



Appendix 3.3

Comment Letters Received for the 2017 Early Consultation
and Response Letters

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

March 5, 2018

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

Dear Mr. Davis:

SUBJECT: PRELIMINARY COMMENTS FOR THE PREPARATION OF A DRAFT ENVIRONMENTAL ASSESSMENT (EA) IN SUPPORT OF A COMMUNITY PLAN AMENDMENT AND CHANGE OF ZONING (CIZ) FOR THE PROPOSED WINDWARD HOTEL, LOCATED IN KAHULUI, ISLAND OF MAUI, HAWAII; TMKS: (2) 3-8-103:015, 016, 017 & 018 (CPA 2018/0001) (CIZ 2018/0001) (SM1 2018/0001) (EA 2018/0001)

The Department of Planning (Department) is in receipt of the above-referenced document for the proposed Windward Hotel (Project). The Department notes that there will be an amendment to the Decision and Order (D&O) for the District Boundary Amendment; however, in your discussion with the Executive Director of the State Land Use Commission, it was recommended that the Department should serve as the Accepting Authority for the Draft EA because the "trigger" is a Community Plan Amendment. We would like to note that the Maui Planning Commission (Commission) should be the Accepting Authority for the environmental document.

In addition, the Department has the following comments on the Draft EA In Support of a Community Plan Amendment and CIZ:

1. The Draft EA does not include a copy of the Decision and Order (D&O) for the District Boundary (DBA) Amendment to Urban, nor does it address some of the conditions. Please include a copy of the letter, and address the conditions in the Draft EA.
2. Under Conclusions of Law in the D&O for the DBA, #6, it says that the Petitioner submitted a plan to the U.S. Fish and Wildlife Service (USFWS) detailing the steps to remove the tobacco trees, where the Blackburn's sphinx moth lay eggs. The USFWS reviewed the plans and accepted it; however, the plan and approval wasn't included in the Flora and Fauna portion of the Draft EA. Please address that concern.
3. In the D&O, under Conclusions of Law #9, it says that energy-saving features will be incorporated to minimize direct emissions from electrical

demand; however, there was no mention of whether any photovoltaics will be incorporated into the design. Can you please address this?

4. On page 23 of the Draft EA, it says that the Applicant plans to utilize the private A&B water systems and obtain access for additional demand for water from the County system. In the D&O, under Conclusions of Law, #11, it says that Petitioner intends to develop a potable water source for the Project by using surface flows in the Waihee and Spreckels Ditches. In the Findings of Fact, #110, the Department of Water Supply (DWS) requested that the Petitioner develop a system to be dedicated to DWS or develop new groundwater sources outside of the Iao or Waihee Aquifers. Is the development of the new water source no longer being pursued? Please clarify with the DWS and ensure that the Draft EA and Preliminary Engineering and Drainage Reports include the correct information and breakdown on potable and non-potable water source.
5. For #1a of the D&O, it says that a Housing Study shall be completed and submitted for approval by the Commission. Was that ever done? Was a market analysis performed for this project?
6. On page 60 of the D&O, #7, it says that the Petitioner shall contribute to regional transportation improvements, which should be mentioned in the Draft EA.
7. On page 62 of the D&O, #12, it says that the Petitioner shall fund and implement a program to control bird nesting or occupation of insects, pest or wildlife infestation to minimize hazards to aircraft operation. Please mention this in the Draft EA.
8. In the D&O, #13, it says that the Petitioner shall inform all occupants of possible odor, noise and dust pollution resulting from adjacent Agricultural lands. Currently, there are no nearby farms, and this should be mentioned in the Draft EA.
9. In the D&O, #15, it says that the Petitioner shall submit a visual analysis study for the location of the Hookele Street Extension, emphasizing the maintenance of a "View Corridor" toward Haleakala. There will also be an impact to views of Haleakala from Hana Highway and Dairy Road. For the Draft EA, please include a view analysis.
10. In the D&O, #21, it says that the Petitioner shall give notice of a change of ownership. The Applicant is listed as R.D. Olson Development but the land owner is listed as A&B Properties. Please state the nature of the relationship and whether R.D. Olson plans to acquire the site from A&B Properties.

11. In the early consultation comments, the DPW asked that you provide a pedestrian path analysis. While there was mention that there will be connectivity, we notice that there aren't very many routes in/out of the proposed hotel property. Could the design considerations include more access routes? Are there sidewalks all along the way to the airport? If not, will the developer implement sidewalks?
12. In the comments from the Maui Police Department (MPD), they mention that adequate lighting is a factor to be considered for safety and DOFAW mentioned that "Seabird lighting" should be used during the seabird nesting season. Lighting plans were submitted; however, there is no discussion or proposed mitigation of the two (2) agencies' concerns in the Draft EA. Please include this in the Draft EA.
13. On page 22 of the Draft EA, in the section on solid waste, it says that the Maui Demolition & Construction Landfill will reach capacity as early as 2015, and it is now 2018. Is there more updated information?
14. On page 43, item F of the Draft EA, it says, "Any cumulative impacts will be addressed with appropriate mitigation measures." Please address the criteria.
15. To verify that there is adequate parking, please provide a parking analysis for Zoning Administration and Enforcement Division (ZAED) review.
16. Please ensure that there are three (3-4') feet overhangs.
17. Acreages are different throughout the document in the Draft EA and in the consultant studies. Please ensure that the correct acreage is stated.
18. On page 18 of the Draft EA, it says, "Section," and there's no document listed to reference. Please insert that information.
19. On page 21 of the Draft EA, it says that the police station is 2.8 miles away, but major medical facilities are 3.1 miles away. The police station and hospital are located along the same street, so please ensure that the distance is the same.
20. There are some spelling errors throughout the document. Please run a spell check before resubmission.

Mr. Brett Davis, Planner
March 5, 2018
Page 4

Thank you for the opportunity to comment on this Project. Should you have any questions about the comments in this letter, please contact Staff Planner Tara Furukawa by email at tara.furukawa@mauicounty.gov or by phone at (808) 270-7520.

Sincerely,



WILLIAM SPENCE
Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
John S. Rapacz, Planning Program Administrator (PDF)
Pam Eaton, Planning Program Administrator (PDF)
Garrett Smith, Planning Supervisor (PDF)
Danny Dias, Planning Supervisor (PDF)
Tara K. Furukawa, Staff Planner (PDF)
Jordan Hart, President, Chris Hart & Partners (PDF)
Anthony Wrzosek, Vice President, R.D. Olson Development (PDF)
Project File

WRS:TKF:rma

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**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

July 2, 2018

Ms. Michele McLean, Director
County of Maui, Department of Planning
One Main Plaza #315
2200 Main Street
Wailuku, HI 96793

Attention: Ms. Tara Furukawa, Maui County Planning Department

Dear Ms. Furukawa,

RE: Response to Early Consultation for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:014 portion,
015, 016, 017, 018

Thank you for your comment letter of March 5, 2018 providing the department's
comment on the proposed hotel project.

Comment 1. The Draft EA does not include a copy of the Decision and Order (D&O) for the District Boundary (DBA) Amendment to Urban, nor does it address some of the conditions. Please include a copy of the letter, and address the conditions in the Draft EA.

Response 1. Section IV A. *State Land Use Law*, of the Draft Environmental Assessment (DEA) has been revised to analyze the conditions of the Decision & Order (D&O). A copy of the D&O is included in the DEA. (See: Appendix M)

Comment 2. Under Conclusions of Law in the D&O for the DBA, #6, it says that the Petitioner submitted a plan to the U.S. Fish and Wildlife Service (USFWS) detailing the steps to remove the tobacco trees, where the Blackburn's sphinx moth lay eggs. The USFWS reviewed the plans and accepted it; however, the plan and approval wasn't included in the Flora and Fauna portion of the Draft EA. Please address that concern.

Response 2. The previous petitioner (A&B), submitted a tree tobacco shrub removal plan to USFWS dated February 5, 2003 that was accepted via letter dated May 21, 2003. The USFWS letter determined that the mitigation measures

provided are unlikely to result in violations of Section 9 of the Endangered Species Act.

The DEA section III D. 4. *Terrestrial Biota (Flora and Fauna)* has been revised to include the language above and a copy of the plan and acceptance letter are included as an appendix (See: Appendix O). The Applicant will distribute the DEA to the USFWS for an additional opportunity to comment on this proposed project.

Comment 3. In the D&O, under Conclusions of Law #9, it says that energy-saving features will be incorporated to minimize direct emissions from electrical demand; however, there was no mention of whether any photovoltaics will be incorporated into the design. Can you please address this?

Response 3. The Applicant has added section D. 5. *Electricity* of the DEA to address and identify energy-saving features will be incorporated to minimize electrical demand for the proposed Hotel project. The following list includes but not limited to:

- 1) Use of energy efficient and/or Energy Star labeled appliances and fixtures
- 2) Use of passive solar cooling
- 3) Use of natural lighting
- 4) Use of energy efficient lighting
- 5) Use of lighting controls in storage areas, closets, stairwells and other low use areas
- 6) Use of window tinting film that filters glare (white light) and UV while allowing in all of the "useable light."
- 7) Use of variable frequency drives on pumps (pool, water features)
- 8) Use of electronically commutated motors and controls in walk in refrigeration units
- 9) Use of low flow water fixtures
- 10) Use of smart thermostats in units
- 11) Use of appropriate landscaping to shade buildings and parking lots
- 12) Provision of segregated waste bins for recyclable materials

Incorporating mitigation measures, the proposed hotel project will be designed to minimize electrical demand. Development of the project is not anticipated have any adverse impact upon the existing electrical or telephone systems that will serve the subject property.

Comment 4. On page 23 of the Draft EA, it says that the Applicant plans to utilize the private A&B water systems and obtain access for additional demand for water from the County system. In the D&O, under Conclusions of Law, #11, it says that Petitioner intends to develop a potable water source for the Project by using surface flows in the Waihee and Spreckels Ditches. In the Findings of Fact, #110, the Department of Water Supply (DWS) requested that the Petitioner develop a system to be dedicated to DWS or develop new groundwater sources outside of the Iao or Waihee Aquifers. Is the development of the new water source no longer being pursued? Please clarify with the DWS and ensure that the Draft EA and Preliminary Engineering and Drainage Reports include the correct information and breakdown on potable and non-potable water source.

Response 4. An additional new water source is not being pursued. To clarify, the existing private A&B water system is the new water source that was referenced in the 2004 SLUC D&O. The Applicant intends to use the water allocated to the lots from the private water system source for non-potable uses and to request the use of County water for drinking water to meet the demand for the proposed hotel. In consultation with the Department of Water Supply, the project team civil engineers have updated the PER and the DEA section III. D. 1. Water has been updated to provide the breakdown on potable and non-potable water.

Comment 5. For #1a of the D&O, it says that a Housing Study shall be completed and submitted for approval by the Commission. Was that ever done? Was a market analysis performed for this project?

Response 5. The 2018 Annual Compliance Report prepared by A&B to the State Land Use Commission has been included as appendix in the DEA. The following response is included in the 2018 report. (See: Appendix P)

A housing study was prepared by the previous petitioner (A&B) in compliance with this condition, A&B prepared and submitted the subject housing study to the SLUC in September 2004. The study focused on the increased housing unit demand due to the in-migration of job seekers at the Project. Based on the study, approximately 13 acres of land for affordable housing would be needed. The timing of the demand for these units would be over an approximately 13-year period from 2008 through 2020. The analysis confirmed that the preferable location for the land contribution would be in the Central Maui region. By letter dated November 10, 2004 the Maui Department of Housing and Human Concerns concurred with the findings of the housing study and recommended its approval to the Maui Planning Department. It should also be noted that although the Maui County's Residential Workforce Housing Policy was enacted in 2006, it did not address nor specify affordable housing requirements for commercial and industrial projects.

Affordable housing requirements related to the Project were deliberated by the Maui County Council as part of the zoning application. The Council, as a condition of zoning for the Project, has required A&B to contribute a total of 50 acres of land for affordable housing, community center and park purposes. The specific provisions of the zoning condition are described below.

"That Alexander & Baldwin, Inc. shall provide land for affordable housing, a community multi-purpose center, and park purposes at the approximate location of the terminus of Kamehameha Avenue, near the new Maui Lani Park and Pomaikai Elementary School, as follows:

- a. Approximately 40 acres for affordable housing purposes;*
- b. Approximately 7 acres for a Kahului community multi-purpose center; and*
- c. Approximately 3 acres for park purposes. The precise location of these lands shall be acceptable to the Department of Housing and Human Concerns and the Department of Parks and Recreation, and Alexander & Baldwin, Inc. shall perform archaeological and topographic surveys of the land for the County's evaluation of the property's acceptability."*

As a result of initial land planning work and discussions with various representatives of the County, a suitable location within the A&B's Waiale master planned residential community just south of the Maui Lani development was identified.

In August 2010, Petitioner filed a land use petition with the State Land Use Commission to reclassify the Waiale lands from the Agricultural to the Urban District. The SLUC subsequently conducted hearings on the Waiale petition and in June 2012 approved the reclassification of the land. Pursuant to A&B's discussions with the County, an application to subdivide parcels for affordable housing, community center and park sites, was filed in April, 2015.

Additionally, A&B worked with the County Department of Housing and Human Concerns in developing conceptual housing plans for the lands to be dedicated to the County for affordable housing and park use. With the receipt of final subdivision approval, draft deeds and other applicable conveyance documents were transmitted to the County Department of Housing and Human Concerns and Department of Parks and Recreation in March 2018. (See: Appendix P)

A Market study was prepared for the proposed hotel project and the analysis is provided in section II. B. 2. *Economy* of the DEA. The economic report is included as Appendix L in the DEA.

Comment 6. On page 60 of the D&O, #7, it says that the Petitioner shall contribute to regional transportation improvements, which should be mentioned in the Draft EA.

Response 6. As mentioned in response #1, the section IV A. *State Land Use Law*, has been updated to analyze the conditions of the D&O. Additionally section III. D. 4. *Roadways and Traffic* has been revised to acknowledge the requirement to contribute regional transportation improvements.

In 2006, A&B worked in cooperation with the State Department of Transportation-Maui District Office, to fund and implement the coordination of traffic signals during the AM and PM peak periods along the Dairy Road corridor from Haleakala Highway to Puunene Avenue. This work consisted of an evaluation of existing traffic signal equipment, the procurement and installation of new traffic signal equipment and communication systems, and the preparation and implementation of timing plans to coordinate the traffic signals at all intersections. The system was activated in December 2006.

In September 2012, A&B executed an agreement with the DOT concerning fair share costs and contributions, in compliance with this condition. A copy of the Department of Transportation Fair Share Memorandum of agreement is provided as an appendix in the DEA. (See: Appendix Q)

A&B is in discussions with the DOT to design, permit and construct an onramp to the DOT's Airport Access Road. The onramp would serve south bound traffic in the vicinity of Haleakala Highway. Costs relating to the onramp would be charged against the Petitioner's documented fair share contribution.

Comment 7. On page 62 of the D&O, #12, it says that the Petitioner shall fund and implement a program to control bird nesting or occupation of insects, pest or wildlife infestation to minimize hazards to aircraft operation. Please mention this in the Draft EA.

Response 7. The section IV A. *State Land Use Law*, has been updated to analyze the conditions of the D&O and will include the following language, that A&B has consulted with the County of Maui regarding utilizing the existing drainage basins adjacent to the South Project Area for open area recreational use by a private entity (related correspondences concerning this matter were included in the 2010 annual report). Alternatively, the basins will be maintained by the project's owners association. The future use of these existing drainage basins will incorporate the provisions of this condition.

Comment 8. In the D&O, #13, it says that the Petitioner shall inform all occupants of possible odor, noise and dust pollution resulting from adjacent Agricultural lands. Currently, there are no nearby farms, and this should be mentioned in the Draft EA.

Response 8. The DEA has been updated in section III. A. 1. *Land Use*, to indicate that the proposed hotel site is located within an urban area adjacent to other urban developed lands. There are no adjacent farms or active agricultural uses therefore odors, noise and dust pollution resulting from adjacent Agricultural lands.

Comment 9. In the D&O, #15, it says that the Petitioner shall submit a visual analysis study for the location of the Hookele Street Extension, emphasizing the maintenance of a "View Corridor" toward Haleakala. There will also be an impact to views of Haleakala from Hana Highway and Dairy Road. For the Draft EA, please include a view analysis.

Response 9. The Applicant has prepared an updated view analysis that focuses on the proposed hotel. The DEA has been updated in section III. A. 8. *Visual Resources*, to acknowledge the view analysis was prepared as an appendix in the DEA. (See: Appendix N)

Comment 10. In the D&O, #21, it says that the Petitioner shall give notice of a change of ownership. The Applicant is listed as R.D. Olson Development but the land owner is listed as A&B Properties. Please state the nature of the relationship and whether R.D. Olson plans to acquire the site from A&B Properties.

Response 10. The Applicant, R.D. Olson Development, intends to acquire the hotel property from A&B Properties after the land use entitlement process is complete.

Comment 11. In the early consultation comments, the DPW asked that you provide a pedestrian path analysis. While there was mention that there will be connectivity, we notice that there aren't very many routes in/out of the proposed hotel property. Could the design considerations include more access routes? Are there sidewalks all along the way to the airport? If not, will the developer implement sidewalks?

Response 11. Sidewalks are currently provided along both Lauo Loop and Haleakala Highway fronting the proposed hotel project site. (See: Figure Nos. 3 Site Photos, and 4 Conceptual Site Plan)

The Kahului Airport is undergoing an expansion that includes a recently Airport Access Road, a Rental Car Facility under construction and a planned on ramp from Haleakala Highway to the Airport access Road along the eastern corner of the proposed hotel site. (See: Figure No. 15). Currently there is no pedestrian or bicycle access along the Airport Access Road, however pedestrian access is available on the existing sidewalks on either side of Keolani Place allowing safe pedestrian access to the airport parking lot and the terminal. Walking from the proposed hotel to the Kahului Airport via Keolani Place would be a long walk.

Recognizing this, the Applicant intends to provide hotel guests shuttle service to and from the hotel and airport.

Comment 12. In the comments from the Maui Police Department (MPD), they mention that adequate lighting is a factor to be considered for safety and DOFAW mentioned that "Seabird lighting" should be used during the seabird nesting season. Lighting plans were submitted; however, there is no discussion or proposed mitigation of the two (2) agencies' concerns in the Draft EA. Please include this in the Draft EA.

Response 12. The DEA has been revised in section III A. 4. Terrestrial Biota (Flora and Fauna) to discuss the agencies concerns about lighting and provide mitigation measures. The design documents contained within Appendix A include a lighting plan layout for safety purposes.

Comment 13. On page 22 of the Draft EA, in the section on solid waste, it says that the Maui Demolition & Construction Landfill will reach capacity as early as 2015, and it is now 2018. Is there more updated information?

Response 13. The DEA section III. C. 5. Solid Waste has been updated to include the most current information related to solid waste landfill capacity.

Comment 14. On page 43, item F of the Draft EA, it says, "Any cumulative impacts will be addressed with appropriate mitigation measures." Please address the criteria.

Response 14. The DEA has been updated on section VI. HRS Chapter 343 Significance Criteria to address the cumulative impact criteria.

Comment 15. To verify that there is adequate parking, please provide a parking analysis for Zoning Administration and Enforcement Division (ZAED) review.

Response 15. The Applicant has prepared a parking analysis to be submitted to ZAED on July 2, 2018. A copy of that transmittal will be emailed to the planning department current division Staff Planner on the same day.

Comment 16. Please ensure that there are three (3-4') feet overhangs.

Response 16. The Applicants Architect has designed the hotel to have overhangs of a minimum of 3 feet.

Comment 17. Acreages are different throughout the document in the Draft EA and in the consultant studies. Please ensure that the correct acreage is stated.

Response 17. The acreages have been corrected in the consultant studies and all reports use 5.17 acres as the project site area.

Comment 18. On page 18 of the Draft EA, it says, "Section," and there's no document listed to reference. Please insert that information.

Response 18. The DEA has been revised to state section III D. Infrastructure.

Comment 19. On page 21 of the Draft EA, it says that the police station is 2.8 miles away, but major medical facilities are 3.1 miles away. The police station and hospital are located along the same street, so please ensure that the distance is the same.


Response 19. The DEA has been revised in section II. C. Public Services to indicate that the police station and medical facilities are 3.1 miles from the project site.

Comment 20. There are some spelling errors throughout the document. Please run a spell check before resubmission.

Response 20. CH&P will review the document for spelling errors and run spell check before resubmission.

Thank you for your review and we respectfully request publication of the DEA in the next available Environmental Notice. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Jordan E. Hart, President

Enclosures: (1)

1. CD containing DEA with appendices in PDF format

Cc: Mr. Anthony Wrzosek, Owner Representative (via email)
Project File 17-028



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Pacific Islands Water Science Center
1845 Wasp Boulevard, Building 176
Honolulu, Hawaii 96818
Phone: (808) 690-9600/Fax: (808) 690-9599

July 14, 2017

Mr. Jordan E. Hart, President
Land Planner
Chris Hart & Partners, Inc.
15 N. Market Street
Wailuku, Hawaii 96793-1717

Dear Mr. Hart:

Subject: Request for HRS Chapter 343, Early Consultation for the Proposed Windward Hotel Project located at the southeast corner of Haleakala Highway and Kuleana Street, Kahului, Maui, Hawaii, identified by TMK: (2) 3-8-079: 013, (Lots 17-A-14, -15, -16, -17, and 18).

Thank you for forwarding the subject Early Consultation letter dated July 5, 2017 for review and comment by staff of the U.S. Geological Survey Pacific Islands Water Science Center. We regret however, that due to prior commitments and lack of available staff, we are unable to review this document.

We appreciate the opportunity to participate in the review process.

Sincerely,

Stephen S. Anthony
Center Director

RECEIVED

JUL 17 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett 171028



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 15, 2017

Stephen S. Anthony, Center Director
Pacific Islands Water Science Center
U.S. Geological Survey
US Department of the Interior
1845 Wasp Blvd., Building 176
Honolulu, Hawaii 96818

Dear Mr. Anthony,

RE: Early Consultation for the proposed Windward Hotel, located in Kahului,
Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of July 14, 2017 indicating that the U.S. Geological Survey is unable to review our request for comment.

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

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028



OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

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

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

Ref. No. P-15666

July 24, 2017

RECEIVED

JUL 26 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

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

CC: Brett 17/228

Dear Mr. Hart:

Subject: Request for Hawaii Revised Statutes (HRS) Chapter 343, Early Consultation for the Proposed Windward Hotel Project located at the Southeast corner of Haleakala Highway and Kuleana Street, Kahului, Maui, Hawaii;
Tax Map Key: (2) 3-8-079: 013

The Office of Planning (OP) is in receipt of your early consultation request, received July 3, 2017, for the proposed Windward Hotel Project at Kahului, Maui.

According to your pre-consultation review request, the proposed project includes a 200-room hotel with onsite parking, pool, spa, and other hotel amenities on approximately 6.3 acres of land. The proposed hotel project will require a consolidated Draft Environmental Assessment (Draft EA), Change in Zoning (CIZ), Community Plan Amendment (CPA), and Special Management Area (SMA) Permit application report.

The Office of Planning (OP) has reviewed the transmitted material and has the following comments to offer:

1. The enclosed material states that the State of Hawaii Land Use Commission (LUC) will serve as the accepting authority for the Draft EA. Please note that "Accepting authority" means the final official or agency that determines the acceptability of the Environmental Impact Statement document, pursuant to Hawaii Administrative Rules (HAR) § 11-200-2.
2. The transmittal letter indicates that the applicant will be filing a Motion to Amend the State Land Use Commission's Decision and Order (Motion to Amend) OP notes that the original petition, LUC Docket No. A03-739, approved by the Land Use Commission (LUC) on March 18, 2004, Petitioner A&B Properties, Inc., reclassified 138.158 acres of land from the State Agricultural to the Urban land use district, in order to develop the Maui Business Park Phase II.

The assessment should include background information on the above referenced docket, as well as sufficient studies and information for the LUC and relevant state agencies to review the impacts of the proposed hotel use. Impacts related to the proposed change in use from the industrial park to hotel use such as, but not limited to, State facilities and infrastructure such as traffic, noise, air quality, and proximity to Kahului airport, should be included

The Motion to Amend should be approved by the LUC prior to a Community Plan Amendment.

3. Please confirm with the LUC the authority related roles and responsibilities, as the County of Maui will be responsible for the CIZ, CPA and SMA permit process. As stated, the Community Plan Amendment is a “trigger” for an environmental assessment under HRS Chapter 343. The Draft EA should assess the project’s compliance with all applicable state and county land use controls, policies, and plans.
4. Pursuant to HAR § 11-200-10(4) – general description of the action’s technical, economic, social, and environmental characteristics; this project must demonstrate that it is consistent with a number of state environmental, social, economic goals, and policies for land use. HRS Chapter 226, the Hawaii State Planning Act, provides goals, objectives, policies, State Functional Plans, and priority guidelines for growth, development, and the allocation of resources throughout the state in areas of state interest.

The Draft EA should include a discussion on the project’s ability to meet to meet all of Part I – Overall Themes, Goals, Objectives and Policies, Part II – Planning Coordination and Implementation (State Functional Plans), and Part III – Priority Guidelines of the Hawaii State Planning Act. The analysis should examine consistency with these statutes or clarify where it is in conflict with them. If any of these themes are not applicable to the project, the analysis should affirmatively state such determination, followed by discussion paragraphs.

5. The coastal zone management (CZM) area is defined as “all lands of the State and the area extending seaward from the shoreline to the limit of the State’s police power and management authority, including the U.S. territorial sea” (see HRS § 205A-1).

HRS Chapter 205A-5(b) requires all state and county agencies to enforce the CZM objectives and policies. The Draft EA should include an assessment as to how the proposed action conforms to each of the goals and objectives of the Hawaii CZM

program as listed in HRS § 205A-2. Compliance with HRS § 205A-2 is an important component for satisfying the requirements of HRS Chapter 343.

6. As a supporting document for the SMA Permit application, the subject Draft EA should specifically discuss the requirements of the SMA use in accordance with the SMA guidelines pursuant to HRS § 205A-26, and the county SMA rules.
7. Pursuant to HAR § 11-200-10(6) – identification and summary of impacts and alternatives considered; in order to ensure that the water and marine resources of the Island of Maui remain protected, the negative effects of stormwater inundation caused by the proposed development activities should be evaluated in the Draft EA.

The Draft EA should examine potential benefits and/or negative impacts resulting from this project on coastal and marine resources. Issues that may be examined in the Draft EA include, but are not limited to, project site characteristics in relation to flood prone areas and stormwater control drainage systems. These items, as well as the marine water quality classification, should be considered when developing mitigation measures to protect the coastal ecosystem.

The Draft EA should examine the cumulative impact on coastal resources from land-based polluted runoff. It should take into account any of the natural features in the area, undeveloped open spaces, down-sloping topography, hardened non-permeable surfaces that have a cumulative effect on the volume and speed of storm runoff, and soil absorption rates.

OP has a number of resources available to assist in practices which ensure stormwater management on land, thus protecting the nearshore environment. OP recommends consulting these guidance documents and stormwater evaluative tools when developing strategies to address polluted runoff. They offer useful techniques to keep land-based pollutants and sediment in place and prevent contaminating nearshore waters, while considering the practices best suited for this project. The evaluative tools that should be used during the design process include:

- Hawaii Watershed Guidance provides direction on mitigation strategies for urban development activities that will safeguard fragile watersheds and implement watershed plans. Section 5.3, B, Urban Runoff, page 122 has information on site development and existing development management measures. <http://files.hawaii.gov/dbedt/op/czm/initiative/nonpoint/HI>

Mr. Jordan E. Hart, President
Chris Hart & Partners, Inc.
July 21, 2017
Page 4

Watershed Guidance Final.pdf

- Stormwater Impact Assessments can be used to identify and evaluate information on hydrology, stressors, sensitivity of aquatic and riparian resources, and management measures to control runoff, as well as consider secondary and cumulative impacts to the area
http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_imapct/final_storm_water_impact_assessments_guidance.pdf
- Low Impact Development (LID), A Practitioners Guide covers a range of structural best management practices for stormwater control management, onsite infiltration techniques, water reuse methods, and building layout designs that minimize negative environmental impacts
http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf

If you have any questions regarding this comment letter, please contact Joshua Hekekia of our office at (808) 587-2845.

Sincerely,



Leo R. Asuncion
Director

c: Land Use Commission



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 21, 2017

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

Dear Mr. Asuncion,

RE: Early Consultation for the proposed Windward Hotel, located in Kahului, Maui, Hawaii
at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of July 24, 2017. We have provided responses to your numerated comments below.

***Comment 1.** The enclosed material states that the State of Hawaii Land Use Commission (LUC) will serve as the accepting authority for the Draft EA. Please note that "Accepting authority" means the final official or agency that determines the acceptability of the Environmental Impact Statement document, pursuant to Hawaii Administrative Rules (HAR) § 11-200-2.*

Response 1: Following our initial correspondence the Applicant met with the State Land use Commission Executive Director.

Because the trigger for the Environmental Assessment in this project is the amendment to the Wailuku-Kahului Community Plan it was determined that the Maui County Planning Department will be the accepting authority for the forthcoming Draft Environmental Assessment (DEA)

***Comment 2.** The transmittal letter indicates that the applicant will be filing a Motion to Amend the State Land Use Commission's Decision and Order (Motion to Amend) OP notes that the original petition, LUC Docket No. A03-739, approved by the Land Use Commission (LUC) on March 18, 2004, Petitioner A&B Properties, Inc., reclassified 138.158 acres of land from the State Agricultural to the Urban land use district, in order to develop the Maui Business Park Phase II.*

The assessment should include background information on the above referenced docket, as well as sufficient studies and information for the LUC and relevant state agencies to review the impacts of the proposed hotel use. Impacts related to the proposed change in use from the industrial park to hotel use such as, but not limited to, State facilities and infrastructure such as traffic, noise, air quality, and proximity to Kahului airport, should be included.

The Motion to Amend should be approved by the LUC prior to a Community Plan Amendment.

Response 2: The forthcoming DEA will include background information on the above referenced docket and sufficient studies that identify impacts of the proposed hotel use on State facilities, infrastructure, traffic, noise, and air quality.

Comment 3. Please confirm with the LUC the authority related roles and responsibilities, as the County of Maui will be responsible for the CIZ, CPA and SMA permit process. As stated, the Community Plan Amendment is a "trigger" for an environmental assessment under HRS Chapter 343. The Draft EA should assess the project's compliance with all applicable state and county land use controls, policies, and plans.

Response 3: The Applicant will coordinate with the LUC and Maui County Planning Department on the required permit process for the proposed project. The DEA will assess the project's compliance with all applicable state and county land use controls, policies, and plans.

Comment 4. Pursuant to HAR § 11-200-10(4)- general description of the action's technical, economic, social, and environmental characteristics; this project must demonstrate that it is consistent with a number of state environmental, social, economic goals, and policies for land use. HRS Chapter 226, the Hawaii State Planning Act, provides goals, objectives, policies, State Functional Plans, and priority guidelines for growth, development, and the allocation of resources throughout the state in areas of state interest.

The Draft EA should include a discussion on the project's ability to meet to meet all of Part I - Overall Themes, Goals, Objectives and Policies, Part II - Planning Coordination and Implementation (State Functional Plans), and Part III - Priority Guidelines of the Hawaii State Planning Act. The analysis should examine consistency with these statutes or clarify where it is in conflict with them. If any of these themes are not applicable to the project, the analysis should affirmatively state such determination, followed by discussion paragraphs.

Response 4: The DEA will assess the project's compliance with HRS Chapter 226, the Hawaii State Planning Act goals, objectives, policies, State Functional Plans, and priority guidelines for growth, development, and the allocation of resources throughout the state in areas of state interest.

The Draft EA will include a discussion on the project's ability to meet to meet all of Part I - Overall Themes, Goals, Objectives and Policies, Part II - Planning Coordination and Implementation (State Functional Plans), and Part III - Priority Guidelines of the Hawaii State Planning Act.

Comment 5. The coastal zone management (CZM) area is defined as "all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the U.S. territorial sea" (see HRS § 205A-1).

HRS Chapter 205A-5(b) requires all state and county agencies to enforce the CZM objectives and policies. The Draft EA should include an assessment as to how the proposed action conforms to each of the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2. Compliance with HRS § 205A-2 is an important component for satisfying the requirements of HRS Chapter 343.

Response 5: The Draft EA will include an assessment as to how the proposed action conforms to each of the goals and objectives of the Hawaii CZM program as listed in HRS § 205A-2.

Comment 6. As a supporting document for the SMA Permit application, the subject Draft EA should specifically discuss the requirements of the SMA use in accordance with the SMA guidelines pursuant to HRS § 205A-26, and the county SMA rules.

Response 6: The DEA will discuss the proposed project in accordance with the SMA guidelines pursuant to HRS § 205A-26, and the county SMA rules.

Comment 7. Pursuant to HAR § 11-200-10(6) – identification and summary of impacts and alternatives considered; in order to ensure that the water and marine resources of the Island of Maui remain protected, the negative effects of stormwater inundation caused by the proposed development activities should be evaluated in the Draft EA.

The Draft EA should examine potential benefits and/or negative impacts resulting from this project on coastal and marine resources. Issues that may be examined in the Draft EA include, but are not limited to, project site characteristics in relation to flood prone areas and stormwater control drainage systems. These items, as well as the marine water quality classification, should be considered when developing mitigation measures to protect the coastal ecosystem.

The Draft EA should examine the cumulative impact on coastal resources from land-based polluted runoff. It should take into account any of the natural features in the area, undeveloped open spaces, down-sloping topography, hardened non-permeable surfaces that have a cumulative effect on the volume and speed of storm runoff, and soil absorption rates.

OP has a number of resources available to assist in practices which ensure stormwater management on land, thus protecting the nearshore environment. OP recommends consulting these guidance documents and stormwater evaluative tools when developing strategies to address polluted runoff. They offer useful techniques to keep land-based pollutants and sediment in place and prevent contaminating nearshore waters, while considering the practices best suited for this project. The evaluative tools that should be used during the design process include:

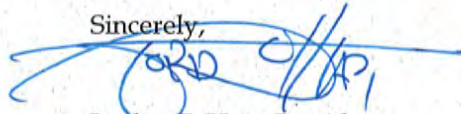
- *Hawaii Watershed Guidance provides direction on mitigation strategies for urban development activities that will safeguard fragile watersheds and implement watershed plans. Section 5.3, B, Urban Runoff, page 122 has information on site development and existing development management measures.*
[http://files.hawaii.gov/ldbdt/op/czrn/initiative/nonpoint/HIWatershed Guidance Final.pdf](http://files.hawaii.gov/ldbdt/op/czrn/initiative/nonpoint/HIWatershed%20Guidance%20Final.pdf)

- Stormwater Impact Assessments can be used to identify and evaluate information on hydrology, stressors, sensitivity of aquatic and riparian resources, and management measures to control runoff, as well as consider secondary and cumulative impacts to the area http://files.hawaii.gov/dbedt/op/czm/initiative/stormwater_impact/final_storm_water_impact_assessments_guidance.pdf
- Low Impact Development (LID), A Practitioners Guide covers a range of structural best management practices for stormwater control management, onsite infiltration techniques, water reuse methods, and building layout designs that minimize negative environmental impacts http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf

Response 7: The Applicant has reviewed the Hawaii Watershed Guidance, the Stormwater Impact Assessment information and the LID guide. The forthcoming DEA will provide information coastal and marine resources, hydrology, identify sensitive resources, and provide management or mitigation considerations.

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

Sincerely,



Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

DAVID Y. IGE
GOVERNOR OF HAWAII



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

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
EMD/CWB

07010PGH.17

July 14, 2017

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

RECEIVED

JUL 17 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Brett 171028

Dear Mr. Hart:

**SUBJECT: Comments on Request for HRS Chapter 343, Early Consultation for
the Proposed Windward Hotel Project
TMK: (2) 3-8-079:013 (Lots 17-A-14,-15,-16,-17 and -18)
Kahului, Island of Maui, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated June 30, 2017, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

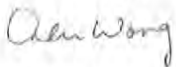
4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:
 - a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water

cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



ALEC WONG, P.E., CHIEF
Clean Water Branch

GH

c: DOH-EPO [via e-mail Noella.Narimatsu@doh.hawaii.gov only]



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 15, 2017

Mr. Alec Wong, P.E., Chief
State of Hawaii, Dept. of Health
Clean Water Branch
P.O. Box 3378
Honolulu, HI 96801-3378

Dear Mr. Wong:

RE: Early Consultation for the proposed Windward Hotel, located in Kahului,
Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of July 14, 2017. We have provided the following responses to your numerated comments.

Comment 1. Any project and its potential impacts to State waters must meet the following criteria: a. Antidegradation policy (HAR, Section 11-54-1 .I), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected. b. Designated uses (HAR, Section 11 -54-3), as determined by the classification of the receiving State waters. c. Water quality criteria (HAR, Sections 1 1-54-4 through 1 1-54-8).

Response 1. The proposed project will comply with the applicable provisions of Chapter 11-54, Hawaii Administrative Rules (HAR) entitled Water Quality Standards and Chapter 11-55, HAR titled Water Pollution Control.

The proposed project will also be developed in accordance with the standards set forth by:

- a. Section 11-54-1.1, HAR (General Policy of Water Quality Anti-degradation).
- b. Section 11-54-3, HAR (Classification of Water Uses).

- c. The water quality criteria set forth in Sections 11-54-4 through 11-54-8, HAR.

Comment 2. You may be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the CWB Individual NPDES Form through the e-Permitting Portal and the hard copy certification statement with \$1,000 filing fee. Please open the e-Permitting Portal website at: <https://eha-cloud.doh.hawaii.gov/epermiView/home.aspx>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the "CWB Individual NPDES Form." Follow the instructions to complete and submit this form.

Response 2. The Applicant acknowledges that a National Pollutant Discharge Elimination System (NPDES) is required for discharges into State surface waters.

Prior to the commencement of construction, an application for an NPDES permit for storm water associated with construction activities will be submitted to the Clean Water Branch (CWB) for review and approval.

Comment 3. If your project involves work in, over, or under waters of the United States, it is highly recommend that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 438-9258) regarding their permitting requirements. Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401 (a)(1), a Section 401 Water Quality Certification (WQC) is required for "[any applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters ...]" (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.

Response 3. The proposed project does not involve work in, over or under waters of the U.S. The Applicant requested early consultation comments from the U.S. Army Corps of Engineers, however no comments were received as of this letter. The Applicant will provide a copy of the forthcoming Draft Environmental Assessment to the Army for comment.

Comment 4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality

requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.

Response 4. Notwithstanding other permit requirements, the Applicant understands that all project-related discharges must comply with the State's Water Quality Standards as set forth in Chapter 11-54, HAR.

Comment 5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:

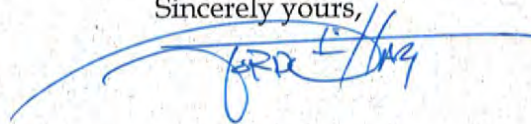
- a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.*
- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.*
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.*
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.*
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.*

Response 5. The following responses are provided to your lettered comments:

- a. The forthcoming Draft EA will analyze the potential impacts of the proposed project related to storm water runoff and mitigation measures will be provided. The Applicant will research potential low impact design elements that are environmentally beneficial.
- b. The DEA will provide mitigation measures that will discuss implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. The DEA will provide discussion of storm water BMP approaches that minimize use of potable water for irrigation.
- d. The DEA will provide discussion on the use of green building practices for the proposed hotel project.
- e. The DEA will provide discussion on the opportunities for retrofitting existing stormwater infrastructure.

Thank you participating in the early consultation 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 yours,



Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
WASTEWATER BRANCH
919 ALA MOANA BLVD., ROOM 309
HONOLULU, HI 96814-4920

In reply, please refer to:
File:

LUD - 2 3 8 079 013 Early Cons
Proposed Windward Hotel Project-ID3495

July 14, 2017

RECEIVED

JUL 20 2017

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

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett & Jason

171028

Dear Mr. Hart:

Subject: Request for HRS Chapter 343, Early Consultation for the Proposed
Windward Hotel Project located at the Southeast corner of Haleakala
Highway and Kuleana Street, Kahului, Maui, Hawaii 96732
TMK (2) 3-8-079: 013 Lots 17-A-14, -15, -16, -17 and -18

Thank you for allowing us the opportunity to provide comments for the subject project.
We have no comments to provide since the project will be connected to the County of
Maui's sewer system.

Should you have any questions, please contact our Oahu office at (808) 586-4294.

Sincerely,

A blue ink signature of Sina Pruder, Chief of the Wastewater Branch.

SINA PRUDER, P.E., CHIEF
Wastewater Branch

LM/MST:lmj

c: Ms. Laura McIntyre, DOH-EPO, via email
Mr. Roland Tejano, DOH-WWB's Maui Staff, via email



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 15, 2017

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

Dear Ms. Pruder,

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of October 24, 2013 indicating that the Wastewater Branch has no comments at this time.

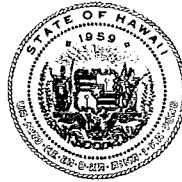
Thank you for participating in the early consultation review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378

July 25, 2017

RECEIVED

JUL 28 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: BWA 17/028

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

Dear Mr. Hart:

Subject: Request for HRS Chapter 343, Early Consultation for the Proposed
Windward Hotel Project located at the Southeast corner of Haleakala
Highway and Kuleana Street, Kahului, Maui, Hawaii
TMK: (2) 3-8-079:013, (Lots 17-A-14, -15, -16, -17 and -18)

Thank you for the opportunity to review this project. We have the following comments to offer:

1. Please provide the wastewater disposal method for this project.
2. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor & Radiological Health Branch at 808 586-4700.

It is strongly recommended that the Standard Comments found at the Department's website: <http://health.hawaii.gov/epo/home/landuse-planning-review-program/> be reviewed and any comments specifically applicable to this project should be adhered to.

Mr. Jordan E. Hart
July 25, 2017
Page 2

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

Sincerely,



Patti Kitkowski
District Environmental Health Program Chief

c EPO



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 15, 2017

Ms. Patti Kitkowski, District Environmental Health Program Chief
State of Hawaii
Department of Health, Maui District
54 High Street
Wailuku, HI 96793

Dear Ms. Kitkowski:

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your comment letter of July 25, 2017 providing the department's
comment on the proposed hotel project.

Comment 1. Please provide more information on the wastewater disposal method for this project.

Response 1. The wastewater system for the proposed project will connect to the
County Sewer system.

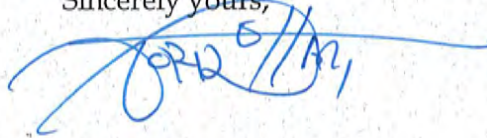
*Comment 2. The noise created during the construction phase of the project may exceed the
maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46,
"Community Noise Control". A noise permit may be required and should be obtained before the
commencement of work. The Indoor & Radiological Health Branch should be contacted at 808-
586-4700.*

Response 2. The development of the proposed project will comply with the
applicable provisions of Chapter 11-46, Hawaii Revised Statutes, pertaining to
"Community Noise Control".

Ms. Patti Kitkowski, Chief
DOH, Maui District
Windward Hotel
November 15, 2017
Page 2 of 2

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

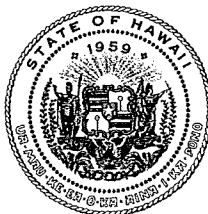
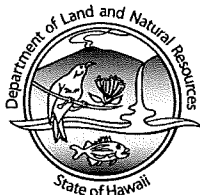
Sincerely yours,

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. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 24, 2017

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

RECEIVED

JUL 26 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Mr. Hart 17/028

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

Dear Mr. Hart:

SUBJECT: Early Consultation for the Proposed Windward Hotel Project; Kahului,
Maui

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

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

Sincerely,

A handwritten signature in black ink, appearing to be "Russell Y. Tsuji", written in a cursive style.

Russell Y. Tsuji
Land Administrator

Enclosure(s)
cc: Central Files



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 7, 2017

Mr. Russell Y. Tsuji, Land Administrator
State of Hawaii
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Tsuji,

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of July 24, 2017 which notes that the Land Division has provided copies of the Early Consultation request letter to various Divisions within the Department for their review and comment.

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

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

DAVID Y. IGE
GOVERNOR OF HAWAII



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

2017 JUL 21 AM 7:56

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 5, 2017

MEMORANDUM

TO:

DLNR Agencies:

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

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Early Consultation for the Proposed Windward Hotel Project

LOCATION:

Kahului, Island of Maui; TMK: (2) 3-8-079:013

APPLICANT:

County of Maui, Department of Planning

RECEIVED
COMMISSION ON WATER
RESOURCE MANAGEMENT
2017 JUL -6 PM 2:49

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **July 21, 2017**.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

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

Signed: /s/ Jeffrey T. Pearson, P.E.

Print Name: Deputy Director

Date: July 20, 2017

cc: Central Files

2017: RFD 4628.6
2017: 162131

DAVID Y. IGE
GOVERNOR OF HAWAII



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

SUZANNE D. CASE
CHAIRPERSON

WILLIAM D. BALFOUR, JR.
KAMANA BEAMER, PH.D.
MICHAEL G. BUCK
NEIL J. HANNAHS
PAUL J. MEYER
VIRGINIA PRESSLER, M.D.

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR

July 20, 2017

REF: RFD.4628.6

TO: Mr. Russell Tsuji, Administrator
Land Division

FROM: Jeffrey T. Pearson, P.E., Deputy Director *J.T.P.*
Commission on Water Resource Management

SUBJECT: Early Consultation for the Proposed Windward Hotel Project

FILE NO.: RFD.4628.6
TMK NO.: (2) 3-8-079:013

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

Our comments related to water resources are checked off below.

- ☐ 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- ☐ 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- ☐ 3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
- ☒ 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EAP as having high water efficiency can be found at <http://www.epa.gov/watersense>.
- ☒ 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://planning.hawaii.gov/czm/initiatives/low-impact-development/>
- ☒ 6. We recommend the use of alternative water sources, wherever practicable.
- ☒ 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>.
- ☒ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf.

- ☐ 9. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.
 - ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
 - ☐ 11. A Well Construction Permit(s) is (are) are required before the commencement of any well construction work.
 - ☐ 12. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
 - ☐ 13. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
 - ☐ 14. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
 - ☐ 15. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a stream channel.
 - ☐ 16. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
 - ☐ 17. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
 - ☒ 18. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- ☒ OTHER: The Draft Environmental Assessment (DEA) should discuss water requirements for the project, both potable and non-potable, the calculations for the demand projections, and the proposed water supply source(s). In general, the Commission encourages the use of alternative water sources for non-potable needs. The DEA should disclose the water conservation and efficiency measures to be implemented. The DEA should also discuss ground and surface water resources of the project area and how those may be impacted by the proposed development.

If you have any questions, please contact Lenore Ohye of the Commission staff at 587-0216.



CHRIS
HART
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 7, 2017

Mr. Jeffrey T. Pearson, Deputy Director
State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
PO Box 621
Honolulu, HI 96809

Dear Mr. Pearson:

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of July 20, 2017, our responses to your numerated comments are provided below.

Comment 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense/>.

Response 4. The Applicant has reviewed the EPA website and will implement water efficient practices wherever possible to reduce the demand on water resources as a result of the proposed project.

Comment 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://hawaii.gov/dbedt/czm/initiative/lid.php>.

Response 5. Best Management Practices prepared in accordance with Maui County Code, Chapter 20.08 (*Soil Erosion and Sedimentation Control*) will be submitted to the Maui Department of Public Works for review and approval prior to the issuance of grubbing and grading permits. In addition, since site work for the project will exceed one acre, a National Pollutant Discharge Elimination System Permit will be obtained from the Hawaii Department of Health's Clean Water Branch for the discharge of storm water associated with construction activities.

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

Response 6. Alternative water sources will be considered for use to the extent that they are available and practicable.

Comment 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/programs/achieving-efficiency/green-business-program>.

Response 7. The Applicant has reviewed the Hawaii Green Business Program and is considering participation in the program.

Comment 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://landscapehawaii.org/library/documents/lich_irrigation_conservation_bmps.pdf

Response 8. The proposed project will include a water and energy efficient landscaping irrigation system designed to conserve water.

Comment 18. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.

Response 18. The forthcoming Draft Environmental Assessment (DEA) will identify the source of water for the proposed project and a technical study will be prepared to analyze the potential impacts to water resources.

Other Comment 1. The Draft Environmental Assessment (DEA) should discuss water requirements for the project, both potable and non-potable, the calculations for the demand projections, and the proposed water supply source(s). In general, the Commission encourages the use of alternative water sources for non-potable needs. The DEA should disclose the water

Mr. Jeffrey T. Pearson, D. Director
DLNR, CWRM Response Letter
Windward Hotel
November 7, 2017
Page 3 of 3

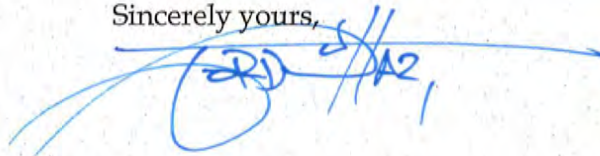
conservation and efficiency measures to be implemented. The DEA should also discuss ground and surface water resources of the project area and how those may be impacted by the proposed development.

Other Comment Response 1. The DEA will discuss water requirements for the project, both potable and non-potable, the calculations for the demand projections, and the proposed water supply source(s).

The DEA will disclose the water conservation and efficiency measures to be implemented. The DEA will also discuss ground and surface water resources of the project area and how those may be impacted by the proposed development.

Thank you for participating the early consultation 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 blue ink, appearing to read "J. Hart", with a large, sweeping flourish extending to the right.

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028



17 JUL 06 PM 03:44 ENGINEERING

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 5, 2017

MEMORANDUM

TO:

DLNR Agencies:

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

FROM: *to:* Russell Y. Tsuji, Land Administrator
SUBJECT: Early Consultation for the Proposed Windward Hotel Project
LOCATION: Kahului, Island of Maui; TMK: (2) 3-8-079:013
APPLICANT: County of Maui, Department of Planning

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **July 21, 2017**.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

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

Signed: *[Signature]*

Print Name: Carty S. Chang, Chief Engineer

Date: 7/14/17

cc: Central Files

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

2017 JUL 17 AM 10:56

RECEIVED
LAND DIVISION

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

LD/Russell Y. Tsuji

**Ref: Early Consultation for the Proposed Windward Hotel Project, Kahului,
Maui, TMK: (2) 3-8-079:013**

COMMENTS


The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within an area of special Flood Hazard.

The owner of the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zone designations can be found using the Flood Insurance Rate Map (FIRM), which can be accessed through the Flood Hazard Assessment Tool (FHAT) (<http://gis.hawaiiinfip.org/FHAT>).

Be advised that 44CFR reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may take precedence over the NFIP standards as local designations prove to be more restrictive. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai: County of Maui, Department of Planning (808) 270-7253.
- Kauai: County of Kauai, Department of Public Works (808) 241-4896.

Signed: _____


CARTY S. CHANG, CHIEF ENGINEER

Date: _____

7/14/17



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 15, 2017

Mr. Carty S. Chang, Chief Engineer
State of Hawaii
Department of Land and Natural Resources
Engineering Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Chang,

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your comment letter of July 14, 2017 providing the department's comment on the proposed hotel project.

The Applicant will provide the Flood Hazard Zone designation in the forthcoming Draft Environmental Assessment. The Engineering Division will receive a copy for review and comment.

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

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 25, 2017

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

via email: info@chpmaui.com

Dear Mr. Hart:

SUBJECT: Early Consultation for the Proposed Windward Hotel Project; Kahului,
Maui; TMK: (2) 3-8-079:013

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on July 24, 2017, enclosed are comments from the Division of Forestry and Wildlife on the subject matter. Should you have any questions, please feel free to call Darlene Nakamura at (808) 587-0417. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure
cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

August 2, 2017

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

CARTY S. CHANG, P.E.
INTERIM DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING

FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHUHAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

TO: Russell Y. Tsuji, Land Administrator

ATTN: Lydia Morikawa

FROM: James Cogswell
Wildlife Program Manager

SUBJECT: Division of Forestry and Wildlife Comments on Early Consultation for Proposed
Windward Hotel Project

The Department of Forestry and Wildlife has received your inquiry regarding the Early Consultation for the Proposed Windward Hotel Project, located at TMK (2) 3-8-079:013 in Kahului, Maui. The proposed actions includes construction of a 200 room hotel with onsite parking, and other typical hotel amenities on 6.315 acres of land accessed from Lau'o Loop.

State and Federally listed waterbirds such as the Hawaiian duck (*Anas wyvilliana*), Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), and Hawaiian goose, or Nēnē (*Branta sandvicensis*) are likely to occur in the vicinity of the proposed project site due to the proximity of the Kanaha Ponds Wildlife Sanctuary. To minimize the potential for take, surveys for waterbirds by a qualified biologist are recommended before any land clearing or excavation activities occur, and should be repeated if these activities are delayed more than three days. If a nest is discovered at any point, please contact DOFAW staff. If a bird is present during ongoing activities, then all activities within 100 feet (30 m) of the bird should cease, and the bird should also not be approached. Work may continue after the bird leaves the area of its own accord.

DOFAW would like to ensure that effective avoidance measures are in place to prevent adverse impacts to native seabirds. DOFAW strongly recommends the use of only "seabird-friendly lighting" during the seabird nesting season beginning in March through mid-December. DOFAW Wildlife Biologists will be able to provide technical assistance in developing "seabird-friendly lighting."

The State and Federally listed Hawaiian hoary bat or 'Ōpe'ape'a (*Lasiurus cinereus semotus*) has the potential to occur in the vicinity of the proposed project. Hawaiian hoary bats roost in both exotic and native trees. If any trees are planned for removal during the bat breeding season there is a risk of injury or mortality to juvenile bats. To minimize the potential for impacts to this species, site clearing should be timed to avoid disturbance to breeding Hawaiian hoary bats; woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15).

We appreciate your efforts to work with our office for the conservation of native species. If you have any questions, please contact Katherine Cullison, Conservation Initiatives Coordinator at (808)587-4148 or Katherine.cullison@hawaii.gov.



Landscape Architecture
City & Regional Planning

November 28, 2017

Mr. James Cogswell Wildlife Program Manager
State of Hawaii
Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

Dear Mr. Cogswell,

RE: Early Consultation for the proposed Windward Hotel, located in Kahului,
Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your letter of August 2, 2017. We have prepared the following responses to your comments:

Comment 1: State and Federally listed waterbirds such as the Hawaiian duck (Anas wyvilliana), Hawaiian stilt (Himantopus mexicanus knudseni), Hawaiian coot (Fulica alai), and Hawaiian goose, or Nene (Branta sandvicensis) are likely to occur in the vicinity of the proposed project site due to the proximity of the Kanaha Ponds Wildlife Sanctuary. To minimize the potential for take, surveys for waterbirds by a qualified biologist are recommended before any land clearing or excavation activities occur, and should be repeated if these activities are delayed more than three days. If a nest is discovered at any point, please contact DOFAW staff. If a bird is present during ongoing activities, then all activities within 100 feet (30 m) of the bird should cease, and the bird should also not be approached. Work may continue after the bird leaves the area of its own accord.

Response 1: The Applicant will have surveys for waterbirds performed by a qualified biologist before any land clearing or excavation activities occur, and will be repeated if these activities are delayed more than three days.

Comment 2: DOFAW would like to ensure that effective avoidance measures are in place to prevent adverse impacts to native seabirds. DOFAW strongly recommends the use of only "seabird-friendly lighting" during the seabird nesting season beginning in March through mid-December. DOFAW Wildlife Biologists will be able to provide technical assistance in developing "seabird-friendly lighting."

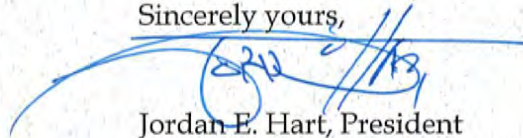
Response 2: The Applicant and the design team will coordinate with DOFAW Wildlife Biologists to develop a lighting strategy that utilizes "seabird-friendly lighting" for the proposed project.

Comment 3: The State and Federally listed Hawaiian hoary bat or 'Ope'ape'a (Lasiurus cinereus semotus) has the potential to occur in the vicinity of the proposed project. Hawaiian hoary bats roost in both exotic and native trees. If any trees are planned for removal during the bat breeding season there is a risk of injury or mortality to juvenile bats. To minimize the potential for impacts to this species, site clearing should be timed to avoid disturbance to breeding Hawaiian hoary bats; woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15).

Response 3: The Applicant is committed to practices that will ensure safety for the Hawaii hoary bats. Trees greater than 15 feet in height not be cut or trimmed between June 1 and September 15 during the hoary bat pupping season.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Jordan E. Hart", is written over a horizontal line. The signature is stylized and includes a date "11/21/17" written vertically to the right of the main signature.

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

ALAN M. ARAKAWA
Mayor



DON MEDEIROS
Director
MARC I. TAKAMORI
Deputy Director
(808) 270-7511

DEPARTMENT OF TRANSPORTATION

COUNTY OF MAUI
2145 Kaohu Street, Suite 102
Wailuku, Hawaii, USA 96793

July 11, 2017

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

Subject: Proposed Windward Hotel Project

Dear Mr. Hart,

Thank you for the opportunity to comment on this project. We have no comments to make regarding this project at this time.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Medeiros", is written over the printed name and title.

Don Medeiros
Director

RECEIVED

JUL 14 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: *Mrett* 17/028



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 7, 2017

Mr. Don Medeiros, Director
County of Maui
Department of Transportation
200 South High Street
Wailuku, HI 96793-2155

Dear Mr. Medeiros,

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your comment letter of July 11, 2017 indicating that the department does not have any comments on the proposed hotel project at this time.

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

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

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

July 25, 2017

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

CARY YAMASHITA, P.E.
Engineering Division

JOHN R. SMITH, P.E., ACTING
Highways Division

RECEIVED

JUL 28 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

cc: Brett 17/028

Mr. Jordan E. Hart, President
CHRIS HART & PARTNERS, INC.
115 North Market Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Hart:

**SUBJECT: REQUEST FOR HAWAII REVISED STATUTES, CHAPTER 343,
EARLY CONSULTATION FOR THE PROPOSED WINDWARD
HOTEL PROJECT; TMK: (2) 3-8-079:013 (LOTS 17-A-14 TO
17-A-18)**

We reviewed your early consultation request and have the following comment:

1. Given the proposed hotel's proximity to the Kahului Airport terminal, please analyze pedestrian pathways to/from the airport.

Please call Rowena M. Dagdag-Andaya at 270-7845 if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "David C. Goode".

DAVID C. GOODE
Director of Public Works

DCG:RMDA:da

xc: Highways Division
Engineering Division

S:\DSA\Engr\CZM\Draft Comments\38079013_windward_htl_proj_ec.rtf



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 7, 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: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your comment letter of July 25, 2017 providing the department's
comment on the proposed hotel project.

*Comment 1. Given the proposed hotel's proximity to the Kahului Airport terminal, please
analyze pedestrian pathways to/from the airport.*

Response 1. The Draft Environmental Assessment will provide a discussion of
pedestrian connectivity between the Kahului Airport and the proposed hotel.

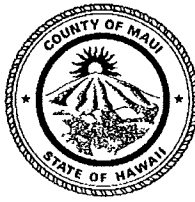
Thank you for participating in the early consultation review process. Please feel free to
call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com
should you have any questions.

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

ALAN M. ARAKAWA
Mayor



KA'ALA BUENCONSEJO
Director

BRIANNE L. SAVAGE
Deputy Director

DEPARTMENT OF PARKS & RECREATION

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

(808) 270-7230
FAX (808) 270-7934

RECEIVED

July 21, 2017

JUL 31 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

Jordan E. Hart
Chris Hart & Partners, Inc.
115 N. Market Street
Wailuku, HI 96793

cc: Mr. Hart 17/028

Dear Mr. Hart:

SUBJECT: REQUEST FOR HRS CHAPTER 343, EARLY CONSULTATION FOR THE PROPOSED WINDWARD HOTEL PROJECT LOCATED AT THE SOUTH EAST CORNER OF HALEAKALA HIGHWAY AND KULEANA STREET, KAHULUI, MAUI, HAWAII IDENTIFIED BY TMK: (2) 3-8-079: 013, (LOTS 17-A-14, -15, -16, -17, AND 18).

Thank you for the opportunity to review and comment on the Draft Environmental Assessment (DEA) for the proposed Windward Hotel project. The Department of Parks and Recreation has no comments on the proposed action at this time but would like to review the project as it develops. Please provide a copy of the final Environmental Assessment.

Feel free to contact me, or Robert Halvorson, Chief of Planning and Development, at 270-7387, should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ka'ala Buenconsejo", is written over a horizontal line.

KA'ALA BUENCONSEJO
Director of Parks & Recreation

c: Robert Halvorson, Chief of Planning & Development

KB:RH:do



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 7, 2017

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

Dear Mr. Buenconsejo,

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

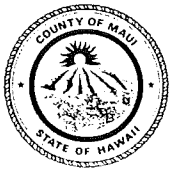
Thank you for your comment letter of July 21, 2017 indicating that the department does not have any comments on the proposed hotel project at this time. A copy of the Draft Environmental Assessment will be provided to the Department for review.

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

Sincerely yours,

Jordan E. Hart, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

July 10, 2017

Mr. Jordan E. Hart, President
Land Planner
Chris Hart & Partners, INC.
115 N. Market Street
Wailuku, HI 96793-1717

Dear Mr. Hart :

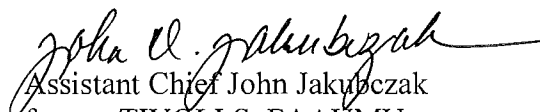
SUBJECT: Proposed Windward Hotel Development, TMK (2) 3-8-079:013 (Lots 17-A-14, 15,16,17, and 18)

This is in response to your letter dated June 30, 2017, requesting comments on the above subject.

Please refer to the enclosed copy of the to/from submitted by the Officer Jhun-Lee Casio of our Community Policing Program.

Thank you for giving us the opportunity to comment on this project.

Sincerely,


Assistant Chief John Jakubczak
for: TIVOLI S. FAAUMU
Chief of Police

Enclosure

RECEIVED

JUL 13 2017

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett 17/028

TO : TIVOLI FAAUMU, CHIEF OF POLICE, COUNTY OF MAUI

VIA : CHANNELS - *NOTED. RECOMMENDATIONS TO BE FORWARDED TO CHRIS HART AND PARTNERS ONX MAP LETTERHEAD. AT 7-10-17*

FROM : JHUN-LEE CASIO, POLICE OFFICER III, COMMUNITY POLICING

SUBJECT : RESPONSE TO A REQUEST FOR COMMENTS REGARDING:
EARLY CONSULTATION FOR THE PROPOSED WINDWARD
HOTEL PROJECT.

This communication is submitted as a response to a request for comments by Jordan HART, President Land Planner for Chris Hart and Partnership, Inc.

PROJECT : Proposed Windward Hotel located at Southeast corner of Haleakala Highway and Kuleana Street, Kahului, Maui, Hawaii.

LOCATION : Corner of Haleakala Hwy. and Kuleana Street, Kahului HI. 96732

TMK NO. : TMK (2) 3-8-079:013 (Lots 17-A-14, 15, 16, 17, and 18).

RESPONSE:

In review of the submitted documents, concerns from the police perspective are upon the safety of pedestrian and vehicular movement.

Chris Hart and Partnership, Inc. is seeking early consultation comments for the proposed Windward Hotel project. This project will be located at the southeast corner of Haleakala Highway and Kuleana Street in Kahului under TMK: (2) 3-8-079:013.

The proposed hotel development includes a 200 room hotel with onsite parking, pool spa, and other typical hotel amenities on 6.315 acres of land accessed from Lau'o Loop.

During the construction phase, extreme efforts should be made to minimize noise, dust, and debris so not to inhibit those whose health and well being may be affected. Adequate traffic control devices and personnel should also be utilized to minimize the impacts to pedestrian and vehicular movement by the heavy equipment and vehicles traveling in and out of the area.

It is the duty of the project manager to examine the impact of vehicular movement within the area while work is conducted on this project.

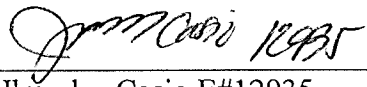
Page 2

It is also important to consider proper and adequate lighting during evening, late night, and early morning hours during construction and after the project is completed. Congregation of the unlawful element, whether it is by status offense or by criminal offense tends to occur in poorly lit areas that are easily accessible and away from the general population.

CONCLUSION:

There are no objections to the early consultation for the proposed Windward Hotel project, from the police standpoint, in regards to pedestrian and vehicular movement. However, consideration is requested for sufficient lighting to be installed for not only the safety of vehicular movement, but for crime prevention and deterrence as well. ✓

Respectfully submitted,



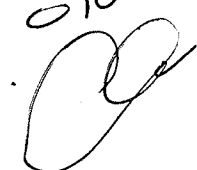
Jhun-lee Casio E#12935

Police Officer III / Community Policing

07/07/17 at 0850 hrs.

Concure WITH ASSESSMENT.


7/7/17

HOTEL
DEVELOPMENT
BY CASIO
RECOMMEND
APPROVAL
070717


RECEIVED

2017 JUL -3 AM 10: 58

MAUI POLICE DEPARTMENT



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

June 30, 2017

Mr. Tivoli Faaumu, Chief
Maui Police Department
55 Mahalani Street
Wailuku, HI 96793

A1
7/3/17

A-4
FOR D-1 R/C
THX QD 7/3/17

101:
PLEASE ASSIGN A CPO
TO REVIEW AND COMMENT
A4 7/5/17

115:
PLEASE ASSIGN!
101
7/6/17

Subject: Request for HRS Chapter 343, Early Consultation for the **Proposed Windward Hotel Project** located at the Southeast corner of Haleakala Highway and Kuleana Street, Kahului, Maui, Hawaii, identified by TMK: (2) 3-8-079: 013, (Lots 17-A-14, -15, -16, -17, and 18) .

Dear Mr. Faaumu,

In anticipation of the filing of a consolidated Draft Environmental Assessment (DEA), Change In Zoning (CIZ), Community Plan Amendment (CPA), and Special Management Area (SMA) Permit application Chris Hart & Partners, Inc. (CH&P), is requesting comment on the **Proposed Windward Hotel project**. The Community Plan Amendment is a "trigger" action for Hawaii's Environmental Impact Statement law, Chapter 343.

The Project will require a consolidated DEA, CIZ, CPA and SMA permit application report and is being prepared to examine potential impacts and mitigation measures resulting from the implementation of the proposed hotel development.

The proposed hotel project will require the Applicant to file a Motion to Amend the State of Hawaii Land use Commission (LUC) decision and order, therefore the LUC will serve as the Accepting Authority for the DEA and the County of Maui will process the CIZ, CPA and SMA permit for the proposed hotel project.

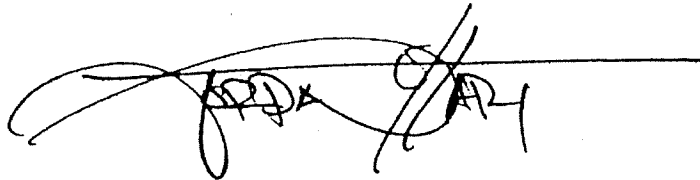
The proposed hotel development includes a 200 room hotel with onsite parking, pool, spa, and other typical hotel amenities on 6.315 acres of land accessed from Lau'o Loop. (See: Attached, "Location Map").

Technical Reports on the following subjects will be prepared by qualified individuals and will be included in the DEA:

- Archaeological Resources
- Cultural Resources
- Drainage & Engineering
- Traffic

Thank you for your participation in the review process. CH&P will be concluding the Early Consultation Process for this Project on July 24, 2017. Please contact me at (808) 242-1955 with any questions.

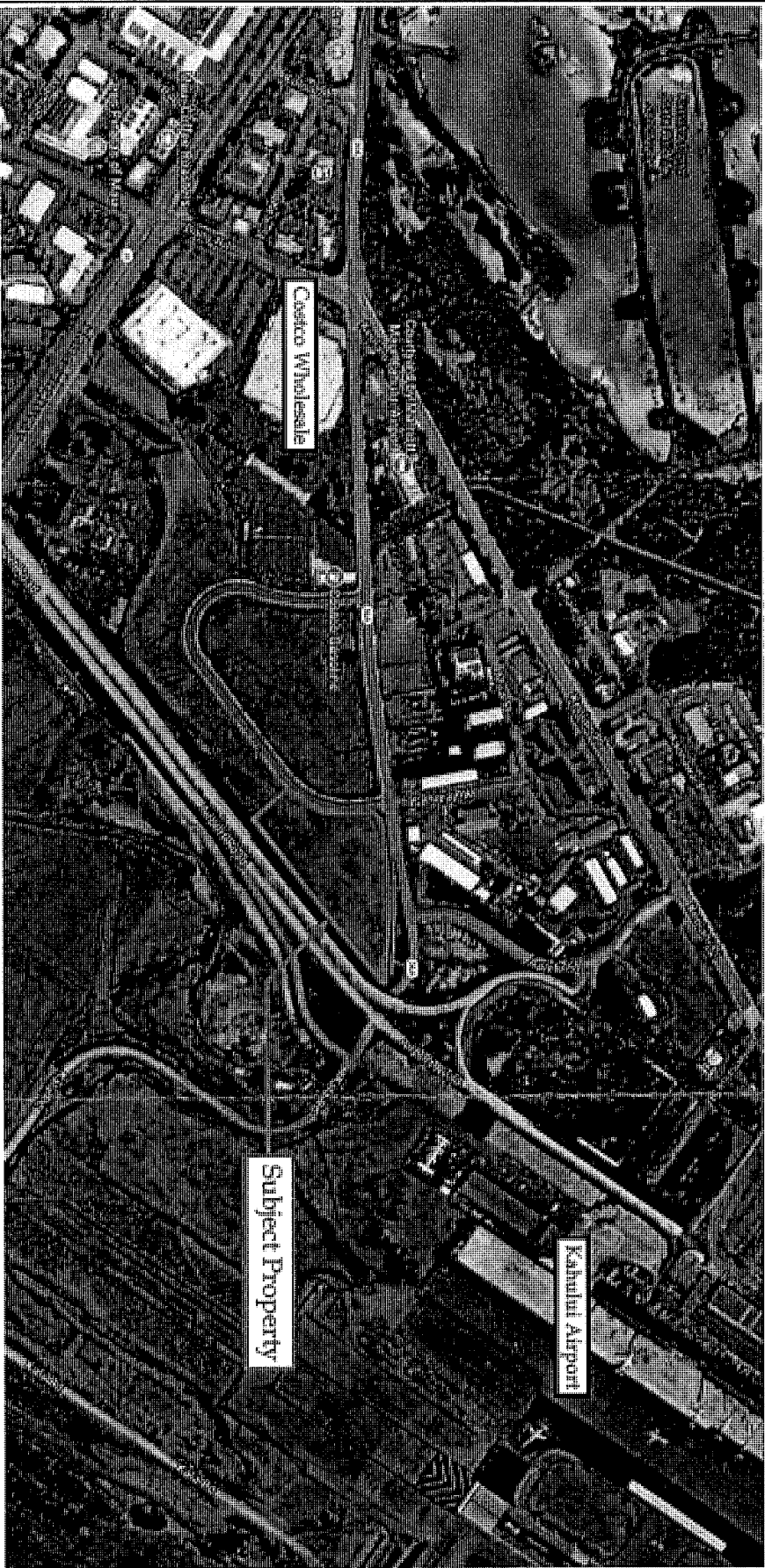
Sincerely,

A handwritten signature in black ink, appearing to read 'J. Hart', written over a horizontal line.

Jordan E. Hart, President
Land Planner

ENCLOSURES: (1)

1. Location Map



Location Map

Source: Google Earth





**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

November 7, 2017

Tivoli S. Faaumu, Chief of Police
County of Maui, Police Department
55 Mahalani Street
Wailuku, HI 96793

Dear Mr. Faaumu,

RE: Early Consultation for the proposed Windward Hotel, located in
Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:015, 016, 017, 018

Thank you for your comment letter of July 10, 2017 providing the department's comment on the proposed hotel project.

Comment 1. During the construction phase, extreme efforts should be made to minimize noise, dust, and debris so not to inhibit those whose health and wellbeing may be affected. Adequate traffic control devices and personnel should also be utilized to minimize the impacts to pedestrian and vehicular movement by the heavy equipment and vehicles traveling in and out of the area.

It is the duty of the project manager to examine the impact of vehicular movement within the area while work is conducted on this project.

It is also important to consider proper and adequate lighting during evening, late night, and early morning hours during construction and after the project is completed. Congregation of the unlawful element, whether it is by status offense or by criminal offense tends to occur in poorly lit areas that are easily accessible and away from the general population.

CONCLUSION:

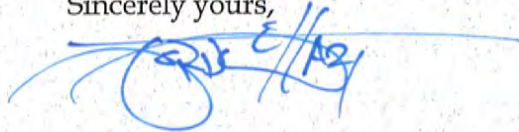
There are no objections to the early consultation for the proposed Windward Hotel project, from the police standpoint, in regards to pedestrian and vehicular movement. However, consideration is requested for sufficient lighting to be installed for not only the safety of vehicular movement, but for crime prevention and deterrence as well.

Tivoli S. Faaumu, Chief of Police
Police Response Letter
Windward Hotel
November 7, 2017
Page 2 of 2

Response 1. The Draft Environmental Assessment will assess the potential impacts of the proposed project during construction phase and mitigation measures will be provided, including measures to minimize noise, dust and debris. The proposed site plan will include sufficient lighting for safety purposes.

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

Sincerely yours,

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. Anthony Wrzosek, Owner Representative
Mr. Clayton Yoshida, AICP, Maui County Planning Department
Project File 17-028

Appendix 3.4

Comment Letters Received for the 2018 DEA
and Response Letters



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard
Honolulu, Hawaii 96850



In Reply Refer To:
01EPIF00-2017-TA-0337

October 10, 2018

Ms. Tara Furukawa, Staff Planner
County of Maui Department of Planning
2200 Main Street, Suite 619
Wailuku, Hawaii 96793

Subject: Technical Assistance for the Draft Environmental Assessment for the Proposed
Windward Hotel, Island and County of Maui

Dear Ms. Furukawa:

The U.S. Fish and Wildlife Service (Service) received your correspondence on September 28, 2018, for the review of the Draft Environmental Assessment for the Proposed Windward Hotel, Island and County of Maui. The Service offers the following comments to assist you in your planning process so that impacts to trust resources can be avoided through site preparation, construction, and operation. Our comments are provided under the authorities of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C 1531 *et seq.*).

R.D. Olson Development is planning to develop a 200 room hotel with associated onsite amenities on five (5) acres within Maui Business Park Phase II, off of Laue Loop in Kahului. The hotel will primarily serve users of the Kahului International Airport, as well as others requiring accommodation in Central Maui. The hotel will consist of four (4) stories, with elevator towers, and will include amenities, such as a swimming pool, dining area, sundry shop, laundry room, ballroom, board room business center and other support services and accessory uses for hotel operation. In addition, the project will include associated onsite and offsite infrastructure improvements, including but not limited to water, sewer, roads, drainage and electrical.

Based on information you provided and pertinent information in our files, including data compiled by the Hawaii Biodiversity and Mapping Project, nine (9) listed animal species that have the potential to either be in or fly through the vicinity of the project area: The federally threatened Newell's shearwater (*Puffinus auricularis newelli*), and endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma sandwichensis*), Band-rumped storm-petrel (*Oceanodroma castro*), Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian common gallinule (*Gallinula galeata sandvicensis*), Hawaiian duck (*Anas wyvilliana*), and Blackburn's sphinx moth (*Manduca blackburni*).

Avoidance and Minimization Measures

Hawaiian hoary bat

The Hawaiian hoary bat roosts in both exotic and native woody vegetation across all islands and will leave young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is a risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. Additionally, Hawaiian hoary bats forage for insects from as low as three feet to higher than 500 feet above the ground and can become entangled in barbed wire used for fencing.

To avoid and minimize impacts to the endangered Hawaiian hoary bat we recommend incorporating the following applicable measures into your project description:

- Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15).
- Do not use barbed wire for fencing.

Hawaiian petrel, Band-rumped storm-petrel, and Newell's shearwater

Hawaiian seabirds may traverse the project area at night during the breeding, nesting and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To avoid and minimize potential project impacts to seabirds we recommend you incorporate the following applicable measures into your project description:

- Fully shield all outdoor lights so the bulb can only be seen from below bulb height and only use when necessary.
- Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.
- Avoid nighttime construction during the seabird fledging period, September 15 through December 15.

Hawaiian waterbirds

Listed Hawaiian waterbirds are found in fresh and brackish-water marshes and natural or man-made ponds. Hawaiian stilts may also be found wherever ephemeral or persistent standing water may occur. Threats to these species include non-native predators, habitat loss, and habitat degradation. Hawaiian ducks are also subject to threats from hybridization with introduced mallards.

- Based on the project details provided, our information suggests that your project may result in standing water or the creation of open water, thus attracting Hawaiian waterbirds to the site. In particular, the Hawaiian stilt is known to nest in sub-optimal locations (e.g. any ponding water), if water is present. Hawaiian waterbirds attracted to sub-optimal

habitat may suffer adverse impacts, such as predation and reduced reproductive success, and thus the project may create an attractive nuisance. Therefore, we recommend you work with our office during project planning so that we may assist you in developing measures to avoid impacts to listed species (e.g., fencing, vegetation control, predator management).

Blackburn's sphinx moth

The Blackburn's sphinx moth may be in the vicinity of the proposed project area. Adult moths feed on nectar from native plants, including beach morning glory (*Ipomoea pes-caprae*), iliee (*Plumbago zeylanica*), and maiapilo (*Capparis sandwichiana*); larvae feed upon non-native tree tobacco (*Nicotiana glauca*) and native aiea (*Nothocestrum* sp.). To pupate, the larvae burrow into the soil and can remain in a state of torpor for up to a year (or more) before emerging from the soil. Soil disturbance can result in death of the pupae.

We offer the following survey recommendations to assess whether the Blackburn's sphinx moth is within the project area:

- A biologist familiar with the species should survey areas of proposed activities for Blackburn's sphinx moth and its larval host plants prior to work initiation.
 - Surveys should be conducted during the wettest portion of the year (usually November-April or several weeks after a significant rain) and within 4-6 weeks prior to construction.
 - Surveys should include searches for eggs, larvae, and signs of larval feeding (chewed stems, frass, or leaf damage).
 - If moths or the native aiea or tree tobacco over 3 feet tall are found during the survey, please contact the Service for additional guidance to avoid take.

If no Blackburn's sphinx moth, aiea, or tree tobacco are found during surveys, it is imperative that measures be taken to avoid attraction of Blackburn's sphinx moth to the project location and prohibit tree tobacco from entering the site. Tree tobacco can grow greater than 3 feet tall in approximately 6 weeks. If it grows over 3 feet, the plants may become a host plant for Blackburn's sphinx moth. We therefore recommend that you:

- Remove any tree tobacco less than 3 feet tall.
- Monitor the site every 4-6 weeks for new tree tobacco growth before, during and after the proposed ground-disturbing activity.
 - Monitoring for tree tobacco can be completed by any staff, such as groundskeeper or regular maintenance crew, provided with picture placards of tree tobacco at different life stages.

Please also refer to the Tree Tobacco Shrub Removal Plan submitted to the Service for this project on February 5, 2003.

Native Plants for Landscaping

Where disturbed areas do not need to be maintained as an open area, restore disturbed areas using native plants as appropriate for the location. Whenever possible we recommend using native plants for landscaping purposes.

The following website is a good resources to use when choosing landscaping plants: Native Plants Hawaii (<https://nativeplants.hawaii.edu/index/>)

If this potential project should receive federal funding, federal permits, or any federal authorization, it will require a Section 7 consultation with the Service. The Service only conducts Section 7 consultations with the federal action agency or their designated representative.

Thank you for participating with us in the protection of our endangered species. If you have any further questions or concerns regarding this consultation, please contact Eldridge Naboa, Fish and Wildlife Biologist, 808-284-0037, e-mail: eldridge_naboa@fws.gov. When referring to this project, please include this reference number: **01EPIF00-2017-TA-0337**.

Sincerely,

A handwritten signature in cursive script that reads "John P Vetter".

John P. Vetter
Acting Island Team Leader
Maui Nui and Hawaii Island



November 10, 2021

Ms. Michelle Bogardus, Maui Nui and Hawaii Island Team Leader
United States Department of the Interior
Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, HI 96850

Dear Ms. Bogardus,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of October 10, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Avoidance and Minimization Measures

Hawaiian hoary bat

The Hawaiian hoary bat roosts in both exotic and native woody vegetation across all islands and will leave young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is a risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. Additionally, Hawaiian hoary bats forage for insects from as low as three feet to higher than 500 feet above the ground and can become entangled in barbed wire used for fencing.

To avoid and minimize impacts to the endangered Hawaiian hoary bat we recommend incorporating the following applicable measures into your project description:

- Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15).*
- Do not use barbed wire for fencing.*

Response. The Applicant is committed to practices that will ensure safety for the Hawaii hoary bats including removal or trimming woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15) and the Contractor will be advised not to use barbed wire at the construction site.

Hawaiian petrel, Band-rumped storm-petrel, and Newell's shearwater

Hawaiian seabirds may traverse the project area at night during the breeding, nesting and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To avoid and minimize potential project impacts to seabirds we recommend you incorporate the following applicable measures into your project description:

- Fully shield all outdoor lights so the bulb can only be seen from below bulb height and only use when necessary.*
- Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.*
- Avoid nighttime construction during the seabird fledging period, September 15 through December 15.*

Response. The Applicant and the design team will coordinate with DOFAW Wildlife Biologists to develop a lighting strategy that utilizes “seabird-friendly lighting” for the proposed project.

Hawaiian waterbirds

Listed Hawaiian waterbirds are found in fresh and brackish-water marshes and natural or man-made ponds. Hawaiian stilts may also be found wherever ephemeral or persistent standing water may occur. Threats to these species include non-native predators, habitat loss, and habitat degradation. Hawaiian ducks are also subject to threats from hybridization with introduced mallards.

- Based on the project details provided, our information suggests that your project may result in standing water or the creation of open water, thus attracting Hawaiian waterbirds to the site. In particular, the Hawaiian stilt is known to nest in sub-optimal locations (e.g. any ponding water), if water is present. Hawaiian waterbirds attracted to sub-optimal habitat may suffer adverse impacts, such as predation and reduced reproductive success, and thus the project may create an attractive nuisance. Therefore, we recommend you work with our office during project planning so that we may assist you in developing measures to avoid impacts to listed species (e.g., fencing, vegetation control, predator management).*

Response. The proposed hotel project will include an outdoor swimming pool and spa, however there are no open water features planned within the landscaped areas of the property. The Applicant will provide your office a copy of the forthcoming DEIS and will work with your office in developing appropriate management measures for the property.

Blackburn's sphinx moth

The Blackburn's sphinx moth may be in the vicinity of the proposed project area. Adult moths feed on nectar from native plants, including beach morning glory (Ipomoea pes-caprae), iliee (Plumbago zeylanica), and maiapilo (Capparis sandwichiana); larvae feed upon non-native tree tobacco (Nicotiana glauca) and native aiea (Nothocestrum sp.). To pupate, the larvae burrow into the soil and can remain in a state of torpor for up to a year (or more) before emerging from the soil. Soil disturbance can result in death of the pupae.

We offer the following survey recommendations to assess whether the Blackburn's sphinx moth is within the project area:

- *A biologist familiar with the species should survey areas of proposed activities for Blackburn's sphinx moth and its larval host plants prior to work initiation.*
 - *Surveys should be conducted during the wettest portion of the year (usually November-April or several weeks after a significant rain) and within 4-6 weeks prior to construction.*
 - *Surveys should include searches for eggs, larvae, and signs of larval feeding (chewed stems, frass, or leaf damage).*
 - *If moths or the native aiea or tree tobacco over 3 feet tall are found during the survey, please contact the Service for additional guidance to avoid take.*

If no Blackburn's sphinx moth, aiea, or tree tobacco are found during surveys, it is imperative that measures be taken to avoid attraction of Blackburn's sphinx moth to the project location and prohibit tree tobacco from entering the site. Tree tobacco can grow greater than 3 feet tall in approximately 6 weeks. If it grows over 3 feet, the plants may become a host plant for Blackburn's sphinx moth. We therefore recommend that you:

- *Remove any tree tobacco less than 3 feet tall.*
- *Monitor the site every 4-6 weeks for new tree tobacco growth before, during and after the proposed ground-disturbing activity.*
 - *Monitoring for tree tobacco can be completed by any staff, such as groundskeeper or regular maintenance crew, provided with picture placards of tree tobacco at different life stages.*

Please also refer to the Tree Tobacco Shrub Removal Plan submitted to the Service for this project on February 5, 2003.

Response. The DEIS contains a second survey conducted by Robert Hobdy at the project site to specifically look for BSM. The survey resulted in no findings. The full report is provided in the DEIS as an Appendix 10, a digital copy of the forthcoming DEIS will be provided to your office at the time of publication.

Native Plants for Landscaping

Where disturbed areas do not need to be maintained as an open area, restore disturbed areas using native plants as appropriate for the location. Whenever possible we recommend using native plants for landscaping purposes.

The following website is a good resources to use when choosing landscaping plants: Native Plants Hawaii (<https://nativeplants.hawaii.edu/index/>)

If this potential project should receive federal funding, federal permits, or any federal authorization, it will require a Section 7 consultation with the Service. The Service only conducts Section 7 consultations with the federal action agency or their designated representative.

Response. The proposed project incorporates at least nine (9) native plants into the landscaping plan, i.e., Kukui Tree, Loulu Tree, Hala Tree, Kamani Tree, Naupaka, Pōhinahina, Kalo, Naio, and Ma'o. The total area of proposed native shrub and groundcover plant material to be installed at the proposed Kanahā Hotel site will total approximately 30,000 square feet. This represents approximately half of the total project installed landscape area. These native Hawaiian species will have lower water requirements, will increase native plant biodiversity and also have historical ethnobotanical importance to the Hawaiian culture. A full list of native plant species and the landscape plan are provided in Appendix 2 of the forthcoming DEIS.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

15109

DAVID Y. IGE
Governor

LUIS P. SALAVERIA
Director

MARY ALICE EVANS
Deputy Director



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

RECEIVED

2018 SEP 25 A 8:54

DANIEL E. ORODENKER
Executive Officer

COUNTY OF MAUI
DEPT. OF PLANNING
ADMINISTRATION

September 20, 2018

Michele Chouteau McLean, Director
Department of Planning
County of Maui
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793

Subject: Draft Environmental Assessment (DEA) in Support of a Community Plan
Amendment and Change in Zoning for Windward Hotel, Kahului
R. D. Olson Development
O Lauo Loop, Kahului, Maui, Hawai'i
TMK: (2) 3-8-103: 014 (portion), 015, 016, 017, 018

Dear Ms. McLean:

Please accept our apologies for these late comments on the subject DEA forwarded by your department's transmittal dated July 31, 2018. We have since reviewed the document and understand that the proposed project consists of an approximately 200-unit hotel with on and offsite infrastructure. As proposed, the hotel will be approximately 60 feet in height and consist of four stories with elevator towers. Amenities include a swimming pool, dining area, sundry shop, laundry, ballroom, board room, business center, and incidental support services and accessory uses. We further understand that the hotel will likely require improvements to the A&B Triangle Wastewater Pump Station. Other infrastructure improvements to the roadways, water, and wastewater facilities are also anticipated as a result of the proposed hotel.

With this understanding, we offer the following comments:

- 1) As the DEA correctly states, the project site was urbanized by the Land Use Commission (LUC) in Docket No. A03-739/A&B Properties, Inc., as part of the Maui Business Park Phase II development, a light industrial

complex on approximately 179 acres of land.¹ The proposed lots were to provide light industrial space in Maui's central commercial and business district. As the DEA also correctly notes, a motion to amend the Findings of Fact, Conclusions of Law, and Decision and Order filed March 25, 2004, will be required as no hotel was proposed as a use in the original proceeding before the LUC. A motion for order bifurcating the docket may also be appropriate given that the proposed hotel will constitute a separate use under the ownership and development of the applicant, R. D. Olson Development. We recommend that the applicant closely coordinate the filing of any motion with our office to ensure its orderly processing.

- 2) We note that there is no discussion in the DEA on the existing emergency management facilities in the area and on the potential impacts on such facilities from the proposed hotel. We request that the Final EA address this matter, including any plan to fund and construct adequate emergency management measures to serve the project site as may be required by the State Department of Defense, Emergency Management Agency, and the County Emergency Management Agency.
- 3) As part of the assessment of cultural resources, we note that interviews were conducted with two individuals with lineal and cultural ties to the Kahului area. Given the long cultural history of Kahului, we question whether interviews with just two individuals provide a sufficient basis in which to determine that "[n]o specific cultural practices or culturally significant features were identified to exist within the Project Site." We suggest that additional individuals who are familiar with the area be interviewed to provide a more comprehensive assessment. In the alternative, we request that justification for limiting the interviews to such a small number of people be provided.
- 4) The need for the proposed hotel should be addressed in greater detail. The DEA states that "[t]he proposed action is in response to demand for visitor accommodations in close proximity to Kahului Airport that was identified by the Applicant in the development and operation [sic] a hotel facility in the immediate vicinity." We note that this statement is made in the absence of a formal market assessment. What little discussion there is on the matter in the *Maui Windward Hotel Economic Effects: Assessment of Proposed New Airport Hotel* study does not comprehensively address, among other things, the size

¹ Maui Business Park Phase II also includes approximately 33.530 acres of land that were part of the incremental reclassification to the Urban District under Docket No. A88-634/Alexander & Baldwin, Inc., and approximately 7.281 acres of land that were already designated within the Urban District.

and value of the intended market, visitor trends, existing/future competition, historical and current occupancy rates, and other factors that would demonstrate the need for the proposed hotel.

- 5) According to the faunal survey, the endemic and endangered Blackburn's sphinx moth has been observed on tree tobacco plants in the vicinity of the Kahului Airport, and that two 6-foot-tall non-native plants of the tree tobacco, which is the primary host plant for the moth, were observed inside of the eastern project area boundary. However, no moths, eggs, or their larvae were found during the survey that was conducted during the summer. As the consultant admits, summer is not the time for egg-laying and larval activity so no definitive conclusion can be reached as to whether these plants were being used by the moth. The consultant recommended that the plants be observed during the winter months. Clarification should be provided as to whether the applicant intends to follow through with the consultant's recommendation and conduct another survey during the winter.
- 6) Although the project site is currently unused, we request that the impacts of the proposed hotel on the Maui Business Park development over the long term be *thoroughly* addressed. For example, has the compatibility between the existing mix of light industrial uses and the hotel been assessed? If so, what are the findings and conclusions? Relatedly, how does the presense of a hotel on land that was originally allocated for light industrial uses affect the original impact assessment of the lots on the environment and public services and facilities and the commitments made by A&B Properties, Inc., with respect to mitigative measures?

We have no further comments to offer at this time. Should you have any questions or require further clarification, please call our office at 587-3822.

Sincerely



Daniel E. Orodener
Executive Officer

c: Jordan Hart, President, Chris Hart & Partners, Inc.



November 10, 2021

Mr. Daniel E. Orodener, Executive Officer
Land Use Commission
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, Hawai'i 96804

Dear Mr. Orodener,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 20, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

- 1. As the DEA correctly states, the project site was urbanized by the Land Use Commission (LUC) in Docket No. A03-739/A&B Properties, Inc., as part of the Maui Business Park Phase II development, a light industrial complex on approximately 179 acres of land. The proposed lots were to provide light industrial space in Maui's central commercial and business district. As the DEA also correctly notes, a motion to amend the Findings of Fact, Conclusions of Law, and Decision and Order filed March 25, 2004, will be required as no hotel was proposed as a use in the original proceeding before the LUC. A motion for order bifurcating the docket may also be appropriate given that the proposed hotel will constitute a separate use under the ownership and development of the applicant, R.D. Olson Development. We recommend that the applicant closely coordinate the filing of any motion with our office to ensure its orderly processing.*

Response. On January 16, 2020, R.D. Olson filed its Motion to Amend Findings of Fact, Conclusions of Law and Decision and Order filed March 25, 2004 ("2004 D&O") with the

LUC for an order: 1) recognizing R.D. Olson's standing to seek and obtain the relief requested; and 2) amending the 2004 D&O providing that a portion of the Petition Area, that portion being identified as Tax Map Key Nos. (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018, comprising approximately 5.17 acres of land ("Petition Area B") shall be subject to a new decision and order that is specific to Petition Area B and that said Petition Area B shall not be subject to the 2004 Decision and Order, for the purpose of establishing appropriate findings of fact, conclusions of law and decision and order that are specifically applicable to Petitioner's Kanahā Hotel and limited to Petition Area B.

2. *We note that there is no discussion in the DEA on the existing emergency management facilities in the area and on the potential impacts on such facilities from the proposed hotel. We request that the Final EA address this matter, including any plan to fund and construct adequate emergency management measures to serve the project site as may be required by the State Department of Defense, Emergency Management Agency, and the County Emergency Management Agency.*

Response. Section 2.1.3 of the DEIS contains a discussion of the existing conditions with regard to Natural Hazards and Section 2.3.6 of the DEIS discusses existing emergency management facilities in the area. CH&P coordinated with the Maui Emergency Management Agency (MEMA) on July 19, 2021, and there are no plans to add additional sirens as result of the proposed project. The project site is located in Kahului and siren coverage is adequate in the area. The Applicant will continue to coordinate with MEMA, and a copy of the DEIS will be provided for review and comment.

3. *As part of the assessment of cultural resources, we note that interviews were conducted with two individuals with lineal and cultural ties to the Kahului area. Given the long cultural history of Kahului, we question whether interviews with just two individuals provide a sufficient basis in which to determine that "[n]o specific cultural practices or culturally significant features were identified to exist within the Project Site." We suggest that additional individuals who are familiar with the area be interviewed to provide a more comprehensive assessment. In the alternative, we request that justification for limiting the interviews to such a small number of people be provided.*

Response. A Cultural Impact Assessment (CIA) Report was completed for the Project Site by Honua Consulting in April 2021 (See: Appendix 23). The CIA was conducted in accordance with Act 50 (2000 Session Laws of Hawaii) and the State of Hawaii Office of Environmental Quality Control (OEQC) guidelines for Assessing Cultural Impact Assessments, including extensive archival research in addition to interviews with culturally knowledgeable individuals. The CIA also complies with the *Ka Pa'akai* decision and the state's obligation to assess the potential impact any state action or decision may have on traditional and customary practices.

Interviews with individuals and cultural practitioners knowledgeable about the lands, history, traditional practices, customs and cultural resources of the Wailuku ahupua'a were conducted in 2018 and 2019 by Honua Consulting as part of the CIA. The oral history interviews were conducted to collect information on possible pre-historic and historic cultural resources associated with these lands, as well as traditional cultural practices. A summary of all interviews is available in Appendix 23. Interviewees, which included Kumu Hula and other practitioners, shared valuable information about the cultural history of the larger geographic areas of Wailuku and Kahului, which effectively illustrated the important traditional history this area played for Hawaiians throughout their long history.

Interviewees did not identify any specific features, customs or practices currently occurring within the Project Site; however, two (2) interviewees expressed concern for the proper management of stormwater and its potential effect on nearby wetland areas and nearshore waters. Another concern is about the traffic impact due to the proposed project. Further discussion about existing traffic condition and mitigation measures will be detailed in Section 2.4.1 of the DEIS (Roadways).

4. *The need for the proposed hotel should be addressed in greater detail. The DEA states that "[t]he proposed action is in response to demand for visitor accommodations in close proximity to Kahului Airport that was identified by the Applicant in the development and operation [sic] a hotel facility in the immediate vicinity." We note that this statement is made in the absence of a formal market assessment. What little discussion there is on the matter in the Maui Windward Hotel Economic Effects: Assessment of Proposed New Airport Hotel study does not comprehensively address, among other things, the size and value of the intended market, visitor trends, existing/future competition, historical and current occupancy rates, and other factors that would demonstrate the need for the proposed hotel.*

Response. A tourism study was prepared for the DEIS to address the need for a hotel. The purpose of the project is to provide non-resort hotel rooms that are close to the Kahului airport and in the heart of Kahului. The proposed hotel intends to best serve business travelers and the Hawai'i resident market by providing high-quality and economical service. The Wailuku and Kahului areas of Maui are the primary locations where government offices and businesses are located and where most of the island population resides. According to interviews in the Maui Lodging market report for this project, Kama'aina corporate demand is the single largest market segment for hotels in Kahului. As such, the proposed Hotel development is well situated to be successfully integrated into and complement the existing urban fabric of Kahului. The forthcoming

DEIS discusses further about the lodging market and the tourism, as presented in Section 2.2.2 (Economy) of the forthcoming DEIS. In addition, please refer to Appendices 21 & 22 of the forthcoming DEIS for more details (i.e., Market Study by CBRE, Inc., and Tourism Study by Kloninger & Sims Consulting LLC).

5. *According to the faunal survey, the endemic and endangered Blackburn's sphinx moth has been observed on tree tobacco plants in the vicinity of the Kahului Airport, and that two 6-foot-tall non-native plants of the tree tobacco, which is the primary host plant for the moth, were observed inside of the eastern project area boundary. However, no moths, eggs, or their larvae were found during the survey that way conducted during the summer. As the consultant admits, summer is not the time for egg-laying and larval activity so no definitive conclusion can be reached as to whether these plants were being used by the moth. The consultant recommended that the plants be observed during the winter months. Clarification should be provided as to whether the applicant intends to follow through with the consultant's recommendation and conduct another survey during the winter.*

Response. On December 15, 2018, Mr. Robert W. Hobdy — the environmental consultant on Maui — visited the Kanahā Hotel Development Project site in Kahului, Maui to conduct a Blackburn's sphinx moth and tree tobacco survey. This survey, following up on an August 2017 flora and fauna survey and assessment of this project area, was requested by the U.S. Fish and Wildlife Service to evaluate the current presence or absence of the Endangered Blackburn's sphinx moth and its associated tree tobacco host plant.

This current survey involved a careful inspection of the entire Kanahā Hotel Development project area. No tree tobacco plants of any size were found growing on the property at this time. Blackburn's sphinx moths have very specialized relationships with certain plants in the tobacco family, and without these special host plants they are unable to reproduce and survive and they are therefore not presently attracted to the area. As of this date there are no concerns regarding the Blackburn's sphinx moth on the Kanahā Hotel Development project. (See: Appendix 10)

Despite the foregoing, the Proposed Project will follow guidelines of avoidance and minimization measures as listed in the letter from USFWS dated October 15, 2019, for the Proposed Project. In the event that any of the nine (9) federally listed animal species entering the Project Site — i.e., the federally threatened Newell's shearwater (*Puffinus auricularis newelli*), and endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma sandwichensis*), Band-rumped storm-petrel (*Oceanodroma castro*), Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian common gallinule (*Gallinula galeata sandvicensis*), Hawaiian duck (*Anas wyvilliana*), and Blackburn's sphinx moth (*Manduca blackburni*) — the following are the

avoidance and minimization measures recommended by USFWS to be complied with. Please refer to Section 2.1.6 (Flora and Fauna) of the forthcoming DEIS for more details.

6. *Although the project site is currently unused, we request that the impacts of the proposed hotel on the Maui Business Park development over the long term be thoroughly addressed. For example, has the compatibility between the existing mix of light industrial uses and the hotel been assessed? If so, what are the findings and conclusions? Relatedly, how does the presence of a hotel on land that was originally allocated for light industrial uses affect the original impact assessment of the lots on the environment and public services and facilities and the commitments made by A&B Properties, Inc., with respect to mitigative measures?*

Response. Decision and Order identified as Docket No. A03-739 Condition 19. Project Composition, states that *“For a period of eight (8) years from the date of the County’s approval of zoning for the Project a total of at least fifty percent (50%) of the Project acreage shall be (a) used and developed by Petitioner for non-retail, light industrial use and/or (b) sold or leased to and developed and used by third-party buyers for non-retail, light industrial use. For this same eight-year period, simultaneous with Petitioner’s development or offer for sale or lease of the Property for retail use, Petitioner shall develop or offer for sale or lease an equal amount of acreage within the Property for non-retail, light industrial use. The phrase “light industrial”, as used in this paragraph, includes warehousing and distribution types of activity as well as compounding, assembly, or treatment of articles or materials with the exception of heavy manufacturing and processing of raw materials. It is the intent of this paragraph that at the end of the above-described eight-year period, to the extent that the Project is developed or in the process of being developed by Petitioner or any third party, no less than fifty percent (50%) of such development or development in process shall be for non-retail, light industrial purposes.”*

As specified by this Condition, the eight (8) year period terminated on May 2, 2016, therefore there is available land for non-light industrial uses. The Cancellation of Declaration of Use Restriction was provided in the 2016 annual report. Section 3.2 (State Land Use) of the forthcoming DEIS includes the analysis to the conditions of the Docket No. A03-739 Decision & Order (D&O). A copy of the D&O is also included in the DEIS as Appendix 1.

The proposed hotel project will implement best management practices, provide a shuttle for guest to and from the airport, provide private water and wastewater systems for the project. A contribution will be made to the Affordable housing fund and the project will be developed in compliance with all development requirements provided by the State of Hawaii and Maui County.

The current Wailuku-Kahului Community Plan (WKCP) was adopted by Ordinance No. 3061 on June 2, 2002, and identifies major problems and opportunities within the region. Problem 1.a “Airport and Harbor facilities and other public facilities” states that the

Kahului airport is underutilized and should be improved to meet the needs over the next 20 years including the expansion of facilities to accommodate air cargo and passenger services, including extension of the runway.

In the WKCP, Part III C. Economic Activity, Objective 3. States "*Allow opportunities for hotel accommodations within the region at Kahului and Wailuku – at the existing hotel district by Kahului Harbor, near the Kahului Airport; and within the Wailuku Town core.*" The proposed project site is adjacent to the Kahului Airport. Due to the close proximity to the airport as well as the island's government, business, and medical facilities, the subject property is an appropriate location for future hotel accommodations.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

18/4453
DAVID Y. IGE
GOVERNOR



RODERICK K. BECKER
COMPTROLLER

AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

Response refer to:
Ma-152(18)

August 10, 2018

MEMORANDUM

TO: Michele Chouteau McLean, Director
Department of Planning, County of Maui

ATTN: Tara K. Furukawa, Staff Planner

FROM: Reid K. Siarot, State Land Surveyor *mit*
DAGS, Survey Division

SUBJECT: Project: Windward Hotel
Applicant: R.D. Olson Development
Project Address: 0 Lauo Loop, Kahului, Maui, Hawaii
TMK: 3-8-103: 14 (por.), 15, 16, 17, 18
Permit Nos.: CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001,
EA 2018/0001

This is in regards to your transmittal dated July 31, 2018 and request for comments on the subject project.

The subject project has been reviewed and confirmed that no Government Survey Triangulation Stations or Benchmarks are affected. Survey Division has no objections to the proposed project.

Should you have any questions, please call me at 586-0390.

DEPT. OF PLANNING
COUNTY OF MAUI
AUG 16 2018
RECEIVED



November 10, 2021

Mr. Reid K. Siarot, State Land Surveyor
State of Hawaii, Department of Accounting and General Services
Land Survey Division
1151 Punchbowl St., Rm 210
Honolulu, HI 96813

Dear Mr. Siarot,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of August 10, 2018, indicating that the department does not have any comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

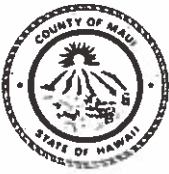
Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
YOUR REFERENCE

18/4433

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

August 10, 2018



TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

MEMORANDUM

TO : TARA K. FURUKAWA, STAFF PLANNER
DEPARTMENT OF PLANNING


FROM : TIVOLI S. FAAUMU, CHIEF OF POLICE

SUBJECT : PERMIT NO.: CPA 2018/0001, CIZ 2018/0001,
SM1 2018/0001, EA 2018/0001
TMK : (2) 3-8-103:014 (portion), 015, 016, 017, 018
Project : WINDWARD HOTEL
Applicant : R.D. Olson Development

☒ No comments or recommendations to offer at this time.

☐ Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.


Assistant Chief John Jakubczak
For: TIVOLI S. FAAUMU
Chief of Police

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

AUG 15 2018

RECEIVED

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

DOUGLAS S. CHIN
LT. GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P O BOX 1879
HONOLULU, HAWAII 96805

August 27, 2018

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

SEP - 5 2018

RECEIVED

Tara Furukawa, Staff Planner
County of Maui
Department of Planning
2200 Main Street, Suite 315
Wailuku, Hawai'i 96793

Dear Ms. Furukawa:

Subject: Request for Comments on Proposed Windward Hotel; Hāmākuapoko Moku, Maui Island, Hawai'i; TMK (2)3-8-103:014 (por.), 015, 016, 017, and 018; CPA (2018/0001), CIZ (2018/0001), SM1 (2018/0001), EA (2018/0001)

The Department of Hawaiian Home Lands (DHHL) acknowledges receiving the request for comments on the above-mentioned project. After reviewing the information provided, due to its lack of proximity to Hawaiian Home Lands, we do not anticipate any direct impacts to our lands or Beneficiaries resulting from the project.

We note that the DHHL highly encourages all agencies to consult with Hawaiian Homestead community associations and other (N)ative Hawaiian organizations when preparing EA documents in order to better assess potential impacts to cultural and natural resources, access, and other rights of Native Hawaiians. We appreciate your efforts in this regard.

Mahalo for the opportunity to provide comments. If you have any questions, please call Bryan Esmeralda, Maui Island Planner for the DHHL Planning Office at 760-5125 or contact via email at bryan.k.esmeralda@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Kaleo Manuel".

M. Kaleo Manuel
Acting Planning Program Manager



November 10, 2021

Mr. William J. Aila, Jr., Director
State of Hawaii, Department of Hawaiian Homelands
P.O. Box 1879
Honolulu, Hawaii 96805

Dear Mr. Aila, Jr.,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of August 27, 2018, indicating that the department does not anticipate any impacts of the proposed project to the Hawaiian Homelands. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

The Applicant has retained Honua Consulting to prepare a Cultural Impact Assessment report which concluded that there are no impacts to cultural and natural resources, access, and other rights of Native Hawaiians.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brett Davis". The signature is fluid and cursive, with the first name "Brett" and last name "Davis" clearly distinguishable.

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 6, 2018

County of Maui
Department of Planning
Attention: Ms. Tara K. Furukawa, Staff Planner via email: tara.furukawa@mauicounty.gov
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Ms. Furukawa:

SUBJECT: Draft Environmental Assessment for the Proposed **Windward Hotel**
located at 778 Haleakala Highway, Kahului, Island of Maui; TMK: (2) 3-8-
103:014 por. 015, 016, 017, & 018

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

At this time, enclosed are comments from the Engineering Division on the subject matter. Should you have any questions, please feel free to call Darlene Nakamura at (808) 587-0417. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "R. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure
cc: Central Files



November 10, 2021

Mr. Russell Y. Tsuji, Land Administrator
State of Hawaii, Department of Land & Natural Resources
Land Division
1151 Punchbowl St., Room 220
Honolulu, HI 96813

Dear Mr. Tsuji,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015, 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 06, 2018, distributing our request for comments to various DLNR divisions. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

Brett Davis, Senior Planner

Mr. Russell Y. Tsuji, Land Administrator
Land Division
November 10, 2021
Page 2 of 2

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 4, 2018

MEMORANDUM

TO:

DLNR Agencies:

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

FROM:

SUBJECT:

LOCATION:

APPLICANT:

Russell Y. Tsuji, Land Administrator
Draft Environmental Assessment for the Proposed **Windward Hotel**
778 Haleakala Highway, Kahului, Island of Maui; TMK: (2) 3-8-103:014 por. 015,
016, 017, & 018
R.D. Olson Development on behalf of Alexander & Baldwin LLC

Transmitted for your review and comment is information on the above-referenced subject matter which can be found at:

1. <https://hawaiioint.sharepoint.com/sites/dlnr-ld> (using the Chrome browser)
2. Username: your Hawaii.gov email address
3. Password: outlook password (if you do not know it, please contact IT by email to reset and get a new password)
4. Click on: Request for Comments, then click on the subject link.
5. If you cannot access the document, please scan this Memo and email to Quoc Le at quoc.le@hawaii.gov to grant you access.

We would appreciate your comments by **September 5, 2018**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

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

Signed:

Print Name:

Date:

Carty S. Chang, Chief Engineer

Attachment(s)
cc: Central Files



November 10, 2021

Mr. Carty S. Chang, P.E., Chief Engineer
State of Hawaii, Department of Land & Natural Resources
Engineering Division
1151 Punchbowl Street, Room 221
Honolulu, HI 96813

Dear Mr. Chang,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment dated August 29, 2018, on a memorandum of August 04, 2018, indicating that the department does not have any additional comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

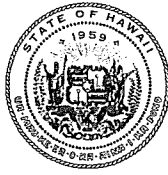
Thank you for participating in the environmental review process. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Brett Davis, Senior Planner

Mr. Carty S. Chang, P.E., Chief Engineer
Engineering Division
November 10, 2021
Page 2 of 2

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

OFFICE OF SCHOOL FACILITIES AND SUPPORT SERVICES

RECEIVED

SEP 10 2018

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CL: MRC

171028

September 5, 2018

Ms. Tara Furukawa, Staff Planner
County of Maui
Department of Planning
2200 Main Street, Suite 619
Wailuku, Hawaii 96793

Re: Community Plan Amendment, Change in Zoning, Special Management Area Permit, and Environmental Assessment for the proposed Windward Hotel by R.D. Olson Development, Kahului, Maui, Hawaii, TMK: 3-8-103: por. 014, 015, 016, 017 & 018 (CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, and EA 2018/0001)

Dear Ms. Furukawa:

The Hawaii State Department of Education (HIDOE) has the following comments for the proposed Windward Hotel (Project). According to the Draft Environmental Assessment, the proposed Project is for the development of a 200 room hotel along with related improvements on approximately five acres of land located at Kahului, Island of Maui, TMK: 3-8-103: por. 014, 015, 016, 017 & 018.

The proposed Project will not impact existing HIDOE schools and facilities.

Thank you for the opportunity to comment. Should you have questions, please contact Robyn Loudermilk, School Lands and Facilities Specialist of the Facilities Development Branch, Planning Section, at 784-5093 or via email at robyn_loudermilk@notes.k12.hi.us.

Respectfully,

A handwritten signature in black ink, appearing to read "Kenneth G. Masden II".

Kenneth G. Masden II
Public Works Manager
Planning Section

KGM: rll

c: Jordan Hart, Chris Hart & Partners, Inc.



November 10, 2021

Mr. Kenneth G. Masden, II, Public Works Manager
State of Hawaii, Department of Education
Planning Section
P. O. Box 2360
Honolulu, HI 96804

Dear Mr. Masden:

RE: Draft Environmental Assessment Comments for the proposed
Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of September 05, 2018, indicating that the proposed Project will not impact existing HIDOE schools and facilities. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

Thank you again for your comments. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,

Brett Davis, Senior Planner

Mr. Kenneth G. Masden, II, Public Works Manager
State of Hawaii, Department of Education
November 10, 2021
Page 2 of 2

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

DAVID Y. IGE
GOVERNOR OF HAWAII



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

VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
EMD/CWB

05023PDCL.18

May 10, 2018

MEMORANDUM

SUBJECT: Clean Water Branch Standard Project Comments

TO: Agencies and Project Owners

FROM: ALEC WONG, P.E., CHIEF *Alec Wong*
Clean Water Branch

This memo is provided for your information and sharing. You are encouraged to share this memo with your project partners, team members, and appropriate personnel.

The Department of Health (DOH), Clean Water Branch (CWB) will no longer be responding directly to requests for comments on the following documents (Pre-consultation, Early Consultation, Preparation Notice, Draft, Final, Addendums, and/or Supplements):

- Environmental Impact Statements (EIS)
- Environmental Assessments (EA)
- Stream Channel Alteration Permits (SCAP)
- Stream Diversion Works Permits (SDWP)
- Well Construction/Pump Installation Permits
- Conservation District Use Applications (CDUA)
- Special Management Area Permits (SMAP)
- Shoreline Setback Areas (SSA)

For agencies or project owners requiring DOH-CWB comments for one or more of these documents, please utilize the DOH-CWB Standard Comments below regarding your project's responsibilities to maintain water quality and any necessary permitting. DOH-CWB Standard Comments are also available on the DOH-CWB website located at: <http://health.hawaii.gov/cwb/>.

DOH-CWB Standard Comments

The following information is for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program.

1. Any project and its potential impacts to State waters must meet the following criteria:
 - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
 - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
 - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).
2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for point source water pollutant discharges into State surface waters (HAR, Chapter 11-55). Point source means any discernible, confined, and discrete conveyance from which pollutants are or may be discharged.

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

Some of the activities requiring NPDES permit coverage include, but, are not limited to:

a. Discharges of Storm Water

- i. For Construction Activities Disturbing One (1) or More Acres of Total Land Area.

By HAR Chapter 11-55, an NPDES permit is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale.

- ii. For Industrial Activities for facilities with primary Standard Industrial Classification (SIC) Codes regulated in the Code of Federal Regulations (CFR) at 40 CFR 122.26(b)(14)(i) through (ix) and (xi). If a facility has more than one SIC code, the activity that generates the greatest revenue is the primary SIC code. If revenue information is unavailable, use the SIC code for the activity with the most employees. If employee information is also unavailable, use the SIC code for the activity with the greatest production.
- iii. From a small Municipal Separate Storm Sewer System (along with certain non-storm water discharges).

b. Discharges to State surface waters from construction activity hydrotesting or dewatering

c. Discharges to State surface waters from cooling water applications

d. Discharges to State surface waters from the application of pesticides (including insecticides, herbicides, fungicides, rodenticides, and various other substances to control pest) to State waters

e. Well-Drilling Activities

Any discharge to State surface waters of treated process wastewater effluent associated with well drilling activities is regulated by HAR Chapter 11-55. Discharges of treated process wastewater effluent (including well drilling slurries,

lubricating fluids wastewater, and well purge wastewater) to State surface waters requires NPDES permit coverage.

NPDES permit coverage is not required for well pump testing. For well pump testing, the discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices (BMPs) shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, BMPs shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.

3. A Section 401 Water Quality Certification (WQC) is required if your project/activity:
 - a. Requires a federal permit, license, certificate, approval, registration, or statutory exemption; and
 - b. May result in a discharge into State waters. The term "discharge" is defined in Clean Water Act, Subsections 502(16), 502(12), and 502(6).

Examples of "discharge" include, but are not limited to, allowing the following pollutants to enter State waters from the surface or in-water: solid waste, rock/sand/dirt, heat, sewage, construction debris, any underwater work, chemicals, fugitive dust/spray paint, agricultural wastes, biological materials, industrial wastes, concrete/sealant/epoxy, and washing/cleaning effluent.

Determine if your project/activity requires a federal permit, license, certificate, approval, registration, or statutory exemption by contacting the appropriate federal agencies (e.g. Department of the Army (DA), U.S. Army Corps of Engineers (COE), Pacific Ocean Division Honolulu District Office (POH) Tel: (808) 835-4303; U.S. Environmental Protection Agency, Region 9 Tel: (415) 947-8021; Federal Energy Regulatory Commission Tel: (866) 208-3372; U.S. Coast Guard Office of Bridge Programs Tel: (202) 372-1511). If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch regarding their permitting requirements.

To request a Section 401 WQC, you must complete and submit the Section 401 WQC application. This application is available on the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>.

Please see HAR, Chapter 11-54 for the State's Water Quality Standards and for more information on the Section 401 WQC. HAR, Chapter 11-54 is available on the CWB website at: <http://health.hawaii.gov/cwb/>.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation and up to two (2) years in jail.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:
 - a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.
 - b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
 - c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.

- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.



November 10, 2021

Mr. Alec Wong, P.E., Chief
State of Hawaii, Department of Health
Clean Water Branch
2827 Waimano Home Road
Hale Ola Building, Room 225
Pearl City, HI 96782-1487

Dear Mr. Wong:

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your department's memorandum dated May 10, 2018. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your letter indicated that your department will no longer be responding directly to requests for comments on Environmental Assessments and Environmental Impact Statements. The Applicant has reviewed the DOH-CWB Standard Comments and will comply with the requirements to maintain water quality and any necessary permitting.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brett Davis". The signature is fluid and cursive, with the first name "Brett" and last name "Davis" clearly distinguishable.

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

18/4724
DAVID Y. IGE
GOVERNOR OF HAWAII



BRUCE S. ANDERSON, Ph.D.
DIRECTOR OF HEALTH

LORRIN W. PANG, M.D., M.P.H.
DISTRICT HEALTH OFFICER

**STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE
54 HIGH STREET
WAILUKU, HAWAII 96793-3378**

August 31, 2018

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

SEP - 5 2018

RECEIVED

Ms. Michele Chouteau McClean
Director
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Attn: Tara K. Furukawa

Dear Ms. McClean:

Subject: WINDWARD HOTEL
Applicant: R.D. Olsen Development
Permit No.: CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001
TMK: (2) 3-8-103:014 (portion), 015, 016, 017, 018
Location: 0 Lauo Loop, Kahului, Maui, Hawaii
Description: 200 Room Hotel with onsite amenities and related improvements

Thank you for the opportunity to review this project. We have the following comments to offer:

1. National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.
2. The land was formerly used in the production of sugarcane. Please contact the Department of Health, Hazard Evaluation and Emergency Response office at 808 586-4249.
3. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor & Radiological Health Branch at 808 586-4700.

Ms. Michele Chouteau McClean
August 31, 2018
Page 2

4. The applicant shall comply with HAR, Chapter 11-10, "Public Swimming Pools." Please contact the Maui Sanitation Branch at 808 984-8230.

It is strongly recommended that you review the department's website at <https://health.hawaii.gov/epo/files/2018/05/DOHEHA.LandUseContactList.20180502.pdf> and contact the appropriate program that concerns your project.

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

Sincerely,



Patti Kitkowski
District Environmental Health Program Chief

c CWB
HEER
IRH



November 10, 2021

Ms. Patti Kitkowski, District Environmental Health Program Chief
State of Hawaii, Department of Health
Maui District Health Office
State Office Building
54 South High Street Rm. #301
Wailuku, Maui, HI 96793

Dear Ms. Kitkowski,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of August 31, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

1. National Pollutant Discharge Elimination System (NPDES) permit coverage may be required for this project. The Clean Water Branch should be contacted at 808 586-4309.

Response. The Applicant will obtain National Pollutant Discharge Elimination System (NPDES) permit for the proposed hotel project. Clean Water Branch will be contacted.

2. The land was formerly used in the production of sugarcane. Please contact the Department of Health, Hazard Evaluation and Emergency Response office at 808 586-4249.

Response. The Applicant is aware of the former use of the property and the consultant team will contact the Department of Health, Hazard Evaluation and Emergency Response office.

Environmental Site Assessments (ESA) were conducted by Ford Cauty & Associates, Inc. on May 30, 2017, and July 17, 2017. Two reports, i.e., ESA Phase 1 and ESA Phase 2, were produced for the proposed project.

According to the ESA Phase 2 report, the HDOH Hazard Evaluation and Emergency Response (HEER) Office issued a "No Further Action" determination for the north-central portion of the site formerly occupied by the MPC Seed Treatment Plant. The HDOH HEER Office also subsequently issued a "No Further Action" determination for the north-central portion of the site that was formerly used as an agricultural dump site. Furthermore, results from the ESA Phase 2 show that the surface soils at the site do not appear to be impacted with Chemicals of Potential Concern (COPC).

The upcoming DEIS will include a section about Hazardous Substances and incorporate both ESA reports as the appendices.

3. The noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules (HAR), Chapter 11-46, "Community Noise Control." A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor & Radiological Health Branch at 808 586-4700.

Response. An Acoustic Study was conducted by the Y. Ebisu & Associates for the proposed project. The upcoming DEIS will include a section about Noise Quality and incorporate the report of the Acoustic Study as an appendix.

The Applicant is aware of the potential noise impact during construction phase of the project. Therefore, should a noise permit be required, the permit will be obtained prior to the commencement of work.

4. The applicant shall comply with HAR, Chapter 11-10, "Public Swimming Pools." Please contact the Maui Sanitation Branch at 808 984-8230.

Response. The Applicant will comply with HAR Chapter 11-10 regulating Public Swimming Pools and the consultant team will contact the Maui Sanitation Branch.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brett Davis". The signature is fluid and cursive, with the first name "Brett" being more prominent than the last name "Davis".

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

DAVID Y. IGE
GOVERNOR



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

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:
DIR 0923
STP 8.2519

September 13, 2018

Ms. Tara K. Furukawa
Staff Planner
County of Maui
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Ms. Furukawa:

Subject: Windward Hotel
Draft Environmental Assessment (DEA), Change in Zoning, Community Plan
Amendment, and Special Management Area Permit
Kahului, Maui, Hawaii
TMK: (2) 3-8-103:014 (por.), 015-018

The Department of Transportation (DOT) understands the applicant is proposing to develop an approximately 200-unit hotel with on and offsite infrastructure improvements. The proposed four-story hotel is located on a 5.17-acre lot within the existing Maui Business Park (MBP) Phase II. Access is proposed to be provided off Haleakala Highway via two driveway access locations on Lauo Loop.

DOT comments on the subject project are as follows:

Airports Division

1. The proposed Windward Hotel project site is located approximately 0.45 miles from end of Runway 2 of the Kahului Airport (OGG). Every proposed development within 5 miles of an airport is subject to the State of Hawaii, Office of Planning, Technical Assistance Memorandum. You can find out more details through this link:
http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf.

The proposed project is located within the 65-70 day-night average noise level (DNL) contours as shown on the attached Kahului Airport Five-Year (1998) Noise Exposure Map and is considered an incompatible use according to the attached Federal Aviation Regulation Part 150 Recommendations for Land Use Compatibility and the State Department of Transportation Recommendations for Local Land Use Compatibility guidelines. The developer must incorporate sound attenuation measures to achieve interior levels of 45 DNL into the construction of the proposed hotel.

2. Federal Aviation Administration (FAA) regulations require the submittal of FAA Form 7460-1, Notice of Proposed Construction or Alteration, in accordance with Code of Federal Regulations, Title 14, Part 77.9. Planned building heights and any additional height of any cranes needed during construction needs to be included in the submittal of a FAA Form 7460-1. This form and criteria for submittal can be found at the following website: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.
3. If the project includes the installation of a photovoltaic (PV) systems, a glint and glare analysis must be submitted for FAA review. This analysis must be submitted with any FAA Form 7460-1 Notice including PV panels. PV systems located in or near the approach path of the aircraft into OGG can create a hazardous condition for a pilot due to possible glint and glare reflected from the PV array. The following website may assist you with preparation of glint and glare analysis: www.sandia.gov/glare.

If glint or glare from the PV array creates a hazardous condition for pilots, the owner of the photovoltaic system must be prepared to immediately mitigate the hazard, upon notification by the Department of Transportation, Airports Division (DOT-A) or the FAA.

PV system installations have also been known to emit radio frequency interference (RFI) to aviation-dedicated radio signals, disrupting the reliability of air-to-ground communications. The responsible PV system owner shall mitigate any RFI that affects aviation operations.

4. The drainage basin design shall mitigate potentially hazardous wildlife attraction by minimizing landscape that may be used for nesting and foraging. Standing water shall be eliminated and water must be drained or pumped out within 48 hours of peak weather events. It is strongly recommended that you consult the FAA Advisory Circular 150/5200-33B, *Hazardous Wildlife Attractants On or Near Airports* for guidance.
5. DOT-A remains concerned that the project landscaping and fencing may need to be set back from the Airport Access Road.

Highways Division

1. The MBP's Traffic Impact Analysis Report (TIAR) dated June 2010, was based on general land use designated for shopping center and light industrial. The proposed project TIAR and the DEA should provide an analysis to demonstrate whether the trips to be generated by the proposed hotel as a new land use being introduced, will be consistent with the conclusions of the MBP's TIAR.
2. The DOT and the landowner of the MBP have been in on-going consultations to explore acquisition of land by the State; for the purpose of future construction of an airport slip ramp, which will be located between Haleakala Highway and Airport Access Road. The statement made regarding this on page 34 of the DEA should be expanded to discuss how this hotel development and portion of its location may or may not potentially have an effect on this process and how it relates to what was shown in Figure 15 of the DEA.

Ms. Tara K. Furukawa
September 13, 2018
Page 3

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STP 8.2519

If there are any questions, please contact Mr. Blayne Nikaido of the DOT Statewide Transportation Planning Office at (808) 831-7979 or by email at blayne.h.nikaido@hawaii.gov.

Sincerely,

Jade T. Butay

JADE T. BUTAY
Director of Transportation

Attachments



November 10, 2021

Mr. Jade T. Butay, Director
State of Hawaii, Department of Transportation
869 Punchbowl Street, Room 509
Honolulu, HI 96813

Dear Mr. Butay,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 13, 2018, providing the department's comments on the proposed hotel project. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Airports Division

1. *The proposed Windward Hotel project site is located approximately 0.45 miles from end of Runway 2 of the Kahului Airport (OGG). Every proposed development within 5 miles of an airport is subject to the State of Hawaii, Office of Planning, Technical Assistance Memorandum. You can find out more details through this link: http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf.*

The proposed project is located within the 65-70 day-night average noise level (DNL) contours as shown on the attached Kahului Airport Five-Year (1998) Noise Exposure Map and is considered an incompatible use according to the attached Federal Aviation Regulation Part 150 Recommendations for Land Use Compatibility and the State Department of Transportation Recommendations for Local Land Use Compatibility guidelines. The developer must incorporate sound attenuation measures to achieve interior levels of 45 DNL into the construction of the proposed hotel.

Response. The Applicant will review the TAM for guidance with development at the site. The DEIS contains an Acoustic study to analyze the noise impacts, including from the airport. The

Applicant will incorporate sound attention measures in the project as required by Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning guidelines.

The Applicant will incorporate sound attenuation measures to achieve interior levels of 45 DNL in the proposed hotel to be a compatible use near the Kahului Airport. More details about Noise Quality is discussed in Section 2.1.8 of the forthcoming DEIS. The report of Acoustic Study is attached within the forthcoming DEIS as Appendix 13.

2. *Federal Aviation Administration (FAA) regulations require the submittal of FAA Form 7460-1, Notice of Proposed Construction or Alteration, in accordance with Code of Federal Regulations, Title 14, Part 77.9. Planned building heights and any additional height of any cranes needed during construction needs to be included in the submittal of a FAA Form 7460-1. This form and criteria for submittal can be found at the following website: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.*

Response. The Applicant will submit a Federal Aviation Administration (FAA) Form 7460-1, Notice of Proposed Construction or Alteration, pursuant to the Code of Federal Regulations, Title 14, Part 77.9, to the FAA for review.

3. *If the project includes the installation of a photovoltaic (PV) systems, a glint and glare analysis must be submitted for FAA review. This analysis must be submitted with any FAA Form 7460-1 Notice including PV panels. PV systems located in or near the approach path of the aircraft into OGG can create a hazardous condition for a pilot due to possible glint and glare reflected from the PV array. The following website may assist you with preparation of glint and glare analysis: www.sandia.gov/glare.*

If glint or glare from the PV array creates a hazardous condition for pilots, the owner of the photovoltaic system must be prepared to immediately mitigate the hazard, upon notification by the Department of Transportation, Airports Division (DOT-A) or the FAA.

PV system installations have also been known to emit radio frequency interference (RFI) to aviation-dedicated radio signals, disrupting the reliability of air-to-ground communications. The responsible PV system owner shall mitigate any RFI that affects aviation operations.

Response. Since the date of this letter, the proposed project includes the installation of photovoltaic systems. The roof plan containing this proposed system is provided within Appendix 2 of the forthcoming DEIS (Kānāhā Hotel Design Document). The Applicant will comply with any requirements to avoid and/or mitigate any potential hazards of glint and glare from the proposed system. As shown within the Roof Plan of the proposed project (Appendix 2, page 11 of 30), the project includes installation of 66 REC Solar 360 Watt Panes for 23,760 Watts and 66 Emphase IQ7+ Inverters — approximately producing 100 kWh/day. The Applicant will continue to consult with HDOT-A and is prepared to conduct the required analysis of glint and glare to ensure the project doesn't create hazardous conditions to pilots.

4. *The drainage basin design shall mitigate potentially hazardous wildlife attraction by minimizing landscape that may be used for nesting and foraging. Standing water shall be eliminated and water*

must be drained or pumped out within 48 hours of peak weather events. It is strongly recommended that you consult the FAA Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants On or Near Airports for guidance.

Response. The Applicant confirms that the proposed project stormwater drainage system is contained underground beneath the parking lot, therefore no surface drainage basin is proposed as part of this project.

5. *DOT-A remains concerned that the project landscaping and fencing may need to be set back from the Airport Access Road.*

Response. The proposed hotel building varies from one (1), two (2), and four (4) stories in height. It will be massed toward the center of the Project Site with generous setbacks on all sides, accommodating the landscape buffer, and double-loaded parking areas.

Highways Division

1. *The MBP's Traffic Impact Analysis Report (TIAR) dated June 2010, was based on general land use designated for shopping center and light industrial. The proposed project TIAR and the DEA should provide an analysis to demonstrate whether the trips to be generated by the proposed hotel as a new land use being introduced, will be consistent with the conclusions of the MBP's TIAR.*

Response. The updated TIAR dated April 30, 2021, is available as Appendix 24 within the forthcoming DEIS. The new Base Year and Future Year use the year 2025 for the updated analysis. The Applicant will meet with the DOT-HWY Planning Staff to discuss the above-referenced comment.

2. *The DOT and the landowner of the MBP have been in on-going consultations to explore acquisition of land by the State; for the purpose of future construction of an airport slip ramp, which will be located between Haleakala Highway and Airport Access Road. The statement made regarding this on page 34 of the DEA should be expanded to discuss how this hotel development and portion of its location may or may not potentially have an effect on this process and how it relates to what was shown in Figure 15 of the DEA.*

Response. The Applicant acknowledges this comment. The forthcoming DEIS includes the alternative site plan that depicts the on-ramp between Haleakala Highway and Airport Access Road.

As discussed in Section 1.5 of forthcoming DEIS, under the "Off-site Improvements in the project area to be completed by others", Anticipated future offsite infrastructure improvements to be provided by the State of Hawai'i, Department of Transportation include construction of a new on-ramp to the Airport Access Road located on the eastern corner of the Project Site. Land costs relating to the onramp were to be charged against the previous Petitioner's (A&B) documented fair share contribution, however, in January 2020 the DOT instead requested full payment of the previous Petitioner's fair share contribution. Pursuit to

that request the previous Petitioners remitted the amount of \$4,601,026.00 to the DOT in February 2020 in full payment of its fair market value share contribution. The State's timing of the future on-ramp construction is unknown at this time.

In 2021, the Applicant consulted with DOT-HWY and when asked to clarify DOT-HWY's understanding of the terms of the "transfer", Mr. Jeyan Thirugnanam (DOT, Highways Division, Planning Branch) stated that DOT-HWY will pay fair market value to the owner of the on-ramp property for the transfer of the property to the State.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

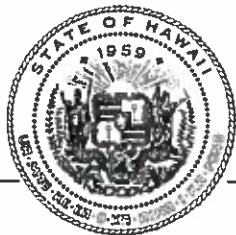
Thank you for participating in the environmental review process. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014



OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

RECEIVED
2018 SEP -4 P 2: 56
COUNTY OF MAUI
DEPT. OF PLANNING
ADMINISTRATION

DAVID Y. IGE
GOVERNOR
LEO R. ASUNCION
DIRECTOR
OFFICE OF PLANNING

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

DTS201808281428NA

August 29, 2018

Ms. Michele Chouteau McLean
Director
Department of Planning
County of Maui
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Attn.: Tara Fukuhara

Dear Ms. McLean:

Subject: Draft Environmental Assessment Community Plan Amendment and
Change in Zoning for the Windward Hotel, Kahului, Maui;
Tax Map Key: (2) 3-8-103: 014 (por), 015-018

Thank you for the opportunity to provide comments on the Draft Environmental Assessment (Draft EA), Community Plan Amendment, and Change in Zoning for the Windward Hotel project transmitted to our office by letter dated July 31, 2018

The proposed project involves the development of an approximately 200-room hotel with associated onsite amenities. The project site consists of approximately five acres of land in Kahului, Maui. The project will include associated onsite and offsite improvements which includes water, sewer, roads, drainage, and electrical infrastructure.

The proposed hotel structure will be approximately 60 feet in height and consists of four stories with elevator towers. Amenities and uses include but are not limited to, a swimming pool, dining area, sundry shop, laundry, ballroom, board room, business center, and support hotel services and accessory uses.

The Office of Planning (OP) has reviewed the transmitted material and has the following comments to offer:

1. Previous Comments

Our Early Consultation response letter dated July 24, 2017 (Reference No. P-15666), requested that the Draft EA:

- i. Clarify the accepting authority for the project;

- ii. Include background information from Land Use Commission (LUC) Docket No. A03-739 which reclassified the project area from the State Land Use Agricultural to Urban District;
- iii. Contain an analysis on the project's consistency with the Hawaii State Planning Act, Hawaii Revised Statute (HRS) Chapter 226;
- iv. Offer an examination of HRS § 205A-2, the objectives and policies of the Hawaii Coastal Zone Management (CZM) Program;
- v. Discuss the Special Management Area (SMA) use requirements in accordance with SMA guidelines pursuant to HRS § 205A-26, and county SMA rules; and
- vi. Provide an analysis on stormwater control methods, drainage, and mitigation strategies to safeguard the nearby coastal and marine ecosystems.

OP acknowledges that the Draft EA provides an adequate analysis of the following:

Clarifies the Accepting Authority

It was determined following a meeting with the State LUC Executive Officer that the Maui County Planning Department would be the accepting authority.

LUC Docket No. A03-739

The Draft EA provides in-depth analysis on the previous land use district boundary amendment, including the status of compliance with LUC conditions and intention to file a Motion for Amendment of the Decision and Order to enable the proposed hotel project.

Erosion Control and Stormwater Runoff Management

Appendix C - Engineering and Drainage Report, discusses stormwater mitigation, drainage improvements, and onsite treatment and detention of storm runoff. The proposed measures are consistent with low impact development.

2. The following items will need further evaluation and discussion in the Final Environmental Assessment (Final EA).

- i. The Hawaii State Planning Act

- The consultant's response letter dated November 21, 2017 states that the Draft EA would assess the project's compliance with HRS Chapter 226. We were unable to find a discussion on this topic in the Draft EA.

The Final EA should include a discussion on the project's ability to meet all parts of the Hawaii State Planning Act, HRS Chapter 226, examine the project's consistency with these statutes, or clarify where the project may be in conflict with said statutes. If the applicant of this project finds that any part of the Hawaii State Planning Act is not applicable to the proposed project, the Final EA should affirmatively state such determination followed by discussion paragraphs.

ii. Hawaii Coastal Zone Management (CZM) Program

The consultant's response letter dated November 21, 2017 stated that the Draft EA would assess the project's compliance with HRS § 205A-2, the objectives and policies of the Hawaii CZM Program. We were unable to find this analysis in the Draft EA.

The Hawaii Coastal Zone Management Act, HRS Chapter 205A requires all state and county agencies to enforce the CZM objectives and policies. The Final EA must include an assessment on how this project conforms with these objectives and supporting policies set forth in HRS § 205A-2. Compliance with this statute is an important component for satisfying the requirements set forth in HRS Chapter 343.

iii. Special Management Area

We acknowledge that the project is located within the SMA and a SMA use permit is required. OP recommends:

- (1) Including a map in the Final EA that illustrates the project site in relation to the SMA.
- (2) As a supporting document for the SMA use application, the Final EA should discuss the compliance of the proposed development with the SMA guidelines set forth under HRS § 205A-26, and the County of Maui SMA rules.
- (3) The Final EA should assess any potential cumulative impacts of the proposed Windward Hotel given the mix of commercial developments within the Maui Business Park South project area in Kahului.

3. Community Plan Amendment

The Motion for Amendment of the Decision and Order in LUC Docket No. A03-739 to enable the proposed hotel project, should be approved by the LUC prior to approval of the Community Plan Amendment.

Ms. Michele Chouteau McLean
August 29, 2018
Page 4

We have no further comments on this matter at this time. If you have any questions, please contact Joshua Hekeia of our office at (808) 587-2845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo R. Asuncion', with a stylized flourish at the end.

Leo R. Asuncion
Director



November 10, 2021

Ms. Mary Alice Evans, Director
State of Hawaii, Office of Planning and Sustainable Development
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Dear Ms. Evans,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of August 29, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Comment 1: Previous Comments

*Our Early Consultation response letter dated July 24, 2017
(Reference No. P-15666), requested that the Draft EA:*

Comment i: *Clarify the accepting authority for the project;*

Response i: Since the date of this comment letter, the State Land Use Commission has been determined to be the accepting authority for the project. The previously prepared DEA was being processed by the Maui County Planning Department as the accepting authority. Please refer to the forthcoming DEIS, Executive Summary (Consultation), for more details.

Comment ii: *Include background information from Land Use Commission (LUC) Docket No. A03-739 which reclassified the project area from the State Land Use Agricultural to Urban District;*

Response ii: The DEIS contains section 1.4 (Existing and Previous land use), that includes background information from the LUC docket. Additionally, section 3.2 of the DEIS (State

Land Use) aims to analyze the conditions of the Docket No. A03-739 Decision & Order (D&O). A copy of the D&O is included in the forthcoming DEIS as Appendix 1.

Comment iii: *Contain an analysis on the project's consistency with the Hawaii State Planning Act, Hawaii Revised Statute (HRS) Chapter 226;*

Response iii: The DEIS evaluates HRS Chapter 226, the Hawaii State Planning Act, the applicability of the objectives and policies, followed by discussion paragraphs. Please refer to Section 3.3 (Hawaii State Plan) of the forthcoming DEIS for more details.

Comment iv: *Offer an examination of HRS § 205A-2, the objectives and policies of the Hawaii Coastal Zone Management (CZM) Program;*

Response iv: The DEIS includes the examination the proposed project's consistency with Hawaii CZM Program objectives and supporting policies. Please refer to Section 3.8 (Coastal Zone Management) of the forthcoming DEIS for more details.

Comment v: *Discuss the Special Management Area (SMA) use requirements in accordance with SMA guidelines pursuant to HRS 9 205A-26, and county SMA rules;*

Response v: The DEIS Section 3.8 (Coastal Zone Management) includes an analysis of the Special Management Area (SMA) use requirements in accordance with **SMA** guidelines pursuant to HRS 9 205A-26, and county SMA rules.

Comment vi: *Provide an analysis on stormwater control methods, drainage, and mitigation*

Response vi: The DEIS evaluates the probable impact of the proposed action on the environment. The evaluation tools provided above have been reviewed by the project team's civil engineer to assist in developing BMP's for the Proposed Action and identifying LID's to incorporate into the project. For more details with regards to the above comment, please refer to the following Sections of the forthcoming DEIS:

- Section 2.4.2 (Drainage)
- Section 4.6 (Mitigation and Monitoring Reporting Program)

OP acknowledges that the Draft EA provides an adequate analysis of the following:

Clarifies the Accepting Authority

It was determined following a meeting with the State LUC Executive Officer that the Maui County Planning Department would be the accepting authority.

LUC Docket No. A03-739

The Draft EA provides in-depth analysis on the previous land use district boundary amendment, including the status of compliance with LUC conditions and intention to file a Motion for Amendment of the Decision and Order to enable the proposed hotel project.

Erosion Control and Stormwater Runoff Management Appendix C - Engineering and Drainage Report, discusses stormwater mitigation, drainage improvements, and onsite treatment and detention of storm runoff. The proposed measures are consistent with low impact development.

Comment 2: *The following items will need further evaluation and discussion in the Final Environmental Assessment (Final EA).*

Comment i: The Hawaii State Planning Act

The consultant's response letter dated November 21, 2017 states that the Draft EA would assess the project's compliance with HRS Chapter 226. We were unable to find a discussion on this topic in the Draft EA.

The Final EA should include a discussion on the project's ability to meet all parts of the Hawaii State Planning Act, HRS Chapter 226, examine the project's consistency with these statutes, or clarify where the project may be in conflict with said statutes. If the applicant of this project finds that any part of the Hawaii State Planning Act is not applicable to the proposed project, the Final EA should affirmatively state such determination followed by discussion paragraphs.

Response i: The forthcoming DEIS includes a discussion on the project's ability to meet all parts of the Hawaii State Planning Act, HRS Chapter 226, examine the project's consistency with these statutes, or clarify where the project may be in conflict with said statutes. When any part of the Hawaii State Planning Act is found not applicable to the proposed project, the forthcoming DEIS states such determination followed by discussion paragraphs. Please refer to Section 3.3 (Hawaii State Plan) of the forthcoming DEIS for more details.

Comment ii: Hawaii Coastal Zone Management (CZM) Program

The consultant's response letter dated November 21, 2017 stated that the Draft EA would assess the project's compliance with HRS § 205A-2, the objectives and policies of the Hawaii CZM Program. We were unable to find this analysis in the Draft EA.

The Hawaii Coastal Zone Management Act, I-TRC Chapter 205A requires all state and county agencies to enforce the CZM objectives and policies. The Final EA must include an assessment on how this project conforms with these objectives and supporting policies set forth in HRS § 205A-2. Compliance with this statute is an important component for satisfying the requirements set forth in HRS Chapter 343.

Response ii: The forthcoming DEIS includes an assessment on how this project conforms with the CZM objectives and supporting policies set forth in HRS § 205A-2. Please refer to Section 3.8 (Coastal Zone Management) of the forthcoming DEIS for more details.

Comment iii: Special Management Area

We acknowledge that the project is located within the SMA and a SMA use permit is required. OP recommends:

(1) Including a map in the Final EA that illustrates the project site in relation to the SMA.

(2) As a supporting document for the SMA use application, the Final EA should discuss the compliance of the proposed development with the SMA guidelines set forth under HRS 205A-26, and the County of Maui SMA rules.

(3) The Final EA should assess any potential cumulative impacts of the proposed Windward Hotel given the mix of commercial developments within the Maui Business Park South project area in Kahului.

Response iii: The DEIS includes a map that illustrates the project site in relation to the SMA (**See:** Figure 20 of the forthcoming DEIS), compliance with the SMA guidelines, and the County of Maui SMA rules. Please refer to Section 3.8 of the forthcoming DEIS for more details. Additionally, the DEIS will contain a section on cumulative impacts of projects in Central Maui (i.e., Section 4.3).

Comment 3: Community Plan Amendment

The Motion for Amendment of the Decision and Order in LUC Docket No. A03-739 to enable the proposed hotel project, should be approved by the LUC prior to approval of the Community Plan Amendment.

Response 3: The Applicant acknowledges that the Motion for Amendment should be approved by the LUC prior to the approval of the Community Plan Amendment.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

Thank you again for your comments. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Brett Davis, Senior Planner


Ms. Mary Alice Evans, Director
State of Hawaii, Office of Planning and Sustainable Development
November 10, 2021
Page 5 of 5

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

AGENCY TRANSMITTAL RESPONSE e-FORM

FOR DEPARTMENT OF PLANNING, COUNTY OF MAUI

8/20/2018

AGENCY NAME	Department of Environmental Mgmt.	PHONE	270-8230
PROJECT: APPLICANT: STREET ADDRESS: PROJECT DESCRIPTION: TMK: PERMIT NO.:	Windward Hotel R.D. Olson Development 0 Lauo Loop, Kahului, Maui, Hawaii 200 room hotel with onsite amenities and related improvements (2) 3-8-103:014 (por), 015, 016, 017, 018 CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001		
<input checked="" type="checkbox"/> COMMENTS/RECOMMENDATIONS <input type="checkbox"/> NO COMMENTS			
WASTEWATER RECLAMATION DIVISION COMMENTS <p>a. Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.</p> <p>b. Wastewater contribution calculations are required before building permit is issued.</p> <p>c. Developer is not required to pay assessment fees for this area at the current time.</p> <p>d. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.</p> <p>e. Recommend that a property sewer service manhole be installed near the property line.</p> <p>f. Indicate on the plans the ownership of each easement (in favor of which party). Note: County will not accept sewer easements that traverse private property.</p> <p>g. Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)</p> <p>h. Non-contact cooling water, condensate and swimming pool water should not drain to the wastewater system.</p> <p>i. Existing sewer collection system in Lauo Loop, along Haleakala Highway, Dairy Road and Kele Street is privately owned and operated by Alexander and Baldwin not the County of Maui as stated in the document.</p> <p>j. The flow from this project would flow through three (3) pump stations not two (2) as stated. The Private A&B Triangle Pump Station, and the County owned and operated Alamaha and Kahului Pumps Wastewater Pump Stations.</p> <p>k. Alexander and Baldwin own and operate the private pump station at triangle square. Developer must provide written assurance from A&B that the pump station and force main is adequate to handle flows from this development, and provide a report to the Wastewater Reclamation Division (WWRD) detailing the total daily volume and rate of flow that will be conveyed by the pump station to the County collection system in Alamaha Street.</p> <p>l. Per Maui County Code 20.28.040 Wastewater treatment facility expansion—Allocation of capacity, there is only 70,000 gallons of capacity available to allocate to hotel projects. The preliminary calculations for this facility note a required allocation of 79,713 gpd. The project will either require downsizing, or a revision to the Maui County Code.</p>			
<input checked="" type="checkbox"/> COMMENTS/RECOMMENDATIONS <input type="checkbox"/> NO COMMENTS			
SOLID WASTE DIVISION COMMENTS <p>Contractor shall apply to the Central Maui Landfill to dispose of construction waste.</p>			
Signed:	 8/20/2018		
Print Name:	Michael M. Miyamoto, Deputy Director		Date



November 10, 2021

Mr. Shayne Agawa, Deputy Director
County of Maui, Department of Environmental Management
200 S. High Street
Wailuku, HI 96793

Dear Mr. Agawa,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your transmittal response e-form of August 20, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

WASTEWATER RECLAMATION DIVISION COMMENTS

- a. *Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.*

Response. The Applicant acknowledges that capacity cannot be ensured until the issuance of the building permit.

- b. *Wastewater contribution calculations are required before building permit is issued.*

Response. The Applicant will provide wastewater contribution calculations before building permits are issued.

- c. *Developer is not required to pay assessment fees for this area at the current time.*

Response. The Applicant acknowledges this comment.

- d. *Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.*

Response. The Applicant acknowledges this comment and will comply.

- e. *Recommend that a property sewer service manhole be installed near the property line.*

Response. The Applicant acknowledges this comment, and a new sewer service property manhole will be installed on the sewer lateral proposed in order to fulfill County of Maui requirements.

- f. *Indicate on the plans the ownership of each easement (in favor of which party).*

Note: County will not accept sewer easements that traverse private property.

Response. The Applicant acknowledges this comment. At the time of building permit plan preparation, a plan will be prepared to show ownership of each easement.

- g. *Commercial kitchen facilities within the proposed project shall comply with pretreatment requirements (including grease interceptors, sample boxes, screens etc.)*

Response. The proposed project's kitchen facilities shall comply with pretreatment requirements (including grease interceptors, sample boxes, screens, etc.).

- h. *Non-contact cooling water, condensate and swimming pool water should not drain to the wastewater system.*

Response. The proposed project's non-contact cooling water, condensate and swimming pool water will not drain to the wastewater system.

- i. *Existing sewer collection system in Lauo Loop, along Haleakala Highway, Dairy Road and Kele Street is privately owned and operated by Alexander and Baldwin not the County of Maui as stated in the document.*

Response. The forthcoming DEIS will indicate that the existing sewer system is privately owned and operated by Alexander and Baldwin. Please refer to Section 2.4.4 (Wastewater) and Appendix 5 (Preliminary Engineering and Drainage Report) of the DEIS for more details.

- j. *The flow from this project would flow through three (3) pump stations not two (2) as stated. The Private A&B Triangle Pump Station, and the County owned and operated Alamaha and Kahului Pumps Wastewater Pump Stations.*

Response. The forthcoming DEIS will be updated to identify 3 pump stations. Please refer to Section 2.4.4 (Wastewater) and Appendix 5 (Preliminary Engineering and Drainage Report) of the DEIS for more details.

- k. *Alexander and Baldwin own and operate the private pump station at triangle square. Developer must provide written assurance from A&B that the pump station and force main is adequate to handle flows from this development and provide a report to the Wastewater Reclamation Division (WWRD) detailing the total daily volume and rate of flow that will be conveyed by the pump station to the County collection system in Alamaha Street.*

Response. The Applicant will provide written assurance from A&B that the pump station and force main is adequate to handle flows from this development, and the Applicant's Civil Engineer will provide a report to the Wastewater Reclamation Division (WWRD) detailing the total daily volume and rate of flow that is/will be conveyed by the pump station to the County collection system in Alamaha Street prior to and once the project is complete.

- l. *Per Maui County Code 20.28.040 Wastewater treatment facility expansion — Allocation of capacity, there is only 70,000 gallons of capacity available to allocate to hotel projects. The preliminary calculations for this facility note a required allocation of 79,713 gpd. The project will either require downsizing, or a revision to the Maui County.*

Response. The Applicant's Civil Engineer has updated the Preliminary Engineering Report for the forthcoming DEIS and wastewater calculations are now estimated at 30,000 gallons per day for the hotel. The Applicant's Civil Engineer has requested verification from the Department that these calculations are acceptable.

SOLID WASTE DIVISION COMMENTS

- a. *Contractor shall apply to the Central Maui Landfill to dispose of construction waste.*

Response. The Applicant acknowledges that system capacity cannot be ensured until issuance of a building permit for the proposed hotel project.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

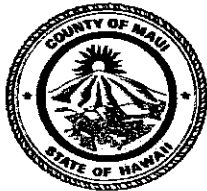
Thank you for participating in the environmental review process. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

JAN SHISHIDO
Deputy Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX 270-7165 • EMAIL director.hhc@mauicounty.gov

Date: August 27, 2018

To: Tara Furukawa, staff planner

From: C. Buddy Almeida, Housing Administrator

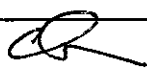
Subject: **Preliminary Planning Review**
Applicability to Residential Workforce Housing Policy; Ordinance 3418
Chapter 2.96, MCC
WINDWARD
Project Name: **Winward Hotel**
Applicant: **R.D. Olson Development**
Subject I.D.: **CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001**
TMK: **(2) 3-8-103:014 (por), 015, 016, 017, 018**
Street Address: **0 Lauo Loop, Kahului, Maui, Hawaii**
Determination:

<input type="checkbox"/>	Not-Applicable
Does not meet applicability as set forth in 2.96.030(A), MCC	
<input checked="" type="checkbox"/>	Applicable
<input checked="" type="checkbox"/>	No Exemptions
<input type="checkbox"/>	Exemptions: (2.96.030)
<input type="checkbox"/>	B.1. An executed affordable housing agreement, currently in effect and approved prior to the effective date of chapter.
<input type="checkbox"/>	B.2. A development subject to a change in zoning condition that requires affordable or residential workforce housing.
<input type="checkbox"/>	B.3. A subdivision granted preliminary subdivision approval prior to the effective date of this chapter. (12/5/2006)
<input type="checkbox"/>	B.4. A building permit application submitted prior to the effective date of this chapter.
<input type="checkbox"/>	B.5. A family subdivision, for immediate family members, as described in sections 18.20.280(B)(1) and (B)(2) of this code.
<input type="checkbox"/>	B.6. A development by a government entity, 201H, community land trust, or an affordable housing project with more than the residential workforce housing units, in-lieu fees, or in-lieu land required by section 2.96.040, as approved by the director.

Additional Comments: ☒ **See comments below** ☐ **See Attachment(s)**
☐ **We have NO comment**

Project creates more than 10 new units - thus, is applicable to Chapter 2.96, MCC.

Reviewed By:


C. Buddy Almeida


Date



November 10, 2021

Mr. C. Buddy Almeida, Housing Administrator
County of Maui, Department of Housing and Human Concerns
200 S. High Street
Wailuku, HI 96793

Dear Mr. Almeida,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of August 27, 2018, providing the department's comment on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Your letter confirms our understanding that the project will need to comply with Chapter 2.96 of the Maui County Code and that prior to the issuance of a building permit a Residential Work Force Housing agreement will be required. We look forward to working with you to complete the Residential Work Force Housing agreement upon approval of the project's SMA permit.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

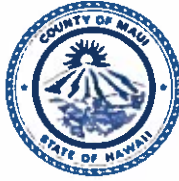
Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brett Davis". The signature is fluid and cursive, with the first name "Brett" and last name "Davis" clearly distinguishable.

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

ALAN M. ARAKAWA
Mayor



GLADYS C. BAISA
Director

SHAYNE R. AGAWA, P.E.
Deputy Director

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

September 7, 2018

Tara K. Furukawa, Staff Planner
County of Maui, Department of Planning
2200 Main Street, Suite 315
Wailuku, Hawaii'i 96793

RE: Windward Hotel, Kahului, Hawaii
Community Plan Amendment (CPA 2018/0001), Change in Zoning (CIZ 2018/0001),
Special Management Area (SM1 2018/0001), Environmental Assessment (EA 2018/0001)
TMKs: (2) 3-8-103:014 (Portion), 015, 016, 017, 018

Dear Ms. Furukawa:

The Department of Water Supply (DWS) thanks you for the opportunity to offer the following comments on the Proposed Windward Hotel Project located in Kahului, Hawaii.

Source and Infrastructure

The property overlies the Kahului Aquifer with a sustainable yield of 1 MGD according to the Commission on Water Resource Management. The applicant states that the property lies within the Maui Business Park's private water service area and the property is currently serviced with an irrigation meter from them. The private company has allocated 15,200 gpd of potable water, fifteen percent of the project's demand projections of 105,870 gpd. Applicant states that service from DWS is anticipated since the private system lacks capacity.

This project is subject to the County of Maui's availability policy, codified in Title 14 of the Maui County Code in the subdivision process. Limitations set forth in Title 16, Chapter 202, of the County Administrative Rules, Rules Relating to Water Meter Reservations will apply. The project could be subject to the limitations set forth in Title 16, Chapter 201, of the County Administrative Rules, Rules Relating to Water Service and Large Quantities of Water. Please contact DWS Engineering for further information at (808) 270-7835, Tammy Yeh.

"By Water All Things Find Life"

DWS infrastructure includes one 12-inch water main which reaches the Haleakala Highway and Kuleana Street intersection which is adjacent to the property.

Pollution Prevention and Conservation

DWS notes the State of Hawaii Department of Health letter dated July 14, 2017 states the value of treating storm water as a resource including groundwater recharge capability when contained onsite, permeable surfaces to reduce storm water loss, the incorporation of native plants in landscaping design to enhance permeability, and the need for storm water Best Management Practices (BMPs). There is a high need for recharge in the limited Kahului aquifer as well as care for the ecologically sensitive wetland. (Kanaha Pond is less than 2,000 feet from the proposed project.)

DWS recommends preventing pollution of the aquifer by following Best Management Practices (see attached) for parking lots. DWS also recommends the implementation of the attached Construction BMPs in order to protect ground water, and Conservation BMPs for water use reduction (see attached).

Should you have any questions, please contact staff planner Audrey Dack at (808) 463-3109 or audrey.dack@co.maui.hi.us.

Sincerely,



Gladys C. Baisa, Director

apd

cc: DWS engineering division
attachments

Best Management Practices BMPs

Construction BMPs for Pollution Prevention

In order to protect ground and surface water resources as well as our coastal areas, we recommend that in addition to any required Best Management Practices (BMPs) the following measures designed to minimize infiltration and runoff be implemented during construction:

- Prevent cement products, oil, fuel and other toxic substances from falling or leaching into the ground. Remove all construction debris and toxic substances daily to prevent entry into the ocean.
- Maintain vehicles and equipment to prevent oil or other fluids from leaking. Concrete trucks and tools used for construction should be rinsed off-site.
- Properly install and maintain erosion control barriers such as silt fencing or straw bales.
- Disturb the smallest area possible.
- Retain ground cover until the last possible date. Stabilize denuded areas by sodding or planting as soon as possible. Use high seeding rates to ensure rapid stand establishment. Apply biocides only during dry periods of low rainfall to minimize chemical run-off.
- Keep run-off on site.
- Dust control: Reclaimed water for dust control is available from the Kahului Wastewater Treatment plants at a reasonable cost. If feasible, it should be considered as an alternative source of water for dust control during construction.

Conservation BMPs

Indoor

DWS recommends the following indoor conservation measures be implemented:

- Use EPA WaterSense labeled plumbing fixtures.
- Install flow reducers and faucet aerators in all plumbing fixtures wherever possible.
- Install dual flush toilets with high efficiency models that use 1.28 gallons per flush or less.
- Install showerheads with a flow rate of 1.5 gallons per minute (gpm) at 60 pounds per square inch (psi).
- Install bathroom sink faucets with fixtures that do not exceed 1 gpm at 60 psi.
- Laundry facilities and/or individual unit machines should use Energy Star labeled washers.

Outdoor

DWS recommends the following outdoor conservation measures be implemented:

- Use Smart Approved WaterMark irrigation products. Examples include evapotranspiration irrigation controllers, drip irrigation, and water saving spray heads.

"By Water All Things Find Life"

- After plants are established, avoid fertilizing and pruning to stimulate excessive growth. Time watering to occur in the early morning or evening to limit evaporation. Limit turf to as small an area as possible.
- Use native climate-adapted plants for landscaping. Native plants adapted to the area conserve water and protect the watershed from degradation due to invasive alien species.

Parking Lots BMPs

Follow these BMPs to control pollutant discharges. The objectives are: 1) to keep pollutants from contacting rain, and 2) to keep pollutants from being dumped or poured into the storm drains. The goal is "only rain in the storm drain."

- Sweep parking lots frequently: at least weekly, daily is preferable. Small areas can be swept with a broom, whereas larger areas may need a vacuum truck or mechanical sweeper. Dispose of sweepings properly.
- Post signs to control litter and prevent patrons from working with automobile fluids in the parking lot (changing oil, adding transmission fluid, etc.).
- Use absorbent material to clean up automotive fluids on the parking lot. Dispose of absorbent material properly. Hazardous materials must comply with hazardous materials storage and disposal requirements.
- Pick up litter daily: dispose of debris in the garbage.
- Keep dumpster areas free of litter and lids closed.
- Discharge wash water from all cleaning operations to the sanitary sewer.
- If cleaning with water and detergent is needed, use a mobile washing unit that is self-contained; **do not** allow the wash water (whether or not it is soapy) to discharge to the storm drain system.



November 10, 2021

Mr. Jeffrey T. Pearson, Director
Department of Water Supply
200 S. High Street
Kalana O Maui Bldg. 5th Floor
Wailuku, HI 96793

Dear Mr. Pearson,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015, (portion) 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 07, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Source and Infrastructure

The property overlies the Kahului Aquifer with a sustainable yield of 1 MGD according to the Commission on Water Resource Management. The applicant states that the property lies within the Maui Business Park's private water service area and the property is currently serviced with an irrigation meter from them. The private company has allocated 15,200 gpd of potable water, fifteen percent of the project's demand projections of 105,870 gpd. Applicant states that service from DWS is anticipated since the private system lacks capacity.

*This project is subject to the County of Maui's availability policy, codified in Title 14 of the Maui County Code in the subdivision process. Limitations set forth in Title 16, Chapter 202, of the County Administrative Rules, Rules Relating to Water Meter Reservations will apply. The project could be subject to the limitations set forth in Title 16, Chapter 201, of the County Administrative **Rules**, Rules Relating to Water Service and Large Quantities of Water. Please contact DWS Engineering for further information at (808) 270-7835, Tammy Yeh.*

DWS infrastructure includes one 12-inch water main which reaches the Haleakala Highway and Kuleana Street intersection which is adjacent to the property.

Response. Since the date of this letter the Applicant has entered into an agreement to develop a private water well to provide portable water to the proposed hotel. The project is now proposing to use private water for domestic consumption, fire protection and irrigation. The system is privately owned and maintained by A&B Properties. The project's onsite water distribution systems will be designed and constructed to provide water for domestic consumption, fire protection and irrigation.

Both non-potable and potable water from Maui Business Park II will be used for irrigation purposes onsite — including a dedicated non-potable connection with a meter. However, non-potable water will be prioritized for irrigation purposes and potable water will only be used where required by specific flora. The forthcoming Draft EIS will discuss further about water as well as the proposed water well (**See:** Section 2.4.3).

Pollution Prevention and Conservation

DWS notes the State of Hawaii Department of Health letter dated July 14, 2017 states the value of treating storm water as a resource including groundwater recharge capability when contained onsite, permeable surfaces to reduce storm water loss, the incorporation of native plants in landscaping design to enhance permeability, and the need for storm water Best Management Practices (BMPs). There is a high need for recharge in the limited Kahului aquifer as well as care for the ecologically sensitive wetland. (Kanaha Pond is less than 2,000 feet from the proposed project)

DWS recommends preventing pollution of the aquifer by following Best Management Practices (see attached) for parking lots. DWS also recommends the implementation of the attached Construction BMPs in order to protect ground water, and Conservation BMPs for water use reduction (see attached).

Response. The Applicant retained Marine Research Consultants, Inc. to prepare a Baseline Assessment of Marine Water Chemistry for the proposed hotel dated March 2021. The purpose of the report was to assess potential impacts to water quality within the ecosystems down slope from the proposed project. Water quality testing was conducted from the shoreline to the offshore open ocean. Please refer to Appendix 19 of the forthcoming DEIS.

The Applicant also retained Tom Nance Water Resource Engineering (TNWRE) to prepare a report of Potential Impact on Water Resources for the proposed hotel. The report focused on the use of groundwater and the potential impact to groundwater body — since no streams or other inland water bodies would be impacted by the project. Please refer to Appendix 17 of the forthcoming DEIS.

Based on the results of the water quality survey as well as the results of the TNWRE evaluation of impacts to water resources — it can be concluded that with proper management practices to prevent material input to groundwater discharge by the proposed Kanahā Hotel, there is little or no potential for the project to provide any affects to the marine environment that differs substantially from the present condition. Indeed, as major sources of nutrient inputs including Kanahā Pond and the Wailuku-Kahului WWRF do not presently exert a significant effect on coastal waters, it is not expected that the proposed hotel will have a different effect. The proposed

project, which is not located on the shoreline, should not affect water quality in either a positive or negative manner.

The Applicant will ensure the application of the attached Construction BMPs to protect ground water and the Conservation BMPs for water use reduction.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

ALAN M. ARAKAWA
Mayor



GLADYS C. BAISA
Director


SHAYNE R. AGAWA, P.E.
Deputy Director

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

MEMORANDUM

DATE: September 18, 2018

TO: TARA K. FURUKAWA, Staff Planner
Department of Planning
tara.furukawa@mauicounty.gov

FROM: WENDY TAOMOTO, Engineering Program Manager 
Department of Water Supply

SUBJECT: WINDWARD HOTEL
0 Lauo Loop, Kahului, Hawaii
TMK: (2) 3-8-103:014 (portion), 015, 016, 017, 018

We received your 7/31/2018 request for review of Community Plan Amendment (CPA) Application 2018/0001, Change in Zoning (CIZ) Application 2018/0001, Special Management Area Use Permit (SM1) 2018/0001, and EA 2018/0001. This property is located in the Maui Business Park Subdivision, which receives water service from A&B's private water system.

The department met with the developer on 4/4/2018, at which time it was requested that the County's water system provide the domestic demands and the private water system provide the non-potable demands for the proposed hotel. DWS is amenable to this arrangement with the understanding that water system improvements shall be required and that water service from the County system will be subject to the availability of water and the Department's rules and regulations at the time of request.

Should you have any questions or need further information, please contact Tammy Yeh of our Engineering Division at 270-7835 or by email at tammy.yeh@mauicounty.gov.

"By Water All Things Find Life"



November 10, 2021

Mr. Jeffrey T. Pearson, Director
Department of Water Supply
200 S. High Street
Kalana O Maui Bldg. 5th Floor
Wailuku, HI 96793

Dear Mr. Pearson,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your memorandum of September 18, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

We received your 7/31/2018 request for review of Community Plan Amendment (CPA) Application 2018/0001 Change in Zoning (CIZ) Application 2018/0001, Special Management Area Use Permit (SM1) 2018/0001, and EA 2018/0001. This property is located in the Maui Business Park Subdivision, which receives water service from A&B's private water system.

The department met with the developer on 4/4/2018, at which time it was requested that the County's water system provide the domestic demands and the private water system provide the non-potable demands for the proposed hotel. DWS is amenable to this arrangement with the understanding that water system improvements shall be required and that water service from the County system will be subject to the availability of water and the Department's rules and regulations at the time of request.

Response. The Applicant acknowledges this comment and since the date of this letter the Applicant has entered into an agreement with A&B Properties to develop a private water well to provide portable water to the proposed hotel. The project is now proposing to use private water for domestic consumption, fire protection and irrigation. The system

is privately owned and maintained by A&B Properties therefore the DWS water standards are no longer applicable to the proposed project. Please refer to Sections 2.4.3 (Water) of the forthcoming DEIS for more details.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

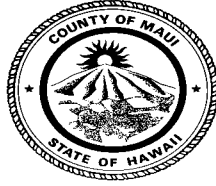
Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

ALAN M. ARAKAWA
MAYOR



DAVID C. THYNE
FIRE CHIEF

BRADFORD VENTURA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY
FIRE PREVENTION BUREAU

313 MANEA PLACE, WAILUKU, HAWAII 96793
(808) 876-4690 | FAX (808) 244-1363

September 13, 2018

Department of Planning
Attn: Tara Furukawa - Staff Planner
2200 Main St. Suite 315
Wailuku, HI 96793

SUBJECT: Windward Hotel
Kahului, HI
CPA 2018/001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001
TMK: (2) 3-8-103:014 (por.), 015, 016, 017, 018

Dear Tara,

Thank you for allowing our office to provide comment on the proposed project. As per your request, comments are provided below:

- There are no comments or objections in regards to the information provided as part of the CPA SM1, and the EA for the subject project.
- In regards to the CIZ, please be advised that water supply for fire protection shall have a minimum flow of 2500 gallons per minute for a two hour duration. Fire hydrants shall be placed on the service road to the subject parcel with hydrant spacing a maximum of 250 feet between hydrants.
- Also, our office does reserve the right to comment on the proposed project during the building permit review process when detailed plans for this project are routed to our office for review. At that time, fire department access, water supply for fire protection, and fire and life safety requirements will be addressed.

If there are any questions or comments, please feel free to contact me at (808) 876-4693 or by email at paul.haake@mauicounty.gov.

Sincerely,

Paul Haake

A handwritten signature in cursive script that reads "Paul Haake".

Captain - Fire Prevention Bureau



November 10, 2021

Captain Ryan Otsubo
County of Maui, Department of Fire and Public Safety
Fire Prevention Bureau
200 Dairy Road
Kahului, HI 96732-2978

Dear Captain Otsubo,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 13, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

- *There are no comments or objections in regards to the information provided as part of the CPA SM1, and the EA for the subject project.*
- *In regards to the CIZ, please be advised that water supply for fire protection shall have a minimum flow of 2500 gallons per minute for a two hour duration. Fire hydrants shall be placed on the service road to the subject parcel with hydrant spacing a maximum of 250 feet between hydrants.*
- *Also, our office does reserve the right to comment on the proposed project during the building permit review process when detailed plans for this project are routed to our office for review. At that time, fire department access, water supply for fire protection, and fire and life safety requirements will be addressed.*

Response. The Applicant will comply with the fire protection requirements as provided above and acknowledges that the department may comment on future building permits in the future and a copy of the forthcoming Draft EIS.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be

available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brett Davis". The signature is fluid and cursive, with the first name "Brett" and last name "Davis" clearly distinguishable.

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

814644



August 27, 2018

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

AUG 31 2018
RECEIVED

Ms. Tara Furukawa, Staff Planner
County of Maui – Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Ms. Furukawa,

Subject: Windward Hotel
 Permit No.: CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001; EA 2018/0001
 0 Lauo Loop
 Kahului, Maui, Hawaii
 Tax Map Key: (2) 3-8-103:014 (por.), 015, 016, 017, 018

Thank you for allowing us to comment on the subject project.

In reviewing our records and the information received, Maui Electric Company, Limited has no comments or objection to the project at this time. However, we highly encourage the customer's electrical consultant to submit the electrical demand requirements and project time schedule as soon as practical so that any new service can be provided on a timely basis.

Should you have any other questions or concerns, please feel free to call me at 871-2340.

Sincerely,

Ray Okazaki
Engineer II, Engineering



November 10, 2021

Mr. Ray Okazaki, P.E.
Maui Electric Company, Ltd.
P. O. Box 398
Kahului, HI 96733

Dear Mr. Okazaki,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of August 27, 2018. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your letter indicated that the company does not have any comments or objection on the proposed hotel project at this time. However, the following is the response to the suggestion provided within your comment letter.

... However, we highly encourage the customer's electrical consultant to submit the electrical demand requirements and project time schedule as soon as practical so that any new service can be provided on a timely basis.

Response. Section 2.4.5 (Electrical) of the forthcoming DEIS discussed that the subject property is currently improved as part of the Maui Business Park II development, including underground utility connections onsite for future development. The Applicant will provide electrical demand requirements prior to the issuance of building permit. Should there be any changes, the submitted document will be adjusted.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Brett Davis". The signature is fluid and cursive, with the first name "Brett" being more prominent than the last name "Davis".

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

ALAN M. ARAKAWA
Mayor

MICHELE CHOUTEAU MCLEAN
Director

JOSEPH W. ALUETA
Deputy Director



COUNTY OF MAUI

DEPARTMENT OF PLANNING

RECEIVED

2018 AUG -1 PM 1:39

PARKS & RECREATION
PLANNING & DEVELOPMENT

TRANSMITTAL

July 31, 2018

STATE AGENCIES	
X	DAGS
X	DBEDT
X	Dept of AG, Honolulu
X	Dept of Hawaiian Homelands
X	Dept of Health, Maui
X	Dept of Human Services
X	DLNR-Land, Maui
X	DLNR-OCCL
X	DLNR-Planning (5)
X	DLNR-SHPD, Oahu (Architectural Only)
X	DLNR-SHPD, Maui
X	DOE, Admin
X	DOE, Maui
X	DOT, Maui
X	DOT, Statewide Planning Office (4)
X	Land Use Commission (Hard Copy)
X	OEQC
X	Office of Hawaiian Affairs
X	Office of Planning
X	Hawaii Emergency Management Agency
OTHER	
X	Hawaiian Telcom (Hard Copy)
X	Maui Electric Company
X	Tara Miller Owens, SeaGrant Extension
X	Kahului Library (Hard Copy)

COUNTY AGENCIES	
X	Emergency Management Agency
X	Dept of Environmental Management (2)
X	Dept of Finance - Real Property Division
X	Dept of Housing & Human Concerns
X	Dept of Parks & Recreation
X	Dept Public Works (1 CD, 2 Hard Copies)
X	Dept of Transportation
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
FEDERAL AGENCIES	
X	FEMA
X	EPA, Pacific Islands, (Region 9)
X	FAA
X	Fish & Wildlife
X	National Marine Fisheries
X	NRCS-Honolulu
X	NRCS-USDA-Maui
X	U.S. Army Corp. of Engineers (Hard Copy)
X	U.S. Coast Guard

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

AUG -7 2018

RECEIVED

PROJECT: WINDWARD HOTEL
APPLICANT: R.D. Olson Development
PROJECT ADDRESS: 0 Lauo Loop, Kahului, Maui, Hawaii
PROJECT DESCRIPTION: 200 room hotel with onsite amenities and related improvements
TMK: (2) 3-8-103:014 (portion), 015, 016, 017, 018
PERMIT NO.: CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

TRANSMITTED TO YOU ARE THE FOLLOWING:

X Application

THESE ARE TRANSMITTED AS CHECKED BELOW:

X For your Comment and Recommendation

Please Identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by Friday, September 7, 2018. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box. Please reply either by email or regular mail. If we do not receive any correspondence by the deadline, we will assume you have no comments.

AGENCY NAME	Dept of Parks & Rec Planning & Development	PHONE	808 270-7230
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Agency Transmittal – WINDWARD HOTEL (CPA 2018/0001)(CIZ 2018/0001)(SM1 2018/0001)
(EA 2018/0001)

July 31, 2018

Page 2

Thank you for your time and assistance. For additional clarification, please contact me via email at tara.furukawa@mauicounty.gov or phone at (808) 270-7529.

Sincerely,



TARA K. FURUKAWA, Staff Planner

Attachments

xc: Clayton I. Yoshida, AICP, Planning Program Administrator
Tara K. Furukawa, Staff Planner
Jordan Hart, President, Chris Hart & Partners, Inc.
Brett Davis, Planner, Chris Hart & Partners, Inc.
Project File

TKF:lk

K:\WP_DOCS\PLANNING\Cpa\2018\0001_WindwardHotel\ProjectBackground\AgencyTransmittal.doc

NO COMMENT			
Signed:		Dated:	8.3.18
Print Name:	Ka'ala Buenconsejo	Title:	Director

RECOMMENDED CONDITIONS BOX			
Signed:		Dated:	
Print Name:		Title:	



November 10, 2021

Ms. Karla Peters, Director
County of Maui, Department of Parks & Recreation
700 Halia Nakoia Street, Unit 2
Wailuku, HI 96793

Dear Ms. Peters,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of August 03, 2018, indicating that the department does not have any comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

18/5539

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

JOHN R. SMITH, P.E.
Highways Division


DEPT. OF PLANNING
COUNTY OF MAUI

OCT 15 2018

RECEIVED

October 12, 2018

MEMO TO: MICHELE MCLEAN, PLANNING DIRECTOR

F R O M: DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS 

SUBJECT: **DRAFT ENVIRONMENTAL ASSESSMENT IN SUPPORT OF A
COMMUNITY PLAN AMENDMENT AND CHANGE IN ZONING FOR
WINDWARD HOTEL; TMK: (2) 3-8-103:POR. OF 014, 105 – 108
CPA 2018/0001; CIZ 2018/0001; SM1 2018/0001; EA 2018/0001**

We reviewed the subject application and have the following comments:

Comments from the Engineering Division:

1. The applicant shall be responsible for all required improvements as required by Hawaii Revised Statutes, Maui County Code, and rules and regulations.
2. As applicable, construction plans shall be designed in conformance with Hawaii Standard Specifications for Road and Bridge Construction dated 2005 and Standard Details for Public Works Construction, 1984, as amended.
3. As applicable, worksite traffic-control plans/devices shall conform to "Manual on Uniform Traffic Control Devices for Streets and Highways, 2009".
4. DEA, Pg. 30: Please confirm. Unable to find Level of Service (LOS) E reflected in Table 3.1 and Figure 3.1A of the Traffic Impact Analysis Report (TIAR) for any movement at this location.

5. DEA, Pg. 30: Please confirm. Does this mean that warrants were checked and at least one was satisfied based on 2020 volumes or warrants were not checked?
6. TIAR, Pg. 14: Projects identified under this item are outside the study area, provide some discussion on the significance of identifying these developments.
7. TIAR, Pg. 14: For each of the projects listed below, provide an anticipated completion date.
8. TIAR, Background Trip Generation: For clarity, provide an exhibit showing the study area and how the background trip generation from the projects identified in 4.1 affect the study area/intersections.
9. TIAR, Pg. 18, Item 6: Are improvements to LOS strictly a result of rerouted traffic? Are timing changes assumed or recommended to achieve an improved LOS?
10. TIAR, Pg. 18, Item 5: Provide discussion if intersection remains unsignalized.
11. TIAR, Pg. 18, Item 5: Please revise. First statement says, ". . . may be warranted . . .", following statement says, ". . . would be warranted . . .".
12. TIAR, Pg. 26, Trip Generation Rates: Use Land Use Code 310 Hotel for trip generation.
13. TIAR, Pg. 26, 52.2.1: Provide discussion of the Haleakala Highway/Costco intersection if unsignalized also.
14. TIAR, Pg. 27, 2nd Paragraph: Is this still the expectation if nearest signalized intersection is at Haleakala Highway/Dairy Road?
15. TIAR Conclusions: Any mitigation or recommendations for base year or with project scenarios?

Memo to Michele McLean, Planning Director
October 12, 2018
Page 3

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

DCG:RMDA:jso

xc: Engineering Division

Highways Division

S:\DSA\Engr\CZM\Draft Comments\38103_por_014, 015-018_windward_htl_cpa_ciz_sm1_ea



November 10, 2021

Ms. Rowena Dagdag-Andaya, Director
Department of Public Works
200 S. High Street
Kalana O Maui Bldg. 4th Fl
Wailuku, HI 96793

Dear Ms. Dagdag-Andaya,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015, 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of October 12, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Comments from the Engineering Division:

1. *The applicant shall be responsible for all required improvements as required by Hawaii Revised Statutes, Maui County Code, and rules and regulations.*

Response. The applicant will provide all required improvements as required by Hawaii Revised Statutes, Maui County Code, and rules and regulations.

2. *As applicable, construction plans shall be designed in conformance with Hawaii Standard Specifications for Road and Bridge Construction dated 2005 and Standard Details for Public Works Construction, 1984, as amended.*

Response. The Applicant acknowledges this comment and construction plans will be designed in accordance with the Hawaii Standards Specifications.

3. *As applicable, worksite traffic-control plans/devices shall conform to "Manual on Uniform Traffic Control Devices for Streets and Highways, 2009".*

Response. The Applicant and Contractor will ensure that worksite traffic-control plans/devices conform to “Manual on Uniform Traffic Control Devices for Streets and Highways, 2009”.

4. *DEA, Pg. 30: Please confirm. Unable to find Level of Service (LOS) E reflected in Table 3.1 and Figure 3.1A of the Traffic Impact Analysis Report (TIAR) for any movement at this location.*

Response. The LOS E/F movements described for the following intersections are accurate and reflected in Table 3.1 and Figure 3.1A/B of the TIAR.

1. Haleakala Highway/Lauo Loop West (Int #4) – LOS E during Saturday MD peak hour.
2. Haleakala Highway/Costco Main Access (Int #5) – LOS F during Weekday PM and Saturday MD peak hour.
3. Dairy Road/Kele Street (Int #11) – Westbound shared left-turn/through lane operated under LOS F during PM peak and over-capacity at Saturday MD peak.

The LOS E/F movements that were described for the following intersections in the DEA are not accurate and will be corrected to show the following:

1. Haleakala Highway/Dairy Road/Keolani Place (Int #6) – LOS D or better for all movements.
2. Hana Highway/Hanakai St (North) (Int #9) – LOS E for minor street northbound left-turn/through movement and southbound through movement during the weekday AM peak hour only.
3. Hana Highway/Hanakai St (South) (Int #10) – LOS E movements for minor street northbound through/right-turn movement and southbound left-turn/through movement during the weekday PM and Saturday MD peak hours.
4. Hana Highway/Dairy Road (Int #12) – Various left-turn movements and southbound shared through/right-turn movement operated at LOS E/F during the weekday AM and PM peak hour due to long cycle lengths.

5. *DEA, Pg. 30: Please confirm. Does this mean that warrants were checked and at least one was satisfied based on 2020 volumes or warrants were not checked?*

Response. The TIAR was updated in 2021 and the base year is now 2025. The signal warrants for the following intersections were checked and documented in the TIAR:

1. Haleakala Highway/Costco Main Access intersection
 - a. Signal is not warranted for existing conditions.
 - b. Based on anticipated forecast traffic for Base Year 2025 without the Project, the analysis indicates that at least four hourly volumes will meet the minimum thresholds for the MUTCD Four-Hour Vehicle Volume Traffic Signal warrant analysis.
2. Haleakala Highway/Lauo Loop West Intersection

a. Signal warrant was checked for all scenarios. Signal is not warranted for Future Year 2025 with Project scenario.

6. *TIAR, Pg. 14: Projects identified under this item are outside the study area, provide some discussion on the significance of identifying these developments.*

Response. All Projects identified in TIAR, pg.14, Section 4.2.1 are all anticipated projects that will either add traffic or reroute traffic in the study area. Section 4.2.1 in the TIAR discusses each project's impact and anticipated build-out year. Figure 4.1 shows the location of these nearby projects.

7. *TIAR, Pg. 14: For each of the projects listed below, provide an anticipated completion date.*

Response. The TIAR has been updated to include the anticipated completion dates for all nearby background developments based on latest available data. The Maui Palms Hotel redevelopment project was also added to the study, based on anticipated schedule of completion via Maui News.

8. *TIAR, Background Trip Generation: For clarity, provide an exhibit showing the study area and how the background trip generation from the projects identified in 4.1 affect the study area/intersections.*

Response. New figures 4.2A and 4.2B has been included in the updated TIAR to show the traffic volumes generated by the cumulative background projects at each study intersection.

9. *TIAR, Pg. 18, Item 6: Are improvements to LOS strictly a result of rerouted traffic? Are timing changes assumed or recommended to achieve an improved LOS?*

Response. Improvements to LOS from Existing to Base Year 2025 conditions are based on traffic reductions at the Haleakala Highway/Dairy Road/Keolani Place intersection generated from rerouted traffic from the CONRAC, which diverts exiting Airport traffic from Keolani Place/Dairy Road to Airport Access Road.

10. *TIAR, Pg. 18, Item 5: Provide discussion if intersection remains unsignalized.*

Response. Section 4.4.1 of the updated TIAR states that "If a signal is not installed, the northbound shared left-turn/through movement is anticipated to operate at LOS F and overcapacity conditions for the PM and SAT MD peak hours."

11. *TIAR, Pg. 18, Item 5: Please revise. First statement says, "... may be warranted ...", following statement says, "... would be warranted ...".*

Response. The TIAR has been updated to address this modification.

12. *TIAR, Pg. 26, Trip Generation Rates: Use Land Use Code 310 Hotel for trip generation.*

Response. The TIAR has been updated to reflect the full 200 rooms using ITE Land Use Code 310 Hotel.

13. TIAR, Pg. 26, 52.2.1: *Provide discussion of the Haleakala Highway/Costco intersection if unsignalized also.*

Response. Please see the response to comment #8.

14. TIAR, Pg. 27, 2nd Paragraph: *Is this still the expectation if nearest unsignalized intersection is at Haleakala Highway/Dairy Road?*

Response. Based on observations, platoons in eastbound flows are generated from the Haleakala Highway/Dairy Road/Keolani Place intersection. Therefore, it is expected to continue operating in a similar fashion.

15. TIAR Conclusions: *Any mitigation or recommendations for base year or with project scenarios?*

Response. It's our understanding that Costco is conditioned to monitor the Haleakala Highway/Costco Main Access intersection and signalize if/when warranted. Outside of this improvement, no other roadway improvements are recommended.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

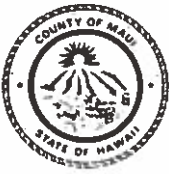
Thank you for participating in the environmental review process. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
YOUR REFERENCE

18/4433

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

August 10, 2018



TIVOLI S. FAAUMU
CHIEF OF POLICE

DEAN M. RICKARD
DEPUTY CHIEF OF POLICE

MEMORANDUM

TO : TARA K. FURUKAWA, STAFF PLANNER
DEPARTMENT OF PLANNING


FROM : TIVOLI S. FAAUMU, CHIEF OF POLICE

SUBJECT : PERMIT NO.: CPA 2018/0001, CIZ 2018/0001,
SM1 2018/0001, EA 2018/0001
TMK : (2) 3-8-103:014 (portion), 015, 016, 017, 018
Project : WINDWARD HOTEL
Applicant : R.D. Olson Development

☒ No comments or recommendations to offer at this time.

☐ Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.


Assistant Chief John Jakubczak
For: TIVOLI S. FAAUMU
Chief of Police

COUNTY OF MAUI
DEPT. OF PLANNING - CURRENT

AUG 15 2018

RECEIVED



November 10, 2021

Mr. Dean Rickard, Deputy Chief of Police
County of Maui, Police Department
55 Mahalani Street
Wailuku, HI 96793

Dear Mr. Rickard,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of August 10, 2018, indicating that the department does not have any comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

Brett Davis, Senior Planner

Mr. Dean Rickard, Deputy Chief of Police
County of Maui, Police Department
November 10, 2021
Page 2 of 2

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

AGENCY NAME	County of Maui Dept. of Transportation	PHONE	808-270-7511
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Agency Transmittal – WINDWARD HOTEL (CPA 2018/0001)(CIZ 2018/0001)(SM1 2018/0001)
(EA 2018/0001)

July 31, 2018
Page 2

Thank you for your time and assistance. For additional clarification, please contact me via email at tara.furukawa@mauicounty.gov or phone at (808) 270-7529.

Sincerely,



TARA K. FURUKAWA, Staff Planner

Attachments

xc: Clayton I. Yoshida, AICP, Planning Program Administrator
Tara K. Furukawa, Staff Planner
Jordan Hart, President, Chris Hart & Partners, Inc.
Brett Davis, Planner, Chris Hart & Partners, Inc.
Project File

TKF:lk

K:\WP_DOCS\PLANNING\Cpa\2018\0001_WindwardHotel\ProjectBackground\AgencyTransmittal.doc

NO COMMENT			
Signed:		Dated:	8/15/2018
Print Name:	Don Medeiros	Title:	Director of Transportation

RECOMMENDED CONDITIONS BOX			
Signed:		Dated:	
Print Name:		Title:	

ALAN M. ARAKAWA
Mayor

MICHELE CHOUTEAU MCLEAN
Director

JOSEPH W. ALUETA
Deputy Director



RECEIVED
COUNTY OF MAUI

2018 JUL 31 AM 10:42 52

DEPT OF TRANSPORTATION

COUNTY OF MAUI

DEPARTMENT OF PLANNING

TRANSMITTAL

July 31, 2018

STATE AGENCIES	
X	DAGS
X	DBEDT
X	Dept of AG, Honolulu
X	Dept of Hawaiian Homelands
X	Dept of Health, Maui
X	Dept of Human Services
X	DLNR-Land, Maui
X	DLNR-OCCL
X	DLNR-Planning (5)
X	DLNR-SHPD, Oahu (Architectural Only)
X	DLNR-SHPD, Maui
X	DOE, Admin
X	DOE, Maui
X	DOT, Maui
X	DOT, Statewide Planning Office (4)
X	Land Use Commission (Hard Copy)
X	OEQC
X	Office of Hawaiian Affairs
X	Office of Planning
X	Hawaii Emergency Management Agency
OTHER	
X	Hawaiian Telcom (Hard Copy)
X	Maui Electric Company
X	Tara Miller Owens, SeaGrant Extension
X	Kahului Library (Hard Copy)

COUNTY AGENCIES	
X	Emergency Management Agency
X	Dept of Environmental Management (2)
X	Dept of Finance – Real Property Division
X	Dept of Housing & Human Concerns
X	Dept of Parks & Recreation
X	Dept Public Works (1 CD, 2 Hard Copies)
X	Dept of Transportation
X	Dept of Water Supply
X	Fire & Public Safety
X	Police Department
FEDERAL AGENCIES	
X	FEMA
X	EPA, Pacific Islands, (Region 9)
X	FAA
X	Fish & Wildlife
X	National Marine Fisheries
X	NRCS-Honolulu
X	NRCS-USDA-Maui
X	U.S. Army Corp. of Engineers (Hard Copy)
X	U.S. Coast Guard

PROJECT:	WINDWARD HOTEL
APPLICANT:	R.D. Olson Development
PROJECT ADDRESS:	0 Lauo Loop, Kahului, Maui, Hawaii
PROJECT DESCRIPTION:	200 room hotel with onsite amenities and related improvements
TMK:	(2) 3-8-103:014 (portion), 015, 016, 017, 018
PERMIT NO.:	CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

RECEIVED
COUNTY OF MAUI
2018 AUG -1 PM 4:02
DEPT OF TRANSPORTATION

TRANSMITTED TO YOU ARE THE FOLLOWING:

X	Application
---	-------------

THESE ARE TRANSMITTED AS CHECKED BELOW:

X	For your Comment and Recommendation
---	-------------------------------------

Please Identify any comments you would like the Department of Planning to propose as conditions of project approval. Please also provide any previous comments, letters, etc. pertinent to this application. Submit your comments directly to me by Friday, September 7, 2018. A comment box is also provided to assist you. If no comment, please sign the "No Comment" box. Please reply either by email or regular mail. If we do not receive any correspondence by the deadline, we will assume you have no comments.

ONE MAIN PLAZA BUILDING / 2200 MAIN STREET, SUITE 315 / WAILUKU, MAUI, HAWAII 96793

MAIN LINE (808) 270-7735 / FACSIMILE (808) 270-7634

CURRENT DIVISION (808) 270-8205 / LONG RANGE DIVISION (808) 270-7214 / ZONING DIVISION (808) 270-7253



November 10, 2021

Mr. Marc Takamori, Director
County of Maui, Department of Transportation
110 Ala'ihi Street, Suite #210
Kahului, HI 96732

Dear Mr. Takamori,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your comment letter of August 15, 2018, indicating that the department does not have any comments on the proposed hotel project. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,

Brett Davis, Senior Planner

Mr. Marc Takamori, Director
County of Maui, Department of Transportation
November 10, 2021
Page 2 of 2

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

ALAN M. ARAKAWA
Mayor

MICHELE CHOUTEAU MCLEAN
Director

JOSEPH W. ALUETA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

September 17, 2018

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

Dear Mr. Davis:

SUBJECT: MAUI PLANNING COMMISSION (MPC) COMMENTS ON DRAFT ENVIRONMENTAL ASSESSMENT (EA) PREPARED FOR THE PROPOSED WINDWARD HOTEL, LOCATED AT 778 HALEAKALA HIGHWAY, KAHULUI, ISLAND OF MAUI, HAWAII; TMK: (2) 3-8-103:014 (POR.), 015, 016, 017 AND 018 (EA 2018/0001)

On August 28, 2018, the MPC reviewed the above-referenced project. After due consideration and discussion, the MPC made the following comments for the Final EA:

1. Discuss parking requirements, further expand upon the discussion of the parking to be provided, and indicate that the parking lot will serve guests and employees;
2. Include a discussion of demand for hotel rooms and the outcomes of other hotels owned on Maui;
3. Revisit the issue of alternate water source;
4. Because water will be drawn from wells, discuss whether there will be an impact to Kanaha Pond;
5. Include a discussion of whether photovoltaics will be incorporated into the project;
6. Mention that the developer has indicated he will hire from the local labor force for construction and hospitality, and indicate whether they will be union vs non-union;
7. Include a discussion of the need to redesignate the land from light industrial;
8. Coordinate with Alexander and Baldwin to include a map showing what percentage of land is used. And not used for industrial purposes within the Maui Business Park;

Mr. Brett Davis
September 17, 2018
Page 17

9. Work with the Department of Housing and Human Concerns on fulfillment of the workforce housing requirement.

If you have any questions please contact Staff Planner Tara Furukawa by email at tara.furukawa@mauicounty.gov or by phone at (808) 270-7520.

Sincerely,



MICHELE MCLEAN
Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator (PDF)
John S. Rapacz, Planning Program Administrator (PDF)
Pam Eaton, Planning Program Administrator (PDF)
Tara K. Furukawa, Staff Planner (PDF)
Project File

MCM:TKF:ma

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November 10, 2021

Ms. Michele Chouteau McLean, Director
County of Maui, Department of Planning
2200 Main Street
One Main Plaza, Suite 315
Wailuku, HI 96793

Dear Ms. McLean,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 17, 2018, providing the Maui Planning Commission's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

1. *Discuss parking requirements, further expand upon the discussion of the parking to be provided, and indicate that the parking lot will serve guests and employees;*

Response. The proposed 200 room hotel requires 200 parking stalls. The project site plan provides 221 parking stalls, including 8 ADA accessible parking stalls and 2 ADA accessible van parking stalls located near hotel entrances. The Applicant is proposing to provide electric vehicle charging stations at the property. Please refer to Appendix 2 (Kanahā Hotel Design Documents) of the forthcoming DEIS for more details.

2. *Include a discussion of demand for hotel rooms and the outcomes of other hotels owned on Maui;*

Response. The Wailuku and Kahului areas of Maui are the primary locations where government offices and businesses are located and where most of the island population resides. According to interviews in the Maui Lodging market report for this project, Kama'aina corporate demand is the single largest market segment for hotels in Kahului (**See:** Appendix 22 of the forthcoming DEIS). As such, the proposed Hotel development is well situated to be successfully integrated into and complement the existing urban fabric

of Kahului. Prior to the impacts of the COVID 19 pandemic conditions the demand for The Courtyard by Marriot located down the street from the proposed hotel project in Kahului has experienced an annualized occupancy rate of 92%. The hotel industry standard is stabilization at 80% occupancy and hotel occupancy of 90% or greater is essentially at full capacity. As the tourism industry continues to rebound from the pandemic. Please refer to Section 2.2.2 (Economy) of the forthcoming DEIS for more details as well as Appendices 21 and 22 of the forthcoming DEIS.

3. *Revisit the issue of alternate water source;*

Response. The Applicant has entered into an agreement with A&B Properties to develop a 3rd well to provide sufficient potable water to the proposed hotel. Potable and non-potable water use within A&B's Maui Business Park will be provided by separate privately owned and operated systems. Supply for the potable system is provided by two wells identified as State Nos. 5129-004 and -005 and known as the Waiale-1 and Waiale-2 wells. Both wells are outfitted with 450 gallons per minute (GPM) pumps and draw water from the Kahului Aquifer System. Water from the wells is delivered into an adjacent 0.6-million-gallon storage tank, from which it flows by gravity via a 16-inch transmission pipeline to the Business Park. Please refer to Sections 2.4.3 (Water) as well as Appendices 17 and 18 of the forthcoming DEIS for more details.

4. *Because water will be drawn from wells, discuss whether there will be an impact to Kanaha Pond;*

Response. Section 2.1.14 (Groundwater Resources) of the forthcoming DEIS evaluates the potential impacts to groundwater including Kanahā Pond. Results of the baseline study indicate that water quality within the survey area downslope from the Kanahā Hotel project site are near, or within the appropriate Department of Health Water Quality Standards, indicating that at present there are no significant factors from land influencing water quality. The small amount of groundwater input at the shoreline is rapidly mixed to background coastal oceanic values through wave action and other physical processes. Please refer to Appendix 19 of the forthcoming DEIS for more details.

5. *Include a discussion of whether photovoltaics will be incorporated into the project;*

Response. A rooftop photovoltaic system is proposed for the hotel. Please refer to Sections 1.5 (Proposed Action) and 2.1.4 (Climate Change Assessment) as well as Appendix 2 of the forthcoming DEIS for more details.

6. *Mention that the developer has indicated he will hire from the local labor force for construction and hospitality, and indicate whether they will be union vs non-union;*

Response. The exact breakdown of contractors to be employed on the project is not yet determined. We will use qualified and responsible contractors and will meet all of our obligations under the applicable contracts. We will comply with all requirements of the County concerning our labor force.

7. *Include a discussion of the need to redesignate the land from light industrial;*

Response. The subject property is zoned M-1 Light Industrial District and hotels are not a permitted use in the M-1 district. The location of the proposed hotel is adjacent to the Airport District, where “transient hotels” are a permitted use per Section 19.28.010(B), MCC. This change in zoning would be allowing hotel use in an area adjacent to the Airport where hotel use is already permitted. Please refer to the following Sections of the forthcoming DEIS for more details:

- Section 1.5 (Proposed Action [Preferred Alternative])
- Section 2.1.1 (Surrounding Land Uses);
- Section 3.6 (Wailuku-Kahului Community Plan);
- Section 3.7 (County Zoning); and
- Section 4.5.1 (Project-Specific Land Use Entitlements and Permitting).

8. *Coordinate with Alexander and Baldwin to include a map showing what percentage of land is used. And not used for industrial purposes within the Maui Business Park;*

Response. The Maui Business Park II (MBPII) Land Use Plan is included as a figure in the DEIS and as of July 15, 2021, approximately 19.4% of the total area sold/under development at MBPII is light industrial. Please refer to Figure 6 of the forthcoming DEIS for the MBPII Land Use Plan.

9. *Work with the Department of Housing and Human Concerns on fulfillment of the workforce housing requirement.*

Response. The Applicant will comply with the requirements of Chapter 2.96 Maui County Code. The Applicant has completed Workforce housing agreements with the Department of Housing and Human Concerns on past hotel projects on Maui. The Applicant will cooperate with the DHHC with regards to the workforce housing requirement for the proposed Kanahā Hotel.

As discussed in Section 2.2.1 (Population and Housing) of the forthcoming DEIS, pursuant to Section 2.96.050, Maui County Code, residential workforce housing credits may be used to satisfy the requirements of Chapter 2.96, MCC, additionally Act 141 (2009) requires that the County recognize affordable housing credits issued to the Department of Hawaiian Home Lands to satisfy any county affordable housing requirements. We hope that the Commission recognizes that credits are issued to developers who build units in excess of their requirement, which allows an individual or family to enjoy the unit before the unit was “required” to be built. The credits allow the affordable housing developer to recoup some of their costs as typically affordable housing units are subsidized in some fashion (County affordable housing fund, market units, low-income housing tax credits, etc.), potentially allowing the developer to again build additional “excess” affordable housing units, once again allowing early access for an individual or family. It is important to remember that credits are earned, after an affordable housing unit is built.

In the alternative, instead of purchasing credits earned for affordable housing units already built and enjoyed by Maui residents, the Applicant may explore the option of

working with a local affordable housing developer on the construction of affordable housing units that will be built concurrently with or within a set time period, as established in the required Residential Workforce Housing Agreement, of the proposed Kanahā Hotel. This option has many variables so it may not be feasible.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

To: Ms. Tara Furukawa, Staff Planner, (808) 270-8205, tara.furukawa@mauicounty.gov
Maui Planning Commission, County of Maui
2200 Main Street, Suite 619, Wailuku, HI 96793

To: Mr. Jordan E. Hart, President, (808) 242-1955, jhart@chpmaui.com
Chris Hart & Partners, Inc; 115 North Market St., Wailuku, HI 96793

To: Mr. Anthony Wrzosek, Vice President, (949) 271-1109
R.D. Olson Development 520 Newport Center Dr., Suite 600,
Newport Beach, CA 92660

From: Richard "Dick" Mayer dickmayer@earthlink.net
1111 Lower Kimo Dr. Kula, Maui, HI 96790

September 5, 2018

RE: Windward Hotel Draft-EA (AFNSI)

From OEQC August 8, 2018 Bulletin: R.D. Olson Development is planning to **develop a 200-room hotel** with associated onsite amenities on five (5) acres **within Maui Business Park Phase II**, off of Lauo Loop in Kahului. The hotel **will primarily serve users of the Kahului International Airport**, as well as others requiring accommodation in Central Maui. The hotel will consist of four (4) stories, with elevator towers, and will include amenities, such as a swimming pool, **dining area**, sundry shop, laundry room, **ballroom, board room business center** and other support services and accessory uses for hotel operation. In addition, the project will include associated onsite and offsite infrastructure improvements, including but not limited to water, sewer, roads, drainage and electrical.

Impacts necessitating a full EIS.

- This project has no lunch or dinner capabilities; this will necessitate that guests in all 200 rooms will need to drive out to eat elsewhere, adding to traffic congestion in an area with two busy exits from Costco and two exits from the Courtyard hotel. Will the hotel pay for traffic lights at Costco's exits since they will be the cause of the additional traffic?
- This hotel has a "ballroom" which may be rented for weddings and other events that will include local Maui residents. The proposed project has made no provision for their parking in addition to the parking spaces for the 200 rooms.
- This project is being built on land that was state land-used "Urban", and zoned for "Light Industrial". Those entitlements were based on a complete EIS that supported light industrial. So far, NO light industrial projects have been built in the A&B Business Park 2. Taking out the land for the hotel further erodes the "Light industrial" potential use of the entitled land. The MCC Title [19.24.010](#) zoning requirement is that the A&B Business Park 2 must be **MOSTLY** "Light Industrial." It has none.

- Maui needs multiple affordable housing projects , ones that will meet our local residents' housing needs. HOWEVER, this project includes only tourist units for non-residents that will place additional strains on Maui's infrastructure (water that could be used for local residents, construction workers that could be building homes for their crowded neighbors, etc.)
- The [Maui Island Plan \(Page 4-14\)](#) states "Promote a desirable island population by striving to not exceed an island-wide visitor population of roughly 33 percent of the resident population." That means that if Maui Island has 156,000 residents, as we now have, then we should *not* have more than 52,000 tourists on an average day. However, (according to the Hawaii Tourism Authority) in July 2018, we have an average of 75,000 tourists each day! Obviously, we already have too many tourist accommodations. An additional 200 bed hotel would violate the legally adopted Maui Island Plan provision that we strive to keep the number of tourists at a level below 1/3 of our resident population.

Since there are several severe impacts (some disclosed, and others not described), it is necessary to **COMPLETE an EIS, (not just an EA with a FONSI).**

In view of the impacts and information deficiencies noted in the existing DEA, and the fact that the impacts of the project are significant, an Environmental Impact Statement is required instead of an Environmental Assessment.

Specifically, the DEA does not adequately address:

- Cumulative impacts of traffic from new developments and roads
- Cumulative impacts to Maui Island because of excessive tourist accommodations
- Secondary impacts on other developments resulting from this project's water use
- Cumulative impacts on Central Maui's sewage capacity
- Cumulative impacts by building new units in the form of a hotel for off-shore residents instead of providing for local residents' needs.

WARNING: Because there are numerous impacts from this proposed project and because it may violate Maui's General Plan (specifically the Maui Island Plan), it is likely that someone will sue the applicant and/or approving authority if the FONSI is granted based on a EA when a full EIS is required. Please complete an EIS instead of an EA.

Mahalo for allowing me the opportunity to share my comments on the Draft-EA and to make my concerns known,

Richard D. Mayer



November 16, 2021

Professor Richard "Dick" Mayer
1111 Lower Kimo Dr.
Kula, Maui, HI 96790

Dear Mr. Mayer,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 05, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Impacts necessitating a full EIS.

- *This project has no lunch or dinner capabilities; this will necessitate that guests in all 200 rooms will need to drive out to eat elsewhere, adding to traffic congestion in an area with two busy exits from Costco and two exits from the Courtyard hotel. Will the hotel pay for traffic lights at Costco's exits since they will be the cause of the additional traffic?*

Response. The Kanahā Hotel features a welcoming lobby, lounge, and dining area with capabilities to accommodate lunch or dinner. Additionally, a kitchenette (no oven) will be available for those who choose extended-stay guestrooms.

As part of the project's DEIS, a Traffic Impact Assessment Report (TIAR) has been prepared by Austin, Tsutsumi and Associates (ATA) and included as Appendix 24. The proposed hotel is not anticipated to impact turning movements at the intersections in the project area. It is the understanding of the project team that Costco is required to monitor the intersection entrance to the warehouse and report to the State of Hawaii Department of Transportation as part of their conditions of development, separate from this proposed project.

- *This hotel has a "ballroom" which may be rented for weddings and other events that will include local Maui residents. The proposed project has made no provision for their parking in addition to the parking spaces for the 200 rooms.*

Response. The Kanahā Hotel Design Documents included as Appendix 2 in the forthcoming Draft EIS include floorplans. The proposed hotel includes one 990 square foot meeting room and business center that is 297 square feet. It is not anticipated that the meeting room will be rented for large weddings. The proposed hotel requires 200 parking stalls, and the project plan proposes 221 parking stalls therefore there is a surplus of parking provided on site.

- *This project is being built on land that was state land-used "Urban" and zoned for "Light Industrial". Those entitlements were based on a complete EIS that supported light industrial. So far, NO light industrial projects have been built in the A&B Business Park 2. Taking out the land for the hotel further erodes the "Light industrial" potential use of the entitled land. The MCC Title 19.24.010 zoning requirement is that the A&B Business Park 2 must be MOSTLY "Light Industrial." It has none.*

Response. The proposed Kanahā Hotel will utilize approximately 5.2 acres of land — out of the total 179 acres of Maui Business Park II (MBPII) or about 3 percent of the total land available leaving a significant amount of land remained available within MBPII for future light industrial development. The Maui Business Park II Land Use Plan is included as a figure in the DEIS and as of July 15, 2021, approximately 19.4% of the total area sold/under development at MBPII is light industrial. A Change in Zoning (CIZ) from Light Industrial to Hotel supports the community plan and airport zoning designation to locate transient accommodations in close proximity to the airport. This project fulfills those goals will not further erode the Light Industrial potential use of the entitled land.

Section 3.2 (State Land Use) of the forthcoming Draft EIS includes the analysis of conditions written in the Docket No. A03-739 Decision & Order (D&O). Condition 19 (Project Composition) described that the MBPII property was subject to a Declaration of Use Restriction for an eight (8) year period since the date of the County's approval of zoning for the MBPII. However, as specified by this Condition, the eight (8) year period terminated on May 2, 2016. The Cancellation of Declaration of Use Restriction was provided in the 2020 Annual Report to the State Land Use Commission by Alexander & Baldwin. The report is included within the forthcoming Draft EIS as Appendix 25.

- *Maui needs multiple affordable housing projects, ones that will meet our local residents' housing needs. HOWEVER, this project includes only tourist units for non-residents that will place additional strains on Maui's infrastructure (water that could be used for local residents, construction workers that could be building homes for their crowded neighbors, etc.)*

Response. The proposed hotel project is required to participate in the affordable housing program on Maui. The project site is located in Kahului near the airport as well as the island's government, business, and medical facilities. The proposed project will provide additional hotel rooms in the central valley for visitors that are not staying in resort destination areas located in West and South Maui. The Applicant is aware that proposed

hotel will only be approved if supporting infrastructure and water is available. The forthcoming Draft EIS will identify water sources, infrastructure needs, anticipated offsite improvements, and potential impacts.

While the project site may be ideal for overnight accommodations for individuals making use of the Kahului Airport, it is not anticipated that the surrounding land uses would be ideal for long term residential uses which would be anticipated to include at least partial time open air ventilation which would not achieve sound attenuation recommendations provided in Appendix 13, Acoustic Study. Please refer to Section 2.1.1 of the forthcoming Draft EIS (Surrounding Land Uses) for the discussion of existing land uses and Section 2.1.8 (Noise Quality) for the discussion of existing noise quality within the vicinity of the project site.

- *The Maui Island Plan (Page 4-14) states "Promote a desirable island population by striving to not exceed an island-wide visitor population of roughly 33 percent of the resident population." That means that if Maui Island has 156,000 residents, as we now have, then we should not have more than 52,000 tourists on an average day. However, (according to the Hawaii Tourism Authority) in July 2018, we have an average of 75,000 tourists each day! Obviously, we already have too many tourist accommodations. An additional 200 bed hotel would violate the legally adopted Maui Island Plan provision that we strive to keep the number of tourists at a level below 1/3 of our resident population.*

Response. Based on the HTA ADC data and an estimated 2019 Maui Island population of about 157,000, the average number of visitors on the island was about 42% during 2019, well in excess of the Maui Island Plan policy metric of 33.33%. (**See:** Appendix 22 of the DEIS, Tourism Study)

During 2020, Maui Island's ADC was 20,591, far below prior years due to the COVID-19 pandemic. The resulting mandatory 14-day quarantine for trans-Pacific travelers arriving in Hawai'i was in effect until October, followed by a pre-departure testing program that allowed arriving travelers to bypass quarantine. Maui Island's 2020 population was 154,100. During 2020, the ADC on the island was about 13%, far below the Maui Island Plan policy metric of 33.33%. (**See:** Appendix 22 of the DEIS, Tourism Study)

Year-to-date July 2021, Maui Island's ADC was 52,769. Maui Island's 2020 population according to the 2020 Census was 154,100, meaning that through July, the average number of Maui visitors on the island equaled 34.2% of the resident population, slightly higher than the Maui Island Plan policy metric of 33.33%. Based on the seasonality of Maui tourism, which typically slows down during the fall before picking up around Christmas, we have estimated Maui's year end 2021 ADC at 50,829, equal to 33.33% of the island's population.

The proposed Kanahā Hotel is anticipated to contain 200 hotel rooms with an estimated 80% occupancy rate, 37.5% of guests being out-of-state visitors, and with 2.3 individuals per room. Kanahā Hotel is anticipated to accommodate an average of 138 out-of state visitors per night. This translates to a contribution of 0.27% of the 33% ADC policy metric. Stated another way, the estimated 138 out-of-state visitors accommodated by the proposed Kanahā Hotel on an average night would equal 0.09% of the island's resident

population of 154,100. An increase of approximately 0.09% (less than one-tenth of one percent) to the visitor to resident ratio is an insignificant increase (See: Appendix 22 of the DEIS, Tourism Study). The table below summarizes our analysis:

Estimated Contribution of Kanahā Hotel to Policy Metric of 33.33% ADC

Kanahā Hotel Room Count	200	Rooms
Estimated Occupancy	80.0%	Occupancy
Estimated Nightly Occupied Rooms	160	Occupied Rooms
Estimated Share Kanahā Hotel Guests from Out of State	37.5%	Share
Estimated Nightly Rooms Occupied by Out-of-State Visitors	60	Occupied Visitor Rooms
Maui Average Visitor Party Size	2.3	Visitors
Estimated Nightly Out-of-State Visitors Staying in Kanahā Hotel	138	Visitors
Maui ADC Based on Population of 154,100 and Policy Metric of 33.33%	50,853	Visitors
Estimated Contribution of Kanahā Hotel to Policy Metric of 33.33% ADC	0.27%	Contribution

We have applied an occupancy rate of 80% in the analysis, higher than the 2019 Maui County hotel occupancy rate of 77.7%. Based on 200 total rooms, an average of 160 rooms would be occupied nightly at the hotel. Our market interviews indicate that most of the room demand in the Kahului area is generated by interisland travel, not out-of-state visitors. We have applied a 37.5% share of occupancy to out-of-state visitors or 60 occupied rooms on an average night. According to HTA statistics, the average visitor party to Maui in 2019 consisted of 2.3 travelers, meaning an estimated 138 out-of-state visitors each night staying in Kanahā Hotel. Applying the 33.33% ADC metric to the 2020 Maui Island population of 154,100 results in an ADC of 50,853 visitors. The estimated 138 visitors accommodated at the Kanahā Hotel represent 0.27% of the policy target number of 50,853 visitors on the island. This results in an insignificant impact to the ADC.

Stated another way, the estimated 138 out-of-state visitors accommodated by the proposed Kanahā Hotel on an average night would equal 0.09% of the island's resident population of 154,100.

We also note that Maui's 2021 ADC could decrease further if the number of vacation rentals on the island continues to decrease, as it has in recent months. In July, Maui County entered into agreements with Expedia (VRBO) and Airbnb, under which the vacation rental platforms will display the tax map key ("TMK") for each listing on the platforms. This will greatly enhance the county's ability to enforce laws against illegal vacation rentals. In July, the number of vacation rentals in Maui County decreased 22.2% compared to July 2019, suggesting that the TMK requirement is contributing to a decrease in the supply of vacation rentals on the island. If this trend continues for the balance of the year, Maui's ADC will likely fall below the 33.33% policy metric. (See: Appendix 22 of the DEIS, Tourism Study)

Policy 4.2.3.a addresses Objective 4.2.3 which is to, "Maximize residents' benefits from the visitor industry." The proposed Kanahā Hotel will benefit Maui County residents by serving as a critical infrastructure piece in the diversification of Maui's economy by providing business traveler accommodations, and by creating a non-resort hotel that is centrally located where family and friends visiting residents can stay, reducing the impact and congestion on Maui's roads.

It is also important to stress that the proposed Kanahā Hotel furthers other areas of the Maui Island Plan (MIP). On 4-9, the MIP recognized that, *"significant care must be taken to nurture a healthy and vibrant visitor industry."* The proposed Kanahā Hotel does "provide an alternative to the large-scale, coastal resort experience[,] which is a benefit of "alternative tourism accommodations" discussed on 4-12 of the MIP.

Objective 4.2.2 of the MIP which is to "Comprehensively manage future visitor-unit expansion", contains the following policies:

"4.2.2.d Discourage supplanting of existing island housing to visitor accommodations that may have a negative impact on long-term rental housing, price of housing, and price of land."

The proposed Kanahā Hotel will not supplant existing island housing to accommodate the needs of business travelers to Maui.

The proposed Kanahā Hotel will help to support Economic Diversification on Maui by improving the island's business climate, as promoted in Goal 4.1 of the MIP. A business traveler hotel will help to support new, emerging industries on Maui by having a centrally located, business traveler-oriented hotel, for off-island support services to utilize when working on Maui.

The proposed Kanahā Hotel respects the characteristic of expected development within UGB. Section 3.5.2 of the forthcoming DEIS (Maui Island Plan) acknowledges ten (10) elements discussed in the MIP, i.e., 1) Population; 2) Heritage Resources; 3) Natural Hazards; 4) Economic Development; 5) Housing; 6) Infrastructure and Public Facilities; 7) Land Use; 8) Directed Growth Plan; 9) Long Range Implementation Plan; and 10) Monitoring and Evaluation. Each element contains goals, objectives, policies and implementing actions.

While the proposed hotel project recognizes the importance of each element of the MIP, it is also necessary to note that the proposed project will only be able to satisfy some of the elements. This response aligns with the statement written in MIP Page 1-2 as follows.

"It is not intended that ministerial permits be reviewed for consistency with all of the MIP goals, objectives, policies, diagrams and maps."

One of the elements that is particularly related to this comment is the Tourism aspect under the Economic Development section of the MIP. As highlighted in the forthcoming DEIS (Section 3.4.2), the following is the discussion about how the proposed project supports the MIP on its own capacity by utilizing available urban land and locating the proposed development within an established urban community.

Tourism

Goal:

4.2 *A healthy visitor industry that provides economic well-being with stable and diverse employment opportunities.*

Objective:

4.2.1 *Increase the economic contribution of the visitor industry to the island's environmental well-being for the island's residents' quality of life.*

Policy:

4.2.1.f *Recognize the important economic contributions that the visitor industry makes and support a healthy and vibrant visitor industry.*

4.1.2.b *Support the increased availability of Kama'aina discount programs.*

Objective:

4.2.3 *Maximize residents' benefits from the visitor industry.*

Analysis. The proposed project will provide additional accommodations, i.e., non-resort hotel rooms in Central Maui — which is an area of local interest and use. Conveniently located accommodations will be a resource for interisland clubs, teams, *hālau*, as well as governmental services and the business community.

Please refer to the following Sections and Appendices within the forthcoming DEIS for more details:

- Section 2.2.2 (Economy)
- Section 4.3.12 (Impacts to Tourism)
- Section 4.5.4 (Proposed Moratorium on New Transient Accommodations on Maui)
- Appendix 21 (Market Study)
- Appendix 22 (Tourism Study)

Since there are several severe impacts (some disclosed, and others not described), it is necessary to COMPLETE an EIS, (not just an EA with a FONSI).

In view of the impacts and information deficiencies noted in the existing DEA, and the fact that the impacts of the project are significant, an Environmental Impact Statement is required instead of an Environmental Assessment.

Specifically, the DEA does not adequately address:

- *Cumulative impacts of traffic from new developments and roads*
- *Cumulative impacts to Maui Island because of excessive tourist accommodations*
- *Secondary impacts on other developments resulting from this project's water use*
- *Cumulative impacts on Central Maui's sewage capacity*
- *Cumulative impacts by building new units in the form of a hotel for off-shore residents instead of providing for local residents' needs.*

WARNING: *Because there are numerous impacts from this proposed project and because it may violate Maui's General Plan (specifically the Maui Island Plan), it is likely that someone will sue the applicant and/or approving authority if the FONSI is granted based on a EA when a full EIS is required. Please complete an EIS instead of an EA.*

Response. A Draft EIS (DEIS) for the proposed Kanahā Hotel has been prepared and includes but not limited to the discussion of the alternatives to the proposed project, existing conditions

and potential impacts, relationship of the proposed project with respect to the governmental plans, policies, and controls. The DEIS also includes various reports from consultants analyzing the affected environment, potential impacts, and mitigation measures. A discussion of the cumulative and secondary impacts of the project are discussed in Section 4.3 of the DEIS.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

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

Sincerely,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

Hawai'i Construction Alliance

P.O. Box 179441
Honolulu, HI 96817
(808) 220-8892

September 6, 2018

VIA EMAIL

Ms. Tara Furukawa
Staff Planner, Maui Planning Commission,
County of Maui
2200 Main Street, Suite 619
Wailuku, HI 96793

RE: Draft EA (AFNSI) – Windward Hotel

Dear Ms. Tara Furukawa,

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; the Laborers' International Union of North America, Local 368; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

We thank you for the opportunity to provide these comments regarding the Windward Hotel. According to page 21 of the DRAFT ENVIRONMENTAL ASSESSMENT IN SUPPORT OF A COMMUNITY PLAN AMENDMENT & CHANGE IN ZONING prepared by Chris Hart and Partners Inc., the Windward Hotel is expected "to generate 218 direct jobs during the construction phase" and Appendix L lists the the expected direct construction expenditures of approximately \$30 million.

We would like more information regarding the "direct output" construction figures, and if they are based on the prevailing wage rates in the State of Hawaii for the 5 crafts that are represented by the HCA.

The Draft Environmental Assessment notes that the project would fulfill the objectives of the County of Maui 2030 General Plan, Section II., D., 1. saying that the project would "expand economic sectors that increase living-wage job choices and are compatible with community values". However if the projected direct construction output calculation was done without using the prevailing wage, it seems the project would not meet the objective of providing a "living wage".

In closing, we look forward to reviewing the responses our questions regarding the documents for this project, and thank you once again for the opportunity to provide comments on this project.

Sincerely,

Nathaniel Kinney
Executive Director
Hawai'i Construction Alliance

cc: Mr. Chris Hart, Chris Hart and Partners, Inc.
Mr. Anthony Wrzosek, RD Olson Development



November 10, 2021

Mr. Nathaniel Kinney, Executive Director
Hawai'i Construction Alliance
P. O. Box 179441
Honolulu, HI 96817

Dear Mr. Kinney,

RE: Draft Environmental Assessment Comments for the proposed Windward Hotel,
located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015 (portion), 016, 017, and 018,
CPA 2018/0001, CIZ 2018/0001, SM1 2018/0001, EA 2018/0001

Thank you for your letter of September 06, 2018, providing the department's comments on the proposed hotel project at this time. The proposed Kanahā Hotel project was previously named the Windward Hotel and we want to inform you that your Windward Hotel comments with responses are included in the forthcoming DEIS for the Kanahā Hotel. Chris Hart and Partners, Inc. (CH&P) has provided the following responses to the comments.

Comment: ... According to page 21 of the DRAFT ENVIRONMENTAL ASSESSMENT IN SUPPORT OF A COMMUNITY PLAN AMENDMENT & CHANGE IN ZONING prepared by Chris Hart and Partners Inc., the Windward Hotel is expected "to generate 218 direct jobs during the construction phase" and Appendix L lists the expected direct construction expenditures of approximately \$30 million.

We would like more information regarding the "direct output" construction figures, and if they are based on the prevailing wage rates in the State of Hawaii for the 5 crafts that are represented by the HCA.

Response: The direct output construction figures were calculated as part of the Economic Assessment provide in Appendix 20. The figures are based on the most recent Hawaii State Input-Output (I-O) Model to estimate economic consequences of the project. The I-O Model does not use prevailing wage rates in its calculations.

Comment: The Draft Environmental Assessment notes that the project would fulfill the objectives of the County of Maui 2030 General Plan, Section II., D., 1. saying that the project would "expand economic sectors that increase living-wage job choices and are compatible with community values". However, if the projected direct construction output calculation was done without using the prevailing wage, it seems the project would not meet the objective of providing a "living wage".

Response: The exact breakdown of contractors to be employed on the project is not yet determined. We will use qualified and responsible contractors and will meet all of our obligations under the applicable contracts. We will comply with all requirements of the County concerning our labor force.

Your comments, along with this response, will be reproduced and included in the forthcoming Draft EIS. The Draft EIS, including the various technical studies associated with it, will be available for review on Office of Environmental and Quality Control website following its publication in *The Environmental Notice*.

Thank you again for your comments. Please feel free to call me at (808) 242-1955 or e-mail me at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



Brett Davis, Senior Planner

Cc: Mr. Anthony Wrzosek, Owner Representative
Mr. Scott Derrickson, State Land Use Commission
Project File 19-014

Appendix 3.5

Comment Letters Received for the 2019 EISPN
and Response Letters

DAVID Y. IGE
GOVERNOR



CURT T. OTAGURO
COMPTROLLER

AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

(P)1900.7

JAN 1 6 2019

Ms. Tara Furukawa, Staff Planner
Maui Planning Department
2200 Main Street, Suite 619
Wailuku, Hawaii 96793

Dear Ms. Furukawa:

Subject: Environmental Impact Statement Preparation Notice (EISPN) for
Windward Hotel, Maui, Hawaii
TMK: (2) 3-8-103:014 (por.), 015, 016, 017, 018

Thank you for the opportunity to comment on the subject project. The proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities and we have no comments to offer at this time.

If you have any questions, your staff may call Ms. Dora Choy of the Planning Branch at 586-0488.

Sincerely,

KEITH S. KOGACHI
Acting Public Works Administrator

DC:mo

c: Mr. Wade Shimabukuro, DAGS, MDO
Mr. Brett Davis, Chris Hart & Partners, Inc.
Mr. Anthony Wrzosek, RD. Olson Development

RECEIVED

JAN 18 2019

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: Brett 1/17/28



June 7, 2019

Mr. Keith Kogachi, Acting Public Works Administrator
State of Hawaii
Department of Accounting and General Services
P. O. Box 119
Honolulu, HI 96810-0119

Dear Mr. Kogachi

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your comment letter of January 16, 2019 indicating that the department
does not have any comments on the proposed hotel project at this time.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read 'D Sereda'.

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 19-014

Brett Davis

From: Tara Furukawa <Tara.Furukawa@co.maui.hi.us>
Sent: Monday, February 25, 2019 8:05 AM
To: Brett Davis
Subject: Fwd: RE: FW: Comments on Windward Hotel EISPN

>>> "Yamamoto, Earl J" <Earl.J.Yamamoto@hawaii.gov> 2/21/2019 4:09 PM >>>
Hi, Tara:
Just got the word – no response to my inquiry, so DOA has no comments.
earl

From: Tara Furukawa <Tara.Furukawa@co.maui.hi.us>
Sent: Thursday, February 21, 2019 3:28 PM
To: Yamamoto, Earl J <Earl.J.Yamamoto@hawaii.gov>
Subject: Re: FW: Comments on Windward Hotel EISPN

Hi Earl, did you hear anything from the DOA program managers?
>>> "Yamamoto, Earl J" <Earl.J.Yamamoto@hawaii.gov> 2/12/2019 5:36 PM >>>
Hello, Tara:
I took a look at the EISPN. From the land use entitlement/conflict with agricultural resources perspective, we continue to have no comments.
However, I'm checking with the DOA program managers out at the DLNR/DOA baseyard to make them aware of the project and if they have concerns.
I'll get back to you as soon as I get a response.

Earl

Earl Yamamoto
Planner
Office of the Chairperson
Hawaii Department of Agriculture
1428 South King Street
Honolulu, Hawaii 96814
Email: earl.j.yamamoto@hawaii.gov
(808) 973-9466

From: hdoa_info
Sent: Tuesday, February 12, 2019 3:43 PM
To: Yamamoto, Earl J <Earl.J.Yamamoto@hawaii.gov>
Subject: FW: Comments on Windward Hotel EISPN

Hi Earl – forwarding.

Aloha,
Janelle Saneishi
Public Information Officer
Hawaii Department of Agriculture
Phone: (808) 973-9560
e-mail: hdoa.info@hawaii.gov



From: Tara Furukawa <Tara.Furukawa@co.maui.hi.us>
Sent: Tuesday, February 12, 2019 2:19 PM
To: hdoa_info <hdoa.info@hawaii.gov>
Subject: Comments on Windward Hotel EISPN

Hi, my name is Tara Furukawa and I work for the County of Maui Department of Planning. I'm just following up to see if your department has any comments on the EISPN for the Windward Hotel proposed in Kahului, Maui at TMK (2) 3-8-103:014 (por.), 015-018. A Draft EA was prepared previously and your office had no comments per an email received on September 28, 2018.

Tara Furukawa, Staff Planner
County of Maui Department of Planning
2200 Main St., Suite 619
Wailuku, HI 96793
(808) 270-7520
Email: tara.furukawa@co.maui.hi.us



June 17, 2019

Mr. Earl Yamamoto, Planner
Hawaii Department of Agriculture
Office of the Chairperson
1428 S. King Street
Honolulu, HI 96814

Dear Mr. Enright,

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015, 016, 017, and 018.

Thank you for your email of February 21, 2019 indicating that the Department of Agriculture has no comments on the proposed project.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'D. Sereda', is positioned above the printed name.

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 17-028

Brett Davis

From: Tara Furukawa <Tara.Furukawa@co.maui.hi.us>
Sent: Tuesday, January 29, 2019 3:24 PM
To: Cab.General@doh.hawaii.gov
Cc: Brett Davis
Subject: Re: EISPN for Windward Hotel

Hi, I received your email. Thanks!

>>> Cab General <Cab.General@doh.hawaii.gov> 1/29/2019 3:19 PM >>>

Hi Tara

Please find our standard comments at:

<https://health.hawaii.gov/cab/files/2018/12/Standard-Comments-Clean-Air-Branch-2018-c.pdf>

As I mentioned, please forward this as needed.

If you have any questions, please let me know.

Thank you.

Barry Ching
Clean Air Branch
Hawaii Department of Health
(808) 586-4200

Standard Comments for Land Use Reviews
Clean Air Branch
Hawaii State Department of Health

If your proposed project:

Requires an Air Pollution Control Permit

You must obtain an air pollution control permit from the Clean Air Branch and comply with all applicable conditions and requirements. If you do not know if you need an air pollution control permit, please contact the Permitting Section of the Clean Air Branch.

Includes construction or demolition activities that involve asbestos

You must contact the Asbestos Abatement Office in the Indoor and Radiological Health Branch.

Has the potential to generate fugitive dust

You must control all fugitive dust. Note that construction activities that occur near to existing residences, business, public areas and major thoroughfares exacerbate potential dust problems. It is recommended that a dust control management plan be developed which identifies and addresses all activities that may generate fugitive dust. The plan, which does *not* require Department of Health approval, should help you recognize and minimize potential dust problems.

Construction activities must comply with the provisions of Hawaii Administrative Rules, §11-60.1-33 on Fugitive Dust. In addition, for cases involving mixed land use, we strongly recommend that buffer zones be established, wherever possible, in order to alleviate potential nuisance problems.

You should provide adequate measures to control dust from the road areas and during the various phases of construction. These measures include, but are not limited to, the following:

- a) Planning the different phases of construction, focusing on minimizing the amount of dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact;
- b) Providing an adequate water source at the site prior to start-up of construction activities;
- c) Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase;
- d) Minimizing dust from shoulders and access roads;
- e) Providing adequate dust control measures during weekends, after hours, and prior to daily start-up of construction activities; and
- f) Controlling dust from debris being hauled away from the project site.

If you have questions about fugitive dust, please contact the Enforcement Section of the Clean Air Branch

Clean Air Branch (808) 586-4200 cab@doh.hawaii.gov	Indoor Radiological Health Branch (808) 586-4700
--	---



July 17, 2019

Mr. Barry Ching
State of Hawaii, Dept. of Health
Clean Air Branch
2827 Waimano Home Road #130
Pearl City, HI 96782

Dear Mr. Ching:

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your department's email dated January 29, 2019 with a link to the Departments Standard comments. The Applicant has reviewed the Standard Comments and will comply with the requirements to maintain water quality and any necessary permitting.

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

Sincerely yours,

Raymond Cabebe, Vice President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Furukawa, Maui County Planning Department
Project File 19-014

191264
DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:

19:PECB/02

January 14, 2019

Ms. Tara Furukawa, Staff Planner
Maui Planning Department
2200 Main Street, Suite 619
Wailuku, Hawaii 96793

Dear Ms. Furukawa:

Re: Environmental Impact Statement Preparation Notice (EISPN) for the Proposed
Windward Hotel, Maui, TMK: (2) 3-8-103:014 (portion), 015, 016, 017, 018

Thank you for the opportunity to review the subject EISPN.

We note the Applicant proposes to make a contribution to the County of Maui, pursuant to Chapter 2-96, Maui County Code. We have no further comments at this time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig K. Hirai", written over a horizontal line.

Craig K. Hirai
Executive Director.

c: Brett A. Davis, Senior Planner, Chris Hart & Partners, Inc.
Anthony Wrzosek, Vice President, R.D. Olson Development

DEPT. OF PLANNING
COUNTY OF MAUI

JAN 16 2019

RECEIVED



June 17, 2019

Mr. Craig K. Hirai, Executive Director
State of Hawaii
Hawaii Housing Finance and Development Corporation
677 Queen Street, Suite 300
Honolulu, HI 96813

Dear Mr. Hirai,

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion), 015, 016, 017, and 018.

Thank you for your comment letter of January 14, 2019. The Applicant will comply with the requirements of Chapter 2-96, Maui County code.

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

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'DSereda', is placed below the 'Sincerely yours,' text.

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 19-013

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 6, 2019

County of Maui
Department of Planning
Attn: Ms. Tara Furukawa, Staff Planner
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

via email: tara.furukawa@mauicounty.gov

Dear Ms. Furukawa:

SUBJECT: Environmental Impact Statement Preparation Notice for the Proposed
Windward Hotel located at Kahului, Island of Maui; TMK: (2) 3-8-103:
014: por. 015, 016, 017, & 018

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

At this time, enclosed are comments from the (a) Engineering Division and (b) Land Division – Maui District on the subject matter. Should you have any questions, please feel free to call Darlene Nakamura at (808) 587-0417. Thank you.

Sincerely,



Russell Y. Tsuji
Land Administrator

Enclosures

cc: Chris Hart & Partners, Inc. (w/copies)
Attn: Mr. Brett A. Davis, Senior Planner (via email: bdavis@chpmaui.com)
R.D. Olson, Development (w/copies)
Attn: Mr. Anthony Wrzosek, Vice President (via email: info@rdodevelopment.com)
Central Files



June 7, 2019

Mr. Russell Y. Tsuji, Land Administrator
State of Hawaii
Department of Land & Natural Resources
Land Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Tsuji,

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your letter of February 6, 2019 distributing our request for comments to various DLNR divisions.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "DSereda", with a stylized, flowing script.

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 19-014

DAVID Y. IGE
GOVERNOR OF HAWAII



RECEIVED
LAND DIVISION

2019 JAN 16 AM 10:41



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

January 9, 2019

MEMORANDUM

TO:

DLNR Agencies:

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

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Environmental Impact Statement Preparation Notice for the Proposed
Windward Hotel

LOCATION:

Kahului, Island of Maui; TMK: (2) 3-8-103:014: por. 015, 016, 017, & 018

APPLICANT:

Chris Hart & Partners, Inc., on behalf of R.D. Olson Development

Transmitted for your review and comment is information on the above-referenced subject matter. We would appreciate your comments by **February 5, 2019**.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

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

Signed:

Print Name:

Date:

Carly S. Chang, Chief Engineer

1/15/19

Attachments

cc: Central Files

19 JAN 10 AM 11:03 ENGINEERING

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

LD/Russell Y. Tsuji

**Ref: Environmental Impact Statement Preparation Notice for the Proposed
Windward Hotel, Kahului, Island of Maui; TMK: (2) 3-8-103:014: por. 015,
016, 017, & 018**

COMMENTS

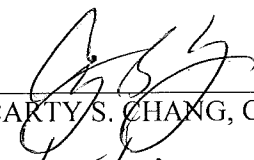
The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high risk areas). State projects are required to comply with 44CFR regulations as stipulated in Section 60.12. Be advised that 44CFR reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards.

The owner of the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zones are designated on FEMA's Flood Insurance Rate Maps (FIRM), which can be viewed on our Flood Hazard Assessment Tool (FHAT) (<http://gis.hawaiiinfip.org/FHAT>).

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7253.
- Kauai: County of Kauai, Department of Public Works (808) 241-4846.

Signed: _____


CARTY S. CHANG, CHIEF ENGINEER

Date: _____

1/15/19



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

June 17, 2019

Mr. Carty S. Chang, Chief Engineer
State of Hawaii
Department of Land & Natural Resources
Engineering Division
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Chang,

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014 (portion) 015, 016, 017, and 018.

Thank you for your comment letter of January 15, 2019.

The Applicants project team has confirmed that the project site, according to the Flood Insurance Rate Map, (FIRM), is located in Flood Zone X. The National Flood Insurance Program (NFIP) does not regulate developments within Zone X.

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

Sincerely yours,

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 19-013

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

January 9, 2019

MEMORANDUM

TO:

DLNR Agencies:

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

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Environmental Impact Statement Preparation Notice for the Proposed
Windward Hotel

LOCATION:

Kahului, Island of Maui; TMK: (2) 3-8-103:014: por. 015, 016, 017, & 018

APPLICANT:

Chris Hart & Partners, Inc., on behalf of R.D. Olson Development

Transmitted for your review and comment is information on the above-referenced subject matter. We would appreciate your comments by **February 5, 2019**.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

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

Signed: _____

Print Name: _____

Date: _____

Attachments

cc: Central Files

RECEIVED
LAND DIVISION
2019 FEB -4 PM 12:01
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
2019 JAN 14 PM 1:12
M. J. T.
LAND DIVISION

1/14/19
1/16/19



June 7, 2019

Mr. Daniel Ornelles
State of Hawaii
Department of Land & Natural Resources
Land Division- Maui District
54 High Street, Room 101
Wailuku, HI 96793

Dear Mr. Ornelles,

RE: Environmental Impact Statement Preparation Notice (EISP) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your letter of January 29, 2019 indicating that the Maui District Office has
no comments.

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

Sincerely yours,

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 19-014

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

February 22, 2019

County of Maui
Department of Planning
Attn: Ms. Tara Furukawa, Staff Planner
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

via email: tara.furukawa@mauicounty.gov

Dear Ms. Furukawa:

SUBJECT: Environmental Impact Statement Preparation Notice for the Proposed
Windward Hotel located at Kahului, Island of Maui; TMK: (2) 3-8-103:
014: por. 015, 016, 017, & 018

Thank you for the opportunity to review and comment on the subject matter. In addition to our previous comments dated February 6, 2019, enclosed are comments from the Division of Forestry & Wildlife on the subject matter. Should you have any questions, please feel free to call Darlene Nakamura at (808) 587-0417. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure

cc: Chris Hart & Partners, Inc. (w/copies)
Attn: Mr. Brett A. Davis, Senior Planner (via email: bdavis@chpmaui.com)
R.D. Olson, Development (w/copies)
Attn: Mr. Anthony Wrzosek, Vice President (via email: info@rdodevelopment.com)
Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



19447
SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

January 9, 2019

MEMORANDUM

TO: FROM

DLNR Agencies:

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

TO:
FROM:
SUBJECT:

Russell Y. Tsuji, Land Administrator
Environmental Impact Statement Preparation Notice for the Proposed
Windward Hotel
Kahului, Island of Maui; TMK: (2) 3-8-103:014: por. 015, 016, 017, & 018
APPLICANT: Chris Hart & Partners, Inc., on behalf of R.D. Olson Development

Transmitted for your review and comment is information on the above-referenced subject matter. We would appreciate your comments by **February 5, 2019**.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

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

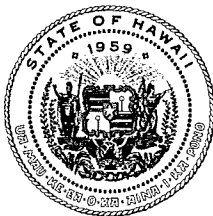
Signed: _____

Print Name: **DAVID G. SMITH, Administrator**

Date: _____

Attachments
cc: Central Files

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

FEB 20 2019

19447
SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

MEMORANDUM

TO: RUSSELL Y. TSUJI, Administrator
Land Division

FROM: DAVID G. SMITH, Administrator
Division of Forestry and Wildlife

A handwritten signature in black ink, appearing to read "D.G. Smith", is written over the "FROM:" line.

SUBJECT: Division of Forestry and Wildlife Comments on the Environmental Impact Statement Preparation Notice for the Proposed Windward Hotel

The Department of Land and Natural Resources Division of Forestry and Wildlife (DOFAW) has received your inquiry regarding the Environmental Impact Statement Preparation Notice for the proposed Windward Hotel in Kahului on Maui, Hawai'i, TMKs: (2) 3-8-103:014 (por.), (2) 3-8-103:015, (2) 3-8-103:016, (2) 3-8-103:017, and (2) 3-8-103:018. The proposed project would consist of construction of an approximately 200 unit, four story hotel with associated amenities on developed land previously used for sugar cane cultivation.

The following comments supplement the pre-consultation comments provided by DOFAW on the project on August 2, 2017 and the project proponent's letter in response dated November 28, 2017.

The State listed Hawaiian Hoary Bat or 'Ōpe'ape'a (*Lasiurus cinereus semotus*) has the potential to occur in the vicinity of the project area. DOFAW prefers that barbed wire be avoided for any new construction because bat mortalities have been documented as a result of becoming ensnared by barbed wire during flight.

The State listed Blackburn's Sphinx Moth (BSM; *Manduca blackburni*) has a historic range that encompasses the project area. Larvae of BSM feed on many nonnative hostplants that include tree tobacco (*Nicotiana glauca*) which grows in disturbed soil. We recommend contacting our Maui DOFAW office at (808) 984-8100 for further information about where BSM may be present and whether a vegetation survey should be conducted to determine the presence of plants preferred by BSM.

We note that artificial lighting can adversely impact seabirds that may pass through the area at night by causing disorientation. This disorientation can result in collision with manmade artifacts or grounding of birds. For nighttime lighting, DOFAW recommends that all lights be fully shielded to minimize impacts. Nighttime work that requires outdoor lighting should be

avoided during the seabird fledging season from September 15 through December 15. This is the period when young seabirds take their maiden voyage to the open sea.

For illustrations and guidance related to seabird-friendly light styles that also protect the dark, starry skies of Hawai'i please visit: <https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf>.

You should avoid moving soil or other plant material within and between the islands due to the potential presence of pathogens. We recommend consulting the Hawai'i Interagency Biosecurity Plan at <http://dlnr.hawaii.gov/hisc/plans/hibp/> in planning, design, and construction of the project.

Finally, DOFAW is concerned about attracting vulnerable birds to areas that may host non-native predators such as cats, rodents, and mongoose. We recommend taking action to minimize predator presence: remove cats, place bait stations for rodents and mongoose, and provide covered trash receptacles.

We appreciate your efforts to work with our office for the conservation of our native species. Should the scope of the project change significantly, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible. If you have any questions, please contact Jim Cogswell, Wildlife Program Manager at (808) 587-4187 or James.M.Cogswell@hawaii.gov.



Mr. James Cogswell Wildlife Program Manager
State of Hawaii
Department of Land and Natural Resources
Division of Forestry and Wildlife
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

Dear Mr. Cogswell,

RE: Environmental Impact Statement Preparation Notice (EISP) Comments for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at TMK's: (2) 3-8-103:014 (portion) 015, 016, 017, and 018.

Thank you for your letter of February 20, 2019. We have prepared the following responses to your comments:

Comment 1: The State listed Hawaiian Hoary Bat or 'Ope'ape'a (Lasiurus cinereus semotus) has the potential to occur in the vicinity of the project area. DOFAW prefers that barbed wire be avoided for any new construction because bat mortalities have been documented as a result of becoming ensnared by barbed wire during flight.

Response 1: The Applicant is committed to practices that will ensure safety for the Hawaii hoary bats including avoiding barbed wire at the construction site.

Comment 2: The State listed Blackburn's Sphinx Moth (BSM; Manduca blackburni) has a historic range that encompasses the project area. Larvae of BSM feed on many nonnative hostplants that include tree tobacco (Nicotiana glauca) which grows in disturbed soil. We recommend contacting our Maui DOFAW office at (808) 984-8100 for further information about where BSM may be present and whether a vegetation survey should be conducted to determine the presence of plants preferred by BSM.

Response 2: The DEIS contains a second survey conducted by Robert Hobdy at the project site to specifically look for BSM. The survey resulted in no findings. The full report is provided in the DEIS as an Appendix, a digital copy of the DEIS will be provided to your office at the time of publication.

Comment 3: We note that artificial lighting can adversely impact seabirds that may pass through the area at night by causing disorientation. This disorientation can result in collision with manmade artifacts or grounding of birds. For nighttime lighting, DOFAW recommends that all lights be fully shielded to

minimize impacts. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season from September 15 through December 15. This is the period when young seabirds take their maiden voyage to the open sea.

For illustrations and guidance related to seabird-friendly light styles that also protect the dark, starry skies of Hawai'i please visit: <https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf>.

Response 3: The Applicant and the design team will coordinate with DOFAW Wildlife Biologists to develop a lighting strategy that utilizes "seabird-friendly lighting" for the proposed project.

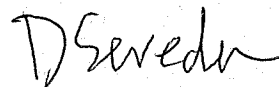
You should avoid moving soil or other plant material within and between the islands due to the potential presence of pathogens. We recommend consulting the Hawai'i Interagency Biosecurity Plan at <http://dlnr.hawaii.gov/hisc/plans/hibp/> in planning, design, and construction of the project.

Finally, DOFAW is concerned about attracting vulnerable birds to areas that may host non-native predators such as cats, rodents, and mongoose. We recommend taking action to minimize predator presence: remove cats, place bait stations for rodents and mongoose, and provide covered trash receptacles.

Response 4: The Applicant acknowledges the recommendation of taking action to minimize predator presence. Including removal of cats, bait stations for rodents and mongoose, and covered trash receptacles.

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

Sincerely yours,



David Sereda, President

Cc: Mr. Anthony Wrzosek, Owner Representative
Mrs. Tara Furukawa, Maui County Planning Department
Project File 17-028



**OFFICE OF
ENVIRONMENTAL QUALITY CONTROL**

DEPARTMENT OF HEALTH | 235 South Beretania Street, Suite 702, Honolulu, HI 96813 | oeqchawaii@doh.hawaii.gov

DAVID Y. IGE
GOVERNOR

SCOTT GLENN
DIRECTOR

(808) 586-4185

January 16, 2019

Maui Planning Commission
c/o: Department of Planning
County of Maui
2200 Main Street, Suite 619
Wailuku, HI 96793

Attention: Tara Furukawa

Dear Maui Planning Commission,

Subject: Environmental Impact Statement (EIS) Preparation Notice (EISPN) for Windward Hotel

The OEQC has reviewed the subject EISPN, and we have the following comments.

While the project's proximity to the shoreline is not clearly described, it is noted that the project site is located within the tsunami inundation zone. Accordingly, and pursuant to Act 17, 2018 Session Laws of Hawai'i, please ensure the project's Draft EIS discusses the project's location relative to the Sea Level Rise Exposure Area discussed in the [Hawai'i Sea Level Rise Vulnerability and Adaptation Report](#) and graphically presented at: <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>.

Section IV. Findings and Conclusions of the EISPN states that the EIS will analyze the project in relation to the Significance Criteria identified in Section 11-200-12, Hawai'i Administrative Rules (HAR). While the thirteen criteria identified in this HAR section are relevant discussion items, the purpose of this section is to support the required agency determination of whether the proposed action is likely to have a significant impact upon the environment, and thus whether an EIS is required. In this case, that determination has already been made, so information gathered in relation to these criteria should be integrated into appropriate sections of the Draft EIS.

The OEQC recommends incorporating low impact development (LID) strategies, including minimizing impervious surface areas to help groundwater recharge and decrease stormwater runoff, as well as ensuring source reduction, reuse, and recycling throughout the project life. Resources for LID and green buildings can be found at <http://planning.hawaii.gov/lud/>, as well as across the internet.

Thank you for your participation in the environmental review process. We look forward to a response that will also be included within the project's Draft EIS.

Should you have any questions regarding these comments, please contact us as noted in the letterhead.

Sincerely,

Scott Glenn, Director



July 17, 2019

Mr. Scott Glenn, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, HI 96813

Dear Mr. Glenn,

RE: Environmental Impact Statement Preparation Notice (EISPN)
Comments for the proposed Windward Hotel, located in Kahului,
Maui, Hawaii at TMK's: (2) 3-8-103:014 (portion) 015, 016, 017, and
018.

Thank you for your comment letter of January 16, 2019. We have prepared the following responses to your comments.

*Comment: While the project's proximity to the shoreline is not clearly described, it is noted that the project site is located within the tsunami inundation zone. Accordingly, and pursuant to Act 17, 2018 Session Laws of Hawai'i, please ensure the project's Draft EIS discusses the project's location relative to the Sea Level Rise Exposure Area discussed in the Hawai'i Sea Level Rise Vulnerability and Adaptation Report and graphically presented at:
<https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>.*

Response: The project Description in the DEIS identifies the site location within the Tsunami Inundation Zone. A map has been provided as well. The DEIS will also include a discussion the project's location relative to the Sea Level Rise Exposure Area discussed in the Hawai'i Sea Level Rise Vulnerability and Adaptation Report.

Comment: Section IV. Findings and Conclusions of the EISPN states that the EIS will analyze the project in relation to the Significance Criteria identified in Section 11-200-12, Hawai'i Administrative Rules (HAR). While the thirteen criteria identified in this HAR section are relevant discussion items, the purpose of this section is to support the required agency determination of whether the proposed action is likely to have a significant impact upon the environment, and thus whether an EIS is required. In this case, that determination has already been made, so information gathered in relation to these criteria should be integrated into appropriate sections of the Draft EIS.

Mr. Scott Glenn, OEQC
EISPN Comment Response Letter
Windward Hotel
July 17, 2019
Page 2 of 2

Response: The DEIS will analyze the Significance Criteria identified in Section 11-200-12, Hawai'i Administrative Rules (HAR) and incorporate the information into appropriate sections of the DEIS.

Comment: The OEQC recommends incorporating low impact development (LID) strategies, including minimizing impervious surface areas to help groundwater recharge and decrease stormwater runoff, as well as ensuring source reduction, reuse, and recycling throughout the project life. Resources for LID and green buildings can be found at <http://planning.hawaii.gov/lud/>, as well as across the internet.

Response: The project will incorporate LID strategies where appropriate and will be discussed further in the DEIS.

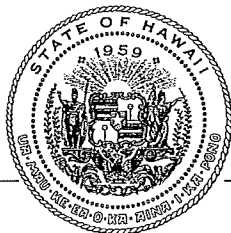
Thank you for participating in the environmental review process. Please feel free to call me or Mr. Brett Davis at (808) 242-1955 or e-mail Brett at bdavis@chpmaui.com should you have any questions.

Sincerely yours,



David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Furukawa, Maui County Planning Department
Project File 19-014



OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

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

DIRECTOR
OFFICE OF PLANNING

DAVID Y. IGE
GOVERNOR

DTS201902061345BE

RECEIVED

FEB 11 2019

Ms. Michele Chouteau McLean
Director
Department of Planning
County of Maui
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

Cl. Brett

171028

Attn.: Tara Furukawa

Dear Ms. McLean:

Subject: Environmental Impact Statement Preparation Notice (EISPN)
for Windward Hotel
Applicant: R.D. Olson Development
TMK: (2) 3-8-103:014 (por.), 015, 016, 017, and 018
Kahului, Maui

Thank you for the opportunity to review the Windward Hotel EISPN. The Applicant proposes to develop a 200-unit, four-story hotel with on and offsite infrastructure on a 5.17-acre site. Proposed amenities and uses include swimming pool, dining area, sundry shop, laundry, meeting room, board room business center, and other support services and accessory uses for hotel operation. The Applicant previously submitted a Draft Environmental Assessment (DEA), dated July 2018 for the subject project. The Office of Planning (OP) has reviewed the transmitted material and has the following comments to offer:

1. Native Hawaiian Rights

The EISPN states, "the proposed hotel use will require a Motion to Amend the State Land Use Decision and Order Docket A03-739 to separate the hotel site parcels from the MBP II [Maui Business Park Phase II] design restrictions and conditions of approval" (p. 3). Among the issues the State Land Use Commission (LUC) must consider in its decision-making is the preservation and protection of customary and traditional native Hawaiian rights. Pursuant to the Hawaii Supreme Court's holding in *Ka Pa'akai O Ka'Aina v. Land Use Commission*, the Draft Environmental Impact Statement (DEIS) should make specific findings as to: the identity and scope of valued cultural, historical, or natural resources in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area; the extent to which those

resources will be affected or impaired by the proposed action; and the feasible action, if any, to be taken by the petitioner to reasonably protect native Hawaiian rights if they are found to exist.

2. LUC Docket No. A03-739

Again, as the proposed hotel use will require a Motion to Amend the LUC Decision and Order Docket A03-739, the DEIS should provide background information on the docket. The previously submitted DEA for the subject project contained an in-depth analysis on the previous land use district boundary amendment, including the status of compliance with LUC conditions. This analysis should be included in the DEIS.

3. Climate Change

The DEIS should evaluate the project site's exposure and susceptibility to intensified natural hazards linked to climate change. Please verify the project area's exposure rate to environmental threats such as flooding and storm inundation. If the project area proves to be at risk to these dangers, the DEIS should consider adaptation strategies to reduce the vulnerability of the built environment and safeguard the planned structures from coastal area associated hazards.

OP recommends referring to the findings of the Hawaii Sea Level Vulnerability and Adaptation Report, 2017 (Report), by the Hawaii Climate Change Mitigation and Adaptation Commission to assist the Applicant in planning for sea level rise (SLR) related threats. The Report, and the Hawaii SLR Viewer, can be accessed via the Hawaii Climate Adaptation Portal at <http://climateadaptation.hawaii.gov>.

4. Special Management Area Use Permitting

Section I. D., page 2 of the EISPN acknowledges the need for an Special Management Area (SMA) Use permit, with a valuation in excess of \$500,000.

The information provided in the DEIS will serve as supporting information for the required SMA use permit. The Applicant should consult with the County of Maui, Department of Planning on this matter.

5. Drainage/Stormwater Runoff Controls/Low Impact Development (LID)

Section II. D. 3, pages 17-18 of the EISPN provide an overview of drainage issues that will be covered in the Environmental Impact Statement (EIS). The EISPN states that the report will analyze current conditions, including drainage patterns, existing improvements, and runoff totals.

Pursuant to Hawaii Administrative Rules (HAR) § 11-200-17(i) – probable impact of the proposed action on the environment and impacts of the natural and human environment – in order to ensure that the coastal resources on the Island of Maui remain protected, the negative effects of stormwater inundation ensuing from development activities within the project site should be evaluated.

To assist in this project's stormwater management plans, OP has developed guidance documents on this subject. We recommend consulting these evaluative tools when developing mitigation methods to offset polluted storm runoff. These documents offer information on land-based pollutants and sediment in place, while considering the management practices best suited for the topography of the area and the types of contaminants potentially affecting nearby water resources. These evaluative tools include:

- Stormwater Impact Assessments assists in identifying and evaluating information on hydrology, stressors, sensitivity of aquatic and riparian resources, and management measures to control runoff, as well as consider secondary and cumulative impacts to the area: http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_impact/final_stormwater_impact_assessments_guidance.pdf; and
- Low Impact Development (LID), A Practitioners Guide covers a range of structural best management practices for stormwater control management and layout that minimizes environmental impacts: http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf.

6. Hawaii State Planning Act

Section III. B., page 21 of the EISPN provides an overview on the Hawaii State Planning Act, HRS Chapter 226. The EISPN goes on to state that the EIS will analyze the proposed hotel project's consistency with State Plan Objectives and Policies.

OP agrees that the DEIS should examine the proposed project's relevance with all parts of HRS Chapter 226, the Hawaii State Planning Act. If any of these provisions are not applicable to this project, the analysis should affirmatively state such determination, followed by discussion paragraphs.

7. Hawaii Coastal Zone Management (CZM) Program

Section III. B., page 23-28 of the EISPN provide an overview of the objectives and supporting policies of the Hawaii CZM Program, as listed in HRS § 205A-2. The EISPN states that the EIS will analyze the project's consistency with HRS § 205A-2.

Ms. Michele Chouteau McLean
February 7, 2019
Page 4

OP concurs that the DEIS should examine the proposed project's consistency with Hawaii CZM Program. Compliance with these objectives and supporting policies is a vital component for satisfying the requirements of HRS Chapter 343.

If you have any questions, please contact Aaron Setogawa of our Land Use Division at (808) 587-2882 or Joshua Hekeia of our CZM Program at (808) 587-2845.

Sincerely,



Rodney Y. Funakoshi
Planning Program Administrator

c: Mr. Brett A. Davis, Senior Planner, Chris Hart & Partners, Inc.
Mr. Anthony Wrzosek, Vice President, R.D. Olson Development



July 17, 2019

Mr. Rodney Y. Funakoshi, Planning Program Administrator
State of Hawaii, Office of Planning
P.O. Box 2359
Honolulu, HI 96804

Dear Mr. Funakoshi:

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your department's letter dated February 7, 2019. The following responses
have been prepared to your comments.

1. *Native Hawaiian Rights*

The EISPN states, "the proposed hotel use will require a Motion to Amend the State Land Use Decision and Order Docket A03-739 to separate the hotel site parcels from the MBP I1 [Maui Business Park Phase 111 design restrictions and conditions of approval" (p. 3). Among the issues the State Land Use Commission (LUC) must consider in its decision making is the preservation and protection of customary and traditional native Hawaiian rights. Pursuant to the Hawaii Supreme Court's holding in Ka Pa 'akai O Ka 'Ainu v. Land Use Commission, the Draft Environmental Impact Statement (DEIS) should make specific findings as to: the identity and scope of valued cultural, historical, or natural resources in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area; the extent to which those resources will be affected or impaired by the proposed action; and the feasible action, if any, to be taken by the petitioner to reasonably protect native Hawaiian rights if they are found to exist.

Response: The Applicant has retained Honua Consulting Inc. to prepare a Cultural Impact Assessment Report as part of the DEIS and was prepared pursuant to the Hawaii Supreme Court's holding in *Ka Pa 'akai O Ka 'Ainu v. Land Use Commission*.

2. *LUC Docket No. A03-73 9*

Again, as the proposed hotel use will require a Motion to Amend the LUC Decision and Order Docket A03-739, the DEIS should provide background information on the docket. The previously submitted DEA for the subject project contained an in-depth analysis on the previous land use district boundary amendment, including the status of compliance with LUC conditions. This analysis should be included in the DEIS.

Response: The DEIS contains a section to analyze the conditions of the Docket No. A03-739 Decision & Order (D&O). A copy of the D&O is included in the DEIS as Appendix A.

3. *Climate Change*

The DEIS should evaluate the project site's exposure and susceptibility to intensified natural hazards linked to climate change. Please verify the project area's exposure rate to environmental threats such as flooding and storm inundation. If the project area proves to be at risk to these dangers, the DEIS should consider adaptation strategies to reduce the vulnerability of the built environment and safeguard the planned structures from coastal area associated hazards.

OP recommends referring to the findings of the Hawaii Sea Level Vulnerability and Adaptation Report, 2017 (Report), by the Hawaii Climate Change Mitigation and Adaptation Commission to assist the Applicant in planning for sea level rise (SLR) related threats. The Report, and the Hawaii SLR Viewer, can be accessed via the Hawaii Climate Adaptation Portal at <http://climateadaptation.hawaii.gov>.

Response: Sea level rise will have adverse effects on all shoreline communities, our economies, and our natural and cultural resources. The findings of the Hawaii Sea Level Rise Vulnerability and Adaptation Report 2017, identify an expected 3.2 feet rise in sea level across the main Hawaiian Islands and provides maps of SLR exposure areas (SLR-XA). The report identifies the towns of Waihee, Hana, Lahaina, Kihei and Sprecklesville that are most vulnerable to sea level rise. The improved project site is located approximately ½ mile from the shoreline and located outside of the SLR- XA with 3.2 feet of sea level rise on Maui. Therefore it is not anticipated that the proposed project site will be affected by sea level rise over the next 30-70 years.

4. *Special Management Area Use Permitting*

Section I. D., page 2 of the EISPN acknowledges the need for a Special Management Area (SMA) Use permit, with a valuation in excess of \$500,000.

The information provided in the DEIS will serve as supporting information for the required SMA use permit. The Applicant should consult with the County of Maui, Department of Planning on this matter.

Response: The Applicant has consulted with the County of Maui, Department of Planning on this matter and acknowledges that the DEIS will serve as supporting information for a SMA Use Permit.

5. *Drainage/Stormwater Runoff Controls/Low Impact Development (LID)*
Section II. D. 3, pages 17- 18 of the EISPN provide an overview of drainage issues that will be covered in the Environmental Impact Statement (EIS). The EISPN states that the report will analyze current conditions, including drainage patterns, existing improvements, and runoff totals.

Pursuant to Hawaii Administrative Rules (HAR) § 11-200-17(i) - probable impact of the proposed action on the environment and impacts of the natural and human environment - in order to ensure that the coastal resources on the Island of Maui remain protected, the negative effects of stormwater inundation ensuing from development activities within the project site should be evaluated.

To assist in this project's stormwater management plans, OP has developed guidance documents on this subject. We recommend consulting these evaluative tools when developing mitigation methods to offset polluted storm runoff. These documents offer information on land-based pollutants and sediment in place, while considering the management practices best suited for the topography. of the area and the types of contaminants potentially affecting nearby water resources. These evaluative tools include:

- *Stormwater Impact Assessments assists in identifying and evaluating information on hydrology, stressors, sensitivity of aquatic and riparian resources, and management measures to control runoff, as well as consider secondary and cumulative impacts to the area:
http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_impact/final_stormwater_impact_assessments_guidance.pdf; and*
- *Low Impact Development (LID), A Practitioners Guide covers a range of structural best management practices for stormwater control management and layout that minimizes environmental impacts:
http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf.*

Response: The DEIS evaluates the probable impact of the proposed action on the environment. The evaluation tools provided above have been reviewed by the project team's civil engineer to assist in developing BMP's for the Proposed Action and identifying LID's to incorporate into the project.

6. *Hawaii State Planning Act*
Section III. B., page 21 of the EISPN provides an overview on the Hawaii State Planning Act, HRS Chapter 226. The EISPN goes on to state that the EIS will analyze the proposed hotel project's consistency with State Plan Objectives and Policies.

OP agrees that the DEIS should examine the proposed project's relevance with all parts of HRS Chapter 226, the Hawaii State Planning Act. If any of these provisions are not applicable to this project, the analysis should affirmatively state such determination, followed by discussion paragraphs.

Response: The DEIS evaluates HRS Chapter 226, the Hawaii State Planning Act the applicability of the objectives and policies, followed by discussion paragraphs.

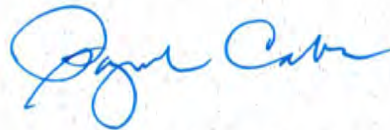
7. *Hawaii Coastal Zone Management (CZM) Program*
Section III. B., page 23-28 of the EISPN provide an overview of the objectives and supporting policies of the Hawaii CZM Program, as listed in HRS § 205A-2. The EISPN states that the EIS will analyze the project's consistency with HRS § 205A-2.

OP concurs that the DEIS should examine the proposed project's consistency with Hawaii CZM Program. Compliance with these objectives and supporting policies is a vital component for satisfying the requirements of HRS Chapter 343.

Response: The DEIS will examine the proposed project's consistency with Hawaii CZM Program objectives and supporting policies.

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

Sincerely yours,



Raymond Cabebe, Vice President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Furukawa, Maui County Planning Department
Project File 19-014

DAVID Y. IGE
GOVERNOR



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

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

IN REPLY REFER TO:
STP 19-003
STP 8.2588

January 31, 2019

Ms. Tara K. Furukawa, Staff Planner
County of Maui
Department of Planning
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793

Dear Ms. Furukawa:

Subject: Windward Hotel
Environmental Impact Statement Preparation Notice (EISPN)
Kahului, Maui, Hawaii
TMK: (2) 3-8-103:014 (por.), 015-018

The Department of Transportation (DOT) understands the applicant is proposing to develop an approximately 200-unit hotel with on and offsite infrastructure improvements. DOT comments on the subject project are as follows:

Airports Division (DOT-AIR)

1. The proposed Windward Hotel Project site is located approximately 0.45 miles from the end of Runway 2 of Kahului Airport (OGG). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link:
http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf.

The proposed project site is also within the 65-70 Day-Night Average Noise Level (DNL) contours as shown on the attached Kahului Airport Five-Year (1998) Noise Exposure Map and is considered an incompatible use according to the attached Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning guidelines. The developer shall incorporate sound attenuation measures to achieve interior levels of 45 DNL into the construction of the proposed hotel.

2. Any construction or alteration, including construction cranes, within 20,000 feet of a public use airport must submit a Federal Aviation Administration (FAA) Form 7460-1, Notice of Proposed Construction or Alteration, pursuant to the Code of Federal Regulations, Title 14, Part 77.9, to the FAA for review. Please see the following website for information: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.
3. If the project includes the installation of a photovoltaic (PV) systems, it is recommended that the project proponent conduct a glint and glare analysis to ensure that the solar energy installation will not create hazardous conditions to OGG flight operations. Please see the following website for more information: www.sandia.gov/glare.

PV system installations have also been known to emit radio frequency interference (RFI) to aviation-dedicated radio signals, disrupting the reliability of air-to-ground communications.

Glint, glare, RFI, PV panels and tall equipment (such as cranes that may be used during construction) can create hazardous conditions to pilots. Any such PV system, construction equipment, and/or other structure that creates such a hazardous condition for pilots, shall be immediately mitigated by the owner upon notification by the Hawaii Department of Transportation, Airports Division (DOT-AIR) and/or FAA.

Highways Division (DOT-HWY)

1. The Draft Environmental Impact Statement should reference the compliance/status of all land use conditions, including contributions for fair share of regional improvements which remain valid and applicable on the Maui Business Park Phase II (MBPII) sites.
2. A Traffic Impact Analysis Report (TIAR) shall be prepared by a State of Hawaii licensed Professional Engineer with qualified traffic experience.
 - a. The TIAR shall propose improvements to mitigate any direct impacts identified, and required improvements shall be provided at no cost to the State.
 - b. The analysis should identify any trip generated impacts by the proposed hotel onto the nearest State highways and mitigation measures for local and direct traffic impact generated.
 - c. The TIAR should discuss any traffic impacts generated by the cumulative development of the MBPII as identified in its TIAR and whether there will be consistency in the conclusions of the TIAR for the proposed hotel.

Ms. Tara K. Furukawa
January 31, 2019
Page 3

STP 19-003
STP 8.2588

- d. The study should include the Hana Highway/Haleakala Highway intersection, West (Wailuku) of the project site.

If there are any questions, please contact Mr. Blayne Nikaido of the DOT Statewide Transportation Planning Office at (808) 831-7979 or by email at blayne.h.nikaido@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jade T. Butay", written over a horizontal line.

JADE T. BUTAY
Director of Transportation

Attachments

c: Anthony Wrzosek, R.D. Olson Development
Brett Davis, Chris Hart & Partners, Inc.



July 17, 2019

Mr. Jade T. Butay, Director
State of Hawaii, Department of Transportation
869 Punchbowl Street
Honolulu, HI 96813-5097

Dear Mr. Butay:

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your department's letter dated January 31, 2019. The following responses
have been prepared to your comments.

Airports Division Comments

1. *The proposed Windward Hotel Project site is located approximately 0.45 miles from the end of Runway 2 of Kahului Airport (OGG). All projects within 5 miles from Hawaii State airports are advised to read the Technical Assistance Memorandum (TAM) for guidance with development and activities that may require further review and permits. The TAM can be viewed at this link:
http://files.hawaii.gov/dbedt/op/docs/TAM-FAA-DOT-Airports_08-01-2016.pdf.*

The proposed project site is also within the 65-70 Day-Night Average Noise Level (DNL) contours as shown on the attached Kahului Airport Five-Year (1998) Noise Exposure Map and is considered an incompatible use according to the attached Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning guidelines. The developer shall incorporate sound attenuation measures to achieve interior levels of 45 DNL into the construction of the proposed hotel.

Response: The Applicant will review the TAM for guidance with development at the site. The DEIS contains an Acoustic study to analyze the noise impacts, including from the airport. The Applicant will incorporate sound attention measures as required by Federal Aviation Regulation (FAR) Part 150, Airport Noise Compatibility Planning guidelines.

2. *Any construction or alteration, including construction cranes, within 20,000 feet of a public use airport must submit a Federal Aviation Administration (FAA) Form 7460-1, Notice of Proposed Construction or Alteration, pursuant to the Code of Federal Regulations, Title 14, Part 77.9, to the FAA for review. Please see the following website for information: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.*

Response: The Applicant will submit a Federal Aviation Administration (FAA) Form 7460-1, Notice of Proposed Construction or Alteration, pursuant to the Code of Federal Regulations, Title 14, Part 77.9, to the FAA for review.

3. *If the project includes the installation of a photovoltaic (PV) systems, it is recommended that the project proponent conduct a glint and glare analysis to ensure that the solar energy installation will not create hazardous conditions to OGG flight operations. Please see the following website for more information: www.sandia.gov/glare.*

PV system installations have also been known to emit radio frequency interference (RFI) to aviation-dedicated radio signals, disrupting the reliability of air-to-ground communications.

Glint, glare, RFI, PV panels and tall equipment (such as cranes that may be used during construction) can create hazardous conditions to pilots. Any such PV system, construction equipment, and/or other structure that creates such a hazardous condition for pilots, shall be immediately mitigated by the owner upon notification by the Hawaii Department of Transportation, Airports Division (DOT-AIR) and/or FAA.

Response: The Applicant is not proposing a PV system. In the event a PV system is proposed the Applicant will conduct a glint and glare analysis to ensure the project doesn't create hazardous conditions to pilots.

Highway Division Comments

1. *The Draft Environmental Impact Statement should reference the compliance/status of all land use conditions, including contributions for fair share of regional improvements which remain valid and applicable on the Maui Business Park Phase II (MBP II) sites.*

Response: The DEIS contains the most recent compliance report as an Appendix and describes the status of all land use conditions, including contributions for fair share of regional improvements which remain valid and applicable on the Maui Business Park Phase II (MBP II) sites within the document.

2. *A Traffic Impact Analysis Report (TIAR) shall be prepared by a State of Hawaii licensed Professional Engineer with qualified traffic experience.*

- a. *The TIAR shall propose improvements to mitigate any direct impacts identified, and required improvements shall be provided at no cost to the State.*

Response: The Applicant acknowledges this comment.

- b. *The analysis should identify any trip generated impacts by the proposed hotel onto the nearest State highways and mitigation measures for local and direct traffic impact generated.*

Response: The TIAR identifies trip generated impacts to various intersections on Hana Highway and Haleakala Highway in the vicinity of the Project.

- c. *The TIAR should discuss any traffic impacts generated by the cumulative development of the MBP II as identified in its TIAR and whether there will be consistency in the conclusions of the TIAR for the proposed hotel.*

Response: The cumulative impact was analyzed in the Maui Business Park Phase II TIAR dated June 2010. Discussion of cumulative impacts on MBP II and consistency with conclusions of the TIAR for the proposed hotel is provided in a new Appendix E.

- d. *The study should include the Hana Highway/Haleakala Highway intersection, West (Wailuku) of the project site.*

Response: The TIAR includes this intersection.

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

Sincerely yours,



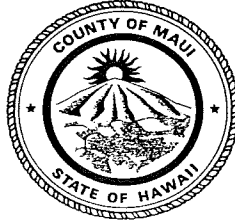
David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Furukawa, Maui County Planning Department
Project File 19-014

MICHAEL P. VICTORINO
Mayor

MICHAEL M. MIYAMOTO
Acting Director

SHAYNE R. AGAWA
Deputy Director



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2050 MAIN STREET, SUITE 2B
WAILUKU, MAUI, HAWAII 96793

January 25, 2018

MICHAEL P. RATTE
Solid Waste Division

ERIC NAKAGAWA, P.E.
Wastewater Reclamation Division

TAMARA FARNSWORTH
Environmental Protection &
Sustainability Division

RECEIVED

FEB 25 2019

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

ce: Bratt 171028

Ms. Tara Furukawa, Staff Planner
Maui Planning Department
2200 Main Street, Suite 619
Wailuku, Hawaii 96793

**SUBJECT: WINDWARD HOTEL
ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT
STATEMENT PREPARATION NOTICE (EISP)
TMK (2) 3-8-103:014 (PORTION), 015, 016, 017, 018, KAHULUI**

We reviewed the subject application and have the following comments:

1. Solid Waste Division comments:

GENERAL REQUIREMENTS:

- ☐ All projects must comply with Maui County code(s) Chapter 8.04 pertaining to refuse collection and landfills.
- ☐ For all projects, demolition, new construction, remodel projects etc., applicants are requested to divert all re-usable materials throughout the project, maximizing efficiency and resource allocation to lessen the burden on the County of Maui landfill and resources. (For additional information regarding recycling options contact the County of Maui Environmental Protection and Sustainability Division. <https://www.mauicounty.gov/742/Environmental-Protection-Sustainability->)
- ☐ Should there be any significant revisions or changes to the proposed document(s), permit or project under review other than what was originally submitted for review, the Solid Waste Division (SWD) reserves the right to revise comments accordingly.
- ☐ Refer to the following SWD link for general SWD information: <https://www.mauicounty.gov/1017/Solid-Waste-Refuse-Services-and-Informat>

LANDFILL:

- ☐ If construction and/or demolition (C&D) is expected to be disposed of at the landfill during project, a C&D application must be submitted and approved prior to delivery to the local landfill. Please see the SWD website link: [C&D Waste Acceptance](https://www.mauicounty.gov/1739/Commercial-ConstructionDemo-Waste-Accept) or <https://www.mauicounty.gov/1739/Commercial-ConstructionDemo-Waste-Accept> for details. In addition to a C&D Number, commercial customers must also have a valid landfill Disposal Permit/Account. The Solid Waste Division (SWD) should be immediately notified if there is any significant revisions or changes to the permitted C&D waste hauling.
- ☐ To obtain a landfill permit to dispose of commercial waste please pick up at a County landfill or download from the SWD website.

- ☐ Hazardous wastes are not accepted at County landfills. However, special wastes such as asbestos, contaminated soil, and canec may be permitted upon request. Contact landfill to inquire and/or make arrangements for special wastes.
- ☐ Check the latest County of Maui Rates and Fees schedule for tipping fees (and potentially reduced fees for oil-free earthen material, soil, rock, concrete, crushed glass, etc. if it can be reclaimed for landfill use).

MAUI COUNTY LANDFILL HOURS OF OPERATION			
Central Maui Landfill	6:00am to 3:00 pm (808-270-6153)	Hana Landfill	8:00 am to 2:30 pm (808-264-6313)
	C&D hrs 6:00 am to 1:00 pm Monday – Friday, excluding County holidays	Molokai Landfill	8:00 am to 2:30 pm (808-553-3869)
		Lanai Landfill	8:00 am to 2:30 pm (808-559-0689)
Holiday hours vary, check SWD website			

2. Wastewater Reclamation Division (WWRD) comments:

- a. Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
- b. Wastewater contribution calculations are required before building permit is issued.
- c. Developer is not required to pay assessment fees for this area at the current time.
- d. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.
- e. Recommend that a property sewer service manhole near the property line.
- f. Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)
- g. Non-contact cooling water and condensate should not drain to the wastewater system.
- h. Note that the existing sewer collection system in Lauo Loop, along Haleakala Highway, Dairy Road and Kele Street is privately owned and operated by Alexander and Baldwin. Developer must provide written assurance from A&B that the system is adequate to handle flows from this development.
- i. Alexander and Baldwin own and operate the private pump station at triangle square. Developer must provide written assurance from A&B that the pump station and force main is adequate to handle flows from this development, and provide a report to the Wastewater Reclamation Division (WWRD) detailing the total daily

volume and rate of flow that is/will be conveyed by the pump station to the County collection system in Alamaha Street prior to and once the project is complete.

- j. Per Maui County Code 20.28.040 Wastewater treatment facility expansion—Allocation of capacity, there is only 70,000 gallons of capacity available to allocate to hotel projects. The preliminary calculations for this facility note a required allocation of 79,713 gpd. The project will either require downsizing, or County Council will need to approve a revision to the Maui County Code changing the allocations to each category.

If you have any questions regarding this letter, please contact Michael Miyamoto at 270-8230.

Sincerely,



MICHAEL M. MIYAMOTO
Acting Director of Environmental Management

xc: ✓ Chris Hart & Partners, Inc.
115 North Market Street
Wailuku, HI 96793

Mr. Anthony Wrzosek, Vice President
R.D. Olson Development
520 Newport Center Drive, Suite 600
Newport Beach, California 92660



July 17, 2019

Mr. Eric Nakagawa, Director
County of Maui
Department of Environmental Management
2050 Main Street, Suite 2B
Wailuku, HI 96793

Dear Mr. Nakagawa,

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your comment letter received February 25, 2019. The following responses
have been prepared to your comments.

1. Solid Waste Division comments:

GENERAL REQUIREMENTS:

- *All projects must comply with Maui County code(s) Chapter 8.04 pertaining to refuse collection and landfills.*
- *For all projects, demolition, new construction, remodel projects etc., applicants are requested to divert all re-usable materials throughout the project, maximizing efficiency and resource allocation to lessen the burden on the County of Maui landfill and resources. (For additional information regarding recycling options contact the County of Maui Environmental Protection and Sustainability Division. <https://www.mauicounty.gov/742/Environmental-Protection-Sustainability->)*
- *Should there be any significant revisions or changes to the proposed document(s), permit or project under review other than what was originally submitted for review, the Solid Waste Division (SWD) reserves the right to revise comments accordingly.*
- *Refer to the following SWD link for general SWD information:
<https://www.mauicounty.gov/1017/Solid-Waste-Refuse-Services-and-Information>*

Response: The Applicant will comply with all Maui County code(s) Chapter 8.04 pertaining to refuse collection and landfills. Additionally the Applicant will divert reusable materials when possible. The hotel will have recycling options for guests. The Applicant acknowledges that should plans change, the SWD reserves the right to comment accordingly.

LANDFILL:

- *If construction and/or demolition (C&D) is expected to be disposed of at the landfill during project, a C&D application must be submitted and approved prior to delivery to the local landfill. Please see the SWD website link: C&D Waste Acceptance or <https://www.mauicounty.gov/1739/Commercial-ConstructionDemo-Waste-Accept> for details. In addition to a C&D Number, commercial customers must also have a valid landfill Disposal Permit/Account. The Solid Waste Division (SWD) should be immediately notified if there is any significant revisions or changes to the permitted C&D waste hauling.*
- *To obtain a landfill permit to dispose of commercial waste please pick up at a County landfill or download from the SWD website.*
- *Hazardous wastes are not accepted at County landfills. However, special wastes such as asbestos, contaminated soil, and canec may be permitted upon request. Contact landfill to inquire and/or make arrangements for special wastes.*
- *Check the latest County of Maui Rates and Fees schedule for tipping fees (and potentially reduced fees for oil-free earthen material, soil, rock, concrete, crushed glass, etc. if it can be reclaimed for landfill use).*

Response: The Applicant will comply with all Maui County code(s) and acknowledges that a C&D application approval is required if construction material is expected to be disposed of at the landfill. There is no demolition proposed as the site is vacant. The Applicant will contact the landfill to check the latest rates and fees.

2. Wastewater Reclamation Division (WWRD) comments:

- a. *Although wastewater system capacity is currently available as of the date of this letter, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.*

Response: The Applicant acknowledges that capacity cannot be ensured until the issuance of the building permit.

- b. *Wastewater contribution calculations are required before building permit is issued.*

Response: The Applicant will provide wastewater contribution calculations before building permits are issued.

c. *Developer is not required to pay assessment fees for this area at the current time.*

Response: The Applicant acknowledges this comment.

d. *Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.*

Response: The Applicant acknowledges this comment and will comply.

e. *Recommend that a property sewer service manhole near the property line.*

Response: The Applicant acknowledges this comment.

f. *Commercial kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)*

Response: The Applicant acknowledges this comment.

g. *Non-contact cooling water and condensate should not drain to the wastewater system.*

Response: The Applicant acknowledges this comment.

h. *Note that the existing sewer collection system in Lauo Loop, along Haleakala Highway, Dairy Road and Kele Street is privately owned and operated by Alexander and Baldwin. Developer must provide written assurance from A&B that the system is adequate to handle flows from this development.*

Response: The Applicant will provide written assurance from A&B that the system is adequate to handle flows from this development.

i. *Alexander and Baldwin own and operate the private pump station at triangle square. Developer must provide written assurance from A&B that the pump station and force main is adequate to handle flows from this development, and provide a report to the Wastewater Reclamation Division (WWRD) detailing the total daily volume and rate of flow that is/will be conveyed by the pump station to the County collection system in Alamaha Street prior to and once the project is complete.*

Response: The Applicant will provide written assurance from A&B that the pump station and force main is adequate to handle flows from this development, and the Applicant's Civil Engineer will provide a report to

the Wastewater Reclamation Division (WWRD) detailing the total daily volume and rate of flow that is/will be conveyed by the pump station to the County collection system in Alamaha Street prior to and once the project is complete.

- j. *Per Maui County Code 20.28.040 Wastewater treatment facility expansion- Allocation of capacity, there is only 70,000 gallons of capacity available to allocate to hotel projects. The preliminary calculations for this facility note a required allocation of 79,713 gpd. The project will either require downsizing, or County Council will need to approve a revision to the Maui County Code changing the allocations to each category.*

Response: The Applicant's Civil Engineer has updated the Preliminary Engineering Report for the DEIS and wastewater calculations are now estimated at 30,000 gallons per day for the hotel. The Applicant Civil Engineer has requested verification from the Department that these calculations are acceptable.

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

Sincerely yours,



Raymond Cabebe, Vice President

Cc: Mr. Anthony Wrzosek, Owner Representative
Ms. Tara Furukawa, Maui County Planning Department
Project File 19-014



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI
HOUSING DIVISION

MICHAEL P. VICTORINO
Mayor

WILLIAM R. SPENCE
Acting Director

LORI TSUHAKE

Deputy Director

2065 MAIN STREET, Suite 108 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7351 • FAX 270-6284 • EMAIL housing.hhc@mauicounty.gov

January 29, 2019

RECEIVED

JAN 31 2019

CHRIS HART & PARTNERS, INC.
Landscape Architecture and Planning

CC: BH/H 17/028

Ms. Tara Furukawa, Staff Planner
Maui Planning Department
2200 Main Street, Suite 619
Wailuku, Hawaii 96793

Dear Ms. Furukawa:

**Subject: Environmental Impact Statement Preparation Notice for the
Windward Hotel.
TMK: 2/3-8-103:014 (portion), 015, 016, 017, 018
Project NO: 1051-004**

The Department has reviewed the Environmental Impact Statement Preparation Notice for the above subject project. Based on our review, we have determined that the subject project is subject to chapter 2.96, Maui County Code. The owner will be required comply with all applicable requirements.

Please call Mr. Buddy Almeida of our Housing Division at 270-7355 if you have any questions.

Sincerely,

C. BUDDY ALMEIDA
Housing Administrator

cc: Director of Housing and Human Concerns
R.D. Olsen Development
Chris Hart & Partners, Inc. ✓

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HHC-HOUSING DIVISION

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COUNTY OF MAUI



Landscape Architecture
City & Regional Planning

RECEIVED JAN 07 2019
1350 KF

January 3, 2019

**ENVIRONMENTAL ASSESSMENT / ENVIRONMENTAL IMPACT STATEMENT
PREPARATION NOTICE (EISPN)**

Dear Participant:

Attached for your review is an Environmental Impact Statement Preparation Notice (EISPN) prepared pursuant to the Hawai'i EIS law (Ch. 343, HRS and 11-200, HAR).

Name of Project:	Windward Hotel
Island:	Maui
TMK:	(2) 3-8-103:014 (portion), 015, 016, 017, 018
Name of Applicant or Proposing Agency	R.D. Olson Development 520 Newport Center Drive, Suite 600 Newport Beach, California 92660 Mr. Anthony Wrzosek, Vice President (949) 271-1109
Approving Agency	Maui Planning Department 2200 Main Street, Suite 619 Wailuku, Hawaii 96793 Ms. Tara Furukawa, Staff Planner (808) 270-8205
Planning Consultant	Chris Hart & Partners, Inc. 115 North Market Street Wailuku, HI, 96793-1717 Mr. Brett A. Davis, Senior Planner bdavis@chpmaui.com (808) 242-1955

Please address your comments to the Approving Agency and copied to the Planning Consultant and the Applicant.

The deadline for receiving comments is February 7, 2019.

Thank you for your participation in the Hawai'i Environmental Review Process.



**CHRIS
HART**
& PARTNERS, INC.

Landscape Architecture
City & Regional Planning

June 7, 2019

Ms. Lori Tsuhako, Director
Department of Housing and Human Concerns
2200 Main Street, Suite 546
Wailuku, HI 96793

Dear Ms. Tsuhako,

RE: Environmental Impact Statement Preparation Notice (EISPN) Comments
for the proposed Windward Hotel, located in Kahului, Maui, Hawaii at
TMK's: (2) 3-8-103:014, (portion) 015, 016, 017, and 018.

Thank you for your comment letter of January 29, 2019 indicating that the project will need to comply with Chapter 2.96 of the Maui County Code and that prior to the issuance of a building permit a Residential Work Force Housing agreement will be required. We look forward to working with you to complete the Residential Work Force Housing agreement upon approval of the project's SMA permit.

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

Sincerely yours,

David Sereda, President

Cc: Mr. Anthony Wrzosek, Applicant
Ms. Tara Fujiwara Maui County Planning Department
Project File 19-014