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STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
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HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:  
DIR 0574  
HWY-PS 2.5982

July 13, 2021

TO: MARY ALICE EVANS, DIRECTOR  
OFFICE OF PLANNING  
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND  
TOURISM

FROM: JADE T. BUTAY   
DIRECTOR OF TRANSPORTATION

SUBJECT: A11-790 KULA RIDGE, LLC  
MOTION FOR ORDER TO SHOW CAUSE  
TAX MAP KEY NO.: (2) 2-3-001; POR 23 AND 174

Thank you for your memorandum dated June 7, 2021 and the opportunity for the Hawaii Department of Transportation (HDOT) to comment on the Motion to Show Cause for the above-referenced project. The combined total of a 51-acre site was proposed to be developed with 116 residential units (70 as affordable units). We understand that the Applicant did not fulfill the backbone construction requirements within the time-frame specified by the Land Use Commission's Decision and Order, Docket No. A11-790. In accordance to its Condition 4 in the excerpts below requires that:

"Petitioner shall mitigate all Project generated transportation impacts in accordance with a Traffic Impact Analysis Report (TIAR), and any updates that have been reviewed and approved by the HDOT and the County of Maui Department of Public Works (DPW). Petitioner shall fund, construct, and implement all transportation improvements and other measures recommended and/or required in the approved TIAR..."

"The accepted TIAR shall be submitted to the DPW for review and acceptance prior to final subdivision approval. Upon request by HDOT and the DPW, additional updates to the TIAR shall be submitted every five years after the date of this Decision and Order approving the Petition, until the mitigation measures have been completed..."

The HDOT has the following comments:

1. We have accepted the Updated TIAR dated July 2012, with the following implementations required by the Applicant and not fulfilled to date.

EXHIBIT 3

- 1.1. Kula Ridge, LLC, at their sole expense, to provide the southbound left-turn lane on Kula Highway along with on-site infrastructure.
- 1.2. The design of the improvements and plans for the work within the right-of-way for the southbound left-turn lane on Kula Highway shall meet all applicable State Highway design standards and shall be submitted to the Highways Division, Maui District Office for review and approval. All necessary permits and approvals shall be obtained prior to the start of construction of the roadway improvements.
2. We have no records of any Subdivision Application nor County review request submissions to our agency.

The HDOT finds that the Applicant has not complied with the recommended improvements on Kula Highway as specified. However, we confirm that if the land is reverted back to its State Agricultural classification and the improvements are not fulfilled, this will not affect any of our long range improvement plans for our State Infrastructure on Maui.

If you have any questions, please contact Jeyan Thirugnanam, Systems Planning Engineer, Highways Division, Planning Branch at (808) 587-6336 or by email at [Jeyan.Thirugnanam@hawaii.gov](mailto:Jeyan.Thirugnanam@hawaii.gov). Please reference file review number PS 2021-100.