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LAND USE COMMISSION
STATE OF HAWAII

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DTS No. 201804031259BE

April 6, 2018

Ms. Elaine Baker
County of Maui
Solid Waste Division
2200 Main Street, Suite 225
Wailuku, Hawaii 96793

Dear Ms. Baker:

Subject: Chapter 343, Hawaii Revised Statutes, Draft Environmental Assessment (DEA) for the Proposed Central Maui Landfill Facilities Project
TMK: 3-8-003: 019 (Por)
Puunene, Maui, Hawaii

Thank you for the opportunity to review the DEA for the proposed 40.8-acre expansion of the Central Maui Landfill facility. The existing landfill was established in 1986 by a State Special Permit on a 55-acre site by SP86-359. The activities listed for this Special Permit include landfill activities, weigh station, special waste, and green waste composting. There is no time limit for the use on this Special Permit.

In 1997, the County of Maui expanded the landfill via a second State Special Permit (SP97-390) with an additional 29.340 acres. The County requested three amendments to this Special Permit for various improvements, and an extension of time for the permit, and an expansion of 41.2 acres. The current permit is valid until October 31, 2018. The combined land area for the entire existing landfill and appurtenant uses is approximately 125.54 acres.

The DEA indicates that the County will be requesting an amendment to SP97-390 and CUP 2008/003 to extend the time limit on the permit and allow an expansion of the facility of 40.8 acres. The uses proposed for the expansion area include offices, an abandoned vehicle area, metals processing area, open construction and demolition material recovery area, household hazardous waste and electronic waste processing and storage area, warehouse building and

storage area, refuse collection office, truck parking, maintenance area, drainage basins, and associated infrastructure.

The Office of Planning (OP) has the following comments:

1. Page 33. DR09-38 was approved by the Land Use Commission (LUC) to designate approximately 27,102 acres of land as Important Agricultural Lands (IAL). As noted in the DEA, about 22 acres of this IAL designated area is proposed to be included within the proposed expansion of the County's Central Maui Landfill.

The Legislature's intent for IAL lands was to preserve and protect good agricultural lands. The LUC has approved DR09-38 and designated as Important Agricultural Lands 22 acres of this proposed expansion. Thus, OP is concerned that using IAL designated lands for non-agricultural uses could set a precedent in the future. This is a significant impact of the proposed expansion. We also note that since the DEA does not recognize this as a significant impact, no mitigation measures are proposed.

2. Page 85. Hawaii State Plan, Chapter 226, HRS-Part III. Priority Guidelines (d) Priority guidelines to promote the growth and development of diversified agriculture and aquaculture. The DEA indicates that this section is Not Applicable to this proposal. However, since this proposal would include the use of 22 acres of IAL lands, it may be appropriate to indicate that it is "N/S = Not Supportive rather than N/A or Not Applicable.
3. The DEA indicates that the project will be on a 40.8-acre portion of the parcel. According to Hawaii Revised Statutes 205-6(d) Special Permits for land areas over 15 acres are approved by the LUC. Thus, the Special Permit will require approval by the LUC and the County of Maui.
4. The DEA indicates that the majority of the proposed expansion area is within the Maui Island Plan Urban Growth Boundary. The approximate acreage within the Urban Growth Boundary should be indicated, and not merely referenced as being shown on Exhibit 13.
5. We note that our pre-consultation comments have been satisfactorily addressed in the DEA.

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6. The DEA includes the Special Permit 97-390 FY 2017 Annual Report. All conditions are currently being met. OP comments that if the proposed expansion is approved, that these conditions should also apply to the expansion area.

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

Sincerely,



Leo R. Asuncion
Director

cc: Land Use Commission
Colleen Suyama, Munekiyo Hiraga
Kimberley Willenbrink, County of Maui Department of Planning
Department of Agriculture