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Attorneys for Petitioners

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition    ) DOCKET NO. A15-798  
of:                                    )  
    ) DIRECT TESTIMONY OF JOHN R.  
WAIKAPU PROPERTIES, LLC; MTP    ) GARRETSON  
LAND PARTNERS, LLC; WILLIAM S. )  
FILIOS, Trustee of the William )  
S. Filios Separate Property    )  
Trust dated APRIL 3, 2000; and )  
WAIALE 905 PARTNERS, LLC,       )  
    )  
To Amend the Agricultural Land    )  
Use District Boundaries into    )  
the Rural Land Use District for )  
certain lands situate at        )  
Waikapu, District of Wailuku,    )  
Island and County of Maui,       )  
State of Hawaii, consisting of    )  
92.394 acres and 57.454 acres,    )  
bearing Tax Map Key No. (2) 3-    )  
6-004:003 (por) and to Amend    )  
the Agricultural Land Use        )  
District Boundaries into the     )  
Urban Land Use District for     )  
certain lands situate at        )  
Waikapu, District of Wailuku,    )  
Island and County of Maui,       )  
State of Hawaii, consisting of    )  
236.326 acres, 53.775 acres,     )  
and 45.054 acres, bearing Tax    )  
Map Key No. (2) 3-6-002:003     )  
(por), (2) 3-6-004:006 and (2)    )  
3-6-005:007 (por).                )

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DIRECT TESTIMONY OF JOHN R. GARRETSON

1 I am John Robert Garretson.

2 I am a Project Consultant for D.L. Adams Associates.  
3 (DLAA). Since its formation in 1979, DLAA acted as acoustic  
4 consultants. Our services include environmental acoustics  
5 analysis, architectural acoustics recommendations, noise and  
6 vibration recommendations, acoustical and vibration  
7 measurements, as well as audio/visual, performing arts, and  
8 information technology/telecommunications design. DLAA has  
9 offices in Kailua as well as in Denver, Colorado.

10 I received my Bachelor of Arts degree in Acoustics  
11 from Columbia College in May, 2011. I graduated summa cum  
12 laude. Following college I worked as an acoustical engineer  
13 with AeroSonics, a manufacturer of commercial and industrial  
14 noise control products. In 2014, I started with DLAA and  
15 provided noise modeling, measurement and design services on over  
16 30 projects in Hawaii.

17 A copy of my current resume is attached as Exhibit  
18 "34."

19 DLAA was contracted in 2013 to assess the  
20 environmental noise conditions associated with the proposed  
21 Waikapu Country Town development and provide a report that  
22 presented our findings and any recommendations for mitigation of  
23 the conditions created by the development. Aspects of the

1 assessment included documenting the existing environmental noise  
2 levels associated with the site, projecting the noise levels  
3 anticipated from the proposed development on the surrounding  
4 areas, projecting the noise levels anticipated on the proposed  
5 development site from the surrounding areas and sources, and  
6 comparing these findings to various state, federal, and common  
7 acoustical industry criteria. Our initial report was submitted  
8 January 2015 and later amended in November 2016 when a waste  
9 water treatment plant was added to the proposed project.

10           A copy of DLAA's report, as amended, is attached as  
11 Appendix "D" to Exhibit "25."

12           For the purposes of the analysis, DLAA was provided  
13 with a site Master Plan drawing, Land Use Plan table,  
14 Transportation Impact Analysis Report (TIAR), including a  
15 supplement to that report, and conceptual information regarding  
16 the potential locations of the waste water treatment facility  
17 and equipment.

18           The noise analysis included existing and future  
19 traffic for surrounding roads affected by the project,  
20 construction equipment operation and activities, typical  
21 mechanical equipment expected to serve residential and  
22 commercial properties within the development, mechanical

1 equipment expected for the waste water treatment.

2 **Noise Assessment Criteria**

3           As part of our assessment, acoustical criteria used to  
4 analyze the proposed project included those from the Hawaii  
5 Department of Health (HDOH) Community Noise Control Rule for  
6 both construction noise and long term stationary equipment  
7 noise, Federal Highway Administration (FHWA) 23 CFR 722 and  
8 Hawaii Department of Transportation (HDOT) noise limits for  
9 traffic noise sources, Environmental Protection Agency  
10 (EPA) criteria and Department of Housing and Urban Development  
11 (HUD) Site Acceptability Standards for overall environmental  
12 site noise, as well as general acoustical industry criteria on  
13 perceivable changes in noise level and regarding historical  
14 community responses to increases in noise level.

15 **Noise Assessment Findings**

16           The existing noise levels at the project site were  
17 found to range from 53-64 dBA, with the highest noise levels  
18 closes to the adjacent Honoapiilani Highway. Noise sources  
19 included traffic, wind, birds, aircraft flyovers, and  
20 construction equipment. For comparative purpose, 20 dBA is  
21 roughly the quietest that a natural exterior environment can  
22 ever practically achieve and is commonly referenced to the noise

1 levels of faint rustling leaves. 120 dBA is where noise begins  
2 to become painful for some listeners, and is similar to being  
3 directly next to the speakers at a rock concert. Noise levels of  
4 around 50 dBA are representative of those that typical suburban  
5 neighborhood might experience or the levels near a refrigerator  
6 or desktop computer. Noise levels around 60 dBA are typical of  
7 those experienced during a conversation between two people or  
8 from a slightly noisy window air conditioner unit or relatively  
9 quiet dishwasher.

10           Noise from construction of the proposed development  
11 was determined to most likely require a noise permit and  
12 potentially a variance from HDOH depending on the dates and  
13 times construction would take place, but construction noise  
14 would be short-term and typical of similar residential and  
15 commercial developments as far as construction methods,  
16 equipment, and noise generated.

17           Long-term noise sources such as stationary mechanical  
18 equipment that serves the HVAC, potential refrigeration for any  
19 commercial spaces, and the mechanical equipment for the waste  
20 water treatment plant will need to comply with the HDOH  
21 Community Noise Rule requirements for maximum permissible noise  
22 levels at the individual property lines. This will most likely

1 require a case-by-case analysis based on the specific location,  
2 equipment, and system design and may require additional  
3 mitigation to ensure that there are no noise impacts to  
4 surrounding locations. Based on preliminary analysis of similar  
5 waste water treatment plant equipment, no impact is expected  
6 from the waste water treatment plant if located at either of the  
7 two proposed locations presented to us as included in our  
8 report.

9           Analysis of the long-term projected traffic noise due  
10 to an increase in traffic from the development indicated that no  
11 impact is expected based on FHWA or HDOT criteria and that no  
12 noticeable change in perceived traffic noise is expected from  
13 the project for existing residence located in the nearby  
14 community.

15           In regard to the traffic impacts within the proposed  
16 development, our analysis showed that the FHWA maximum noise  
17 limit guideline will be satisfied for all homes located more  
18 than 60 feet from the edge-of-pavement of Honoapiilani Highway.  
19 Noise generated from development built access roads and future  
20 Waiale Road extension are not expected to be significant enough  
21 to impact the residential areas of the project.

22           The expected environmental site noise is expected to

1 be classified as "Acceptable" by HUD and, per HUD guidelines,  
2 require no special acoustical design considerations for  
3 mitigation of interior or exterior occupied spaces for distance  
4 greater than 60 feet from the edge-of-pavement of the adjacent  
5 highway. Noise levels at this distance from the highway also are  
6 compliant with the EPA's Existing Design Goal.

7           Although compliance with the FHWA, HDOT, HUD, and EPA  
8 criteria are not strict regulatory requirements of the project,  
9 the setback distance of 60 feet was recommended to achieve  
10 compliance with these criteria to minimize traffic noise without  
11 additional mitigation such as noise barriers and modified  
12 building constructions.

### 13 Summary

14           Based on various state, federal, and acoustical industry  
15 analysis standards and criteria the project is not expected to  
16 have any long-term noise impacts to the adjacent existing  
17 properties. Some short-term impacts are expected to these areas  
18 from the construction of the development and will need to be  
19 permitted through the HDOH. Residential buildings in the  
20 development are not expected to have traffic noise impacts if  
21 located further than 60 feet from the edge of Honoapiilnai Highway.  
22 Waste water treatment operations are not expected to produce noise

1 impacts on the existing residential areas nearby or future adjacent  
2 properties in the proposed development.

3 Thank you for allowing me to speak with you about the  
4 work done by DLAA.

5 DATED: Kailua-Kona, Hawaii, October \_\_, 2017.

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John R. Garretson