the construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 "worker years" of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will provide direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After "stabilization," the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.

The project site is located within the Maui Island Plan's Urban Growth Boundary. The Project is being prepared pursuant to smart growth and New Urbanism planning principles, with a distribution of uses that provides housing, jobs, shopping for daily needs, open space and recreation areas in close proximity to each other.

Objective:	S	N/S	N/A
Objective 4.1.2 Increase activities that support principles of sustainability.	✓		
Policies:	S	N/S	N/A
4.1.2.a: Support industries that are sustainable, and culturally and environmentally sensitive.	✓		
4.1.2.b: Encourage and support local businesses.	✓		
4.1.2.e: Encourage all businesses to save energy, water and other resources.	✓		



<i>Analysis:</i> As discussed in Section III.D.5 “Electrical,” the Piilani Promenade will include conservation measures to encourage the use of energy-efficient technology throughout the project, specifically in areas involving lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development. Occupants of the Piilani Promenade will be encouraged to install Photovoltaic Energy Systems where appropriate and feasible.			
Objective:	S	N/S	N/A
Objective 4.1.3 Improve the island’s business climate.	✓		
Policies:	S	N/S	N/A
4.1.3.a: Upgrade, maintain the quality, and improve access to telecommunications infrastructure.	✓		
4.1.3.b: Ensure an adequate supply of affordable workforce housing.	✓		
4.1.3.c: Develop neighborhoods and communities that are attractive to the workforce of a diversified economy.	✓		
4.1.3.e: Encourage employers to establish incentive programs such as telecommuting, flexible working hours, four-day work weeks, health incentives, and rebates for public transportation users.	✓		
4.1.3.f: Assist community development organizations with revitalization and development of neighborhoods and communities that are attractive to the workforce of a diversified economy.			✓
<i>Analysis:</i> The Project site is located within the Maui Island Plan’s Urban Growth Boundary. The Project is being prepared pursuant to smart growth and New Urbanism planning principles with a distribution of uses that provides housing, jobs, shopping for daily needs, open space and recreation areas in close proximity to each other. Together, these elements of the proposed project will help to create communities that are attractive to the workforce of a diversified economy.			
Emerging Sectors			
Goal: A diverse array of emerging economic sectors.			
Objective:	S	N/S	N/A
Objective 4.4.1 Increase efforts to develop emerging industries.			✓
Policies:	S	N/S	N/A
4.4.1.a: Support the development of and access to state-of-the-art voice, video, and data telecommunications systems.			✓



4.4.1.b: Attract and assist industries to compete in high technology activities such as those related to renewable energy, green technologies, diversified agriculture, ocean sciences, health sciences, and other knowledge-based industries.	✓		
4.4.1.c: Support new industries that are environmentally and culturally sensitive such as health and wellness, sports and outdoor activities, cultural activities, the arts, film-making, entertainment, and digital media.	✓		
4.4.1.d: Support the continued development of the Maui Research and Technology Park in Kihei as a center for research and development and education.			✓
4.4.1.e: Work with appropriate organizations to support the development of high technology clusters around renewable energy, diversified agriculture, ocean sciences, health sciences, and other knowledge-based industries.			✓
<i>Analysis:</i> The purpose of the updated Piilani Promenade is to provide an opportunity for a mix of uses for greater flexibility to attract a broader range of desirable businesses with a diversified offering including emerging sectors. It is anticipated that New Urbanism planning techniques and urban design strategies will make the Piilani Promenade a more vibrant and attractive environment for businesses to locate and grow their operations. The Piilani Promenade will expand Maui's employer base and increase employment and management opportunities for residents.			
Objective:	S	N/S	N/A
Objective 4.4.2 Increase the development of renewable energy technologies.			✓
Policies:	S	N/S	N/A
4.4.2.a: Support the expansion of the renewable energy sector and the use of solar, wind, wave, and biofuel technologies.	✓		
4.4.2.b: Provide incentives to encourage renewable energy development, the use of green energy technologies, and energy conservation.			✓
<i>Analysis:</i> The Piilani Promenade isn't targeted specifically to the renewable energy sector, however the Applicant will market the project as available to this sector of the employment. As discussed in Section III.D.6 (Utilities) the Piilani Promenade supports energy-efficient design and conservation measures. Specifically, the Applicant will encourage the use of energy efficient technology throughout the project, specifically, in lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development and installation of Photovoltaic			



Energy Systems will be encouraged in all areas of the Piilani Promenade.

Chapter 7 Land Uses

Urban Areas

“Urban areas are characterized by a convergence of housing, jobs, civic activities, commercial services and shopping.”

“The Maui Island plan will promote vibrant and sustainable communities, economize on infrastructure, and protect open space.”

Maui Island Plan Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable	S	N/S	N/A
Land Use			
Urban Land Use Issues			
Goal: Maui will have livable human scale urban communities, an efficient and sustainable land use pattern, and sufficient housing and services for Maui residents.			
Objective:	S	N/S	N/A
Objective 7.3.1: Facilitate and support a more compact, efficient, human-scale urban development pattern.	✓		
Policies:	S	N/S	N/A
Policy 7.3.1.a: Ensure higher density compact urban communities, infill and redevelopment of underutilized urban lots within Urban Growth Boundaries.	✓		
Policy 7.3.1c: Strengthen evaluation requirements for new urban expansion, new towns, and major urban infill projects within urban growth boundaries. Tailor submittal requirements to reflect the impact or scale of different projects.			✓



Policy 7.3.1.f: Encourage the development and implementation of neighborhood design standards that are environmentally friendly such as LEED-ND standards.	✓		
Policy 7.3.1.g: Discourage future pyramid zoning within the industrial zoning districts, while allowing accessory commercial uses and grandfathering existing uses.			✓
Policy 7.3.1.g: Promote agriculture by encouraging community gardening, community supported agricultural programs, and farmers' markets within and adjacent to urban areas.	✓		
Policy 7.3.1.i: Discourage land use and urban design that impedes inter-connectivity between adjacent communities.	✓		
<p><u>Analysis:</u> The Piilani Promenade is located on lands adjacent to an existing employment base with urban development and supporting infrastructure in place. The subject property has been community planned for urban development since the 1980's and is within the Maui Island Plan's Urban Growth Boundary. The Piilani Promenade is being prepared pursuant to smart growth and New-Urbanism planning principles with a distribution of uses that provides housing, jobs, shopping for daily needs, open space and recreation areas in close proximity to each other. The residential area will not include gated communities; and design and appearance will be controlled by neighborhood design standards to promote environmentally friendly neighborhoods.</p> <p>As discussed in this EIS the Piilani Promenade incorporates New Urbanism planning techniques and urban design strategies which help to create a settlement pattern that by its more compact and mixed-use character is less dependent on motorized transportation. This will facilitate a self-sufficient community and result in shorter commutes by offering multi-modal transportation opportunities. The project also makes considerable investment into infrastructure that supports a unified pedestrian and bicycle system within the project site. The system will connect the residential area, neighborhood park and employment areas. The result will be a more diverse and dynamic economy with increased employment opportunities for residents.</p>			
Objective:	S	N/S	N/A
Objective 7.3.2 Facilitate more self-sufficient and sustainable communities.	✓		
Policies:	S	N/S	N/A



7.3.2.a: When developing new communities, provide sufficient lands for commercial, appropriate industrial, educational, spiritual and non-profit uses to serve the daily needs of community residents.	✓		
7.3.2.b: Site community facilities such as schools, parks, libraries, and community centers within walking and biking distance of residences.	✓		
7.3.2.c: Facilitate self-sufficient communities and shorten commutes by: a. directing residential development to job-rich areas; b. Allowing appropriate commercial development and community services to shorten commutes; and c. Allowing home occupations that are compatible with surrounding neighborhoods.	✓		
7.3.2.d: Ensure that major employment centers are located in areas that encourage affordable employee housing and multi-modal transportation opportunities.	✓		
7.3.2.e: Discourage the establishment of bedroom communities where long commutes are required to employment centers.	✓		
7.3.2.f: Facilitate development of housing by focusing projects in locations where land and infrastructure costs facilitate the development of affordably-priced housing.	✓		
7.3.2.g: Provide incentives to facilitate the development of multi-family housing.	✓		
7.3.2.h: Encourage the placement of rental housing projects in the same areas for-sale housing to facilitate mixed-income communities.	✓		
7.3.2.i: Develop communities that provide sufficient parks, schools, libraries, and other essential public facilities and services to serve resident needs.	✓		
<p><u>Analysis:</u> The Piilani Promenade is strongly supportive of Objective 7.32 and its subordinate policies. Recognizing the importance of locating jobs near housing, the Plan incorporates 226 rental housing units of. While the proposed housing won't create a complete equilibrium of jobs-housing, it will significantly alleviate the necessity for vehicular trips to and from the Piilani Promenade. The Piilani Promenade is centrally located close to regional recreation and educational facilities that together with retail and industrial uses will compliment the larger Kihei community.</p> <p>As discussed in Section II.E.3 and 4 (Proposed Action) the proposed project incorporates New Urbanism planning techniques and urban design strategies which help to create a settlement pattern that by its more compact and mixed-use character is less dependent on</p>			



<p>motorized transportation. These techniques and strategies will facilitate a self-sufficient community and result in shorter commutes by offering multi-modal transportation opportunities. The Plan also makes considerable investment into infrastructure that supports a unified pedestrian and bicycle system within the project site and will provide opportunities for future connectivity to its existing and future surroundings.</p>			
Objective:	S	N/S	N/A
Objective 7.3.3 Strengthen the island's sense of place.	✓		
Policies:	S	N/S	N/A
7.3.3.a: Protect and enhance the unique architectural and landscape characteristics of each community.	✓		
7.3.3.b: Encourage Hawaiian Architecture and tropical building designs.	✓		
7.3.3.d: Strongly encourage the preservation of buildings, structures, and sites of historic significance.	✓		
7.3.3.e: Require Community-based Public Design Charettes/Design Workshops for major new urban expansion, new towns, and major urban infill projects.	✓		
7.3.3.f: Require design enhancement, landscaping, and integration of park and rides, bicycle parking areas and mass transit infrastructure to mitigate the effect of parking lots and structured parking on the urban landscape.	✓		
7.3.3.g: Ensure that safe and attractive public spaces (e.g., plazas, parks, town/village squares) are provided throughout the island's urban areas.	✓		
<p><u>Analysis:</u> The Piilani Promenade updated plan was prepared with community input. Numerous meetings were conducted and presentation given to community stakeholders, including the Kihei Community Association, neighboring property owners, Urban Design Review Board and State and County agencies.</p> <p>In order to create a sense of place, the Applicant proposes a diversification of uses within the Park. Creating a "place", a location which people are drawn to, involves a combination of factors. Among others, these factors include diversification of land uses and creation of an attractive and welcoming public realm. A satisfying and interesting place contains a variety of users and activities, and is friendly to people on foot. In order to create a place, the project proposes the creation of housing, retail, and open spaces to the site will add amenities for business attraction and retention and will create a true neighborhood in place of the vacant land that exists today. The combination of elements will create synergies beyond what all of</p>			



these land uses would add up to as separated pods, and this added energy will drive development of employment of the Piilani Promenade.

The Piilani Promenade will provide open space that will be landscaped with native plants and shade trees. A core feature of the plan is a 2-acre park space adjacent to the proposed residential component of the project. Pedestrian walkways and bikeways will be landscaped and incorporated throughout the site.

Objective:	S	N/S	N/A
Objective 7.3.5 Ensure that Maui's Planning process becomes more transparent, efficient and innovative.	✓		
Policies:	S	N/S	N/A
7.3.5.a: Encourage greater community involvement in land use planning and decision making.	✓		
7.3.5.b: Establish a predictable and timely development review process that facilitates the approval of projects that meet planning and regulatory requirements.	✓		
7.3.5.c: Increase inter-agency coordination between the Department of Planning and all State and County agencies responsible for infrastructure and public facilities provision.	✓		
7.3.5.d: Provide greater certainty and transparency in the development review process.	✓		
7.3.5.e: Expand and maintain land use and geographic information system databases for improved decisions and make data and products available to the public.			✓
<u>Analysis:</u> The Environmental Review process has and will continue to facilitate a great deal of community involvement in the decision making process for the proposed Piilani Promenade.			



F. KIHEI-MAKENA COMMUNITY PLAN

Within Maui County, there are nine (9) community plan regions. From a General Plan implementation standpoint, each region is governed by a Community Plan which sets forth desired land use patterns, as well as goals, objectives, policies, and implementing actions for a number of functional areas including infrastructure-related parameters.

The Piilani Promenade is located within the Kihei-Makena Community Plan (KMCP) region. The KMCP was adopted by Ordinance No. 2641 on March 6, 1998. The property is designated for (LI) Light Industrial uses by the KMCP. The KMCP defines “Light Industrial (LI)” as follows: “This is for warehousing, light assembly, service and craft-type industrial operations.” The County of Maui Planning Department has consistently interpreted the KMCP’s LI designation consistent with the M-1 Light Industrial zoning classification, as the KMCP specifically states that the goals, objectives and policies of the KMCP are implemented and effectuated through various processes, including zoning. Consistent with the Maui County long-standing application of the KMCP, the proposed projects complies with the LI designation in the KMCP. This issue, and the possible alternative of seeking an amendment of the KMCP, is discussed further under section V. D. Unresolved Issues.

Interregional Issues

The Kihei Makena Community Plan identifies Major Public Facilities and Upcountry transportation connection as the two (2) primary Interregional Issues important to the South Maui community.

1. Major Public Facility

The project will include the off-site development of a MECO substation to provide electrical power to the proposed project and anticipated future surrounding development. The Facility will be built and operated by MECO on land provided by the proposed project.

2. Upcountry Transportation Connection

The Piilani Promenade improvements will include construction of a portion of the future Kihei Upcountry Highway (KUH) which is planned to intersect Piilani Highway at Kaonoulu Street and extend mauka towards Haliimaile intersection



with Haleakala Highway. Subsequent to the adoption of the KMCP in 1998, the Hawaii Department of Transportation formalized the location of the KUH. The KUH is considered both a major public facility and interregional infrastructural element. The portion of the KUH that bisects the project Promenade project will be constructed by the project and will be subsequently dedicated to the State of Hawaii.

The goals, objectives, and policies of the KMCP that are relevant to the proposed project are discussed below.

Kihei Makena Community Plan	S	N/S	N/A
Key: S = Supportive, N/S = Not Supportive, N/A = Not Applicable			
Land Use			
Goal: <i>A well-planned community with land use and development patterns designed to achieve the efficient and timely provision of infrastructural and community needs while preserving and enhancing the unique character of Ma'alaea, Kihei, Wailea and Makena as well as the region's natural environment, marine resources and traditional shoreline uses.</i>			
Objectives and Policies:	S	N/S	N/A
a. Acquire beachfront properties for public use.			✓
b. Identify priority growth areas to focus public and private efforts on the provision of infrastructure and amenities to serve existing residents and to accommodate new growth.	✓		
c. Upon adoption of this plan, allow no further development unless infrastructure, public facilities, and services needed to service new development are available prior to or concurrent with the impacts of new development.	✓		
d. Limit hotel uses to those areas presently planned for hotel use, and limit hotel development until adequate public facilities and services are established to meet existing needs.	✓		
e. Establish a system of parks, 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.	✓		
f. Establish a distribution of land uses which provides housing, jobs, shopping, open space, and recreation areas in close proximity to each other in order to enhance Kihei's neighborhoods and to minimize	✓		



dependence on automobiles.			
g. Encourage the establishment of single-family and multi-family land use designations which provide affordable housing opportunities for areas which are in close proximity to infrastructure systems and other urban services.	✓		
h. Develop commercial services at the following locations to meet community needs: 1) North Kihei, between the existing South Kihei Road, Piilani Highway and Uwapo Road. 2) A central business and commercial center for Kihei clustered about the South Kihei Road/Road "C" intersection. 3) In <i>existing</i> commercially zoned areas along South Kihei Road in the vicinity of Kalama Park. 4) Along South Kihei Road opposite the Kamaole beach parks.			✓
i. Limit commercial services to neighborhood business uses or other low-key business activities with a residential scale on those properties which abut single-family residential areas.	✓		
j. Locate resort-related retail commercial facilities at strategic points in the Wailea and Makena destination areas.			✓
k. Provide for limited expansion of light industrial services in the area south of Ohukai and <i>mauka</i> of Piilani Highway, as well as limited marine-based industrial services in areas next to Maalaea Harbor. Provide for moderate expansion of light industrial use in the Central Maui Baseyard, along Mokulele Highway. These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use. These actions will place industrial use near existing and proposed transportation arteries for the efficient movement of goods.	✓		
l. Preserve coastal vistas, open space and recreational opportunities for residents by prohibiting further shoreline development except in places designated on the 1997 community plan land use map, and prohibit future community plan amendments along the shoreline that would increase the intensity of land use, with the exception of land use that is public or quasi-public in nature.	✓		
m. Provide for limited residential expansion in Maalaea which complements the existing natural and built environment.			✓
n. Maintain State Conservation District boundaries in the planning region. However, State Conservation District reclassification of lands may be warranted to enhance environmental preservation.			✓
o. Establish a site for a future higher educational institution north of the research and technology park project district.			✓



p. Prevent urbanization of important agricultural lands.	✓		
q. Allow ohana units only where sufficient infrastructure is available.			✓
r. Allow special permits in the State Agricultural Districts to accommodate unusual yet reasonable uses including: (1) limited agriculturally related commercial, public and quasi-public uses serving the immediate community; (2) uses clearly accessory or subordinate to a principal agricultural use on the property; (3) public facility uses such as utility installations or landfills whose location depends on technical considerations; and (4) extractive industries, such as quarrying, where the operation would not adversely affect the environment or surrounding agricultural uses.			✓
Implementing Actions:	S	N/S	N/A
a. Prepare a prioritized island-wide directed and managed growth strategy to ensure that the location, rate and timing of development is consistent with the provision of infrastructure and public facilities and services.			✓
b. Include conditions of approval for new residential developments requiring that adequate school facilities shall be in place before a certificate of occupancy is issued.	✓		
c. Prepare an Open Space Master Plan for the region to provide a unified system of non-motorized access to community resources, and to provide a planned program of resource stewardship. Establish standards for the use of drainage ways, gulches, wetlands, and easements for public access. The Open Space Master Plan shall be prepared by partnership between governmental and non-governmental organizations. The plan preparation shall include, but not be limited to, public input and informational workshops; inventory and mapping of cultural, natural, and open space resources; and review of legal options and constraints. Professional design of the Open Space Master Plan should be funded; and, upon its adoption, the Open Space Master Plan should be incorporated into the Kihei-Makena Community Plan.			✓
d. Control the timing and phasing of project district construction through zoning in order to ensure systematic and incremental development. Such an action shall prevent haphazard development, and ensure that the provision of adequate infrastructure and public facilities and services takes place prior to or concurrent with development.			✓
e. Review, amend and adopt, as appropriate, zoning ordinances and	✓		



maps to carry out the intent of the land use categories identified in the plan.			
f. Establish and enforce building height limits and densities <i>mauka</i> of Piilani Highway which preserve significant <i>mauka</i> views and vistas.	✓		
<p><u>Analysis:</u> The Pi'ilani Promenade is located in North Kihei, within the Maui Island Plan's Urban Growth Boundary. The proposed project will be developed in accordance with smart growth and New Urbanism planning principles, and will encompass a distribution of land uses that provide housing, jobs, neighborhood shopping, and open space and recreation areas in close proximity to each other (goals f and g). The project also incorporates rental housing that will provide affordable units for Maui residents.</p> <p>As discussed in Section II.E.3 and 4 (Proposed Action), the proposed project incorporates New Urbanism planning techniques and urban design strategies which help to create a settlement pattern that is more compact and mixed-use in character. This will facilitate a self-sufficient development and result in shorter commutes by offering multi-modal transportation opportunities. The proposed project will also make a considerable investment in infrastructure which will support a unified pedestrian and bicycle system within the project with opportunities for extending and connecting these systems to existing and future development in surrounding areas (goals b, c, and f).</p> <p>As discussed in Section III.A.10 (Agricultural Resources), The LSB and ALISH classification systems indicate that the lands underlying the project site possess poor soil and low soil ratings for productive agricultural uses. As such, the utilization of these poorly-rated agricultural lands for urban use and development is deemed appropriate.</p> <p>The proposed project will comply with the 60-foot maximum building height limit set forth by Chapter 19.24, MCC pertaining to M-1, Light Industrial zoning which will help minimize potential adverse impacts on mauka views toward Haleakala.</p> <p>The subject property is located in North Kihei, south of Ohukai Road, and mauka of Piilani Highway. This area was designated in the KMCP for light industrial use in order to encourage urban expansion in the area mauka of Piilani Highway (goal k). The original conceptual plan of 123 light industrial lots, which fit squarely within that designation, is no longer desirable or economically viable. Since the KMCP was adopted in 1998, the proposed planning for that area has adjusted. Other developments south of Ohukai and mauka of Piilani are predominantly retail, with only some instances of true light industrial uses. The community planning process has evolved since 1998, and the current Maui Island Plan indicates that the Piilani Promenade is located within the Urban Growth Boundary, and is surrounded by areas currently not zoned for urbanization, but designated as "planned growth areas." The Maui Island Plan specifically cites the need for mixed-use neighborhood centers "to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern." Maui Island Plan at 8-27.</p> <p>The Piilani Promenade project follows these more recent planning guidelines, providing a</p>			



mixed use that fits within the existing M-1 zoning, and provides a mix of light industrial, retail, and residential uses. Therefore an updated plan was prepared for this EIS which responds to the most current trends in the development of multi-use retail-living centers nationwide. The proposed project will strengthen Maui's economy by making the Piilani Promenade a more attractive location for the limited light industrial activities envisioned within the KMCP as well as much needed retail businesses. These businesses will create a diverse range of jobs for Maui residents which, in turn, will benefit the local and Statewide economy. The result will be an increase in economic activities and employment opportunities consistent with community needs and desires, which will promote increased employment and entrepreneurial opportunities for Maui's residents. Thus, while the Piilani Promenade project does not strictly support all of goal k in the KMCP, it meets other important competing planning criteria within the KMCP. The County of Maui has interpreted the Piilani Promenade project as complying with the KMCP, as the KMCP provides that the goals and objectives are guidelines to the ultimate implementation of the plan. This issue, and the possible amendment of the KMCP, is discussed further in section VI.D. Unresolved Issues.

Environment

Goal: Preservation, protection, and enhancement of Kihei-Makena's unique and fragile environmental resources.

Objectives and Policies:	S	N/S	N/A
a. Acquire beachfront properties for public use.			✓
b. Preserve, protect, and restore unique natural areas with significant conservation values.			✓
c. Require that new shoreline development respect shoreline resources and maintain public access: 1) Existing dune formations are important elements of the natural setting and should remain intact. 2) Indigenous or endemic strand vegetation should remain undisturbed; new development and landscaping should treat such vegetation as given conditions. 3) Planning for new shoreline development, as well as redevelopment, shall consider the cyclic nature of beach processes. Setbacks shall be used to provide a sufficient buffer between the ocean and structures to allow for periodic and long-term accretion and erosion of the shoreline. A Coastal Erosion Rate Analysis shall be developed. The planning commissions are encouraged to incorporate data from the analysis into planning decisions for shoreline areas, especially with respect to			✓



<p>shoreline building setbacks. In the interim period prior to the completion of the analysis, the planning commissions are further encouraged to utilize minimum setbacks for multi-family and hotel uses of 150 feet from sandy shorelines, and 75 feet from rocky shorelines, or 25% of the average lot depth, whichever is greater.</p> <p>Where shoreline erosion threatens existing structures or facilities, beach replenishment shall be the preferred means of controlling erosion, as opposed to sole reliance on seawalls or other permanent shoreline hardening structures.</p> <p>4) Storm water run-off from proposed developments shall not adversely affect the marine environment and nearshore and offshore water quality.</p> <p>5) Planning, design, and layout for new development shall be integrated with public shoreline use and sound principles of resource management.</p>			
d. Permit recreational activities in the shoreline zone which respond to shoreline characteristics and principles of sound resource management. Activities which damage or deplete shoreline resources, or are incompatible with ecological systems, shall not be permitted.			✓
e. Protect the quality of nearshore waters by ensuring that land-based discharges meet water quality standards. Continued monitoring of existing and future waste disposal systems is necessary to ensure their efficient operation. Programs should be implemented to reduce the reliance on injection wells for wastewater disposal.	✓		
f. Protect all wetland resources, such as those at Kealia Pond and near Road "C". These open space and wildlife habitat resources are important for flood control and for their natural beauty.	✓		
g. Require the integration of wetlands and drainageways into an open space, pedestrian pathway, and bikeway system within and around the Lipoa business district.			✓
h. Encourage such land uses as would serve to reduce hazardous fire conditions in the developed community plan areas.	✓		
i. Discourage shoreline hardening structures where North Kihei Road abuts the coastline. Instead, use soft approaches such as dune restoration and beach nourishment with or without supporting structures.			✓
Implementing Actions:	S	N/S	N/A



a. Implement programs to reduce the reliance on injection wells for wastewater disposal.			✓
b. Establish and maintain a monitoring program for nearshore waters.			✓
c. Support the development of the Maalaea-Kealia bypass highway.	✓		
d. Develop a master plan for a recreational coastline access along North Kihei Road once the Maalaea-Kealia bypass is planned.			✓
e. Facilitate protection of valuable shoreline resources in the Open Space Master Plan by transferring State Beach Reserves and adjacent undeveloped State-owned lots to County jurisdiction. Prepare and implement a plan for enhancement of these lands to provide stewardship of cultural and natural resources and the fostering of traditional cultural activities.			✓
f. Survey, map, and describe the <i>mauka</i> boundaries of the State Beach Reserves to delineate between public and private property.			✓
g. Partner with the Na Ala Hele, South Maui Heritage Corridor, Kihei 2000, and Bikeways Maui organizations to establish a continuous trail/greenway/bikeway system from Kealia Pond to Kilohana Road, to provide pedestrian lateral accesses to the Kihei-Makena shoreline, and to protect and maintain traditional shoreline access.			✓
h. Initiate a wetlands enhancement project with the Kihei Franks development in coordination with the enhancement of the County owned wetland adjacent to Saint Theresa's Church. Include a pedestrian and bike path to allow school children to access the beach and greenway.			✓
i. Develop and implement a strategy for sand dune protection.			✓
j. New studies should be commissioned that seek to better understand site-specific causes of coastal erosion.			✓
k. Develop and implement a dune restoration project for the beach area along South Kihei Road from the Maui Lu to Suda Store. Such a project may use drift fencing, native vegetation, and dune walkovers in order to restore the sand dunes and prevent sand from blowing onto and across the road.			✓
<u>Analysis:</u> The proposed project will not impact Kulanihakoi Gulch or any coastal wetlands. The increase between pre- and post-development stormwater volume generated by the project site will be captured and stored onsite which will minimize potential drainage			



impacts to downstream and neighboring properties.

The Piilani Promenade is not located on the coastline; therefore policies regarding shoreline resources are not applicable. It should be noted, however, that Best Management Practices will be implemented during the construction and operation of the project to mitigate non-point source pollution to Maui's coastal resources. In addition, mitigation measures will be identified through the EIS and regulatory review processes to help address any environmental impacts that may arise from the Project.

To mitigate the potential of wildfires occurring on the subject property, site work for the development of the Piilani Promenade will involve the removal of existing surface vegetation (*e.g.*, buffel grass) which could fuel fires. Additionally, the construction of buildings, roadways, and irrigated landscape plantings will help reduce the risk of wildfires.

In light of the foregoing, it can be concluded that development of the site will not impact environmental resources on the property or within its immediate vicinity.

Cultural Resources

Goal: Identification, preservation, enhancement, and appropriate use of cultural resources, cultural practice, and historic sites that:

	S	N/S	N/A
a. Provides a sense of history and defines a sense of place for the Kihei Makena region; and	✓		
b. Preserves and protects native Hawaiian rights customarily and traditionally exercised for subsistence, cultural, and religious purposes in accordance with Article XII, Section 7, of the Hawaii State Constitution, and the Hawaii Supreme Court's PASH opinion, 79 Haw. 425 (1995).	✓		
Objectives and Policies:	S	N/S	N/A
a. Identify, preserve, protect and restore significant historical and cultural sites.	✓		
b. Foster an awareness of the diversity and importance of cultural and archaeological resources and of the history of Kihei-Makena. Promote distinct cultural resources as an identifying characteristic of the region.	✓		
c. Encourage and protect traditional <i>mauka</i> and <i>makai</i> accesses, cultural practices and rural lifestyles.			✓
d. Protect those areas, structures and elements that are a significant and			✓



functional part of Hawaii's ethnic and cultural heritage.			
e. Encourage community stewardship of historic sites.			
f. Preserve and restore historical roads and paths as cultural resources, and require such resources to be available to the public.			✓
g. Recognize and respect family ancestral ties to certain sites.			
h. Establish "cultural parks" and heritage corridors for visitation and education.			✓
i. Establish cultural and educational programs to perpetuate Hawaiian and other ethnic heritages.			✓
j. Develop a County ordinance for indigenous architecture.			✓
Implementing Actions:	S	N/S	N/A
a. Prepare a Kihei-Makena specific Cultural Resources Management Plan. Use the plan to update the Countywide Cultural Resources Management Plan. Include an inventory of cultural resources and develop strategies for the preservation and enhancement of those resources.	✓		
b. Require development projects to identify all cultural resources located within or adjacent to the project area, prior to application, as part of the County development review process. Further require that all proposed activity include recommendations to mitigate potential adverse impacts on cultural resources, including site avoidance, adequate buffer areas and interpretation. Particular attention should be directed toward the southern areas of the planning region.	✓		
c. Implement a historic or cultural district overlay ordinance to provide protection for areas of significant archaeological, historical and cultural resources. These ordinances should be used at Palauea, Keone'o'io and other significant archaeological complexes in the Honua'ula District of the region.			✓
d. Upon development of Project District 8 (Palauea), the developer shall implement a historic park and interpretative center at Palauea, preserving the Palauea archaeological district and providing interpretation for sites in the Makena-Wailea region. Permitted uses shall include a cultural preserve/park area which shall be a minimum of at least 20 contiguous acres to protect and preserve known significant archaeological sites, which shall include, but not be limited to, the Palauea village and heiau complex, and the Palauea landing complex. Consideration should also be given to expanding the cultural preserve to include additional newly identified sites. Because of the			✓



significance of the sites, the County Cultural Resources Commission shall review all plans for development. Because of high public interest and the contiguous nature of the sites, consideration should be given to educational uses of the sites.			
e. Formulate and adopt rural and historic district roadway standards for the old Makena Road to promote the maintenance of historic landscapes and streetscapes in character with the region, so long as these standards are for public roadway purposes, and do not obstruct or interfere with the rights of the public for the use and enjoyment of the area. Makena Road shall be kept open for public use.			✓
f. General sites that should be identified for preservation include, but are not limited to, the following: 1) Ancient Trails/Old Government Roads 2) Fishponds 3) Landings 4) Nearshore marine cultural resources 5) Significant native vegetation zones 6) Plantation ditch systems 7) Religious Structures (shrines, churches & heiau) 8) Old bridges 9) Plantation camps 10) Plantation era structures & homes 11) Petroglyphs 12) Burials			✓
g. Important sites and areas in the Kihei-Makena Community Plan region include the following: 1) Lahaina-Pali Trail 2) McGregor's Landing 3) Maalaea/McGregor Complex 4) Maalaea Petroglyphs 5) Kealia Pond 6) Naval Air Station Pu`unene 7) Kihei Landing 8) Keolahou Church 9) Kalepolepo Fishpond 10) David Malo Church 11) Waiohuli Kai Fishpond 12) Ko`a at Waimahaihai, Kama`ole 13) Kihei Regional Park Complex			✓



14) Kama`ole House Site 15) Palauea Complex 16) Makena Landing Area Sites 17) Makena Complex 18) Keawala`i Church 19) Pu`u Olai 20) Mo`omuku <i>Ko`a</i> 21) Kanahena Landing Area 22) Moanakala Village 23) Kanahena Point Complex 24) Kalaeloa Complex 25) Keone`o`io Village 26) Hoapili Trail 27) Keawanaku Complex 28) Wawaloa Complex 29) Alaha Complex 30) Waiakapuhi Complex 31) Kalulu Complex <p>The above list is not comprehensive. It represents some of the well known sites that are currently listed in the State inventory of Historic Places and on file with the State and National Registers of Historic Places. Many more sites have not been surveyed for historic significance. A map indicating the general location of these sites is on file with the County's Department of Planning. The said map should be consulted prior to development proposals affecting the above-mentioned areas. Prior to any development approvals, the said map shall be referenced and the comments of the State Historic Preservation Division and the County Cultural Resources Commission shall be sought.</p>			
<p><u>Analysis:</u> As discussed in Section III.A. 8 (Historical and Archaeological Resources), the proposed project will not impact Kulanihakoi Gulch and is not anticipated to significantly impact the physical environment. The project promotes the preservation of historic resources and the Applicant will work with the State Historic Preservation Division to prepare a data recovery plan for selected sites within the project area.</p> <p>The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (See: Appendix F, "Archaeological Inventory Survey").</p>			



A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. There was discussion about how the known archaeological sites could be incorporated into the design of the project and/or landscaping plan. Due to the location of sites relative to infrastructure site development requirements preservation of sites is not possible; however, data recovery has been proposed for selected sites within the project area. In previous archaeological work done on the site a petroglyph stone was identified. Under the original ranch ownership this stone was relocated to more appropriate location in the Ahupuaa and a relocation report done, submitted and approved by SHPD for the relocation effort. It was suggested that perhaps the original landowner would be willing to relocate the stone to the property. The landowner was asked about this possibility and declined the request. In addition, the archaeological monitoring plan that was submitted to the SHPD for review has been approved and is referenced for all recent work on the site. The monitoring plan may be found in Appendix H and may be updated once project construction is initiated.

As discussed in Section III.B.4 (Cultural Resources) the cultural impact statement (CIA) which was prepared for the proposed project reported that there were no visible cultural resources, (*i.e.* medicinal plants, shoreline resources, religious sites, or archeological resources) observed on the property. From a cultural practices and beliefs perspective, the subject property bears no apparent signs of cultural practices or any gatherings currently taking place on the site. The oral history interviews did not reveal any known gathering places on the subject property nor did any access concerns surface as a result of the proposed Project. In light of the foregoing, it can be concluded that development of the site will not impact cultural resources on the property or within its immediate vicinity.

Economic Activity

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

Objectives and Policies:	S	N/S	N/A
a. Establish a sustainable rate of economic development consistent with concurrent provision of needed transportation, utilities, and public facilities improvements.	✓		
b. Expand educational opportunities and encourage research and technological activities.	✓		



c. Encourage research, development, and use of alternate energy sources.	✓		
d. Establish balance between visitor industry employment and non visitor industry employment.	✓		
e. Provide for the preservation and enhancement of important agricultural lands for a variety of agricultural activities, including sugar cane, diversified agriculture and aquaculture.			✓
f. Increase the availability and variety of commercial services to provide for regional needs and strategically establish small scale commercial uses within, or in close proximity to, residential areas.	✓		
Implementing Actions:	S	N/S	N/A
a. Seek State and private support for the establishment of a four-year university in the Kihei-Makena region.			✓
b. Establish a comprehensive data base to analyze county and regional economic statistics.			✓
c. Where feasible within the region, utilize alternate energy sources in all public structures, and encourage the same in private residences.	✓		
<p><u>Analysis:</u> As discussed in Section III.B.3 (Economy), the construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 “worker years” of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will provide direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After “stabilization,” the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.</p> <p>The proposed project will incorporate New Urbanism principles in a manner that will reduce the Project’s environmental impacts while creating a more livable community. The design will enhance the physical quality of the property by providing housing and a variety of commercial facilities and services which are supported by commensurate infrastructure.</p> <p>As discussed in Section III.D.6 (Utilities), the Piilani Promenade will include energy-efficient design and energy conservation measures; specifically, in areas such as lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development and the installation of Photovoltaic</p>			



Energy Systems will be encouraged where feasible and appropriate.			
Housing and Urban Design			
Goal: A variety of attractive, sanitary, safe and affordable homes for Kihei's residents, especially for families earning less than the median income for families within the County. Also, a built environment which provides complementary and aesthetically pleasing physical and visual linkages with the natural environment.			
Objectives and Policies:	S	N/S	N/A
a. Provide an adequate variety of housing choices and range of prices for the needs of Kihei's residents, especially for families earning less than the median income for families within the County, through the project district approach and other related programs. Choices can be increased through public/private sector cooperation and coordinated development of necessary support facilities and services.	✓		
b. Require a mix of affordable and market-priced housing in all major residential projects, unless the project is to be developed exclusively as an affordable housing project.	✓		
c. Preserve Kihei-Makena's significant views of the Pacific Ocean and the broad vista to the Central Maui and Upcountry region. Prohibit the use of walls higher than 4 feet in front yard setbacks especially in areas close to the shoreline where view corridors can be blocked.	✓		
d. Provide for integration of natural physical features with future development of the region. New development shall incorporate features such as gulches and wetlands into open space and pedestrian pathway and bikeway systems.	✓		
e. Implement landscaped setbacks for future multi-family and commercial areas. Developments shall provide space for landscaped pedestrian ways and bikeways.	✓		
f. Incorporate the principles of xeriscaping in all future landscaping.	✓		
g. Encourage the use of native plants in landscaping in the spirit of Act 73, Session Laws of Hawaii, 1992.	✓		
h. Recommend to the Maui County Arborist Committee for consideration as "Exceptional Trees" all trees, or groves of trees, that have historic or cultural value, represent an important community resource, or are exceptional by reason of age, rarity, location, size, aesthetic quality, or endemic qualities. Healthy mature trees shall be saved and incorporated in the landscape plans of subdivisions, roads, or any other construction or development.			✓



Implementing Actions:	S	N/S	N/A
a. Develop a comprehensive strategy for housing assistance which coordinates all available public and private resources and incorporates appropriate regulatory measures.			✓
b. Explore modifying zoning, building and subdivision codes to incorporate minimum lot sizes, compact parking ratios, and roadway and utility standards which meet resident needs but which may depart from customary urban standards, in an effort to reduce development and housing costs.	✓		
c. Plant appropriate trees, turfgrass, and ground covers along existing public rights-of-way, roads, and parks. Neighborhood communities and citizen groups shall be encouraged to upgrade their streets and parks in accordance with the Maui County Planting Plan.	✓		
d. Provide landscaped buffer areas between Piilani Highway and adjacent communities to mitigate highway noise and to reduce the visual impact of development. Both Piilani Highway and South Kihei Road shall be landscaped to achieve a parkway character.	✓		
e. Provide an aesthetic landscaped entry-way and park at the north end of Kihei, north of the future commercial area. Provide a similar Kihei entry-way at Road C.			✓
f. Develop Kihei-Makena Urban Design Guidelines to address architectural, landscape, and graphic design standards. Use the guidelines to establish a sense of place by defining distinctive standards for four neighborhoods: the Uwapo Road-Suda Store neighborhood, the Lipoa Street-Azeka Place neighborhood, the Kalama Park neighborhood, and the Kama`ole Parks neighborhood.	✓		
g. Implement streetscape beautification through an "adoption" program for trees, sidewalks, street frontages, and intersections.	✓		
<p><u>Analysis:</u> As discussed in Section III.B.2 (Housing), the Piilani Promenade will offer multi-family housing opportunities for Maui residents. The project will include affordable rental housing units in compliance with Chapter 2.96, MCC Residential Workforce housing Policy.</p> <p>Park and open space areas within the Piilani Promenade will be landscaped with drought-tolerant native plant species, as well as shade trees to enhance and provide protective cover for the park. Street trees will be planted along the project's internal roadways and along its interior bicycle and pedestrian network. Landscape design will be mindful of irrigation water requirements and will use recycled water to the extent it is available. The Maui County Planting Plan will serve as a resource for the selection of landscape planting</p>			



materials for the Project's parks, open space areas, and along its roadways.			
Physical and Social Infrastructure			
<p>Goal: Provision of facility systems, public services and capital improvement projects in an efficient, reliable, cost effective, and environmentally sensitive manner which accommodates the needs of the Kihei-Makena community, and fully support present and planned land uses, especially in the case of project district implementation.</p> <p>Allow no development for which infrastructure may not be available concurrent with the development's impacts.</p>			
<u>Transportation</u>			
Objectives and Policies:	S	N/S	N/A
a. Develop and implement a well-planned road and public transportation system to allow residents and visitors to move safely, effectively and comfortably within the region. Roadway improvements should be planned, designed, and constructed as prioritized under the Implementing Actions section below, and as generally described in the Kihei Traffic Master Plan.	✓		
b. Undertake transportation system improvements concurrently with planned growth of the Kihei-Makena region. Require adequate interregional highway capacity, including the widening of Piilani and Mokulele Highways to four lanes, prior to the construction of major projects south of Kilohana Road or <i>mauka</i> of Piilani Highway.	✓		
c. Strengthen the coordination of land use planning and transportation planning to promote sustainable development and to reduce dependence on automobiles. New residential communities should provide convenient pedestrian and bicycle access between residences and neighborhood commercial areas, parks and public facilities.	✓		
d. Support ridesharing, bicycle and pedestrian use, alternative work schedules, traffic signal synchronization, and/or other transportation demand management strategies.	✓		
e. Support a new bypass highway <i>mauka</i> of Piilani Highway, coordinated with a Maalaea-Kealia Pond bypass highway, and an Upcountry-Kihei connector road, to be constructed as growth in the region warrants.	✓		



f. Protect and preserve the traditional rural scale and character of existing portions of old Makena Road in a manner similar to that existing at Keawalai Church.	✓		
g. Plan, design, and construct a pedestrian and bikeway network throughout the Kihei-Makena region which considers the utilization of existing stream beds, drainageways, wetlands and public rights-of-way along coastal and inland areas.	✓		
h. Encourage joint public/private participation in the planning, design and construction of roadway improvements, especially those identified in this plan.	✓		
i. Support the planning and design of the Maalaea-Kealia bypass highway in order to address potential environmental concerns of North Kihei Road, and its proximity to the shoreline.	✓		
Implementing Actions:	S	N/S	N/A
a. Plan, design and construct a new Road "C", from South Kihei Road to Piilani Highway, to provide an alternative connector roadway in Central Kihei, as described in the Kihei Traffic Master Plan. Said alignment shall extend in an easterly direction from its existing segment at South Kihei Road and link with Piilani Highway. This is the highest priority for roadway improvements in the community plan region.			✓
b. Plan, design and construct appropriate sections of a new North-South Collector Road, from Uwapo Road to Keonekai Road, to facilitate improved traffic movement in Kihei proper. When selecting a specific alignment, impacting existing structures should be kept to a minimum. Consideration should be given to segments between Kaonoulu Street and Auhana Street as well as between Ke Alii Alanui and Keonekai Road. In terms of roadway improvements within the community plan region, this shall be the second priority.			✓
c. Widen Piilani Highway, between Mokulele Highway and Wailea Ike Drive, to four lanes. In terms of roadway improvements within the community plan region, this shall be the third priority.			✓
d. Plan, design and construct a new Road "B", from South Kihei Road to the new North-South Collector Road, to improve internal circulation in the Central Kihei area.			✓
e. Plan, design and construct a new Road "A", from Road "B" to Lipoa Street, to provide increased circulation in the Lipoa business area.			✓
f. Provide clear signage with adequate lighting along Piilani Highway to indicate Kihei access points. Also provide a landscape buffer and	✓		



bike path on both sides of Piilani Highway.			
g. Provide left turn storage lanes and acceleration/deceleration lanes on Piilani Highway, and traffic signals at important intersections along South Kihei Road.	✓		
h. Widen Mokulele Highway to four lanes.			✓
i. Preserve and enhance the identity of Kihei's neighborhoods by designing the north-south collector road in discontinuous segments. Work with landowners, neighborhoods, and community groups to plan and implement an adjacent but separate trail/greenway/bike path to provide non-motorized public access along the full length of the road reserve. In sections where no roadway is built, the trail/greenway/bike path may be broadened to form a neighborhood park, public access, or open space area.			✓
<p><u>Analysis:</u> A Traffic Impact Analysis Report (TIAR) was prepared for the Project and is discussed in Section III.D.1 "Roadways" and in Appendix M. The TIAR identifies the impact of the proposed project on the region's roadways and identifies the necessary on- and off-site roadway improvements to mitigate project-related traffic impacts. These proposed improvements include planned State and County capital improvement projects (CIP), as well as improvements that will be initiated by the Piilani Promenade and other participating landowners in response to their development proposals.</p> <p>The gradual build-out of the project will increase traffic to and from the project site. As mentioned in Section III.D.1 "Roadways" and in Appendix M. The recommended mitigation measures as part of the proposed project include modification and expansion of the Piilani Highway at Kaonoulu Street intersection to provide left turn, right turn, and through lanes. The intersection will be signalized as a part of surrounding developments.</p> <p>Growth and development in the Kihei-Makena Community Plan region (independent of the Piilani Promenade) will be the major cause of traffic impacts to the region's roadways in the future. The Piilani Promenade will be an active partner in working with the State and County, as well as area developers to ensure that regional roadways operate at an acceptable levels-of-service.</p> <p>The Piilani Promenade supports the Kihei Design Guidelines. The project's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) integrating pedestrian-oriented streets, street trees, sidewalks, and traffic calming features, 3) both striped and separated bike lanes in appropriate locations, and 4) supporting connectivity to adjacent developments including Kihei High School and land uses <i>makai</i> of Piilani Highway.</p>			



The transportation demand and management measures proposed for the project include encouraging alternate work schedules and off-peak hours for employment generators and supporting park and ride, ridesharing, carpooling, and van pooling. In addition, the Applicant will also meet with the Maui Department of Transportation to discuss the possibility of establishing bus stops within the project site.

Water Distribution

Objectives and Policies:	S	N/S	N/A
a. Provide for appropriate water source and transmission improvements concurrent with planned growth of the Kihei-Makena region.	✓		
b. Support and expand the projected development of the Central Maui and East Maui water systems in order to meet the needs of all Maui residents.	✓		
c. Develop water conservation, reuse and educational programs.	✓		
d. Encourage the use of non-drinking water for irrigation purposes and water features. Prohibit the use of drinking water in large water features or require substantial mitigation fees.	✓		
e. Encourage the use of plants which have a relatively low need for water.	✓		
<p><u>Analysis:</u> A Preliminary Engineering Report (PER) was prepared for the Project and is discussed in Section D3-5 (Drainage, Water and Wastewater) and in Appendix L. The proposed project will be served by the County's public water system which is owned and operated by the Department of Water Supply (DWS). The PER describes the water source and transmission improvements which are required for the project and will be coordinated with the DWS.</p> <p>The development of the Piilani Promenade will involve the construction of a 1.0 MG water tank and associated infrastructure which will connect to the County water system and be used by the project and the public. The proposed water system improvements will be dedicated to the County upon completion.</p> <p>The Project will incorporate water conservation measures to minimize drinking water demand. These measures may include the use of water conserving fixtures, the use of reclaimed and brackish water for irrigation, the use of drought-tolerant plant materials, and the use of efficient low-flow irrigation systems.</p>			



<u>Liquid and Solid Waste</u>			
Objectives and Policies:	S	N/S	N/A
a. Coordinate improvements to sewer transmission lines and wastewater reclamation facilities to meet the needs of future population growth. Require that the Wailea Resort Company and the Wailea Makena Alliance work toward a solution that would enable the Wailea sewerage system to be dedicated to the County.	✓		
b. Provide efficient, safe and environmentally sound systems for the reuse, recycling, and disposal of liquid and solid wastes.	✓		
c. Reduce the reliance on injection wells for wastewater disposal. Require the use of reclaimed effluent--a procedure which is safe, economical and environmentally sound--for irrigation of golf courses, parks and landscaped areas.			✓
d. Encourage public awareness of the need to reduce, reuse, recycle and compost waste materials, and make composting facilities available to the public.	✓		
<p><u>Analysis:</u> As discussed in Section III.D.3 (Wastewater), the Piilani Promenade is expected to generate 114,000 gallons of wastewater per day. The development will connect to the existing County sewerage system at an appropriate location where the County's sewer system has sufficient capacity to accept the wastewater generated by the project.</p> <p>A solid waste management plan will be coordinated with the Solid Waste Division of the Maui Department of Environmental Management (DEM), for the disposal of onsite and construction-related waste material. After construction, the Piilani Promenade's Owners and Tenants Association will implement strategies from the County of Maui Integrated Solid Waste Management Plan (2009) for diverting solid waste from landfills. Waste materials comprised of paper, aluminum, glass, and plastic products will be recycled to the extent possible. Waste that cannot be recycled will be sent to the Central Maui Landfill in the Pu'unene area.</p>			
<u>Drainage</u>			
Objectives and Policies:	S	N/S	N/A
a. Design drainage systems that protect coastal water quality by incorporating best management practices to remove pollutants from runoff. Construct and maintain, as needed, sediment retention basins and other best management practices to remove sediments and other pollutants from runoff.	✓		



b. Construct necessary drainage improvements in flood prone areas. Where replacement drainage are required for flood protection, these systems shall be designed, constructed, and maintained using structural controls and best management practices to preserve the functions of the natural system that are beneficial to water quality. These functions include infiltration, moderation of flow velocity, reduced erosion, uptake of nutrients and pollutants by plants, filtering, and settlement of sediment particles. The use of landscaped swales and unlined channels shall be urged.	✓		
c. Support the implementation of flood control projects and sediment retention basins <i>mauka</i> of Piilani Highway to address present problem areas.	✓		
d. Minimize the increase in discharge of storm water runoff to coastal waters by preserving flood storage capacity in low-lying areas, and encouraging infiltration of runoff.	✓		
e. Encourage the use of setbacks and flood protection areas as part of an open space pedestrian-way and bikeway network throughout the region.	✓		
Implementing Actions:	S	N/S	N/A
a. Formulate a drainage master plan for Kihei-Makena that considers the cumulative impacts of existing and planned development. The master plan shall guide future development while preventing flooding and providing guidance to reduce the degradation of coastal waters.	✓		
b. Establish a comprehensive program of improvements to the storm drainage system; implement a maintenance program; and ensure that safety, property loss, pollutant removal, and the need for comprehensive planning, are considered.	✓		
c. Revise the County drainage rules to require that drainage system design shall not adversely affect downstream and coastal water quality.	✓		
<p><u>Analysis:</u> As discussed in Section III.D.3 (Drainage), stormwater runoff from the Piilani Promenade is not expected to have a significant adverse effect upon groundwater, downstream properties, or marine waters. In accordance with the County's "Rules for the Design of Storm Drainage Facilities" all drainage improvements will be designed to retain the incremental increase in runoff generated by the project site.</p> <p>Stormwater will be collected and managed through a drainage system that will include onsite surface and subsurface drainage basins or chambers. These systems will be designed so that there will be no increase in the peak rate of stormwater runoff leaving the property compared to existing conditions. Best Management Practices (BMP's) will be</p>			



implemented during the construction and operational phases of project development to protect coastal water quality. Temporary construction measures include, but are not limited to, dust screens, silt fences, filter berms, fuel containment berms, and tire cleaning pads. Construction BMPs will comply with the provisions of Chapter 20.08, MCC pertaining to "Soil Erosion and Sediment Control."

Permanent BMPs are measures that are part of the project and will remain in place after the construction has been completed. Permanent measures are intended to reduce stormwater pollution generated from the development of the project site. The use of detention basins, grassed swales, and permanent grassing, and the landscaping of exposed areas will be implemented to provide a level of stormwater filtration and pollution control.

Energy and Public Utilities

Objectives and Policies:	S	N/S	N/A
a. Promote energy efficiency as the energy resource of first choice, and increase energy efficiency in all sectors of the community.	✓		
b. Locate goods, services, and employment in close proximity to residential centers to minimize energy expenditures for transportation. Support the development of communication infrastructure and promote telecommuting to minimize travel.	✓		
c. Increase the use of renewable resources in all County-owned buildings, facilities, and vehicles. Utilize renewable energy for water pumping or other energy services which can take advantage of intermittent energy resources.			✓
d. Promote environmentally and culturally sensitive use of renewable energy resources like biomass, solar, wind, and hydroelectric energy in all sectors of the community.	✓		
e. Support the establishment of an alternate fuels distribution infrastructure.			✓
f. Interface County planning with the energy utilities' integrated resource planning programs.	✓		
g. Encourage the provision of public utilities which will meet community needs in a timely manner.	✓		
h. Require proper site selection, facility construction and monitoring of power generation facilities in order to minimize adverse environmental impacts upon the Kihei-Makena community.	✓		
i. Increase the energy security of community "lifeline" facilities and improve energy emergency response capabilities.			✓



Implementing Actions:	S	N/S	N/A
a. Develop incentives and requirements for energy-efficient building design and site development practices through various approaches, including modifications to building, zoning, and subdivision codes.	✓		
b. Develop, compile and disseminate information on new energy technologies, policies, and programs that may prove helpful to the community's economy and environment.			✓
c. Initiate an integrated County energy resource planning program.			✓
d. Use energy-efficient street lights and develop appropriate street lighting standards for agricultural and rural areas.	✓		
<u>Analysis:</u> The implementation of the project will provide utilities prior to or concurrent with development. As discussed in Section D III.D.6 (Utilities), the Piilani Promenade will include energy-efficient design and conservation measures; specifically, in street lighting, air-conditioning, and building materials. Solar hot water heaters will be utilized throughout the residential portion of the development and the installation of Photovoltaic Energy Systems will be encouraged where appropriate and feasible.			
<u>Recreation</u>			
Objectives and Policies:	S	N/S	N/A
a. Provide high-quality recreational facilities to meet the present and future needs of residents of all ages and physical ability.	✓		
b. Provide for a range of park sizes and types at neighborhood, community and regional scales. New residential developments shall provide recreational facilities on-site to meet the immediate needs of project residents.	✓		
c. Plan, design and construct a regional park on approximately 100-150 acres within the District. Facilities should include, but may not be limited to: a community center, swimming pool, ball fields, and basketball and tennis courts. Consideration should be given to locating the park in fairly close proximity to the Kihei Wastewater Reclamation Facility so that treated effluent may be used for park irrigation purposes.			✓
d. Encourage the construction of public parks adjacent to schools to provide for joint utilization of facilities by school and community.			✓
e. Improve recreation facilities and services through the integration of public parking, vehicular drop-offs and turnarounds, and sanitation facilities with facility planning and design.			✓
f. Improve public access to shoreline and nearshore resources through			✓



<p>the following measures:</p> <p>1) Develop and implement a plan for public access to the shoreline, which includes both existing and future accesses, based on the location of significant shoreline resources. Accesses shall be consistent with the characteristics of resources to be reached.</p> <p>2) Provide adequate landscaped public access to shoreline areas with significant recreational and scenic value. Provide adequate lateral public access along the shoreline to connect significant shoreline areas and to establish continuity of the public shoreline areas. Particular attention shall be directed toward southern shoreline resources from Polo Beach southwards, and between Kama`ole Parks II and III.</p> <p>3) Require setbacks to include recreational space on lands behind the legally defined public shoreline zone wherever possible. This allows for adequate recreational activities and proper management of the shoreline.</p> <p>4) Provide setback areas with landscaping to enhance recreational use and scenic quality. Recreational amenities should be commensurate with the scale of the setback area, intended use, and resource characteristics.</p>			
g. Establish several youth centers throughout the region, one of which could be located at the park site adjacent to Lokelani Intermediate School.			✓
h. Provide for adequate parking at all park facilities. Many existing parks lack sufficient parking and require substantial increases in parking spaces.			✓
i. Support the creation and promotion of overnight campsites within the region.			✓
Implementing Actions:	S	N/S	N/A
a. Designate appropriate locations and provide for community and neighborhood parks within the Kihei-Makena region.	✓		
b. Revise standards in the park dedication ordinance to increase the quantity and quality of parks generated by new developments. Strategies which should be explored include increasing park assessment provisions, various cash vs. land dedication options, and provision of active vs. passive recreation parks. The analysis should recognize the importance of on-site recreational facilities as well as the need for parks at the neighborhood, community and regional level.			✓
c. Implement Makena-LaPerouse Park for nature-oriented recreation, including shoreline activities, picnicking, camping, biking, and			✓



interpretive/educational pursuits. Provide for a residential caretaker and security personnel to oversee facilities and public safety at this large remote destination.			
d. Provide adequate maintenance programs and enforce existing regulations regarding littering and defacement of public property at all public facilities.			✓
e. Create a master plan to rehabilitate the existing beach parks in the region, and to develop County-owned lands designated for park use.			✓
<p><u>Analysis:</u> As discussed in Section II.E.3 and 4 (Proposed Action), the revised Piilani Promenade plan includes 226 apartment units, including a neighborhood park for active play along with a unified pedestrian and bicycle system which will connect the park with existing and future development in the surrounding area. In addition, the Piilani Promenade is subject to, and will comply with, the provisions of Section 18.16.320, MCC which requires developers to provide land and/or money for park and playground purposes in the Kihei-Makena Community Plan region.</p>			
<u>Health and Public Safety</u>			
Objectives and Policies:	S	N/S	N/A
a. Improve and expand the delivery of health and public safety services to Kihei-Makena residents and visitors.			✓
b. Provide for the establishment of a health clinic with full emergency services.			✓
c. Support a new full-service hospital facility in the Kihei-Makena Region to be constructed as growth in the region and the island warrants.			✓
Implementing Actions:	S	N/S	N/A
a. Provide a police station in the Kihei-Makena region.			✓
b. Expand fire fighting and rescue capabilities, including the acquisition of a new ladder truck, and the provision of a fire and ambulance station in the Wailea area.			✓
<p><u>Analysis:</u> Build-out of the Piilani Promenade includes a new 1 MG water tank that provides additional fire flow and public safety in Kihei. However the project will increase demands upon Maui's Police and Fire Departments. In response to the impact that new development has on these facilities, the County has initiated the preparation of an impact fee ordinance that will collect monies for police and fire capital improvements. These monies will be collected from developers at the time of building permit issuance. The Applicant will work with the County to pay any such fees as required by ordinance. In addition, the Piilani Promenade will generate property tax revenue that will help fund</p>			



<p>County facilities. The primary funding source for Police and Fire facilities on Maui are property tax revenues that are deposited into the County's General Fund.</p> <p>The Piilani Promenade is zoned for M-1, Light Industrial uses. While medical clinics are allowed by M-1 zoning, no health clinic with full emergency services is proposed as part of this project.</p>			
<u>Education</u>			
Objectives and Policies:	S	N/S	N/A
a. Require the delivery of quality educational facilities at the time such facilities are needed. Emphasize advanced planning so that school facilities such as classrooms, playgrounds, libraries, cafeterias and other appurtenant structures are delivered in a timely manner so as to eliminate the use of portable facilities.			✓
b. Enhance the classroom learning environment through measures which would reduce excessive temperature and background noise problems.			✓
c. Consider a third elementary school site of approximately 20 acres in the North Kihei area.			✓
d. Build a high school to serve the Kihei region when required to accommodate growth.			✓
e. Encourage the construction of child day care centers which are located convenient to users, but which place minimal impact upon residential neighborhoods.			✓
Implementing Actions:	S	N/S	N/A
a. Enhance the classroom learning environment through such measures as the installation of air-conditioning and ceiling fans.			✓
b. Require the construction of a playground and physical education facilities east of Lokelani Intermediate School. Consider the joint use of property on the south side of Lokelani Intermediate School for playground use in order to provide additional recreation space and flexibility for both Lokelani and Kihei Elementary schools.			✓
c. Request that the Department of Education shall provide and maintain a landscaped buffer between Piilani Highway and Lokelani and Kihei Elementary schools. This visually attractive buffer would reduce excessive noise problems from Piilani Highway.			✓
d. Plan and locate a site for a high school to serve the Kihei region.	✓		
<p><u>Analysis:</u> As discussed in Section III.C.4 (Schools), the Piilani Promenade has not been designed to accommodate a public school site. However, the Hawaii Legislature enacted</p>			



<p>Act 245 in 2007 as Section 302A, HRS, "School Impact Fees". The Piilani Promenade is within the boundaries of the Department of Education's (DOE) Central Maui Impact District and is within the Makawao Cost Area of that district. Projects within the district and cost area are required to pay a construction fee and either a fee-in-lieu of land <u>or</u> a land donation (at the discretion of the DOE). At the appropriate time, the Applicant will contact the DOE to enter into an impact fee agreement.</p>			
<u>Government</u>			
<u>Goal:</u> Efficient, effective and responsive government services in the Kihei-Makena region.			
Objectives and Policies:	S	N/S	N/A
a. Improve the delivery of services by government agencies to the Kihei-Makena region.			✓
b. Continue to streamline the permit process, where appropriate, through means such as consolidated public hearings and concurrent processing of applications.			✓
c. Continue to expedite the review and approval process for projects which will result in public benefit by "fast-tracking" and the assignment of permit expeditors.			✓
d. Use the County's real property tax assessment function as a mechanism to encourage desirable private development, rehabilitation, or preservation, to monitor the implementation of the Community Plan, and to establish a land use information base.			✓
Implementing Actions:	S	N/S	N/A
a. Evaluate and modify present zoning and subdivision ordinances to incorporate land use and design guidelines as well as other recommendations incorporated herein.			✓
b. Compile plans and studies to implement the recommendations of this Plan, including water development, housing, local and regional circulation, drainage, solid waste, and other special studies as required.			✓
c. Continue to develop and utilize a computerized County planning system, including, but not limited to, integrating into the system future plans, studies, guidelines, and legislation. The computerized planning system should not become stagnant, but should become an integral part of planning within the County.			✓
d. Continue to operate and fund mobile/satellite government facilities.			✓
e. Implement tax incentives and/or disincentives that encourage desirable private development or preservation.			✓



f. Adopt a beach/mountain access dedication ordinance pursuant to Chapter 46, Hawaii Revised Statutes to assist in establishing public <i>mauka</i> and <i>makai</i> accesses, in conjunction with an overall public access master plan to serve as the framework for decision-making.			✓
<p><u>Analysis:</u> The construction and development of the Piilani Promenade will improve the delivery of services by government agencies in the form of cash or land contributions for parks, schools, traffic improvements, and police and fire services.</p> <p>As discussed in Section III.B.3 (Economy), the construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 “worker years” of employment, as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operational phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will provide direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After “stabilization,” the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.</p> <p>In connection with proposed development of the Piilani Promenade, a number of technical studies have been prepared for the EIS. The data collected in these studies have been made available to the State and County for their use.</p>			
<u>Indigenous Architecture</u>			
<u>Goal:</u> Reserve for future implementation provisions for indigenous architecture as may be adopted from time to time by the County Council and/or the County Cultural Resources Commission.			
Objective and Policy:	S	N/S	N/A
a. To legitimize indigenous architecture as viable spaces for living, work, and recreation.			✓
Implementing Actions:	S	N/S	N/A
a. Develop a County ordinance for indigenous architecture.			✓
b. Adopt standards for indigenous architecture.			✓
<p><u>Analysis:</u> The Piilani Promenade does not involve planning for the region’s future implementation of indigenous architecture; therefore, this objective and policy are not applicable.</p>			



<u>C. Planning Standards</u>			
Land Use Standards:	S	N/S	N/A
a. All zoning applications and/or proposed land uses and developments shall be consistent with the Land Use Map and Objectives and Policies of the Kihei-Makena Community Plan.	✓		
b. Development of the Kihei Kalama Villages property identified as TMK3-9-03: portion of 08, approximately 0.6 acres in size, shall be limited in its use for parking purposes only.			✓
c. Development of the Pacific Warehouse properties identified as TMK 3-9-03:33, approximately 10,000 square feet in size, and TMK 3-9-3:45, approximately 1.0 acres in size, shall be limited in its use for parking, trash compactor, and storage purposes only.			✓
d. Road widening adjacent to the Stinson property, identified as TMK 3-9-07:38, 39, 40, and 41, approximately 1.1 acres in size, shall occur entirely on the said Stinson property, to the extent feasible.			✓
e. Development of the "Changs Beach" property, identified as TMK 2-1-12:15, approximately 1.4 acres in size, shall be compatible with Native Hawaiian cultural practices. Compatibility shall include, but not be limited to, consulting with Native Hawaiian organizations regarding the property's site plans, providing a program for cultural interpretation and education, and ensuring access for cultural practices, including complete privacy where warranted. Furthermore, a non-vehicular public access shall be provided at the western tip of the property, consisting of a 100 foot southerly ocean setback, and a 40 foot northerly ocean setback.			✓
f. The existing parking lot for the Wailea Shopping Village identified as TMK 2-1-08:74, approximately 5.5 acres in size, shall be limited in its use for parking purposes only.			✓
<u>Analysis:</u> The subject property is located in North Kihei, south of Ohukai Road, and mauka of Piilani Highway. This area was designated in the KMCP for light industrial use in order to encourage urban expansion in the area mauka of Piilani Highway (goal k). The original conceptual plan of 123 light industrial lots, which fit squarely within that designation, is no longer desirable or economically viable. Since the KMCP was adopted in 1998, the proposed planning for that area as adjusted. Other developments south of Ohukai and mauka of Piilani are predominantly retail, with only some instances of true light industrial uses. The community planning process has evolved since 1998, and the current Maui Island Plan indicates that the Piilani Promenade is located within the Urban			



Growth Boundary, and is surrounded by areas currently not zoned for urbanization, but designated as “planned growth areas.” The Maui Island Plan specifically cites the need for mixed-use neighborhood centers “to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern.” Maui Island Plan at 8-27.

The Piilani Promenade project follows these more recent planning guidelines, providing a mixed use that fits within the existing M-1 zoning, and provides a mix of light industrial, retail, and residential uses. Therefore an updated plan was prepared for this EIS which responds to the most current trends in the development of multi-use retail-living centers nationwide. The proposed project will strengthen Maui’s economy by making the Piilani Promenade a more attractive location for the limited light industrial activities envisioned within the KMCP as well as much needed retail businesses. These businesses will create a diverse range of jobs for Maui residents which, in turn, will benefit the local and Statewide economy. The result will be an increase in economic activities and employment opportunities consistent with community needs and desires, which will promote increased employment and entrepreneurial opportunities for Maui’s residents. Thus, while the Piilani Promenade project does not strictly support all of goal a in the KMCP, it meets other important competing planning criteria within the KMCP. The County of Maui has interpreted the Piilani Promenade project as complying with the KMCP, as the KMCP provides that the goals and objectives are guidelines to the ultimate implementation of the plan. This issue, and the possible amendment of the KMCP, is discussed further in section VI.D. Unresolved Issues.

Urban Design Standards:

a. Building Form

- 1) Establish a maximum of thirty-five (35) feet in building height for new commercial facilities.
- 2) Establish a maximum of forty-five (45) feet for multi-family development.
- 3) Limit resort development throughout the region to thirty-five (35) feet in building height for sites near the shoreline. Building height limits may gradually be increased up to seventy-five (75) feet for inland resort development provided that important *mauka/makai* vistas are maintained, and impacts to coastal resources are minimized. Resort community planning and design shall integrate recreational amenities with adequate shoreline setback and public shoreline access provisions.
- 4) Limit the height of industrial buildings to thirty-five (35) feet. Within large industrial tracts, separate industrial design guidelines should be formulated to guide development. Such guidelines shall, among other

✓



issues, address landscaping and building design to achieve design continuity for the overall industrial development area. 5) All new multi-family and commercial facilities should provide a garden setting appropriate to the region. Setback requirements should be sufficient to allow for street and sidewalk climate-adapted landscaped buffers and interior planting areas.			
<i>b. Setbacks</i> A Coastal Erosion Rate Analysis shall be developed. Data from the analysis shall be incorporated into planning decisions for shoreline areas, especially with respect to shoreline building setbacks. In the interim period prior to the completion of the analysis, minimum setbacks for multi-family and hotel uses shall be 150 feet from sandy shorelines, and 75 feet from rocky shorelines, or 25% of the average lot depth, whichever is greater.			✓
<i>c. Special Design Standards</i> 1) Establish design standards for new and existing residential, commercial, and hotel developments using the following guidelines: a. Establish streetscape standards that address low-cost improvements to landscaping, lighting, signage, and intersections along South Kihei Road, Piilani Highway, and all existing or proposed collector roads. b. Establish building design standards which promote island architecture while at the same time providing related visual and physical characteristics for the Kihei region. c. Set uniform right-of-way standards for connector roads and South Kihei Road.	✓		
<u>Analysis:</u> Where possible design of the Promenade project will be consistent with many of the design concepts identified within the KMCP as well as the recently adopted Light Industrial zoning district.			



G. COUNTY ZONING

The comprehensive zoning provisions for the County of Maui are set forth in Article II of Title 19 of the Maui County Code. The purpose and intent of comprehensive zoning is to regulate the utilization of land in a manner encouraging orderly development in accordance with the land use directives of the Hawaii Revised Statutes, the charter of the County of Maui, and the general plan and community plans of the County, as well as to promote and protect the health, safety, and welfare of the people of the County. The subject property is zoned for “M-1, *Light Industrial District*” uses by the County of Maui, and land uses that are proposed for the Piilani Promenade are allowable under “M-1, *Light Industrial*” zoning (See: Figure 6, “Maui County Zoning Map”). The M-1 light industrial zoning district allows, as of right, all of the commercial uses contained in the Maui County business districts, B-1, B-2 and B-3. This specifically includes the light industrial, commercial, and apartment uses proposed for the Promenade Project.

H. COASTAL ZONE MANAGEMENT

The Federal Coastal Zone Management Act of 1972 was adopted in response to competing development and preservation interests in U.S. coastal areas.

Population growth and development in coastal areas were impacting marine resources, open space, view sheds, wildlife, and other important ecological, cultural, and historic resources. In response to this concern, Congress created a framework for managing and regulating the coastal zone and appropriated funds for State-run coastal zone management programs (CZMP). The State’s acceptance of the Federal funds necessitated compliance with federal CZMP standards.



The boundaries of Hawaii's coastal zone management program are defined by coastal waters and adjacent coastlands that are strongly influenced by each other. Coastal areas which require special consideration due to their unique values or characteristics are called Special Management Areas (SMA) and must be designated by a management plan. Any development within these areas is subject to a special assessment process. This protocol provides a means to preserve, protect, and when possible, restore the natural resources of the coastal zone by controlling development with shoreline areas in order to avoid the permanent loss of valuable resources. As required by State law, maps showing the limits of the SMA have been prepared by each County. In the Kihei-Makena Community Plan region, Piilani Highway serves as the SMA boundary for this part of the island.

The westernmost portion of the Piilani Promenade site is approximately 0.5 miles (*mauka*) from the Pacific Ocean and is **not** located within the limits of the Special Management Area (SMA) for this part of the island.

The following section discusses the relationship of the proposed project to the objectives and policies of the Hawaii Coastal Zone Management Program pursuant to Chapter 205A, HRS.

1. Recreational Resources

Objective: Provide coastal recreational resources accessible to the public.

Policies:

- (a) Improve coordination and funding of coastal recreational planning and management; and
- (b) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:
 - (i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
 - (ii) Requiring replacement of coastal resources having significant recreational value, including but not limited to surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or require reasonable



- monetary compensation to the state for recreation when replacement is not feasible or desirable;
- (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
 - (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
 - (v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having standards and conservation of natural resources;
 - (vi) Adopting water quality standards and regulating point and non-point sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
 - (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing;
 - (viii) Encourage reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of Section 46-6, HRS.

Analysis: The proposed development of the Piilani Promenade will not restrict public recreation opportunities along the coastline because the site is approximately 0.5 miles from the Pacific Ocean. As previously stated the Piilani Promenade lies *mauka* of Piilani Highway and will not affect the coastline. The design of the proposed drainage system will minimize the possibility of non-point source pollution from entering the marine environment. Kulanihakoi Gulch, which is south of, and adjacent to the project site, will not be impacted since stormwater runoff will be directed toward onsite retention basins which are strategically located throughout the site.

2. Historical/Cultural Resources

Objective: Protect, preserve and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Policies:



- (a) Identify and analyze significant archeological resources;
- (b) Maximize information retention through preservation of remains and artifacts or salvage operations; and
- (c) Support state goals for protection, restoration, interpretation, and display of historic structures.

Analysis: The proposed project promotes the preservation of historic resources. In addition, the Applicant will work with the State Historic Preservation Division to prepare a data recovery plan for the sites that have been identified for data recovery.

The archaeological survey of the offsite water storage tank area was conducted on January 8 and 13, 2014. No significant materials or cultural remains were located on this previously disturbed land during the 2014 archaeological survey. (See: Appendix F, "Archaeological Inventory Survey").

A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting have been included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing potential impacts to Kulanihakoi Gulch and the return of the petroglyph boulder that was previously removed from the project site by a former land owner, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and that the petroglyph boulder be returned to the property. The Applicant has discussed the possible return of the petroglyph boulder with the former land owner; however, the former owner rejected this request since the relocation plan was approved by State Historic Preservation Division (SHPD). In addition, the archaeological monitoring plan that was submitted to the SHPD for review has been approved and is referenced for all recent work on the site. The monitoring plan may be found in Appendix H and may be updated once project construction is initiated.

3. Scenic and Open Space Resources

Objective: Protect, preserve and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies:

- (a) Identify valued scenic resources in the coastal zone management area;
- (b) Ensure that new developments are compatible with their visual environment by designing and locating such developments to



- minimize the alteration of natural landforms and existing public views to and along the shoreline;
- (c) Preserve, maintain, and where desirable, improve and restore shoreline open space and scenic resources; and
- (d) Encourage those developments that are not coastal dependent to locate in inland areas.

Analysis: The site plan for the proposed project features open space areas, landscape plantings, and elevated viewpoints above Piilani Highway. Pre-existing views from Upcountry to the Pacific Ocean will not be adversely affected by the project. Impacts to views of Haleakala from Piilani Highway and other *makai* properties will be minimized by limiting the height of buildings to 60 feet. The plan will situate buildings and landscape plantings in areas which will help minimize building mass when viewed from Piilani Highway and the East Kaonoulu Street extension. Parking and open space areas located between building clusters will provide view corridors throughout the site.

4. Coastal Ecosystems

Objective: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- (a) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- (b) Improve the technical basis for natural resource management;
- (c) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
- (d) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- (e) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and non-point source water pollution control measures.

Analysis: The Piilani Promenade is located approximately 0.5 miles from the shoreline; therefore the proposed project is expected to have minimal impact on the coastal ecosystem. The design of the proposed drainage system will minimize the possibility of non-point source pollution from entering the



marine environment. Adjacent gulches will not be impacted since stormwater runoff will be directed toward onsite retention basins that are strategically placed throughout the site. Furthermore, the implementation of Best Management Practices will minimize the potential for short-term adverse impacts during construction of the project.

The Applicant retained Marine Research Consultants, Inc. to prepare a Baseline Assessment of Marine Water Chemistry and Marine Biotic Communities. The purpose of the report was to assess potential impacts to groundwater and the marine environment as a result of the proposed project. In connection with this work, water quality testing was conducted and the underwater biotic composition along the Kihei coastline was analyzed. The findings of the report indicate that the proposed project will not have any significant negative effect on water quality.

5. Economic Use

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies:

- (a) Concentrate coastal dependent development in appropriate areas;
- (b) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area;
- (c) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such development and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:
 - (i) Use of presently designated locations is not feasible;
 - (ii) Adverse environmental impacts are minimized; and
 - (iii) The development is important to the State's economy.

Analysis: As discussed in Section III.B.3 (Economy) the construction of the Piilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 "worker years" of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui. During its operations phase, the Piilani Promenade will increase the level of capital investment in the region which will create employment opportunities and economic stimulus for the region. The proposed project will



provide direct employment opportunities for Maui residents and contribute to economic diversification and growth for both Maui and the State. After “stabilization,” the Piilani Promenade is envisioned to support 1,210 permanent jobs with an annual payroll of about \$ 36.6 million.

6. Coastal Hazards

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence and pollution.

Policies:

- (a) Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and non-point source pollution hazards;
- (b) Control development in areas subject to storm wave, tsunami, flood, erosion, subsidence, and point and non-point pollution hazards;
- (c) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and
- (d) Prevent coastal flooding from inland projects.

Analysis: According to Federal Insurance Rate Map (FIRM) Panels 1500030580F and 0586F dated September 19, 2012, the Piilani Promenade parcels are located in Zone X, which represents an area beyond the limits of a flood hazard area.

A drainage system has been designed to collect stormwater runoff resulting from the development of the Piilani Promenade. The increase in surface runoff volume between pre- and post-development conditions will be retained by onsite surface retention basins and gradually released at a rate not to exceed current flows. Therefore, the subject property is not anticipated to have an adverse impact on neighboring properties in terms of flood hazard potential.

7. Managing Development

Objective: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies:

- (a) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
- (b) Facilitate timely processing of applications for development permits and resolve overlapping of conflicting permit requirements; and



- (c) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

Analysis: The Piilani Promenade is not a coastal development and is located approximately 0.5 miles from the Pacific Ocean and beyond the limits of the Special Management Area for this part of Maui. The proposed project is not expected to negatively impact the management of coastal resources in the SMA. The project team has conducted public informational meetings and will continue to do so in the future as part of their effort to facilitate public participation in the planning and review process.

8. Public Participation

Objective: Stimulate public awareness, education, and participation in coastal management.

Policies:

- (a) Promote public involvement in coastal zone management processes;
- (b) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and
- (c) Organize workshops, policy dialogues, and site-specific medications to respond to coastal issues and conflicts.

Analysis: To facilitate public participation in the planning and review process, the project team has held public informational meetings and will continue to do during the environmental review process.

9. Beach Protection

Objective: Protect beaches for public use and recreation.

Policies:

- (a) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;
- (b) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and
- (c) Minimize the construction of public erosion-protection structures seaward of the shoreline.



Analysis: The Piilani Promenade is located approximately 0.5 miles (*mauka*) from the Pacific Ocean. As such, the proposed project is not expected to negatively impact beaches for public use or recreation.

10. Marine Resources

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies:

- (a) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
- (b) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
- (c) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;
- (d) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and
- (e) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources. [L 1977, c 188, pt of §3; am L 1993, c 258, §1; am L 1994, c 3, §1; am L 1995, c 104, §5; am L 2001, c 169, §3]

Analysis: As previously stated, the Piilani Promenade is located approximately 0.5 miles (*mauka*) from the Pacific Ocean. The proposed drainage system for the project will retain stormwater runoff in onsite, surface basins and in subsurface chambers to capture any incremental increase in run-off created by the development. Best Management Practices (BMP's) will be implemented during project construction and post-operation phases to protect coastal water quality. Construction BMPs and temporary drainage and erosion control measures will be installed prior to the start of construction and will be removed after the site has been stabilized and after permanent measures are in place.

The Applicant retained Marine Research Consultants, Inc. to prepare a Baseline Assessment of Marine Water Chemistry and Marine Biotic Communities. The purpose of the report was to assess potential impacts to groundwater and the marine environment as a result of the proposed project. In connection with this work, water quality testing was conducted and the underwater biotic composition along the Kihei coastline was analyzed. The



findings of the report indicate that the proposed project will not have any significant negative effect on water quality.



V. CONTEXTUAL ISSUES

A. RELATIONSHIP BETWEEN SHORT-TERM USES AND MAINTENANCE OF LONG-TERM PRODUCTIVITY

Short-term uses and long-term productivity consists of short-term construction activities related to the build-out of the Piilani Promenade and the long-term benefits of these activities.

Construction activities would result in short-term impacts involving temporary and permanent alteration of land for grading, site work, infrastructure and building. Localized degradation of air quality and increased noise levels would also occur in the short-term due to construction-related activities. Many short-term impacts can be avoided or mitigated by implementation of construction BMP's. Applicable BMP's include implementing erosion control measures, directing storm water run-off to detention/retention basins, and preventing the release of fuel or other contaminants. The tradeoffs among these short-term impacts are the increase in employment and immediate economic benefits of construction-related activities. These short-term impacts and benefits are documented in Section II.B of the EIS.

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

Ultimately, the long-term build-out of the Piilani Promenade will produce impacts that must be weighed against the Project's benefits. Increased development will lead to an increase in population of the immediate area, whether in the form of residents living within the Piilani Promenade or employees commuting to the Piilani Promenade during regular business hours. With the projected population increases, the volume of traffic coming in and out of the Piilani Promenade will increase. This will affect regional traffic conditions



by increasing volumes on the region's existing roadway network. As documented in Section II.D.1 of the DEIS, creative strategies involving roadway improvements and upgrades, transportation demand-management counter-measures, and innovative urban design approaches are required to mitigate the Project's traffic impact. Likewise, an increase in population will produce greater demands upon the island's drinking water resources, wastewater systems and public facilities including parks, schools, police and fire. These impacts and the necessary mitigative counter-measures are thoroughly documented in Sections III.C and D of the DEIS.

With regard to long-term productivity, this project utilizes the principles of New Urbanism and Smart Growth to transform the current, single-use large lot light industrial subdivision into a mixed-use project with employment opportunities in close proximity. Implementation of this vision will require a broadening of the development standards to allow a variety of lots sizes for the use of smaller firms and, professional services, restaurants, neighborhood serving retail, and housing.

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

B. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Implementation of the development will result in the irreversible and irretrievable commitment of certain natural and fiscal resources. Major resource commitments include the land and capital, construction materials, non-renewable resources, labor, and energy required for the Plan's implementation. Impacts represented by the commitment of these resources must be weighed against the positive socio-economic benefits that could be derived from the project versus the consequences of either taking no action or pursuing another less beneficial use of the area.

When fully built out, the development will be updated into an integrated and vibrant mixed-use community focused around a regional employment base.



As with any construction activity, nonrenewable resources such as fossil fuel and construction material will be irrevocably committed. Labor will be required for planning, engineering, and construction. New residential, commercial, or employment uses will generate increases in the demand for water, electricity, and sewer services. Similar types of developments proposed on other parts of Maui will also generate demand for these resources. Chapter III of the EIS documents the Project's short- and long-term impacts.

C. CUMULATIVE AND SECONDARY IMPACTS

Cumulative impacts are defined as the impact on the environment, which results from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions.

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

The build-out of the Piilani Promenade is likely to affect the businesses and residents of Kihei. Implementation of the project, when added to other adopted and proposed projects, may have a significant affect on a regional scale.

As described in Sections I.A and F of the EIS, the entire property is designated Light Industrial (LI) by the Kihei-Makena Community Plan. The entire project area is located within the Maui Island Plan's Urban Growth Boundary. The Kihei area is expected to receive a substantial portion of the island's population and employment over the next 20 years.

There are several other projects planned for the Kihei-Makena area over the next decade, some of which are in close proximity of the proposed project. According to the *Maui County Data Book* (2012), the Maui resident population was 154,924 persons in 2010 and is forecasted to increase to 207,307 residents by 2030. Taken together, regional population growth will increase demand on natural resources, infrastructure and public facility systems. To better manage the island's growth and its related impacts, the County's Maui Island Plan identifies appropriate locations for development to occur. The Maui Island Plan may allow for the



private and public sectors to better plan for and coordinate the delivery of infrastructure and public facilities systems in response to forecasted population growth.

As a precursor to preparing the Maui Island Plan, the County of Maui prepared the following infrastructure and public facility technical studies: Infrastructure and Public Facilities Issue Paper (September 2007), Public Facilities Assessment Update (March 2007) and Infrastructure Assessment Update (May 2003). These studies assess the impact of population growth on the island's infrastructure and public facility systems. In general, the studies conclude that on-going public and private sector investment will be necessary to accommodate growth through 2030.

This section identifies secondary and cumulative impacts that may result from the phased development of the Piilani Promenade:

Impacts to Natural and Environmental Resources

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

Flora and Fauna. Development of the Piilani Promenade, together with other area projects, could have cumulative and/or secondary impacts on rare or endangered species of flora and fauna if natural habitats and/or species are directly or indirectly disturbed. As documented in Section III.A.5 of the DEIS, the Project will not impact rare or endangered flora and fauna species. Adjacent proposed developments will be required to conduct flora and fauna surveys prior to development. These surveys will be reviewed by the U.S. Fish and Wildlife Service and mitigation counter-measures will be required if warranted. In consideration of existing State and Federal regulations to protect rare and endangered species, there should be no significant cumulative and/or secondary impacts to flora and fauna resources arising from planned growth in the area.

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



mitigated, the cumulative impact of these contaminants could impact coastal water quality.

During the Project's operation phase, any increase in runoff will be maintained on site as required by the County's drainage rules (See: Section III.D.3). Maintaining runoff on-site, together with filtration of contaminants from runoff, will mitigate the Project's impact to coastal waters. Likewise, future developments in the area will be required to implement similar mitigation measures as part of their operation phase BMP's. Therefore the Project, together with other planned projects in the area, should not have a significant cumulative impact on coastal water quality if construction and operation phase BMP's are strictly adhered to.

Agricultural Lands. As documented in Section III.A.11 of the DEIS, the Piilani Promenade is located on State designated Urban land, therefore, the project is not expected to have a significant cumulative impact upon the long-term viability or growth of agriculture on Maui.

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

Drinking Water Resources. The development of the Piilani Promenade, together with other area projects, will increase the demand for drinking water. The Applicant is constructing a 1.0 million gallon water tank and supporting infrastructure to provide water for the project and future south Maui water customers. The development of the 1.0 MG water tank will help support the



drinking water needs for the future planned growth of South Maui. With these measures in place, significant cumulative and/or secondary impacts are not anticipated to threaten the long-term sustainability of the County's water resources. This 1.0 MG water tank will provide substantially more drinking water source than would be required both for the Piilani Promenade Project, and for the Honua'ula affordable housing project, if that project is developed.

Air Quality. The cumulative impact of the build-out of the Piilani Promenade, together with other developments in Kihei, will increase the amount pollutants entering the atmosphere. These pollutants will be generated by an increase in demand for energy in the form of transportation fuels for automobiles and carbon-based fuels to power the Ma'alaea Power Plant.

Impacts to the Socio-Cultural Environment

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

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

The continued build-out of Kihei will also change the area's urban design character and sense of place. Today, Kihei is a developing community with a number of undeveloped infill parcels intermixed with lower and medium-density residential, strip commercial, industrial, resort and public facility uses. In the coming years, pursuant to the land-use policies contained in the Maui Island Plan and Kihei-Makena Community Plan, Kihei will evolve to become a more unified and cohesive urban settlement. Urban development will likely become more compact, mixed-use and interconnected. Networks of open-space, parks, bikeways, trails and pedestrian-oriented streets will link districts and neighborhoods together. An increase in population, including population created by the Piilani Promenade, may increase demand for coastal and inland active and passive recreation lands. The County's Infrastructure and Public



Facilities Issue Paper (September 2007) recommends a pro-active public-sector strategy to acquire additional shoreline and inland park lands to accommodate the increasing demand for recreation and shoreline-based cultural activities. MCC Title 18.16.320 requires a park land dedication, or cash-in-lieu fee, to mitigate the impact of growth on park and recreation facilities.

Infrastructure and Public Facilities

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

As documented in Section III.D of the DEIS, the Piilani Promenade will mitigate its impact on infrastructure and public facility systems through a variety of on- and off-site infrastructure and public facility counter-measures. One such counter measure, as documented in Section III.D.1 of the DEIS, is the development of a 1.0 MG drinking water storage tank to provide drinking water to accommodate the cumulative impact of projected population growth. Property taxes generated by the development, together with other planned projects in the area, will help fund County operations and capital improvement projects.

Secondary impacts could also result from investments into infrastructure and public facility improvements to support the Project. For example, development of the KUH could induce further growth mauka of Piilani Highway. As documented in Section III.D.1 of the DEIS, development mauka of Piilani Highway is supported by the Maui Island Plan.



D. UNRESOLVED ISSUES

Issue	Parties Involved	Estimated Resolution
1. Motion for order Amending the Findings of Fact, Conclusions of Law, and Decision and Order dated February 10, 1995 Docket No. A-94-706	Applicant, LUC, Office of State Planning	2015
2. Compliance with the Kihei-Makena Community Plan	Applicant, County of Maui, Department of Planning	2014-2015
3. Preservation of Archaeological Sites	Applicant, SHPD	2016
4. Future location of Wastewater Pump Station	Applicant, County of Maui, Department of Environmental Management	2015
5. Pedestrian Connectivity to the Kihei High School	Applicant, DOE, various private land owners	2017

1. Motion for order Amending the Findings of Fact, Conclusions of Law, and Decision and Order dated February 10, 1995 Docket No. A-94-706

On February 10, 1995, the Land Use Commission issued its Findings of Fact, Conclusions of Law, Decision and Order, in Docket No. A94-706 (the “1995 Decision and Order”). The 1995 Decision and Order reclassified the Petition Area from Ag to Urban subject to conditions.

On September 10, 2010, Maui Industrial Partners sold the project parcels TMK’s (2) 3-9-001:016, 170-174 to the Applicant. The project parcels comprise 75 of the 88 acres contained within the Petition Area. The remaining 13 acres are owned by a third party (Honua’ula Partners) and are not part of the project area. Applicant, through Eclipse Development Company, LLC, originally planned to develop a shopping complex known as “Piilani Promenade” on the Piilani Parcels. On April 11, 2012 and April 18, 2012, Maui County issued to Applicant two grading permits, placing Applicant in a position to begin construction of on-site and off-site infrastructure for the Piilani Parcels. However, on May 23, 2012, Maui Tomorrow Foundation, Inc., South Maui Citizens for Responsible Growth,



and Daniel Kanahele filed a Motion for a Hearing, Issuance of Order to Show Cause, and Other Relief with the Commission, which was granted on September 10, 2012 (the “Order to Show Cause”). At a meeting on February 7, 2013, a majority of the members of the Commission determined by oral vote that Applicant’s proposed use of the Piilani Parcels and Honua`ula’s proposed use of the Honua`ula Parcel would violate Conditions 5 and 15 of the 1995 Decision and Order, and that Condition 17 had also been violated. No written order regarding the foregoing has been entered. Thereafter Applicant moved for, and the LUC issued, a stay of the Order to Show Cause Proceeding, to allow the Applicant to file motion to amend the 1995 Decision and Order.

The Applicant filed a Motion to Amend requesting that the LUC issue a new docket number, release the project parcels from the conditions of the 1995 Decision and Order and issue new Findings of Fact, Conclusion of Law, and a Decision and Order as to the Piilani parcels applicable only to the project site. If the Motion is granted, then it is the Applicant’s position that the Order to Show Cause proceeding would be moot, and should be dismissed.

2. Compliance with the Kihei-Makena Community Plan

The Piilani Promenade is designated for (LI) Light Industrial uses by the KMCP. The KMCP defines “Light Industrial (LI)” as follows: “This is for warehousing, light assembly, service and craft-type industrial operations.” The County of Maui Planning Department has consistently interpreted the KMCP’s LI designation consistent with the M-1 Light Industrial zoning classification, as the KMCP specifically states that the goals, objectives and policies of the KMCP are implemented and effectuated through various processes, including zoning. The Applicant expects the Planning Department to provide written comment on this Draft EIS and we expect any concerns to be documented in their comment letter. The subject property is located in North Kihei, south of Ohukai Road, and mauka of Piilani Highway. This area was designated in the KMCP for light industrial use in order to encourage urban expansion in the area mauka of Piilani Highway (goal k). Goal k of the KMCP seeks to “[p]rovide for limited expansion of light industrial services in the area south of Ohukai and mauka of Piilani Highway, These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use.” The original conceptual plan of 123 light industrial lots, which fit squarely within that designation, is no longer desirable or economically viable. The KMCP specifically states that it is intended to “reflect current and anticipated



conditions in the Kihei-Makena region” and is intended to guide decision making through the year 2010. See KMCP at 3. Since the KMCP was adopted in 1998, the proposed planning for that area has adjusted. Other developments south of Ohukai and mauka of Piilani are predominantly retail, with only some instances of true light industrial uses. The community planning process has evolved since 1998, and the current Maui Island Plan indicates that the Piilani Promenade is located within the Urban Growth Boundary, and is surrounded by areas currently not zoned for urbanization, but designated as “planned growth areas.” The Maui Island Plan specifically cites the need for mixed-use neighborhood centers “to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern.” Maui Island Plan at 8-27.

It is the Applicant’s position, which it intends to advocate for on the pending Motion to Amend before the LUC, that the project falls within the Light Industrial designation of the KMCP, as that provision is implemented by the corresponding M-1 zoning designation, and that goal k of the Land Use section on page 18 of the KMCP is substantially met by the proposed project. In the event that the LUC does not agree with the Applicant’s position in deciding the Motion to Amend, then, as an alternative, Applicant will seek any necessary amendment to the KMCP.

3. Preservation of Archaeological Sites

As stated in the DEIS, the property contains archaeological sites and the project Archaeologist has recommended a data recovery plan as the mitigation measure. The Applicant expects that SHPD will comment on the DEIS and provide guidance on preparation of an adequate data recovery plan as practical mitigation solution. The Applicant is aware that no ground disturbing work can proceed until a formal agreement with the SHPD is complete.

4. Development of Wastewater Pump Station

The County of Maui, Department of Environmental Management requested that the applicant locate a 10,000 square foot wastewater pump station on the project site. The Applicant met with the Department on May 6, 2014 to discuss the preferred location of the pump station. As a result of that meeting the Applicant will continue coordinating with the Department and the Project team’s Civil Engineer during the environmental review process to determine the preferred location prior to the submittal of the Final EIS. The pump station is a large piece



of infrastructure that will service the central Kihei region in the future and the construction timetable is unknown at this time.

5. Pedestrian Connection to the Kihei High School

The Kulanihakoi Gulch separates the proposed project and future Kihei High School. The Applicant is willing to discuss connectivity opportunities with the SDOT to create pedestrian access between the school and Piilani Promenade. The Kihei High School is required to construct an underpass or overpass across Piilani Highway to provide pedestrian access. The DOE has not made a decision on which option is the most viable. The construction schedule for the school and appropriate funding sources for the pedestrian access are uncertain at this time. The connectivity issue will be resolved as the Kihei High School plans become finalized.



VII. REFERENCES

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VIII. CONSULTATION AND REVIEW

A. EARLY CONSULTATION

Prior to the preparation of the Draft EIS, consultation on the project was undertaken with the following agencies and groups:

Various Dates 2013	Meetings with Kihei Community Association to discuss the project and preparation of the EISPN (4/26, 6/4, 6/28, 9/10/13)
June 25, 2013	Maui Nutrition and Physical Activity Coalition (NPAC)
July 9, 2013	South Maui retail business owners meeting to discuss project design
September 10, 2013	Meeting with Maui Chamber of Commerce and Maui Contractors Association to discuss project design.
September 11, 2013	Native Hawaiian Chamber of Commerce
November 5, 2013	General Public Community Meeting, approximately 150 people from the public attended. The entire project team was present to answer questions from the Community.
February 25, 2014	Public Informational meeting on Archaeology, approximately 15 people attended. (a transcript of the meeting is located in Appendix F)
May 6, 2014	Consultation meeting with Maui County Department of Environmental Management to discuss location of a future wastewater pump station and associated easement.



B. EIS PREPARATION NOTICE DISTRIBUTION

The EISPN was transmitted to the following agencies and organizations for review and comment. The Agencies with an asterisk * provided comments (See: Appendix A, “EISPN Comments and Responses”) The EISPN was transmitted to the Kihei Public Library for public review. No public comments were received.

Federal Agencies

U.S. Department of Agriculture, Natural Resources Conservation Service
U.S. Army Engineer Division*
U.S. Fish and Wildlife Service

State Agencies

Department of Agriculture
Department of Accounting and General Services*
Department of Business, Economic Development & Tourism (DBEDT)
DBEDT – Office of Planning*
Department of Education*
Department of Hawaiian Home Lands
Department of Health- Environmental Planning Office*
Department of Health- Clean Water Branch*
Department of Health- Safe Drinking Water Branch*
Department of Health- Clean Air Branch*
Department of Health- Wastewater Branch*
Department of Health- Maui District*
Department of Human Services
Department of Labor and Industrial Relations
Department of Land and Natural Resources (DLNR) – Land Division*
DLNR – State Historic Preservation Division (SHPD)
DLNR- Engineering Division*
DLNR- Commission on Water Resource Management*
Department of Transportation*
Hawaii Housing Financing and Development Corporation
Office of Hawaiian Affairs
University of Hawaii, Environmental Center



Maui County Agencies

Department of Environmental Management*
Department of Fire and Public Safety*
Department of Housing and Human Concerns*
Department of Parks and Recreation*
Department of Planning
Department of Public Works*
Department of Transportation*
Department of Water Supply
Police Department

Others

Maui Tomorrow*
Kihei Community Association*
South Maui Citizens for Responsible Growth*
Daniel Kanahele*
Elden Liu*
Michael Lee*
Lila Sherman*
Brian Naeole*
Edwin Lindsey (Maui Cultural Lands)*



FIGURES



FIGURE 1

Regional Location Map
Pi'ilani Promenade



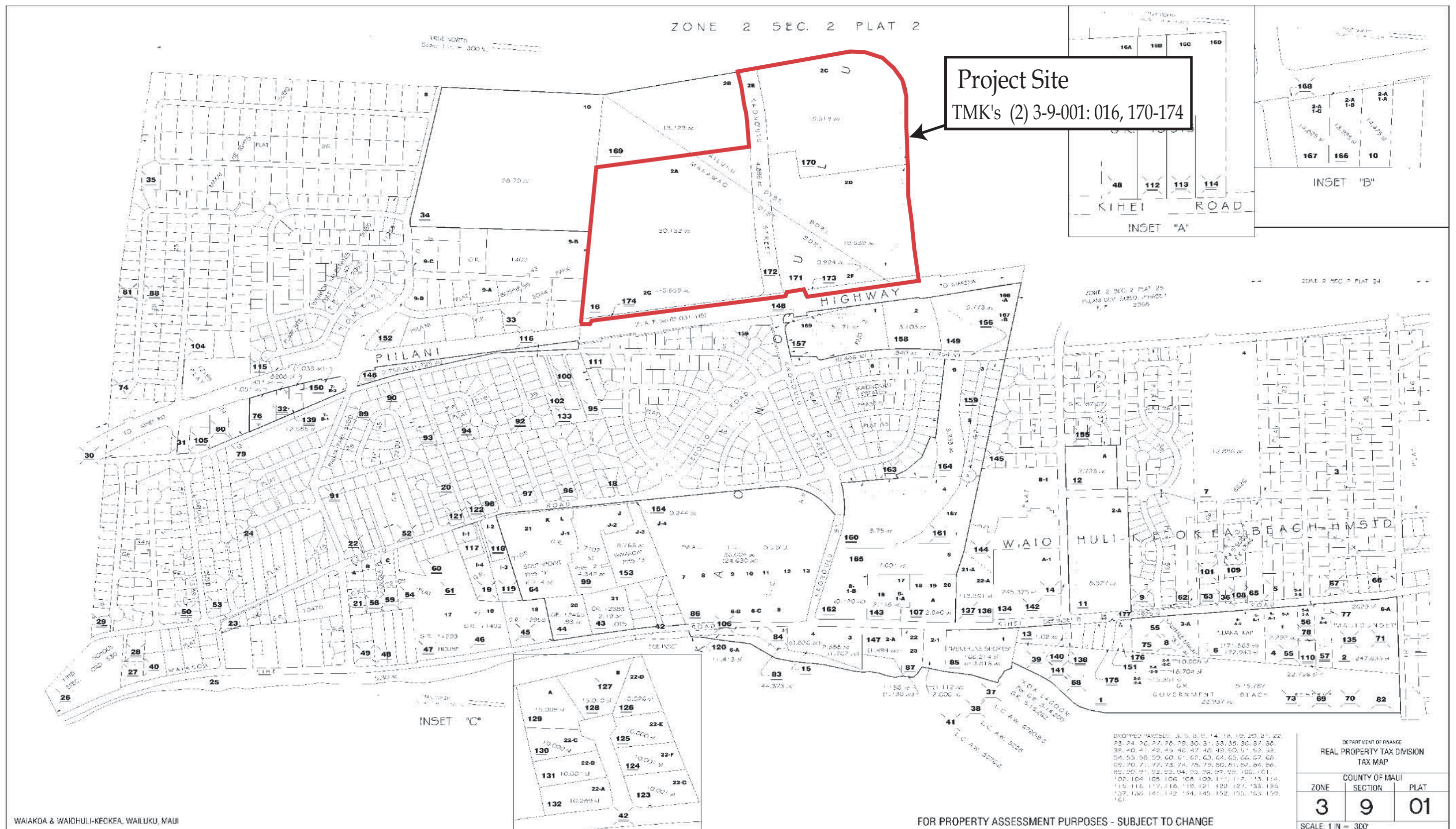


FIGURE 2

Tax Map Key
Piilani Promenade



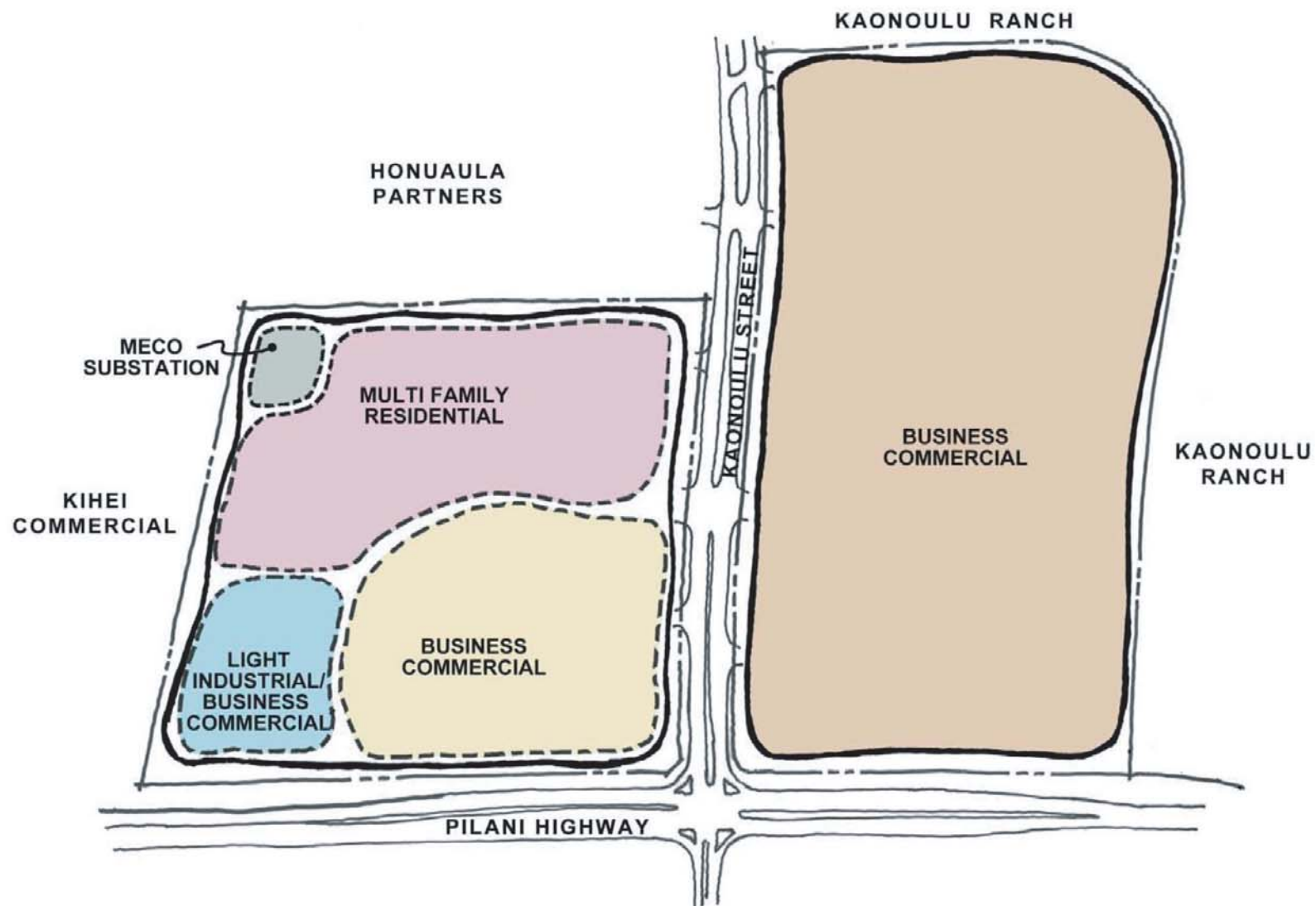


FIGURE 3

Conceptual Site Plan
Pi'ilani Promenade



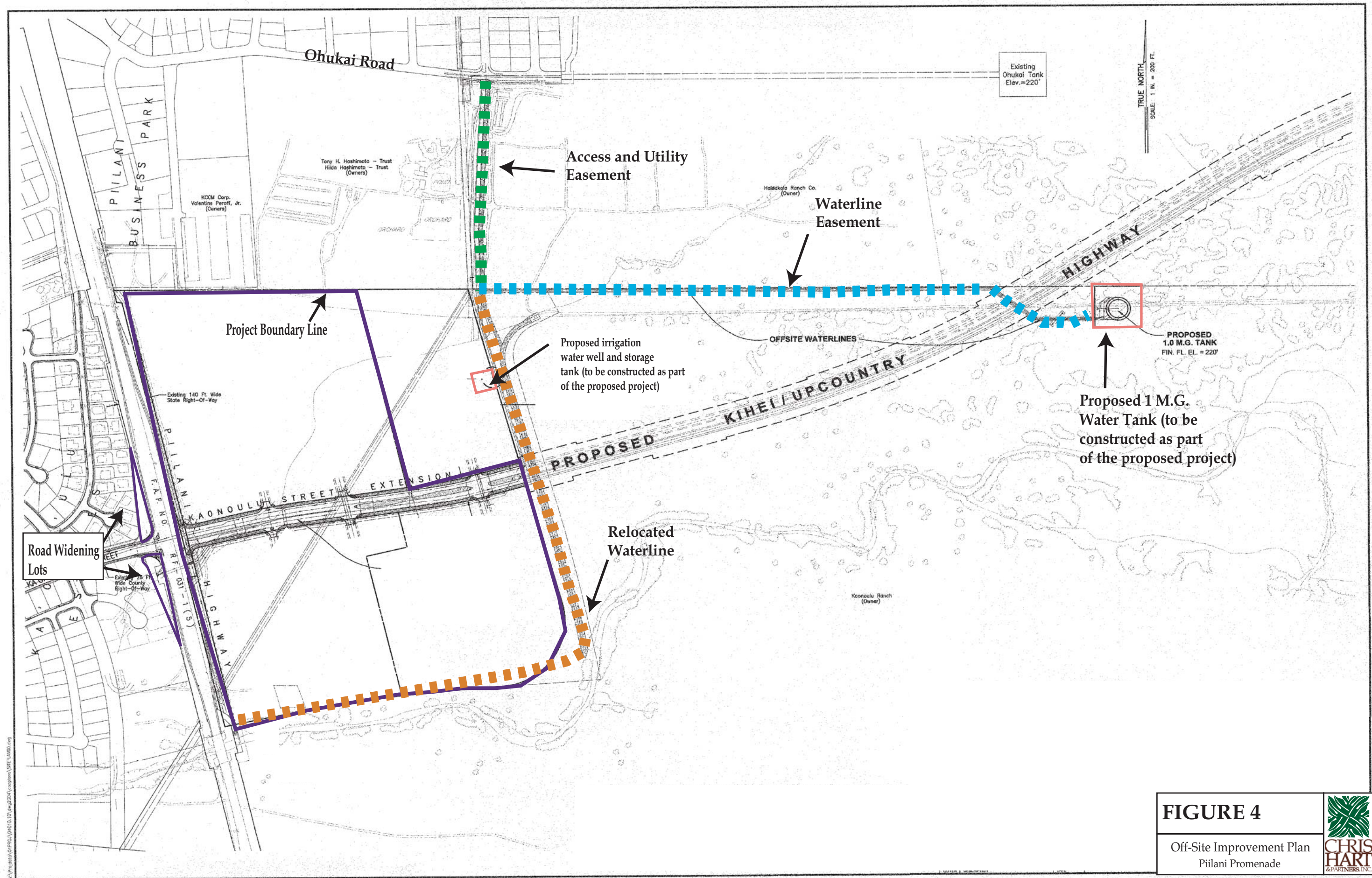
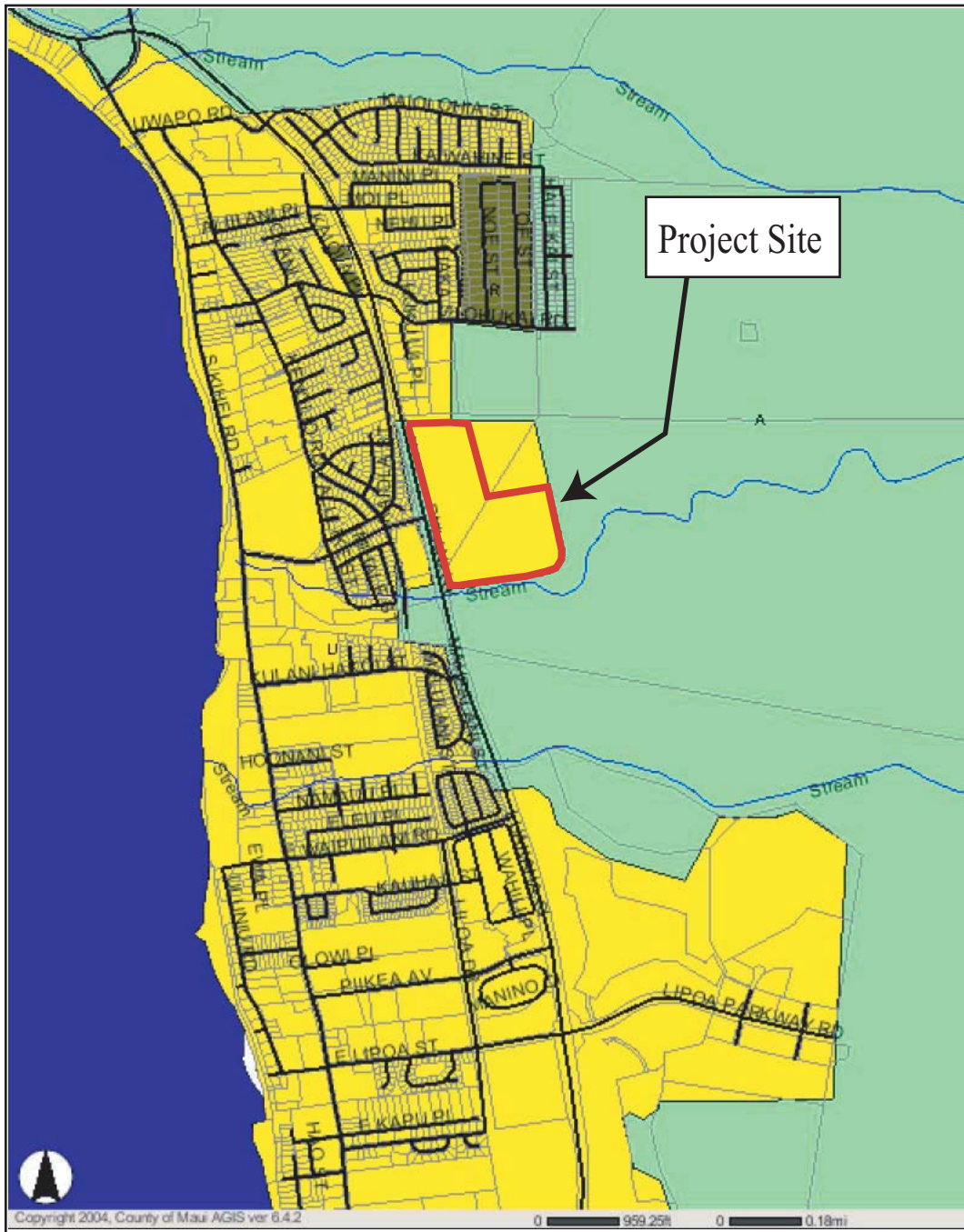


FIGURE 4
Off-Site Improvement Plan
Piilani Promenade





Legend

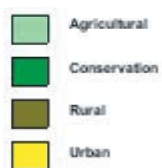


FIGURE 5

State Land Map
Pi'ilani Promenade



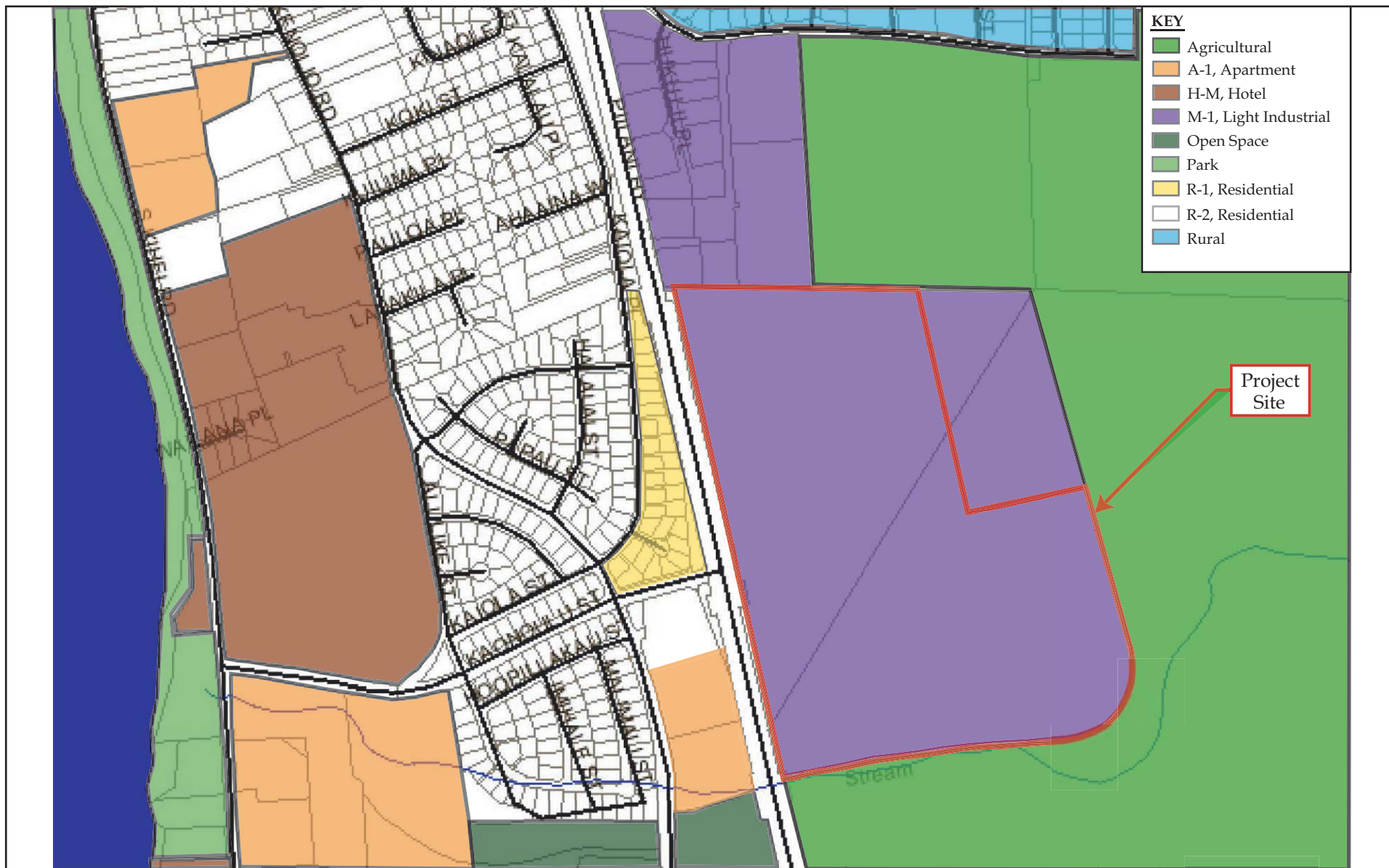


FIGURE 6

Maui County Zoning Map

Pi'ilani Promenade



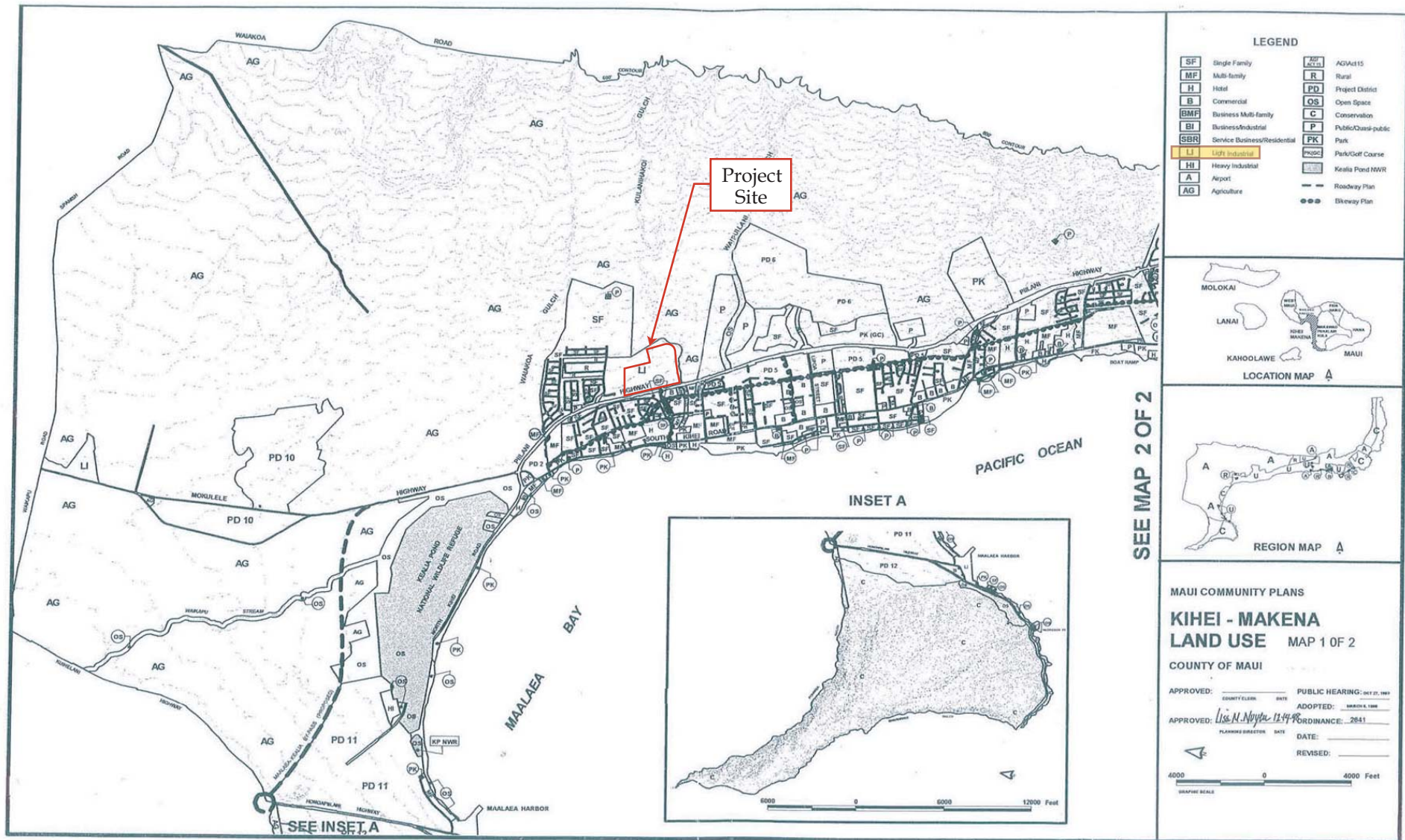


FIGURE 7

Kihei-Makana Community Plan Map
Pi'ilani Promenade

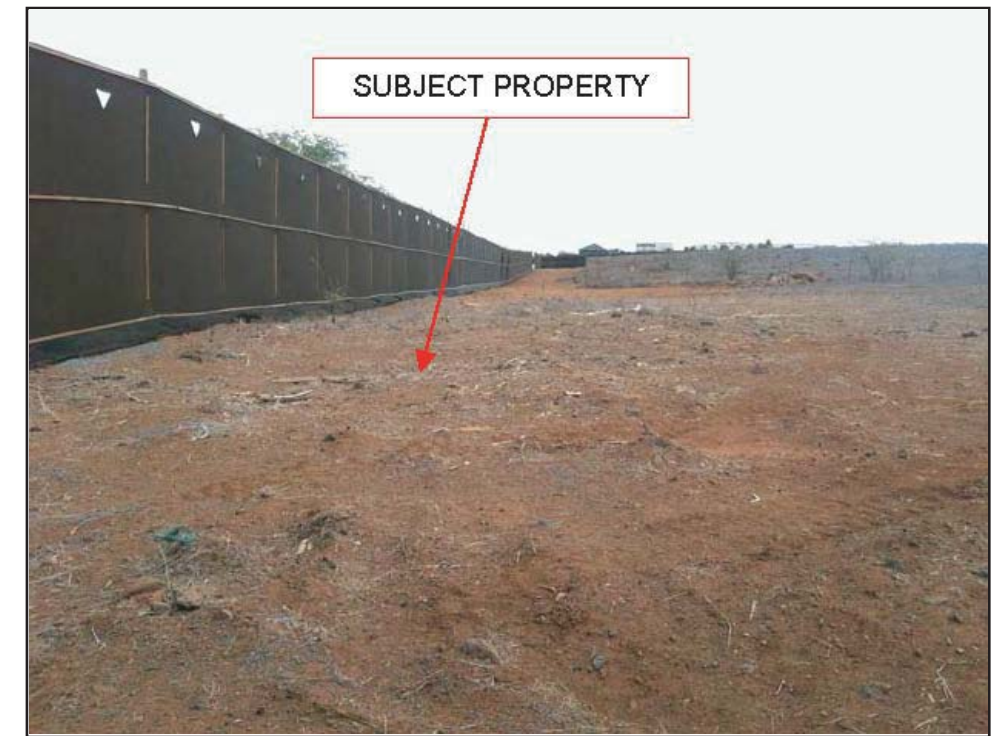




View of the property construction entrance from Piilani Highway.



View of concrete drainage culvert that runs along the western boundary of the subject property and under Piilani Highway.



View from the southwest corner of the subject property looking North.




View of the subject property looking Northwest towards the adjacent commercial and light industrial uses.



View of Drainageway "A" located on the property.



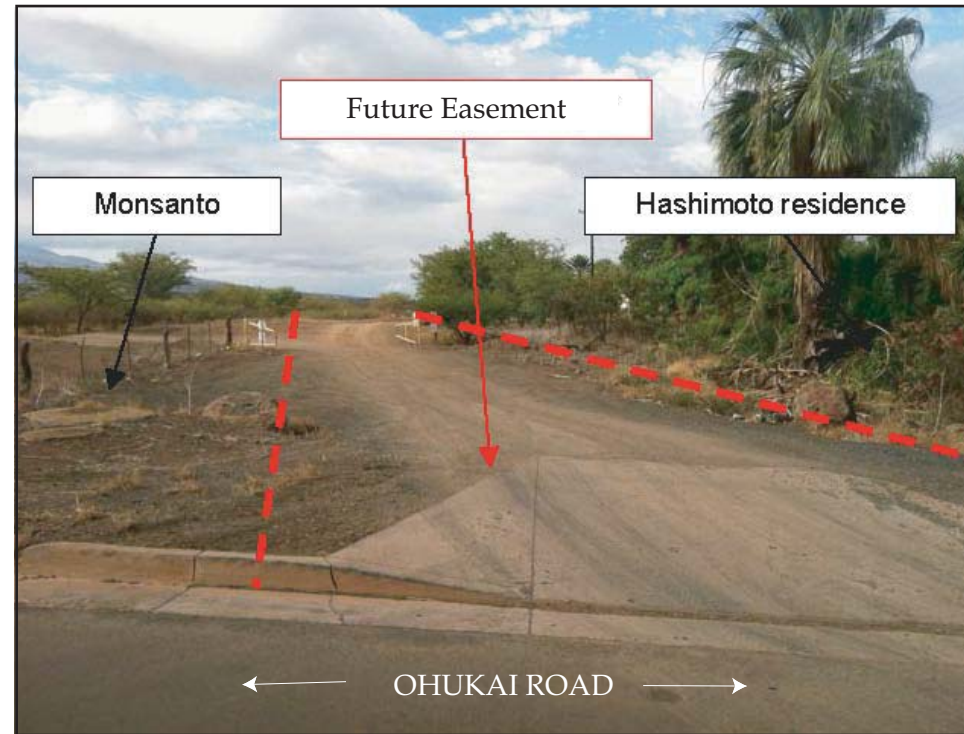
View of ranch enclosure located on Parcel 171.

FIGURE 8	
Site Photographs Piilani Promenade	

Photos provided by 1) Xamanek Researches, LLC (Feb. 2014)
 2) Malama Environmental LLC. (July 2013)



View from the proposed waterline easement located mauka of the project site looking west towards the Pacific Ocean.



View of future roadway and electrical easement from Ohukai Road.



View from the proposed 1.0 MG water tank site located mauka of the project site looking west towards the Pacific Ocean.



View of Intersection of Kaonoulu Street and Piilani Highway looking North. This will become a signalized intersection.

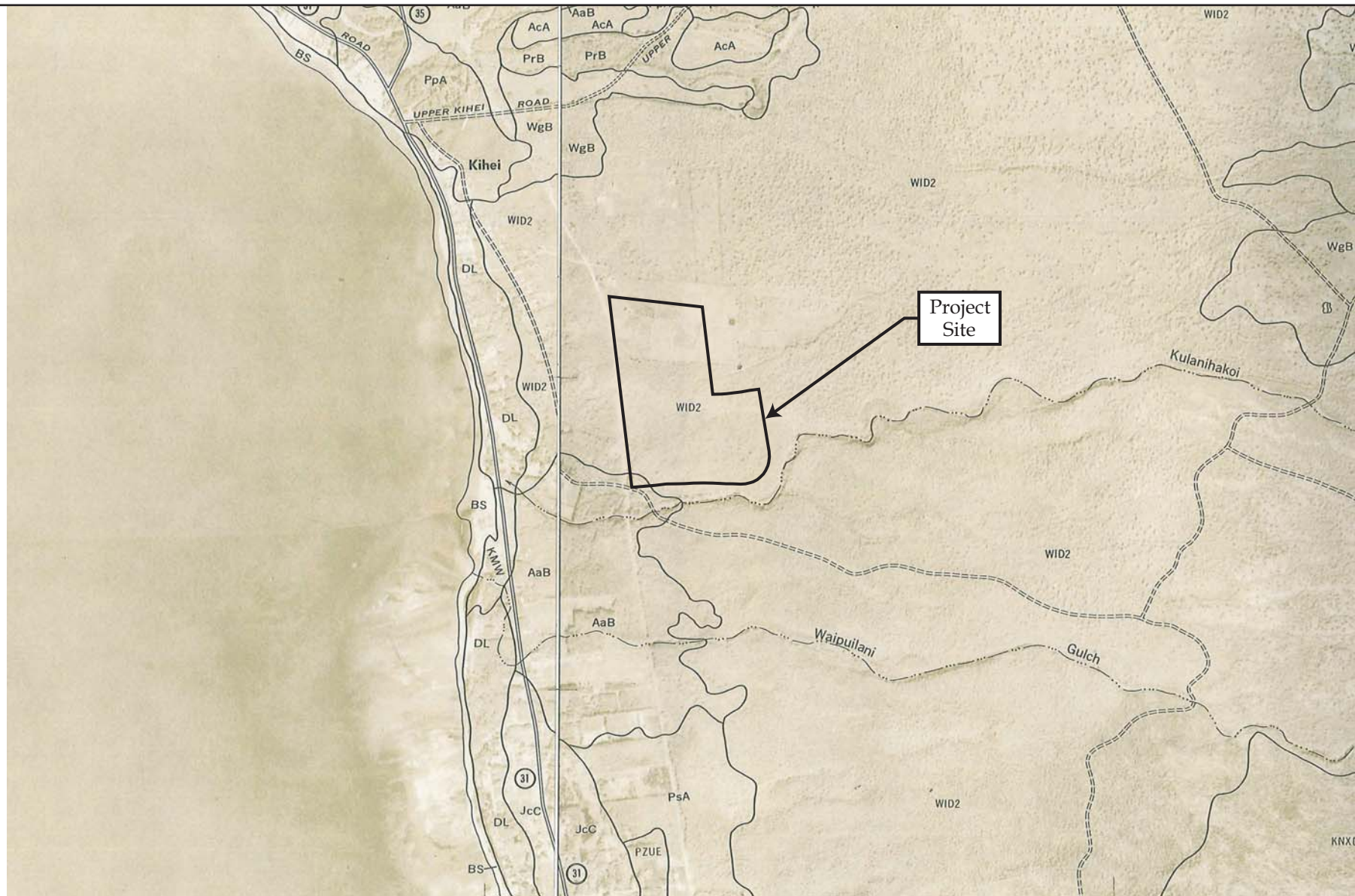


View of Intersection of Kaonoulu Street and Piilani Highway looking South. This will become a signalized intersection.



View of Piilani Highway with project dust fence in the background.

<p>FIGURE 8</p>	
<p>Site Photographs Piilani Promenade</p>	



Distance Scale: 1 inch = 2,000 feet

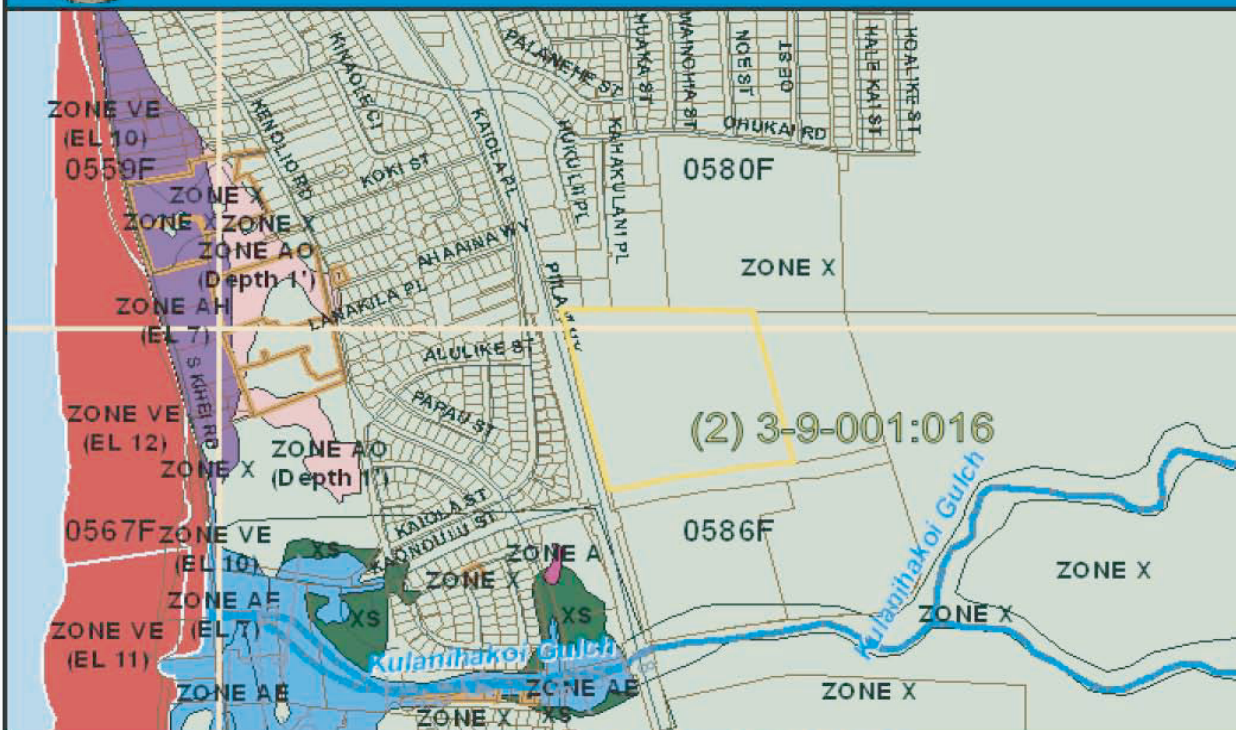
FIGURE 9

Soils Map
Pi'ilani Promenade





State of Hawaii 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: PIILANI HWY
KIHEI, 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: MAY 2012
IMAGERY DATA FROM: MAY 2005

IMPORTANT PHONE NUMBERS

County NFIP Coordinator:
County of Maui
Carolyn Cortez (808) 270-7253
State NFIP Coordinator:
Carol Tyau-Bear, 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.

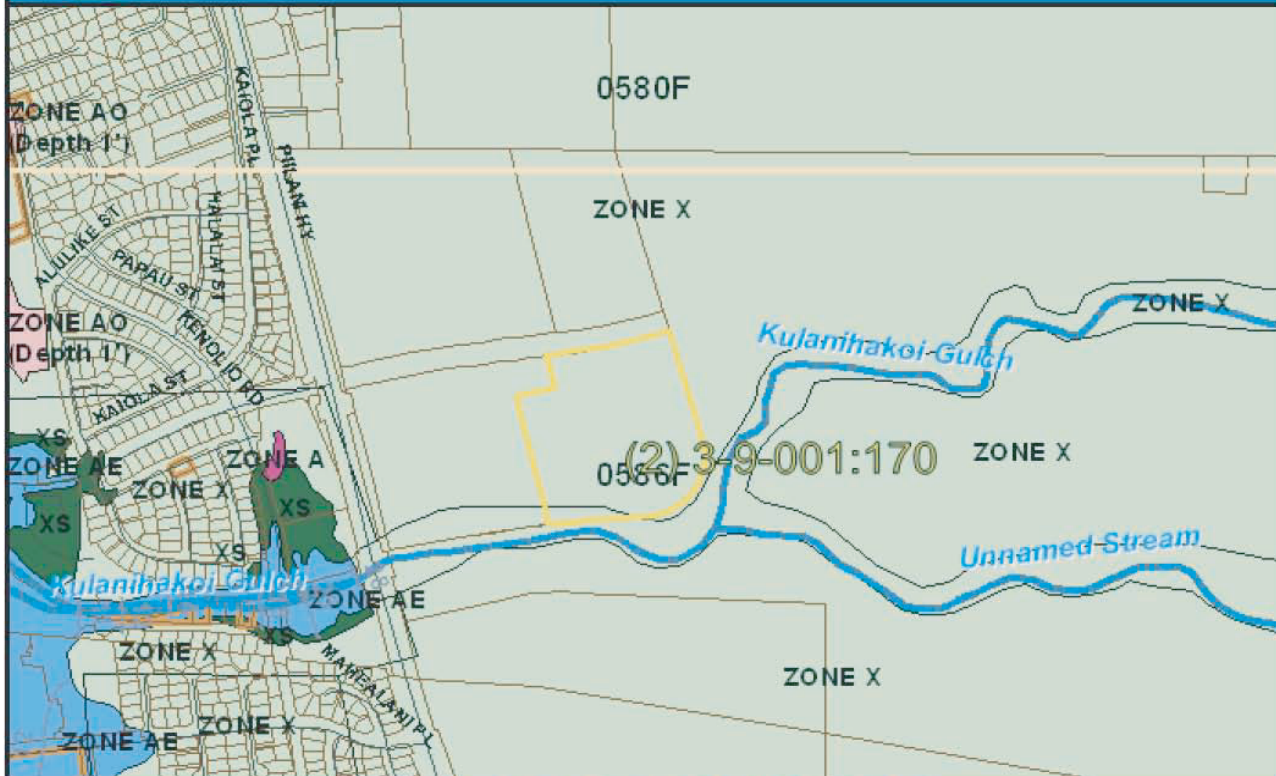
FIGURE 10

Flood Hazard Map
Pi'ilani Promenade
TMK (2) 3-9-001: 016





State of Hawaii 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) 3-9-001-170
PARCEL ADDRESS: PIILANI HWY
KIHEI, HI 96753
FIRM INDEX DATE: SEPTEMBER 19, 2012
LETTER OF MAP CHANGE(S): NONE
FEMA FIRM PANEL(S): 1500030586F
PANEL EFFECTIVE DATE: SEPTEMBER 19, 2012

PARCEL DATA FROM: MAY 2012
IMAGERY DATA FROM: MAY 2005

IMPORTANT PHONE NUMBERS

County NFIP Coordinator
County of Maui
Carolyn Cortez (808) 270-7253
State NFIP Coordinator
Carol Tyau-Bear, 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.

FIGURE 10

Flood Hazard Map
Pi'ilani Promenade
TMK (2) 3-9-001: 170

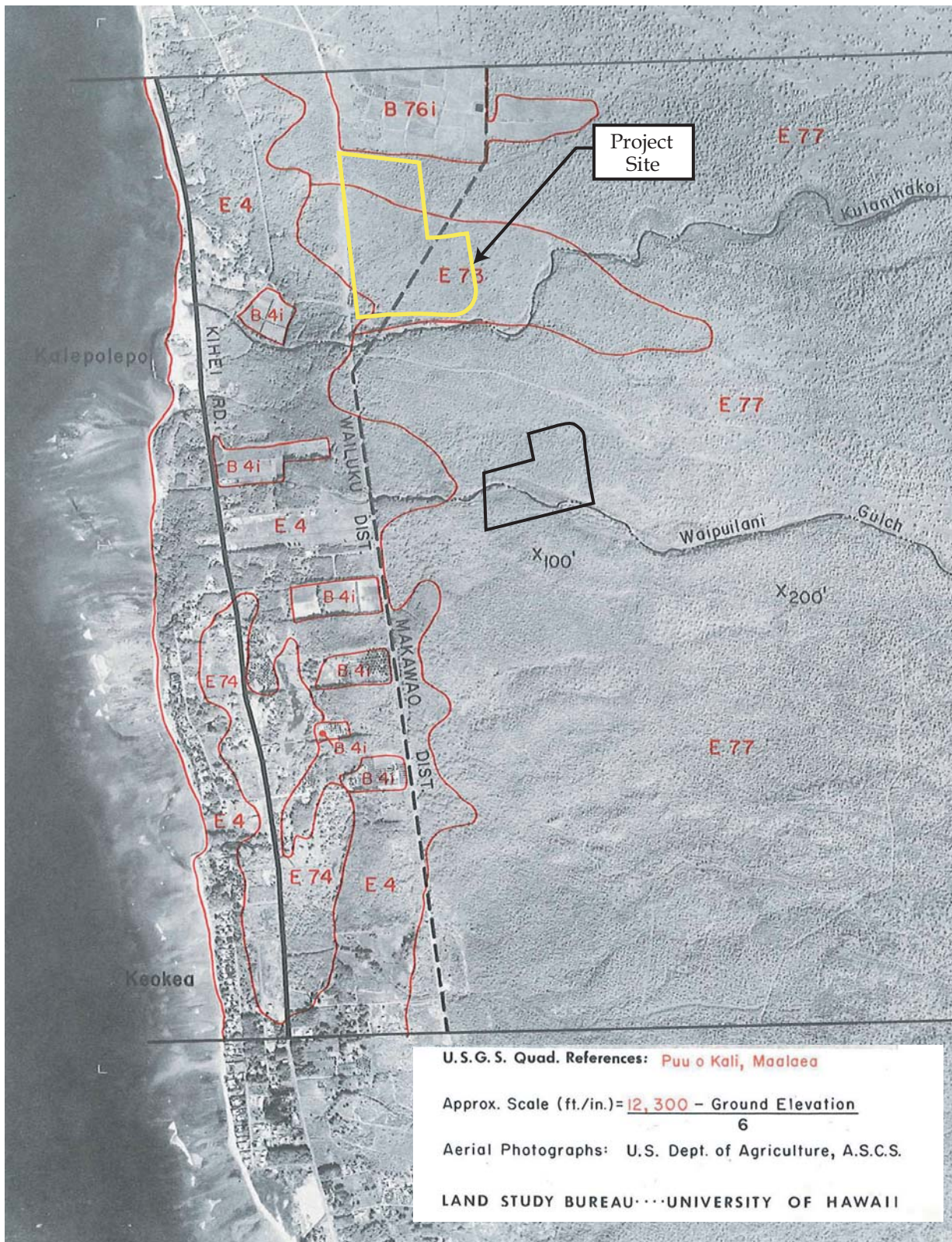




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If this map has been identified as 'PRELIMINARY' or 'UNOFFICIAL', please note that it is being provided for informational purposes and is not to be used for official/legal decisions, regulatory compliance, or flood insurance rating. Contact your county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



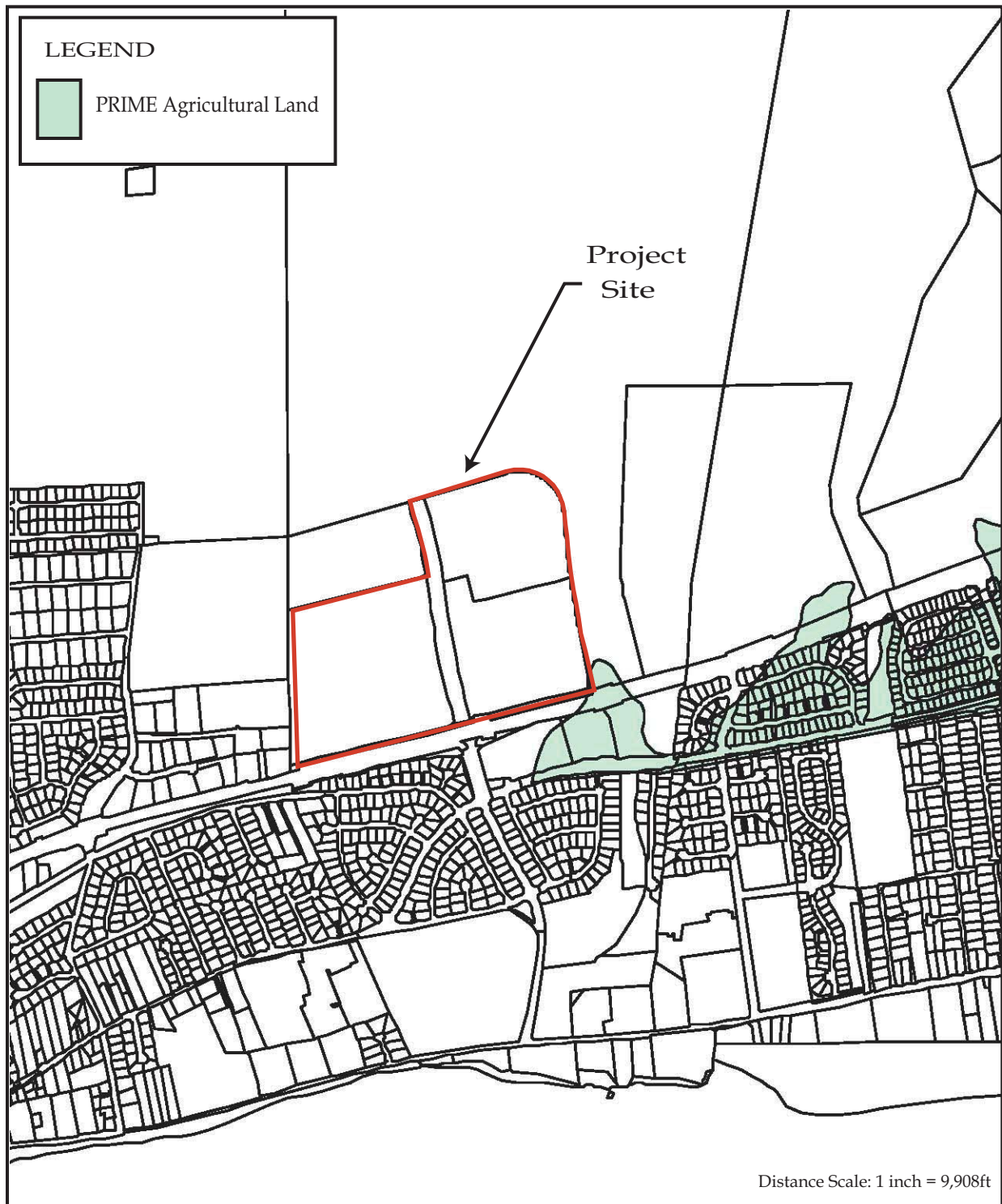


Source: Land Study Bureau, University of Hawai'i
Detailed Land Classification - Island of Maui (May 1967)

FIGURE 11

Land Study Bureau Map
Pi'ilani Promenade



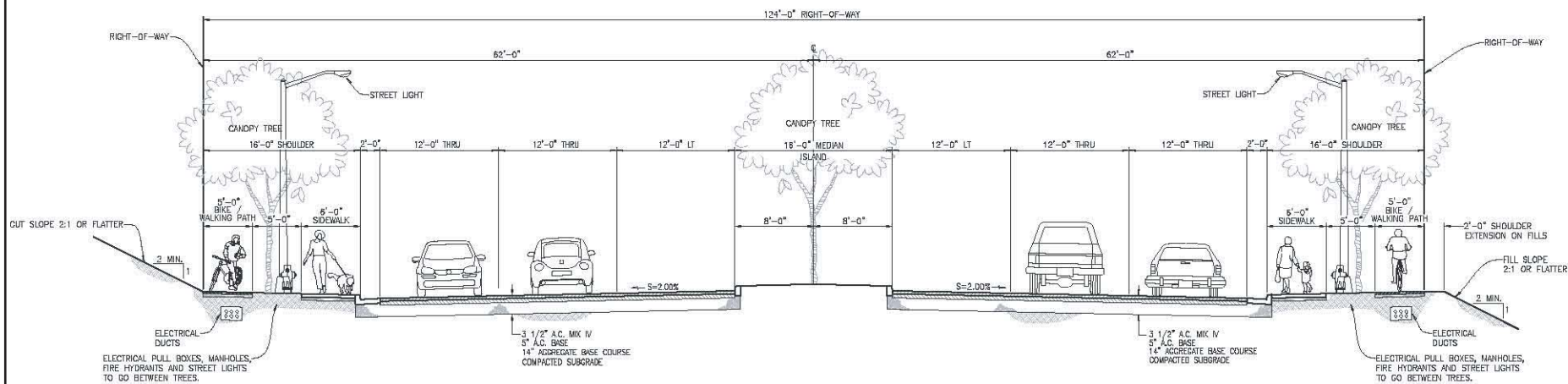


Source: State of Hawaii, GIS data

FIGURE 12

ALISH Map
Pi'ilani Promenade





TYPICAL SECTION ALONG EAST KAONOULU STREET

SCALE: $\frac{3}{32}'' = 1'-0''$

FIGURE 14

East Kaonoulu Street Section Drawing
Pi'ilani Promenade





APPENDICES



APPENDIX A

EISPN Consultation Letters with Responses



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT
FORT SHAFTER, HAWAII 96858-5440

REPLY TO
ATTENTION OF:

October 8, 2013

Regulatory Branch

POH-2013-00172

Chris Hart & Partners, Inc.
Attn: Jordan Hart, President
115 North Market Street
Wailuku, HI 96793

RECEIVED

OCT 10 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Jordan, Brett & Glenn

Dear Mr. Hart:

This is in response to your September 20, 2013 request for the Department of the Army to review and comment on the EISPN for the proposed Piilani Promenade project at TMKs: (2) 3-9-001: 016, 170-174, Kihei, Island of Maui, Hawai'i. We have assigned the project the reference number **POH-2013-00172**. Please cite this reference number in any correspondence with us concerning this project. We have completed our review of the submitted document and have the following comments:

131029

Your proposed project was reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 requires that a DA permit be obtained for certain structures or work in or affecting navigable waters of the United States (U.S.), prior to conducting the work (33 U.S.C. 403). Navigable waters of the U.S. are those waters subject to the ebb and flow of the tide shoreward to the mean high water mark, and/or other waters identified as navigable by the Honolulu District. In addition, a Section 10 permit is required for structures or work outside this limit if they affect the course, capacity, or condition of the waterbody. Some typical examples of structures or work requiring Section 10 permits within this jurisdictional area include beach nourishment, boat ramps, breakwaters, bulkheads, and dredging.

Section 404 requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344). For regulatory purposes, the U.S. Army Corps of Engineers (Corps) defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The area of Corps jurisdiction under Section 404 extends to the Mean Higher High Tide Line (MHHTL) or to the Ordinary High Water Mark (OHWM) for navigable waters other than the Pacific Ocean, and to the upland boundary of any adjacent wetlands. Fill material is any material that replaces a jurisdictional aquatic area with dry land or changes the bottom elevation of a waterbody. Fill may be temporary or permanent and often includes, but is not limited to, rock, sand, concrete, and sandbags. Projects involving discharges typically include placement of fill material for homes and landscaping, impoundments, road fills, dams and dikes, culverts, riprap, and beach nourishment.



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

Dear Mr. Young,

RE: Comments on the Environmental Impact Statement Notice (EISPN) for the
Piilani Promenade, located in Kihei, Maui, Hawaii at TMK's: (2) 3-9-001:016,170-
174. POH 2013-00172

Thank you for your letter of October 8, 2013. The proposed project will not involve placement or discharge of dredged and or fill material into the Kulanihakoi Gulch. (Note: the previously proposed Kaonoulu Market Place (POH 2009-00306) planned to discharge stormwater into Kulanihakoi Gulch, and the ARMY required a DA permit at that time, however the project has changed and the new plan will not discharge or effect Kulanihakoi Gulch.)

The Applicant acknowledges that there is a minor unnamed tributary of Kulanihakoi Gulch on the subject property. The Applicant has not been able to further document the tributary as it has no name and does not appear to be a navigable water of the U.S. The tributary is not subject to the ebb and flow of the ocean tide, and does not meet the criteria of a wetland, therefore we anticipate that a DA permit is not required for the proposed project.

On behalf of the Applicant the State Land Use Commission will send your Branch a copy of the forthcoming Draft Environmental Impact Statement (EIS), for further review and comment.

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

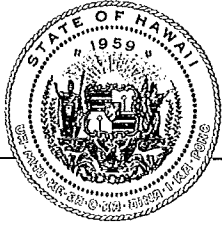
Sincerely yours,

Jordan E. Hart, President

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

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

www.chpmaui.com



OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

NEIL ABERCROMBIE
GOVERNOR

JESSE K. SOUKI
DIRECTOR
OFFICE OF PLANNING

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <http://hawaii.gov/dbedt/op/>

No. P-14145

October 23, 2013

RECEIVED

OCT 24 2013

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Jordan, Brett

+ Glenn

131029

Dear Mr. Hart:

Subject: Environmental Impact Statement Preparation Notice (EISPN) for Piilani
Promenade, Kihei, Maui; TMK: (2) 3-9-001: 016, 170-174

Thank you for the opportunity to review the Piilani Promenade EISPN which proposes the development of a mix of light industrial and business commercial uses, 200 apartment units, and appurtenant on and offsite improvements on approximately 75 acres of land. The Petitioner plans to file for an Amendment of a previously approved Petition for Docket No. A94-706, Kaonoulu Ranch.

The following comments are provided which should be addressed in the forthcoming draft EIS.

1. Due to the proposed project's proximity to Kulanihakoi Gulch, there may be coastal nonpoint pollution impacts from the project site. We recommend your review of the *Hawaii Watershed Guidance* (August 2010), which provides a summary and links to management measures that may be implemented to minimize coastal nonpoint pollution impact. Specifically, the sections on Watershed Protection (p.121) and Site Development (p. 122) may be useful when developing the section dealing with drainage in the Draft EIS.

The *Hawaii Watershed Guidance* document can be viewed on-line or downloaded at [http://hawaii.gov/dbedt/czm/initiative/nonpoint/HI Watershed Guidance Final.pdf](http://hawaii.gov/dbedt/czm/initiative/nonpoint/HI_Watershed_Guidance_Final.pdf).

2. Additionally, when developing the drainage section of the Draft EIS, specifically with regard to stormwater, please review the Office of Planning's *Stormwater Impact Assessment*, to identify and evaluate information on hydrology (i.e., proximity to drainage ways, stream channels, sensitive ecosystems in receiving waters), stressors (i.e., water quality and pollutants), sensitivity of resources (i.e., aquatic resources and riparian resources), and management considerations.

This guidance document will assist in integrating stormwater impact assessment within your review process. The appendices of the guidance document include a list of data resources, best management practice techniques, and a review checklist that may be useful. The *Stormwater Impact Assessment* guidance document can be viewed online or downloaded at http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_imapct/final_stormwater_impact_assessments_guidance.pdf.

3. **Land Ownership and Project Applicant.** Page 4. The document includes this statement: “The Applicant is the owner of the parcels comprising the project.” The Applicant listed on the Executive Summary is Piilani Promenade North LLC, and Piilani Promenade South, LLC. However, page 5 of the EISPN indicates that the Applicant owns parcels 16, 170-174, and further states that the project comprises 75 out of the 88 acres within the Petition area. The remaining 13 acres are owned by Honuaula Partners and are not part of the project area. [Docket No. A94-706 Kaonoulu Ranch]

From previous Land Use Commission actions on this Petition, i.e., Motion to Show Cause hearings, Honuaula Partners proposed to develop the multi-family apartment units on the Petition area. It is not clear from the document whether the studies for this project will also include these apartment uses.

4. **Workforce Housing.** The EISPN briefly describes that the project will include workforce housing. The Draft EIS should include additional information regarding the breakdown for the number of affordable units and anticipated housing prices. It should be clarified whether the 200 multi-family apartments are within the Honuaula parcel or a new proposal not previously mentioned in A94-706.

Potential impacts and mitigation measures for the 200 apartments proposed for the project area, including traffic and other infrastructure both on and off-site should be included. The Petitioner plans to construct the apartments on two of the parcels encompassing the project area, parcels no. 169 and 16. The Draft EIS should indicate whether additional subdivision actions are proposed for the Petition area.

5. **Project Schedule.** The Draft EIS should include a project timetable for the development and infrastructure. The timetable should also include information on projections for the number of apartment units to be constructed per year and/or the floor area/square footage for each type of use, such as business, commercial, and light industrial.
6. **Sustainability and Resource Use.** The Hawaii State Plan sets out priority guidelines and principles for sustainability, as codified in HRS §226-108, Sustainability. In addition, Act 286, Session Laws of Hawaii 2012, set forth new priority guidelines in the Hawaii State Plan related to climate change adaptation. The Draft EIS should include a section that describes sustainable design and development measures the project will incorporate or consider in development of the project. A commitment to sustainable development practices will support State energy initiatives and the Administration’s New

Day priorities to move toward clean energy, energy independence, and a green economy. The Draft EIS should also quantify the current energy use and projected energy requirements of the project, and discuss measures to be taken to reduce energy demand, promote energy efficiency, and to promote use of alternative, renewable energy sources. The Draft EIS should also discuss what measures could be taken to promote the use of alternative transportation modes, including identification of existing or planned county bus service in the area, and how the project will link into planned pedestrian paths and bikeways.

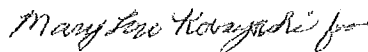
7. **Access easements.** A timeframe for obtaining the access easements and a discussion of progress in acquiring the easements should be provided.
8. **Previous Actions.** The Draft EIS should include a section on previous government permits and actions and approvals obtained previously on the Petition area, including the aforementioned A94-704, and actions leading to the current preparation of this EISPN document.

Specifically, the document should clarify that the original Petition was approved for a light industrial subdivision, and describe in detail the subsequent approvals and project changes that led to the Order to Show Cause proceedings, and the preparation of this EISPN before the Land Use Commission.

9. **Traffic.** The Traffic Impact Analysis Report (TIAR) should include all residential units within the Petition area, including the residential units within the Honuaula lot.
10. **Maps.** All maps should be to scale. In addition, if applicable, all maps should include a legend and the North arrow.
11. **Community Consultation.** The Draft EIS should describe any consultation with the community regarding the proposed project.

The Office of Planning looks forward to receiving the Draft EIS for the proposed project. 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,



Jesse K. Souki
Director

c: Land Use Commission



June 23, 2014

Mr. Leo Asuncion, Jr., AICP, Acting Director
State of Hawaii, DBEDT
Office of Planning
PO. Box 2359
Honolulu, Hawaii 96804-2359

Dear Mr. Asuncion,

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

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

Comment 1. Due to the proposed project's proximity to Kulanihakoi Gulch, there may be coastal nonpoint pollution impacts from the project site. We recommend your review of the Hawaii Watershed Guidance (August 2010), which provides a summary and links to management measures that may be implemented to minimize coastal nonpoint pollution impact. Specifically, the sections on Watershed Protection (p. 121) and Site Development (p. 122) may be useful when developing the section dealing with drainage in the Draft EIS.

The Hawaii Watershed Guidance document can be viewed on-line or downloaded at [http://hawaii.gov/dbedt/czm/initiative/nonpoint/HI Watershed Guidance Final.pdf](http://hawaii.gov/dbedt/czm/initiative/nonpoint/HI_Watershed_Guidance_Final.pdf).

Response 1: The Applicant will review the provided information in preparation of the drainage sections for the forthcoming Draft EIS. Copies of this guidance document have also been provided the appropriate project consultants for their review and consideration.

Comment 2. Additionally, when developing the drainage section of the Draft EIS, specifically with regard to stormwater, please review the Office of Planning's Stormwater Impact Assessment, to identify and evaluate information on hydrology (i.e., proximity to drainage ways,

stream channels, sensitive ecosystems in receiving waters), stressors (i.e., water quality and pollutants), sensitivity of resources (i.e., aquatic resources and riparian resources), and management considerations.

This guidance document will assist in integrating stormwater impact assessment within your review process. The appendices of the guidance document include a list of data resources, best management practice techniques, and a review checklist that may be useful. The Stormwater Impact Assessment guidance document can be viewed online or downloaded at http://files.kawaii.gov/dbedt/op/czm/initiative/stormwater_impact/final_stormwater_impact_assessments_guidance.pdf.

Response 2: The Applicant has reviewed the provided Stormwater Impact Assessment information and copies of this guidance document have also been provided to the appropriate project consultants for their review and consideration. The forthcoming Draft EIS will provide information on hydrology, identify sensitive resources, and provide management or mitigation considerations.

Comment 3. Land Ownership and Project Applicant. Page 4. The document includes this statement: "The Applicant is the owner of the parcels comprising the project." The Applicant listed on the Executive Summary is Piilani Promenade North LLC, and Piilani Promenade South, LLC. However, page 5 of the EISPN indicates that the Applicant owns parcels 16, 170-174, and further states that the project comprises 75 out of the 88 acres within the Petition area. The remaining 13 acres are owned by Honua'ula Partners and are not part of the project area. [Docket No. A94-706 Kaonoulu Ranch] From previous Land Use Commission actions on this Petition, i.e., Motion to Show Cause hearings, Honua'ula Partners proposed to develop the multi-family apartment units on the Petition area. It is not clear from the document whether the studies for this project will also include these apartment uses.

Response 3: The Draft EIS and the associated technical studies will include the non-project apartment uses to be located in the future on the adjacent 13-acre parcel owned by Honua'ula Partners solely for impact analysis and as background information. The Applicant has pending a Motion to Amend before the Land Use Commission, which motion seeks, *inter alia*, to bifurcate and assign a separate Land Use Commission Docket Number that applies solely to the 75 acres owned by Applicant. Any approvals and additional necessary studies for the 13 acres owned by Honua'ula Partners will be handled separately by Honua'ula Partners.

Comment 4. Workforce Housing. The EISPN briefly describes that the project will include workforce housing. The Draft EIS should include additional information regarding the breakdown for the number of affordable units and anticipated housing prices. It should be clarified whether the 200 multi-family apartments are within the Honua'ula parcel or a new proposal not

previously mentioned in A94-706. Potential impacts and mitigation measures for the 200 apartments proposed for the project area, including traffic and other infrastructure both on and off-site should be included. The Petitioner plans to construct the apartments on two of the parcels encompassing the project area, parcels no. 169 and 16. The Draft EIS should indicate whether additional subdivision actions are proposed for the Petition area.

Response 4: The Draft EIS will include additional information regarding the breakdown for the number of affordable units and anticipated housing prices, as well as the potential impact and mitigation measures related thereto. The 200-multi family units referenced in the EISPN are within Parcel 16, and are different than those planned for the Honua'ula parcel. At some point in the future on the adjacent 13-acre parcel (Parcel 169) owned by Honua'ula Partners there will be additional multi-family units constructed, if Honua'ula Partners determines to proceed with that development. .

Comment 5. Project Schedule. The Draft EIS should include a project timetable for the development and infrastructure. The timetable should also include information on projections for the number of apartment units to be constructed per year and/or the floor area/square footage for each type of use, such as business, commercial, and light industrial.

Response 5: To the extent such information is available, the Draft EIS will include a project timetable for development and infrastructure including projections on the number of apartment units to be constructed per year and/or the floor area/square footage for each type of use, such as business, commercial, and light industrial.

Comment 6. Sustainability and Resource Use. The Hawaii State Plan sets out priority guidelines and principles for sustainability, as codified in HRS 5226-1 08, Sustainability. In addition, Act 286, Session Laws of Hawaii 2012, set forth new priority guidelines in the Hawaii State Plan related to climate change adaptation. The Draft EIS should include a section that describes sustainable design and development measures the project will incorporate or consider in development of the project. A commitment to sustainable development practices will support State energy initiatives and the Administration's New Day priorities to move toward clean energy, energy independence, and a green economy. The Draft EIS should also quantify the current energy use and projected energy requirements of the project, and discuss measures to be taken to reduce energy demand, promote energy efficiency, and to promote use of alternative, renewable energy sources. The Draft EIS should also discuss what measures could be taken to promote the use of alternative transportation, modes, including identification of existing or planned county bus service in the area, and how the project will link into planned pedestrian paths and bikeways.

Response 6: The Draft EIS will include a discussion on the new priority guidelines in the Hawaii State Plan related to climate change adaptation. To the extent such information is available; the Draft EIS will provide a section on infrastructure including electrical

systems. The Draft EIS will describe energy use, conservation measures and projected electrical demand. The Draft EIS will include a Transportation section which includes a discussion of alternative transportation options and providing connection opportunities from the project to adjacent uses.

Comment 7. Access easements. A timeframe for obtaining the access easements and a discussion of progress in acquiring the easements should be provided.

Response 7: To the extent such information is available; the Draft EIS will include a timetable for obtaining the access easements and a discussion of progress in acquiring the easements.

Comment 8. Previous Actions. The Draft EIS should include a section on previous government permits and actions and approvals obtained previously on the Petition area, including the aforementioned A94-704, and actions leading to the current preparation of this EISPN document. Specifically, the document should clarify that the original Petition was approved for a light industrial subdivision, and describe in detail the subsequent approvals and project changes that led to the Order to Show Cause proceedings, and the preparation of this EISPN before the Land Use Commission.

Response 8: The Draft EIS will include a section on previous government permits and actions and approvals obtained previously on the Petition area, including the aforementioned A94-704, and actions leading to the current preparation of this EISPN document.

Comment 9. Traffic. The Traffic Impact Analysis Report (TIAR) should include all residential units within the Petition area, including the residential units within the Honua'ula lot.

Response 9: The Draft EIS will include a TIAR that analyzes the residential units within the Petition area, as well as, solely for the purposes of impact analysis, the residential units within the 13 acres owned by Honua'ula.

Comment 10. Maps. All maps should be to scale. In addition, if applicable, all maps should include a legend and the North arrow.

Response 10: The Draft EIS will include maps drawn to scale with legend and north arrow included when applicable.

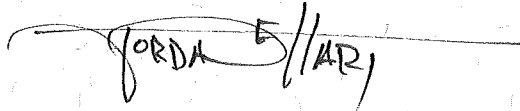
Mr. Leo Asuncion, Jr., Acting Director
Office of Planning
State of Hawaii
Piilani Promenade EISPN
Comment Response Letter
June 23, 2014
Page 5 of 5

Comment 11. Community Consultation. The Draft EIS should describe any consultation with the community regarding the proposed project.

Response 11: The Draft EIS will include a list of consulted community groups.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "JORDAN E. HART", written over a horizontal line.

Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR



Dean H. Seki
Comptroller

Maria E. Ziellinski
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

SEP 24 2013

(P)1217.3

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

Dear Mr. Hart:

Subject: Piilani Promenade
Environmental Assessment/Environmental Impact
Statement Preparation Notice

Thank you for the opportunity to provide comments for the subject project. This project does not impact any of the Department of Accounting and General Services' projects or existing facilities in this area, and we have no comments to offer at this time.

If you have any questions, your staff may call Mr. Alva Nakamura of the Planning Branch at 586-0488.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. K. Kurata".

JAMES K. KURATA
Public Works Administrator

AN:lnn

c: Mr. Daniel E. Orodener, Executive Officer, DBEDT-Land Use Commission

RECEIVED

SEP 25 2013

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



June 18, 2014

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

Dear Mr. Seki,

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

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

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

Sincerely yours,

A handwritten signature in blue ink, which appears to read 'Jordan E. Hart', is written over a horizontal line. To the right of the signature, the date '5/1/14' is written in blue ink.

Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
FORD N. FUCHIGAMI
RANDY GRUNE
AUDREY HIDANO
JADINE URASAKI

IN REPLY REFER TO:
HWY-PS 2.6634

February 26, 2014

RECEIVED

FEB 27 2014

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

Rich 13/029

Dear Mr. Hart:

Subject: Environmental Impact Statement Preparation Notice
Piilani Promenade, Kihei, Maui, TMK: (2) 3-9-001:016, 170-174

Thank you for transmitting the subject document for our review of the proposed project to develop a mix of light industrial and business/commercial uses with 200 apartment units on a 75 acre property. The project proposes to improve the intersection of Piilani Highway (State Route 31) with Kaonoulu Street

We will provide our comments to the subject project when we review the revised Traffic Impact Analysis Report (TIAR). Please provide two copies of the revised TIAR to the Highways Division, Planning Branch and one copy to our Maui District Office.

If you have any questions, please contact Gary Ashikawa, Systems Planning Engineer, Highways Division, Planning Branch at (808) 587-6336.

Very truly yours,

A handwritten signature in cursive script, reading "Alvin A. Takeshita".

Alvin A. Takeshita
Highways Administrator



June 18, 2014

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

Dear Mr. Takeshita,

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

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

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'JORDA' followed by a stylized flourish and a date '6/18/14'.

Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

**STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793**

October 15, 2013

RECEIVED

OCT 17 2013

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

12/02/13

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

Dear Mr. Hart:

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

Thank you for the opportunity to review this project. We have the following comments to offer:

1. National Pollutant Discharge Elimination System (NPDES) permit coverage maybe required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. Please provide more information on whether the wastewater generated will be discharged into the county sewer or private wastewater treatment plant. If you have any questions, please call Roland Tejano, Environmental Engineer, at 808 984-8232.
3. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. The Indoor & Radiological Health Branch should be contacted at 808 586-4700.

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Patti Kitkowski". The signature is written in a cursive style with a large, stylized "P" and "K".

Patti Kitkowski
District Environmental Health Program Chief

c: EPO



June 18, 2014

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

Dear Ms. Kitkowski:

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

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

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

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

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

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

*Comment 3. The noise created during the construction phase of the project may exceed the
maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46,*

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

"Community Noise Control". A noise permit may be required and should be obtained before the commencement of work. The Indoor & Radiological Health Branch should be contacted at 808-586-4700.

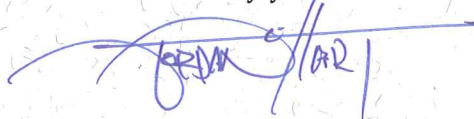
Response 3. The development of the proposed project will comply with the applicable provisions of Chapter 11-46, Hawaii Revised Statutes, pertaining to "Community Noise Control".

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

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

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

Sincerely yours,



Jordan E. Hart, President

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



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

In reply, please refer to:
File:

13-183
Piilani Promenade

September 27, 2013

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

Dear Mr. Hart:

**SUBJECT: Environmental Impact Statement Preparation Notice for Piilani Promenade
Maui, TMK: (2) 3-9-001: 016, 170-174**

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your letter regarding the above subject. Thank you for allowing us to review and comment on it. The document was routed to the Department of Health's Safe Drinking Water and Wastewater Branches. It was also sent to the Hazard Evaluation and Emergency Response Office and the County of Maui's District Health Office. They will provide specific comments to you if necessary. EPO recommends that you review the Standard Comments found on our website:

<http://health.hawaii.gov/epo/home/landuse-planning-review-program/>.

You are required to adhere to all Standard Comments specifically applicable to this application.

EPO suggests that you examine the many sources available on strategies to support the sustainable design of communities, including the:

- U.S. Environmental Protection Agency's report, "Creating Equitable, Health and Sustainable Communities: Strategies for Advancing Smart Growth, Environmental Justice, and Equitable Development" (Feb. 2013), <http://www.epa.gov/smartgrowth/pdf/equitable-dev/equitable-development-report-508-011713b.pdf>;
- U.S. Environmental Protection Agency's sustainability programs: www.epa.gov/sustainability/;
- U.S. Green Building Council's LEED program: www.usgbc.org/leed; and
- World Health Organization, www.who.int/hia.

The DOH encourages everyone to apply these sustainability strategies and principles early in the planning and review of projects. We also request that for future projects you consider conducting a Health Impact Assessment (HIA). More information is available at www.cdc.gov/healthypplaces/hia.htm. We request you share all of this information with others to increase community awareness on sustainable, innovative, inspirational, and healthy community design.

We wish to receive notice of the environmental assessment's availability when it is completed. We request a written response confirming receipt of this letter and any other letters you receive from DOH in regards to this submission. You may mail your response to: 919 Ala Moana Blvd., Ste. 312, Honolulu, Hawaii 96814. However, we would prefer an email submission to epo@doh.hawaii.gov. We anticipate that our letter(s) and your response(s) will be included in the final document. If you have any questions, please contact me at (808) 586-4337.

Mahalo,

Laura Leialoha Phillips McIntyre, AICP
Manager, Environmental Planning Office

RECEIVED

OCT - 3 2013

c: Mr. Daniel D. Orodener, Executive Officer, DBEDT

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Jordan, Glenn & Brett



June 18, 2014

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

Dear Ms. Leialoha Phillips McIntyre:

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

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

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

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

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

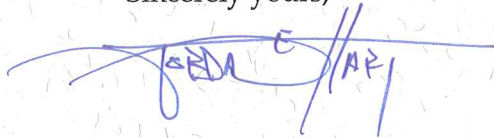
In addition to this original letter, a copy will be e-mailed to you at epo@doh.hawaii.gov.

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

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

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

Sincerely yours,



Jordan E. Hart, President

ENCLOSURES: (6)

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

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

In reply, please refer to:
File: SDWB

PiilaniPromenade01.docx

October 8, 2013

RECEIVED

OCT 11 2013

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Jordan, Glenn
Brett

Dear Mr. Hart:

13/02a

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

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

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

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

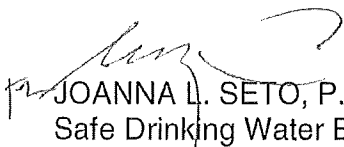
Mr. Jordan E. Hart
October 8, 2013
Page 3

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

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

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

Sincerely,


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

JN:slm

c: EPO #13-183



June 18, 2014

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

Dear Ms. Seto,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

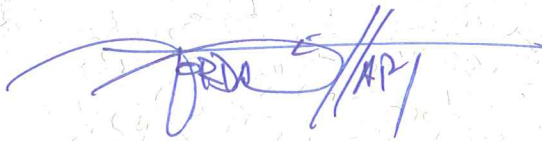
Ms. Joanna L. Seto, P.E. Chief
Safe Drinking Water Branch
Comment Response Letter
Piilani Promenade EISPN
June 18, 2014
Page 5 of 5

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

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

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

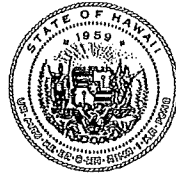
Sincerely yours,

A handwritten signature in blue ink, appearing to read 'J. Hart', with a long horizontal flourish extending to the right.

Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

In reply, please refer to:
EMD/CWB

09071PGH.13

September 26, 2013

RECEIVED

SEP 27 2013

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

Dear Mr. Hart:

*CC: Jordan, BMA
+Glenn
13/029*

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

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, which was received in our office on September 18, 2013, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at:
<http://health.hawaii.gov/epo/files/2013/05/CWB-standardcomment.pdf>.

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the CWB

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

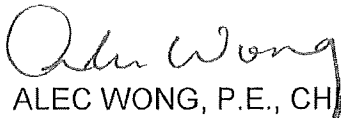
3. If your project involves work in, over, or under waters of the United States, it is highly recommend that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 438-9258) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

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

If you have any questions, please visit our website at:
<http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


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

GH:rh

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

In reply, please refer to:
EMD/CWB

10031PGH.13

October 9, 2013

RECEIVED

OCT 11 2013

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Jordan, Glenn
+ Brett

Dear Mr. Hart:

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

13/029

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, which was received in our office on September 18, 2013, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at:
<http://health.hawaii.gov/epo/files/2013/05/CWB-standardcomment.pdf>.

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the CWB

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

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

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

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

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



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

GH:rh

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



June 18, 2014

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

Dear Mr. Wong:

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

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

Comment 1. Any project and its potential impacts to State waters must meet the following criteria: a. Antidegradation policy (HAR, Section 11-54-1 .I), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected. b. Designated uses (HAR, Section 11 -54-3), as determined by the classification of the receiving State waters. c. Water quality criteria (HAR, Sections 1 1-54-4 through 1 1-54-8).

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

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

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

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

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

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

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

Comment 3. If your project involves work in, over, or under waters of the United States, it is highly recommend that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 438-9258) regarding their permitting requirements. Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401 (a)(1), a Section 401 Water Quality Certification (WQC) is required for "[any applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters ...]" (emphasis added). The term

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

"discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

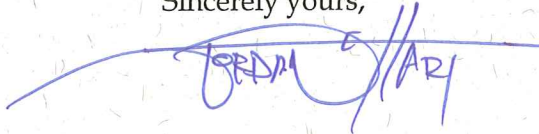
Response 3. The U.S. Army Corps of Engineers was provided with a copy of the EISPN as part of the consultation process for the preparation of the Draft EIS.

Comment 4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.

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

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

Sincerely yours,



Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

In reply, please refer to:
File:

13-970A CAB

November 13, 2013

RECEIVED

NOV 18 2013

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

*cc: Jordan, Glenn
& Brett*

Dear Mr. Hart:

SUBJECT: Environmental Impact Statement Preparation Notice
Piilani Promenade, Kihei, Maui

13/029

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

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

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

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

Sincerely,

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

BC:rg



June 18, 2014

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

Dear Mr. Hirai,

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

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

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Jordan E. Hart", with a stylized flourish extending from the end.

Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

In reply, please refer to:
File:

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

October 24, 2013

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

2013 OCT 28 A 9:30
LAND USE COM
MISSION
STATE OF H
AWAII

Dear Mr. Hart:

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

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

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

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

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

Sincerely,

SINA PRUDER, P.E., CHIEF
Wastewater Branch

LM/MST:lmj

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



June 18, 2014

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

Dear Mr. Pruder,

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

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

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

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

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

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

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Jordan E. Hart", with a horizontal line extending to the right.

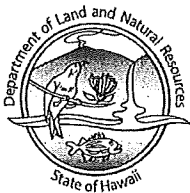
Jordan E. Hart, President

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

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 25, 2013

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

State of Hawaii
Department of Business, Economic Development & Tourism
Land Use Commission
Attention: Mr. Daniel E. Orodener, Executive Officer
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Dear Mr. Hart & Mr. Orodener;

SUBJECT: Pi'ilani Promenade

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on October 22 and October 23, 2013, enclosed are comments from the Commission on 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,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure(s)
cc: Central Files

RECEIVED

OCT 29 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Jordan, Matt
Glenn

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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


October 22, 2013

WILLIAM J. AILA, JR.
CHAIRPERSON
WILLIAM D. BALFOUR, JR.
KAMANA BEAMER
LORETTA J. FUDDY, A.C.S.W., M.P.H.
MILTON D. PAVAO
JONATHAN STARR
TED YAMAMURA

WILLIAM M. TAM
DEPUTY DIRECTOR

RECEIVED
LAND DIVISION
2013 OCT 24 PM 2:05
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

TO: Russell Tsuji, Administrator
Land Division

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

SUBJECT: Piilani Promenade Commercial and Multi-Family Residential EIS Prep Notice
Piilani, Maui

FILE NO.: N/A
TMK NO.: (2) 3-9-001:016, 170-174 Kihei, Maui

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/cwrm>.

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/programs/achieving-efficiency/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://landscapehawaii.org/library/documents/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/cwrn/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:

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

If there are any questions, please contact Charley Ice at 587-0218.



June 18, 2014

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

Dear Mr. Tam:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

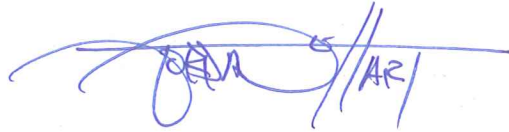
Mr. William M. Tam, D. Director
DLNR, CWRM Response Letter
Piilani Promenade DEIS
June 18, 2014
Page 3 of 3

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

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

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

Sincerely yours,



Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR



KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION

P.O. BOX 2360
HONOLULU, HAWAII 96804

RECEIVED

OCT 25 2013

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

October 23, 2013

CHRIS HART & PARTNERS INC.
Landscape Architecture and Planning

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

Dear Mr. Hart:

The Department of Education (DOE) is responding to your request for comments on the Pi'ilani Promenade project's Environmental Assessment/Environmental Impact Statement Preparation Notice (EISPN).

The DOE reviewed the EISPN and has only one concern at this point, we have not had any discussions with the developers of the project.

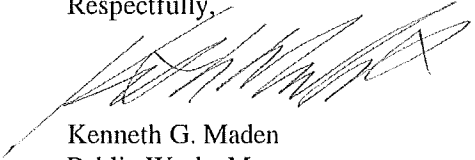
Pi'ilani Promenade North LLC and Pi'ilani Promenade South LLC, acknowledge their proposed project will be required to pay school impact fees. The school impact fee law, Chapter 302A-1601, Hawaii Revised Statutes (HRS), requires any developer of 50 or more residential units to have a written agreement with the DOE before the issuance of building permits, subdivision approval, and condominium property regime approval.

The EISPN states the applicant will coordinate with the DOE to determine the appropriate measure to be taken as required by Section 302A-1603(b), however that is the section that identifies the types of projects exempt from the law. We do not believe the Promenade project qualifies as an exempt project.

The DOE would like to know whether the project is located on lands formerly categorized as being in the Makawao Judicial District. That has bearing on which school impact fee cost area the project is in. Other details such as the acreage of the housing area and the size of the units would also be helpful.

If you have any further questions, please contact Heidi Meeker of the DOE's Facilities Development Branch at (808) 377-8301.

Respectfully,


Kenneth G. Maden
Public Works Manager
Planning Section.

KGM:jmb

c: Daniel E. Orodener, Executive Officer, State Land Use Commission



June 18, 2014

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

Dear Mr. Masden,

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

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

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

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

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

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

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

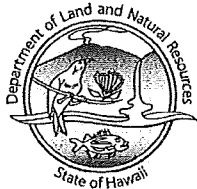
Sincerely yours,

A handwritten signature in blue ink, appearing to read "Jordan E. Hart", with a long horizontal flourish extending to the right.

Jordan E. Hart, President

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

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 23, 2013

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

State of Hawaii
Department of Business, Economic Development & Tourism
Land Use Commission
Attention: Mr. Daniel E. Orodener, Executive Officer
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Dear Mr. Hart & Mr. Orodener;

SUBJECT: Pi'ilani Promenade

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on October 22, 2013, 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,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure(s)
cc: Central Files

RECEIVED

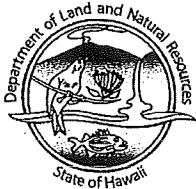
OCT 28 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
Cl: Jordan, Pratt + Glenn
13/029

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

September 19, 2013

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

FROM: Russell Y. Tsuji, Land Administrator
SUBJECT: Pi'ilani Promenade
LOCATION: Kihei, Island of Maui; TMK: (2) 3-9-001:016, 170-174
APPLICANT: Pi'ilani Promenade North LLC & Pi'ilani Promenade South LLC

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by October 21, 2013.

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.

Attachments

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

Signed:

Print Name:

Date:

Corty S. Chang, Chief Engineer
10/21/13

cc: Central Files

RECEIVED
LAND DIVISION
2013 OCT 23 AM 9:47
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LM/Lydia Morikawa

REF.: Piilani Promenade EISPN

Maui: 610

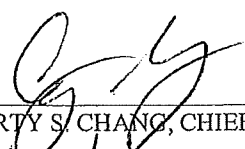
COMMENTS

- (X) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zones D and X. The National Flood Insurance Program does not have any regulations for developments within Zones D and 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 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 or Ms. Ardis Shaw-Kim at (808) 768-8296 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.
- () Ms. Carolyn Cortez at (808) 270-7813 of the County of Maui, Department of Planning.
- () Mr. Stanford Iwamoto at (808) 241-4884 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. Agraan of the Planning Branch at 587-0258.

Signed: 
CARY S. CHANG, CHIEF ENGINEER

Date: 10/21/13



June 18, 2014

Mr. Carty S. Chang, Chief Engineer
State of Hawaii
Department of Land and Natural Resources
Engineering Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Chang,

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

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

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

Sincerely yours,

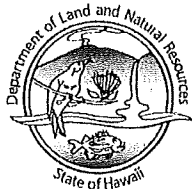
Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WILLIAM J. AHA, 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 22, 2013

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

State of Hawaii
Department of Business, Economic Development & Tourism
Land Use Commission
Attention: Mr. Daniel E. Orodener, Executive Officer
P.O. Box 2359
Honolulu, Hawaii 96804-2359

LAND USE COMMISSION
STATE OF HAWAII
2013 OCT 23 A 8:07

Dear Mr. Hart & Mr. Orodener;

SUBJECT: Pi'ilani 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, the DLNR has no comments to offer on the subject matter. If you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

cc: Central Files



June 18, 2014

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

Dear Mr. Tsuji,

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

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

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Jordan E. Hart', is positioned below the 'Sincerely yours,' text. The signature is fluid and cursive, with a long horizontal stroke extending to the left.

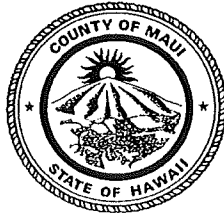
Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor

KYLE K. GINOZA, P.E.
Director

MICHAEL M. MIYAMOTO
Deputy Director



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

2200 MAIN STREET, SUITE 100
WAILUKU, MAUI, HAWAII 96793

October 24, 2013

TRACY TAKAMINE, P.E.
Solid Waste Division

ERIC NAKAGAWA, P.E.
Wastewater Reclamation Division

RECEIVED

OCT 25 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
Oct Jordan, Brett + Glenn

136029

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

Dear Mr. Hart:

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

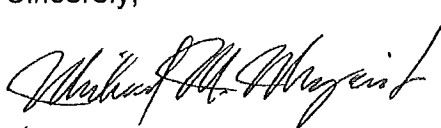
We reviewed the subject application and have the following comments:

1. Solid Waste Division comments:
 - a. Solid waste issues are addressed.
2. Wastewater Reclamation Division (WWRD) comments:
 - a. Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
 - b. Provide discussion and calculations (sewer impact study) to substantiate that the existing wastewater system is adequate to serve this project.
 - c. Wastewater contribution calculations are required before building permit is issued.
 - d. Developer shall pay assessment fees for treatment plant expansion costs in accordance with ordinance setting forth such fees. The property is located in Kihei Sewer Service Area 3.
 - e. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.

- f. Show or list minimum slope of new sewer laterals.
- g. Plans should show the installation of a single service lateral and advanced riser for each lot. Any request for waiver of this requirement shall be made submitted in writing for approval by WWRD.
- h. Property sewer service manholes will be required near the property line for all commercial projects at the time of building permit application.
- i. Indicate on the plans the ownership of each easement (in favor of which party). Note: County will not accept sewer easements that traverse private property.
- j. Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)
- k. Non-contact cooling water and condensate should not drain to the wastewater system.
- l. Provide an estimation of how much wastewater (gpd) will be generated from the development of the lots of the subject subdivision.
- m. Provide information on the proposed wastewater system improvements and how the wastewater from the subject subdivision will be discharged.
- n. Provide a 20 foot easement along Piilani Highway for future sewer transmission line.
- o. Provide 10,000 s.f. lot in the southwest corner of the development for future wastewater pump station.
- p. Provide for sewer connection for future development of adjacent parcel TMK (2) 3-9-001:034.

If you have any questions regarding this memorandum, please contact Michael Miyamoto at 270-8230.

Sincerely,


KYLE K. GINOZA, P.E.
Director of Environmental Management



June 18, 2014

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

Dear Mr. Ginoza:

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

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

Wastewater Reclamation Division

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

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

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

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

Comment c. Wastewater contribution calculations are required before building permit is issued.

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

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

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

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

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

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

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

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

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

Comment h. Property sewer service manholes will be required near the property line for all commercial projects at the time of building permit application.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

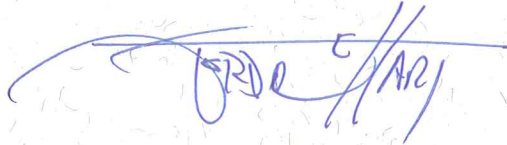
Comment p. Provide for sewer connection for future development of adjacent parcel TMK (2) 3-9-001:034.

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

Mr. Kyle K. Ginoza, P.E., Director
DEM Response Letter
Piilani Promenade DEIS
June 18, 2014
Page 5 of 5

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "J. Hart", with a date "5/18/14" written to the right of the signature.

Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET, ROOM NO. 434, WAILUKU, MAUI, HAWAII 96793

Telephone: (808) 270-7845 • Fax: (808) 270-7955

October 15, 2013

GLEN A. UENO, P.E., P.L.S.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

cc: Jordan, Glenn
Brett
13/051

Mr. Jordan E. Hart, President
CHRIS HART & PARTNERS, INC.
115 North Market Street
Wailuku, Maui, Hawaii 96793-1717

Dear Mr. Hart:

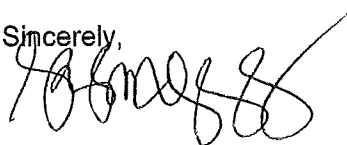
**SUBJECT: ENVIRONMENTAL IMPACT STATEMENT PREPARATION
NOTICE FOR PIILANI PROMENADE;
TMK: (2) 3-9-001:016, 170-174**

We reviewed the subject application and have the following comments:

1. The applicant shall be responsible for all required improvements as required by Hawaii Revised Statutes, Maui County Code and rules and regulations.
2. As applicable, construction plans shall be designed in conformance with Hawaii Standard Specifications for Road and Bridge Construction dated 2005 and Standard Details for Public Works Construction, 1984, as amended.
3. As applicable, worksite traffic-control plans/devices shall conform to Manual on Uniform Traffic Control Devices for Streets and Highways, 2009.

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

RECEIVED

OCT 23 2013

DCG:RMDA:ls

xc: Highways Division
Engineering Division

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CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning



June 18, 2014

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

Dear Mr. Goode,

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

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

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

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

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

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

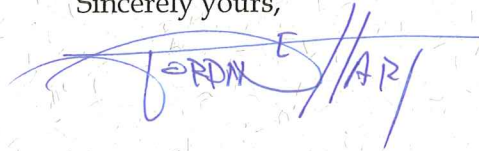
Mr. David C. Goode, Director
DPW Response Letter
Piilani Promenade DEIS
June 18, 2014
Page 2 of 2

Comment 3. As applicable, worksite traffic-control plans/devices shall conform to Manual on Uniform Traffic Control Devices for Streets and Highways, 2009.

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

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

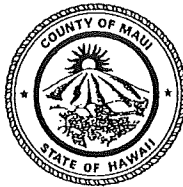
Sincerely yours,



Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor



DEPARTMENT OF PARKS & RECREATION

700 Hali'a Nako Street, Unit 2, Wailuku, Hawaii 96793

GLENN T. CORREA
Director

BRIANNE SAVAGE
Deputy Director

(808) 270-7230
FAX (808) 270-7934

October 21, 2013

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

Dear Mr. Hart:

**SUBJECT: ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT
STATEMENT PREPARATION NOTICE (EISP) FOR THE PIILANI
PROMENADE, TMK: (2) 3-9-001:016, 170-174**

Thank you for the opportunity to review the Environmental Impact Statement Preparation Notice for the subject project. The Piilani Promenade project is subject to parks and playgrounds assessment requirements pursuant to Section 18.16.320, Maui County Code. The applicant should coordinate discussion with our Department on how these requirements will be satisfied.

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

Sincerely,

Brianne Savage
FOR
GLENN T. CORREA
Director of Parks and Recreation

c: Brianne Savage, Deputy Director
Robert Halvorson, Chief of Planning and Development
Daniel E. Orodener, State of Hawaii Land Use Commission

GTC:RH:kp

2013 OCT 24 A 7:07
LAND USE COMMISSION
STATE OF HAWAII



June 18, 2014

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

Dear Mr. Correa,

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

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

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

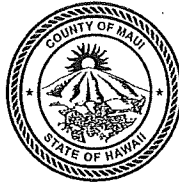
Sincerely yours,

A handwritten signature in blue ink, which appears to read 'JRDH / AR', is written over a horizontal line.

Jordan E. Hart, President

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

ALAN M. ARAKAWA
MAYOR



JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY
FIRE PREVENTION BUREAU

313 MANEA PLACE + WAILUKU, HAWAII 96793
(808) 244-9161 + FAX (808) 244-1363

RECEIVED

OCT - 2 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

*CC: Jordan Glenn
+ Brett*

131029

September 30, 2013

To : Mr. Jordan E. Hart
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, HI 96793

Re : Piilani Promenade
Environmental Impact Statement Preparation Notice (EISPN)
Wailea Ike Drive, Wailea
(2) 2-1-008: 121 Portion

Dear Brett:

Thank for the allowing the Department of Fire and Public Safety the opportunity to comment on the referenced subject. At this time, our office provides the following comments:

- Water supply for fire protection and access roads for fire apparatus access shall meet the requirements for the designated land-use and shall be in place prior to approval of building permits.
- Our office reserves the right to comment on all proposed buildings for this project during the building permit review process when fire department access, water supply for fire protection, and life safety requirements for each structure shall be addressed.

If there are any questions or comments, please feel free to contact me at 244-9161 ext. 23.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Haake".

Paul Haake
Captain, Fire Prevention Bureau

Cc: Land Use Commission – Dept. of Business, Economic Development & Tourism
Mr. Daniel E. Orendenker – Executive Officer



June 18, 2014

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

Dear Captain Haake,

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

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

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

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

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

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

Mr. Paul Haake, Captain
Fire Prevention Bureau Response Letter
Piilani Promenade DEIS
June 18, 2014
Page 2 of 2

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

Sincerely yours,



Jordan E. Hart, President

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



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
HOUSING DIVISION
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor
JO-ANN T. RIDAO
Director
JAN SHISHIDO
Deputy Director

35 LUNALILO STREET, SUITE 102 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7351 • FAX (808) 270-6284

September 24, 2013

RECEIVED

SEP 30 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Jordan, Brett Glenn

13/051

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

Dear Mr. Hart:

**Subject: Environmental Impact Statement Preparation Notice (EISPN)
for Pi'ilani Promenade of Maui, Hawaii. TMK's (2) 3-9-001:016,
170-174**

Thank you for the opportunity to review the Environmental Impact Statement Preparation Notice for the subject property. Based on our review, we have determined that the subject project is subject to Chapter 2.96, Maui County Code that a Residential Workforce Housing agreement is required with the Department of Housing and Human Concerns. At the present time, the Department has no additional comments to offer.

Please call Mr. Veranio Tongson Jr. of our Housing Division at 270-1741 if you have any questions.

Sincerely,

WAYDE T. OSHIRO
Housing Administrator

cc: Director of Housing and Human Concerns
Land Use Commission



June 18, 2014

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

Dear Mr. Oshiro,

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

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

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

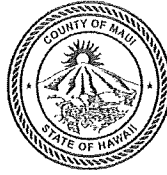
Sincerely yours,

A handwritten signature in blue ink, appearing to read "Jordan E. Hart", is written over a horizontal line.

Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor



JO ANNE JOHNSON-WINER
Director
MARC I. TAKAMORI
Deputy Director
Telephone (808) 270-7511

DEPARTMENT OF TRANSPORTATION

COUNTY OF MAUI
200 South High Street
Wailuku, Hawaii, USA 96793-2155

September 20, 2013

Mr. Jordan Hart
Chris Hart & Partners Inc.
115 N Market Street
Wailuku, Maui, Hawaii 96793

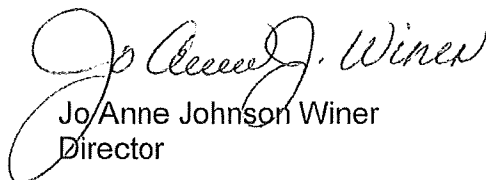
Subject: Piilani Promenade

Dear Mr. Hart,

Thank you for the opportunity to comment on this project. We have no comments to make at this time.

Please feel free to contact me if you have any questions.

Sincerely,


Jo Anne Johnson Winer
Director

RECEIVED

SEP 26 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
Cl Jordan, Glenn & Brett
12/02/13



June 18, 2014

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

Dear Mrs. Johnson Winer,

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

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

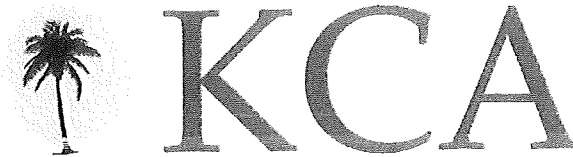
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Jordan E. Hart', followed by the date '6/18/14'.

Jordan E. Hart, President

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



Kihei Community Association
"Working together to shape our Community's future"

RECEIVED

OCT 21 2013

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Jordan, Brett

Glenn

13/02/19

State of Hawaii, Land Use Commission
Department of Business, Economic Development and Tourism
State of Hawaii
P.O. Box 2359
Honolulu, HI 96804-2359

✓ Jordan Hart
Chris Hart and Partners
115 N. Market Street
Wailuku, HI 96793

Piilani Promenade North LLC and Piilani Promenade South LLC
C/O Sarofim Realty Advisors
8115 Preston Rd, Ste 400
Dallas Texas 75225

Subject: Docket No. A94-706/Ka'ono'ulu Ranch

Environmental Impact Statement Preparation Notice (EISPN) - Piilani
Promenade; TMK 3-9-01:16 and 170-174

Gentlemen,

The Kihei Community Association has reviewed the subject EISPN and provides our comments in Enclosure 1.

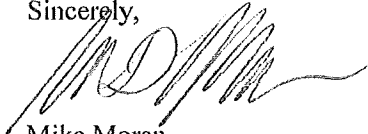
We are especially concerned that the Note under the Community Plan Amendment section of the Entitlements and Approvals is incorrect. This proposed project has never been determined by the County to be consistent with the Kihei-Makena Community Plan. Zoning for an industrial park was determined to be consistent with the Community Plan, based on the Environmental review for the previous Industrial Park project. A proposed project similar to this one, was cleared for zoning, but never reviewed for consistency with the Community Plan.

This is a new project, so the process must require that the Community Plan be updated to reflect the proposed project, as was done with the original project. Furthermore, as identified in our comments, the changes to the Community Plan are not just to the land use map, but also to many of the textual requirements in the Goals, Objectives and Policies section of the

plan with which this project is not in compliance. Then the Zoning must be changed to ensure consistency with the Community Plan and the Final EIS.

We appreciate being involved during the early consultation process and look forward to continuing as a consulting agency in this process.

Sincerely,

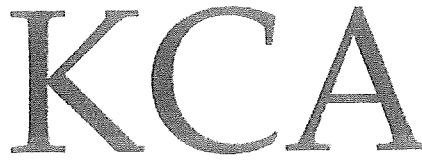
A handwritten signature in black ink, appearing to read 'Mike Moran', with a stylized, flowing script.

Mike Moran
President

Copy to:

Mayor Arakawa

Council member Couch



Kihei Community Association
"Working together to shape our Community's future"

**KCA Comments on the EIS Preparation Notice
for Pi'ilani Promenade
October 14, 2013**

The Kihei Community Association (KCA) would like to submit comments on the following sections of the Pi'ilani Promenade EISPN dated August 15, 2013 and released on September 23, 2013.

II. Affected Environment, Potential Impacts and Mitigation Measures

A. Physical Environment

5. Flora and Fauna

The EISPN states that the project site is vacant land with minimal vegetation.

Please include in the draft EIS that this signifies limited rainfall at the site, and therefore the applicant's landscape design shall emphasize drought tolerant vegetation to limit irrigation required.

10. Visual Resources

The EISPN states that the site offers views of the Pacific Ocean, Molokini Crater, Ko'olawe, Lanai, the West Maui Mountains, and Haleakala.

Please include in the draft EIS that the applicant will design the development to take advantage of and enhance these views that are crucial to our tourist industry and therefore to our economy.

B. SocioEconomic Environment

3. Economy

The EISPN states that the County faces a challenge to increase living wage jobs and that development will increase long-term permanent employment.

Please include in the draft EIS an analysis of the potential jobs created by the project and identify potential mitigations that the applicant can use to provide long term employment that will maximize living wage jobs compared to the typical minimum-wage retail positions.

C. Public Services

6. Public Transportation

The EISPN states that the applicant will coordinate with the County on construction of future Maui bus stops.

Please include in the draft EIS potential mitigations that the applicant will include such as completely off-road bus turnouts or full-size bus stops within their site design.

D. Infrastructure

1. Roadways

The EISPN states that the Traffic Impact Analysis Report (TIAR) that was prepared previously will be revised.

The TIAR should define the current traffic conditions without the project. It should then provide a cumulative traffic projection and its impacts from the fully developed project and all the Kihei road systems both existing and proposed from the fully developed project. The traffic analysis for the fully developed project should include the traffic from all of the approved developments to date and those that would be likely in the next 20 years.

The TIAR should at least include the following approved developments: The Makena Developments (3700+/- units), Honua'ula, Wailea Resort, Maui Research and Technical Park, Kihei Downtown Center, Kihei High School, Honua'ula Affordable Housing, Kihei Mauka, North Kihei Housing, Kaiwahine Village, PulehuNui Industrial Area, Entitled South Maui Infill Projects, and Partly Entitled South Maui Infill Projects.

The traffic Impact Analysis should assume the complete up country highway and include mitigation required for the improvement of the intersections of Kaonoulu Street and the Piilani Highway and of Kaonoulu Street and South Kihei Road.

Please include in the TIAR the mitigation that the design of roadways within the development as well as public roads impacted by the development will meet the Hawaii State criteria for Complete Streets (providing for pedestrian and bicycle traffic in addition to motorized vehicles), the Kihei Road Design Standards* and the Green Streets criteria.**

Analyze roadway intersections with the intent to use roundabouts and mini roundabouts in lieu of signalized and stop sign intersections to conform to with Kihei-Makena Community Plan goals and implementing actions for a pedestrian oriented, walkable community.

Analyze the compliance of the project with the following section of the Kihei Design Guidelines:

Pedestrian and Community Safety and De-emphasis of the Automobile

*New developments shall provide measures for pedestrian and biking safety and deemphasize the automobile. Roadway standards have been developed by the KCA for use in new developments that provide for a narrowing of roadway widths thereby reducing traffic speed and creating a smaller scale and sense of place suitable for small towns and neighborhoods, (The complete Roadway Standards are available upon request). All roadways shall have street shade trees and planted separations between walkways and the street curbs. Roadways shall incorporate tree planted bulb out areas where parallel parking is included. Neighborhood roads should provide connectivity to adjacent neighborhoods. Crosswalks through roadways should be slightly elevated as a table; a change in texture and color from asphalt is preferred. Neighborhood developments should not place garage door entrances in front yards near the streetscape and should incorporate front porches and/or high visibility of streetscape from homes. Privacy walls at streetscape are discouraged.****

2. Utilities

The EISPN states that potential impacts to utilities will be analyzed in a Preliminary Engineering Report.

Please include in the draft EIS the mitigation that all utilities on or crossing the site will be placed underground.

3. Drainage

The EISPN states that the draft EIS will analyze existing site conditions and anticipated changes in storm-water runoff.

This project will result in less ground for the percolation of storm water into the ground water. The drainage from this project will likely contribute to additional flooding in North Kihei. The existing 100 yr flood flow from the flood channel serving the project causes downstream flooding, silt flow into the ocean, and damage to the ocean reefs and ecological systems.

Please discuss the cumulative effects per the Hawaii State Office of Planning document *Stormwater Impact Assessments* from the storm runoff and propose mitigation to lessen the impacts downstream and the summary of actions stipulated in the South Maui Watershed Plan II.****

Please analyze the compliance of the project with the following section of the Kihei Design Guidelines:

Open Space Drainage Ways and Flood Control

Major natural drainage ways shall remain undeveloped with a significant buffer to provide for visual open space and connectivity of neighborhoods to beaches, parks, schools, and commercial areas for pedestrians and bikers. Drainage ways left in a natural state or with native vegetation will aid in abating the serious flood problem that Kihei faces as a result of

*uncontrolled development. Detention and/or retention basins that may be required for maintaining the control of on-site runoff generated from proposed developments shall be substantially completed in their construction and improved with landscape and native vegetation prior to significant clearing, grubbing, grading, and building construction on the site.****

4. Water

The EISPN states that the draft EIS will analyze current water source and transmission requirements for the proposed project.

Please include in the report the cumulative impact of all identifiable future developments be included, specifically for Kihei High School and for Maui Technology Park additions. This development along with other increases in water demand in Kihei will cause further degradation of our aquifers with increased salinity. The mitigation for the rising salinity levels should be addressed.

In order to protect our water supply with new development, this project should consider as part of its mitigation the utilization of wastewater for irrigation.

III Relationship to Governmental Plans, Policies and Controls

D. Kihei-Makena Community Plan

The EISPN states that the applicant is considering applying for a Community Plan Amendment.

The Note under the Community Plan Amendment section of the Entitlements and Approvals is incorrect. This proposed project has never been determined by the County to be consistent with the Kihei-Makena Community Plan. Zoning for an industrial park was determined to be consistent with the Community Plan, based on the Environmental review for the previous Industrial Park project. A proposed project similar to this one, was cleared for zoning, but never reviewed for consistency with the Community Plan.

Since the previously proposed project did not comply with several conditions of the previous LUC approval, this is now a different project.

Please note that the EIS must consider it in that light. Furthermore, since this is a new project, the process will require that the Community Plan be updated to reflect the proposed project, as was done with the original project. Then the Zoning must be changed to ensure consistency with the Community Plan.

Please include in the draft EIS either specific plans to change the project land use to comply with the Kihei-Makena Community Plan or, if the project land use is to be as proposed, to apply for an amendment to the Community Plan and to apply for a change in zoning from Light Industrial to the proposed Commercial and Residential uses.

The Kihei-Makena Community Plan now states:

Environment

Implementing Actions

k. Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway... These areas should limit retail business or commercial activities to the extent they are accessory or provide service to predominate light industrial use.

The proposed design does not meet these requirements. New design guidelines should be developed as part of the Community Plan amendment.

The published Kihei Design Guidelines currently support this type of development as follows:

Commercial and High Density Developments

*Developments should orient building fronts toward the streetscape with parking in the rear or side of buildings away from the streetscape and pedestrian access ways. Wide sidewalks at streetscapes with ample canopy on buildings should be incorporated. Streetscapes and sidewalks should include benches and shade trees. Buildings should have a comfortable scale relationship with the streetscape and sidewalks. Buildings at streetscapes are preferred to be three stories maximum with a massing progression of setting back the third level from the lower two. Mixed use buildings are highly encouraged in order to integrate the residential community into commercial neighborhoods. There should be transition in scale of buildings and their appearance as commercial areas meet residential areas. Commercial zoned lots adjacent to residential shall be limited to two stories and incorporate residential style massing and detailing. Village type commercial areas encouraging pedestrian activity and walk ability within the community are given preference. Signage and building design should be geared toward the pedestrian and slow speed traffic not high speed traffic. ****

* http://www.getfitkauai.com/pdf/Hawaii_Complete_Streets_report_Dec-2011.pdf

** <http://www.lowimpactdevelopment.org/greenstreets/>

*** <http://www.gokihei.org/wp-content/uploads/2010/04/general-planning-guidelines-rev2.pdf>

**** <http://www.mauiwatershed.org/project/>



KIHEI COMMUNITY ASSOCIATION
POSITION STATEMENT
ADDRESSING SOUTHWEST MAUI'S WATER SUPPLY

KCA is concerned about the integrity and sustainability of Maui's water supply and in particular Southwest Maui's water supply. In Southwest Maui development proceeds with no new water resources identified. Our present usage of water sources exceeds our ability to sustain the water supply; therefore, it is KCA's position that timely action needs to be undertaken as soon as practical. Items to address:

1. Update Maui County's 23 year old Water Use and Development Plan (WUPD) to be in touch with current circumstances, expected future demand and the effects of a changing (drier) climate.
2. Increase utilization of "waste water" in Southwest Maui as well as other areas of Maui.
3. Complete the Southwest Maui (Kihei) storm drain master plan. Attempt to capture storm runoff for use as water supply and/or to recharge our aquifers.
4. Develop and implement a water conservation plan for new development as well as existing uses.
5. Restrict new development that will cause further degradation of our aquifers with increased salinity and remediate the causes of rising salinity levels.
6. Continue to monitor salinity levels in our aquifers and take specific actions to stabilize them for the benefit of current and future users.

KCA's position is based on the following assumptions and facts:

- Southwest Maui is essentially a desert without its own independent water supply. Its water needs are currently met by access to water from the West Maui aquifer system.
- Southwest Maui sits on top of the Kamaole aquifer, a brackish aquifer at lower elevations. Confidence in its sustainable yield estimation is categorized at the lowest level of certainty.
- Salinity levels in the West Maui aquifer system have been rising consistently over a long period of time based on credible data provided by the USGS.
- Southwest Maui and other parts of the Hawaiian Islands have been in prolonged drought. Rainfall over the Hawaiian Islands has been in decline since 1978. This spring, 2013, rainfall in Maui County was the lowest recorded in modern history.

- Maui County's Water Use and Development Plan (WUPD) is 23 years old and is no longer a relevant planning document, both in terms of the current situation and the expected future.
- Significant development of Southwest Maui land looms both in terms of already approved developments and significant new developments, including expansion of the R&T Park, construction of a new high school, and development of the 88 acre Kaonoulu Industrial Park property, Makena Resort, and Honua'ula.

Mike Moran for KCA www.gokihei.org kca@gokihei.org



June 23, 2014

Mr. Mike Moran, President
Kihei Community Association
P.O. Box 662
Kihei, HI 96753

Dear Mr. Moran,

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

Thank you for your letter of October 14, 2013. In response to your enumerated comments we would like to note the following.

Comment 1. Please include in the draft EIS that this signifies limited rainfall at the site, and therefore the applicant's landscape design shall emphasize drought tolerant vegetation to limit irrigation required.

Response 1. The Applicant is aware that the project site receives limited rainfall. The landscape design for the project will utilize drought-tolerant plant species and other water conservation measures. In addition the project will be using non-potable water for all irrigation uses.

Comment 2. Please include in the draft EIS that the applicant will design the development to take advantage of and enhance these views that are crucial to our tourist industry and therefore to our economy.

Response 2. The Draft EIS will include a section on Visual Resources. The proposed project will be designed to be mindful of open space views on the *mauka* side of Pi'ilani Highway. Building height limits for the Pi'ilani Promenade will be limited to 60 feet.

Comment 3. Please include in the draft EIS an analysis of the potential jobs created by the

project and identify potential mitigations that the applicant can use to provide long term employment that will maximize living wage jobs compared to the typical minimum-wage retail positions.

Response 3. The Draft EIS will include an Economic Impact Analysis and Public Fiscal Assessment which will quantify the effect the proposed project is expected to have on the local and State economy.

Comment 4. Please include in the draft EIS potential mitigations that the applicant will include such as completely off-road bus turnouts or full-size bus stops within their site design.

Response 4. The Draft EIS will include a section on Public Transportation to address the location of public transportation within the Pi ilani Promenade project site. In connection with the future occupancy and use of the project, the Applicant will meet with the Maui Dept. of Transportation to discuss the possibility of establishing bus stops within the project site.

Comment 5. The TIAR should define the current traffic conditions without the project. It should then provide a cumulative traffic projection and its impacts from the fully developed project and all the Kihei road systems both existing and proposed from the fully developed project. The traffic analysis for the fully developed project should include the traffic from all of the approved developments to date and those that would be likely in the next 20 years. The TIAR should at least include the following approved developments: The Makena Developments (3700+/- units), Honua'ula, Wailea Resort, Maui Research and Technical Park, Kihei DOWNTOWN Center, 'Kihei High School, Honua'ula Affordable Housing, Kihei Mauka, No' & Kihei Housing, Kaiwahine Village, Pulehu Nui Industrial Area, Entitled South Maui Infill Projects, and Partly Entitled South Maui Infill Projects.

The traffic Impact Analysis should assume the complete upcountry highway and include mitigation required for the improvement of the intersections of Kaonoulu Street and the Pi ilani Highway and of Kaonoulu Street and South Kihei Road.

Please include in the TIAR the mitigation that the design of roadways within the development as well as public roads impacted by the development will meet the Hawaii State criteria for Complete Streets (providing for pedestrian and bicycle traffic in addition to motorized vehicles), the Kihei Road Design Standards and the Green Streets criteria.** Analyze roadway intersections with the intent to use roundabouts and mini roundabouts in lieu of signalized and stop sign intersections to conform to with Kihei-Makena Community Plan goals and implementing actions*

for a pedestrian oriented, walkable community.

Response 5. The Draft EIS for the Pi ilani Promenade will include a TIAR for the proposed project. The TIAR will include an analysis of existing conditions and projected traffic impacts from the proposed project and surrounding developments. The Draft EIS will also describe the proposed pedestrian and bicycle network.

Comment 6. *Analyze the compliance of the project with the following section of the Kihei Design Guidelines:*

*New developments shall provide measures for pedestrian and biking safety and deemphasize the automobile. Roadway standards have been developed by the KCA for use in new developments that provide for a narrowing of roadway widths thereby reducing traffic speed and creating a smaller scale and sense of place suitable for small towns and neighborhoods, (The complete Roadway Standards are available upon request). All roadways shall have street shade trees and planted separations between walkways and the street curbs. Roadways shall incorporate tree planted bulb out areas where parallel parking is included. Neighborhood roads should provide connectivity to adjacent neighborhoods: Crosswalks through roadways should be slightly elevated as a table; a change in texture and color from asphalt is preferred. Neighborhood developments should not place garage door entrances in front yards near the streetscape and should incorporate front porches and or high visibility of streetscape from homes. Privacy walls at streetscape are discouraged. ****

Response 6. The Draft EIS will analyze and discuss the proposed project in relation to the above-referenced section of the Kihei Design Guidelines.

Comment 7. *Please include in the draft EIS the mitigation that all utilities on or crossing the site will be placed underground.*

Response 7. All onsite utility systems serving the Piilani Promenade will be placed underground.

Comment 8. *Please discuss the cumulative effects per the Hawaii State Office of Planning document Storm Water Impact Assessments from the storm runoff and propose mitigation to lessen the impacts downstream and the summary of actions stipulated in the South Maui Watershed Plan II.*****

Response 8. The Draft EIS will describe the cumulative and secondary impacts of the proposed project including storm water runoff.

Comment 9. Please analyze the compliance of the project with the following section of the Kihei Design Guidelines:

*Open Space Drainage Ways and Flood Control Major natural drainage ways shall remain undeveloped with a significant buffer to provide for visual open space and connectivity of neighborhoods to beaches, parks, schools, and commercial areas for pedestrians and bikers. Drainage ways left in a natural state or with native vegetation will aid in abating the serious flood problem that Kihei faces as a result of uncontrolled development. Detention and/or retention basins that may be required for maintaining the control of on-site runoff generated from proposed developments shall be substantially completed in their construction and improved with landscape and native vegetation prior to significant clearing, grubbing, grading, and building construction on the site. * * **

Response 9. Kulanihakoi Gulch lies south of and adjacent to the project site. This large, natural drainageway will remain in its existing state and no water will be diverted or discharged into the gulch. Underground drainlines and detention basins will control and capture onsite runoff generated from the proposed development. The underground detention basins will be constructed concurrently with other major infrastructure systems for the project.

Comment 10. Please include in the report the cumulative impact of all identifiable future developments be included, specifically for Kihei High School and for Maui Technology Park additions. This development along with other increases in water demand in Kihei will cause further degradation of our aquifers with increased salinity. The mitigation for the rising salinity levels should be addressed.

Response 10. The Draft EIS will include a section on cumulative impacts and will discuss the cumulative effect that readily identifiable future development could have on water source and availability.

Comment 11. Please include in the draft EIS either specific plans to change the project land use to comply with the Kihei-Makena Community Plan or, if the project land use is to be as proposed, to apply for an amendment to the Community Plan and to apply for a change in zoning from Light Industrial to the proposed Commercial and Residential uses.

k. Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway. These areas should limit retail business or commercial activities to the extent they are accessory or provide service to predominate light industrial use.

The proposed design does not meet these requirements. New design guidelines should be developed as part of the Community Plan amendment. The published Kihei Design Guidelines currently support this type of development as follows:

Commercial and High Density Developments:

*Developments should orient building fronts toward the streetscape with parking in the rear or side of buildings away from the streetscape and pedestrian access ways. Wide sidewalks at streetscapes with ample canopy on buildings should be incorporated. Streetscapes and Sidewalks should include benches and shade trees. Buildings should have a comfortable scale relationship with the streetscape and sidewalks. Buildings at streetscapes are preferred to be three stories maximum with a massing progression of setting back the third level from the lower two. Mixed use buildings are highly encouraged in order to integrate the residential community into commercial neighborhoods. There should be a transition in scale of buildings and their appearance as commercial areas meet residential areas. Commercial zoned lots adjacent to residential shall be limited to two stories and incorporate residential style massing and detailing. Village type commercial areas encouraging pedestrian activity and walk ability within the community are given preference. Signage and building design should be geared toward the pedestrian and slow speed traffic not high speed traffic. ****

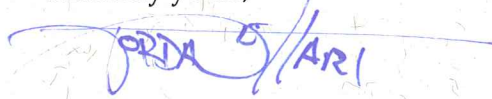
Response 11. Your comments regarding the Kihei Makena Community Plan ("KMCP") are duly noted. The Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance to the Kihei-Makena Community Plan. The forthcoming Draft EIS will include an analysis of how the proposed project meets the goals and objectives, and complies with the KMCP, including those sections cited in your letter. In addition, the Draft EIS will discuss, as a possible alternative, the amendment of the KMCP in the "unresolved issues" section of the Draft EIS.

As will be more extensively discussed in the Draft EIS, the Piilani Promenade supports the Kihei Design Guidelines. The project's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) integrating pedestrian-oriented streets, street trees, sidewalks, and traffic calming, 3) both striped and separated bike lanes in appropriate locations, 4) supporting connectivity to adjacent developments including Kihei High School and land uses *makai* of Piilani Highway.

In addition, transportation demand management measures include: 1) encouraging alternate work schedules and off-peak hours for employment generators; 2) supporting park and ride, ridesharing, carpooling and van pooling; and 3) the Applicant will meet with the Maui Dept. of Transportation to discuss the possibility of establishing bus stops within the project site.

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

Sincerely yours,



Jordan E. Hart, President

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

I've been a resident of Maui for well over 20 years and have lived on Ahaaina Way, 1 block makai of Piilani Highway and a few blocks north of Kaonoulu... for 12 years. I am dismayed at the thought of a huge project disrupting this, primarily, residential neighborhood. This is not "light industrial" and minimal commercial use. I'm even more troubled by the fact that Kihei-Makena Community Plan, which, I understand, has legal precedence, can easily be thrown away and not even be discussed or considered. It must be dealt with as it is an integral part of this process. And --- when will the input of the community be considered???

Also – using 13 acres to build 250 “affordable housing” units, that was supposed to be part of the Wailea 670 project? And not taking that into consideration in the environmental study???? WRONG!!! NOT PONO! SAD!

What is being forced upon Kihei --- Maui – and our environment is NOT PONO! Forget water – there won't be any. Forget our ocean – and the impact of runoff. Forget the traffic and horrendous congestion it will cause. Remember the flooding in Kahana – with those developments?? Light industrial use would not cause these problems. (I think that was understood with the original permits ..which now mean nothing!)

YOU MUST make amending the Kihei-Makena Community Plan and the 13 acres proposed for Wailea 670 affordable housing (far from Wailea) part of your discussions!

AND NOW – FOR THE REST OF THE STORY!!

I've owned a business in Kihei for 22 years. We have Longs shopping center – Azeka shopping centers and many other shops on South Kihei Rd. THIS WILL HAVE A DIRECT NEGATIVE IMPACT ON EXISTING BUSINESSES..

You MUST take all the correct steps to be sure that due process is observed!

Thank you,
Lila Sherman
172 Ahaaina Way
Kihei.



June 19, 2014

Ms. Lila Sherman
172 Ahaaina Way
Kihei, HI 96753

Dear Ms. Sherman,

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

Thank you for your e-mail of October 23, 2013 providing comments on the proposed project. In responding to your comments, we would like to note the following.

A copy of the Draft EIS will be provided to you when it becomes available. The Draft EIS will evaluate potential impacts to the environment, including those identified in your letter, and will also include a discussion of the Kihei-Makena Community Plan.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Jordan E. Hart', is written over a horizontal line. The signature is stylized and includes a date '5/1/14' written in the middle.

Jordan E. Hart, President

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

RECEIVED

OCT 16 2013

South Maui Citizens for Responsible Growth
4320 E. Waiola Loop
Kihei, Hawaii 96753
hydem001@hawaii.rr.com
(808) 344-3358

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
C. Jordan, Glenn
+ Brett
131029

October 14, 2013

Applicant:
Pi'ilani Promenade North LLC & Pi'ilani
Promenade South LLC
c/o Sarofin Realty Advisors
8115 Preston Road, Suite 400
Dallas, Texas 75225

Accepting Authority:
Land Use Commission
Department of Business
& Economic Development
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Consultant:
Chris Hart & Partners, Inc.
Attn: Jordan Hart
115 North Market Street
Wailuku, Hawaii 96793

Re: EISPN for Pi'ilani Promenade
TKM: (2) 3-9-001: 016, 170-174

Dear Sirs and Madams,

South Maui Citizens for Responsible Growth (SMCRG) submits the following comments to the Environmental Impact Statement Preparation Notice (EISPN) for Piilani Promenade dated August 14, 2013. In addition, a series of questions are posed that are attached for which SMCRG seeks answers as part of the environmental review process.

1. The Proposed Action described in the EISPN does not comply with the 1998 Kihei Makena Community Plan (KMCP); the KMCP has the Force and Effect of Law and must be amended if the Proposed Action is to Proceed; All LUC Decisions and Orders Must Conform to the Hawaii State Plan (HRS 205-16); The Hawaii State Plan Includes County General and Community Plans

to the predominate light industrial use. These actions will place industrial use near existing and proposed transport arteries for the efficient movement of goods.” (KMCP, p. 16, paragraph k.)

The Proposed Action described in the EISPN calls for PPS to develop its portion of the property into 100% retail use; PPN proposes to develop its property into 200 multi-family units, business commercial uses and a small portion for light industrial use. (See Figure 4.) These uses are at odds with the Land Use Map and the light industrial use clearly articulated for the property in the community plan.

(3) The KMCP Calls for Development of Commercial Services in Four Distinct Districts, All *Makai* of Pi’ilani Highway.

The KMCP states the following about development of commercial services in the Kihei area:

“Develop commercial services at the following locations to meet community needs:

- 1) North Kihei, between the existing South Kihei Road, Pi’ilani Highway and Uwapo Road.
 - 2) A central business and commercial center for Kihei clustered about the South Kihei Road/Road “C” intersection.
 - 3) In existing commercially zoned areas along South Kihei Road in the vicinity of Kalama Park.
 - 4) Along South Kihei Road opposite the Kama’ole beach parks.”
- (KMCP, pp. 17-18.)

All four locations are *makai* of Pi’ilani Highway. The zones represent the community’s desire to create community centers and avoid sprawl. The development described in the EISPN violates this key community plan concept and would necessarily lead to commercial sprawl to the detriment of the community and the wishes of its citizens that is imbedded in a lawfully adopted county ordinance that is law.

B. The KMCP Has the Force and Effect of Law and Must be Amended if the Development is to Proceed

The Hawaii Supreme Court said the following about the KMCP in *Gatri v. Blane*:

“The KMCP was adopted after extensive public input and enacted into law by the Maui County Council on July 17, 1985 as an amendment to section 2.80.050 of the Maui County Code. It is part of the general plan of Maui County. Therefore, it has the force and effect of law and a proposed development which is inconsistent with the KMCP may not be awarded an SMA permit without a plan amendment.”

The county has erroneously contended, and continues to contend, that *Gatri* only applies to properties subject to SMA rules and regulations. The words of the court quoted above are without this reservation, however. Furthermore, in a subsequent case, *Leone v.*

For all the above reasons, the proposed development cannot proceed unless the KMCP is amended to permit what would be a radical departure from the existing, lawful community plan.

C. All LUC Decisions and Orders Must Conform to the Hawaii State Plan (HRS 205-16); The Hawaii State Plan Includes County General and Community Plans; PPN's and PPS's Proposed Property Uses Violate the KMCP and therefore Violate the Hawaii State Plan.

HRS 205-16 states: "No amendment to any land use district boundary *nor any other action by the land use commission* shall be adopted unless such amendment or other action conforms to the Hawaii state plan." (Emphasis added.)

The Hawaii State Plan includes county general plans. (See, for instance, State of Hawaii's Office of Planning's website description of the statewide planning system; also see HRS 226-58, which is part of the Hawaii State Planning Act.)

The KMCP is part of Maui County's General Plan. (Maui County Charter Section 8-8-5. subsection 6: "The community plans generated through the citizen advisory councils and adopted by the planning commission, council and mayor, are part of the general plan.")

For these reasons, the LUC cannot accept any EIS, nor may it issue any order in this case, inconsistent with the explicit language of the KMCP that requires development of the land owned by PPN and PPS into a light industrial park.

2. The Proposed Action Described in the EISPN is Inconsistent with Light Industrial Zoning; a Change in Zoning is Required

The EISPN erroneously states "The proposed project will be developed in accordance with the requirements of the M-1 Light Industrial District." (EISPN, p. 16.) This is an impossibility because, according the Maui County Code and common sense, light industrial zones are designed to contain mostly typical light industrial uses:

"19.24.010 Purpose and Intent. The M-1 light industrial district is designed to contain mostly warehousing and distribution types of activity, and permits most compounding, assembly, or treatment of articles or materials with the exception of heavy manufacturing and processing of raw materials. Residential uses are excluded except for dwelling units located above or below the first floor and apartments." (Emphasis added.)

Since PPS intends to develop its two parcels entirely into business and commercial uses (Figure 4), these uses clash with the Purpose and Intent clause contained in Maui County Code section 19.24.010. This is particularly true when one considers that zoning *must be consistent* with community plans and the KMCP specifically reserves the subject property for typical light industrial uses narrowly defined at page 55 of the plan.

local government is bought, whether true or not. Democracy is a delicate thing, largely dependent on assiduous application of the rule of law and fair dealing.

4. Economic Analysis Must Extend Beyond Discussion of Short Term Construction Jobs and Tax Revenue Arising From the Proposed Development

Any economic analysis done for the proposed development must include impact on existing retail shops and shopping centers, both in Kihei and central Maui. Vacancies abound in the nearby Azeka shopping centers, Kamaole Shopping Center, Kukui Mall, Wailea Town Center, Wailea Gateway Center, Wailea Shopping Center, and the Queen Kaahumanu Shopping Center. Experts predict that online shopping will continue to take greater portions of retail sales from brick and mortar stores in the future. How will this trend affect retail store and shopping center health? How will the development of the new Target store and the large A&B Park in Puunene/Kahului affect the south Maui commercial real estate market and existing retailers and shopping centers? Are retail sales ever-expandable simply by addition of more retail space, or is demand bounded by other factors? This needs to be explored and explained, particularly in light of the glut of vacant retail space existing in the area and the potential for real economic harm should the proposed development cannibalize retail sales and lessees from existing, ailing shopping centers and retailers.

Additionally, any economic analysis must assess the Proposed Action's impact on south Maui's ability to realize the explicit commercial concentration scheme identified in the KMCP.

- Will the addition of another commercial center outside the four identified zones lead to lower rents and greater vacancy rates among existing stores and shopping centers, making it difficult, if not impossible, to develop much needed town centers *makai* of the highway?
- Will commercial real estate values fall throughout south Maui if the community cannot realize the development design embedded in the KMCP? Many modern community planning experts believe that towns with a sense of place (i.e., lively downtowns that are walk-able and bike-able) produce greater real estate and economic value than those that are without. If south Maui cannot achieve the vision described in the KMCP, what will the economic effect be?
- Finally, does a government's inability to implement a community plan according to law inevitably lead to lower economic outcome? Is this the concept behind the Countywide Policy Plan's statement that good governance includes the ability to effectuate the General Plan and laws, county policies and regulations governing land use? What are the negative economic consequences when local governments will not implement lawfully created community plans?

5. Safe Routes to School Need to Be Developed for *Mauka* Residences

8. Specific Questions

A. Pedestrian Safety and Walk-ability

1. Honua'ula Partners (HP) plans to build 250 workforce housing units on its parcel adjacent to the parcels owned by Piilani Promenade North, LLC (PPN) and Piilani Promenade, LLC (PPS). By access to readily available demographic and other public data:

(a) How many school age children are estimated to reside in the proposed 250 workforce housing units to be built by HP?

(b) How many school age children are estimated to reside in the 200 apartments proposed to be built by PPN?

(c) How many school age children currently live in neighborhoods *mauka* of Piilani Highway at this time?

(d) Describe where these children (those currently living in *mauka* neighborhoods as well as those anticipated to live in HP's 250 units and PPN's 200 apartments, referred to collectively as "The Children" hereafter) are expected to attend school, including elementary, middle and high school; indicate the number of The Children expected to attend each of these schools based on answers above.

(e) Describe the routes The Children are expected to take to get to and from each of these schools? Please provide a map showing the expected routes.

(f) What percent of The Children do you estimate will get to and from the above-mentioned schools by automobile?

(g) What percent of The Children do you estimate will get to and from the above mentioned schools by walking, biking or other means of transport other than by a motorized vehicle?

(h) Do you believe The Children currently living in neighborhoods *mauka* of Piilani Highway have, or in the case of those living in HPs and PPN.s units, will have, Safe Routes to School as defined by the federal Safe Routes to School Program?

(i) If any of The Children will not have Safe Routes to School as defined, what steps should be taken to give these youth safe routes to school?

(j) Does walking and biking to school, assuming safe means to do so, improve children's health (see U.S Centers for Disease Control and the U.C.L.A. school of public health studies and recommendations)? If so, what steps can be taken to encourage increased walking and biking to the schools mentioned above?

4. What are the known or estimated vacancy rates of each of these competing shopping centers?

5. What impact will PPN's and PPS's shopping centers have on shopping centers located within the proposed development's catchment area?

a. What percent of expected retail sales arising from the Pi'ilani Projects' shopping centers are estimated or likely to be entirely new sales that will not cannibalize sales that would otherwise be made by existing shopping centers and retailers in the Projects' catchment area?

b. What percent of expected retail sales arising from the Applicant's proposed shopping centers are estimated or likely to be cannibalized from existing shopping centers and retailers in the development's catchment area?

c. With respect to cannibalized sales, what impact will this have on existing shopping centers and retailers in the Pi'ilani Projects' catchment area?

6. What percent of space within the shopping center proposed by PPS is planned or expected to be occupied by "Big Box" national retailers?

7. What economic effect will Big Box retailers have on existing local businesses and shopping centers located within the development's catchment area?

8. Does Big Box sales revenue re-circulate in a community different from that generated by local retailers? How are they different and why? Is there a recirculation formula that quantifies this difference and if so, what does it reveal? Is the different recirculation positive or negative for the local economy and community?

9. Are the wages, salaries and benefits typically earned by an employees of Big Box retail stores equal to income earned by small business owners?

(a) If it is different, what is the expected impact Big Box stores will have on the incomes of local retailers within the Projects' catchment area?

10. Studies show that online retail sales have steadily increased over time in the recent past and that the percentage of "Etail" is expected to grow considerably in the near future? Assuming this trend continues, what impact will this have on the need for more brick and mortar retail space in south Maui?

11. Are retail sales ever expandable and largely dependent on how many square feet of shopping space exists in a community, or is the retail market bounded and governed by other factors?

1. Is it generally correct that sprawling communities produce less economic value than those that have vibrant downtowns and a “sense of place”?

2. Would you agree that the term “urban sprawl” includes, in part, the concept of development of new shopping centers on the outskirts of existing towns?

3. Are PPN’s and PPS’s projects on the outskirts of Kihei town, located in scrub ranchland and away from existing Kihei commercial centers and infrastructure, such as access to county water, county wastewater treatment, etc.

4. Aren’t the shopping centers proposed by PPN and PPS largely automobile-centric and automobile-dependent? Can this be mitigated to bring the proposed projects into compliance with the Maui County General Plan, the Countywide Policy Plan, modern planning concepts and best community design practices?

D. Water

1. What is the source of potable water for the project?

2. If it is the Kamaole aquifer,

(a) What is the sustainable yield of the Kamaole aquifer?

(b) What is the state’s level of confidence in the sustainable yield of the Kamaole aquifer?

(c) Is the sustainable yield calculation the same regardless of where a well is drilled in the Kamaole aquifer, for instance in north Kihei versus South Maui? If not, how is the sustainable yield different in north Kihei compared to areas in south Maui?

(d) Are existing wells currently using the Kamaole aquifer for water?

i. If so, how many?

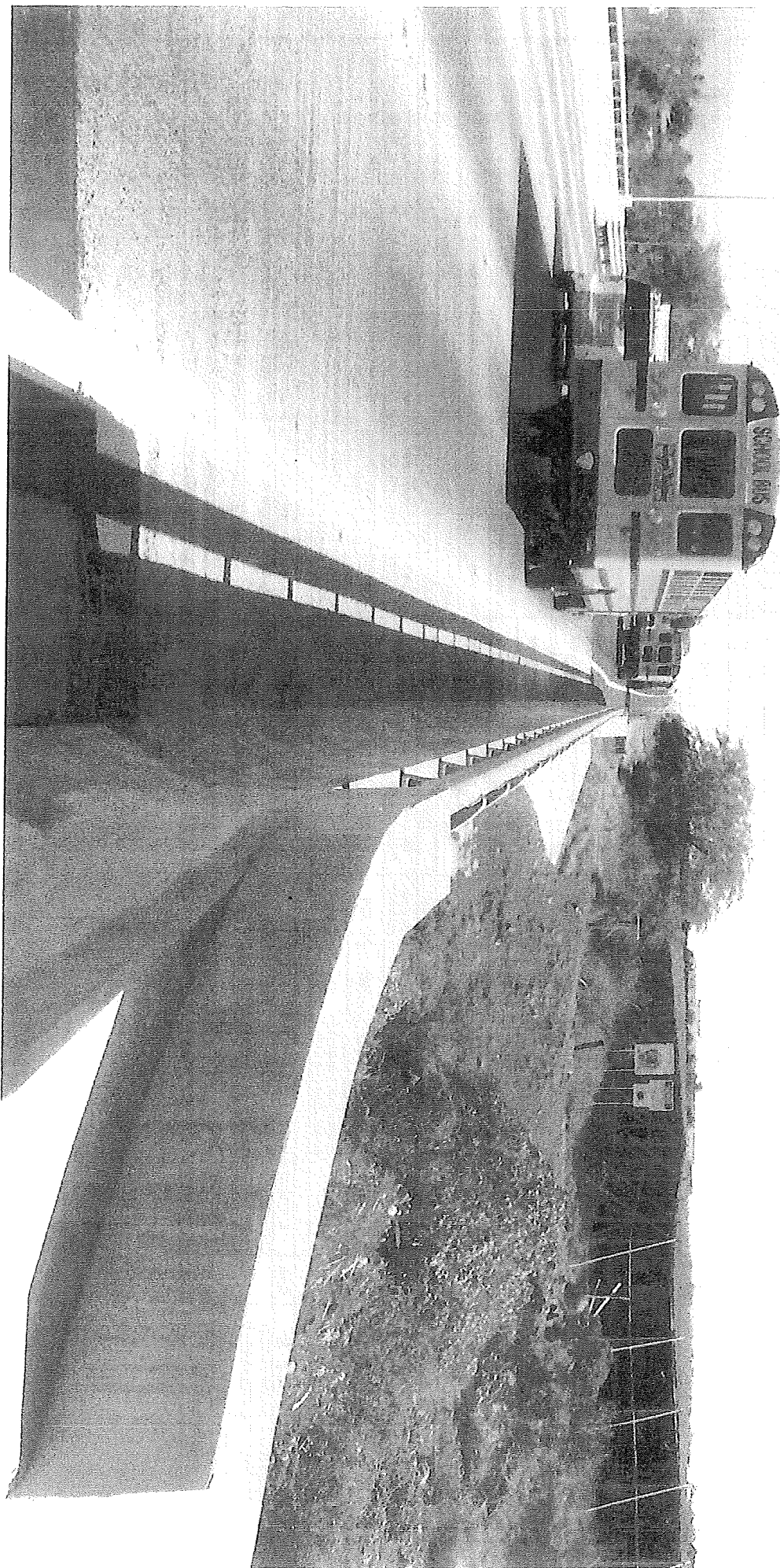
ii. Where are these existing wells located?

iii. What is the current peak draw by all these existing wells?

iv. Based on CWRM data and reports on file with the state, what is the peak draw, expressed in MGD, by the three Wailea golf courses and when does it occur during the calendar year?

v. Based on historical well use reports submitted to the CWRM by Makena Resort, what was the peak draw by the Makena golf courses, expressed in MGD, and when did that peak draw occur?

7. What water conservation measures will be ingrained in the project?
8. If the Kamaole aquifer is insufficient to meet the water needs of the Project, what other source of water will be used?
9. Will potable water be readily available to the Project without some form of desalination? If not,
- (a) What method of desalination will be used?
 - (b) Will residue from the desalination process be generated and if so, how will it be disposed of?
 - (c) Where will the desalination facility be located?
 - (d) When will the desalination facility be constructed in relationship to the overall Project plan?
10. Do you agree with the DLNR, the USGS and the University of Hawaii that rainfall in the Islands has been trending lower in recent past decades and that rainfall is expected to continue to decline in the future?
- (a) If not, identify the data and information that supports your view that rainfall is not declining in the Hawaiian islands?
 - (b) If you agree that rainfall is declining, what impact will a drier climate have on the Kamaole aquifer and its reliability to serve as the source of potable water for the Project?
11. Have any test wells been drilled on the Project to determine the capacity of the Kamaole aquifer at the project site to serve the proposed development? If so,
- (a) Has a well production assessment been made in terms of water quantity and quality?
 - (b) If well projection data is available, what does it show?
 - (c) If a test well has not been drilled, how will you determine the ability of the Kamaole aquifer at the project site to meet the water needs of the proposed development?
12. What are the projected water needs of (a) the proposed project in total and (b) of each of part, expressed in terms of MGD or fractions thereof?
13. Will draw from the Kamaole aquifer proposed by the Project have an affect on near-shore water quality and/or aquatic life? If so, what will that effect be?





June 23, 2014

South Maui Citizens for Responsible Growth
4320 E. Waiola Loop
Kihei, HI 96753

Dear Mr. Hyde,

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

Thank you for your email letter of October 23, 2013. The following responses to your comments are provided below:

1. The Proposed Action described in the EISPN does not comply with the 1998 Kihei Makena Community Plan (KMCP); the KMCP has the Force and Effect of Law and must be amended if the Proposed Action is to Proceed; All LUC Decisions and Orders Must Conform to the Hawaii State Plan (HRS 205-16); The Hawaii State Plan Includes County General and Community Plans

Response 1: Your comments regarding the Kihei Makena Community Plan ("KMCP") are duly noted. The Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance to the Kihei-Makena Community Plan. The forthcoming Draft EIS will include an analysis of how the proposed project meets the goals and objectives, and complies with the KMCP, including those sections cited in your letter. In addition, the Draft EIS will discuss, as a possible alternative, the amendment of the KMCP in the "unresolved issues" section of the Draft EIS.

2. The Proposed Action Described in the EISPN is Inconsistent with Light Industrial Zoning; a Change in Zoning is Required

Response 2: Your comments regarding the Maui County Zoning are duly noted. The

Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance with the Maui County Zoning. The forthcoming Draft EIS will include an analysis of the project's compliance with the Maui County Zoning Ordinance. The proposed mix of Apartment, Retail, Commercial and Light Industrial uses are permitted uses under Chapter 19.24, M-1 Light Industrial District zoning; therefore we do not anticipate that a change in zoning will be required for the proposed project. However, if the Planning Department's review of the DEIS indicates that a CIZ is necessary, the Applicant will seek the appropriate zoning change.

3. The Proposed Action is Inconsistent with the Countywide Policy Plan

Response 3: The forthcoming Draft EIS will include an analysis of how the proposed project conforms to the goals, policies and implementing actions of the County Wide Policy Plan.

The Piilani Promenade is utilizing smart growth planning techniques that will help to reduce automobile trips and associated pollution. The design will help to minimize automobile trips by providing employment, goods, services and housing within walking or biking distance of each other. The Piilani Promenade has a unified pedestrian and bicycle system within the project and will provide opportunities for connections to its existing and future surrounding uses.

The Applicant has begun the environmental review process, which will engage Maui County residents and allows the public to provide comment on the project.

4. Economic Analysis Must Extend Beyond Discussion of Short Term Construction Jobs and Tax Revenue Arising From the Proposed Development

Response 4: The forthcoming Draft EIS will include an extensive Market Study, Economic Impact Analysis and Public Fiscal Assessment of the proposed Piilani Promenade. The Assessment report will determine the demand in the Maui and Kihei-Makena commercial, industrial and residential real estates sectors. In addition the report will estimate the specific effects on the local economy as a result of the proposed project and will quantify the estimated gross tax receipts, public costs, and net benefits.

5. Safe Routes to School Need to Be Developed for Mauka Residences

Response 5: The applicant supports the safe routes to school program and the project's non-vehicular transportation strategy includes supporting connectivity to adjacent developments including Kihei High School and land uses *makai* of Pi'ilani Highway.

6. Elimination of the Kaonoulou Gulch

Response 6: The forthcoming Draft EIS and the associated Preliminary Engineering Report will include a description of the proposed drainage improvement and the anticipated impacts of the proposed development.

7. The Project Background is Incomplete. The project background described at pages 4 and 5 of the EISPN is insufficient because it does not speak to the whole history of the project that began as a 123-lot light industrial park described in the Land Use Commission's 1995 Order. The property owners, Pi'ilani Promenade North, LLC (PPN), and Pi'ilani Promenade South, LLC (PPS), were recently found in violation of the 1995 LUC Order for (a) failure to develop the property as represented to the Land Use Commission, (b) failure to construct a frontage road as ordered, and (c) failure to file annual reports with the Land Use Commission, the State Office of Planning and the County of Maui Planning Department. Acknowledgement of these violations is critical to understanding the current situation.

Response 7: The forthcoming Draft EIS will have a more extensive discussion of the project background, including the proceedings before the Land Use Commission noted in your letter.

8. Specific Questions

A. Pedestrian Safety and Walk-ability

Response 8a: The project's non-vehicular transportation strategy includes: 1) compact and mixed-use development patterns, 2) integrating pedestrian-oriented streets, street trees, sidewalks, and traffic calming features, 3) both striped and separated bike lanes in appropriate locations, and 4) supporting connectivity to adjacent developments including Kihei High School and land uses *makai* of Pi'ilani Highway.

The transportation demand and management measures proposed for the project include encouraging alternate work schedules and off-peak hours for employment generators and supporting park and ride, ridesharing, carpooling, and van pooling. In addition, the Applicant will also meet with the Maui Department of Transportation to discuss the possibility of establishing bus stops within the project site.

B. Economic Impact

Response 8b: The forthcoming Draft EIS will include a Market Study, Economic Impact Analysis and Public Fiscal Assessment of the proposed Piilani Promenade. The Assessment report will determine the demand in the Maui and Kihei-Makena

commercial, industrial and residential real estates sectors. In addition the report will estimate the specific effects on the local economy as a result of the proposed project and will quantify the estimated gross tax receipts, public costs, and net benefits. The construction of the Pi'ilani Promenade is expected to inject approximately \$212 million of new capital investment into the local economy and provide an estimated 878 "worker years" of employment as well as \$66.5 million in total wages over a 12 to 15 year period. The effect of these expenditures will have positive direct, indirect, and induced beneficial impacts on the economy of the County of Maui.

C. Smart Growth

Response 8c: the proposed project incorporates New Urbanism and Smart Growth planning techniques and urban design strategies which help to create a settlement pattern that is more compact and mixed-use in character. This will facilitate a self-sufficient development and result in shorter commutes by offering multi-modal transportation opportunities. The proposed project will also make a considerable investment in infrastructure which will support a unified pedestrian and bicycle system within the project with opportunities for extending and connecting these systems to existing and future development in surrounding areas

D. Water

Response 8d: The Pi'ilani Promenade will be served by the Maui County Water System and will construct the following required improvements:

- 1) Relocating a 2,500 ft. long segment of the Central Maui Water System's existing 36-inch diameter waterline from its present alignment, which currently crosses the project area, onto a new alignment along East Kaonoulu Street;
- 2) Constructing a new 1.0 MG capacity concrete water storage reservoir located 220 feet AMSL which will be dedicated to the DWS upon completion;
- 3) Installing a 3,200 ft. long, 12-inch diameter transmission waterline from the Central Maui Water System's existing 36-inch transmission line to the new 1.0 MG storage reservoir for refilling the storage tank;
- 4) Installing a 5,500 ft. long, 16-inch diameter distribution main from the new 1.0 MG storage reservoir to and along East Kaonoulu Street which

will deliver potable water for domestic use and provide fire protection for the Pi'ilani Promenade project site; and

5) Installing a 1,100 ft. section of a 12-inch diameter distribution main across Pi'ilani Highway to a connection point at the 18-inch diameter waterline on Kenolio Road in order to provide water circulation and link the new water system improvements to the County water distribution system serving the Kihei area.

E. Traffic

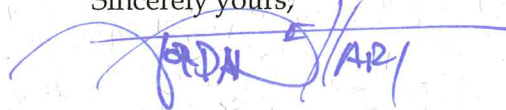
Response 8e: The forthcoming Draft EIS for the Pi'ilani Promenade will include a Traffic Impact Assessment Report for the proposed project. The TIAR will include an analysis of existing conditions and projected traffic impacts from the proposed project and surrounding developments. The Draft EIS will also include a section describing the proposed pedestrian and bicycle network.

F. Zoning

Response 8f: The proposed project will include approximately 5 acres of land dedicated to the type of light industrial uses described in your letter. The Draft EIS will provide a detailed breakdown of proposed square footage by use for the proposed project, and a discussion of how the project complies with the applicable zoning.

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

Sincerely yours,



Jordan E. Hart, President

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

October 23, 2013

**To: State Land Use Commission
POB 2359
Honolulu, HI 96804-2359**

**From: Daniel Kanahele
POB 648
Kihei, HI 96753**

Re: Docket A94-706 Ka'ono'ulu Ranch / Pi'ilani Promenade EISPN

TO WHOM IT MAY CONCERN:

I wish to submit the following comments to the Environmental Impact Statement Preparation Notice (EISPN) for the Pi'ilani Promenade dated August 14, 2013.

1. The proposed action described in the EISPN does not comply with the 1998 Kihei-Makena Community Plan (KMCP); the KMCP has the Force and Effect of law and must be amended if the Proposed Action is to Proceed: All LUC Decisions and Orders Must Conform to the Hawaii State Plan (HRS 205-16); The Hawaii State Plan includes County General and Community Plans.

I request that the Draft Environmental Impact Statement (DEIS) discuss the project submitting a Community Plan Amendment to the County of Maui.

2. The proposed action described in the EISPN is Inconsistent with Light Industrial Zoning; a change in zoning is required.

I request that the Draft Environmental Impact Statement (DEIS) discuss the project submitting a request for a zoning change to the County of Maui.

3. The 13-acre 250 unit affordable housing project that is part of the Honua'ula Development shares all the previous entitlement approvals with the Pi'ilani Promenade Project and is depended on this development for much of it's infrastructure needs and will have many similiar environmental impacts as the Pi'ilani Promenade, yet has had no environmental review.

I request that the Draft Environmental Impact Statement (DEIS) discuss the impacts of the 13-acre, 250 unit affordable housing project for the Honua'ula Development.

4. I request that the Draft Environmental Impact Statement (DEIS) thoroughly discuss the impacts of the proposed action on regional traffic, increase flooding downslope, existing businesses in the region, safety of students from Kihei High School and other schools walking or biking to the and from the Pi'ilani Promenade.

5. The elimination of Ka'ono'ulu Gulch.

The proposed action includes elimination of a natural gulches that crosses the project area. Gulches are natural and cultural features of the land that serve a variety of ecological and cultural purposes and are important topographical features that help to give the Kihei-Makena planning region it's sense of place and uniqueness.

I request that the Draft Environmental Impact Statement (DEIS) discuss and assess the Impacts inherent in the loss of this natural and cultural feature and discuss mitigation or avoidance.

6. Protection of Traditional and Customary Practices.

Under the State Constitution of Hawaii traditional and customary gathering rights of native Hawaiians for subsistence living is protected. The gathering of limu and fishing are important subsistence practices of native Hawaiians along the Kihei coastline. Limu and fisheries in the affected area depend on the flow of freshwater from mauka to makai.

I request that the Draft Environmental Impact Statement (DEIS) discuss the impacts of the proposed action on the flow of freshwater to the nearshore ocean and the production of limu which is important to fisheries which are all vital to the perpetuation of subsistence living and native Hawaiian traditional practices.

7. Protection of Cultural Sites.

Cultural Sites should be incorporated into the proposed action and not simply processed for data recovery and then destroyed. To develop 75 acres and not include even one Hawaiian archaeological site in the proposed action is a sad commentary on how the developers view our Hawaiian history.

The archaeological survey and its recommendations for the 20 historic properties documented was done almost 20 years ago for the previous owner and a light industrial park project. Given the new ownership and proposed action I request that the Draft Environmental Impact Statement (DEIS) discuss the idea of revisiting the AIS and updating and incorporating some of the cultural sites into their project design.

I would also like to see discussed the return of the petroglyph that was removed from the property without authorization by SHPD , but then reviewed and after-the-fact approval by SHPD.

Thank you for the opportunity to offer comments on the Pi'ilani Promenade EISPN.

daniel kanahele
1100 Kupulau Dr.
Kihei, Hawaii 96753



June 23, 2014

Mr. Daniel Kanahele
PO Box 648
Kihei, HI 96753

Dear Mr. Kanahele,

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

Thank you for your letter of October 14, 2013. Below are the responses to your comments.

Comment 1. The proposed action described in the EISPN does not comply with the 1998 Kihei-Makena Community Plan (KMCP); the KMCP has the Force and Effect of law and must be amended if the Proposed Action is to Proceed: All LUC Decisions and Orders Must Conform to the Hawaii State Plan (HRS 205-16); The Hawaii State Plan includes County General and Community Plans.

I request that the Draft Environmental Impact Statement (DEIS) discuss the project submitting a Community Plan Amendment to the County of Maui.

Response 1. Your comments regarding the Kihei Makena Community Plan ("KMCP") are duly noted. The Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance to the Kihei-Makena Community Plan. The forthcoming Draft EIS will include an analysis of how the proposed project meets the goals and objectives, and complies with the KMCP, including those sections cited in your letter. In addition, the Draft EIS will discuss, as a possible alternative, the amendment of the KMCP in the "unresolved issues" section of the Draft EIS.

Comment 2. The proposed action described in the EISPN is Inconsistent with Light Industrial Zoning; a change in zoning is required.

I request that the Draft Environmental Impact Statement (DEIS) discuss the project submitting a request for a zoning change to the County of Maui.

Response 2. : Your comments regarding the Maui County Zoning are duly noted. The Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance with the Maui County Zoning. The forthcoming Draft EIS will include an analysis of the project's compliance with the Maui County Zoning Ordinance. The proposed mix of Apartment, Retail, Commercial and Light Industrial uses are permitted uses under Chapter 19.24, M-1 Light Industrial District zoning; therefore we do not anticipate that a change in zoning will be required for the proposed project. However, if the Planning Department's review of the DEIS indicates that a CIZ is necessary, the Applicant will seek the appropriate zoning change.

Comment 3. The 13-acre 250 unit affordable housing project that is part of the Honua'ula Development shares all the previous entitlement approvals with the Pi'ilani Promenade Project and is depended on this development for much of it's infrastructure needs and will have many similar environmental impacts as the Pi'ilani Promenade, yet has had no environmental review.

I request that the Draft Environmental Impact Statement (DEIS) discuss the impacts of the 13-acre, 250 unit affordable housing project for the Honua'ula Development.

Response 3. The Draft EIS will include technical studies that address specific aspects of the Honua'ula affordable housing project solely for assessing potential impacts and as background information. The proposed development of Piilani Promenade is not dependent upon any entitlements of Honua'ula, nor the development of the 13-acre 250 affordable housing project. The Applicant has filed a Motion to Amend with the Land Use Commission, which is currently pending and which seeks, *inter alia*, to bifurcate and assign a separate Land Use Commission Docket Number that applies solely to the 75 acres owned by Applicant. Any approvals and additional necessary studies for the 13 acres owned by Honua'ula Partners will be handled separately by Honua'ula Partners and will be the subject of a separate action by the LUC. The Draft EIS will include a section on cumulative impacts and will discuss the cumulative effect that readily identifiable future development could have on water source and availability, as well as other public resources.

Comment 4. I request that the Draft Environmental Impact Statement (DEIS) thoroughly discuss the impacts of the proposed action on regional traffic, increase flooding downslope, existing businesses in the region, safety of students from Kihei High School and other schools walking or biking to the and from the Pi'ilani Promenade.

Response 4. The forthcoming DEIS will include technical studies including a Traffic Impact Assessment Report, a Preliminary Engineering and Drainage Report that discuss the potential impacts of the proposed project including regional traffic and drainage mitigation. The DEIS will also include an Economic Impact Study that analyzes the economic conditions in Maui County including existing businesses in the region. The Applicant is committed to working with the neighboring Kihei High School, Department of Education, SDOT and the adjacent landowner to provide an opportunity for safe pedestrian access between the school and Piilani Promenade.

Comment 5. The elimination of Ka'ono'ulu Gulch.

The proposed action includes elimination of a natural gulches that crosses the project area. Gulches are natural and cultural features of the land that serve a variety of ecological and cultural purposes and are important topographical features that help to give the Kihei-Makena planning region it's sense of place and uniqueness.

I request that the Draft Environmental Impact Statement (DEIS) discuss and assess the Impacts inherent in the loss of this natural and cultural feature and discuss mitigation or avoidance.

Response 5. The forthcoming DEIS will examine the topography, drainage conditions, and cultural resources of the project area and include a discussion of potential impacts and mitigation measures as appropriate.

Comment 6. Protection of Traditional and Customary Practices.

Under the State Constitution of Hawaii traditional and customary gathering rights of native Hawaiians for subsistence living is protected. The gathering of limu and fishing are important subsistence practices of native Hawaiians along the Kihei coastline. Limu and fisheries in the affected area depend on the flow of freshwater from mauka to makai.

I request that the Draft Environmental Impact Statement (DEIS) discuss the impacts of the proposed action on the flow of freshwater to the nearshore ocean and the production of limu which is important to fisheries which are all vital to the perpetuation of subsistence living and native Hawaiian traditional practices.

Response 6. The forthcoming DEIS will include various technical studies including an updated Archeological Inventory Survey and a Cultural Impact Assessment that will discuss traditional and customary practices in the area. In addition, the DEIS will include a Baseline Assessment of Marine Water Chemistry which examines potential impacts upon the flow of freshwater to the nearshore ocean.

Comment 7. Protection of Cultural Sites.

Cultural Sites should be incorporated into the proposed action and not simply processed for data recovery and then destroyed. To develop 75 acres and not include even one Hawaiian archaeological site in the proposed action is a sad commentary on how the developers view our Hawaiian history.

The archaeological survey and its recommendations for the 20 historic properties documented was done almost 20 years ago for the previous owner and a light industrial park project. Given the new ownership and proposed action I request that the Draft Environmental Impact Statement (DEIS) discuss the idea of revisiting the AIS and updating and incorporating some of the cultural sites into their project design.

I would also like to see discussed the return of the petroglyph that was removed from the property without authorization by SHPD, but then reviewed and after-the-fact approval by SHPD.

Response 7. A public information meeting for the proposed project was held on February 25, 2014. Transcripts from this meeting will be included in the DEIS. The focus of the meeting was to review the previous 1994 AIS and discuss the findings of the current 2014 AIS. In addition to discussing the return of the petroglyph boulder and potential impacts to Kulanihakoi Gulch, some of the participants suggested that the archaeological sites could be incorporated into the design of the project or into its landscaping and the previously removed petroglyph stone be returned to the property. Return of the petroglyph stone will be addressed in the Draft EIS.

Mr. Daniel Kanahele
Piilani Promenade EISPN
Comment Response Letter
June 23, 2014
Page 5 of 5

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

Sincerely yours,



Jordan E. Hart, President

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

Brian Naeole
477 S. Kamehameha Ave
Kahului, HI 96732

October 23, 2013

RECEIVED

OCT 23 2013

Hawaii State Land Use Commission
PO Box 2359
Honolulu, Hawai'i
96804-2359

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Jordan, Brett
+ Glenn

13/029

Attention: Daniel Orodenker

RE: Comments on Pi'ilani Promenade EIS Prep Notice TMK (2) 3-9-001: 016; 170-174

Aloha Mr Orodenker:

My 'ohana are lineal descendants of the area of Ka'ono'ulu. Grant 11400, which shares a northern boundary with the Pi'ilani Promenade parcel, was given to our kupuna Ernest K. Naeole during Kingdom days. Both my parents families lived in the Ulupalakua area from the time of Kamehameha I.

While I lived in various places on Maui growing up, I spent a lot of time in Ka'ono'ulu when I worked as a cowboy for Ka'ono'ulu Ranch (1980's). My 'ohana and I gathered vana and fished along the shoreline in Ka'ono'ulu. It was a place rich in food from the sea and it is important to me that it stays that way.

I would like to see what ever happens to this parcel be something that also honors the history of this place and takes care of the land. The EIS needs to talk about different designs that can do that.

I attended the LUC site visit for the Pi'ilani Promenade project last year. I observed the small gulch that goes through the 88-acre parcel. It is my understanding that this gulch will be filled in throughout the whole property so the new access road can cross it. Then the water that used to come through the gulch will be sent somewhere else. I don't think this is a good idea.

I remember riding my horse in this area many years ago when I worked for Ka'ono'ulu Ranch and seeing that same gulch lined with trees on both sides. The trees were so thick, the gulch itself was not visible. The trees were the sign that there was water underground along that gulch. The gulch is an important part of this land.

The development plan for this parcel should work with the natural gulch. It is there because the water wanted to travel that way. It could be planted with native plants along the sides and help hold the rains when they come through.

It's important to know how strong the rains can come when they do. My uncle John Na'auo was a cowboy and rode the lands above Kihei. He told me stories of water during big storms in the 1950's coming up so high in the gulches that it was like a tidal wave.

Kulanihako'i Gulch that runs along the south side of this project is also a very culturally important place. I have walked in this gulch many times when I was growing up. The bottom of the gulch is now many feet lower than in those days, cut deeper by all the water flowing through. This project needs to avoid sending even more water through this gulch. Let it find its way into the ground and help the trees.

When I was at the LUC site visit for Pi'ilani Promenade I saw evidence that Hawaiians had lived on this parcel long ago. There were scattered pieces of shell and stone flakes from making tools and pieces of coral. I understand that the archaeology report found a number of Hawaiian sites. That report was done a long time ago, and it did not recommend that any sites be protected except one petroglyph rock, which then got taken away from the site.

As a person whose family history is connected to this land, I would like to see the archaeological study updated. The EIS should show a project design that shows some of the cultural sites protected. It would be good to consult with families from the area. The cultural sites can be included in landscaped areas, parks or other open space in the project. Also I would like to see the EIS discuss how native plants can be used throughout the site to cut down on demand for water.

We need to leave some cultural sites to tell the story of Ka'ono'ulu. It was an important place with a big fishpond that required a good sized community to build and maintain. We know that past centuries had strong weather. It makes sense that some families wanted to live further from the coast in a more protected area like the site that is proposed to be developed. We don't want their history to be lost.

The petroglyph stone that was found on this site also tells a story. It was marking something here: a pathway, an event or a place that was special to a family of the olden days. I would ask that the petroglyph be returned to this land when it can be safe there. It is good that it has been kept safe in the mauka part of Ka'ono'ulu, but it belongs where it was found.

I really appreciate a chance to share my mana'o with you all.

Aloha pumehana

Brian Naeole



June 23, 2014

Mr. Brian Naeole
477 S . Kamehameha Ave.
Kahului, HI 96732

Dear Mr. Naeole,

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

Thank you for your letter of October 23, 2013 providing comments on the proposed project. Our response is provided below.

Response

The forthcoming DEIS will examine the topography, drainage conditions, and cultural resources of the project area and include a discussion of potential impacts and mitigation measures as appropriate.

The proposed project will not divert stormwater to Kulanihakoi Gulch, therefore the gulch will not be impacted by the proposed project.

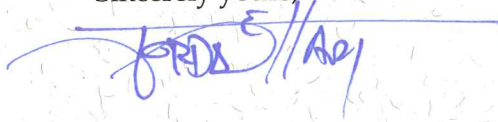
The DEIS will include an updated Archeological Inventory Survey (AIS) to re-analyze the proposed project and recommendation for mitigating impacts. The AIS recommends that a data recovery plan be developed for Sites 3727, 3728, 3735, 3736, and 3741-3745.

Return of the petroglyph stone will be addressed as well in the Draft EIS. In addition, an archaeological monitoring plan was submitted to SHPD for review and was approved and referenced for all recent work on the site. The monitoring plan may be found in forthcoming Draft EIS and may be updated once project construction is initiated.

Mr. Brian Naeole
Piilani Promenade EISPN
Comment Response Letter
June 23, 2014
Page 2 of 2

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

Sincerely yours,



Jordan E. Hart, President

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

From: Elden Kapena Liu
75 Ululani St
Kula, HI 96790

October 21, 2013

To: Department of Business Economic Development & Tourism State of Hawai'i,
Land Use Commission
PO Box 2359, Honolulu, Hawai'i 96804-2359

Attention: Daniel Orodener

**RE: Comments on Pi'ilani Promenade EIS Prep Notice TMK (2) 3-9-001: 016-170-174
in the ahupua'a of Ka'ono'ulu**

2013 OCT 23 A 10:08
LAND USE COMMISSION
STATE OF HAWAII

Aloha Mr. Orodener and staff

I wish to comment on the EIS Prep notice for the Pi'ilani Promenade project in Ka'ono'ulu as a lineal descendent of Hapakuka Hewahewa, who was awarded LCA 3237 (R.P. 7447) the entire Ahupua'a of Ka'ono'ulu in 1847.

Hewahewa died in Kaonoulu a few years later and his heirs did not give up the ahupua'a of Ka'onoulu to the foreigners, but that's how the records appear now. My 'ohana have papers proving that any transfer of "ownership" of these lands was fraudulent.

I understand that your commission does not consider challenges to ownership of a parcel, but I mention these things so that the Land Use Commission may hear my request knowing that it comes from a lineal descendent of this land.

It is my understanding that a number of historic properties were found on the proposed Pi'ilani Promenade project site including at least 10 sites that had evidence of pre-contact use. It is also my understanding that the state Historic division has approved an archaeological report that allows all of these sites to be destroyed with no further investigation with more modern methods.

It is my understanding further that the only remnant of many centuries of Hawaiian history and cultural use that will remain from this 88 acre parcel will be a petroglyph marked stone (site 3746) which was removed from the site for safekeeping to Mr. Rice's Ranch in 1998 or 99.

It is my understanding that this important property was removed from the site without proper consultation with lineal descendants. My 'ohana was never consulted, for example. While we appreciate the desire to protect the petroglyph, times have changed and it should be brought back to land and given appropriate protection. Likewise, some of the other cultural sites on the land should be preserved to tell the story of my 'ohana and the thousands of others who have lived on these lands.

I request that the EIS for this project discuss a consultation process with lineal descendants (true landowners) and the former and current "landowners" to return the petroglyph stone and to also set aside several of the precontact cultural sites to be preserved and used for educational purposes to keep the Hawaiian history of Ka'ono'ulu ahupua'a alive.

Mahalo for your consideration of my comments





June 23, 2014

Mr. Elden Kapena Liu
75 Ululani St
Kula, HI 96790

Dear Mr. Liu,

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

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

Comments

- I wish to comment on the EIS Prep notice for the Pi'ilani Promenade project in Ka'ono'ulu as a lineal descendent of Hapakuka Hewahewa, who was awarded LCA 3237 (R.P. 7447) the entire Ahupua'a of Ka'ono'ulu in 1847.
- Hewahewa died in Kaonoulu a few years later and his heirs did not give up the ahupua'a of Ka'onoulu to the foreigners, but that's how the records appear now. My 'ohana have papers proving that any transfer of "ownership" of these lands was fraudulent.
- I understand that your commission does not consider challenges to ownership of a parcel, but I mention these things so that the Land Use Commission may hear my request knowing that it comes from a lineal descendent of this land.
- It is my understanding that a number of historic properties were found on the proposed Pi'ilani Promenade project site including at least 10 sites that had evidence of pre-contact use. It is also my understanding that the state Historic division has approved an archaeological report that allows all of these sites to be destroyed with no further investigation with more modern methods.
- It is my understanding further that the only remnant of many centuries of Hawaiian history and cultural use that will remain from this 88 acre parcel will

be a petroglyph marked stone (site3746) which was removed from the site for safekeeping to Mr. Rice's Ranch in 1998 or 99. It is my understanding that this important property was removed from the site without proper consultation with lineal descendants. My 'ohana was never consulted, for example. While we appreciate the desire to protect the petroglyph, times have changed and it should be brought back to land and given appropriate protection. Likewise, some of the other cultural sites on the land should be preserved to tell the story of my 'ohana and the thousands of others who have lived on these lands.

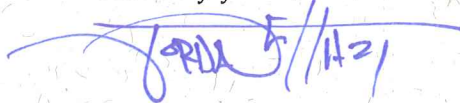
- I request that the EIS for this project discuss a consultation process with lineal descendants (true landowners) and the former and current "landowners" to return the petroglyph stone and to also set aside several of the precontact cultural sites to be preserved and used for educational purposes to keep the Hawaiian history of Ka'ono'ulu ahupua'a alive.

Response: The forthcoming Draft EIS includes an updated Archeological Inventory Survey (AIS) to re-analyze the proposed project and recommendation for mitigating impacts. The AIS recommends that a data recovery plan be developed for Sites 3727, 3728, 3735, 3736, and 3741-3745.

The Draft EIS will include an updated Archeological Inventory Survey (AIS) to re-analyze the proposed project and recommendation for mitigating impacts. Return of the petroglyph stone will be addressed as well in the Draft EIS.

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

Sincerely yours,



Jordan E. Hart, President

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

From: Michael K. Lee
91-1200 Keaunui Dr. unit 614
Ewa Beach, Hawaii
96706

October 23, 2013

To: Hawaii State Land Use Commission
PO Box 2359
Honolulu, Hawaii i 96804-2359

Attention: Daniel Orodener

RE: Comments on Pi'ilani Promenade EIS Prep Notice TMK (2) 3-9-001: 016; 170-174

Aloha Mr Orodener, LUC staff and LUC Members,

I wish to offer these comments to the LUC staff and members regarding the proposed Pi'ilani Promenade project EISPN from my perspective as a cultural practitioner in the Ka'ono'ulu area. I lived on Maui as a child and was instructed in the traditional knowledge of limu and coral medicine practices by my maternal grandfather who was a kahuna la'au lapa'au.

I am recognized by LUC as native Hawaiian cultural practitioner for use of limu and coral medicine for a number of coastal areas on Maui. I regularly access the Ka'ono'ulu shoreline to gather limu for healing uses as well as for classes to instruct others in limu and coral medicine. These waters need to avoid further degradation and have improved bio-controls for upslope stormwater sediments or my traditional practice will be deeply affected. It is also important that the underground water system that connects to the Koi'e'i'e fishpond from the uplands and lies under the subject property and lands mauka be properly understood and protected.

In this light, I request that the Draft EIS for this project include alternative designs, as required by §11-200-17 HAR, that address the following matters important to maintain the integrity of the natural systems and cultural properties that I and others depend upon to continue our traditional and customary use of the Ka'ono'ulu area.

The DEIS should include alternative design scenarios that:

- 1) Show a project design that does not fill in Ka'ono'ulu gulch, which transects the property, and instead enhances its ability to divert and retain storm waters and absorb runoff. Native plants, such as pili grass, should be considered as part of an expanded riparian habitat along the gulch designed into the project. Elimination of the gulch, as currently proposed in the plan design, is elimination of a culturally significant feature of the area and is inappropriate.
- 2) Show and discuss a project design where all hardened surfaces, such as parking areas or drainage culverts, utilize a semi permeable membrane surface to minimize collected runoff and allow natural infiltration into the underlying soil. Reason: concentrating volume of water during storm events and sending it to onsite underground storage areas as currently proposed, could impact natural karst systems and groundwater quality. This will eventually

impact reefs and cause eminent harm to the resource that sustains my cultural practice in Ka'ono'ulu.

- 3) Show alternative drainage plan designs where water flow calculations are based on known stormwater volumes in the last 20 years of storms of record in the Kihei area. I am concerned that the changes in drainage patterns from the proposed development will negatively impact the reefs and limu resources at the shore and affect my ability to gather traditional medicinal limu.
- 4) Show alternative project designs that include information from adequate testing for natural karst systems beneath the land. The new irrigation well proposed for the property could intersect with one of these natural formations. Its drilling log should be analyzed and that information included in Draft EIS. The presence of a traditional coastal fishpond and as well as historic descriptions of inland ponds in the Ka'ono'ulu area indicates presence of a natural karst system in the area. Well pumping in this area, which has historically never had any deeper mauka wells, could negatively impact the underground flows through the karst system. From a cultural perspective, the health of the coral reefs in the area is directly connected to upland activities and the knowledge of underground water flow patterns is an essential part of any environmental or cultural review to assess and mitigate any potential impacts.
- 5) Show alternative project designs that incorporate as many of the 20 recorded cultural sites (including probable habitation sites that have left midden scatters) on the land as possible into the project master plan design. This will create one-of-a-kind place for visitors and residents to experience a "sense of place" of the Ka'ono'ulu area. It is also very important that the EIS discuss return of the petroglyph stone found on the property and subsequently removed, when it can be safely protected and incorporated into the project design.
- 6) Discuss opportunities for the project to work with the army corps and others to mitigate the impact of stormwater flows in this extremely flood prone area. Mitigation of project impacts downslope could include enhancing wetlands down stream to protect overall shoreline habitat and provide resiliency against sea level rise and its impacts. Wetlands surrounding Kulanikako'i gulch, main drainage channel for this project's offsite flows, are under private ownership and acquisition of a conservation easement and management plan for the wetlands could be an important mitigation action.

Mahalo for the opportunity to offer comments on the EISPN. I look forward to further dialogue on this project.

Michael Kumuokaoha Lee



June 23, 2014

Mr. Michael K. Lee
91-1200 Keaunui Dr. unit 614
Ewa Beach, Hawaii
96706

Dear Mr. Lee,

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

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

The DEIS should include alternative design scenarios that:

1) Show a project design that does not fill in Ka'ono'ulu gulch, which transects the property, and instead enhances its ability to divert and retain storm waters and absorb runoff. Native plants, such as pili grass, should be considered as part of an expanded riparian habitat along the gulch designed into the project. Elimination of the gulch, as currently proposed in the plan design, is elimination of a culturally significant feature of the area and is inappropriate.

Response 1. The forthcoming DEIS will examine the topography, drainage conditions, and cultural resources of the project area and include a discussion of potential impacts and mitigation measures as appropriate.

2) Show and discuss a project design where all hardened surfaces, such as parking areas or drainage culverts, utilize a semi permeable membrane surface to minimize collected run off and allow natural infiltration into the underlying soil. Reason: concentrating volume of water during storm events and sending it to onsite underground storage areas as currently proposed, could impact natural karst systems and groundwater quality. This will eventually impact reefs and cause eminent harm to the resource that sustains my cultural practice in Ka'ono'ulu.

Response 2. The forthcoming DEIS will examine the topography, drainage conditions, and cultural resources of the project area and include a discussion of potential impacts and mitigation measures as appropriate.

3) Show alternative drainage plan designs where water flow calculations are based on known stormwater volumes in the last 20 years of storms of record in the Kihei area. I am concerned that the changes in drainage patterns from the proposed development will negatively impact the reefs and limu resources at the shore and affect my ability to gather traditional medicinal limu.

Response 3. Both "flow through" and "detention based" treatments will be employed by Piilani Promenade to mitigate stormwater-related water pollution associated with the Promenade North and South development sites. "Flow through" treatment will be achieved by outfitting parking lot drain inlets with filters capable removing up to 80 percent of Total Suspended Solids. "Detention based" treatment will be provided by providing additional storage volume in the subsurface detention chambers and surface detention pond to facilitate sediment removal in addition to peak flow mitigation.

4) Show alternative project designs that include information from adequate testing for natural karst systems beneath the land. The new irrigation well proposed for the property could intersect with one of these natural formations. Its drilling log should be analyzed and that information included in Draft EIS. The presence of a traditional coastal fishpond and as well as historic descriptions of inland ponds in the Ka'ono'ulu area indicates presence of a natural karst system in the area. Well pumping in this area, which has historically never had any deeper mauka wells, could negatively impact the underground flows through the karst system. From a cultural perspective, the health of the coral reefs in the area is directly connected to upland activities and the knowledge of underground water flow patterns is an essential part of any environmental or cultural review to assess and mitigate any potential impacts.

Response 4. The State Commission on Water Resource Management approved an irrigation well permit for a well built in 2011 at a wellhead elevation of 118 feet. The well has proven to be capable of producing 216,000 gallons of non-drinking water per day and a permanent pump (150 gpm) has since been installed. The existing irrigation well is not anticipated to impact the groundwater resources.

5) Show alternative project designs that incorporate as many of the 20 recorded cultural sites (including probable habitation sites that have left midden scatters) on the land as possible into the project master plan design. This will create one-of-a-kind place for visitors and residents to experience a "sense of place" of the Ka'ono'ulu area. It is also very important that the EIS discuss return of the petroglyph stone found on the property and subsequently removed, when it can be safely protected and incorporated into the project design.

Response 5. The Draft EIS will include an updated Archeological Inventory Survey (AIS) to re-analyze the proposed project and recommendation for mitigating impacts. Return of the petroglyph stone will be addressed as well in the draft EIS.

In addition, an archaeological monitoring plan was submitted to SHPD for review and approval, was approved and referenced for all recent work on the site. The monitoring plan may be found in forthcoming Draft EIS and may be updated once project construction is initiated.

6) Discuss opportunities for the project to work with the army corps and others to mitigate the impact of stormwater flows in this extremely flood prone area. Mitigation of project impacts downslope could include enhancing wetlands down stream to protect overall shoreline habitat and provide resiliency against sea level rise and its impacts. Wetlands surrounding Kulanikako'i gulch, main drainage channel for this project's offsite flows, are under private ownership and acquisition of a conservation easement and management plan for the wetlands could be an important mitigation action.

Response 6. The Applicant will work with Federal, State and county agencies to design an acceptable drainage system in order to mitigate the increase in peak flow attributable to development while simultaneously providing water pollution control. The proposed project will not impact Kulanihakoi Gulch, all project generated runoff will be detained onsite and is not anticipated to impact shoreline habitats or wetlands.

The proposed stormwater detention improvements will accommodate and mitigate the increase in peak flow attributable to development while simultaneously providing water pollution control.

Mr. Michael Lee
Piilani Promenade EISPN
Comment Response Letter
June 23, 2014
Page 4 of 4

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

Sincerely yours,



Jordan E. Hart, President

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

From: Maui Cultural lands, Inc.
PO Box 122
Lahaina, HI 96767-0122

October 23, 2013

To: Department of Business Economic Development & Tourism State of Hawai'i,
Land Use Commission
PO Box 2359, Honolulu, Hawai'i 96804-2359

Attention: Daniel Orodener

RE: Comments on Pi'ilani Promenade EIS Prep Notice TMK (2) 3-9-001: 016; 170-174

Aloha Mr. Orodener, LUC Members and Staff,

Mahalo for this opportunity to offer comments on the Pi'ilani Promenade EIS Prep Notice (EISPN). Maui Cultural Lands, Inc., (MCL) is a Maui-based grassroots land trust organization whose mission is to stabilize, protect, and restore Hawaiian cultural resources. MCL offers the following observations that we humbly ask be included as part of the information provided in the Draft EIS for the project.

General Comments:

The EISPN does not appear to include the 13-acre affordable housing project in the northeast corner of the original 88-acre project site as part of this environmental review. Lands under other ownership mauka of the 88-acres, which will have infrastructure supporting the proposed project appear to be discussed in the EISPN. The 13-acres will share that same project infrastructure and should be included in the EIS review even though they, too, have separate ownership.

It would also appear that this project would need a Community Plan Amendment. While its zoning allows for a broad range of uses, the Community Plan clearly describes a light industrial use for this specific area. Since the proposed use is housing and commercial with a small amount of light industrial, that concept, never discussed during the community plan process, should be openly reviewed through a Community Plan Amendment.

Protection of Traditional Cultural Practices

The Kihei-Makena Community Plan makes it clear that protection of cultural resources and traditional practices in the region is an important objective.

Ka'ono'ulu is a very culturally rich and important region of south Maui. It is the location of the Ko'ie'ie Loko l'a (also known as Ka'ono'ulu Kai or Kalepolepo Fishpond.) This historic site is attributed to the legendary Mehehune and was restored under the direction of many renowned chiefs over the last five centuries. Ko'ie'ie was constructed in this location because of the shape of the shoreline and the presence of freshwater input. Hawaiian cultural practitioners recognize the relationship of the fresh water coming into the near shore ocean to the production of limu that is essential to a healthy fishery.

The Ka'ono'ulu area was known to have inland ponds as well. These too were fed by underground water sources. A good sized settlement was found along the coast in Ka'ono'ulu due to the presence of these fresh water sources, abundant fisheries, gathering opportunities, and arable lands mauka. Pollen core samples and subsurface research in the vicinity of Kalepolepo village in neighboring Waiohuli ahupua'a show cultural use of the land from around 1000 years ago or earlier. (Hammatt, et al, 2000; Pepalis & Kolb, 2000)

- It is very important that the EIS have adequate information about the impacts of the proposed improvements: well, drainage rerouting etc. on the underground flows of fresh water that still exist in this area. These groundwater flows are important to the perpetuation of traditional Hawaiian cultural practices in Ka'ono'ulu.
- Mr. Brian Naeole, Ms. Florence Lani and Mr. Michael Kumuokauoha Lee are knowledgeable about traditional gathering practices in Ka'ono'ulu from personal experience. Many others are likely informants as well. Their views should be sought out and included in the project planning process to avoid impacts to cultural resources.

Protection of Cultural Sites

The ahupua'a of Ka'ono'ulu was claimed in the Mahele by Hapakuka Hewahewa, a close associate of the Kamehameha dynasty. Hewahewa served as konohiki of Ka'ono'ulu, living there from the 1830's on. He died there in 1848. Other prominent families claimed house lots in the area during the Mahele, a sign that Ka'ono'ulu was an area of some importance. In spite of this rich historical legacy, the only remnant that currently remains of pre-contact Hawaiian history in this area is the Ko'ie'ie fishpond. While this is a very important feature, there should be more to connect to it and inform future generations. The Pi'ilani Promenade parcel has the opportunity to augment the cultural legacy of this ahupua'a through recognition and protection of cultural sites in the project area.

MCL volunteers have reviewed the 1994 Archaeological Inventory Survey (AIS) for the proposed project area. We note that 20 historic properties were recorded on this project site, including a petroglyph marked stone (site 3746, removed from site) and five surface midden/lithic scatter areas (Sites 3741-45).

We also note that two of these five surface scatter areas also had portable remains of pre-contact cultural use in found in subsurface test units. **This type of cultural remains, indicating pre-contact habitation and use in the area, is very uncommon in the disturbed grazing lands immediately mauka of Piilani Hwy.**

In fact, the 1994 AIS indicates that 11 of the 20 recorded sites had some sort of portable surface remains, almost all pre-contact. This land appears to hold remains of cultural sites that, in the light of current knowledge, are a valuable part of the "Ka'ono'ulu story" and "sense of place."

The original AIS and its recommendations are nearly twenty years old. The nature of the proposed project has changed significantly to be more "people oriented." **The original decision to allow all historical sites to be eradicated from the land, since an industrial park was planned, should certainly be reviewed as the new plans emerge.**

Our specific suggestions for the DEIS are:

- MCL asks, in the interest of history, that the DEIS discuss ways that several of these former habitation sites be protected by avoidance; incorporated into the open space element of the project design and given interpretive signage to indicate their past use. Artifacts could be put on display as part of a Ka'onoulu history display in the commercial area.
- MCL would like to see the parallel alignment possible "road" sections (sites 3737 and 3738) that are attributed to military construction have more in depth research and possible preservation. Several similar sections of rock edged trail or road appear to also exist further mauka on Ka'ono' ulu Ranch lands only more recently surveyed for cultural sites (Shefcheck et al, 2008). It is known that there was a traditional mauka-makai trail through Ka'ono'ulu to facilitate travel and trade. This may be part of that mauka-makai route. If the road did have military use, it is possible it was adapted from an older trail. Each section of road, as described in the 1994 AIS, had pre-contact portable remains located nearby.

- MCL also asks that the EIS discuss returning the petroglyph stone found on the site to a protected place of honor in as near to its original location as possible. It is an important cultural feature, that likely relates to other petroglyphs now known to exist, further mauka along Kulanihakoi Gulch and in nearby Waipuilani Gulch. While it is good that it has been kept safe, times have changed and lineal descendants of Ka'ono'ulu did not appear to be consulted about the decision to move it. It would be culturally appropriate to return it to the site in an area with appropriate protections, when the project is complete.
- The EISPN refers to a supplemental AIS done more recently to cover the areas beyond (mauka of) the project boundaries that are proposed to be utilized for drainage, roads and water storage facilities. We look forward to reviewing these.

We would ask that this survey also include a review of Kulanihakoi gulch itself in the immediate project area. We believe that there are cultural sites within the gulch which are part of the general cultural landscape of the project site. These may be impacted by future improvements associated with the proposed Pi'ilani Promenade project and should be documented and evaluated.

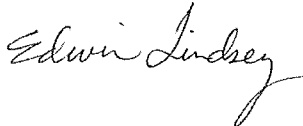
Protection of Cultural Features

It appears from the site map included in the EISPN that a traditional land form: labelled "Ka'ono'ulu Gulch" on some maps, is proposed to be filled in and eliminated within the boundaries of the project site.

This part of the site plan should be reconsidered. This gulch is a cultural as well as a natural feature. Old time residents report this undulating gulch was once edged with a thick band of very green trees--indicating the presence of underground water.

Enhancement of this natural drainage feature that is shown on the earliest USGS maps (1922 series) would be the greener alternative and minimize impacts to down slope properties caused by concentration of multiple drainage areas into one larger drainage discharge. Three of the five midden scatter sites (Sites 3741, 42 and 43-probable pre-contact habitation sites) are located in proximity to this gulch. This further supports the idea of cultural utilization of a natural feature. Its disappearance would be a loss of part of the area's history.

Mahalo once again for a chance to offer our comments. We look forward to working with the project to tell the story of Ka'ono'ulu ahupua'a as the project unfolds.



Edwin "Eku" Lindsey
President, Maui Cultural Lands, Inc.



June 23, 2014

Maui Cultural Lands Inc.
PO Box 122
Lahaina, HI 96767-0122

Dear Mr. Lindsey,

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

Thank you for your email letter of October 23, 2013. The following responses to your comments are provided below:

General Comments:

The EISPN does not appear to include the 13-acre affordable housing project in the northeast corner of the original 88-acre project site as part of this environmental review. Lands under other ownership mauka of the 88-acres, which will have infrastructure supporting the proposed project, appear to be discussed in the EISPN. The 13-acres will share that same project infrastructure and should be included in the EIS review even though they, too, have separate ownership.

It would also appear that this project would need a Community Plan Amendment. While its zoning allows for a broad range of uses, the Community Plan clearly describes a light industrial use for this specific area. Since the proposed use is housing and commercial with a small amount of light industrial, that concept, never discussed during the community plan process, should be openly reviewed through a Community Plan Amendment.

Response: The Draft EIS and the associated technical studies will include the non-project apartment uses to be located in the future on the adjacent 13-acre parcel owned by Honua'ula Partners solely for impact analysis and as background information. Any approvals and additional necessary studies for the 13 acres owned by Honua'ula Partners will be handled separately by Honua'ula Partners. The Draft EIS will include a section on cumulative impacts and will discuss the cumulative effect that readily

identifiable future development could have on water source and availability, as well as other public resources.

Your comments regarding the Kihei Makena Community Plan ("KMCP") are duly noted. The Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance to the Kihei-Makena Community Plan. The forthcoming Draft EIS will include an analysis of how the proposed project meets the goals and objectives, and complies with the KMCP, including those sections cited in your letter. In addition, the Draft EIS will discuss, as a possible alternative, the amendment of the KMCP in the "unresolved issues" section of the Draft EIS.

Protection of Traditional Cultural Practices

The Kihei-Makena Community Plan makes it clear that protection of cultural resources and traditional practices in the region is an important objective.

Ka'ono'ulu is a very culturally rich and important region of south Maui. It is the location of the Ko'ie'ie Loko I'a (also known as Ka'ono'ulu Kai or Kalepolepo Fishpond.) This historic site is attributed to the legendary Mehehune and was restored under the direction of many renowned chiefs over the last five centuries. Ko'ie'ie was constructed in this location because of the shape of the shoreline and the presence of freshwater input. Hawaiian cultural practitioners recognize the relationship of the fresh water coming into the near shore ocean to the production of limu that is essential to a healthy fishery.

The Kao'no'ulu area was known to have inland ponds as well. These too were fed by underground water sources. A good sized settlement was found along the coast in Ka'ono'ulu due to the presence of these fresh water sources, abundant fisheries, gathering opportunities, and arable lands mauka. Pollen core samples and subsurface research in the vicinity of Kalepolepo village in neighboring Waiohuli ahupua'a show cultural use of the land from around 1000 years ago or earlier. (Hammatt, et al, 2000; Pepalis & Kolb, 2000)

It is very important that the EIS have adequate information about the impacts of the proposed improvements: well, drainage rerouting etc. on the underground flows of fresh water that still exist in this area. These groundwater flows are important to the perpetuation of traditional Hawaiian cultural practices in Ka'ono'ulu.

Mr. Brian Naeole, Ms. Florence Lani and Mr. Michael Kumuokauoha Lee are knowledgeable about traditional gathering practices in Ka'ono'ulu from personal experience. Many others are likely informants as well. Their views should be sought out and included in the project planning process to avoid impacts to cultural resources.

Response: The forthcoming Draft EIS and the associated Preliminary Engineering Report will include a description of the proposed drainage improvement and the anticipated impacts of the proposed development. The drainage system will include onsite detention basins and will not impact Kulanihakoi Gulch. In addition to this

analysis, the AIS for the project includes a transcript of the testimony of individuals familiar with the project area. Their knowledge of the project area, where appropriate, will be included in the draft EIS.

Protection of Cultural Sites

The ahupua'a of Ka'ono'ulu was claimed in the Mahele by Hapakuka Hewahewa, a close associate of the Kamehameha dynasty. Hewahewa served as konohiki of Ka'ono'ulu, living there from the 1830's on. He died there in 1848. Other prominent families claimed house lots in the area during the Mahele, a sign that Ka'ono'ulu was an area of some importance. In spite of this rich historical legacy, the only remnant that currently remains of pre-contact Hawaiian history in this area is the Ko'ie'ie fishpond. While this is a very important feature, there should be more to connect to it and inform future generations. The Pi'ilani Promenade parcel has the opportunity to augment the cultural legacy of this ahupua'a through recognition and protection of cultural sites in the project area.

MCL volunteers have reviewed the 1994 Archaeological Inventory Survey (AIS) for the proposed project area.

We note that 20 historic properties were recorded on this project site, including a petroglyph marked stone (site 3746, removed from site) and five surface midden/lithic scatter areas (Sites 3741-45).

We also note that two of these five surface scatter areas also had portable remains of precontact cultural use in found in subsurface test units. This type of cultural remains, indicating pre-contact habitation and use in the area, is very uncommon in the disturbed grazing lands immediately mauka of Piilani Hwy.

In fact, the 1994 AIS indicates that 11 of the 20 recorded sites had some sort of portable surface remains, almost all pre-contact. This land appears to hold remains of cultural sites that, in the light of current knowledge, are a valuable part of the "Ka'ono'ulu story" and "sense of place." "The original AIS and its recommendations are nearly twenty years old. The nature of the proposed project has changed significantly to be more "people oriented." The original decision to allow all historical sites to be eradicated from the land, since an industrial park was planned, should certainly be reviewed as the new plans emerge.

Response: The Draft EIS will include an updated Archeological Inventory Survey (AIS) to re-analyze the proposed project and recommendation for mitigating impacts. The AIS recommends that a data recovery plan be developed for Sites 3727, 3728, 3735, 3736, and 3741-3745.

Our specific suggestions for the DEIS are:

- MCL asks, in the interest of history, that the DEIS discuss ways that several of these former habitation sites be protected by avoidance; incorporated into the open space element of the project

design and given interpretive signage to indicate their past use. Artifacts could be put on display as part of a Ka'ono'ulu history display in the commercial area.

Response: The Draft EIS will include the updated AIS along with recommendations for data recovery for selected sites within the project area. As part of the agency review of the draft EIS, SHPD will review the AIS and comment on the proposed data recovery plan and address its sufficiency.

- *MCL would like to see the parallel alignment possible "road" sections (sites 3737 and 3738) that are attributed to military construction have more in depth research and possible preservation. Several similar sections of rock edged trail or road appear to also exist further mauka on Ka'ono'ulu Ranch lands only more recently surveyed for cultural sites (Shefcheck et al, 2008). It is known that there was a traditional mauka-makai trail through Ka'ono'ulu to facilitate travel and trade. This may be part of that mauka-makai route. If the road did have military use, it is possible it was adapted from an older trail. Each section of road, as described in the 1994 AIS, had pre-contact portable remains located nearby.*

Response: The draft EIS will include the updated AIS along with recommendations for data recovery for selected sites within the project area. As part of the agency review of the draft EIS, SHPD will review the AIS and comment on the proposed data recovery plan and address its sufficiency.

- *MCL also asks that the EIS discuss returning the petroglyph stone found on the site to a protected place of honor in as near to its original location as possible. It is an important cultural feature, that likely relates to other petroglyphs now known to exist, further mauka along Kulanihakoi Gulch and in nearby Waipuilani Gulch. While it is good that it has been kept safe, times have changed and lineal descendants of Ka'ono'ulu did not appear to be consulted about the decision to move it. It would be culturally appropriate to return it to the site in an area with appropriate protections, when the project is complete.*

Response: A relocation study for the stone was submitted and approved by SHPD. The Draft EIS will include an updated Archeological Inventory Survey (AIS) to re-analyze the proposed project and recommendation for mitigating impacts. Return of the petroglyph stone will be addressed as well in the Draft EIS.

- *The EISPN refers to a supplemental AIS done more recently to cover the areas beyond (mauka of) the project boundaries that are proposed to be utilized for drainage, roads and water storage facilities. We look forward to reviewing these.*

We would ask that this survey also include a review of Kulanihakoi gulch itself in the immediate project area. We believe that there are cultural sites within the gulch which are part of the general cultural landscape of the project site. These may be impacted by future improvements associated with the proposed Pi'ilani Promenade project and should be documented and evaluated.

Response: During the consultation process questions were raised as to the presence of historical sites within Kulanihakoi Gulch and the need for additional survey work to assess the presence of possible sites. In response to this request, the Applicant contacted Kaonoulu Ranch and received their approval to submit an SHPD accepted AIS (2008) done for the area south of the project boundary including the gulch area adjacent to and mauka of the project area. The 2008 AIS indicates that no historical or culturally significant artifacts were found in the area fronting the property on either side of the Kulanihakoi Gulch. The 2008 AIS will be included in the Draft EIS.

Protection of Cultural Features

It appears from the site map included in the EISPN that a traditional land form: labeled "Ka'ono'ulu Gulch" on some maps, is proposed to be filled in and eliminated within the boundaries of the project site.

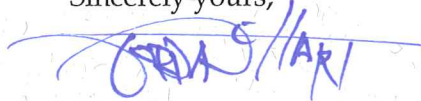
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Enhancement of this natural drainage feature that is shown on the earliest USGS maps (1922 series) would be the greener alternative and minimize impacts to down slope properties caused by concentration of multiple drainage areas into one larger drainage discharge. Three of the five midden scatter sites (Sites 3741, 42 and 43-probable pre-contact habitation sites) are located in proximity to this gulch. This further supports the idea of cultural utilization of a natural feature. Its disappearance would be a loss of part of the area's history.

Response: The forthcoming DEIS will examine the topography, drainage conditions, and cultural resources of the project area and include a discussion of potential impacts and mitigation measures as appropriate.

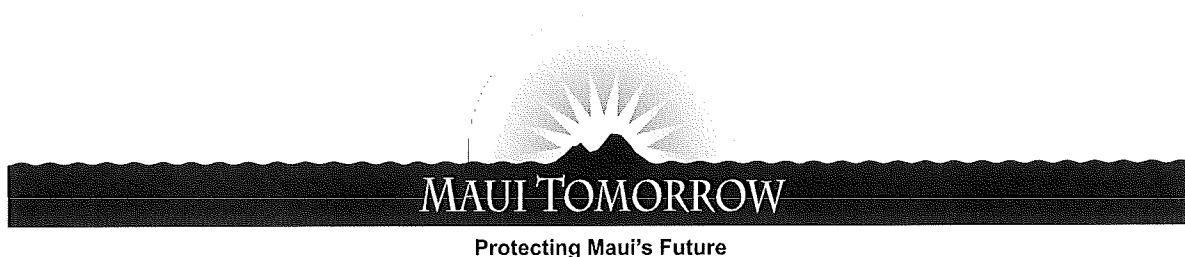
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or email at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

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



October 2, 2013

State of Hawaii, Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Re: Piilani Promenade EIS Preparation Notice

Aloha Chair Chock, Commissioners, and Staff

Maui Tomorrow Foundation appreciates the opportunity to comment on the EISPN for Piilani Promenade. We believe this document does not include adequate discussion of several key areas:

1. Environmental review for the proposed 13-acre Honua'ula workforce housing project. While under separate ownership this project shares entitlement approvals and is dependent upon the proposed 75-acre Commercial/Residential project for basic infrastructure needs.

- The 13-acre Honua'ula site is included in the original LUC DBA approval for an 88-acre Light Industrial Park, and subject to all the LUC conditions adopted in 1995. In order to provide the LUC with adequate information on proposed project impacts and support the applicant's motion to amend the original DBA conditions, impacts associated with development of the 13-acre workforce housing project must be included, regardless of ownership.
- Under the EISPN discussion of "Cumulative and Secondary Impacts," it is clear that cumulative impacts of the project must be discussed "regardless of what agency or person undertakes such other actions." As the 75-acre commercial project is providing the access road and other infrastructure that makes the 13-acre Honua'ula project possible, impacts of both must be included in the EIS as part of cumulative impacts.

2. Also not included is any alternative project design that could avoid alteration of Ka'ono'ulu gulch and cultural sites therein.

(HAR 11-200-17) requires that an EIS describe: "alternatives which could attain the objectives of the action, regardless of cost, in sufficient detail to explain why they were rejected. The section shall include a rigorous exploration and objective evaluation of the environmental impacts of all such alternative actions. Particular attention shall be given

to alternatives that might enhance environmental quality or avoid, reduce, or minimize some or all of the adverse environmental effects, costs, and risks... In each case, the analysis shall be sufficiently detailed to allow the comparative evaluation of the environmental benefits, costs, and risks of the proposed action and each reasonable alternative."

- The EISPN does not refer to consideration of a project design that could avoid obliteration of Ka'ono'ulu gulch, a natural and cultural feature that is part of the "sense of place" for the region. Since the EISPN acknowledges the region's soil type is subject to "severe erosion hazard" a more natural project design should be considered and included in the Draft EIS.
- Alternative designs that would voluntarily preserve any cultural sites in an historically important region of Maui are not discussed, although the Kihei-Makena Community Plan has this as its main goal for Cultural Resources:

"Identification, preservation, enhancement, and appropriate use of cultural resources, cultural practice, and historic sites that: provides a sense of history and defines a sense of place for the Kihei- Makena region; "

- According to the site plan map included, none of the 20 historic sites already documented on the property will remain. An alternative plan should include a number of historic sites into the project design, including the return of the culturally significant petroglyph stone found in 1994.

3. The EISPN does not indicate the scope of the supplemental archeological review planned for the project site.

Require development projects to identify all cultural resources located within or adjacent to the project area, prior to application, as part of the County development review process.

The Kihei-Makena Community Plan requires: "development projects to identify all cultural resources located within or adjacent to the project area, prior to application, as part of the County development review process."

- The proposed project is bound on two sides by the Kulanihakoi Gulch which has documented cultural sites along its length further mauka. Knowledge of these cultural features was not available when the parcel had its archaeological review in 1994.
- The draft EIS should include a supplemental Archaeological Inventory Survey (AIS) that updates the 20-year-old survey of the project site and should include portions of the gulch and surrounding lands bordering the project area.
- Any Cultural Impact Assessment update should address impacts to nearshore practices such as limu (seaweed) and vana (sea urchin) gathering as these practices are affected by changes in upslope water quality.

4. Proposed mitigation strategies for loss of mauka view planes

- The EISPN acknowledges that the project "will impact views" in the mauka direction yet no reference is made to mitigations to counter these impacts.

- The *mauka* view from Pi'ilani Highway represents a major view plane and significant views of the mountains should be preserved to the greatest extent practicable.
- Alternative project designs should be included in the DEIS to address impacts to view planes. Preservation of Ka'ono'ulu gulch and creation of an adjacent view plane corridor could be one such strategy.

5. The EISPN is lacking adequate information concerning impacts to public services and proposed mitigations

- **Drainage:** The EISPN does not clearly describe where onsite and offsite storm water drainage will end up and what impacts the project could have on the flood prone area immediately mauka. Will parking lots be made of pervious surfaces and rain gardens be built into the residential landscaping?
- **Recreational Facilities:** "Analyses" of the project's impact on recreational facilities is also not sufficient. 450 new residences (200 in Piilani Promenade commercial project and 250 for Honua'ula workforce housing) need to have appropriate recreational facilities.
- **Fire and Police Personnel:** Will fire and police staffing be need to be increased in order to service the 450 new housing units? If so, what will be the cost and phasing?
- **Wastewater:** What volume of wastewater will the two housing developments and the commercial use generate? Is there a commitment for service at the Kihei wastewater treatment facility?
- **Water:** Where will the project's water come from and how much will it use for potable consumption? What water conservation strategies are planned; such as R-1 water for landscaping? Will the County of Maui high pressure waterline be dug up and moved or will a new connection to existing line be made?
- **Solid Waste:** Please state estimate of waste to be generated by the project. Will commercial facilities have programs to reduce packaging materials associated with imported goods shipped to Maui?
- **Energy:** What is the anticipated energy usage of the proposed project? Are offset installations of renewable energy planned on site and what efficiencies will be incorporated into buildings and systems?
- **Transportation:** What traffic volume management plan does the project propose during and after construction since Level of Service in the area is already near capacity?

Additional connector roads leading to adjacent existing or proposed developments are described as "opportunities." The EISPN does not indicate whether these roads will be built or be part of alternative project designs analyzed in the EIS. Alternative designs that address connector roads beyond the project site should be included in the Draft EIS.

The EISPN does not include discussion of if or how the project would comply with the existing LUC condition of a frontage road as part of the project design. Alternative project designs that address this condition should be included in the Draft EIS.

- **Traffic:** The EISPN does not specify what level of traffic impacts the EIS will address. The TIAR for the Piilani Promenade project downplayed the overall amount of trips generated or traffic impacts from the adjoining 13-acre Honua'ula workforce housing project.

6. Factors that trigger a need for a Community Plan Amendment for all parcels in the original 88-acre project area.

- Kihei-Makena Community Plan "Land Use and Policy" section has specific language referring to the Ka'ono'ulu parcel ("south of Ohukai and mauka of Piilani Highway") setting its character as primarily "light Industrial."
- k. Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway, as well as limited marine-based industrial services in areas next to Ma'alaea Harbor. Provide for moderate expansion of light industrial use in the Central Maui Baseyard, along Mokulele Highway. **These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use.** These actions will place industrial use near existing and proposed transportation arteries for the efficient movement of goods. (emphasis added)*
- The Draft EIS should acknowledge the need for a Community Plan Amendment since the project is now proposed as mostly commercial with a small amount of Light Industrial (exactly the opposite as is specified in the community plan) with 450 housing units that were not envisioned or approved in the community plan.

Mahalo for considering our comments. We look forward to reviewing the Draft EIS.

Irene Bowie

Irene Bowie
Executive Director



June 23, 2014

Ms Irene Bowie, Executive Director
Maui Tomorrow Foundation
55 N. Church Street Ste. 4A
Wailuku, HI 96793

Dear Ms. Bowie,

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

Thank you for your letter of October 2, 2013. Below are the responses to your numerated comments.

Comment 1. Environmental review for the proposed 13-acre Honua'ula workforce housing project. While under separate ownership this project shares entitlement approvals and is dependent upon the proposed 75-acre Commercial/Residential project for basic infrastructure needs.

- *The 13-acre Honua'ula site is included in the original LUC DBA approval for an 88-acre Light Industrial Park, and subject to all the LUC conditions adopted in 1995. In order to provide the LUC with adequate information on proposed project impacts and support the applicant's motion to amend the original DBA conditions, impacts associated with development of the 13-acre workforce housing project must be included, regardless of ownership.*
- *Under the EISPN discussion of "Cumulative and Secondary Impacts," it is clear that cumulative impacts of the project must be discussed "regardless of what agency or person undertakes such other actions." As the 75-acre commercial project is providing the access road and other infrastructure that makes the 13-acre Honua'ula project possible, impacts of both must be included in the EIS as part of cumulative impacts.*

Response 1. The Draft EIS will include technical studies that address specific aspects of the Honua'ula affordable housing project solely for assessing potential impacts and as

background information. The proposed development of Piilani Promenade is not dependent upon any entitlements of Honua'ula, nor the development of the 13-acre 250 affordable housing project. The Applicant has filed a Motion to Amend with the Land Use Commission, which is currently pending and which seeks, *inter alia*, to bifurcate and assign a separate Land Use Commission Docket Number that applies solely to the 75 acres owned by Applicant. Any approvals and additional necessary studies for the 13 acres owned by Honua'ula Partners will be handled separately by Honua'ula Partners and will be the subject of a separate action by the LUC.

The Draft EIS will include a section on cumulative impacts and will discuss the cumulative effect that readily identifiable future development could have on water source and availability, as well as other public resources.

Comment 2. Also not included is any alternative project design that could avoid alteration of Ka'ono'ulu gulch and cultural sites therein.

(HAR 11-200-17) requires that an EIS describe: "alternatives which could attain the objectives of the action, regardless of cost, in sufficient detail to explain why they were rejected. The section shall include a rigorous exploration and objective evaluation of the environmental impacts of all such alternative actions. Particular attention shall be given to alternatives that might enhance environmental quality or avoid, reduce, or minimize some or all of the adverse environmental effects, costs, and risks... In each case, the analysis shall be sufficiently detailed to allow the comparative evaluation of the environmental benefits, costs, and risks of the proposed action and each reasonable alternative."

- The EISPN does not refer to consideration of a project design that could avoid obliteration of Ka'ono'ulu gulch, a natural and cultural feature that is part of the "sense of place" for the region. Since the EISPN acknowledges the region's soil type is subject to "severe erosion hazard" a more natural project design should be considered and included in the Draft EIS.
- Alternative designs that would voluntarily preserve any cultural sites in an historically important region of Maui are not discussed, although the Kihei-Makena Community Plan has this as its main goal for Cultural Resources:

"Identification, preservation, enhancement, and appropriate use of cultural resources, cultural practice, and historic sites that: provides a sense of history and defines a sense of place for the Kihei- Makena region; "

- According to the site plan map included, none of the 20 historic sites already documented on the property will remain. An alternative plan should include a number of historic sites into the project design, including the return of the culturally significant petroglyph stone found in 1994.

Response 2: The forthcoming DEIS will examine the topography, drainage conditions, and cultural resources of the project area and include a discussion of potential impacts and mitigation measures as appropriate.

The Draft EIS will include an updated Archeological Inventory Survey (AIS) analyzing both the on and off site project areas and providing recommendations on the further analysis of cultural sites.

Comment 3. The EISPN does not indicate the scope of the supplemental archeological review planned for the project site.

- *Require development projects to identify all cultural resources located within or adjacent to the project area, prior to application, as part of the County development review process.*
- *The Kihei-Makena Community Plan requires: "development projects to identify all cultural resources located within or adjacent to the project area, prior to application, as part of the County development review process."*
- *The proposed project is bound on two sides by the Kulanihakoi Gulch which has documented cultural sites along its length further mauka. Knowledge of these cultural features was not available when the parcel had its archaeological review in 1994.*
- *The draft EIS should include a supplemental Archaeological Inventory Survey (AIS) that updates the 20-year-old survey of the project site and should include portions of the gulch and surrounding lands bordering the project area.*
- *Any Cultural Impact Assessment update should address impacts to nearshore practices such as limu (seaweed) and vana (sea urchin) gathering as these practices are affected by changes in upslope water quality.*

Response 3: The Applicant has retained an Archaeologist to prepare an updated Archaeological Inventory Survey that will be included as part of the forthcoming Draft EIS. A Cultural Impact Assessment was also prepared and included in the Draft EIS.

Comment 4. Proposed mitigation strategies for loss of mauka view planes

- *The EISPN acknowledges that the project "will impact views" in the mauka direction yet no reference is made to mitigations to counter these impacts.*

- *The mauka view from Piilani Highway represents a major view plane and significant views of the mountains should be preserved to the greatest extent practicable.*
- *Alternative project designs should be included in the DEIS to address impacts to view planes. Preservation of Ka'ono'ulu gulch and creation of an adjacent view plane corridor could be one such strategy.*

Response 4: The project site is adjacent to the Piilani Highway. Building heights within this area are limited to 60 feet. The site plan and building layout for the Piilani Promenade will be designed to preserve the view towards Haleakala from Piilani Highway. In addition the project will be setback from Piilani Highway and the future KUH and will also be buffered by landscape planting.

Comment 5. The EISPN is lacking adequate information concerning impacts to public services and proposed mitigations

- ***Drainage:** The EISPN does not clearly describe where onsite and offsite storm water drainage will end up and what impacts the project could have on the flood prone area immediately mauka. Will parking lots be made of pervious surfaces and rain gardens be built into the residential landscaping?*
- ***Recreational Facilities:** "Analyses" of the project's impact on recreational facilities is also not sufficient. 450 new residences (200 in Piilani Promenade commercial project and 250 for Honua'ula workforce housing) need to have appropriate recreational facilities.*
- ***Fire and Police Personnel:** Will fire and police staffing be need to be increased in order to service the 450 new housing units? If so, what will be the cost and phasing?*
- ***Wastewater:** What volume of wastewater will the two housing developments and the commercial use generate? Is there a commitment for service at the Kihei wastewater treatment facility?*
- ***Water:** Where will the project's water come from and how much will it use for potable consumption? What water conservation strategies are planned; such as R-1 water for landscaping? Will the County of Maui high pressure waterline be dug up and moved or will a new connection to existing line be made?*
- ***Solid Waste:** Please state estimate of waste to be generated by the project. Will commercial facilities have programs to reduce packaging materials associated with imported goods shipped to Maui?*

- *Energy: What is the anticipated energy usage of the proposed project? Are offset installations of renewable energy planned on site and what efficiencies will be incorporated into buildings and systems?*
- *Transportation: What traffic volume management plan does the project propose during and after construction since Level of Service in the area is already near capacity?*
- *Additional connector roads leading to adjacent existing or proposed developments are described as "opportunities." The EISPN does not indicate whether these roads will be built or be part of alternative project designs analyzed in the EIS. Alternative designs that address connector roads beyond the project site should be included in the Draft EIS.*
- *The EISPN does not include discussion of if or how the project would comply with the existing LUC condition of a frontage road as part of the project design. Alternative project designs that address this condition should be included in the Draft EIS.*
- *Traffic: The EISPN does not specify what level of traffic impacts the EIS will address. The TIAR for the Piilani Promenade project downplayed the overall amount of trips generated or traffic impacts from the adjoining 13-acre Honua'ula workforce housing project.*

Response 5: The forthcoming DEIS will include technical studies including a Traffic Impact Assessment Report, a Preliminary Engineering and Drainage Report that discuss the potential impacts of the proposed project on regional traffic, water and drainage issues. In addition an analysis of recreational impacts as well as impacts on local public services for fire, police and solid waste disposal will also be provided within the draft EIS document.

Comment 6. Factors that trigger a need for a Community Plan Amendment for all parcels in the original 88-acre project area.

- *Kihei-Makena Community Plan "Land Use and Policy" section has specific language referring to the Ka'ono'ulu parcel ("south of Ohukai and mauka of Piilani Highway") setting its character as primarily "light Industrial."*
- k. *Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway, as well as limited marine-based industrial services in areas next to Ma'alaea Harbor. Provide for moderate expansion of light industrial use in the Central Maui Baseyard, along Mokulele Highway. These areas should limit retail business or commercial*

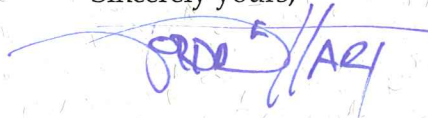
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- *The Draft EIS should acknowledge the need for a Community Plan Amendment since the project is now proposed as mostly commercial with a small amount of Light Industrial (exactly the opposite as is specified in the community plan) with 450 housing units that were not envisioned or approved in the community plan.*

Response 6: Your comments regarding the Kihei Makena Community Plan ("KMCP") are duly noted. The Maui Planning Department has been consulted as part of the environmental review process for the preparation of the Draft EIS. The Planning Department is also expected to comment on the project's conformance to the Kihei-Makena Community Plan. The forthcoming Draft EIS will include an analysis of how the proposed project meets the goals and objectives, and complies with the KMCP, including those sections cited in your letter. In addition, the Draft EIS will discuss, as a possible alternative, the amendment of the KMCP in the "unresolved issues" section of the Draft EIS.

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

Sincerely yours,



Jordan E. Hart, President

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