



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor

JO-ANN T. RIDAO
Director

JAN SHISHIDO
Deputy Director

2200 MAIN STREET • SUITE 546 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165
MAILING ADDRESS: 200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • EMAIL: director.hhc@mauicounty.gov

September 9, 2014

RECEIVED

SEP 11 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

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

CC: JCH
13/029

Dear Mr. Hart:

**Subject: Draft Environmental Impact Statement (DEIS) for Pi'ilani
Promenade of Maui, Hawaii. TMK's (2) 3-9-001:016, 170-174**

Thank you for the opportunity to review the Environmental Impact Statement Preparation Notice for the subject property. Based on our review, we would like to offer the following comments:

1. The above subject project is subject to Chapter 2.96 Maui County Code (MCC), Residential Workforce Housing Policy.
2. The Residential Workforce Housing Agreement for the subject project needs to be fully executed and recorded at the Bureau of Conveyances prior to final subdivision or building permit approval, whichever is applicable and occurs first.

Please call Wayde Oshiro of our Housing Division at 270-7355 if you have any questions.

Sincerely,

JO-ANN T. RIDAO
Director of Housing and Human Concerns

c: Housing Division



April 17, 2017

Ms. Carol Reimann, Director
County of Maui, Department of Housing and Human Concerns
2200 Main Street, Suite 546
Wailuku, HI 96793

Dear Ms. Reimann,

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. Responses to your numerated comments are provided below.

Comment 1. The above subject project is subject to Chapter 2.96 (MCC), Residential Workforce Housing Policy.

Response 1. As mentioned in the FEIS Section III. B. 2 (Housing):

The exact rental prices for the units and allocation of units by income is unknown at this time and will be determined after the environmental review process and when the project is ready for construction. The project will comply with the affordability requirements of Chapter 2.96 MCC (Residential Workforce Housing Policy).

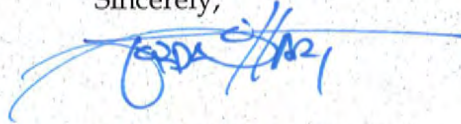
Comment 2. The Residential Workforce Housing Agreement for the subject project needs to be fully executed and recorded at the Bureau of Conveyances prior to final subdivision or building permit approval, whichever is applicable and occurs first.

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

The Applicant will execute the residential workforce housing agreement with the Department prior to building permit approval.

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 blue ink, appearing to read "Jordan E. Hart", with a long horizontal flourish extending to the right.

Jordan E. Hart, President

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



DEPARTMENT OF PARKS & RECREATION

700 Hali'a Nako'a Street, Unit 2, Wailuku, Hawaii 96793

October 6, 2014

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

Dear Mr. Poynor:

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT STATEMENT
PIILANI PROMENADE, TMK: (2) 3-9-001:016, 170-174**

Thank you for the opportunity to review the Draft Environmental Impact Statement for the subject project. As indicated in our comments on the EISPN, the Piilani Promenade project is subject to parks and playgrounds assessment requirements pursuant to Section 18.16.320, Maui County Code. The applicant should coordinate discussion with our Department on how these requirements will be satisfied.

Please feel free to contact me or Karla Peters, CIP Coordinator, at (808) 270-7981, should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Brianne Savage".

BRIANNE L. SAVAGE
Interim Director of Parks and Recreation

c: Robert Halvorson, Chief of Planning and Development
Daniel E. Orodenker, State of Hawaii Land Use Commission
Jordan Hart, Chris Hart & Partners

BLS:RH:kp

RECEIVED

OCT - 8 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: robert 10/10/14



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. Kaala Buenconsejo, Director
County of Maui, Department of Parks & Recreation
700 Hali'a Nakoa Street, Unit 2
Wailuku, HI 96793

Dear Mr. Buenconsejo,

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 6, 2014.

Comment. The proposed project is subject to the parks and playgrounds assessment requirements.

Response: In response to comments regarding parks requirements, the FEIS Section III. C. 1 (Recreational Facilities) has been revised to include the following language:

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 Project 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 Piilani Promenade includes a pedestrian and bike pathway system adjacent to

Mr. Kaala Buenconsejo, Director
Piilani Promenade DEIS
Comment Response Letter
April 17, 2017
Page 2 of 2

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.

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 blue ink, appearing to read "JRM E/Hart", with a long horizontal flourish extending to the right.

Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

December 8, 2014

RECEIVED

DEC 10 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brock + Jordan
131029

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

Dear Mr. Hart:

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) FOR
PIILANI PROMENADE, LOCATED IN KIHAI, ISLAND OF MAUI,
HAWAII; TMK: (2) 3-9-001:016 (RFC 2014/0073)**

The Department of Planning (Department) is in receipt of the above-referenced document and hereby provides the following comments.

1. The Department understands that the prior project consisting of a 123-lot commercial and light industrial subdivision approved by the Land Use Commission is no longer economically feasible based on current economic conditions.
2. Current plans for the project include the development of a mixed use project consisting of retail, office, business-commercial, light industrial, multi-family (226 apartment units), and public/quasi-public (park, Maui Electric Company sub-station) uses.
3. The project will be constructed in two (2) phases as market conditions warrant. Phase I will include development of the northern lot (parcel 16) which will include 100,000 square feet (sq. ft.) of business commercial uses, 226 rental apartment uses and 57,558 sq. ft. of light industrial use. Phase I will also include construction of the future Kihei Upcountry Highway as well as improving the intersection of Kaonoulu and Piilani Highway which provides access to the project. Phase II will consist of approximately 43,000 sq. ft. of business commercial uses.
4. The land use designations for the project area are as follows:
 - a. State Land Use: Urban
 - b. Kihei-Makena Community Plan: Light Industrial
 - c. County Zoning: M-1 Light Industrial (Ordinance No. 2772)
 - d. Other: Not within the Special Management Area (SMA)

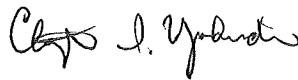
5. In 1998 Kaonoulu Ranch applied to the County of Maui for a change in zoning of the Petition area from Agriculture to M-1 Light Industrial, as required by Condition No. 1 of the Land Use Commission's 1995 Decision and Order. In 1999, County of Maui Ordinance No. 2772, Bill No 27 was passed, granting conditional zoning to the petition area. Four (4) conditions were imposed on the zoning as follows:
 - That the Applicant shall participate in intersection improvements which includes but is not limited to, traffic signals and turning lanes to the satisfaction of the Department of Transportation (DOT). The Applicant is encouraged to explore opportunities of cost share arrangements with adjacent developers.
 - That water conservation measures shall be incorporated into the design and operations of the industrial project.
 - That the Applicant shall design its landscape irrigation system to accommodate future connection to the County's effluent reuse system.
 - That the design guidelines for this project be reviewed by the Department.
6. The conditional zoning did not place any restriction on uses within the Light Industrial District.
7. The County of Maui zoning districts has a tiered zoning approach. For example, permitted uses in the M-1 light industrial district included uses that are permitted in the B-1, B-2, or B-3 business districts.
8. Apartments or multi-family units are permitted uses in the M-1 Light Industrial District and there are a number of apartment projects that have been developed over the years in Maui.
9. The Department has gone on record stating that the "Light Industrial" community plan designation allows for the uses listed in the "Light Industrial" zoning district.
10. Although the project is not located within the Special Management Area of the County, the Department would like to work with the developer on the design of the project. The Department would prefer to see well-designed buildings along the roadways as opposed to a sea of parking. We are open to meeting with the developer to achieve this end.
11. A comprehensive parking analysis looking at requirements of the property as a whole, should be submitted to the Zoning Administration and Enforcement Division of the Department at the earliest practicable time to determine the required parking for the project.

Mr. Jordan E. Hart, President
December 8, 2014
Page 3

12. Discuss the incorporation of sustainable energy practices in the construction of the new buildings.

Thank you for your cooperation. This list is not meant to be all inclusive with regard to permit requirements of this department. Should you require further clarification, please contact Current Planning Supervisor Ann Cua at ann.cua@mauicounty.gov or at (808) 270-7521.

Sincerely,



CLAYTON I. YOSHIDA, AICP
Planning Program Administrator

for WILLIAM SPENCE
Planning Director

xc: Pamela M. Pogue, Planning Program Administrator (PDF)
Ann T. Cua, Current Planning Supervisor (PDF)
Kurt F. Wollenhaupt, Staff Planner (PDF)
Maui Planning Commission
Project File
General File

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**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

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

Dear Mr. Spence,

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 December 8, 2014; I am pleased to provide the following responses to your numerated comments.

Comments 1,2,4-9. No specific comment to respond to.

Comment 3. The project will be constructed in two (2) phases as market conditions warrant. Phase I will include development of the northern lot (parcel 16) which will include 100,000 square feet (sq. ft.) of business commercial uses, 226 rental apartment uses and 57,558 sq. ft. of light industrial use. Phase I will also include construction of the future Kihei Upcountry Highway as well as improving the intersection of Kaonoulu and Pi'ilani Highway which provides access to the project. Phase II will consist of approximately 43,000 sq. ft. of business commercial uses.

Response 3. In response to comments regarding development phasing, the FEIS Section II. F. (Development Phasing) has been revised to include the following language:

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 2016~~2017~~ 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.

Comment 10. Although the project is not located within the Special Management Area of the County, the Department would like to work with the developer on the design of the project. The Department would prefer to see well-designed buildings along the roadways as opposed to a sea of parking. We are open to meeting with the developer to achieve this end.

Response 10. In response to comments regarding Project design, the FEIS Section III. 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 11. A comprehensive parking analysis looking at requirements of the property as a whole, should be submitted to the Zoning Administration and Enforcement Division of the Department at the earliest practicable time to determine the required parking for the project.

Response 11. In response to comments regarding parking, the FEIS Section II. E. (Proposed Project Description) has been revised to include the following language:

The Applicant will submit a comprehensive parking analysis to the Maui County Planning Department for review and approval upon acceptance by the LUC of this FEIS, upon issuance by the LUC of an order granting the Motion to Amend by the LUC, and upon the issuance of amended Findings of Fact, Conclusions of Law, and Decision and Order for the Project site.

Comment 12. Discuss the incorporation of sustainable energy practices in the construction of the new buildings.

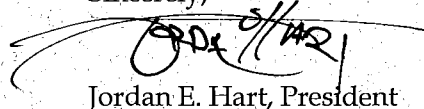
Response 12. In response to comments regarding sustainable energy practices, the FEIS Section III. D. 5 (Electrical) has been revised to include the following language:

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 Pi'ilani 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.

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 "J. Hart", with a large, sweeping horizontal stroke underneath it.

Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

October 3, 2014

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

Dear Mr. Hart:

Project Name: Pi'ilani Promenade Draft Environmental Impact Statement (DEIS)
TMK: (2) 3-9-001: 016

Thank you for the opportunity for the County of Maui Department of Water Supply (DWS) to provide comments on this DEIS and the previous EISPN—see our attached comment letter dated November 13, 2013. Please note that we have revised our anticipated consumption estimate from 433,707 gpd previously, to 480,267 gpd (see below).

Consumption

According to DWS Guidelines, anticipated consumption for the project is projected to be 480,267 gpd: ([226 multi-family units] x [560 gpd]) + ([20 acres Light Industrial/Business/Commercial] x [140 gal/1,000 square feet]) + ([38 acres Business/Commercial] x [140 gal/1,000 square feet]).

Please include anticipated water consumption (i.e. potable and irrigation) in the section on Groundwater Resources Potential Impacts and Mitigation Measures (page 40), as well as the Water section's Potential Impacts and Mitigation Measures section (page 74).

Direct, Indirect and Cumulative Water Development Impacts

Page 210 of the DEIS states,

“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...”

“By Water All Things Find Life”



Direct, Indirect and Cumulative Water Development Impacts--continued

Because the water tank is merely a storage device, not a source of water (e.g. a well), use of the term "source" for drinking water storage is misleading. The DEIS would benefit from language that more accurately reflects the situation.

We were unable to locate the DEIS disclosure of: 1) the direct, indirect, and cumulative source water impacts of all known projects in the Kihei/Wailea area; and 2) the proposed project's brackish source water development impacts upon the salinity of surrounding areas. This information should have been disclosed in the DEIS because the consultant committed to do so in their June 23, 2014 EISPN response communication to the Kihei Community Association's October 23, 2014 letter.

How might the implementation of the proposed project impact the potential for brackish water desalinization in the area, for: 1) present users; 2) future users; 3) public uses; and 4) private uses?

Should you have any questions, please contact Alex Buttaro at 463-3103, or email him at alex.buttaro@co.maui.hi.us.

Sincerely,



David Taylor, Director
bab

cc:

1. Engineering Division
2. Land Use Commission, Department of Business, Economic Development and Tourism

Attachment: November 13, 2014 DWS Letter

ALAN M. ARAKAWA
Mayor



DAVID TAYLOR, P.E.
Director

PAUL J. MEYER
Deputy Director

DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793-2155
www.mauiwater.org

November 13, 2013

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

Dear Mr. Hart:

Project Name: Pi'ilani Promenade Environmental Assessment/Environmental Impact
Statement Preparation Notice (EISPN)
TMK: (2) 3-9-001: 016

Thank you for the opportunity for the County of Maui Department of Water Supply
(DWS) to provide comments on the EA and EISPN.

Source Availability and Consumption

The project area is served by the Central Maui System. Sources for this system are the Iao, Waihe'e and Kahului aquifers, Iao Tunnel and the Iao-Waikapu Ditch. The EIS should identify potable and non-potable demands and sources, i.e. please describe what portion of potable and non-potable water will be from DWS and what portion will come from proposed irrigation well. Should the project be subdivided, the project may be subject to the County's availability policy, codified in Title 14 of the Maui County Code (14.12.040). Due to the magnitude of the proposed project, the DWS may delay issuance of meters until new sources are on line.

According to DWS Guidelines, anticipated consumption for the project is projected to be 433,707 gpd: ([200 apartments] x [400 gpd]) + ([20 acres Light Industrial/Business/Commercial] x [140 gal/1,000 square feet]) + ([38 acres Business/Commercial] x [140 gal/1,000 square feet]).

System Infrastructure

DWS infrastructure in the vicinity of the proposed project includes a 36-inch DWS water line that crosses the southeast corner of the proposed project parcel, and an 18-inch water line on the makai side of Pi'ilani Highway running parallel to the west within 300 feet of the project parcel.

"By Water All Things Find Life"



Jordan E. Hart

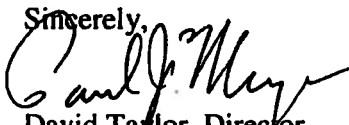
Page 3

Conservation--continued

4. Dust Control: Reclaimed water for dust control is available from the Kihei and Kahului sewage treatment plants, and it should be considered as an alternative source of water for dust control during construction.
5. Submetering or Individual Metering: Research into water use efficiency indicates that one of the most effective conservation measures is metering. Individual meters or submeters are a useful tool for minimizing unnecessary consumption.

Should you have any questions, please contact Alex Buttaro at 463-3103, or email him at alex.buttaro@co.maui.hi.us.

Sincerely,



David Taylor, Director
bab

cc:

1. Engineering Division
2. Land Use Commission, Department of Business, Economic Development and Tourism

Attachment: Maui County's Landscape and Gardening Handbook



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

June 13, 2017

Mr. David Taylor, Director
County of Maui, Department of Water Supply
200 South High Street
Wailuku, HI 96793

Dear Mr. Taylor,

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. The responses to your comments are as follows.

DWS Comment 1. According to DWS Guidelines, anticipated consumption for the project is projected to be 480,267 gpd: ([226 multi-family units] x [560 gpd]) + ([20 acres Light Industrial/Business/Commercial] x [140 gal/1,000 square feet]) + ([38 acres Business/Commercial] x [140 gal/1,000 square feet]).

Please include anticipated water consumption (i.e. potable and irrigation) in the section on Groundwater Resources Potential Impacts and Mitigation Measures (page 40), as well as the Water section's Potential Impacts and Mitigation Measures section (page 74).

Response 1. In response to comments regarding water, the FEIS Section III. A. 11 (Groundwater Resources) has been revised to include the following language.

The Pi'ilani Promenade will consume on average of 252,000 gpd of water at full build-out, including 171,000 gpd of drinking water for domestic uses and 81,000 gpd of nondrinking water for irrigation. (See: Appendix L, "Preliminary Engineering Report dated December 2013, revised February 2, 2017")

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.

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 of water at full build-out, including 171,000 gpd of drinking water for domestic uses and 81,000 gpd of nondrinking water for irrigation. (See: Appendix L, "Preliminary Engineering Report dated December 2013, revised February 2, 2017")

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.

DWS Comment 2. Page 2 10 of the DEIS states, "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..."

Because the water tank is merely a storage device, not a source of water (e.g. a well), use of the term "source" for drinking water storage is misleading. The DEIS would benefit from language that more accurately reflects the situation.

Response 2. In response to comments regarding water, the FEIS Section V. C (Cumulative and secondary impacts) has been revised to include the following language:

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 sourcee 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.

DWS Comment 3. We were unable to locate the DEIS disclosure of: 1) the direct, indirect, and cumulative source water impacts of all known projects in the Kihei/Wailea area; and

Response 3: In response to comments regarding water, the FEIS Section III. A. 11 (Groundwater Resources) has been revised to include the following language.

In response to comments on the DEIS, the FEIS has been updated in the ground water section, the water section, and the cumulative impacts section to include a matrix of the readily identifiable future developments in South Maui and their direct potential effect on water source and availability. Table No. 3 below provides an estimate of water use by future proposed developments in South Maui.

Table No. 3 Estimated Water Use by Future Developments

<u>Name of Project</u>	<u>Average Daily Drinking Water Use</u>	<u>Drinking Source</u>	<u>Average Non-drinking Water Use</u>	<u>Non Drinking Source</u>	<u>Type of System</u>	<u>Source Document</u>
<u>Maui Lu Resort</u>	<u>144,200 gpd</u> <u>(53,300 gpd existing; 86,300 gpd proposed)</u>	<u>CWS, existing meter</u>	<u>136,000 gpd</u>	<u>Existing well water (Kamaole Aquifer)</u>	<u>Private irrigation brackish water</u>	<u>Maui Lu FEA 2004</u>
<u>Noni Loa</u>	<u>21,840 gpd</u>	<u>CWS, Existing meter</u>	<u>None, will use drinking water until R-1 line is available</u>	<u>CWS</u>	<u>CWS</u>	<u>Noni Loa FEA December 8, 2015</u>
<u>Makena Resort</u>	<u>94,260 gpd</u>	<u>CWS, existing meter</u>	<u>129,075 gpd</u>	<u>Existing Well water (Kamaole aquifer)</u>	<u>Private irrigation brackish water</u>	<u>Makena Resort DEA January 8, 2016</u>
<u>MRTTP</u>	<u>789,065 gpd</u>	<u>CWS, existing meters</u>	<u>373,329 gpd</u>	<u>R-1 Water line</u>	<u>Maui County R-1 Water line</u>	<u>MRTTP FEIS March 23, 2013</u>
<u>Kenolio Apartments</u>	<u>104,160 gpd</u>	<u>Proposed connection to CWS</u>	<u>15,000 gpd</u>	<u>1 proposed brackish water well (Kamaole Aquifer)</u>	<u>* will connect to R-1 line once available to property</u>	<u>Kenolio Apartments FEA July 23, 2014</u>
<u>Kaiwahine Village</u>	<u>67,200 gpd</u>	<u>Proposed connection to CWS</u>	<u>None, will use drinking water until R-1 line is available</u>	<u>CWS</u>	<u>CWS</u>	<u>Kaiwahine Village 201H Application February 2011</u>
<u>Kihei High School</u>	<u>37,450 gpd</u>	<u>Proposed connection</u>	<u>185,000 gpd</u>	<u>2 proposed brackish water wells</u>	<u>Private brackish well</u>	<u>Kihei H.S. FEIS September 8, 2012</u>

<u>Name of Project</u>	<u>Average Daily Drinking Water Use</u>	<u>Drinking Source</u>	<u>Average Non-drinking Water Use</u>	<u>Non Drinking Source</u>	<u>Type of System</u>	<u>Source Document</u>
		<u>on to CWS</u>		<u>(Kamaole Aquifer)</u>		
<u>Honua'ula Affordable Housing Project</u>	<u>210,000 gpd</u>	<u>Proposed connection to CWS</u>	<u>Unknown</u>	<u>Existing well water (Kamaole Aquifer)</u>	<u>Private brackish well</u>	<u>Calculated using County standards.</u>
<u>Downtown Kihei</u>	<u>48,500 – 143,600 gpd</u>	<u>Proposed connection to CWS</u>	<u>15,900 – 29,500 gpd</u>	<u>County R-1 Water</u>	<u>R-1 Water line from KWWRF</u>	<u>Downtown Kihei FEA April 8, 2013</u>
<u>Honua'ula (Mauka of Makena Resort)</u>	<u>340,000 gpd</u>	<u>Proposed Well water (Kamaole aquifer)</u>	<u>810,000 gpd for irrigation, 17,000 gpd for golf course</u>	<u>Well water (Kamaole aquifer) * will connect to R-1 line once available to property</u>	<u>Private brackish well</u>	<u>Honua'ula FEIS August 8, 2012</u>
<u>Kihei Residential</u>	<u>530,000 gpd</u>	<u>Connect to CWS or Well water (from Kahului or Paia aquifers)</u>	<u>None</u>	<u>Connect to County Water system or Well water (from Kahului or Paia aquifers)</u>	<u>Private brackish well, *Applicant would prefer to connect with the Maui County R-1 Water line</u>	<u>Kihei Residential FEIS June 8, 2008</u>
<u>Estimated Totals</u>	<u>2,481,775 gpd of estimated drinking water usage</u> <u>2,394,904 gpd of estimated non-drinking water usage</u>					

Table No. 3 above provides the direct impacts related to each project and in total the estimated cumulative impact for drinking water systems is a total of 2,481,775 gpd of estimated drinking water usage, and 2,394,904 gpd of estimated non-drinking water usage.

In regards to the drinking water, the Applicant will cooperate with the CWRM to determine available water use in the Iao Aquifer and underlying Kamaole Aquifer as the Water Resources Protection Plan is updated. It is the Applicant's understanding that the CWRM judges use of the aquifers relative to its sustainable yield by the 12-month moving average of pumpage, not by the cumulative capacity of pump installations permits; therefore the proposed use of the Iao and Kamaole a\ Aquifers, will not exceed the sustainable yields.

In response to comments regarding water, 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>

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>
<u>Total</u>	<u>2,351,725 gallons per day</u>

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, 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.

DWS Comment 3.2. The proposed project's brackish source water development impacts upon the salinity of surrounding areas. This information should have been disclosed in the DEIS because the consultant committed to do so in their June 23, 2014 EISPN response communication to the Kihei Community Association's October 23, 2014 letter.

Response 3.2. In response to comments regarding impacts on salinity, the FEIS Section III. A. 11 (Groundwater Resources) has been revised to include the following language.

Groundwater beneath the Project site occurs as a brackish basal lens overlying saline groundwater at depth and in hydraulic contact with seawater shore. This groundwater body has been named as the Kamaole Aquifer by the CWRM. The most reliable estimate of the Kamaole Aquifer's rate of recharge and resulting groundwater flow rate is in the CWRM Water Resource Protection Plan 2008. This plan has estimated the groundwater recharge from rainfall in the Kamaole Aquifer system to be 25 MGD. Of the estimated 25 MGD of groundwater recharge, 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 Water Resource Protection Plan is currently being updated and a draft plan is expected in late 2017.

Existing water use within the Kamaole Aquifer System amounted to 1.859 MGD (Water Resource Protection Plan, 2008). This water use is primarily for golf course and landscape irrigation purposes from existing brackish wells.

A subsurface investigation conducted in 2011 by a reputable geotechnical engineering firm performed 27 soil borings across portions of the Project site to depths ranging from 10 to 40 feet below the ground surface. No groundwater was encountered at any of the boring locations. (See: Appendix Q "Soil Investigation Reports")

In regards to the non-drinking water, which will be drawn from the irrigation well, Waimea Water Services prepared an assessment of potential impacts from the pumping of the approved irrigation well. (See: Appendix R, "Waimea Water Services Report") (Note: Waimea Water Services applied for and supervised the well drilling for the approved irrigation well described above). The assessment found that no probable impact to the aquifer will occur from using the well for irrigation purposes.

Due to the proposed pumping rate of the newly constructed irrigation well, known as the Kaonoulou Irrigation Well, a 24-hour long term pump test was required by the State. The test results suggest that the water quality and quantity were stable at the 175gpm pumping rate and prolonged pumping at this rate would not be likely to adversely affect the aquifer at this

location. The present estimate is that the sustained pumping rate of the well should not exceed 175 gpm, but it must be noted that this is only a best estimate based on available data.

Waimea Water Services recently performed a pump test and monitoring program in the Kihei area, and the results are pertinent to this discussion due to the proximity to the Kaonoulu Irrigation Well and because of the similar hydro-geological setting. In summary, no recorded influences from the 96-hour pump test were observed in the surrounding monitoring wells. Tidal influences were expected and documented in all three surrounding monitoring wells in the form of water level changes related to the local tide. The data collected from the three monitoring wells also suggests that there are no subsurface geological barriers that would potentially impede water flow.

In an effort to further understand the hydrogeology of the area surrounding the Kaonoulu Irrigation Well, Waimea Water Services performed an investigation into the available CWRM well data of the Kihei area. Twelve irrigation wells are located within 6,300 feet of the Kaonoulu Irrigation Well, three of which are located downstream of the subject well. All three of these wells are located greater than 3,000 feet away from the subject well and it is the opinion of Waimea Water Services, based upon its field experience in this location, that adverse impacts would be highly unlikely to be detected in these wells as long as the Kaonoulu Irrigation Well does not exceed the proposed 175 gpm or 100,000 gpd.

The data gathered thus far occurs over a very limited time span. Data over the long term operation of the wells in the Kihei area is needed for a true determination of the long term performance or impacts of the Kaonoulu Irrigation Well. It is absolutely essential that the water levels and the total chlorides in these wells be monitored on a regular basis to provide a real indication of what this aquifer can reliably produce on a sustainable basis. (See: Appendix R, "Waimea Water Services Report")

A condition imposed during the County re-zoning process for the Project site was the requirement that the landowner provide a future connection to the County reclaimed water system. In the future, connecting the Project to the reclaimed water system will eliminate the need for the brackish irrigation well.

DWS Comment 4: How might the implementation of the proposed project impact the potential for brackish water desalinization in the area, for: 1) present users; 2) future users; 3) public uses; and 4) private uses?

Response 4: In response to comments regarding impacts on salinity, the FEIS Section III. A. 11 (Groundwater Resources) has been revised to include the following language.

Existing water use within the Kamaole Aquifer System amounted to 1.859 MGD (Water Resource Protection Plan, 2008). This water use is primarily for golf course and landscape irrigation purposes from existing brackish wells.

A subsurface investigation conducted in 2011 by a reputable geotechnical engineering firm performed 27 soil borings across portions of the Project site to depths ranging from 10 to 40 feet below the ground surface. No groundwater was encountered at any of the boring locations. (See: Appendix Q “Soil Investigation Reports”)

In regards to the non-drinking water, which will be drawn from the irrigation well, Waimea Water Services prepared an assessment of potential impacts from the pumping of the approved irrigation well. (See: Appendix R, “Waimea Water Services Report”) (Note: Waimea Water Services applied for and supervised the well drilling for the approved irrigation well described above). The assessment found that no probable impact to the aquifer will occur from using the well for irrigation purposes.

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Waimea Water Services recently performed a pump test and monitoring program in the Kihei area, and the results are pertinent to this discussion due to the proximity to the Kaonoulou Irrigation Well and because of the similar hydro-geological setting. In summary, no recorded influences from the 96-hour pump test were observed in the surrounding monitoring wells. Tidal influences were expected and documented in all three surrounding monitoring wells in the form of water level changes related to the local tide. The data collected from the three monitoring wells also suggests that there are no subsurface geological barriers that would potentially impede water flow.

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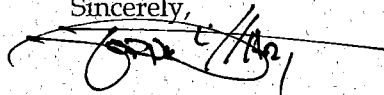
Kaonoulou Irrigation Well, three of which are located downstream of the subject well. All three of these wells are located greater than 3,000 feet away from the subject well and it is the opinion of Waimea Water Services, based upon its field experience in this location, that adverse impacts would be highly unlikely to be detected in these wells as long as the Kaonoulou Irrigation Well does not exceed the proposed 175 gpm or 100,000 gpd.

The data gathered thus far occurs over a very limited time span. Data over the long term operation of the wells in the Kihei area is needed for a true determination of the long term performance or impacts of the Kaonoulou Irrigation Well. It is absolutely essential that the water levels and the total chlorides in these wells be monitored on a regular basis to provide a real indication of what this aquifer can reliably produce on a sustainable basis. (See: Appendix R, "Waimea Water Services Report")

A condition imposed during the County re-zoning process for the Project site was the requirement that the landowner provide a future connection to the County reclaimed water system. In the future, connecting the Project to the reclaimed water system will eliminate the need for the brackish irrigation well.

Based on the information provided the proposed mixed use project is not anticipated to impact the potential for brackish water desalinization in the area for present and future users nor public and private uses.

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,

Jordan E. Hart, President

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

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7955



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS

200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

GLEN A. UENO, P.E., P.L.S.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

February 2, 2015

Mr. Robert Poyner, 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. Poyner:

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR PIILANI PROMENADE
TMK NOS.: 3-9-001:016, 170-174**

We reviewed the subject application and provide the following comments:

Comments from the Engineering Division:

1. Page 52, Draft EIS (Piilani Highway): Confirm speed limit north of Ohukai Street.
2. Page 52, Draft EIS (Ohukai Street): Currently, eastbound and westbound phases are split and operate as protected.
3. Page 53, Draft EIS (South Kihei Road): The speed limit is not 25 mph on South Kihei Road. It is 30 mph along most of its length, with 20 mph in select locations due to roadway conditions.
4. Page 2, Traffic Impact Assessment Report (TIAR): No. 7 is left blank.
5. Page 6, TIAR, paragraph 1: Confirm speed limit north of Ohukai Road.
6. Page 6, TIAR, paragraph 6: West of South Kihei Road is the shoreline. Please revise.

7. Page 15, TIAR: The intersection may be converted to a roundabout, subject to review by the Department of Public Works.
8. Page 23, TIAR: Provide a summary of each of the trip generation land use codes used in this analysis.
9. Page 24, TIAR: Project description in Part 1: Introduction mentions nothing of the "Outdoor Garden" use. Provide discussion on this use in the introduction.
10. Page 31, TIAR: Item 4 states: "The eastbound approach has been modified to provide one separate left turn lane, one through lane, and one right turn lane. The westbound approach has been modified to provide one left turn lane, one thru or left turn lane and one right turn lane." The mitigation measures stated in item number 4 apply to specific intersections. Delete from this item and leave reference to the previous chapter, or clarify which intersection these measures apply to.
11. Page 34, TIAR, Table 19: Under Saturday Peak Hour: Please confirm if data was collected to show the Level Of Service (LOS) "Without" Promenade and Honuaula projects.
12. Page 34, TIAR, Table 19: The project appears to affect the southbound left movement significantly during the PM Peak Hour. Will there be any proposed mitigation measure to address the change in LOS?
13. Page 34, TIAR: Table 17 presents that the project contributes approximately 20 to 40 percent of the traffic at this location. Provide analysis and discussion should a roundabout not be feasible at the intersection of Kaonoulu and Aulike Streets.
14. Page 36, TIAR: Provide analysis and discussion of effects that project traffic has on this intersection should the signalization (by others) not be implemented.
15. Page 37, TIAR: Provide description of what the determined v/c ratios represent.
16. Prior to any submittal of construction plans to the Department of Public Works (Department), we request that the applicant coordinate proposed


Mr. Robert Poynor, Vice President
February 2, 2015
Page 3

improvements that involve vehicular roadways, bicycle facilities and pedestrian pathways with the Department.

17. Provide a discussion on the use of Low Impact Development (LID) strategies and/or green infrastructure in the project design to address stormwater quality and other environmental impacts that may arise from the proposed project.

If you have any questions regarding this memorandum, please call Rowena Dagdag-Andaya at (808) 270-7845.

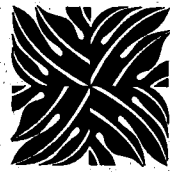
Sincerely,


DAVID C. GOODE
Director of Public Works

DCG:RMDA:da

xc: Highways Division
Engineering Division

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**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. David Goode, Director
County of Maui, Department of Public Works
200 South High Street Room No 434
Wailuku, HI 96793

Dear Mr. Goode,

RE: Comments on the 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 February 2, 2015. I am pleased to provide the following responses to your comments (*in italics*):

DPW Comment 1.

Page 52, Draft EIS (Piilani Highway): Confirm speed limit north of Ohukai Street.

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

The posted speed limit is 40 miles per hour south of Ohukai Street and 45 40 miles per hour north of Ohukai Street.

DPW Comment 2.

Page 52, Draft EIS (Ohukai Street): Currently, eastbound and westbound phases are split and operate as protected.

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

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

DPW Comment 3.

Page 53, Draft EIS (South Kihei Road): The speed limit is not 25 mph on South Kihei Road. It is 30 mph along most of its length, with 20 mph in select locations due to roadway conditions.

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

South Kihei Road is a collector road providing north-south mobility and property access within the Kihei Community. It is generally a two-lane roadway. Major segments of South Kihei Road have been improved to provide either a median turn lane or parallel parking on the makai-side. Sidewalks were provided on these enhanced segments along with striped bike lanes. Unimproved sections of South Kihei Road usually have only two undivided traffic lanes. The posted speed limit on South Kihei Road is 25 30 miles per hour along most of its length, with 20 mph in select locations due to roadway conditions.

DPW Comment 4.

Page 2, Traffic Impact Assessment Report (TIAR): No. 7 is left blank.

Response 4. No. 7 is a numbering error in the TIAR prepared for the DEIS. The TIAR update has been prepared for the FEIS and this comment is no longer applicable.

DPW Comment 5.

Page 6, TIAR, paragraph 1: Confirm speed limit north of Ohukai Road.

Response 5. In response to comments regarding roadways, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

The posted speed limit is 40 miles per hour south of Ohukai Road and 45 40 miles per hour north of Ohukai Road.

DPW Comment 6.

Page 6, TIAR, paragraph 6: West of South Kihei Road is the shoreline. Please revise.

Response 6. The following comment is a typographical error in the TIAR prepared for the DEIS. The TIAR update has been prepared for the FEIS and this comment is no longer applicable.

DPW Comment 7.

Page 15, TIAR: The intersection may be converted to a roundabout, subject to review by the Department of Public Works.

Response 7. The Applicant understands that a roundabout is subject to review by the department of public works.

DPW Comment 8.

Page 23, TIAR: Provide a summary of each of the trip generation land use codes used in this analysis.

Response 8. In response to comments regarding roadways, 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.

DPW Comment 9.

Page 24, TIAR: Project description in Part 1: Introduction mentions nothing of the "Outdoor Garden" use. Provide discussion on this use in the introduction.

Response 9. The "Outdoor Garden" use was incorrectly referenced in the Draft EIS TIAR and is not proposed as part of the Piilani Promenade project. The TIAR update has been prepared for the FEIS and this comment is no longer applicable.

DPW Comment 10.

Page 31, TIAR: Item 4 states: "The eastbound approach has been modified to provide one separate left turn lane, one through lane, and one right turn lane. The westbound approach has been modified to provide one left turn lane, one thru or left turn lane and one right turn lane." The mitigation measures stated in item number 4 apply to specific intersections. Delete from this item and leave reference to the previous chapter, or clarify which intersection these measures apply to.

Response 10. The following comment is a typographical error in the TIAR prepared for the DEIS. The TIAR update has been prepared for the FEIS and this comment is no longer applicable.

DPW Comment 11.

Page 34, TIAR, Table 19: Under Saturday Peak Hour: Please confirm if data was collected to show the Level Of Service (LOS) "Without" Promenade and Honua'ula projects.

Response 11. The TIAR update includes Saturday Peak Hour Level of Service Without and With Promenade and Honua'ula traffic.

DPW Comment 12.

Page 34, TIAR, Table 19: The project appears to affect the southbound left movement significantly during the PM Peak Hour. Will there be any proposed mitigation measure to address the change in LOS?

Response 12. The Applicant is not proposing mitigation measures for the intersection of Kaonoulu Street and Kenolio Road.

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

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.

DPW Comment 13.

Page 34, TIAR: Table 17 presents that the project contributes approximately 20 to 40 percent of the traffic at this location. Provide analysis and discussion should a roundabout not be feasible at the intersection of Kaonoulu and Aulike Streets.

Response 13. The TIAR prepared for the Draft EIS has been updated and the analysis contained in the TIAR update determined that the traffic movements at the intersection of Kaonoulu Street and Aulike Street operate at LOS C or better and therefore no mitigation measures are proposed in the TIAR update.

DPW Comment 14.

Page 36, TIAR: Provide analysis and discussion of effects that project traffic has on this intersection should the signalization (by others) not be implemented.

Response 14. The TIAR update was prepared with best information on surrounding development impacts and mitigation. Should mitigation (by others) not be completed then theoretically the traffic impact from said project would not be realized as well.

DPW Comment 15.

Page 37, TIAR: Provide description of what the determined v/c ratios represent.

Response 15. A roundabout Analysis for Piilani Highway at Kaonoulu Street including v/c ratios was conducted as part of TIAR prepared for the DEIS. The TIAR update has been prepared for the FEIS and the roundabout analysis was not included and the appropriate mitigation measure was to signalize the intersection.

In response to comments regarding roadways, 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 Piilani 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.

DPW Comment 16.

Prior to any submittal of construction plans to the Department of Public Works (Department), we request that the applicant coordinate proposed improvements that involve vehicular roadways, bicycle facilities and pedestrian pathways with the Department.

Response 16. The Applicant will coordinate with the Department on improvements involving vehicular roadways, bicycle and pedestrian pathways prior to submittal of construction plans.

DPW Comment 17.

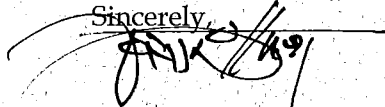
Provide a discussion on the use of Low Impact Development (LID) strategies and/or green infrastructure in the project design to address stormwater quality and other environmental impacts that may arise from the proposed project.

Response 17. In response to comments regarding Low-impact development, the FEIS Section III. D. 2 (Drainage) has been revised to include the following language:

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."

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

Sincerely,

Jordan E. Hart
President

September 5, 2014

Department of Business, Economic Development & Tourism, Land Use Commission
PO Box 2359
Honolulu, HI 96804

Att: Daniel Orodener,

I am writing in regard to the mixed-use project in North Kihei. I appreciate the opportunity to ask questions.

It is my understanding that the Kihei McKenna Community plan established 4 specific areas of development in Kihei—the area around Foodland, the area around Azeka, the area around Long's Drugs, and the area around the old Suda market. These areas were planned to be accessed by S. Kihei Rd., to minimize traffic on Pi'ilani highway, and to serve the Kihei McKenna community.

These areas have all been development, except for the Suda market in north Kihei.

This plan is still in effect. To change or amend it would require a legal response. Am I correct? Are there plans to do so?

I have 4 other specific questions.

- 1) Where is the water coming from to fill the million gallon tank you propose?
- 2) Traffic on Pi'ilani backs up morning and evening now as the existing schools open and end. The Kihei high school has not been built. The number of cars on Pi'ilani is a serious issue. Mr. Jencks at a meeting at the Kihei Community Center last year stated that this project would mean a 25% reduction in traffic. 25% from what? The first plan? That is a conjecture, if that is what Mr. Jencks meant. What did he mean?
- 3) Have the number of empty stores and buildings in existing Kihei businesses been counted? How would new buildings alleviate this situation?
- 4) Who comprises the expected shopping clientele? Locals? Tourist?

I look forward to your response.

Sincerely,

Paula Baldwin
Paula Baldwin
78 Alena Place
Kihei, HI 96753

Cc: Chris Hart and Partners Inc.
Sarofim Realty Advisors
Kihei Community Association

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SEP - 8 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett 12/02/14



April 17, 2017

Ms. Paula Baldwin
78 Alena Place
Kihei, HI 96753

Dear Ms. Baldwin,

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 dated September 5, 2014. Below are the responses to your comments.

Comment 1. "It is my understanding that the Kihei McKenna Community plan established 4 specific areas of development in Kihei—the area around Foodland, the area around Azeka, the area around Long's Drugs, and the area around the old Suda market. These areas were planned to be accessed by S. Kihei Rd., to minimize traffic on Pi'ilani highway, and to serve the Kihei McKenna community.

These areas have all been development, except for the Suda market in north Kihei.

*This plan is still in effect. To change or amend it would require a legal response. Am I correct?
Are there plans to do so?*

Response 1. In response to comments regarding the available commercial area in Kihei, the FEIS Section III. B. 3 (Economy) has been revised to include the following language:

The KMCP identifies four areas that have been fully developed and provide some of the commercial needs for south Maui residents, which are: 1) North Kihei, between the existing South Kihei Road, Piilani Highway and Uwapo Road; 2) A central business and commercial center for Kihei clustered about the South Kihei Road/Road "C" intersection; 3) in existing commercially zoned areas along South Kihei Road in the vicinity of Kalama Park; and 4) along South Kihei Road opposite the Kamaole beach parks. These limited commercial areas were intended to serve the commercial needs of the fastest growing community in the State which has clearly out grown the goods and services available in these areas. The KMCP has designated the Project site for light industrial uses with approved zoning providing for light

industrial uses that include neighborhood and regional needs addressing the current and future demand.

While there will inevitably be some cross-over, the Pi'ilani Promenade and Downtown Kihei development will appeal to different customer and tenant types. Downtown Kihei does not offer the exposure, access, intercept or site characteristics that Pi'ilani Promenade does. According to Downtown Kihei market study, the primary patrons of the Project will be visitors.

The Pi'ilani Promenade is intended to focus on providing light industrial and commercial uses for local Maui residents as an alternative shopping destination to Kahului. It is not intended to be directly competitive with the majority of stores along South Kihei Road which attract large numbers of visitors as their primary patrons, or otherwise comprise a significant portion of their customer base.

We anticipate some visitors will patronize the Project but will comprise only a minority of shoppers to selected retail stores and restaurants and not necessarily for the resident-oriented anchor tenant and light industrial businesses.

The Kihei Makena Community Plan remains in effect. One of the conditions imposed by the 1995 Decision and Order (as defined in the FEIS) required that the petitioner obtain an amendment to the Kihei Makena Community Plan. The Kihei Makena Community Plan incorporating the required change and designating the Petition Area as Light Industrial was approved on March 20, 1998. As noted in Section V.D.2 of the FEIS, "[a]lthough the County of Maui has determined that the proposed Project complies with the KMCP, the Applicant recognizes that certain parties have asserted that an amendment to the KMCP is necessary for development of the Project to proceed. This issue may be resolved by the LUC during its consideration of the Applicant's Motion to Amend."

Comment 2. Where is the water coming from to fill the million gallon tank you propose?

Response 2. In response to comments regarding drinking water, the FEIS Section III. D. 3 (Water) has been revised to include the following language:

The drinking water for the Project will come from the Central Maui Water System which is supplied by fresh water from the Iao and Waihee Aquifers. 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.

Comment 3. Traffic on Pi'ilani backs up morning and evening now as the existing schools open and end. The Kihei high school has not been built. The number of cars on Pi'ilani is a serious issue. Mr. Jencks at a meeting at the Kihei Community Center last year stated that this project would mean a 25% reduction in traffic. 25% from what? The first plan? That is a conjecture, if that is what Mr. Jencks meant. What did he mean?

Response 3. In response to your traffic reduction comments, Section II.E of the FEIS was revised to include the following language:

In response to comments received on the DEIS, at the public meeting on November 3, 2013, Mr. Charlie Jencks, who serves as the lead Project consultant, represented that, in his estimation, a 25% reduction in traffic from the Eclipse Development Plan would be possible with the traffic study being prepared for the DEIS. Mr. Jencks also stated that the roadway and highway infrastructure previously proposed would not be changed to reflect the reduction in total traffic generated. The Eclipse Development Plan proposed development of approximately 700,000 square feet of retail, office, business/commercial uses, while the current conceptual Pi'ilani Promenade plan proposes approximately 530,000 square feet of retail, office, business/commercial uses. Further, the current proposed Pi'ilani Promenade project includes apartment buildings, light industrial uses as well as business/commercial uses, in contrast to the Eclipse Development Plan which was entirely commercial.

Comment 4. Have the number of empty stores and buildings in existing Kihei businesses been counted? How would new buildings alleviate this situation?

Response 4. In response to comments regarding the existing inventory of commercial area in Kihei, Section III.B.3 of the FEIS was revised to include the following language:

As part of this FEIS, the Hallstrom Group prepared an Economic and Fiscal Impact Assessment for the Project, which includes analysis of the existing commercial properties in Kihei. An inventory of existing occupied and vacant commercial properties was developed and used as part of the economic analysis for the Project. The Economic and Fiscal Impact Assessment was revised to address comments received on the DEIS. Specifically, Table V-4 of the Economic and Fiscal Impact Assessment in the FEIS now includes the accurate County costs and State costs per year.

It is projected that the Project will address sub-regional and regional commercial demand more efficiently than the fragmented commercial space located along South Kihei Road because of its location and visibility and ease of access for residents in west, south and central Maui.

In mid-2014, The Hallstrom Group completed an inventory of the Kihei Retail market and found that about 10 percent of the total floor area in the community was vacant. However, the vacancies were either restaurant spaces (the least stable sector of the market) or in uncompetitive projects or locations (such as along Lipoa Street). All of the quality/competitive spaces along South Kihei Road or in newer, modern centers were occupied. Over the past year numerous new leases have been signed and the vacancy rate in Kihei has dropped below seven percent (2014).

The Hallstrom Group's assessment determines that the problem is not with demand for competitive spaces in the area, but the lack of quality, modern, well-located inventory. Overall the Kihei retail market is strong, and performed better during the recession and recovery than most neighbor island sectors.

This Project will not alleviate the need for other available light industrial and commercial spaces within Kihei to maintain a competitive, and attractive position in the market.

Comment 5. Who comprises the expected shopping clientele? Locals? Tourist?

Response 5. In response to comments regarding the expected shopping clientele in Kihei, Section III.B.3 (Economy) of the FEIS was revised to include the following language:

The Project is intended to focus on providing light industrial and commercial uses for local Maui residents as an alternative shopping destination to Kahului. It is not intended to be directly competitive with the majority of stores along South Kihei Road which attract large numbers of visitors as their primary patrons, or otherwise comprise a significant portion of their customer base.

The Applicant anticipates that some visitors will patronize the Project, but will comprise only a minority of shoppers for selected retail stores and restaurants, and not necessarily for the resident-oriented anchor tenant and light industrial businesses.

Ms. Paula Baldwin
Piilani Promenade DEIS
Comment Response Letter
April 17, 2017
Page 5 of 5

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

Sincerely yours,



Jordan E. Hart, President

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

Brett Davis

From: zandraamaral@hawaii.rr.com
Sent: Friday, September 5, 2014 11:56 AM
To: Brett Davis
Subject: Re: Piilani Promenade

WE wanted to ask about the traffic issue which has been discussed in length. WE especially want to know what the plans for OHUKAI & KAWAIIHINE Roads are. We have documented the traffic congestion and question the SAFETY of our families who ALREADY reside here.

We look forward to your CLEAR AND concise response to the above and thank you for your work in our community.

Zandra Amaral Crouse, Principal Broker
'Aina Hawaii Z.S.A. Properties
Phone: 879-7445
ZandraAmaral@Hawaii.rr.com

---- Brett Davis <BDavis@chpmaui.com> wrote:

> Good Morning Zandra, my name is Brett Davis, I am a Planner with Chris Hart and Partners, Inc. working on the this project.

>

> I wanted to ask what questions you have about the Piilani Promenade project?

>

> You can contact me directly at 808-270-1561 or reply to my email.

>

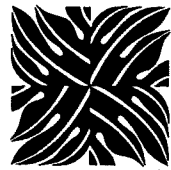
> Thank you,

>

> -Brett Davis

>

>



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Ms. Zandra Amaral Crouse
365 Hoalike St
Kihei, HI 96753

Dear Ms. Amaral Crouse,

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 email received on September 5, 2014. Below is the responses to your comment.

Comment 1. "WE wanted to ask about the traffic issue which has been discussed in length. WE especially want to know what the plans for OHUKAI & KAWAIIHINE Roads are. We have documented the traffic congestion and question the SAFETY of our families who ALREADY reside here."

Response 1. In response to comments regarding traffic and the future plans for the intersection of Ohukai Road and Kaiwahine Street, Section III.D.1 of the FEIS has been revised as follows:

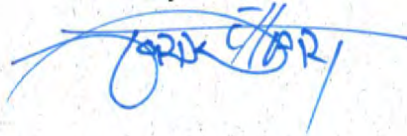
Ohukai Road is a two-lane, two-way street, but widens to provide two approach lanes as it approaches Pi'ilani Highway. The posted speed limit is 20 miles per hour. ~~Both the eastbound and westbound approaches provide a through and left turn lane and a separate right turn lane. The eastbound and westbound approaches move concurrently, which means that left turns are permitted rather than protected. The eastbound approach has been modified to provide one left turn lane, one through lane and one right turn lane. The westbound approach has been modified to provide one left turn lane, an optional left turn or through lane and one right turn lane.~~

Ms. Zandra Amaral Crouse
Piilani Promenade DEIS
Comment Response Letter
April 17, 2017
Page 2 of 2

Kaiwahine Street is a two-lane, two-way residential collector street connecting the project with Pi'ilani Highway. The posted speed limit is 20 miles per hour. Residential parking is allowed along both sides of the street. Uwapo Road is an extension of Kaiwahine Street west of Pi'ilani Highway to South Kihei Road. No Project related traffic will be routed onto Kaiwahine Street. The singular access route into and out of the Project area will be the first increment of the KUH.

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

Sincerely,

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

Jordan E. Hart, President

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

September 10, 2014

The Department of Business, Economic Development & Tourism
Land Use Commission,
P.O. Box 2359, Honolulu 96804-2359.

Dear Sir or Madam:

Subject: Piilani Promenade
Kihei, Hawaii
TMT: (2) 3-9-001:016, 170-174

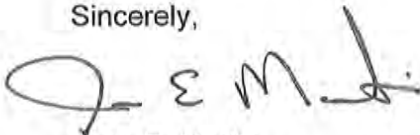
I am writing to raise concerns regarding the following areas of this planned project.

First, I want to recognize the efforts of the company to reach out to the community, meeting with the Kihei Community Association and holding a large public meeting in July 2013. Overall, I think the project is a good one and provides much needed local retail for families in South Maui, as opposed to stores that focus on the visitor trade.

I would like answers to the following questions:

1. What are the public infrastructure improvements for traffic and who is paying for them?
2. What are the water improvements associated with the project and who pays for them?
3. How will the project address a frontage road along Piilani Highway and how does the project address changes from the original proposal made to the State Land Use Commission?

Sincerely,



Joan E. Martin
85 Manino Circle
Kihei, HI 96753

cc: ✓ Chris Hart & Partners Inc., 115 N. Market Street, Wailuku 96793.

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

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SEP 12 2014

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: BH 13/029



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Ms. Joan Martin
85 Manino Circle
Kihei, HI 96753

Dear Ms. Martin,

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 dated September 10, 2014. Responses to your comments are provided below.

Comment 1. What are the public infrastructure improvements for traffic and who is paying for them?

Response 1. In response to comments regarding project infrastructure improvements for traffic and who is paying for them, FEIS Section III.D.1 (Roadways) has been revised to include the following language:

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

Comment 2. What are the water improvements associated with the project and who pays for them?

Response 2. As noted in Section III.D.3 of the FEIS, "The Pi'ilani Promenade will be served by the water system improvements that the Applicant is required to construct in order to complete the subdivision improvements for the Kaonoulu Ranch Large-Lot Subdivision No. 2.17 (See: Figure 3-2 of Appendix L, "Preliminary Engineering Report"). These improvements will consist of:

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

In response to comments regarding who will pay for the improvements, FEIS Section III.D.3. (Water) has been revised to include the following language:

The foregoing improvements will be installed at the expense of the Applicant.

Comment 3. How will the project address a frontage road along Piilani Highway and how does the project address changes from the original proposal made to the State Land Use Commission?

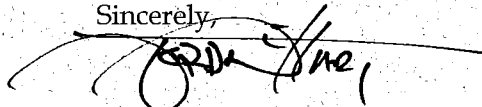
Response 3. In response to comments regarding a frontage road along Piilani Highway, FEIS Section III.D.1. Roadways has been revised to include the following language:

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 Piilani Highway was unnecessary. As part of the Project, Piilani Highway will be widened and a separated bicycle and pedestrian pathway will be provided along the property frontage to encourage pedestrian connectivity in Kihei.

As noted in the FEIS, the Applicant will be seeking an amendment to the 1995 Decision and Order. In its Motion to Amend, the Applicant has asked to delete that portion of Condition 5 that requires provision of a frontage road parallel to Piilani Highway and other connector roads within the Petition Area. Appendix N of the FEIS provided a list of the existing conditions in the 1995 Decision and Order and the amendments proposed by the Applicant.

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

Sincerely,



Jordan E. Hart, President

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

David B. Reader
2531 S. Kihei Rd. C-403
Kihei HI 96753

Dept. Business Economic Development & Tourism
Land Use Commission
P.O. Box 2359
Honolulu, HI 96804-2359

August 30, 2014

RE: Pi'ilani Promenade Project

Commissioners,

I am submitting these comments in opposition to the subject Project.

Since the area under consideration is zoned "light industrial," please be certain the Applicant can adequately explain how a significant shopping complex and 226 residential apartments is "light Industrial." If it is, the Kihei-Makena Community Plan is likewise void and our future can become "whatever" as the new planning and approval philosophy. Are you willing to set that example?

I am a ten year Maui resident and a property owner since 1988. My education is a graduate Economist from Wharton at the University of Pennsylvania. I would offer the comment that the Pi'ilani Promenade project seems a doomed business plan. Only nowadays with so much capital seeking financial return would investors put money in anything this speculative. I believe the Promenade is unlikely to have tenancy that can even begin to compete with all that is offered now in Kahului especially given the scope of the Maui Business Park anchored with Target. And, we have nearby Walmart, Lowe's, Home Depot, Costco, The Queen and medical offices only a 15 minute drive from the proposed project. You would do a favor and spare Kihei the embarrassment of a vacant mall five to ten years after its opening by the developers to great fanfare. Vote for a new beginning that makes sense.

I look forward to learning of your wise judgment.

Sincerely,



David Reader

2014 SEP - 3 A 7:58

LAND USE COMMISSION
OFFICE OF HONOLULU



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Mr. David Reader
2531 S. Kihei Rd. C-403
Kihei, HI 96753

Dear Mr. Reader,

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 dated August 30, 2014. The following response has been prepared to your comments.

Comment: Since the area under consideration is zoned "light industrial," please be certain the Applicant can adequately explain how a significant shopping complex and 226 residential apartments is "light Industrial." If it is, the Kihei-Makena Community Plan is likewise void and our future can become "whatever" as the new planning and approval philosophy. Are you willing to set that example?

Response: In response to your comments, Section II. E. (Proposed Project Description) of the FEIS has been revised to include the following language:

The Project will provide a mix of uses permitted by the light industrial zoning, which are needed to address past and current growth trends in south Maui. Other examples on Maui of projects with similar community plan and zoning designations and similar uses include the Maui Marketplace, the Maui Business Park Phases I and II, the Kahului Industrial Complex, the Lahaina Business Park, the Lahaina Gateway, the Wailuku Industrial Park, and the Millyard industrial area in Wailuku. The Project site is zoned light industrial and the proposed light industrial, business commercial and apartment uses are permitted uses within this designation.

The Project site is located within the KMCP plan area, and is designated for Light Industrial Use under the KMCP. Community plan land use (CPLU) designations are intended to depict what types of land uses are envisioned during the duration of the community plan. CPLU designations are intended to guide decision-making for changes in zoning, subdivisions, budgeting and capital improvements, and developments in the community

plan area. CPLU designations do not provide, nor are they intended to provide an exclusive or complete lists of land uses allowed, nor do they provide specific development standards. On the other hand, zoning designations regulate land use, and zoning designations provide exclusive and complete lists of land uses and specific development standards.

Light Industrial is described in the KMCP as "warehousing, light assembly, service and craft-type industrial operations." Although the KMCP describes light industrial in this manner, the County Planning Department has stated that "the County's M-1 Light Industrial District is a tiered system allowing for businesses uses in addition to light industrial uses." In support of this conclusion, the Planning Department issued a letter dated April 13, 2012, which provides direction as to the acceptability of the proposed uses for the Project. This letter is provided in Appendix S of the FEIS.

"I am a ten year Maui resident and a property owner since 1988. My education is a graduate Economist from Wharton at the University of Pennsylvania. I would offer the comment that the Pi'ilani Promenade project seems a doomed business plan. Only nowadays with so much capital seeking financial return would investors put money in anything this speculative. I believe the Promenade is unlikely to have tenancy that can even begin to compete with all that is offered now in Kahului especially given the scope of the Maul Business Park anchored with Target. And¹ we have nearby Walmart, Lowe's, Home Depot, Costco, The Queen and medical offices only a 15 minute drive from the proposed project. You would do a favor and spare Kihei the embarrassment of a vacant mall five to ten years after its opening by the developers to great fanfare. Vote for a new beginning that makes sense. I look forward to learning of your wise judgment."

Response: In response to comments regarding the Project business plan, Section III.B.3 (Economy) of the FEIS has been revised to include the following language:

As part of this FEIS, the Hallstrom Group prepared an Economic and Fiscal Impact Assessment for the Project, which includes analysis of the existing commercial properties in Kihei. An inventory of existing occupied and vacant commercial properties was developed and used as part of the economic analysis for the Project. The Economic and Fiscal Impact Assessment was revised to address comments received on the DEIS. Specifically, Table V-4 of the Economic and Fiscal Impact Assessment in the FEIS now includes the accurate County costs and State costs per year.

It is projected that the Project will address sub-regional and regional commercial demand more efficiently than the fragmented commercial space located along South Kihei Road because of its location and visibility and ease of access for residents in west, south and central Maui.

In mid-2014, The Hallstrom Group completed an inventory of the Kihei Retail market and found that about 10 percent of the total floor area in the community was vacant. However, the vacancies were either restaurant spaces (the least stable sector of the market) or in uncompetitive projects or locations (such as along Lipoa Street). All of the quality/competitive spaces along South Kihei Road or in newer, modern centers were occupied. Over the past year numerous new leases have been signed and the vacancy rate in Kihei has dropped below seven percent (2014).

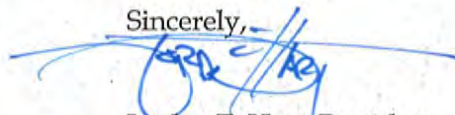
The Hallstrom Group's assessment determines that the problem is not with demand for competitive spaces in the area, but the lack of quality, modern, well-located inventory. Overall the Kihei retail market is strong, and performed better during the recession and recovery than most neighbor island sectors.

This Project will not alleviate the need for other available light industrial and commercial spaces within Kihei to maintain a competitive, and attractive position in the market.

The Project is intended to focus on providing light industrial and commercial uses for local Maui residents as an alternative shopping destination to Kahului. It is not intended to be directly competitive with the majority of stores along South Kihei Road which attract large numbers of visitors as their primary patrons, or otherwise comprise a significant portion of their customer base.

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

Sincerely,



Jordan E. Hart, President

Enclosure: (1)

1. Department of Planning letter dated April 13, 2012

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

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



RECEIVED

COUNTY OF MAUI
DEPARTMENT OF PLANNING
OFFICE OF THE MAYOR


April 13, 2012

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Donald G. Couch, Jr.
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL



Mayor Date

Dear Councilmember Couch:

**SUBJECT: REVIEW OF ECLIPSE DEVELOPMENT GROUP'S PI'ILANI
PROMENADE PROJECT DOCUMENTS AND CONSISTENCY
WITH THE KIHEI-MAKENA COMMUNITY PLAN**

In response to your March 13, 2012 letter, the Department of Planning (Department) has reviewed the Change in Zoning (CIZ), State District Boundary Amendment (DBA), and community plan documents relative to this project.

The State Land Use Commission (LUC) reclassified approximately 88 acres from the State Agricultural District to the State Urban District in 1995. The Decision and Order is dated February 10, 1995. At the time, the petitioner proposed a light industrial/commercial subdivision. There were no conditions imposed by the State LUC that restricted use of the property. Whether the property is used for commercial or light industrial purposes, both are "urban" uses. The State Urban designation allowed the County to zone the land accordingly.

The County Council (Council) granted M-1 Light Industrial District Zoning to the property by Ordinance No. 2792, effective May 25, 1999, subject to four (4) conditions as follows:

1. That the Applicant shall participate in intersection improvements which includes, but is not limited to, traffic signals and turning lanes to the satisfaction of the Department of Transportation (DOT). The Applicant is encouraged to explore opportunities of cost share arrangements with adjacent developers.
2. That water conservation measures shall be incorporated into the design and operations of the industrial project.

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Donald G. Couch, Jr.
April 13, 2012
Page 2

3. That the Applicant shall design its landscape irrigation system to accommodate future connection to the County's effluent reuse system.
4. That the design guidelines for this project be reviewed by the Department.

Relative to Condition No. 4, PBR Hawaii prepared design guidelines titled, "Kaonoulu Industrial Park Business and Industrial Park Development Standards and Design Rules." The design guidelines were reviewed by the Urban Design Review Board (UDRB) at a public meeting on October 7, 1999. At this meeting, the UDRB offered comments on the guidelines. The Applicant amended the guidelines to address the comments of the UDRB, and the revised guidelines were dated January 4, 2000. The Department approved the design guidelines on January 18, 2000.

The County's M-1 Light Industrial District, Chapter 19.24, Maui County Code, permits uses in the B-1, B-2, and B-3 Business Districts in addition to identified light industrial uses. Unless there is a condition of zoning that prohibits any of these business or industrial uses, they are permitted by right. During the review of the Change in Zoning application for the Kaonoulu Industrial Project, the Department proposed five (5) conditions which would have established a percentage restriction on the business uses. Neither the Maui Planning Commission nor the Council supported the restriction and, as such, there are no conditions of zoning that restrict uses within the M-1 Light Industrial District for this project.

Until there is legislation to amend Chapter 19.24, uses within the B-1, B-2, and B-3 are permitted in the M-1 Light Industrial District. It is noted that the Department is proposing to add an M-3 Heavy Industrial Zoning District which will exclude non-industrial uses. The proposed bill has been reviewed by the three (3) planning commissions and is currently with the Corporation Counsel's office for review as to form and legality. The Department anticipates transmitting the bill to the Council by summer.

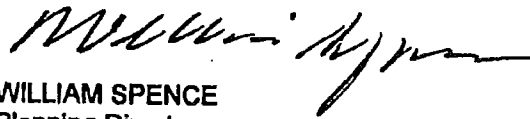
The Kihei-Makena Community Plan designates the project site for Light Industrial use. Light Industrial is described in the community plan as "warehousing, light assembly, service and craft-type industrial operations." Although the community plan describes light industrial in this manner, the County's M-1 Light Industrial District is a tiered system allowing for business uses in addition to light industrial uses. Therefore, the proposed retail center is deemed to be consistent with the community plan.

The property is not within the Special Management Area (SMA); therefore, the project is not subject to the SMA Rules. The project will be required to obtain building permits. At that time, County and State agencies will review the project relative to infrastructure, public services, design, parking, landscaping, etc.

Honorable Alan M. Arakawa, Mayor
For Transmittal to:
Honorable Donald G. Couch, Jr.
April 13, 2012
Page 3

Thank you for your attention to this matter. Should you require further clarification be necessary, please contact Current Planning Supervisor Ann Cua at Ext. 7521.

Sincerely,



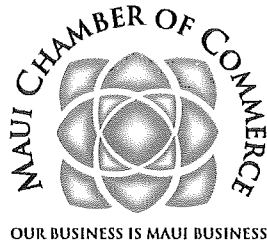
WILLIAM SPENCE
Planning Director

xc: Clayton I. Yoshida, Planning Program Administrator (PDF)
Ann T. Cua, Current Planning Supervisor (PDF)
Randy Piltz, Mayors Office
Patrick Wong, Corporation Counsel

WRS:ATC:rm

Project File
General File

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2014 SEP 25 P 12:31

September 10, 2014

The Department of Business, Economic Development & Tourism
Land Use Commission,
P.O. Box 2359, Honolulu 96804-2359

RE: Piilani Promenade, Kihei, Hawaii
TMK: (2) 3-9-001:016, 170-174

To Whom It May Concern:

I am writing to provide comment on the Piilani Promenade retail, housing and light industrial project in Kihei.

From what we have learned thus far, we are excited about the opportunities this project presents in terms of expanded shopping and housing in Kihei and much needed jobs on Maui.

We support development that is consistent with community plans and benefits the overall Maui community. We are interested in learning more about how the proposed uses meet current community plans and how traffic issues will be addressed. We look forward to hearing more on these areas.

Mahalo for the opportunity to comment on this project.

Sincerely,

Pamela Tumpap
President

cc: Chris Hart & Partners Inc., 115 N. Market Street, Wailuku 96793.

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



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

April 17, 2017

Ms. Pamela Tumpap, President
Maui Chamber of Commerce
95 Mahalanani Street, Suite 22A
Wailuku, HI 96793

Dear Ms. Tumpap,

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. The following response has been prepared for your comments.

Comment. We are interested in learning more about how the proposed uses meet current community plans and how traffic issues will be addressed.

Response: In response to your comments regarding compliance with the community plans, Section II. E. (Proposed Project Description) of the FEIS has been revised to include the following language:

The Project will provide a mix of uses permitted by the light industrial zoning, which are needed to address past and current growth trends in south Maui. Other examples on Maui of projects with similar community plan and zoning designations and similar uses include the Maui Marketplace, the Maui Business Park Phases I and II, the Kahului Industrial Complex, the Lahaina Business Park, the Lahaina Gateway, the Wailuku Industrial Park, and the Millyard industrial area in Wailuku. The Project site is zoned light industrial and the proposed light industrial, business commercial and apartment uses are permitted uses within this designation.

The Project site is located within the KMCP plan area, and is designated for Light Industrial Use under the KMCP. Community plan land use (CPLU) designations are intended to depict what types of land uses are envisioned during the duration of the community plan. CPLU designations are intended to guide decision-making for changes in zoning, subdivisions, budgeting and

capital improvements, and developments in the community plan area. CPLU designations do not provide, nor are they intended to provide an exclusive or complete lists of land uses allowed, nor do they provide specific development standards. On the other hand, zoning designations regulate land use, and zoning designations provide exclusive and complete lists of land uses and specific development standards.

Light Industrial is described in the KMCP as "warehousing, light assembly, service and craft-type industrial operations." Although the KMCP describes light industrial in this manner, the County Planning Department has stated that "the County's M-1 Light Industrial District is a tiered system allowing for businesses uses in addition to light industrial uses." In support of this conclusion, the Planning Department issued a letter dated April 13, 2012, which provides direction as to the acceptability of the proposed uses for the Project. This letter is provided in Appendix S of the FEIS.

Further, as noted in Section V.D of the FEIS:

Although the County of Maui has determined that the proposed Project complies with the KMCP, the Applicant recognizes that certain parties have asserted that an amendment to the KMCP is necessary for development of the Project to proceed. This issue may be resolved by the LUC during its consideration of the Applicant's Motion to Amend.

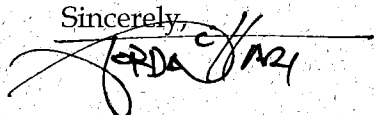
In response to comments regarding traffic mitigation measures, Section III.D.1 of the FEIS has been revised to include the following language:

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

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

Sincerely,


Jordan E. Hart, President

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

TO: LUC: Mr. Daniel E. Orodener – Executive Officer Email: luc@dbedt.hawaii.gov
Department of Business, Economic Development & Tourism
235 South Beretania Street, Room 406 PO Box 2359
Honolulu, Hawai'i 96804-2359

TO: APPLICANTS: Pi'ilani Promenade North, LLC and Pi'ilani Promenade South, LLC
c/o Sarofim Realty Advisors
Mr. Robert Poyner, Vice President (214.692.4227) Email: bpoyner@sraco.com
8115 Preston Road, Suite 400
Dallas, Texas 75225

TO: CONSULTANT: Chris Hart and Partners, Inc., Email: jhart@chpmaui.com
115 N. Market St., Wailuku, HI 96793.
Contact: Mr. Jordan E. Hart (808) 242-1955

TO: OFFICE OF ENVIRONMENTAL QUALITY CONTROL
Ms. Jessica Wooley, Director (808) 586-4185 Email: oeqchawaii@doh.hawaii.gov
Hawai'i Department of Health
235 South Beretania Street Room 702
Honolulu, HI 96813

FROM: Prof. Dick Mayer Email: dickmayer@earthlink.net
1111 Lower Kimo Dr. Kula, Maui, HI 96790

RE: Piilani Promenade – DRAFT-EIS

October 1, 2014

On July 15, 2014 I requested that that this “Draft-EIS for the Pi'ilani Promenade project” NOT be published in OEQC’s “The Environmental Notice” because the document is incomplete and inadequate, even as a “Draft” - EIS.

It was not and still is not “ripe for publication and public review”. Reviewers from both the general public and government agencies are unable to make the needed comments that would assist in preparing a Final-EIS.

The environmental review process has three stages:

1) A **Preparation Notice (EISPN)** is issued to solicit concerns and issues from government departments, communities, and the general public. **The responses received by the applicant must be responded to in the Draft-EIS.**

2) A **Draft-EIS** is prepared with the intention of giving reviewers a portrayal of the anticipated impacts, both beneficial and negative. It includes proposed mitigation measures to eliminate or reduce negative impacts. **The Draft-EIS has a 45 day comment period which is the last opportunity for the general public to make meaningful comments on the proposed project.**

3) A **Final-EIS** is developed that is submitted to the accepting agency. There is no public comment period; thus it is important to remember that this Draft-EIS is the last real opportunity for the general public to provide any input or feed-back..

In reviewing the Piilani Promenade DRAFT-EIS, several serious deficiencies have become apparent. These deficiencies have legal implications because they thwart the intent of HRS 343 to provide for the proper environmental review of projects such as this one.

1) Issues/questions raised during the EIS Preparation Notice (EISPN) process were incompletely addressed or not addressed at all. (Pages 2-5 below)

2) Many significant issues/impacts were relegated to a future date, which means that the government agencies and the general public will not be able to review these issues and will be unable to provide needed input into the review process. (Pages 6-7 below)

1) Issues/questions raised during the EIS Preparation Notice (EISPN) process were incompletely addressed or not addressed at all.

1.A) In response to the EISPN, the Hawaii State Office of Planning pointed out several areas of concern on PDF pp. 263-265. **Unfortunately, the Draft-EIS does NOT include adequate responses to these Office of Planning requests for information. Responses are necessary for a reviewer of the Draft-EIS to make relevant comments.**

“4. **Workforce Housing.** . . . “The Draft EIS should indicate whether additional subdivision actions are proposed for the Petition area.”

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

“6. **Sustainability and Resource Use** . . . “The Draft EIS should include a section that describes sustainable design and development measures the project will incorporate or consider in development of the project.” . . . “The Draft EIS should also quantify the current energy use and projected energy requirements of the project, and discuss measures to be taken to reduce energy demand, promote energy efficiency, and to promote use of alternative, renewable energy sources.”

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

“9. **Traffic.** “The Traffic Impact Analysis Report (TIAR) should include all residential units within the Petition area, including the residential units within the Honuaula lot.”

Where are these Hawaii State Office of Planning concerns addressed? I would like to be able to review the applicant’s responses.

1.B) (PDF page 273) Hawaii DOT-Highways requested the ability to review the TIAR and to be able submit comments. “We will provide our comments to the subject project when we review the revised Traffic Impact Analysis Report (TIAR). Please provide two copies of the revised TIAR to the Highways Division, Planning Branch and one copy to our Maui District Office.”

Those H-DOT comments are not available to reviewers of this draft EIS. The public and other government departments should be able to examine those important comments when reviewing the Draft EIS.

1.C) Mr. Kyle Ginoza, Director of the Maui County Department of Public Works, asked that the project: “Provide a 20 foot easement along Piilani Highway for future sewer transmission line.” The Draft-EIS refused to even respond to this County request.” (PDF page 317-318)

1.D) On this large 77 acre project there is only a two acre park being proposed. In October 2013, Mr. Glenn Correa, Maui County Parks Dept. Director, requested (PDF page 327) a meeting with the Parks Department to discuss park requirements. 8 months later Piilani Promenade planners have yet to meet and discuss those requirements which will be of great importance to the residents of both the proposed 226 units and the neighboring 250 unit Honuaula housing project. There will be many children in these multi-family units and the public should be able to review the arrangements that are agreed upon between the developer and the County Parks Department.

1.E) The Kihei Community Association responded to the EIS-Prep Notice with a number of very relevant questions (PDF Pages 336-344):

- a) View corridors to the mauka direction;
- b) Compliance with the Kihei-Makena Community Plan;
- c) Need to show bicycle and pedestrian connections on the property and to the rest of the community;
- d) Given the extensive number of wells already operating and planned in South Maui, what will be the effect (Quantities, salinity, etc.) on the water table of drawing a continual flow of irrigation water; and
- e) Since this project is providing absolutely no increase in potable water source development (a new water tank is NOT a source), what will be the effect on all of the future planned South Maui community if Piilani Promenade uses the limited supply of potable water from the State C.W.R.M.-managed Na Wai Eha water aquifer? Also what will be the effect on the water-short Central Maui?

The Draft-EIS does not answer these questions. In fact it does the opposite by stating that views will be blocked by buildings that are 60' high!! There is no map/diagram showing the internal bike/pedestrian routes. It tries to get away from the water source development issue by touting its new water tank which is needed to service the project with a required fire flow capacity, but provides no new source supply.

1.F) Lila Sherman, Kihei resident, asks (PDF page 351) that the Draft-EIS should not just consider new jobs and revenues on the project site, but consider the NET effect on South Maui's existing community.

The DRAFT-EIS never discusses this, even though the consultant (PDF Page 352) states, “The Draft EIS **will** evaluate potential impacts to the environment, including those identified in your letter”.

1.G) South Maui Citizens for Responsible Growth (SMCRG) raises many of the issues cited above, but also focuses on the economic issues. Unfortunately, the Piilani Promenade Draft-EIS does not provide an adequate discussion of the issues raised in the EIS-Preparation Notice process. For example:

The totality of information on economic effects is contained in two places: in the text of the report at PDF pages 62 - 64, which is superficial and does not answer any of the questions posed, and in the referenced Appendix "K," that likewise fails to address any of the questions posed in SMCRG's letter. The "Economic and Fiscal Impact Assessment" found at Appendix "K" is largely generic and mostly focused on marketing, not impact.

A limited discussion of impact is found on PDF pages 62 – 64 under the heading "Economic Impacts of Development," but it speaks selectively and narrowly to alleged good economic benefits that will flow from the development: short-term construction jobs and wages earned thereafter by employees of businesses located within the shopping centers.

Significantly, there is NO discussion of (1) impact on the community's desire to concentrate retail/commercial development in four areas *makai* of the highway to address sprawl and to create downtowns and a sense of place, (2) impact on or consistency with the community plan, or even (3) mention of likely impact on key pending projects like the Krausz Downtown Kihei project that conforms to the community plan and will create a real downtown corridor from Azeka Place at the intersection of South Kihei Road and Piikea, extending to the Piilani Shopping Center at the intersection of Piikea and Piilani Highway. The Krausz project was heard again by the Maui County Planning Commission in early August, and is celebrated by the community as a way to transform South Maui into a desirable place to live, work and recreate. Will the Piilani Promenade applicant's proposed development kill the Krausz project? Impact the Krausz development? Compete with the Krausz development, and if so, how and to what extent and at what price to the community?

Furthermore, the Public Sector Fiscal Analysis contained in Appendix K is totally flawed. It provides an estimate of the anticipated State and County revenues and grossly underestimates the concurrent State and County expenditures. Thus, Appendix K and the whole DEIS provides a most misleading conclusion, namely that this project will be highly beneficial to the Hawaii State and Maui County government finances.

For example, Appendix K (Pages 50-54 in Volume 3, PDF pages 89-93) deals with "Public Fiscal Costs/Benefits Associated with the Project". The Appendix touts the benefits to the government, "Maui County and the State of Hawaii will receive millions of dollars in tax receipts from the construction and "operation" of PP, from numerous revenue sources."

However, if the subsequent analysis had been done properly, it would show that State and County costs were higher than stated in Appendix K. Unfortunately, the economist who did the analysis did not multiply correctly!

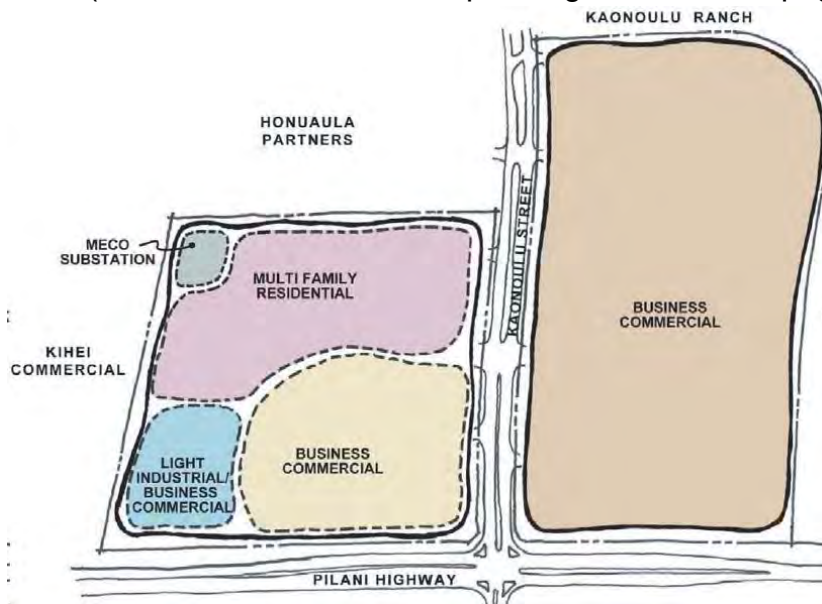
The economist claimed Appendix K (Pages 53 in Volume 3, PDF pages 92) that the County's costs would be **\$393,288 per year** on average, and the State's costs equal to **\$1.05 million** on an annual stabilized basis.

Actually, using the economist's own assumptions:

the County will have costs (607 people times \$3,239 per person) of **\$1,966,073 per year**; and the State will have costs (607 people times \$8,687 per person) of **\$5,273,009 per year**. (See Volume 3, Appendix K, PDF page 92-93)

1.H) Daniel Kanehele, Kihei resident, raises the issue that the proposed project is inconsistent with the community plan and zoning. **Only 5 acres** (out of the 88 acres) are indicated for “Light Industrial”. And even these 5 acres may become “business commercial”. **There may even be NO ‘light industrial’.**

(See the crude “bubble map” in Figure 3 on PDF page 244 in Volume 1)



Volume 1, figure 3, PDF p. 244

The LUC’s conditions for the 1995 Boundary Amendment was for an Urban land use designation with ‘light industrial’ in the community plan and in zoning. Maui County’s description of Light Industrial M-1 zoned land is unambiguous (Maui County Code 19.24). Even though some housing and commercial businesses is allowed in a light industrially zoned area, “The M-1 light industrial district is designed to contain **mostly** warehousing and distribution types of activity, and permits most compounding, assembly, or treatment of articles or materials with the exception of heavy manufacturing and processing of raw materials. Residential uses are excluded except for dwelling units located above or below the first floor and apartments.” (Ord. No. 3975, § 2, 2012) (**Maui County Code 19.24**)

The Draft-EIS totally refuses to address this issue which has been raised by many others.

1.I) Maui Tomorrow, (PDF page 380) reinforces the previous observation about the proposed Piilani Promenade project not meeting Maui County’s requirements: “Factors that trigger a need for a Community Plan Amendment for all parcels in the original 88-acre project area”

The Kihei-Makena Community Plan "Land Use and Policy" section has specific language referring to the Ka'ono'ulu parcel ("south of Ohukai and mauka of Piilani Highway") setting its character as primarily "light Industrial"

*k. Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Piilani Highway, . . . These areas **should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use.*** (Emphasis added)

The Draft EIS should acknowledge the need for a Community Plan Amendment since the project is now proposed as mostly commercial with a small amount of Light Industrial (exactly the opposite as is specified in the community plan) with 476 housing units that were not envisioned nor approved in the community plan. And those housing units are not all 'above or below the first floor'. They are on the first floor!

2) Many significant issues/impacts were relegated to a future date, which means that the government agencies/reviewers and the general public will not be able to review these issues/impacts and will be unable to provide needed input into the review process. They include:

2.A) There is no detailed diagram or map that will indicate the location of any roads, parking areas, recreational park, buildings, etc.

2.B) There is not even a single table, chart, or graph indicating the detailed acreage or square footage of what is being proposed.

2.C) There is no mention of the number of parking places, the location of parking, the proximity to the proposed housing, etc.

2.D) There remains a mystery as to what will happen to the "missing 60,000 gallons per day of potable water". The project is estimated to use about 170,000 GPD of potable water, and have only 110,000 GPD of wastewater.

2.E) Nowhere is it indicated that this project will have two malls on either side of the proposed Kihei-Upcountry highway. Furthermore, it is not mentioned that much of the square footage that was originally proposed in the "Outlet Mall" is now shifted to the south side of the new highway, making that mall very large. Will there be adequate parking? How will traffic be impacted?

2.F) The Draft-EIS states, volume 1 pp. 65-66 (PDF page 84 -85) that there will be a number of new offsite intersections and roads built. However, the Draft-EIS does not clarify who is responsible to pay and build those projects, and what are the consequences for Piilani Promenade if those projects are not built. Those projects are not likely to be completed in the near future, or even ever. And then what will happen?

2.G) Similarly, the Draft-EIS assumes. Volume 1, pages 68-69 (PDF page 87-88) that there will be a number of new offsite intersections and roads needed in the future. Again it is unclear if those projects are likely to be completed, and who is responsible to building those very expensive roads. What happens to the Piilani Promenade generated traffic if those other intersections and roads are not built?

2.H) To add to the transportation confusion, the Draft-EIS Volume 1 Page 69 (PDF page 88) states that a “Transportation Coordinator **should** be designated by the developer or property manager.” However, there is no commitment being made to do so, not even a short-term commitment.

2.I) Missing entirely is a timeline that would indicate the sequencing of the project. For example, it is important to know if the housing will be completed early-on, later as an after-thought, or not at all if for example the property is sold.

2.J) In trying to justify the housing component, the Draft-EIS claims that there is a need for thousands of additional units in South Maui, but the Draft-EIS has made no effort to calculate or list the many thousand already entitled units in the community.

2.K) The project intends to significantly re-route the main Maui County Department of Water Supply South Maui water-line. However, this Draft-EIS only states that the present waterline will be cut, a new alignment will be constructed, and additional pipe will be installed. The DEIS makes no effort to describe any impacts on South Maui water flow from the rerouting which includes several new 90 degree bends in the pipe, etc. Since this is a main County waterline, this rerouting itself will require some kind of an environmental assessment.

2.L) Most significantly, the Draft-EIS has given only half of the story with regard to retail impacts, jobs, and government revenues. If this project is built, it will have an enormous effect on the existing South Maui retail community, probably forcing many present retailers out of business; perhaps even forcing existing malls into bankruptcy. The Draft-EIS should estimate the **NET CHANGES** in a) retail space, b) jobs, c) State excise tax revenues, and d) Maui County property tax revenues. Without those estimates, the present Draft-EIS is a developer’s marketing tool, and the document cannot be properly analyzed.

A FINAL-EIS based on this version of the DRAFT-EIS denies reviewers a legitimate opportunity to give substantive and complete input into the HRS 343 environmental review process.

Therefore, because of the unanswered questions from the EISPN process and the many omissions, I ask the LUC and the OEQC to deny this version of the Draft-EIS and await a suitable Draft-EIS document that will form a proper basis for a review by government agencies, our communities and the general public.

Mahalo for considering these many concerns, Prof. Dick Mayer



CHRIS
HART
& PARTNERS, INC.

June 13, 2017

Mr. Dick Mayer
1111 Lower Kimo Dr.
Kula, HI 96790

Dear Mr. Mayer,

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

Thank you for your comment letter of October 1, 2014. Below are the responses to your comments.

COMMENT 1:

On July 15, 2014 I requested that that this "Draft-EIS for the Pi'ilani Promenade project" NOT be published in OEQC's "The Environmental Notice" because the document is incomplete and inadequate, even as a "Draft" - EIS. It was not and still is not "ripe for publication and public review". Reviewers from both the general public and government agencies are unable to make the needed comments that would assist in preparing a Final-EIS.

The environmental review process has three stages:

1) A Preparation Notice (EISPN) is issued to solicit concerns and issues from government departments, communities, and the general public. The responses received by the applicant must be responded to in the Draft-EIS.

2) A Draft-EIS is prepared with the intention of giving reviewers a portrayal of the anticipated impacts, both beneficial and negative. It includes proposed mitigation measures to eliminate or reduce negative impacts. The Draft-EIS has a 45 day comment period which is the last opportunity for the general public to make meaningful comments on the proposed project.

3) A Final-EIS is developed that is submitted to the accepting agency. There is no public comment period; thus it is important to remember that this Draft-EIS is the last real opportunity for the general public to provide any input or feed-back..

Response 1: The Applicant has consulted with the State Land Use Commission and prepared the Draft EIS in accordance with HRS Chapter 343. The Draft EIS was found by the Accepting Authority to be complete and was published on August 23, 2014. A meeting with you and the Applicant's representative and technical consultants did occur on October 30,

2014 to further discuss your concerns and receive input as to how the document could be improved.

The Final EIS will be published in the Environmental Notice and the report document will be made available to the public online at the OEQC website.

COMMENT 2:

In reviewing the Pi'ilani Promenade DRAFT-EIS, several serious deficiencies have become apparent. These deficiencies have legal implications because they thwart the intent of HRS 343 to provide for the proper environmental review of projects such as this one.

1) Issues/questions raised during the EIS Preparation Notice (EISPN) process were incompletely addressed or not addressed at all.

1.A) In response to the EISPN, the Hawaii State Office of Planning pointed out several areas of concern on PDF pp. 263-265. Unfortunately, the Draft-EIS does NOT include adequate responses to these Office of Planning requests for information. Responses are necessary for a reviewer of the Draft-EIS to make relevant comments.

"4. Workforce Housing. . . "The Draft EIS should indicate whether additional subdivision actions are proposed for the Petition area."

Response 2: The Applicant has sought to present information on all anticipated impacts resulting from the project considered in accordance with the requirements of HRS Chapter 343 and HAR Title 11, Chapter 200. As presently proposed, the Project will not require additional subdivision action for the Petition area.

The Applicant's responses to the Office of State Planning comment letter on the EISPN were available in Appendix A of the DEIS. The Applicant's responses to the Office of State Planning comments on the DEIS are available in the FEIS in Appendix P.

COMMENT 3:

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

Response 3: 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 2016/2017 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>East Kaonoulu Street Improvements</u>	<u>\$2,299,046.00</u>	<u>"</u>	<u>"</u>
<u>Pi'ilani Highway Widening Improvements</u>	<u>\$1,411,106.00</u>	<u>"</u>	<u>"</u>

<u>Project</u>	<u>Estimated Cost</u>	<u>Estimated Start Date</u>	<u>Estimated Completion Date</u>
Access Road and Swales	\$1,771,330.00	"	"
Sewer System/Revisions	\$712,592.00	"	"
Storm Drainage System/Revisions	\$2,895,052.00	"	"
Onsite Water System	\$834,700.00	"	"
12" Offsite Water/1MG Water Tank	\$4,802,784.00	"	"
36" Water Main/Water/Misc. Revisions	\$2,444,940.00	"	"
Electrical	\$885,566.00	"	"
Traffic Signal Improvements	\$643,000.00	"	"
Landscape/Irrigation	\$1,202,000.00	"	"
CRM Walls	\$900,000.00	"	"
<u>Phase 2</u>			
<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>
<u>Phase 3</u>			
<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 4:

"6. Sustainability and Resource Use . . . "The Draft EIS should include a section that describes sustainable design and development measures the project will incorporate or consider in development of the project." . . . "The Draft EIS should also quantify the current energy use and projected energy requirements of the project, and discuss measures to be taken to reduce energy demand, promote energy efficiency, and to promote use of alternative, renewable energy sources."

Response 4: As mentioned in section III. D. 5 (Electrical) the FEIS, the project Civil Engineer has calculated the projected energy demand of 6,250 kVA for the proposed project.

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

<u>Chapter 226-108 Sustainability priority.</u>			
<u>Priority guidelines to promote sustainability:</u>			
<u>Priority Guidelines:</u>	<u>S</u>	<u>N</u> <u>L</u> <u>S</u>	<u>N</u> <u>L</u> <u>A</u>
(1) <u>Encouraging balanced economic, social, community, and environmental priorities;</u>	<u>✓</u>		
(2) <u>Encourage planning that respects and promotes living within the natural resources and limits of the State;</u>	<u>✓</u>		
(3) <u>Promote a diversified and dynamic economy;</u>	<u>✓</u>		
(4) <u>Encouraging respect for the host culture;</u>	<u>✓</u>		
(5) <u>Promoting decisions based on meeting the needs of the present without compromising the needs of future generations;</u>	<u>✓</u>		
(6) <u>Considering the principles of the ahupua'a system; and</u>	<u>✓</u>		
(7) <u>Emphasizing that everyone, including individuals, families, communities, businesses, and government, has the responsibility for achieving a sustainable Hawaii.</u>	<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.</u>			
<u>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.</u>			

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 providing 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.

COMMENT 5:

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

Response 5: In response to comments regarding the proposed project schedule, the FEIS section II. E. (Proposed Project Description) has been revised to include the following language:

All known easements necessary for the on and off site improvements needed for the Project have been secured and finalized through the large lot subdivision process.

COMMENT 6:

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

Response 6: In response to comments to include all residential units within the Petition area, the FEIS section III. D. 1. (Roadways) have been revised to include the following language:

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.

COMMENT 7:

Where are these Hawaii State Office of Planning concerns addressed? I would like to be able to review the applicant's responses.

Response 7: The Applicant's responses to the Office of State Planning comment letter on the EISPN were available in Appendix A of the DEIS. The Applicant's responses to the Office of State Planning comments on the DEIS are available in the FEIS in Appendix P.

COMMENT 8:

1.B) (PDF page 273) Hawaii DOT-Highways requested the ability to review the TIAR and to be able submit comments. "We will provide our comments to the subject project when we review the revised Traffic Impact Analysis Report (TIAR). Please provide two copies of the revised TIAR to the Highways Division, Planning Branch and one copy to our Maui District Office."

Those H-DOT comments are not available to reviewers of this draft EIS. The public and other government departments should be able to examine those important comments when reviewing the Draft EIS.

Response 8: The State DOT comment letter on the EISPN acknowledges that the Department will be a commenting agency on the DEIS. State DOT comments on the DEIS were issued on October 6, 2014 and are included in the FEIS, Appendix P.

COMMENT 9:

1.C) Mr. Kyle Ginoza, Director of the Maui County Department of Public Works, asked that the project: "Provide a 20 foot easement along Pi'ilani Highway for future sewer transmission line." The Draft-EIS refused to even respond to this County request." (PDF page 317-318)

Response 9: In response to comments regarding the 20 foot easement, the FEIS Section III. D. 4. (Wastewater) has been revised to include the following language:

In a comment letter from the Department of Environmental Management, Wastewater Division, the County is requesting that the Applicant provide a 10,000 square foot lot for a future wastewater pump station and associated easement for transmission line that would service future development in north-central Kihei (See: Appendix A "EISPN Letters with Responses"). The Applicant is coordinating with the Department on the optimal location to provide for the 10,000 square foot lot and associated 20-foot wide easement.

At the time of publication of this FEIS, the Department of Environmental Management, Wastewater Division has not prepared designs for the sewer line or pump station and has not included the future sewer line or pump station in any capital improvement program (CIP) budget request for design. The Applicant will continue to cooperate with the Department of Environmental Management, Wastewater Division to set aside an area in the Project site for the pump station and sewer line.

COMMENT 10:

1.D) On this large 77 acre project there is only a two acre park being proposed. In October 2013, Mr. Glenn Correa, Maui County Parks Dept. Director, requested (PDF page 327) a meeting with the Parks Department to discuss park requirements. 8 months later Pi'ilani Promenade planners have yet to meet and discuss those requirements which will be of great importance to the residents of both the proposed 226 units and the neighboring 250 unit Honuaula housing project. There will be many children in these multi-family units and the public should be able to review the arrangements that are agreed upon between the developer and the County Parks Department.

Response 10: Parks Assessment requirements are triggered by the development of Residential Units. The Project will comply with the County of Maui's Parks Assessment Requirements. In response to comments regarding the parks requirement, the FEIS Section III. C. 1. (Recreational Facilities) has been revised to include the following language:

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 Project 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.

COMMENT 11:

1.E) The Kihei Community Association responded to the EIS-Prep Notice with a number of very relevant questions (PDF Pages 336-344):

- a) View corridors to the mauka direction;*
- b) Compliance with the Kihei-Makena Community Plan;*
- c) Need to show bicycle and pedestrian connections on the property and to the rest of the community;*
- d) Given the extensive number of wells already operating and planned in South Maui, what will be the effect (Quantities, salinity, etc.) on the water table of drawing a continual flow of irrigation water; and*
- e) Since this project is providing absolutely no increase in potable water source development (a new water tank is NOT a source), what will be the effect on all of the future planned South Maui community if Pi'ilani Promenade uses the limited supply of potable water from the State C.W.R.M.-managed Na Wai Eha water aquifer? Also what will be the effect on the water-short Central Maui?*

The Draft-EIS does not answer these questions. In fact it does the opposite by stating that views will be blocked by buildings that are 60' high!! There is no map/diagram showing the internal bike/pedestrian routes. It tries to get away from the water source development issue by touting its new water tank which is needed to service the project with a required fire flow capacity, but provides no new source supply.

Response 11: In response to comments regarding the parks requirement, the FEIS Section III. A. 9. (Visual Resources) has been revised to include the following language:

A view analysis was prepared by Architects Orange and depicts 4 views from Pi'ilani Highway looking across the Project site towards Haleakala. (See: Figure 16 "View Analysis"). The view analysis used the following methodology:

1. Photographs used in the analysis are approximately 5 feet 8 inches above street level on the makai side of Pi'ilani Highway, across from the Project site.
2. The estimated future finish grade is based upon preliminary calculations made by

the Project civil engineer, Warren S. Unemori Engineering, Inc.

3. The assumed 60-foot building height is based on the current County zoning code, which permits for 60-foot maximum building heights in an M-1 Zoning district. These 60-foot buildings will be set back 500 feet from the Project site boundary along Pi'ilani Highway.
4. The estimated 30-foot building height is based upon the height of mid-sized commercial buildings that may be built through-out the Project site.

As shown in the view analysis, the maximum allowable building height does not impact the public view of Pu'u o Kali or the summit of Haleakala. The extension of Kaonoulu Road will provide views towards Pu'u o Kali and the summit of Haleakala, but is not considered a major view corridor.

The proposed apartments will be a maximum of three (3) stories tall, up to a maximum allowable height of 60 feet provided for in the M-1 zoning district. The light industrial and commercial buildings are permitted to have a maximum height of 60 feet, however, the estimated height of future buildings is unknown at this time.

The Applicant is proposing to develop the Project with the following development standards as mitigation measures to limit the impacts to visual resources.

1. Any buildings at the maximum height allowed by the then-current County zoning code will be set back at least 500 feet from the Project site boundary along Pi'ilani Highway.
2. Any building above 30 feet in height will be set back at least 100 feet from the western boundary of the Project site.
3. The cumulative linear frontage of buildings built within the 100 foot set back from the western boundary of the Project site will not exceed 35% of the total frontage of the western boundary of the Project site.

The proposed project will transform the character of the site from its existing large lot-only approved design vacant land to a mixed-used development consisting of retail, office, business/commercial, light industrial, multi-family (226 apartment units), and public/quasi-public (park, MECO substation) uses, as well as with pedestrian and bicycle networks, an approximately 2-acre park and landscape plantings. The project will set forth building height limits and setbacks in order to help maintain views towards the summit of Haleakala and the Pacific Ocean. In addition the open space areas incorporated into the Pi'ilani Promenade will provide view corridors in between buildings toward the Pacific Ocean and Haleakala.

b) Compliance with KMCP plan;

Response: The first page of substantive text in the 1998 Kihei Makena Community Plan it is stated:

"A. Purpose of the Kihei-Makena Community Plan

The Kihei-Makena Community Plan, one of nine (9) community plans for Maui County, reflects current and anticipated conditions in the Kihei-Makena region and advances planning goals, objectives, policies, and implementation **considerations to guide decision-making in the region through the year 2010**. The Kihei-Makena Community Plan provides **specific recommendations** to address the goals, objectives, and policies contained in the General Plan, while recognizing the values and unique attributes of the Kihei-Makena area in order to enhance the region's overall living environment.

... Implementation of the goals, objectives and policies contained in the Community Plan is defined through specific implementing actions, also set forth in each community plan. **Implementing actions as well as broader policy recommendations are effectuated through various processes, including zoning, the capital improvements program, and the County budgeting process."** (emphasis added)

Following the adoption of the KMCP in 1998, the Maui County Council Zoned the Project site Light Industrial without restriction of the uses permitted by Maui County Code Chapter 19.24 M-1 Light Industrial District in 1999.

In response to comments regarding the parks requirement, the FEIS Section V. D. 2. (Compliance with the Kihei-Makena Community Plan) has been revised to include the following language:

The subject property is located in North Kihei, south of Ohukai Road, and mauka of Pi'ilani Highway. This area was designated in the KMCP for light industrial use in order to encourage urban expansion in the area mauka of Pi'ilani Highway (goal k). Goal k of the KMCP seeks to "[p]rovide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway, These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use." The original conceptual plan of 123 light industrial lots, which fit squarely within that designation, is no longer desirable or economically viable. The KMCP specifically states that it is intended to "reflect current and anticipated conditions in the Kihei-Makena region" and is intended to guide decision making through the year 2010. See KMCP at 3. Since the KMCP was adopted in 1998, the proposed planning for that area has adjusted. Other developments south of Ohukai and mauka of Pi'ilani are predominantly retail, with only some instances of true light industrial uses. The community planning process has evolved since 1998, and the current Maui Island Plan indicates that the Pi'ilani Promenade is located within the Urban Growth

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

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

Although the County of Maui has determined that the proposed Project complies with the KMCP, the Applicant recognizes that certain parties have asserted that an amendment to the KMCP is necessary for development of the Project to proceed. This issue may be resolved by the LUC during its consideration of the Applicant's Motion to Amend.

c) Bicycle and pedestrian Connectivity plan.

Response: In response to comments regarding the bicycle and pedestrian plan, the FEIS Section. D. 1. (Roadways) has been revised to include the following language:

Without additional connectivity and access, the resulting number of users likely to travel by foot, bike, or transit is relatively small and thus no factor was applied to the resulting volumes. However, 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 to vehicular traffic, a description of the pedestrian and bike pathway system adjacent to and within the project area is included in a figure in Appendix G of the TIAR update and Figure 15 "Conceptual Circulation Plan" of the FEIS. (See: Appendix M-1, "Traffic Impact Analysis Report Update dated December 20, 2016"). The red bike lane shown in the figure 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 area 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 area.

d) What will be the effect on the water table in the area as a result of the project?

Response: In response to comments regarding effect of the water table in the project area the FEIS Section III. A. 11. (Groundwater Resources) has been revised to include the following language:

Groundwater beneath the Project site occurs as a brackish basal lens overlying saline groundwater at depth and in hydraulic contact with seawater shore. This groundwater body has been named as the Kamaole Aquifer by the CWRM. The most reliable estimate of the Kamaole Aquifer's rate of recharge and resulting groundwater flow rate is in the CWRM Water Resource Protection Plan 2008. This plan has estimated the groundwater recharge from rainfall in the Kamaole Aquifer system to be 25 MGD. Of the estimated 25 MGD of groundwater recharge, 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 Water Resource Protection Plan is currently being updated and a draft plan is expected in late 2017.

Existing water use within the Kamaole Aquifer System amounted to 1.859 MGD (Water Resource Protection Plan, 2008). This water use is primarily for golf course and landscape irrigation purposes from existing brackish wells.

A subsurface investigation conducted in 2011 by a reputable geotechnical engineering firm performed 27 soil borings across portions of the Project site to depths ranging from 10 to 40 feet below the ground surface. No groundwater was encountered at any of the boring locations. (See: Appendix Q "Soil Investigation Reports")

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.

In regards to the non-drinking water, which will be drawn from the irrigation well, Waimea Water Services prepared an assessment of potential impacts from the pumping of the approved irrigation well. (See: Appendix R, "Waimea Water Services Report") (Note: Waimea Water Services applied for and supervised the well drilling for the approved irrigation well described above). The assessment found that no probable impact to the aquifer will occur from using the well for irrigation purposes.

e) What is the effect on future planned South Maui Project's if Pi'ilani Promenade uses the water?

Response: The proposed project has secured water meters for the subject project and installed said meters that now await delivery of source. With the purchase of the meters the county of Maui has allocated source for the project. The Maui County Department of Water Supply is budgeting and planning for expanded source development adequate to serve Maui County into the next decade. There is no known restriction on access to domestic water in south Maui.

As a condition of subdivision approval the project was conditioned to develop water source. In discussions with the Department of Water Supply the alternative action of developing storage for the project was approved and the approved project plans now include construction of a one million gallon water tank to serve north Kihei and be dedicated to the county of Maui.

All of the domestic source for South Maui is derived from the Iao/Waihee aquifer system in central Maui. The use of that source is not expected to change and, with other system improvements adding efficiency and source, is expected to continue to provide the primary source of domestic source for central and south Maui.

COMMENT 12:

1.F) Lila Sherman, Kihei resident, asks (PDF page 351) that the Draft-EIS should not just consider new jobs and revenues on the project site, but consider the NET effect on South Maui's existing community. The DRAFT-EIS never discusses this, even though the consultant (PDF Page 352) states, "The Draft EIS will evaluate potential impacts to the environment, including those identified in your letter".

Response 12:

The potential adverse impacts of the Project with mitigation measures are:

1. TOPOGRAPHY AND SOILS

Potential Impact: Potential impacts to the land form include routing a small unregulated drainageway (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.

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.

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.

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.

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 Project 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.

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.

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.

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.

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.

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.

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.

12. WASTEWATER

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.

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.

COMMENT 13:

1.G) South Maui Citizens for Responsible Growth (SMCRG) raises many of the issues cited above, but also focuses on the economic issues. Unfortunately, the Pi'ilani Promenade Draft-EIS does not provide an adequate discussion of the issues raised in the EIS-Preparation Notice process. For example:

The totality of information on economic effects is contained in two places: in the text of the

report at PDF pages 62 - 64, which is superficial and does not answer any of the questions posed, and in the referenced Appendix "K," that likewise fails to address any of the questions posed in SMCRG's letter. The "Economic and Fiscal Impact Assessment" found at Appendix "K" is largely generic and mostly focused on marketing, not impact.

A limited discussion of impact is found on PDF pages 62 - 64 under the heading "Economic Impacts of Development," but it speaks selectively and narrowly to alleged good economic benefits that will flow from the development: short-term construction jobs and wages earned thereafter by employees of businesses located within the shopping centers.

Significantly, there is NO discussion of (1) impact on the community's desire to concentrate retail/commercial development in four areas makai of the highway to address sprawl and to create downtowns and a sense of place, (2) impact on or consistency with the community plan, or even (3) mention of likely impact on key pending projects like the Krausz Downtown Kihei project that conforms to the community plan and will create a real downtown corridor from Azeka Place at the intersection of South Kihei Road and Piikea, extending to the Pi'ilani Shopping Center at the intersection of Piikea and Pi'ilani Highway. The Krausz project was heard again by the Maui County Planning Commission in early August, and is celebrated by the community as a way to transform South Maui into a desirable place to live, work and recreate. Will the Pi'ilani Promenade applicant's proposed development kill the Krausz project? Impact the Krausz development? Compete with the Krausz development, and if so, how and to what extent and at what price to the community?

Furthermore, the Public Sector Fiscal Analysis contained in Appendix K is totally flawed. It provides an estimate of the anticipated State and County revenues and grossly underestimates the concurrent State and County expenditures. Thus, Appendix K and the whole DEIS provides a most misleading conclusion, namely that this project will be highly beneficial to the Hawaii State and Maui County government finances.

For example, Appendix K (Pages 50-54 in Volume 3, PDF pages 89-93) deals with "Public Fiscal Costs/Benefits Associated with the Project". The Appendix touts the benefits to the government, "Maui County and the State of Hawaii will receive millions of dollars in tax receipts from the construction and "operation" of PP, from numerous revenue sources."

However, if the subsequent analysis had been done properly, it would show that State and County costs were higher than stated in Appendix K. Unfortunately, the economist who did the analysis did not multiply correctly!

The economist claimed Appendix K (Pages 53 in Volume 3, PDF pages 92) that the County's costs would be \$393,288 per year on average, and the State's costs equal to \$1.05 million on an annual stabilized basis.

Actually, using the economist's own assumptions:

The County will have costs (607 people times \$3,239 per person) of \$1,966,073 per year; and the State will have costs (607 people times \$8,687 per person) of \$5,273,009 per year. (See Volume 3, Appendix K, PDF page 92-93)

Response 13:

The implementation of the land use guidance system in the County of Maui County, in the context of Light Industrial Uses can be observed at the Wailuku Mill Yard, the Wailuku Industrial Area, the Kahului Industrial Area and in numerous other locations. The Commercial Uses allowed by M-1 Light Industrial Zoning are permitted to be developed in these locations. In the context of the Department of Planning's position with regard to this Project's conformity to the Community Plans and Zoning, it is unreasonable to represent that the original 123-lot Light Industrial would be development as something different than industrial/commercial sprawl. The original Project should be expected to function as an extension of the existing Light Industrial development to the immediate north. At the time of the adoption of the KMCP, the location of the Kihei Upcountry Highway was undetermined. The proposed Project provides a mix of uses, emphasizing Commercial, and focusing around the intersection of the Pi'ilani Highway and the future Kihei Upcountry Highway.

In response to comments regarding the economic impacts, the FEIS Section III. B. 3. (Economy) has been revised to include the following language:

The KMCP identifies four areas that have been fully developed and provide some of the commercial needs for south Maui residents, which are: 1) North Kihei, between the existing South Kihei Road, Piilani Highway and Uwapo Road; 2) A central business and commercial center for Kihei clustered about the South Kihei Road/Road "C" intersection; 3) in existing commercially zoned areas along South Kihei Road in the vicinity of Kalama Park; and 4) along South Kihei Road opposite the Kamaole beach parks. These limited commercial areas were intended to serve the commercial needs of the fastest growing community in the State which has clearly out grown the goods and services available in these areas. The KMCP has designated the Project site for light industrial uses with approved zoning providing for light industrial uses that include neighborhood and regional needs addressing the current and future demand.

While there will inevitably be some cross-over, the Pi'ilani Promenade and Downtown Kihei development will appeal to different customer and tenant types. Downtown Kihei does not offer the exposure, access, intercept or site characteristics that Pi'ilani Promenade does. According to Downtown Kihei market study, the primary patrons of the Project will be visitors.

The Pi'ilani Promenade is intended to focus on providing light industrial and commercial uses for local Maui residents as an alternative shopping destination to Kahului. It is not intended to be directly competitive with the majority of stores along South Kihei Road which attract large numbers of visitors as their primary patrons, or otherwise comprise a significant portion of their customer base.

We anticipate some visitors will patronize the Project but will comprise only a minority of shoppers to selected retail stores and restaurants and not necessarily for the resident-oriented anchor tenant and light industrial businesses.

As part of this FEIS, the Hallstrom Group prepared an Economic and Fiscal Impact Assessment for the Project, which includes analysis of the existing commercial properties in Kihei. An inventory of existing occupied and vacant commercial properties was developed and used as part of the economic analysis for the Project. The Economic and Fiscal Impact Assessment was revised to address comments received on the DEIS. Specifically, Table V-4 of the Economic and Fiscal Impact Assessment in the FEIS now includes the accurate County costs and State costs per year.

COMMENT 14:

1.H) Daniel Kanehele, Kihei resident, raises the issue that the proposed project is inconsistent with the community plan and zoning. Only 5 acres (out of the 88 acres) are indicated for "Light Industrial". And even these 5 acres may become "business commercial". There may even be NO 'light industrial'.

The LUC's conditions for the 1995 Boundary Amendment was for an Urban land use designation with 'light industrial' in the community plan and in zoning. Maui County's description of Light Industrial M-1 zoned land is unambiguous (Maui County Code 19.24). Even though some housing and commercial businesses is allowed in a light industrially zoned area, "The M-1 light industrial district is designed to contain mostly warehousing and distribution types of activity, and permits most compounding, assembly, or treatment of articles or materials with the exception of heavy manufacturing and processing of raw materials. Residential uses are excluded except for dwelling units located above or below the first floor and apartments." (Ord. No. 3975, § 2, 2012) (Maui County Code 19.24)

Response 14:

Following the adoption of the KMCP in 1998, the Maui County Council Zoned the Project site Light Industrial without restriction of the uses permitted by Maui County Code Chapter 19.24 M-1 Light Industrial District in 1999. It is the County of Maui Department of Planning's opinion that the Project as Zoned by the Maui County Council conforms to the KMCP, as it is presented. The Applicant share's the Department's opinion.

In response to comments regarding the Kihei-Makena community plan the FEIS Section V. D. (Unresolved Issues) have been revised as follows:

2. Compliance with the Kihei-Makena Community Plan

The Pi'ilani Promenade is designated for (LI) Light Industrial uses by the KMCP. The KMCP defines "Light Industrial (LI)" as follows: "This is for warehousing, light assembly, service and craft-type industrial operations." The County of Maui Planning Department has consistently interpreted the KMCP's LI designation consistent with the M-1 Light

Industrial zoning classification, as the KMCP specifically states that the goals, objectives and policies of the KMCP are implemented and effectuated through various processes, including zoning. The Applicant expects the Planning Department to provide written comment on this Draft EIS and we expect any concerns to be documented in their comment letter.

The subject property is located in North Kihei, south of Ohukai Road, and mauka of Pi'ilani Highway. This area was designated in the KMCP for light industrial use in order to encourage urban expansion in the area mauka of Pi'ilani Highway (goal k). Goal k of the KMCP seeks to "[p]rovide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway, These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use." The original conceptual plan of 123 light industrial lots, which fit squarely within that designation, is no longer desirable or economically viable. The KMCP specifically states that it is intended to "reflect current and anticipated conditions in the Kihei-Makena region" and is intended to guide decision making through the year 2010. See KMCP at 3. Since the KMCP was adopted in 1998, the proposed planning for that area has adjusted. Other developments south of Ohukai and mauka of Pi'ilani are predominantly retail, with only some instances of true light industrial uses. The community planning process has evolved since 1998, and the current Maui Island Plan indicates that the Pi'ilani Promenade is located within the Urban Growth Boundary, and is surrounded by areas currently not zoned for urbanization, but designated as "planned growth areas." The Maui Island Plan specifically cites the need for mixed-use neighborhood centers "to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern." Maui Island Plan at 8-27.

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

Although the County of Maui has determined that the proposed Project complies with the KMCP, the Applicant recognizes that certain parties have asserted that an amendment to the KMCP is necessary for development of the Project to proceed. This issue may be resolved by the LUC during its consideration of the Applicant's Motion to Amend.

COMMENT 15:

The Draft-EIS totally refuses to address this issue which has been raised by many others.

1.I) Maui Tomorrow, (PDF page 380) reinforces the previous observation about the proposed Pi'ilani Promenade project not meeting Maui County's requirements: "Factors that trigger a need for a Community Plan Amendment for all parcels in the original 88-acre project area"

The Kihei-Makena Community Plan "Land Use and Policy" section has specific language referring to the Ka'ono'ulu parcel ("south of Ohukai and mauka of Pi'ilani Highway") setting its character as primarily "light Industrial"

k. Provide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway, . . . These areas should limit retail business or commercial activities to the extent that they are accessory or provide service to the predominate light industrial use."

The Draft EIS should acknowledge the need for a Community Plan Amendment since the project is now proposed as mostly commercial with a small amount of Light Industrial (exactly the opposite as is specified in the community plan) with 476 housing units that were not envisioned nor approved in the community plan. And those housing units are not all 'above or below the first floor'. They are on the first floor!

Response 15:

Following the adoption of the KMCP in 1998, the Maui County Council Zoned the Project site Light Industrial without restriction of the uses permitted by Maui County Code Chapter 19.24 M-1 Light Industrial District in 1999. It is the County of Maui Department of Planning's opinion that the Project as Zoned by the Maui County Council conforms to the KMCP, as it is presented. The Applicant share's the Department's opinion.

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The subject property is located in North Kihei, south of Ohukai Road, and mauka of Pi'ilani Highway. This area was designated in the KMCP for light industrial use in order to encourage urban expansion in the area mauka of Pi'ilani Highway (goal k). Goal k of the KMCP seeks to "[p]rovide for limited expansion of light industrial services in the area south of Ohukai and mauka of Pi'ilani Highway, . . . These areas should limit retail business or

commercial activities to the extent that they are accessory or provide service to the predominate light industrial use." The original conceptual plan of 123 light industrial lots, which fit squarely within that designation, is no longer desirable or economically viable. The KMCP specifically states that it is intended to "reflect current and anticipated conditions in the Kihei-Makena region" and is intended to guide decision making through the year 2010. See KMCP at 3. Since the KMCP was adopted in 1998, the proposed planning for that area has adjusted. Other developments south of Ohukai and mauka of Pi'ilani are predominantly retail, with only some instances of true light industrial uses. The community planning process has evolved since 1998, and the current Maui Island Plan indicates that the Pi'ilani Promenade is located within the Urban Growth Boundary, and is surrounded by areas currently not zoned for urbanization, but designated as "planned growth areas." The Maui Island Plan specifically cites the need for mixed-use neighborhood centers "to provide services and jobs within close proximity to where people live and provide a more efficient land use pattern." Maui Island Plan at 8-27.

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

Although the County of Maui has determined that the proposed Project complies with the KMCP, the Applicant recognizes that certain parties have asserted that an amendment to the KMCP is necessary for development of the Project to proceed. This issue may be resolved by the LUC during its consideration of the Applicant's Motion to Amend.

COMMENT 16:

2) Many significant issues/impacts were relegated to a future date, which means that the government agencies/reviewers and the general public will not be able to review these issues/impacts and will be unable to provide needed input into the review process. They include:

2.A) There is no detailed diagram or map that will indicate the location of any roads, parking areas, recreational park, buildings, etc.

Response 16: Square footages of development, uses, heights & densities of structures and quantity of residential units and other necessary development parameters are provided to clearly define the impacts to be assessed by government agencies and reviewers as is necessary for decision-making at the State Land Use District Boundary Level.

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.

At this time the conceptual site plan submitted with the DEIS provides the approximate location for the Kihei-Upcountry Highway, MECO substation, Multi-family, light industrial and commercial uses. The future park space will be located in close proximity to the multi-family apartments to provide an outdoor recreation space for residents. The development of light industrial and business commercial uses will be developed as driven by market demand for such space.

COMMENT 17:

2.B) *There is not even a single table, chart, or graph indicating the detailed acreage or square footage of what is being proposed.*

Response 17: In response to comments regarding the proposed project, the FEIS Section II. F. (Development Phasing) has been revised to include the following language:

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 (KUHI) 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 2016~~ 2017 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.

<p align="center">Table No. 1a Development Phasing Timeline with Cost Estimate</p>			
<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>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>	"	"

<p align="center">Table No. 1a Development Phasing Timeline with Cost Estimate</p>			
<u>Project</u>	<u>Estimated Cost</u>	<u>Estimated Start Date</u>	<u>Estimated Completion Date</u>
<u>Apartments</u>	<u>\$33,500,000</u>	<u>"</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 18:

2.C) *There is no mention of the number of parking places, the location of parking, the proximity to the proposed housing, etc.*

Response 18:

Parking, compliant with Maui County Code Chapter 19.36A is required for the issuance of Building Permits and Certificates of Occupancy. The Project will provide required parking, compliant with Maui County Code at the time of development.

In response to comments regarding the proposed project schedule, the FEIS Section II. F. (Proposed Project Description) has been revised to include the following language:

For the purposes of quantifying the potential impacts of development on these parcels, the conceptual project assumes 530,000 total square feet of business/commercial, 58,000 square feet of light industrial, and 226 apartment units to analyze the impacts. Actual future uses and locations of structures could vary, and occupants could be a variety of possible stores and users.

Development of the Pi'ilani Promenade is subject to MCC Chapter 19.36A, Off-street parking and loading, therefore the Applicant is required to provide adequate parking on-site in appropriate locations. The proposed apartments units will require a total of 2 parking stalls per unit to be located in close proximity to the units. The light industrial portion of the Project will require one parking stall for every 600 square feet of building, or 25% of the total lot coverage, whichever is greater. The business/commercial portion of the Pi'ilani Promenade will require one parking stall for every 500 square feet of building. This parking ratio could change due to the nature of a specific use, such as a restaurant which will require one parking stall for every 100 square feet of building. The exact number of parking stalls for the project is unknown until the Applicant applies for building permits and a parking analysis is completed

by the Zoning Administration and Enforcement Division to determine the required amount of parking stalls.

COMMENT 19:

2.D) *There remains a mystery as to what will happen to the "missing 60,000 gallons per day of potable water". The project is estimated to use about 170,000 GPD of potable water, and have only 110,000 GPD of wastewater.*

Response 19: In response to comments regarding water consumption the FEIS Section III. D. 3. (Water) has been revised to include the following language:

Potential Impacts and Mitigation Measures. 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")

The Pi'ilani Promenade Preliminary Engineering Report uses the estimating method prescribed by the DWS to compute drinking water demand. A different method prescribed by the Maui County Department of Environmental Management is used to calculate wastewater output. The use of prescribed methods allows each agency to more accurately evaluate project demands against its own systems' capabilities by using its own standard metrics.

As an example, the DWS estimates average daily domestic water consumption for a commercial building using a rate of 140 gallons per 1000 square feet of floor area. In comparison the Department of Environmental Management estimates average daily wastewater output for the same building using a rate of 100 gallons per 1000 square feet of floor area. Though they differ, the demand rates adopted by each agency are carefully considered to reflect needed "safety factors" and other adjustments which the agencies have found, based on their own experience, allow them to best manage the complex infrastructure under its control and reliably deliver the essential services to the community with which it is tasked.

The approximate 60,000 gallon mathematical difference between the two demand figures results from different estimating methods in computing drinking water and wastewater demand.

COMMENT 20:

2.E) *Nowhere is it indicated that this project will have two malls on either side of the proposed Kihei-Upcountry highway. Furthermore, it is not mentioned that much of the square footage that*

was originally proposed in the "Outlet Mall" is now shifted to the south side of the new highway, making that mall very large. Will there be adequate parking? How will traffic be impacted?

Response 20:

The Draft EIS Figure 3, "Conceptual Site Plan" was provided as the reference figure for Section II.D, Proposed Project Description which depicted an area of Business Commercial on the north and south side of East Kaonoulu Street (Kihei Upcountry Highway) within the proposed development. Parking compliant with Maui County Code 19.36A is a requirement of Building Permit and Certificate of Occupancy issuance. The Project will comply with Parking Requirements prior to Building Permit and Certificate of Occupancy Issuance.

In response to comments regarding the proposed project schedule, the FEIS Section II. E. (Proposed Project Description) has been revised to include the following language:

The original development plan proposed for the Project site was developed by Eclipse Development for the Applicant (the "Eclipse Development Plan"). The basis for the Eclipse Development Plan was the current land use and zoning designations, but with no input by the Kihei community. The obvious public resistance to the Eclipse Development Plan resulted in the ownership taking responsibility for plan development and then discussing the revised concept plan with the community.

The original Eclipse Development Plan proposed approximately 695,000 SF of retail space with approximately 3,700 parking stalls, with development concentrated in two major commercial development areas with substantial paved parking lots separating them. In contrast to the current plan, the Eclipse Development plan did not include any light industrial uses or a multi-family rental housing, pedestrian and bicycle access and a park component.

The current Pi'ilani Promenade conceptual plan responds to input from the south Maui community, as well as the market and demand for housing in Maui County. The current Pi'ilani Promenade conceptual plan includes the development of a mixed-used project consisting of approximately 530,000 square feet of retail, office, business/commercial development, 58,000 square feet light industrial space, 226 multi-family apartment units, and public/quasi-public (park, MECO substation) uses. The estimated 1,609 required parking stalls required under the current Pi'ilani Promenade conceptual plan is substantially less than the 3,700 stalls proposed by the prior Eclipse Development Plan.

COMMENT 21:

2.F) The Draft-EIS states, volume 1 pp. 65-66 (PDF page 84 -85) that there will be a number of new offsite intersections and roads built. However, the Draft-EIS does not clarify who is responsible to pay and build those projects, and what are the consequences for Pi'ilani Promenade if those projects are not built. Those projects are not likely to be completed in the near future, or even ever. And then what will happen?

Response 21: In response to comments regarding traffic improvements by other projects, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

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 Piilani Highway.

COMMENT 22:

2.G) Similarly, the Draft-EIS assumes. Volume 1, pages 68-69 (PDF page 87-88) that there will be a number of new offsite intersections and roads needed in the future. Again it is unclear if those projects are likely to be completed, and who is responsible to building those very expensive roads. What happens to the Pi'ilani Promenade generated traffic if those other intersections and roads are not built?

Response 22: In response to comments regarding traffic improvements by other projects, the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

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.

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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 Piilani Highway.

COMMENT 23:

2.H) To add to the transportation confusion, the Draft-EIS Volume 1 Page 69 (PDF page 88) states that a "Transportation Coordinator should be designated by the developer or property manager." However, there is no commitment being made to do so, not even a short-term commitment.

Response 23: In response to comments regarding the Transportation Coordinator the FEIS Section III. D. 1. (Roadways) has been revised to include the following language:

- 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 24:

2.I) Missing entirely is a timeline that would indicate the sequencing of the project. For example, it is important to know if the housing will be completed early-on, later as an after- thought, or not at all if for example the property is sold.

Response 24: In response to comments regarding the proposed project schedule, the FEIS Section II. F. (Development Phasing) has been revised to include the following language:

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 2016~~ in the second quarter of 2017 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>	"	"
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<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>

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 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 25:

2.J) *In trying to justify the housing component, the Draft-EIS claims that there is a need for thousands of additional units in South Maui, but the Draft-EIS has made no effort to calculate or list the many thousand already entitled units in the community.*

Response 25: In response to comments regarding net effect on south Maui's existing community the FEIS Section V. C. (Cumulative and Secondary Impacts) has been revised to include the following language:

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>
<u>Total</u>	<u>Single Family</u>	<u>1,150 SF units</u>
	<u>Multi Family</u>	<u>1,410 MF units</u>
		<u>2,560 total units</u>

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.

COMMENT 26:

2.K) *The project intends to significantly re-route the main Maui County Department of Water Supply South Maui water-line. However, this Draft-EIS only states that the present waterline will be cut, a new alignment will be constructed, and additional pipe will be installed. The DEIS makes no effort to describe any impacts on South Maui water flow from the rerouting which includes several new 90 degree bends in the pipe, etc. Since this is a main County waterline, this rerouting itself will require some kind of an environmental assessment.*

Response 26: In response to comments regarding re-routing the waterline, the FEIS Section III. D. 3. (Water) has been revised to include the following language:

The Central Maui Water Transmission Line currently bisects the Honua`ula Parcel and the Project site diagonally and is proposed to be re-routed within an easement at the eastern (mauka) edge and continue underneath East Kaonoulu Street. The proposed transmission line realignment will create new bends in the pipe at the eastern (mauka) edge of East Kaonoulu Street and at the intersection of East Kaonoulu Street and Pi'ilani Highway as shown in figure 3-1 of the Preliminary Engineering Report prepared by Warren S. Unemori Engineering, Inc. The relocated waterline will be designed and engineered with proper materials to maintain the existing water flow to south Maui customers. In addition, the new 1.0 MG water tank to be constructed as part of the Project will create additional water storage capacity in south Maui. The County DWS, which has sole jurisdiction for the management of the Central Maui Water Transmission System, has already reviewed the specific construction details associated with the transmission line realignment and approved it for construction.

COMMENT 27:

§343-5 Applicability and requirements. (a) *Except as otherwise provided, an environmental assessment shall be required for actions that:*

(1) *Propose the use of state or county lands or the use of state or county funds, other than funds to be used for feasibility or planning studies for possible future programs or projects that the agency has not approved, adopted, or funded, or funds to be used for the acquisition of unimproved real property; provided that the agency shall consider environmental factors and available alternatives in its feasibility or planning studies; provided further that an environmental assessment for proposed uses under section 205-2(d)(11) or 205-4.5(a)(13) shall only be required pursuant to section 205-5(b);*

2.L) *Most significantly, the Draft-EIS has given only half of the story with regard to retail impacts, jobs, and government revenues. If this project is built, it will have an enormous effect on the existing South Maui retail community, probably forcing many present retailers out of business; perhaps even forcing existing malls into bankruptcy. The Draft-EIS should estimate the NET CHANGES in a) retail space, b) jobs, c) State excise tax revenues, and d) Maui County property tax revenues. Without those estimates, the present Draft-EIS is a developer's marketing tool, and the document cannot be properly analyzed.*

Response 27. In response to comments regarding the retail impacts, jobs and government revenues, the FEIS Section III. B. 3. (Economy) has been revised to include the following language:

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

The 226 unit apartment component of the Project is required to provide a certain amount of the rental units at an affordable price determined by the DHHC.

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

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

The KMCP identifies four areas that have been fully developed and provide some of the commercial needs for south Maui residents, which are: 1) North Kihei, between the existing South Kihei Road, Piilani Highway and Uwapo Road; 2) A central business and commercial center for Kihei clustered about the South Kihei Road/Road "C" intersection; 3) in existing commercially zoned areas along South Kihei Road in the vicinity of Kalama Park; and 4) along South Kihei Road opposite the Kamaole beach parks. These limited commercial areas were intended to serve the commercial needs of the fastest growing community in the State which has clearly out grown the goods and services available in these areas. The KMCP has

designated the Project site for light industrial uses with approved zoning providing for light industrial uses that include neighborhood and regional needs addressing the current and future demand.

While there will inevitably be some cross-over, the Pi'ilani Promenade and Downtown Kihei development will appeal to different customer and tenant types. Downtown Kihei does not offer the exposure, access, intercept or site characteristics that Pi'ilani Promenade does. According to Downtown Kihei market study, the primary patrons of the Project will be visitors.

The Pi'ilani Promenade is intended to focus on providing light industrial and commercial uses for local Maui residents as an alternative shopping destination to Kahului. It is not intended to be directly competitive with the majority of stores along South Kihei Road which attract large numbers of visitors as their primary patrons, or otherwise comprise a significant portion of their customer base.

We anticipate some visitors will patronize the Project but will comprise only a minority of shoppers to selected retail stores and restaurants and not necessarily for the resident-oriented anchor tenant and light industrial businesses.

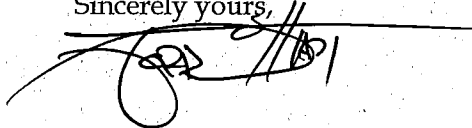
As part of this FEIS, the Hallstrom Group prepared an Economic and Fiscal Impact Assessment for the Project, which includes analysis of the existing commercial properties in Kihei. An inventory of existing occupied and vacant commercial properties was developed and used as part of the economic analysis for the Project. The Economic and Fiscal Impact Assessment was revised to address comments received on the DEIS. Specifically, Table V-4 of the Economic and Fiscal Impact Assessment in the FEIS now includes the accurate County costs and State costs per year.

It is projected that the Project will address sub-regional and regional commercial demand more efficiently than the fragmented commercial space located along South Kihei Road because of its location and visibility and ease of access for residents in west, south and central Maui.

In mid-2014, The Hallstrom Group completed an inventory of the Kihei Retail market and found that about 10 percent of the total floor area in the community was vacant. However, the vacancies were either restaurant spaces (the least stable sector of the market) or in uncompetitive projects or locations (such as along Lipoa Street). All of the quality/competitive spaces along South Kihei Road or in newer, modern centers were occupied. Over the past year numerous new leases have been signed and the vacancy rate in Kihei has dropped below seven percent (2014).

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

Sincerely yours,

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

Jordan E. Hart, President

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