



APPENDIX P

DEIS Comment Letters with Responses



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Pacific Islands Water Science Center
677 Ala Moana Blvd., Suite 415
Honolulu, Hawaii 96813

Phone: (808) 587-2400/Fax: (808) 587-2401

October 2, 2014

Mr. Robert Poynor, Vice President
LLC. c/o Sarofim Realty Advisors
8115 Preston Road, Suite 400
Dallas, Texas 75225

Dear Mr. Poynor:

Subject: Draft Environmental Impact Statement (DEIS), Piilani Promenade, Island of Maui,
Makawao-Wailuku Districts, Tax Map Key: TMKs (2) 3-9-001: 016, 170-174

Thank you for forwarding the subject DEIS for review and comment by the staff of the U.S. Geological Survey Pacific Islands Water Science Center. We regret however, that due to prior commitments and lack of available staff time, we are unable to review this document.

We appreciate the opportunity to participate in the review process.

Sincerely,

Stephen S. Anthony
Center Director

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

RECEIVED

OCT - 3 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett

13/027



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Stephen S. Anthony, Center Director
United States Department of the Interior
U.S. Geological Survey
677 Ala Moana Blvd., Suite 415
Honolulu, HI 96813

Dear Mr. Anthony,

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

Thank you for your comment letter of October 2, 2014, indicating your office will not review this document. 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,

Jordan E. Hart, President

CC: Mr. Charlie Jencks, Owner Representative
Mr. Daniel E. Orodener, Executive Officer, LUC
Project File 13-029

NEIL ABERCROMBIE
Governor



DANIEL E. ORODENKER
Executive Officer

LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

October 3, 2014

RECEIVED

OCT - 6 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc. Brett 131029

Mr. Brett Davis
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96793

Dear Mr. Davis:

Subject: Docket No. A94-706/Kaonoulu Ranch
Draft Environmental Impact Statement (DEIS)
Piilani Promenade
Kihei, Maui, Hawaii

We have reviewed the DEIS for the proposed project and have the following comments to offer:

- 1) In accordance with section 11-200-17(e), Hawaii Administrative Rules (HAR), a description of the project should be included. To this end, please provide information on the cost of the project, including both offsite and onsite infrastructural improvement and building construction costs. The description should also include the phasing and timing of the action. We acknowledge that the DEIS includes discussion on the development phasing. We request that this discussion be expanded to include more detailed information on the commencement and completion dates of each specific use planned for Phase I and Phase 2.
- 2) In accordance with section 11-200-17(h), HAR, the status of each identified approval should be described. We acknowledge that the DEIS includes a listing of entitlements and approvals. We request that to the extent possible the *projected* submittal dates (i.e., by month/year) of the various applications to the responsible agencies be provided.

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

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


- 4) In accordance with section 11-200-17(j), HAR, a description of the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity should be provided. We acknowledge that the DEIS includes a section addressing this relationship. However, we request that the impacts and potential benefits be quantified to better assess the extent to which the proposed development involves trade-offs among short-term and long-term gains and losses, forecloses future options, narrows the range of beneficial uses of the environment, or poses long-term risks to health or safety.
- 5) In accordance with section 11-200-17(k), HAR, a description of all irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented should be included. We acknowledge that the DEIS includes a section addressing this requirement albeit in a very

generalized manner. We request that at a minimum, this discussion quantify the various commitments to more fully disclose the extent of such commitments of resources.

- 6) In accordance with section 11-200-17(m), HAR, mitigation measures proposed to avoid, minimize, rectify, or reduce impact, should be considered in the DEIS. We acknowledge that various mitigation measures to address potential impacts of the proposed development are discussed throughout the DEIS. However, we suggest that for ease of reference the DEIS include a separate and distinct section that collectively includes an enumeration of each potential impact and the corresponding mitigation measure(s). The basis for why a particular measure was selected and the timing of its implementation in the process should be described here as should the proposed provisions to ensure that each measure will be undertaken.
- 7) In accordance with section 11-200-17(o), HAR, the identity of the persons, firms, or agency preparing the document should be disclosed. This would include the preparers of the actual DEIS/FEIS itself and the authors/firms of the specific studies/reports. This listing may be incorporated within Chapter VIII entitled *Consultation and Review*.
- 8) On pages 91, 94, and 111 of the DEIS, it is stated that "[t]he Piilani Promenade does not lie within the Hawaii Coastal Zone Management Area...for the island of Maui." This is incorrect. Please be advised that pursuant to section 205A-1, Hawaii Revised Statutes, the Coastal Zone Management area encompasses the entire state.

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

Sincerely,



DANIEL E. ORODENKER
Executive Officer



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

June 13, 2017

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

Dear Mr. Orodener,

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

Thank you for your letter of October 3, 2014. In responding to your comments on the DEIS, we would like to note the following.

LUC Comment 1.

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

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

Development Phasing

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

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

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

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

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

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

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

Table No. 1a
 Development Phasing Timeline with Cost Estimate

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

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

LUC Comment 2.

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

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

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

ENTITLEMENTS AND APPROVALS

Table No. 1b Estimated Entitlements and Approvals

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

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

LUC Comment 3.

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

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

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

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

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

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

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

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

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

Table No. 16 Other Potential Projects

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

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

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

Kaiwahine Village

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

Maui Lu Resort

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

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

Kihei High School

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

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

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

Kenolio Apartments

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

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

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

Kihei Residential

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

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

Krausz Companies Commercial Mixed-Use Development (Downtown Kihei)

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

Maui Research and Technology Park

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

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

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

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

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

Honua'ula Affordable Housing Development

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

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

Impacts to Natural and Environmental Resources

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

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

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

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

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

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

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

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

Table No. 16a Other Potential Projects: Drainage

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Table No. 16b Other Potential Projects: Water

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

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

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

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

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

Impacts to the Socio-Cultural Environment

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

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

Table No. 16c Other Potential Projects: Population

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

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

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

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

Table No. 16d Other Potential Projects: Housing

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

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

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

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

Table No. 16e Other Potential Projects: Recreation Facilities

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

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

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

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

Infrastructure and Public Facilities

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

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

Table No. 16f Other Potential Projects: Traffic

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

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

Table No. 16g Other Potential Projects: Wastewater

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

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

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

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

As documented in Section III.D of the 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.3 of the DEIS, is the development of a 1.0 MG drinking water storage tank to provide drinking water storage to accommodate the cumulative impact of projected population growth. Property taxes generated by the development, together with other planned projects in the area, will help fund County operations and capital improvement projects.

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

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

Cumulative Impacts of Honua'ula Affordable Housing Development

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Secondary impacts

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

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

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

LUC Comment 4.

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

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

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

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

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

Ultimately, the long-term build-out of the Pi'ilani Promenade will produce impacts that must be weighed against the Project's benefits. Increased development will lead to an increase in population of the immediate area, whether in the form of residents living within the Pi'ilani Promenade or employees commuting to the Pi'ilani Promenade during regular business hours. With the projected population increases, the volume of traffic coming in and out of the Pi'ilani Promenade will increase. This will affect regional traffic conditions by increasing volumes on the region's existing roadway network. As documented in Section III.D.1 of the 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 mitigation 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 Pi'ilani Promenade project will create jobs both temporary construction jobs and permanent long term employment. The economic impacts associated with the short and long-term implementation of the Pi'ilani Promenade are thoroughly documented in Section III.B.3 of the DEIS.

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

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

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

LUC Comment 5.

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

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

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

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

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

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

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

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

LUC Comment 6.

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

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

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

1. TOPOGRAPHY AND SOILS

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

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

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

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

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

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

2. NOISE QUALITY

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

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

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

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

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

3. ARCHAEOLOGICAL RESOURCES

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

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

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

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

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

4. GROUNDWATER RESOURCES

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

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

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

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

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

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

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

5. RECREATION FACILITIES

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

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

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

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

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

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

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

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

6. SCHOOLS

Potential Impact: Increase in student population

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

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

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

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

7. ROADWAYS

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

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

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

Why Mitigation Measures were selected: Recommendations of the TIAR.

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

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

8. DRAINAGE

Potential Impact: Hydrologic impact on downstream properties.

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

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

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

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

9. WATER

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

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

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

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

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

10. RELOCATION OF COUNTY WATERLINE

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

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

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

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

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

11. SOLID WASTE

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

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

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

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

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

12. WASTE WATER

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

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

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

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

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

13. ELECTRICAL

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

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

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

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

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

LUC Comment 7.

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

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

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

Primary Consultant / Planner

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

Traffic

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

SSFM International Inc.

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

Civil Engineering

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

Market & Econometric Analysis

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

Water

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

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

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

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

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

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

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

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

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

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

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

LUC Comment 8.

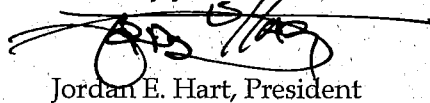
On pages 91, 94, and 111 of the DEIS, it is stated that "[t]he Piilani Promenade does not lie within the Hawaii Coastal Zone Management Area..for the island of Maui." This is incorrect. Please be advised that pursuant to section 205A-1, Hawaii Revised Statutes, the Coastal Zone Management area encompasses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

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

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.

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

Sincerely yours,



Jordan E. Hart, President

CC: Mr. Charlie Jencks, Ownership Representative
Mr. Bert Saruwatari, LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR



Dean H. Seki
Comptroller

Maria E. Zielinski
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

AUG 25 2014

RECEIVED

AUG 26 2014 (P)1271.4

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett

131029

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

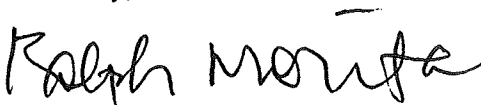
Dear Mr. Hart:

Subject: Piilani Promenade
Makawao, Maui
TMK: (2) 3-9-001:016, 170-174

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,

for 
JAMES K. KURATA
Public Works Administrator

AN:lnn

c: Mr. Robert Poynor, VP, Piilani Promenade North, LLC & Piilani Promenade South, LLC
Mr. William Spence, Director, County of Maui, Dept. of Planning



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

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

Thank you for your comment letter of August 25, 2014 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,

Jordan E. Hart, President

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



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

May 2, 2017

Mr. Roderick Becker, State Comptroller
State of Hawaii
Department of Accounting and General Services
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

Dear Mr. Becker,

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

Attached is a comment response letter dated April 17, 2017 addressed to the former Comptroller Mr. Dean Seki. The letter was provided in response to comment received on the Project's Draft EIS. The letter and copy of the Final EIS on CD are provided for the Department's records.

Thank you for your consideration. 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,

Jordan E. Hart, President

Enclosures (2):

1. Response letter dated April 17, 2017
2. FEIS on CD

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



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

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

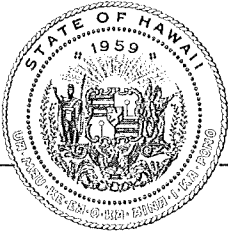
Thank you for your comment letter of August 25, 2014 which indicates that the proposed project will not have any effect upon your Department's projects or facilities in the area and that you have no further comments to offer at this time.

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,

Jordan E. Hart, President

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



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

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

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

Ref. No. P- 14530

October 7, 2014

RECEIVED

OCT - 9 2014

Mr. Jordan E. Hart, President
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, Hawaii 96763

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CL: BHA 13/029

Dear Mr. Hart:

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

Thank you for the opportunity to review the DEIS for the proposed project. According to the document, the new proposal for the Petition area will include retail, office, business and commercial, light industrial, multi-family rental units, parks, substation, and appurtenant uses. The proposal also includes bicycle and pedestrian pathways, road widening lots for Piilani Highway, and the Kaonoulu Street Extension (portion). The zoning is M-1 Light Industrial and the site is within the State Urban District. The Petitioners have filed a Motion to Amend in Docket No. A94-706, to allow for a revision in the proposed use of the Petition area from the originally approved 123-lot industrial subdivision to the current mixed use proposal.

The Office of Planning (OP) provides the following comments and concerns below.

1. Pages 85-115. The Hawaii State Plan in Hawaii Revised Statutes (HRS) Chapter 226 provides goals, objectives, policies, and priority guidelines for growth, development, and the allocation of state resources. The Piilani Promenade DEIS provides an analysis of the Hawaii State Plan's objectives, policies and priority guidelines as it pertains to this project on pages 85-115.
 - a. A discussion of the project's consistency with HRS Section 226-108 (Priority Guidelines on Sustainability) is absent from the table on pages 104-115 of the DEIS. The Final Environmental Impact Statement (FEIS) should include a discussion and analysis of the project's consistency with HRS Section 226-108.
 - b. A resource reference on the Sustainability Priority Guidelines is available from the Office of Planning's website at http://files.hawaii.gov/dbedt/op/docs/OP_TAM-2013-12.03.pdf
 - c. The analysis section of the table on page 115 of the DEIS incorrectly states that "The Piilani Promenade does not lie within the Hawaii Coastal Zone Management

Area ...” HRS Section 205A-1 (Definition of Coastal Zone Management Area) states:

“Coastal zone management area” means all lands of the State and the area extending seaward from the shoreline to the limit of the State’s police power and management authority, including the United States territorial sea.”

Since the coastal zone management area includes all lands of the State, the Piilani Promenade project lies within the Hawaii Coastal Zone Management Area. The FEIS should reflect this correction throughout the document.

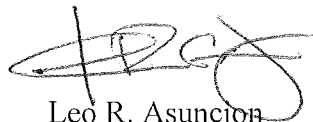
2. Development Phasing, page 14: The DEIS indicates that Piilani Promenade will be constructed in two phases. Phase one, the Piilani Promenade North will include 100,000 square feet of business commercial uses, 226 rental apartments, and 57,558 square feet of light industrial uses. The Piilani Highway road widening, extension of Kaonoulu Road, 1.0 MG water tank, well, and related utilities will also be constructed. Phase two will include the development of Piilani Promenade South with 430,000 square feet of business commercial uses. Construction will occur between 2016-2018. The DEIS should clarify whether the construction of both phases are expected to be completed by 2018. The DEIS project description should also indicate whether any big box retail stores are planned in either phase of the proposed developments, as such uses have greater impacts especially with respect to traffic.
3. Traffic Mitigation Measures, page 65-70: Table 11 and sections on traffic mitigation measures discuss the proposed mitigation measures for the proposal and the multi-family units. Table 11 also proposes mitigation measures, such as to install traffic signals at Piilani Highway and Kaonoulu Street, and notes that this mitigation measure will be installed by others. The Table should include the party that will be responsible for installing these measures. We encourage you to consult with the State Department of Transportation on your analysis and these proposed mitigation measures for the entire development. We also note that the DEIS recommends that a Transportation Coordinator should be appointed by the developer to coordinate the strategies identified in the DEIS. The DEIS should indicate whether the Petitioner intends to implement this recommendation and the proposed mitigation measures.
4. Section III. D. 5. Electrical and State Functional Plan: Energy. The section on the State Functional Plan for Energy refers to Section III. D. 5 Electrical, as including more description on sustainability and resource use. However, this section does not have such information. We recommend that the Final EIS include a section dedicated to energy efficiency and sustainability measures with a more detailed and informative description of proposed measures for the Petition area.

Mr. Jordan E. Hart
October 7, 2014
Page 3

5. Page 42. Housing. Potential Impacts and Mitigation Measures. The DEIS states that 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 the Maui County Department of Housing and Human Concerns.” We previously understood that some units were being built to satisfy the Maui County affordable housing requirement for a different project. The FEIS should be clear as to whether and how many affordable units will be built for the purpose of satisfying a Maui County affordable housing requirement for a different project, how many units will be market-priced, and how those market-priced units within the Petition Area will satisfy Maui County’s affordable housing requirements.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo R. Asuncion', written over a horizontal line.

Leo R. Asuncion
Acting Director

cc: Mr. Robert Poynor, Vice President
Piilani Promenade North, LLC, & Piilani Promenade South, LLC
Land Use Commission



April 17, 2017

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

Dear Mr. Asuncion,

RE: Comments on the Draft Environmental Impact Statement (DEIS) 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 7, 2014. In responding to your comments on the DEIS, we would like to note the following.

Comment 1.

The Hawaii State Plan in Hawaii Revised Statutes (HRS) Chapter 226 provides goals, objectives, policies, and priority guidelines for growth, development, and the allocation of state resources. The Pi'ilani Promenade DEIS provides an analysis of the Hawaii State Plan's objectives, policies and priority guidelines as it pertains to this project on pages 85-115.

- a. A discussion of the project's consistency with HRS Section 226-108 (Priority Guidelines on Sustainability) is absent from the table on pages 104-115 of the DEIS. The Final Environmental Impact Statement (FEIS) should include a discussion and analysis of the project's consistency with HRS Section 226-108.*
- b. A resource reference on the Sustainability Priority Guidelines is available from the Office of Planning's website at http://files.hawaii.gov/dbedt/op/docs/OP_TAM-2013-12.03.pdf*
- c. The analysis section of the table on page 115 of the DEIS incorrectly states that "The Pi'ilani Promenade does not lie within the Hawaii Coastal Zone Management Area ..." HRS Section 205A-1 (Definition of Coastal Zone Management Area) states:*

"Coastal zone management area" means all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the United States territorial sea."

Since the coastal zone management area includes all lands of the State, the Pi'ilani Promenade project lies within the Hawaii Coastal Zone Management Area. The FEIS should reflect this correction throughout the document.

Response 1: In response to comments regarding sustainability the FEIS Section IV. C. (Hawaii State Plan) has been revised to include the following language:

Chapter 226-108 Sustainability priority.

Priority guidelines to promote sustainability:

<u>Priority Guidelines:</u>	<u>S</u>	<u>N/S</u>	<u>N/A</u>
<u>(1) Encouraging balanced economic, social, community, and environmental priorities;</u>	<u>✓</u>		
<u>(2) Encourage planning that respects and promotes living within the natural resources and limits of the State;</u>	<u>✓</u>		
<u>(3) Promote a diversified and dynamic economy;</u>	<u>✓</u>		
<u>(4) Encouraging respect for the host culture;</u>	<u>✓</u>		
<u>(5) Promoting decisions based on meeting the needs of the present without compromising the needs of future generations;</u>	<u>✓</u>		
<u>(6) Considering the principles of the ahupua'a system; and</u>	<u>✓</u>		
<u>(7) Emphasizing that everyone, including individuals, families, communities, businesses, and government, has the responsibility for achieving a sustainable Hawaii.</u>	<u>✓</u>		

Analysis: The Project will provide greatly needed affordable and market rate rental units in Kihei. Providing Affordable Housing for Maui residents is priority of Maui Island Plan, Kihei -Makena Community Plan and the Department of Housing and Human Concern. The Project also supports Hawaii State Plan Chapter 226, HRS 226-106 "Affordable Housing" which sets priority guidelines for the provision of affordable housing in the State of Hawaii.

The Project is a planned urban infill project that will complement the light industrial development to the north and the proposed Kihei High School to the south, and is an appropriate location for urban development. The Project is approximately 0.5 miles from commercial services located at the Pi'ilani Shopping Center and 0.4 miles from the commercial services located at Ohukai Road. The Project site is approximately 1 mile from the public beach access along South Kihei Road.

The proposed mixed use development will provide light industrial, commercial and rental housing opportunities for workforce residents. The allowable mix of permitted uses on the Project site, including rental opportunities support a dynamic economy by proving additional light industrial, retail, commercial and housing options to Maui's workforce residents and visitors.

The Applicant has prepared a revised Cultural Impact Assessment to study and document cultural practices which may affect the project site. It was determined that the proposed project would not have an adverse impact on any cultural activities or significant historic sites. In addition an Archaeological Inventory was completed in 2015 as part of the Final EIS and the State Department

of Land and Natural Resources, State Historic Preservation Division approved the AIS report in January 2016.

The Project can be described as urban infill that will complete an existing neighborhood and provide needed affordable rental units in the near future. The Applicant anticipates acceptance of the FEIS, which will document that the Project will not compromise the needs of future generations.

In the context of the Ahupua'a system, the Project will seek to improve the quality of storm water runoff as it travels towards the ocean through the implementation of the onsite drainage system which will provide storage for the increase in stormwater runoff in compliance with Chapter 4. "Rules for the Design of Storm Drainage Facilities in the County of Maui" and Chapter 15-11 Rules for the Design of Storm Water Treatment Best Management Practices." The makai Project site boundary fronts Pi'ilani Highway and is approximately 0.5 miles from the ocean.

The Applicant is providing the Project residents with a 2-acre park space in front of the apartment development to promote recreation opportunities. In addition, sidewalks and bike paths will be incorporated into the site plan to promote no-vehicular circulation on the site.

The Applicant recognizes the importance of sustainability in planning, and in response to comments on the DEIS, the Project incorporates sustainability design elements such as solar photovoltaic panels for common areas and the vegetated detention basins located on site to intercept stormwater runoff closer to the source. The Applicant is exploring other renewable energy technologies and conservation measures to promote sustainability. Solar hot water heaters will be utilized throughout the residential portion of the Project. Occupants of the Pi'ilani Promenade will be encouraged to install photovoltaic energy systems where appropriate and feasible.

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

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

Comment 2.

The DEIS indicates that Pi'ilani Promenade will be constructed in two phases. Phase one, the Pi'ilani Promenade North will include 100,000 square feet of business commercial uses, 226 rental apartments, and 57,558 square feet of light industrial uses. The Pi'ilani Highway road widening, extension of Kaonoulu Road, 1.0 MG water tank, well, and related utilities will also be constructed. Phase two will include the development of Pi'ilani Promenade South with 430,000 square feet of business commercial uses. Construction will occur between 2016-2018. The DEIS should clarify whether the construction of both phases are expected to be completed by 2018. The DEIS project description should also indicate whether any big box retail stores are planned in either phase of the proposed developments, as such uses have greater impacts especially with respect to traffic.

Response 2: In response to comments regarding the proposed project schedule, the FEIS Section II. F. (Development Phasing) has been revised to include the following language:

Development Phasing

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

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

Phase one (1) includes over \$22 million dollars in infrastructure improvements including construction of the future Kihei Upcountry Highway (KUH) through the project area, (Parcel 172) and improving the intersection of Kaonoulu and Pi'ilani Highway which provides access to the project. Phase one also includes construction of the 1.0 MG drinking water tank, the relocation of the Maui County high pressure drinking water line, the irrigation (non-drinking water) well with pump and related utility and offsite easements.

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

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

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

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

Table No. 1a
 Development Phasing Timeline with Cost Estimate

<u>Project</u>	<u>Estimated Cost</u>	<u>Estimated Start Date</u>	<u>Estimated Completion Date</u>
<u>Phase 1</u>			
<u>Site work Improvements</u>	<u>\$1,256,710.00</u>	<u>Upon approval of the Motion to Amend by the LUC</u>	<u>16 months after approval of the Motion to Amend by the LUC</u>

<u>Project</u>	<u>Estimated Cost</u>	<u>Estimated Start Date</u>	<u>Estimated Completion Date</u>
<u>East Kaonoulu Street Improvements</u>	<u>\$2,299,046.00</u>	"	"
<u>Pi'ilani Highway Widening Improvements</u>	<u>\$1,411,106.00</u>	"	"
<u>Access Road and Swales</u>	<u>\$1,771,330.00</u>	"	"
<u>Sewer System/Revisions</u>	<u>\$712,592.00</u>	"	"
<u>Storm Drainage System/Revisions</u>	<u>\$2,895,052.00</u>	"	"
<u>Onsite Water System</u>	<u>\$834,700.00</u>	"	"
<u>12" Offsite Water/1MG Water Tank</u>	<u>\$4,802,784.00</u>	"	"
<u>36" Water Main/Water/Misc. Revisions</u>	<u>\$2,444,940.00</u>	"	"
<u>Electrical</u>	<u>\$885,566.00</u>	"	"
<u>Traffic Signal Improvements</u>	<u>\$643,000.00</u>	"	"
<u>Landscape/Irrigation</u>	<u>\$1,202,000.00</u>	"	"
<u>CRM Walls</u>	<u>\$900,000.00</u>	"	"
Phase 2			
<u>Light Industrial</u>	<u>\$13,000,000</u>	<u>Prior to completion of Phase 1</u>	<u>15-16 months after commencing work</u>
<u>Business/Commercial</u>	<u>\$27,500,000</u>	"	"
<u>Apartments</u>	<u>\$33,500,000</u>	"	<u>12 to 13 months after commencing work</u>
Phase 3			
<u>Business/Commercial</u>	<u>\$118,250,000</u>	<u>Prior to completion of Phase 2, this portion of development is market driven</u>	<u>15-16 months after commencing work</u>

Comment 3.

Traffic Mitigation Measures, page 65-70: Table 11 and sections on traffic mitigation measures discuss the proposed mitigation measures for the proposal and the multi-family units. Table 11 also proposes mitigation measures, such as to install traffic signals at Pi'ilani Highway and

Kaonoulu Street, and notes that this mitigation measure will be installed by others. The Table should include the party that will be responsible for installing these measures. We encourage you to consult with the State Department of Transportation on your analysis and these proposed mitigation measures for the entire development. We also note that the DEIS recommends that a Transportation Coordinator should be appointed by the developer to coordinate the strategies identified in the DEIS. The DEIS should indicate whether the Petitioner intends to implement this recommendation and the proposed mitigation measures.

Response 3: In response to comments regarding traffic mitigation measures, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

A Traffic Impact Analysis Report was prepared for the DEIS 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 dated June 6, 2014"). The Traffic Impact Assessment Report (TIAR) was prepared by Phillip Rowell and Associates in June 2014 for the DEIS. Once the DEIS was published for comment, due to severe medical complications, Mr. Rowell was physically unable to complete his analysis and respond to the comments received on the DEIS and the Applicant elected to engage another consultant with the task of fully updating the TIAR and assisting with the responses to comments. The TIAR was updated in December 2016 by a new transportation consultant, SSFM International, which included revised estimated automobile trips generated by the project utilizing current traffic count data, input from the State DOT, and a further analysis of other proposed projects in south Maui.

Recommended Project Mitigation Measures

The Applicant is responsible for providing the following improvements at the intersection of Pi'ilani Highway and Kaonoulu Street as part of Project:

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

In consultation with the State DOT Highways Division, the authoritative State agency on the design of roads and highways in Hawaii, it was determined that a frontage road along Pi'ilani Highway was unnecessary. As part of the Project, Pi'ilani Highway will be widened and a striped pedestrian crosswalk will provide a safe route across Pi'ilani Highway.

Additionally a separated bicycle and pedestrian pathway will be provided along the property frontage to encourage pedestrian connectivity in Kihei.

In addition, Appendix N of the FEIS provides a list of the existing conditions in the 1995 Decision and Order and the amendments proposed by the Applicant.

The TIAR update provides the following mitigation recommendations to be provided by others for study area intersections. (See: Appendix M-1, "Traffic Impact Analysis Report Update dated December 20, 2016").

Kenolio Road and Kaonoulu Street

The unsignalized intersection of Kenolio Street and Kaonoulu Street resulted in poor LOS for the southbound left turn movement. Possible mitigation to be completed by the Maui Lu re-development project includes reconstructing as a single lane roundabout.

Pi'ilani Highway and Ohukai Road

The signalized intersection of Pi'ilani Highway at Ohukai Road will continue to operate at a poor LOS similar to Future (2032) Without Project conditions. Therefore, due to current conditions and other background growth possible mitigation includes providing additional left turn lanes for the westbound and southbound approaches.

Pi'ilani Highway and Piikea Avenue

The signalized intersection of Pi'ilani Highway at Piikea Avenue also resulted in poor LOS. Possible mitigation includes adding an additional eastbound left turn lane.

Pi'ilani Highway and Kulanihakoi Street

The signalized intersection of Pi'ilani Highway at Kulanihakoi Street resulted in poor LOS for Future (2032) With Project conditions. Possible mitigation measures include the construction of additional turning lanes for the northbound and southbound approaches.

Pi'ilani Highway and Kaiwahine Street

No project related traffic will be routed onto Kaiwahine Street. The singular access route into and out of the Project will be the first increment of the KUH. The TIAR update does not recommend mitigation measures for the intersection of Kaiwahine Street at the Pi'ilani Highway.

In response to comments regarding the transportation coordinator, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Transportation Management Plan Strategies

- A Transportation Coordinator ~~will~~ 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 ~~will~~ should also document and respond to any traffic related complaints received from the surrounding community.

Comment 4.

Section III. D. 5. Electrical and State Functional Plan: Energy. The section on the State Functional Plan for Energy refers to Section III. D. 5 Electrical, as including more description on sustainability and resource use. However, this section does not have such information. We recommend that the Final EIS include a section dedicated to energy efficiency and sustainability measures with a more detailed and informative description of proposed measures for the Petition area.

Response 4: In response to comments regarding energy, the FEIS Section III. D. 5 (Electrical) has been revised to include the following language:

The Applicant recognizes the importance of sustainability in planning, and in response to comments on the DEIS, the Project incorporates sustainability design elements such as solar photovoltaic panels for common areas and the vegetated detention basins located on site to intercept stormwater runoff closer to the source. The Applicant is exploring other renewable energy technologies and conservation measures to promote sustainability. Solar hot water heaters will be utilized throughout the residential portion of the Project. Occupants of the Piilani Promenade will be encouraged to install photovoltaic energy systems where appropriate and feasible.

The Project will include a water and energy efficient landscaping irrigation system designed to conserve water.

Comment 5.

Page 42: Housing: Potential Impacts and Mitigation Measures. The DEIS states that 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 the Maui County Department of Housing and Human Concerns." We previously understood that some units were being built to satisfy the Maui County affordable housing requirement for a different project. The FEIS should be clear as to whether and how many affordable units will be built for the purpose of satisfying a Maui County affordable housing requirement for a different project, how many units will be market-priced, and how those market-priced units within the Petition Area will satisfy Maui County's affordable housing requirements.

Response 5: In response to comments regarding affordable housing, the FEIS Section III. B. 2 (Housing) has been revised to include the following language:

In response to comments on the DEIS from the State Office of Planning, the proposed 226 rental apartment units are for the Project and none of the rental units will be used or credited by another project. The Project will satisfy the County's affordable housing requirements by providing the required rental units on-site at an affordable rate to be determined by the DHHC. Currently the County requirement is for 25% of the units to be rented at affordable rates.

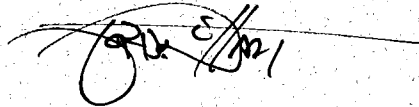
The proposed includes the construction of 226 rental housing units, of which a required twenty-five percent (25%) or 57 units will be rented at an affordable rate determined by the Maui County Department of Housing and Human Concerns.

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.

Chapter 2.96 MCC (Residential Workforce Housing Policy) requires that one third (1/3) of the affordable units be provided to 1) "very low income" residents and "low income" residents, 2) "below moderate income" residents, and 3) "moderate income" residents. Based on the 2016 Affordable Sales Pricing Guidelines 1) "very low income" residents and "low income" residents range from 50-80% of the median income for County, 2) "Below moderate income" residents, range from 81%- 100% and 3) "moderate income" residents earn 101%-120% of median income.

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,

A handwritten signature in black ink, appearing to read 'Jordan E. Hart', with a long horizontal flourish extending to the right.

Jordan E. Hart, President

CC: Mr. Charlie Jencks, Ownership Representative
Mr. Daniel E. Orodener, Executive Officer, LUC
Project File 13-029

Brett Davis

From: McIntyre, Laura <Laura.McIntyre@doh.hawaii.gov>
Sent: Tuesday, September 30, 2014 1:02 PM
To: bpoynor@sraco.com; Brett Davis
Cc: daniel.e.orodenker@dbedt.hawaii.gov; Scott Derrickson; Wong, Alec Y; Pruder, Sina L; Grange, Fenix
Subject: DEIS for Piilani Promenade - Maui, Makawao-Wailuku Districts
Attachments: 14-193_SDWB-letter.pdf; 14-193_DHO-Maui-letter.p

NEIL ABERCROMBIE
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378



LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

In reply, please refer to:
File:

EPO 14-193

September 30, 2014

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

Dear Mr. Hart:

**SUBJECT: Draft Environmental Impact Statement for Piilani Promenade
Island of Maui, Makawao-Wailuku Districts, TMK (2) 3-9-001: 016, 170-174**

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your letter dated August 20, 2014. Thank you for allowing us to review and comment on the subject document available to the public online at: http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Maui/2010s/2014-08-23-MA-5E-DEIS-Piilani-Promenade.pdf

The document was routed to the relevant Environmental Health divisions, branches, and offices. They will provide specific comments to you if necessary. The Safe Drinking Water Branch sent comments on August 27th and the District Health Office in Maui provided comments on September 9th. Given the scale of this project, we encourage you to seek input from the Clean Water Branch and Wastewater Branch to ensure adherence to all rules and regulations. We also recommend that you contact the Hazard Evaluation and Emergency Response Office regarding soil quality. The EPO recommends that you review the standard comments at: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/>. You are required to adhere to all applicable standard comments.

We encourage you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov> You may also wish to review the recently revised Water Quality Standards Maps that have been updated for all islands. The new Water Quality Standards Maps can be found at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/water-quality-standards/>.

The EPO suggests that you examine the many sources available on strategies to support the sustainable and healthy design of communities and buildings, including the:

2014 National Climate Change Report – Highlights for Hawaii:
http://ipcc-wg2.gov/AR5/images/uploads/WGIAR5-Chap29_FGDall.pdf

U.S. Health and Human Services: www.hhs.gov/about/sustainability;
U.S. Environmental Protection Agency's sustainability programs: www.epa.gov/sustainability;
U.S. Green Building Council's LEED program: www.usgbc.org/leed;
Smart Growth America: www.smartgrowthamerica.org;
International Well Building Standard: <http://delosliving.com>; and
Intergovernmental Panel on Climate Change (IPCC):
http://ipcc-wg2.gov/AR5/images/uploads/WGIIAR5-Chap29_FGDall.pdf

We request you share all of this information with others to increase community awareness on sustainable, innovative, inspirational, and healthy community design.

Mahalo,
Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

c. Robert Poynor, Piilani Promenade North, LLC & Piilani Promenade South, LLC c/o Sarofim Realty Advisors
c. Chris Hart & Partners, Inc – Maui Office
c. CWB, WWB, HEER



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Ms. Laura Leialoha Phillips McIntyre, AICP
State DOH, Environmental Planning Office
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Ms. Leialoha Phillips McIntyre:

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

We acknowledge the receipt of your email dated September 30, 2014 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.

Comment 1. Given the scale of this project, we encourage you to seek input from the Clean Water Branch and Wastewater Branch to ensure adherence to all rules and regulations.

Response 1. As part of the environmental review process, the DEIS was sent to the Clean Water and Wastewater Branches, and comments were received. The project has been issued County water meters and will connect to the Maui County public drinking water system. Additionally the project will connect to the existing wastewater system in Kihei.

The Applicant has retained a team of professional engineers to design drinking water and wastewater systems for the proposed project and will ensure that the project is in compliance with Clean Water and Wastewater Branch rules and regulations.

Comment 2. We also recommend that you contact the Hazard Evaluation and Emergency Response Office regarding soil quality.

Response 2. In response to comments soil quality, the FEIS Section III. A. 2 (Topography and Soils) has been revised to include the following language.

The Applicant's planning consultant spoke with the Hazard Evaluation and Emergency Response Office and there were no records of hazardous substances or soil contamination on the Project site. The ESA determined that the Project will not impact soil quality at the Project site.

The remaining other 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"). There has been no activity on the project site or change in the land that would impact the ESA since the July 2013 environmental assessment.

Under ASTM standards, a Phase I Environmental Site Assessment may be considered out of date if not conducted within the prior 180 days. As a result the Applicant requested an update of the ESA. A site visit was conducted by MEV on January 13, 2017, and MEV determined that nothing came to their attention that would cause them to change any matter or opinion set forth in the ESA. Accordingly, MEV issued the Environmental Site Assessment update letter. (See: Appendix B-1, "Environmental Site Assessment update letter dated January 18, 2017").

Comment 3. The EPO recommends that you review the standard comments at: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/>. You are required to adhere to all applicable standard comments.

Response 3. The Applicant will adhere to applicable standard comments and has shared them with the project team.

Comment 4. We encourage you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov>

Response 4. Thank you for this information, the Applicant has shared this information with the project team.

Comment 5. You may also wish to review the recently revised Water Quality Standards Maps that have been updated for all islands. The new Water Quality Standards Maps can be found at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/water-quality-standards/>.

Response 5. Thank you for this information, the Applicant will review the revised Water Quality Standards Map.

Comment 6. The EPO suggests that you examine the many sources available on strategies to support the sustainable and healthy design of communities and buildings, including the: 2014 National Climate Change Report - Highlights for Hawaii: http://ipcc-wg2.gov/AR5/images/uploads/WGIIAR5-Chap29_FGDall.pdf; U.S. Health and Human Services: www.hhs.gov/about/sustainability; U.S. Environmental Protection Agency's sustainability programs: www.epa.gov/sustainability; U.S. Green Building Council's LEED program: www.usgbc.org/leed; Smart Growth America: www.smartgrowthamerica.org; International Well Building Standard: <http://delosliving.com>; and Intergovernmental Panel on Climate Change (IPCC): http://ipcc-wg2.gov/AR5/images/uploads/WGIIAR5-Chap29_FGDall.pdf

Response 6. In response to comments regarding project design, the FEIS Section III. A. 9 (Visual Resources) has been revised to include the following language.

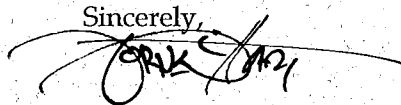
In response to comments, the Applicant has coordinated with the Planning Department and will continue to refine plans to create a well-designed Project. Following the acceptance of the FEIS and completion of the Motion to Amend process, design guidelines will be presented to the Kihei Community Association Design Review Committee and the Maui County Urban Design Review Board for review and comment prior to submittal to the Planning Department for review and approval.

Comment 7. We request you share all of this information with others to increase community awareness on sustainable, innovative, inspirational, and healthy community design.

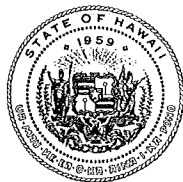
Response 7. The information in your email has been furnished to our project team for their use during the detailed planning and design phase of the project.

In addition to this original letter, a copy will be e-mailed to you at epo@doh.hawaii.gov.

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,

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodenker, Executive Officer, LUC
Project File 13-029



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
EMD/CWB

09007PJF.14

September 8, 2014

Mr. Jordan E. Hart
President
Chris Hart & Partners, Inc.
115 N. Market Street,
Wailuku, Island of Maui, Hawaii 96793

RECEIVED

SEP - 9 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett 131029

Dear Mr. Hart:

**SUBJECT: Comments on Draft Environmental Impact Statement (DEIS) for
Piilani Promenade
Makawao-Wailuku Districts, Island of Maui, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated August 20, 2014, requesting comments on the subject document. 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. Your applicant 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/2013/10/CWB_Oct22.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. National Pollutant Discharge Elimination System (NPDES) permit coverage is required for pollutant discharges into State surface waters and for certain situations involving storm water (HAR, Chapter 11-55).

- a. Discharges into Class 2 or Class A State waters can be covered under an NPDES general permit only if all of the NPDES general permit requirements are met. Please see the DOH-CWB website (<http://health.hawaii.gov/cwb/>) for the NPDES general permits and instructions to request coverage.
- b. All other discharges into State surface waters and discharges into Class 1 or Class AA State waters require an NPDES individual permit. To request NPDES individual permit coverage, please see the DOH-CWB forms website located at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms/>.
- c. NPDES permit coverage for storm water associated with construction activities is required if your project will result in the disturbance of one (1) acre or more of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. NPDES permit coverage is required before the start of the construction activities.

Land disturbance includes, but is not limited to clearing, grading, grubbing, uprooting of vegetation, demolition (even if leaving foundation slab), staging, stockpiling, excavation into pavement areas which go down to the base course, and storage areas (including areas on the roadway to park equipment if these areas are blocked off from public usage, grassed areas, or bare ground).

3. If the project involves work in, over, or under waters of the United States, it is highly recommend that your applicant 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 HAR, Chapter 11-54.

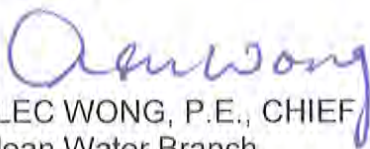
4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54,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

Mr. Jordan E. Hart
September 8, 2014
Page 3

09007PJF.14

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

JF:bk

c: Mr. William Spence, State of Hawaii, Land Use Commission
Mr. Robert Poynor, Piilani Promenade North, LLC



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Alec Wong, P.E., Chief
State DOH, Clean Water Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Wong:

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

Thank you for your letter of September 8, 2014. 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.

a. Designated uses (HAR, Section 11 -54-3), as determined by the classification of the receiving State waters.

b. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).

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.** National Pollutant Discharge Elimination System (NPDES) permit coverage is required for pollutant discharges into State surface waters and for certain situations involving storm water (HAR, Chapter 11-55).*

a. Discharges into Class 2 or Class A State waters can be covered under an NPDES general permit only if all of the NPDES general permit requirements are met. Please see the DOH-CWB

website (<http://healthhawaii.gov/cwb/>) for the NPDES general permits and instructions to request coverage.

b. All other discharges into State surface waters and discharges into Class 1 or Class, AA State waters require an NPDES individual permit. To request NPDES individual permit coverage, please see the DOH-CWB forms website located at: <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms/>.

c. NPDES permit coverage for storm water associated with construction activities is required if your project will result in the disturbance of one (1) acre or more of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. NPDES permit coverage is required before the start of the construction activities.

Land disturbance includes, but is not limited to clearing, grading, grubbing, uprooting of vegetation, demolition (even if leaving foundation slab), staging, stockpiling, excavation into pavement areas which go down to the base course, and storage areas (including areas on the roadway to park equipment if these areas are blocked off from public usage, grassed areas, or bare ground).

Response 2. In response to comments regarding NPDES permits, the FEIS Section III. D. 2 (Drainage) has been revised to include the following language:

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

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 "[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 HAR, Chapter 11-54.

Response 3. In response to comments regarding waters of the United States, the FEIS Section III. A. 2 (Topography and Soils) has been revised to include the following language.

The Army Corps of Engineers conducted a site visit in January 2017 and staff is currently reviewing site plans to provide a jurisdictional determination to determine that there are no

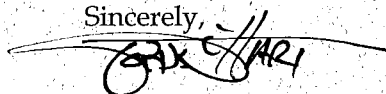
waters of the U.S. located on the Project site. The Applicant expects this determination in 2017.

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,

A handwritten signature in black ink, appearing to read "J. Hart", with a long horizontal flourish extending to the left.

Jordan E. Hart, President

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



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

PiilaniPromenade02.docx

August 27, 2014

RECEIVED

AUG 30 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett

13/029

Piilani Promenade North, LLC
& Piilani Promenade South, LLC
c/o Sarofim Realty Advisors
8115 Preston Road, Suite 400
Dallas, TX 75225

Dear Mr. Robert Poynor:

SUBJECT: PIILANI PROMENADE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
KIHEI, MAUI, HAWAII

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

1. The description of the project states that three 3-inch meters are available to serve the project from the County of Maui, Department of Water Supply (DWS). The project may qualify as a public water system if the project has a master meter from DWS 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. Robert Poynor
August 27, 2014
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 Safe Drinking Water Branch at (808) 586-4258.

If there are any questions, please call Ms. Jennifer Nikaido of the SDWB Engineering Section at (808) 586-4258.

Sincerely,



JL JOANNA L. SETO, P.E., CHIEF
Safe Drinking Water Branch

JN:cb

c: Mr. Jordan E. Hart
Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, HI 96793

EPO



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Ms. Joanna L. Seto, P.E., Chief
State DOH, Safe Drinking Water Branch
Environmental Management Division
919 Ala Moana Blvd., Room 308
Honolulu, HI 96814 - 4920

Dear Ms. Seto,

RE: Comments on the Draft Environmental Impact Statement (DEIS) 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 August 27, 2014. The responses to your numerated comments are as follows.

***Comment 1.** The description of the project states that three 3-inch meters are available to serve the project from the County of Maui, Department of Water Supply (DWS). This project may qualify as a public water system if the project has a master meter from DWS 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. The proposed project will connect to the existing County (public) water system which is a public water system regulated by the County of Maui, State of Hawaii and Federal government.

***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 Pi'ilani Promenade project plans to connect to the existing County (public) water system and is not proposing a new source of drinking water.

***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. The proposed Pi'ilani Promenade project plans to connect to the existing County (public) water system and is not proposing a new source of drinking water.

***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 proposed Pi'ilani Promenade project plans to connect to the existing County (public) water system and is not proposing a new source of drinking water. 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. The proposed Pi'ilani Promenade project plans to connect to the existing County (public) water system and is not proposing a new source of drinking water.

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.

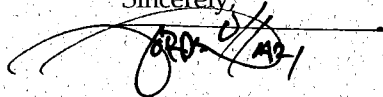
Response 9. The proposed Pi'ilani Promenade project plans to connect to the existing County (public) water system and is not proposing a new source of drinking water.

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 Safe Drinking Water Branch at (808) 586-4258.

Response 10. The Applicant will coordinate with the SDWB as necessary and 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.

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,

A handwritten signature in black ink, appearing to read "Jordan E. Hart", with a stylized flourish extending from the end.

Jordan E. Hart, President

CC: Mr. Charlie Jencks, Owner Representative
Mr. Daniel E. Orodenker, Executive Officer, LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LINDA ROSEN, M.D., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH

P. O. BOX 3378
HONOLULU, HI 96801-3378

October 22, 2014

In reply, please refer to:

LUD - 2 3 9 001 016 etc DEIS
Piilani Promenade-ID1859

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

Dear Mr. Hart:

Subject: Draft Environmental Impact Statement (DEIS) for Piilani Promenade
451 Kaonoulu Street, Kula, Maui, Hawaii 96790
TMK (2) 3-9-001: 016, 170-174

Thank you for allowing us the opportunity to provide comments on the above subject project.
We have the following information to offer.

The subject project is located in the critical wastewater disposal area as determined by the Maui County Wastewater Advisory Committee. As connection to the County's Kihei Wastewater System is planned for treatment and disposal of the domestic wastewater, we have no objections to the proposed development.

Should you have any questions, please contact Mr. Mark Tomomitsu of our branch at telephone number (808) 586-4294.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sina Pruder".

SINA PRUDER, P.E., CHIEF
Wastewater Branch

LM/MST:lmj

cc: Ms. Laura McIntyre, DOH-Environmental Planning Office
Mr. Robert Poynor, VP, Sarofim Realty Advisors
Mr. William Spence, Director, SOH, Land Use Commission
Mr. Roland Tejano, DOH-WWB's Maui Staff
Mr. Kurt Wollenhaupt, County of Maui, Department of Planning

RECEIVED

OCT 24 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CL: Brett 10/29



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Sina Pruder, P.E., Chief
State of Hawaii, Dept. of Health
Wastewater Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Ms. Pruder,

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

Thank you for your letter of October 22, 2014 which indicates that the Department of Health, Wastewater Branch has no objections to the proposed project.

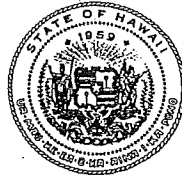
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely,

Jordan E. Hart, President

CC: Mr. Charlie Jencks, Ownership Representative
Mr. Daniel E. Orodener, Executive Officer, LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LINDA ROSEN, M.D., 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 HI 96793

September 9, 2014

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

Dear Mr. Poynor:

Subject: Piilani Promenade

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 may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. 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.

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

Sincerely,

Patti Kitkowski

Patti Kitkowski
District Environmental Health Program Chief

c EPO
✓ Jordan E. Hart

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SEP 10 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning
CL. Bvcl4 131029



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

June 13, 2017

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

Thank you for your letter of September 9, 2014, 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. In response to comments regarding NPDES permits, the FEIS Section III. D.
2 (Drainage) has been revised to include the following language:

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

*Comment 2. 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
Comment Response Letter
June 13, 2017
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 2. In response to comments regarding noise control, the FEIS Section III. A. 7 (Noise Quality) has been revised to include the following language:

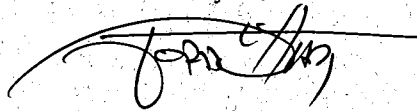
The project will comply with State Department of Health noise regulations including Chapter 11-46, HRS pertaining to "Community Noise Control" for construction activities. As stipulated by DOH permit requirements, noise-generating construction activities are not allowed on Sundays and holidays, during the early morning, and during the late evening and nighttime periods.

***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,

A handwritten signature in black ink, appearing to read "Jordan E. Hart", with a stylized flourish extending from the end.

Jordan E. Hart, President

CC: Mr. Charles Jencks, Ownership Representative
Mr. Daniel E. Orodener, Executive Director, 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

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

October 13, 2014

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

LAND USE COMMISSION
STATE OF HAWAII
2014 OCT 15 A 7:19

Re: Draft Environmental Impact Statement for the Piilani Promenade
Island of Maui, Makawao-Wailuku Districts, TMK: 3-9-001: 016, 170-174

Dear Mr. Poynor:

The Department of Education (DOE) has reviewed the Draft Environmental Impact Statement (DEIS) for the Piilani Promenade Project. The DEIS acknowledges your proposed project will be required to pay school impact fees. However, 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 any land use approvals. We believe the agreement should be executed now.

The DOE would like to have clarified which judicial district its residential units will be located in. While the DEIS on page 50 states that your project is in the Makawao Cost Area, the estimated amount of all school impact fees from the project will total \$535,846 which works out to \$2,371 per unit. That is the amount of the school impact fee for the Wailuku Cost Area. A determination of the correct cost area can be settled in the written agreement.

The DOE has no further concerns about the proposed project at this time. If you have any further questions, please contact Heidi Meeker of the Planning Section, Facilities Development Branch at (808) 377-8301.

Respectfully,

A handwritten signature in black ink, appearing to read "Kenneth G. Masden", is written over a horizontal line.

Kenneth G. Masden
Public Works Manager
Planning Section

KGM:jmb

c: Daniel E. Orodener, Executive Officer, State Land Use Commission
✓ Brett Davis, Chris Hart & Partners, Inc.



April 17, 2017

Mr. Kenneth G. Masden II, Public Works Manager
Planning Section, DOE
P.O. Box 2360
Honolulu, HI 96804

Dear Mr. Masden,

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

Thank you for your letter of October 13, 2014. In responding to your comments on the DEIS, we would like to note the following.

Response 1: In response to comments regarding school impact fees, the FEIS Section III. C. 4 (Schools) has been revised to include the following language:

The Applicant had discussions with the DOE on the Project and is still designing the rental apartment portion of the Project and will enter into a written agreement with the DOE after the EIS and LUC review process has concluded.

To clarify, there was an estimation of the impact fee error in the DEIS and Economic and Fiscal Impact Analysis. The Project site contains land located within the Makawao Cost Area, and the appropriate school impact fee amount will be settled in the written agreement.

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,

A handwritten signature in black ink, appearing to read 'Jordan E. Hart', is written over the word 'Sincerely,'.

Jordan E. Hart, President

CC: Mr. Charlie Jencks, Owner Representative
Mr. Daniel E. Orodener, Executive Officer, LUC
Project File 13-029

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

October 3, 2014

RECEIVED

OCT - 6 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: DRUT
136029

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

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

Dear Messrs. Poynor and Hart:

SUBJECT: Piilani Promenade

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

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin E. Moore".

Kevin E. Moore
Acting Land Administrator

Enclosure(s)
cc: Central Files



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 27, 2014

MEMORANDUM

TO:

DLNR Agencies:

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

FROM:

Kevin E. Moore, Acting Land Administrator

SUBJECT:

Piilani Promenade

LOCATION:

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

APPLICANT:

Piilani Promenade North LLC & Piilani Promenade South LLC

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

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

Username: LD/Visitor

Password: 0pa\$\$word0 (first and last characters are zeros, not O's)

There are 3 files: DEIS Vol 1_Text Figures – Appendix A; DEIS Vol 2 – Appendix B-H, and DEIS Vol 3 - Appendix I-N. Please submit any comments by **October 3, 2014**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

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

Signed:

Print Name:

Date:

LENORE N. OHYE, Acting Deputy Director

cc: Central Files

RFD 4041.6
11782



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Kevin E. Moore, Acting Land Administrator
State of Hawaii
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Moore,

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

Thank you for your letter of October 3, 2014 which notes that the Land Division has provided copies of the DEIS 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,

Jordan E. Hart, President

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



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

September 10, 2014

REF: RFD.4041.6

TO: Russell Tsuji, Administrator
Land Division

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

SUBJECT: Piilani Promenade, Makawao-Wailuku Districts

FILE NO.:

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

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

Our comments related to water resources are checked off below.

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

- ☒ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf
- ☐ 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/cwrw/info_permits.htm.

- ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
- ☐ 11. A Well Construction Permit(s) is (are) required before any well construction work begins.
- ☐ 12. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
- ☐ 13. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- ☐ 14. Ground water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- ☐ 15. A Stream Channel Alteration Permit(s) is (are) required before any alteration(s) can be made to the bed and/or banks of a stream channel.
- ☐ 16. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is (are) constructed or altered.
- ☐ 17. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- ☐ 18. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- ☒ OTHER:
Planning Response: We note that the document indicates that, upon the availability of R-1 reclaimed water, well water use will be replaced by reclaimed water to meet non-potable needs. CWRM encourages this conversion to an alternative water source.

Ground Water Response: The Iao Aquifer System Area has an approved sustainable yield of 20 mgd. 19.089 mgd have been allocated. Another 1.635 mgd are requested in pending applications, which together with the existing allocations exceed the aquifer's sustainable yield.

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

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

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



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. William M. Tam, Deputy Director
State DLNR – CWRM
PO Box 621
Honolulu, HI 96809

Dear Mr. Tam:

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

Thank you for your letter of September 10, 2014, our responses to your numerated comments are provided below.

CWRM 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 were 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. The Applicant will also provide copies of the Final EIS to the Departments.

CWRM Comment 2 & 3. Not Applicable

CWRM 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.

In response to comments regarding conservation measures, the FEIS Section III. D. 5. (Electrical) has been revised to include the following language:

The Project will include a water and energy efficient landscaping irrigation system designed to conserve water.

CWRM 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. In response to comments regarding stormwater runoff, the FEIS Section III. D. 2 (Drainage) has been revised to include the following language:

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

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

Low-impact development strategies, including a series of strategically located drainage retention basins and channels, are designed to mitigate downstream impacts to *makai* landowners. A Drainage Master Plan was designed to County standards, and includes measures that mitigate the increase in runoff generated from the development of impervious surfaces. On-site runoff will be collected by catch basins located at appropriate intervals along the interior roadways and landscaped area. Drain lines from the catch basins will convey the runoff to onsite detention basins or underground subsurface drainage systems.

The onsite drainage system will provide storage for the increase in stormwater runoff from a 50 -year, 1 -hour storm. The drainage system will be designed in compliance with Chapter 4

"Rules for the Design of Storm Drainage Facilities in the County of Maui" and Chapter 15-11
"Rules for the Design of Storm Water Treatment Best Management Practices."

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 Pi'ilani 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 of 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.

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

Response 6. In response to comments regarding water, the FEIS Section III. D. 3 (Water) has been revised to include the following language:

The Pi'ilani Promenade will consume on average of 252,000 gpd at build-out, including 171,000 gpd of drinking water for domestic uses and 81,000 gpd of non-drinking water for irrigation. (See: Appendix L, "Preliminary Engineering Report")

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

As mentioned, three 3-inch domestic water meters have been approved by the County DWS and are available for the project. The issuance of water meters for the project by the DWS carries the implicit approval by the DWS of Piilani Promenade's use of the Iao Aquifer System for drinking water.

The CWRM estimates that 11 MGD of groundwater can be developed within the Kamaole Aquifer System on a sustainable basis. (Water Resource Protection Plan, 2008). The

irrigation well for landscaping is expected withdraw 81,000 gpd and this limited amount of water is not anticipated to significantly impact the Kamaole Aquifer from recharging. In the future, when the County reclaimed water line is extended north towards the Project site, the Applicant will connect to the R-1 water source for irrigation water eliminating the need for the brackish irrigation well.

CWRM 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.

CWRM 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. In response to comments regarding conservation measures, the FEIS Section III. D. 5. (Electrical) has been revised to include the following language:

The Project will include a water and energy efficient landscaping irrigation system designed to conserve water.

Other Comments

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

Ground Water Response: The Iao Aquifer System Area has an approved sustainable yield of 20 mgd. 19.089 mgd have been allocated. Another 1.635 mgd are requested in pending applications, which together with the existing allocations exceed the aquifer's sustainable yield.

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

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

Response. In response to comments regarding water, the FEIS Section III. D. 3 (Water) has been revised to include the following language:

The Pi'ilani Promenade will consume on average of 252,000 gpd at build-out, including 171,000 gpd of drinking water for domestic uses and 81,000 gpd of non-drinking water for irrigation. (See: Appendix L, "Preliminary Engineering Report")

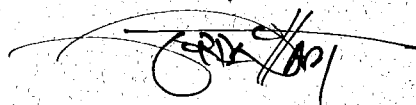
As mentioned, the CWRM estimates that 0.421 MGD of groundwater can be allocated within the Iao Aquifer System. The Piilani Promenade drinking water demand is expected to withdraw 171,000 gpd and can be accommodated within the remaining 0.421 MGD of available groundwater. This limited amount of water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

As mentioned, three 3-inch domestic water meters have been approved by the County DWS and are available for the project. The issuance of water meters for the project by the DWS carries the implicit approval by the DWS of Piilani Promenade's use of the Iao Aquifer System for drinking water.

The CWRM estimates that 11 MGD of groundwater can be developed within the Kamaole Aquifer System on a sustainable basis. (Water Resource Protection Plan, 2008). The irrigation well for landscaping is expected withdraw 81,000 gpd and this limited amount of water is not anticipated to significantly impact the Kamaole Aquifer from recharging. In the future, when the County reclaimed water line is extended north towards the Project site, the Applicant will connect to the R-1 water source for irrigation water eliminating the need for the brackish irrigation well.

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,

A handwritten signature in black ink, appearing to read "Jordan E. Hart", with a stylized flourish extending from the end of the signature.

Jordan E. Hart, President

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



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 27, 2014

MEMORANDUM

TO: FR

DLNR Agencies:

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

TO: FROM: Kevin E. Moore, Acting Land Administrator *[Signature]*
SUBJECT: Piilani Promenade
LOCATION: Makawao – Wailuku Districts; TMK: (2) 3-9-001:016, 170-174
APPLICANT: Piilani Promenade North LLC & Piilani Promenade South LLC

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

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

Username: LD/Visitor

Password: 0pa\$\$word0 (first and last characters are zeros, not O's)

There are 3 files: DEIS Vol 1 Text Figures – Appendix A; DEIS Vol 2 – Appendix B-H, and DEIS Vol 3 - Appendix I-N. Please submit any comments by **October 3, 2014**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

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

Signed:
Print Name:
Date:

Chris J. Johnson
Corby S. Chang, Chief Engineer
9/29/14

cc: Central Files

14 AUG 27 PM 2:53 ENGINEERING

2014 SEP 30 PM 3:46

RECEIVED
LAND DIVISION

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/ Kevin E. Moore

**Ref.: DEIS for Piilani Promenade, Makawao-Wailuku Districts
Maui.024**

COMMENTS

- (X) **We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.**
- () Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is also located in Zone ____.
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project site must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

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

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

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

Signed: _____


CARTY S. CHANG, CHIEF ENGINEER

Date: _____





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: PII LANI 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: JULY 2013
IMAGERY DATA FROM: MAY 2005

IMPORTANT PHONE NUMBERS

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

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

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



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Carty S. Chang, Chief Engineer
State of Hawaii, DLNR, Engineering Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Chang,

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

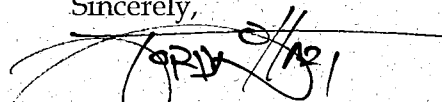
Thank you for your letter of September 29, 2014 which transmitted the comments of the Department's Engineering Division.

***Unnumbered Comment 1.** We confirm that the project site, according to the Flood Insurance Rate Map, (FIRM), is located in Flood Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.*

Unnumbered Response 1. Thank you for confirming that the proposed project site is located in Flood Zone X, an area appropriate for development.

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.

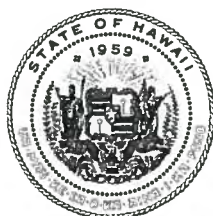
Sincerely,



Jordan E. Hart, President

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

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

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

JESSE K. SOUKI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

September 19, 2014

Jordan E. Hart, President
Chris Hart & Partners, Inc.
Via email to: JHart@chpmaui.com

LOG NO: 2014.03806
DOC NO: 1409MD41
Archaeology

Aloha Mr. Hart,

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

Thank you for correspondence regarding the above, which we received on August 21, 2014. This DEIS has been prepared in advance of the proposed Piilani Promenade project in Kihei.

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

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

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

Mahalo,

A handwritten signature in black ink, appearing to read "Morgan E. Davis".

Morgan E. Davis
Lead Archaeologist, Maui Section

cc: County of Maui
Department of Planning
via email to: Planning@co.maui.hi.us

Renee Segundo, Supervising Building Permit Clerk
County of Maui, Development Services Administration
via email to: Renee.Segundo@co.maui.hi.us

Annalise Kehler, County of Maui
Cultural Resources Commission
via email to: Annalise.Kehler@co.maui.hi.us



April 17, 2017

Mr. Matthew Fariss, PhD, Maui Section
State DLNR - SHPD
601 Kamokila Boulevard, Room 555
Kapolei, HI 96707

Dear Mr. Fraiss,

RE: Comments on the Draft Environmental Impact Statement (DEIS) for the Piilani Promenade, located in Kihei, Maui, Hawaii at TMK's: (2) 3-9-001:016,170-174.
LOG NO: 2014.03806 DOC NO: 1409MD41

Thank you for your office's letter dated September 19, 2014. A revised Archaeological Inventory Survey (AIS) dated August 26, 2015 was accepted as final in the attached letter dated January 6, 2016.

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,

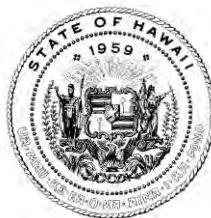
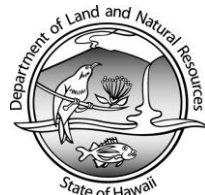
Jordan E. Hart, President

ENCLOSURES (1)

1. AIS acceptance letter dated January 6, 2016

CC: Mr. Charles Jencks, Ownership Representative
Mr. Erik Fredericksen, Archaeologist
Mr. Daniel E. Orodenker, Executive Director, LUC
Project File 13-029

DAVID Y. IGE
GOVERNOR OF HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
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AQUATIC RESOURCES
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

January 6, 2016

Jordan E. Hart, President
Chris Hart & Partners, Inc.
115 N. Market Street
Wailuku, Hawaii 96793
Via email to: JHart@chpmaui.com

Log No: 2015.03310
Doc No: 1601MD08
Archaeology

Aloha Mr. Hart:

**SUBJECT: Chapter 6E-42 Historic Preservation Review – Maui County
Draft Archaeological Inventory Survey for the Piilani Promenade Project
Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao Districts, Island of Maui
TMK (2) 2-2-002:016, 077 and 082 and 3-9-001:016, 148, 169-174 and 3-9-048:122**

Thank you for the opportunity to review the draft report titled *An Archaeological Inventory Survey for On- and Off-Site Improvements Associated with the Proposed Piilani Promenade Project, and Updated Recommendations for Sites Identified in a 1994 Archaeological Inventory Survey, Ka‘ono‘ulu Ahupua‘a, Wailuku and Makawao Districts, Island of Maui (On-site TMK (2) 3-9-001: 16, 169-174, and off-site TMK (2) 2-2-002: 016, 077 and 082, (2) 3-9-001: 148, (2) 3-9-048: 122)* by Fredericksen (Revised August 2015). We received the draft plan submittal on September 2, 2015 and apologize for the delayed review. We requested revisions to an earlier draft of this report on May 2015 (*Log No. 2014.04433, Doc No. 1505MD54*).

This report was prepared for Mr. Robert Poynor of Sarofim Realty Advisors in advance of planned construction of commercial development of 74.871 acres (including off-site effected areas the total acreage for this survey was 101.658 acres) located mauka of Piilani Highway in North Kihei on Maui Island. An archaeological inventory survey (AIS) was originally conducted for this project in the early 1990s; however, following changes both to the land and to the project's anticipated area of potential effect a revised survey report has been prepared as part of the environmental impact statement pursuant to the Hawai'i Revised Statutes § 343 requirements following the recommendation of SHPD.

Fieldwork for the subject AIS was initially conducted in January and February of 2014 by three archaeologists with Erik M. Fredericksen, M.A. as the principal investigator. Three shovel-test pits were manually excavated. Twenty historic properties were identified in the earlier 1994 AIS associated with this project; all were re-identified during the current survey following a second period of fieldwork in July and August 2015. Results of consultation and information previously requested by SHPD regarding required changes to County utilities have been included as Appendices.

One new site was identified, State Inventory of Historic Places (SIHP) 50-50-10-8266. SIHP 8266 has been identified as a pre-Contact temporary habitation area, significant under criterion "d" for its information content. We concur with that assessment. Data recovery has been recommended as mitigation and we concur with that recommendation.

The original 1994 AIS identified 20 SIHPs; two of those, SIHP 3734 and 3739, have since been destroyed/lost. For the remaining SIHPs 3727-3733, 3735-3738 and 3740-3745 were all previously determined eligible for their information content under criterion "d." Of these 18 sites, one was removed in late 1994 (SIHP 3746); seven (7) are recommended for no further work (SIHPs 3730, 3731, 3733, 3737, 3738 and 3740); while the remaining 12 (SIHPs 3727-3729, 3732, 3735, 3736 and 3741-3745) have been recommended for data recovery. We concur with these recommendations and look forward to reviewing an archaeological data recovery plan which will also include the newly-identified SIHP 8266 for a total of thirteen (13) historic properties.

Revisions we previously requested, including results from additional fieldwork recommended in consultation with concerned citizen groups, have been adequately addressed. The draft AIS meets the requirements specified in Hawai'i Administrative Rule §13-276 and is accepted as final. Please send one hardcopy of the document, clearly marked **FINAL**, along with a copy of this review letter and a text-searchable PDF version on CD to the Kapolei SHPD office, attention SHPD Library. Please contact me at (808) 243-4641 or Morgan.E.Davis@hawaii.gov if you have any questions or concerns about this letter.

Mahalo,



Morgan E. Davis
Lead Archaeologist, Maui Section

cc:	County of Maui Department of Planning Planning@co.maui.hi.us	County of Maui Department of Public Works – DSA Renee.Segundo@co.maui.hi.us	County of Maui Cultural Resources Commission Annalise.Kehler@co.maui.hi.us
	Robert Poynor, V.P. Sarofim Realty Advisor cjenks@pacificrimland.com	Erik M. Fredericksen, M.A. Xamanek Researches, LLC xamanekresearchesllc@gmail.com	



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

FORD N. FUCHIGAMI
INTERIM DIRECTOR

Deputy Directors
RANDY GRUNE
AUDREY HIDANO
ROSS M. HIGASHI
JADINE URASAKI
IN REPLY REFER TO:

HWY-PS 2.8170

October 6, 2014

RECEIVED

OCT - 8 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

RC, Brett 10/29

Dear Mr. Hart:

Subject: Traffic Impact Analysis Report (June 6, 2014)
Piilani Promenade, Kihei, Maui
TMK: (2) 3-9-001:016, 170-174

Thank you for the opportunity to review the Traffic Impact Analysis Report (TIAR) for Piilani Promenade, prepared by Phillip Rowell Associates, dated June 6, 2014. Based on the TIAR, the proposed Piilani Promenade will be located on two parcels, designated as the North parcel and South parcel, adjacent to and on the east side of Piilani Highway. The North parcel will consist of approximately 100,000 square feet of business commercial, 226 rental apartment units, and 5 acres of light industrial uses, and the South parcel will consist of approximately 430,000 square feet of business commercial uses. The primary access to and from the project will be provided by an extension of Kaonoulu Street on the east side of Piilani Highway, State Route 31 to be provided by the project. Access to North and South parcels will be via four driveways to the extension of Kaonoulu Street. There is no direct access to Piilani Highway.

The TIAR also includes an analysis with the Honuaula Affordable Housing project, which will consist of 125 condominium and 125 apartment units. The affordable housing project is being developed by a different entity, but is part of the property subject to State Land Use Commission, Docket No. A94-706, and dependent on Piilani Promenade for access to Piilani Highway from the easterly extension of Kaonoulu Street.

We have the following comments:

1. Drive B South and Drive B North are too close to the Piilani Highway/Kaonoulu Street intersection.
2. The forecasted future background traffic volumes should include the Kihei Residential and the Downtown Kihei (Krauz) development or a discussion justifying why these projects were not included.

3. The 2018 background Level of Service (LOS) analysis includes several transportation improvements at the Piilani Highway/Ohukai Road intersection and Piilani Highway/Kaiwahine Street/Uwapo Road intersection that were assumed to be in place. For this assumption to be considered valid, the TIAR must confirm by whom and when these improvements are programmed or committed to be constructed. Otherwise, these improvements cannot be assumed to be in place or Piilani Promenade must commit to providing the improvements.
4. Tables 10 through 14 in the TIAR should include reference to the applicable ITE code for developing the trip generation for each land use. We note that the net new trips generated by the North Parcel's retail land use, as indicated in Table 15, is not consistent for a 100,000 square foot size development.
5. The application of the pass-by trips appears to be incorrect since access to the development would be more typically classified as diverted link trips being that all trips to Piilani Promenade would be via the Piilani Highway and Kaonuolu Street intersection. However, the Department of Transportation (DOT) may consider allowing trip reductions to be applied in determining the net new trips generated, with justification.
6. The methodology used to develop the AM peak hour pass-by trips in Table 15 based on Table 11, which indicates that no formula was provided, must be validated.
7. Trip distribution (75% Kihei and south Maui, 25% north) is acceptable. However, Indicate how the northern traffic will also impact Piilani Highway, not just Mokulele Highway, State Route 311, and North Kihei Road, State Route 310.
8. For consistency, regional traffic growth factors must be applied to all analyzed movements not just through movements.
9. Piilani Promenade shall provide satisfactory pedestrian connections between the project and Kihei High School.
10. The discussion for acceptable LOS on Piilani Highway, State Route 31, does not reflect current DOT requirements. It implies that LOS E or F on minor approaches is acceptable as a default threshold. Existing LOS conditions worse (lower) than D are generally not acceptable by the DOT. In accordance with the DOT guidelines, the Applicant shall mitigate all transportation impacts due to the project in order to maintain the satisfactory traffic operating LOS and delay levels at the without the project conditions for the horizon (background) year. In addition, should the background year LOS without the project be lower than the desirable DOT threshold of LOS D, the Applicant may be required to provide mitigation improvements to improve the State facilities to LOS D or better with the project condition.

11. Piilani Promenade shall provide all transportation mitigation improvements recommended in the TIAR that is accepted by the DOT, and at no cost to the State.
12. We are concerned about when the Honuaula Affordable Housing project will actually be constructed. The TIAR included Piilani Promenade and Honuaula Affordable Housing in its analysis with 2018 as the common background year, but no information about the plans for the actual buildout of the Affordable Housing project was provided. If the actual development year is different from Piilani Promenade, an updated TIAR will be required to determine what impacts the Affordable Housing project may have at its buildout year and any additional improvements that are required shall be provided by its developer, and at no cost to the State.

If there are any questions, please contact Ken Tatsuguchi, Engineering Program Manager, Highways Division, Planning Branch at (808) 587-1830. Please reference file review number PS 2014-130 in all contacts and correspondence regarding these comments.

Very truly yours,



FORD N. FUCHIGAMI
Interim Director of Transportation



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Ford N. Fuchigami, Director
State of Hawaii, Dept. of Transportation
869 Punchbowl Street
Honolulu, HI 96813-5097

Dear Mr. Fuchigami,

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

Thank you for your letter of October 6, 2014. The following responses to your numerated comments are provided:

Comment 1. Drive B South and Drive B North are too close to the Piilani Highway/Kaonoulu Street intersection.

Response 1: In response to comments regarding roadways, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

A Traffic Impact Analysis Report was prepared for the DEIS 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 dated June 6, 2014"). The Traffic Impact Assessment Report (TIAR) was prepared by Phillip Rowell and Associates in June 2014 for the DEIS. Once the DEIS was published for comment, due to severe medical complications, Mr. Rowell was physically unable to complete his analysis and respond to the comments received on the DEIS and the Applicant elected to engage another consultant with the task of fully updating the TIAR and assisting with the responses to comments. The TIAR was updated in December 2016 by a new transportation consultant, SSFM International, which included revised estimated automobile trips generated by the project utilizing current traffic count data, input from the State DOT, and a further analysis of other proposed projects in south Maui. (See: Appendix M-1, "Traffic Impact Analysis Report Update, dated December 20, 2016").

In response to comments regarding project driveways, consultation with the State DOT acknowledged that the proposed driveways are acceptable to leave in their current location. (See attached: Hawaii Department of Transportation Comment-Response Matrix)

Comment 2. The forecasted future background traffic volumes should include the Kihei Residential and the Downtown Kihei (Krauz) development or a discussion justifying why these projects were not included.

Response 2: In response to comments regarding other developments, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Other Project Related Volumes

The addition of trips resulting from the surrounding area projects are shown in Table No. 7. This data was taken from the respective traffic impact analysis reports or calculated.

Table No. 7: Other Project Related Trips

<u>Project Name</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>
<u>Kaiwahine Village</u>	<u>10</u>	<u>50</u>	<u>60</u>	<u>47</u>	<u>23</u>	<u>70</u>	<u>42</u>	<u>35</u>	<u>77</u>
<u>Maui Lu Resort</u>	<u>213</u>	<u>103</u>	<u>316</u>	<u>157</u>	<u>206</u>	<u>363</u>	<u>157</u>	<u>206</u>	<u>363</u>
<u>Kihei High School Phase 1</u>	<u>228</u>	<u>108</u>	<u>336</u>	<u>49</u>	<u>55</u>	<u>104</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Kihei High School Phase 2</u>	<u>243</u>	<u>114</u>	<u>357</u>	<u>52</u>	<u>59</u>	<u>111</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Kenolio Apartments</u>	<u>19</u>	<u>76</u>	<u>95</u>	<u>78</u>	<u>42</u>	<u>120</u>	<u>47</u>	<u>48</u>	<u>95</u>
<u>Kihei Residential</u>	<u>213</u>	<u>403</u>	<u>616</u>	<u>405</u>	<u>332</u>	<u>737</u>	<u>330</u>	<u>311</u>	<u>641</u>
<u>Krauz Development</u>	<u>143</u>	<u>78</u>	<u>221</u>	<u>249</u>	<u>270</u>	<u>519</u>	<u>338</u>	<u>305</u>	<u>643</u>
	<u>87</u>	<u>55</u>	<u>142</u>	<u>259</u>	<u>270</u>	<u>529</u>	<u>361</u>	<u>333</u>	<u>694</u>
<u>Honua'ula Affordable Housing</u>	<u>24</u>	<u>103</u>	<u>127</u>	<u>104</u>	<u>54</u>	<u>158</u>	<u>78</u>	<u>71</u>	<u>149</u>

Comment 3. The 2018 background Level of Service (LOS) analysis includes several transportation improvements at the Piilani Highway/Ohukai Road intersection and Piilani

Highway Kaiwahine Street/Uwapo Road intersection that were assumed to be in place. For this assumption to be considered valid, the TIAR must confirm by whom and when these improvements are programmed or committed to be constructed. Otherwise, these improvements cannot be assumed to be in place or Piilani Promenade must commit to providing the improvements.

Response 3: In response to comments regarding other projects, consultation with the State DOT acknowledged that the proposed driveways are acceptable to leave in their current location. (See attached: Hawaii Department of Transportation Comment-Response Matrix)

The Pi'ilani Highway/Ohukai intersection improvements were constructed late 2015. Pi'ilani Highway/Uwapo intersection improvements have not been made and programming is not known.

In response to comments regarding improvement assumptions, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Future Roadway Construction

Planned construction in the area includes the North-South Collector Road, between Kaonoulu Street and Waipuiani Road, as well as the proposed mauka roadway, between Ohukai Road and Lipoa Street. These roads will add additional capacity and should help alleviate the vehicle demand on Pi'ilani Highway. However, without additional information on timing, these projects were not included in the future analysis.

Comment 4. Tables 10 through 14 in the TIAR should include reference to the applicable ITE code for developing the trip generation for each land use. We note that the net new trips generated by the North Parcel's retail land use, as indicated in Table 15, is not consistent for a 100,000 square foot size development.

Response 4: In response to comments regarding ITE codes, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Trip generation land use codes used for the Project are as follows:

- Shopping Center [820]: A shopping center is an integrated group of commercial establishments that is planned, developed, owned and managed as a unit. A shopping center's composition is related to its market area in terms of size, location and type of store. A shopping center also provides on-side parking facilities sufficient to serve its own parking demands.

- General Light Industrial [110]: Light industrial facilities are free-standing facilities devoted to a single use. The facilities have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing and assembly of data processing equipment.
- Apartment [220]: Apartments are rental dwelling units located within the same building with at least three other dwelling units, for example, quadraplexes and all types of apartment buildings. The studies included in this land use did not identify whether the apartments were low-rise, mid-rise, or high-rise.

Comment 5. The application of the pass-by trips appears to be incorrect since access to the development would be more typically classified as diverted link trips being that all trips to Piilani Promenade would be via the Piilani Highway and Kaonuolu Street intersection.

However, the Department of Transportation (DOT) may consider allowing trip reductions to be applied in determining the net new trips generated, with justification.

Response 5: the TIAR update includes an analysis of the pass-by trips is located in table no. 16 of the TIAR update located in Appendix M-1.

The percentage of pass-by trips generated by the commercial use was estimated using the data provided in the Trip Generation Handbook, 2nd Edition. The pass-by trip reduction rates used for the AM, PM and Saturday Peak hours is 10%, 24% and 39% respectively. No pass-by reduction factors were applied to the industrial or apartment trips generated. No diverted trips were accounted for in the analysis. Table no. 16 of the TIAR update provides a breakdown of the primary and pass-by trips generated, including 2025, 2032, and then the project total.

Comment 6. The methodology used to develop the AM peak hour pass-by trips in Table 15 based on Table 11, which indicates that no formula was provided, must be validated.

Response 6: In response to comments regarding trip generation methodology, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Trip Generation Methodology

The proposed mixed-use development is planning to include commercial, light industrial and affordable apartment units. Resulting trip generation for the Project was calculated using Trip Generation, 8th Edition (ITE, 2008) and related trip generation rates are shown in Table No. 10.

Comment 7. Trip distribution (75% Kihei and south Maui, 25% north) is acceptable. However, indicate how the northern traffic will also impact Piilani Highway, not just Mokulele Highway, State Route 311, and North Kihei Road, State Route 310.

Response 7: As noted in the TIAR update, the 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 Pi'ilani Highway and then Pi'ilani Highway to the project. The remaining 5% will use South Kihei Road and Kaonoulou Street.

Comment 8. For consistency, regional traffic growth factors must be applied to all analyzed movements not just through movements.

Response 8: as noted in the TIAR update, According to the *Maui Long Range Land Transportation Plan* model (CH2M Hill/HDOT, 2013), traffic volumes along Pi'ilani Highway are projected to increase an average of 1.25% per year from 2007 to 2020 and 1.24% per year from 2020 to 2035. The annual compounded growth rate along South Kihei Road was 3.60% from 2007 to 2020 and 2.05% from 2020 to 2035. These growth rates were used to calculate the projected background growth from 2016 to 2025 and from 2025 to 2032.

The respective growth factors were applied to the northbound and southbound through traffic movements along Pi'ilani Highway and South Kihei Road at the study intersections. Intersection turning movement traffic volumes are considered a reflection of individual project trips and not regional growth, and therefore no ambient growth rate was applied.

Comment 9. Piilani Promenade shall provide satisfactory pedestrian connections between the project and Kihei High School.

Response 9: In response to comments regarding connectivity to the Kihei High School, the FEIS Section V. C. Cumulative and Secondary Impacts has been revised to include the following language.

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 Pi'ilani Promenade. The Kihei High School is required to construct an underpass or overpass across Pi'ilani 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.

At the time of publication of this FEIS the issue remains unresolved.

However, the current Project plan includes off road pedestrian and bicycle routes along both East Kaonoulu Street, as well as through an access easement from Ohukai Street to East Kaonoulu Street. Additionally, the Project includes a separate pedestrian/bicycle pathway running parallel to the Pi'ilani right of way within the Project site as a preferred and safe route for south Maui residents traveling to and from the Project site. With regard to the Kulanihakoi Gulch crossing, the Applicant has offered to assist the State DOT in the design of a separate crossing facility located within the right of way and outside the roadway section for pedestrian and bicycle safety. All of the above proposed improvements are intended to facilitate safe walking and bicycling and to reduce the requirement for automobile use in order to access the development.

Comment 10. The discussion for acceptable LOS on Piilani Highway, State Route 31, does not reflect current DOT requirements. It implies that LOS E or F on minor approaches is acceptable as a default threshold. Existing LOS conditions worse (lower) than D are generally not acceptable by the DOT. In accordance with the DOT guidelines, the Applicant shall mitigate all transportation impacts due to the project in order to maintain the satisfactory traffic operating LOS and delay levels at the without the project conditions for the horizon (background) year. In addition, should the background year LOS without the project be lower than the desirable DOT threshold of LOS D, the Applicant may be required to provide mitigation improvements to improve the State facilities to LOS D or better with the project condition.

Response 10: In response to comments regarding mitigation measures, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Recommended Project Mitigation Measures

The Applicant is responsible for providing the following improvements at the intersection of Piilani Highway and Kaonoulu Street as part of Project:

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

In consultation with the State DOT Highways Division, the authoritative State agency on the design of roads and highways in Hawaii, it was determined that a frontage road along Pi'ilani Highway was unnecessary. As part of the Project, Pi'ilani Highway will be widened and a striped pedestrian crosswalk will provide a safe route across Piilani Highway. Additionally a separated bicycle and pedestrian pathway will be provided along the property frontage to encourage pedestrian connectivity in Kihei.

Comment 11. Piilani Promenade shall provide all transportation mitigation improvements recommended in the TIAR that is accepted by the DOT, and at no cost to the State.

Response 11: The Piilani Promenade will pay for and provide transportation mitigation improvements recommended in an accepted TIAR by the DOT.

Comment 12. We are concerned about when the Honuauula Affordable Housing project will actually be constructed. The TIAR included Piilani Promenade and Honuauula Affordable Housing in its analysis with 2018 as the common background year, but no information about the plans for the actual build out of the Affordable Housing project was provided. If the actual development year is different from Piilani Promenade, an updated TIAR will be required to determine what impacts the Affordable Housing project may have at its build out year and any additional improvements that are required shall be provided by its developer, and at no cost to the State.

Response 12: In response to comments regarding project driveways, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

Impacts of Honua'ula

The Project and the Honua'ula Affordable Housing Project are two separate projects proposed by two different owners. However, the two project sites are both part of the Petition Area, until the LUC approves the Motion to Amend and the 1995 Decision and Order is amended and the Petition Area is bifurcated. Further, the timing of construction may be somewhat similar. For these reasons, explanation is offered.

This TIAR update treats Honua'ula Affordable Housing Project in the following way:

- Trip generation rates were calculated using trip generation equations for Apartment (125units) and Residential Condominium/Townhouse (125 units) from the Trip Generation, 8th Edition (ITE, 2008). The results in Table 10 show that during the AM peak hour, 103outbound trips are generated and 24 inbound for a total of 127 trips. The PM peak hour has slightly more traffic generated, 104 in and 54 out movements for a total of 158 trips. Saturday peak hour has 78 in movements and 71 out for a total of 149 trips.

- Access for the Honua'ula Affordable Housing project is through a new mauka leg East Kaonoulu Street and assigned to that roadway. This roadway extension will be completed as part of Pi'ilani Promenade. The traffic analysis for **With Project** includes both projects using East Kaonoulu Street. See Figures 14 to 16 in the TIAR update for project related trips associated with Pi'ilani Promenade and see Figure 17 in the TIAR update for project related trips associated with


Honua'ula Affordable Housing Project. (See: Appendix M-1, "Traffic Impact Analysis Report Update dated December 20, 2016").

In order to isolate the effects of Pi'ilani Promenade, Honua'ula Affordable Housing Project is treated as part of background traffic in the Without Project because East Kaonoulu Street is not assumed to be completed under this condition, traffic associated with Honua'ula Affordable Housing Project is assigned to use a possible temporary driveway access off of Ohukai Road. Ohukai Road temporary access is subsequently closed when East Kaonoulu Street is constructed and opened. See Figures 18 to 20 in the TIAR update.

~~The Honua'ula Affordable Housing Project is not part of the Pi'ilani 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 Pi'ilani 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, and the TIAR update does not recommend concludes that no additional mitigation is required to accommodate traffic generated by the Honua'ula Affordable Housing 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,



Jordan E. Hart, President

CC:

Mr. Charlie Jencks, Ownership Representative
Mr. Daniel E. Orodener, Executive Officer, LUC
Project File 13-029

Hawaii Department of Transportation Comment-Response Matrix

	10/6/14 - HDOT Comment	8/11/15 - PRA Response	2/2/16 - SSFM Proposed Action	2/19/16 - HDOT Response (Nami Wong)	2/22/16 - SSFM Response
1	Drive B South and Drive B North are too close to the Piilani Highway/Kaonolu Street intersection.	Acknowledged.	Need to define acceptable from State standpoint so can plan appropriate access control.	Leave as is; no need to move.	Ok.
2	The forecasted future background traffic volumes should include the Kihei Residential and the Downtown Kihei (Krauz) development or a discussion justifying why these projects were not included.	Acknowledged. An updated list of other known projects that will be included in the background forecasts is attached.	Have identified latest credible projects in area for consideration.	OK.	We identified 18 potential projects in the surrounding area however not enough information exists about each to consider credible. Therefore, we will include the projects PRA included in the TIAR (Kaiwahine Village, Maui Lu Resort, Kihei High School, Kenolio Affordable Housing Project) and we will also include Kihei Residential and Downtown Kihei).
3	The 2018 background Level of Service (LOS) analysis includes several transportation improvements at the Piilani Highway/Ohukai Road intersection and Piilani Highway/Kaiwahine Street/Uwapo Road intersection that were assumed to be in place. For this assumption to be considered valid, the TIAR must confirm by whom and when these improvements are programmed or committed to be constructed. Otherwise, these improvements cannot be assumed to be in place or Piilani Promenade must commit to providing the improvements.	The improvements referred to at the intersection of Piilani Highway and Ohukai Road have since been constructed. It is our understanding that these improvements were constructed at the State's expense. The improvements shown as recommended in the Piilani Promenade TIAR will be revised to reflect this improvement.	Piilani Highway/Ohukai intersection improvements were constructed late 2015. Piilani Highway/Uwapo intersection improvements have not been made and programming is not known.	Verify when improvements done or proposed, and by who.	Will look into this further however information on credibility of projects is typically assessed by County and not individual developers. If we are unable to find better information, we will default to what was previously assessed as credible.
4	Tables 10 through 14 in the TIAR should include reference to the applicable ITE code for developing the trip generation for each land use. We note that the net new trips generated by the North Parcel's retail land use, as indicated in Table 15, is not consistent for a 100,000 square foot size development.	Land Use codes will be added to the tables. The trip generation analysis for the North Parcel will be corrected. The trip generation calculations will also be revised to reflect minor changes in the development plan.	Will include information as it relates to most recent site plan.	OK.	No comment.
5	The application of the pass-by trips appears to be incorrect since access to the development would be more typically classified as diverted link trips being that all trips to Piilani Promenade would be via the Piilani Highway and Kaonolu Street intersection. However, the Department of Transportation (DOT) may consider allowing trip reductions to be applied in determining the net new trips generated, with justification.	Pass-by trips are defined as trips "attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator. Pass-by trips are not diverted from another roadway." Piilani Highway is adjacent to the project site and for all practical purposes, the intersection of Piilani Highway at Kaonolu Street is a driveway to and from the project until the Upcountry Highway is constructed.	Will use definition/rates as previously detailed from PRA.	Expand discussion of pass-by vs. diverted links.	Ok.
6	The methodology used to develop the AM peak hour pass-by trips in Table 15 based on Table 11, which indicates that no formula was provided, must be validated.	Justification will be added to the TIAR.	Will use definition/rates as previously detailed from PRA.	Justify.	Will provide discussion in report.
7	Trip distribution (75% Kihei and south Maui, 25% north) is acceptable. However, indicate how the northern traffic will also impact Piilani Highway, not just Mokuale Highway, State Route 311, and North Kihei Road, State Route 310.	Clarification is needed. Intersections along these roadways were included in the TIAR	Will update report to justify use and show how volumes are distributed.	OK.	No comment.
8	For consistency, regional traffic growth factors must be applied to all analyzed movements not just through movements.	We have modified the horizon year and expanded the list of other known projects to be included in the background projections. The new list essentially represents build out of South Maui. Recommend that the background growth rate be eliminated as suggested by State of Hawaii Department of Transportation at one of our earlier meetings.	Will follow recommendations noted by PRA.	Do own analysis based on research.	As discussed above, will include developments listed above. Then will apply growth factor to through movements along major highways (Piilani Highway, North Kihei Road and South Kihei Road). Growth factor and resulting trips will be applied to all movements dependent of study.
9	Piilani Promenade shall provide satisfactory pedestrian connections between the project and Kihei High School	A pedestrian circulation plan has been developed since the TIAR was prepared. The plan will be included in the final TIAR.	See response from PRA.	Address pedestrian refuge at intersection.	Ok.
10	The discussion for acceptable LOS on Piilani Highway, State Route 31, does not reflect current DOT requirements. It implies that LOS E or F on minor approaches is acceptable as a default threshold. Existing LOS conditions worse (lower) than D are generally not acceptable by the DOT. In accordance with the DOT guidelines, the Applicant shall mitigate all transportation impacts due to the project in order to maintain the satisfactory traffic operating LOS and delay levels at the without the project conditions for the horizon (background) year. In addition, should the background year LOS without the project be lower than the desirable DOT threshold of LOS D, the Applicant may be required to provide mitigation improvements to improve the State facilities to LOS D or better with the project condition.	Acknowledged. However, the last sentence implies that this project may be required to mitigate an unacceptable background (without project) level-of-service that is the result of traffic generated by another project.	Per latest discussions with HDOT, it is understood that LOS E/F may result at some intersections however this is a known issue which the administration has decided to address on a regional level.	*...which the administration has decided to address on a regional level." Exception taken to underscore (quotation). Project to mitigate own impacts.	Ok.
11	Piilani Promenade shall provide all transportation mitigation improvements recommended in the TIAR that is accepted by the DOT, and at no cost to the State.	Acknowledged.	See response from PRA.	OK.	Will follow up with roadway improvement projects understood to be responsibility of Piilani Promenade.
12	We are concerned about when the Honuaula Affordable Housing project will actually be constructed. The TIAR included Piilani Promenade and Honuaula Affordable Housing in its analysis with 2018 as the common background year, but no information about the plans for the actual buildout of the Affordable Housing project was provided. If the actual development year is different from Piilani Promenade, an updated TIAR will be required to determine what impacts the Affordable Housing project may have at its buildout year and any additional improvements that are required shall be provided by its developer, and at no cost to the State.	Acknowledged.	The Honuaula Affordable Housing project is a separate development and will be accounted for under "without project" conditions.	OK.	No comment.