

Exhibit "18"

Written Testimony of Phillip J. Rowell

WRITTEN TESTIMONY OF PHILLIP J. ROWELL

My name is Phillip J. Rowell. I am a professional traffic engineer and principal of Phillip Rowell and Associates since 1995. Prior to 1995, I was the senior traffic engineer for Parsons Engineering Science, Inc.

I obtained a Bachelor's of Science degree in civil engineering from Clemson University in 1971, and a Master's of Science degree in civil engineering (Transportation and Traffic Engineering) from Clemson University in 1972. I have been a registered professional civil engineer in California since 1975, and in Hawaii since 1989. I have analyzed and prepared over 350 traffic impact analysis reports for projects throughout the State of Hawaii since 1995.

My firm was retained by the Petitioner, Emmanuel Lutheran Church of Maui, to provide traffic engineering consulting services, including an analysis and preparation of a traffic impact analysis report, for Petitioner's proposed new school and church ("the Project") situated at Waikapu, Maui, Hawaii, identified by Tax Map Key No. (2) 3-5-002:011, consisting of approximately 25.263 acres ("the Petition Area").

Attached as Appendix E to Petitioner's Exhibit "6" is a true and correct copy of the traffic impact analysis report ("TIAR") that I prepared for the Project.

The objectives of the TIAR were to identify the individual and cumulative traffic impacts of the Project, and provide recommendations concerning mitigation measures. Numerous intersections, including proposed intersections for new roads to be constructed as part of the proposed Project and other proposed projects, were analyzed in the TIAR. The study intersections and study area are reflected in Figure 2 of the TIAR.

It should be noted that there will be no direct access from the Project onto Honoapiilani Highway. Access will be provided via a new driveway along the west side of

Waiale Road, approximately midway between Kuikahi Drive and the north boundary of the affordable housing project known as Waikapu Gardens.

Since 1996, I used the Los Angeles ("LA") criteria for significance for TIAR's since neither the State Department of Transportation ("DOT") nor the County of Maui have established any standards for traffic impact studies. The LA standards were the most restrictive criteria that I have found in my experience as a traffic engineer. The State Department of Transportation, however, prefers the use of engineering judgment to assess the traffic impacts of a project and the effectiveness of possible mitigation measures, along with the standards of the Institute of Transportation Engineers ("ITE").

Accordingly, I used the ITE standard that a Level-of-Service D is the minimum acceptable level-of-service and that the criteria is applicable to the overall intersection. Side street approaches and minor movements may operate at Level-of-Service E or F in order for the overall intersection and the major roadway to operate at Level-of-Service D, or better. If project-generated traffic causes the level-of-service to drop below Level-of-Service D (Levels-of-Service E or F), then mitigation should be provided to improve the level-of-service to Level-of-Service D or better.

The year 2010 was used as the design horizon year for the TIAR prepared for the Project. The design horizon year represents a date for which future background traffic projections were estimated, which include traffic generated by other planned projects within and adjacent to the TIAR's study area and background traffic growth. The year 2010 was used as the horizon year since it is consistent with the traffic studies for related projects in the area.

Background traffic projections were prepared for 2010 conditions without the Project to establish a base condition for assessing the impacts of the proposed Project. Future

traffic growth consists of both ambient background growth and traffic from other proposed projects in the study area. Data provided in the *Maui Long Range Land Transportation Study* was used to estimate the background growth rate of traffic along Honoapiilani Highway.

Roadways are designed to accommodate projected peak hour traffic volumes. Therefore, the traffic impact analysis focuses on morning and afternoon peak hour conditions.

With respect to signalized intersections, the intersections of Honoapiilani Highway at East Waiko Road and Honoapiilani Highway at Pilikani Street are signalized for 2010 background conditions. The intersection of Honoapiilani Highway at Kuikahi Drive is already signalized. My analysis, which is reflected in Table 13 of the TIAR, concluded that for all of the signalized intersections, all movements will operate at Level-of-Service D, or better. Consequently, no additional mitigation of the signalized intersections is recommended.

My analysis with respect to unsignalized intersections, which is reflected in Table 14 of the TIAR, concluded that except for the intersection of Waiale Road at Kuikahi Drive, all of the unsignalized intersections will operate at Level-of-Service C or better during all peak periods. Since the eastbound to northbound left turn at the intersection of Waiale Road at Kuikahi Drive will operate at Level-of-Service F, mitigation will be required. It should be noted that this intersection will operate at this level of service with or without the Project.

Three (3) potential mitigation measures for the intersection of Waiale Road at Kuikahi Drive are: intersection widening, signalization, and a roundabout. Of these three mitigation measures, signalization is the best alternative as doing so will result in all movements at the intersection operating at Level-of-Service C, or better during morning and afternoon peak hours.

The TIAR also included an analysis of the anticipated traffic conditions at the Project's driveway along Waiale Road to determine what would be the most appropriate lane configuration. My analysis, which is reflected in Table 15 and Figure 17 of the TIAR, concluded that in addition to the driveway having two exit lanes, a separate left turn for traffic turning into the Project is warranted for the morning peak hour period. The inclusion of this separate left turn lane into the Project will also allow for the widening required for a left turn refuge lane coming out of the Project. These lanes will improve the level of service and safety of traffic exiting the Project onto Waiale Road.

DATED: Honolulu, Hawaii, _____, 2007.

Respectfully submitted,

Phillip J. Rowell

Exhibit "19"

Written Testimony of Lisa Rotunno-Hazuka

WRITTEN TESTIMONY OF LISA ROTUNNO-HAZUKA

My name is Lisa Rotunno-Hazuka. I am a consulting archaeologist and the owner of the archaeological consulting firm of Archaeological Services Hawaii, LLC, which is based in Maui. I obtained a Bachelor's of Arts degree from Texas A & M University in 1985. I am a past member of the Cultural Resources Commission of the County of Maui.

My firm was retained by the Petitioner, Emmanuel Lutheran Church, to provide archaeological consulting services covering Petitioner's property identified by Tax Map Key No. (2) 3-5-002:011, consisting of approximately 26.253 acres ("Petition Area").

It is my understanding that Petitioner intends to develop the Petition Area for a new campus for a church and school ("Project"), and that the Petition Area is the focus of the current Land Use Commission district boundary amendment proceedings.

Attached as Appendix D to Petitioner's Exhibit "6" is a true and correct copy of the archaeological field report that was prepared for the Petition Area. The archaeological field report (hereinafter referred to as "the Report") included a pedestrian survey with subsurface backhoe testing that was carried out from May 5-7, 2004. Including myself as the project manager, several other individuals actively participated in the Report. Those individuals were: Paul Titchenal (M.A.), Jeffrey Pantaleo (M.A.), and Diane Guerrero (B.A.). All accepted standard archaeological procedures and practices were followed during the course of the field work on the Petition Area.

A total of twenty-five (25) backhoe trenches were completed. No subsurface cultural remains were recovered in any of the trenches within the Petition Area, which has been heavily impacted by compounded surface disturbances from sugar cane, sand mining, and

farming tenements. One surface site, the Kama Ditch, was identified. The Kama Ditch is a ditch from the historic sugar cane era period and consists of a concrete ditch that runs in a north-south direction.

Based on the location of the Petition Area, there is still however, a potential for the presence of subsurface sites. Accordingly, although no further archaeological testing is warranted, archaeological monitoring is recommended during all construction-related activities. Petitioner will be required to comply with all State of Hawai'i and County of Maui laws and rules regarding the preservation of archaeological and historic sites should any be found during construction.

DATED: Wailuku, Hawaii, _____, 2007.

Respectfully submitted,

LISA ROTUNNO-HAZUKA

Exhibit "20"

Written Testimony of John S. Vuich

WRITTEN TESTIMONY OF JOHN S. VUICH

My name is John S. Vuich. I am a registered environmental assessor and the President and Owner of Vuich Environmental Consultants, Inc., which was founded in 1994 on the island of Maui.

I obtained a Bachelor of Science degree and a Masters of Science degree in geological engineering from the University of Arizona. I am a registered geologist and registered environmental assessor in the State of California and a certified environmental manager in the State of Nevada. My firm has conducted over 300 environmental site assessments within the State of Hawaii.

My firm was retained by the Petitioner, Emmanuel Lutheran Church of Maui, to provide environmental consulting services, including the preparation of a Phase I Environmental Site Assessment covering Petitioner's property identified by Tax Map Key No. (2) 3-5-002:011, consisting of approximately 26.253 acres ("Petition Area"). It is my understanding that Petitioner intends to develop the Petition Area for a new campus for a church and school ("Project"), and that the Petition Area is the focus of the current Land Use Commission district boundary amendment proceedings.

Attached as Appendix C to Petitioner's Exhibit "6" is a true and correct copy of the Phase I Environmental Site Assessment ("the Assessment") that was prepared for the Petition Area. Including myself as the project supervisor, several other individuals actively participated in the Assessment, which included a records review of the Petition Area and a Site Reconnaissance that was carried out on April 27 and May 13, 2004. Those individuals were: site investigator Joseph Beaulieu, and project manager Jeffrey E. Kermode. The guidelines of the American Society of Testing and Materials ("ASTM") Publication E1527-00 were followed during the course of the field work on the Petition Area.

The purpose of a Phase I Environmental Site Assessment is to determine if a site may be contaminated with hazardous or toxic substances or wastes resulting from current or past site activities, unauthorized dumping or disposal, or migration of contaminants from adjacent or nearby properties. The goal is to identify recognized environmental conditions on a property that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products.

The Petition Area was historically used for sugarcane and pineapple cultivation, with small tenant farmers having used approximately 80% of the Petition Area for small-scale farming. The remainder of the Petition Area is fallow fields. Since residual pesticide contamination may remain on-site, Vuich typically recommends conducting soil sampling to ensure contaminant levels (if any) are at acceptable levels. This is especially recommended if the area is to be used for residential/school purposes.

ASTM Standard E1527-00 defines "recognized environmental conditions" as the presence or likely presence of any hazardous substance or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property.

My analysis and assessment of the Petition Area concludes that as of May 2004, there was no evidence of any recognized environmental conditions in connection with the Petition Area. I am unaware of the environmental condition of the property since May 2004.

DATED: Wailuku, Hawaii, _____, 2007.

Respectfully submitted,

John S. Vuich