

Draft Environmental Assessment

MAUI LANI SHOPPING CENTER (TMK (2)3-8-007:121)

Prepared for:

HRT, Ltd.

April 2010

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Executive Summary

Project Name: Maui Lani Shopping Center

Type of Document: Draft Environmental Assessment

Legal Authority: Chapter 343, Hawaii Revised Statutes

Agency Determination: Anticipated Finding of No Significant Impact

Applicable Environmental Assessment Review “trigger”: Use of State Right-of-Way

Location: Island of Maui
Wailuku, Maui, Hawaii
TMK (2) 3-8-007:121

Applicant and Landowner: HRT, LTD.
c/o HRT Realty, LLC
3660 Waiialae Avenue, Suite 400
Honolulu, Hawaii 96816

Approving Agency: County of Maui
Maui Planning Commission

Agent: Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793
Contact: Erin Mukai
Phone No.: (808) 244-2015

Project Summary: HRT, LTD., a subsidiary corporation of the Harry and Jeannette Weinberg Foundation, proposes the development of a neighborhood shopping center on an approximately 12.926-acre site. The project components will include a food market as a major tenant, a submajor tenant, retail and service shops, office space and restaurants. The total retail area will be approximately 105,098 sq. ft. Currently, Safeway is the proposed major tenant, occupying approximately 56,680 sq. ft. of the shopping center. Proposed access points for the site will be from Maui Lani Parkway and Kaahumanu Avenue. The project site is located within the limits of the Maui Lani

Project District in Wailuku on land identified by TMK (2) 3-8-007:121.

The proposed action includes improvements to Kaahumanu Avenue, a State of Hawaii roadway facility. Improvements to Kaahumanu Avenue include: the construction of an auxiliary lane between its intersection with Kainani Street and Maui Lani Parkway; construction of a right-in only shopping center access and deceleration lane; provision of a “bulb-out”/pedestrian island on the southeast corner of the Kaahumanu Avenue-Kainani Street intersection; provision of an additional westbound left-turn lane on Kaahumanu Avenue at its intersection with Maui Lani Parkway (and provision of a receiving lane at Maui Lani Parkway). The use of a State right-of-way is a trigger for Chapter 343, Hawaii Revised Statutes (HRS). As such, a Draft Environmental Assessment (EA) has been prepared pursuant to Chapter 343, HRS, and Chapter 200 of Title 11, Administrative Rules, Environmental Impact Statement Rules. This EA documents the project’s technical characteristics and environmental impacts, and advances findings and conclusions relative to the significance of the project.

I. PROJECT OVERVIEW

I. PROJECT OVERVIEW

A. PROJECT LOCATION AND LAND OWNERSHIP

HRT, LTD., a subsidiary corporation of the Harry and Jeanette Weinberg Foundation, proposes to develop the “Maui Lani Shopping Center” in Wailuku, Maui, Hawaii. The property is located at the corner of Maui Lani Parkway and Kaahumanu Avenue. The subject property is bounded by Kaahumanu Avenue to the north, Maui Lani Parkway to the east, and Kainani Street to the northwest. See **Figure 1** and **Figure 2**. The project site, identified by TMK (2) 3-8-007:121, is approximately 12.926 acres and owned by HRT, Ltd. The subject property is designated “Project District 1” (Maui Lani) by the Wailuku-Kahului Community Plan map and is County zoned, Wailuku-Kahului Project District 1 (Maui Lani).

The landowner and applicant for the proposed action is HRT, Ltd.

B. PROJECT BACKGROUND

The planning stages of the proposed Maui Lani Shopping Center have been underway for several years as the applicant has worked to address comments received from State and County agencies, as well as the community. It is noted that prior to finalization of the current proposed plan, the applicant investigated the feasibility of alternative site plans which included alternative building layouts and access points. A more detailed description of these alternative site plans can be found in Chapter V, Alternatives to the Proposed Action, of this Draft Environmental Assessment.

Over the course of formulating the various alternatives, concerns over the use of Kainani Street by the proposed project have been raised as an issue by residents of the adjacent Historic Sandhills neighborhood located to the west of the project site. See **Figure 3**. In response to these concerns, a number of ingress/egress patterns and geometric solutions for Kainani Street were investigated and discussed with neighboring residents. Towards facilitating a broader forum for discussion and resolution of this issue, the Maui County Council adopted Resolution No. 08-73 to amend the Maui Lani Project District zoning ordinance which would prohibit ingress and egress from Kainani Street. See **Appendix “A”**. The Resolution and the draft bill were then forwarded on to the Maui Planning Commission which conducted a public hearing on November 25, 2008. Although the County of Maui,

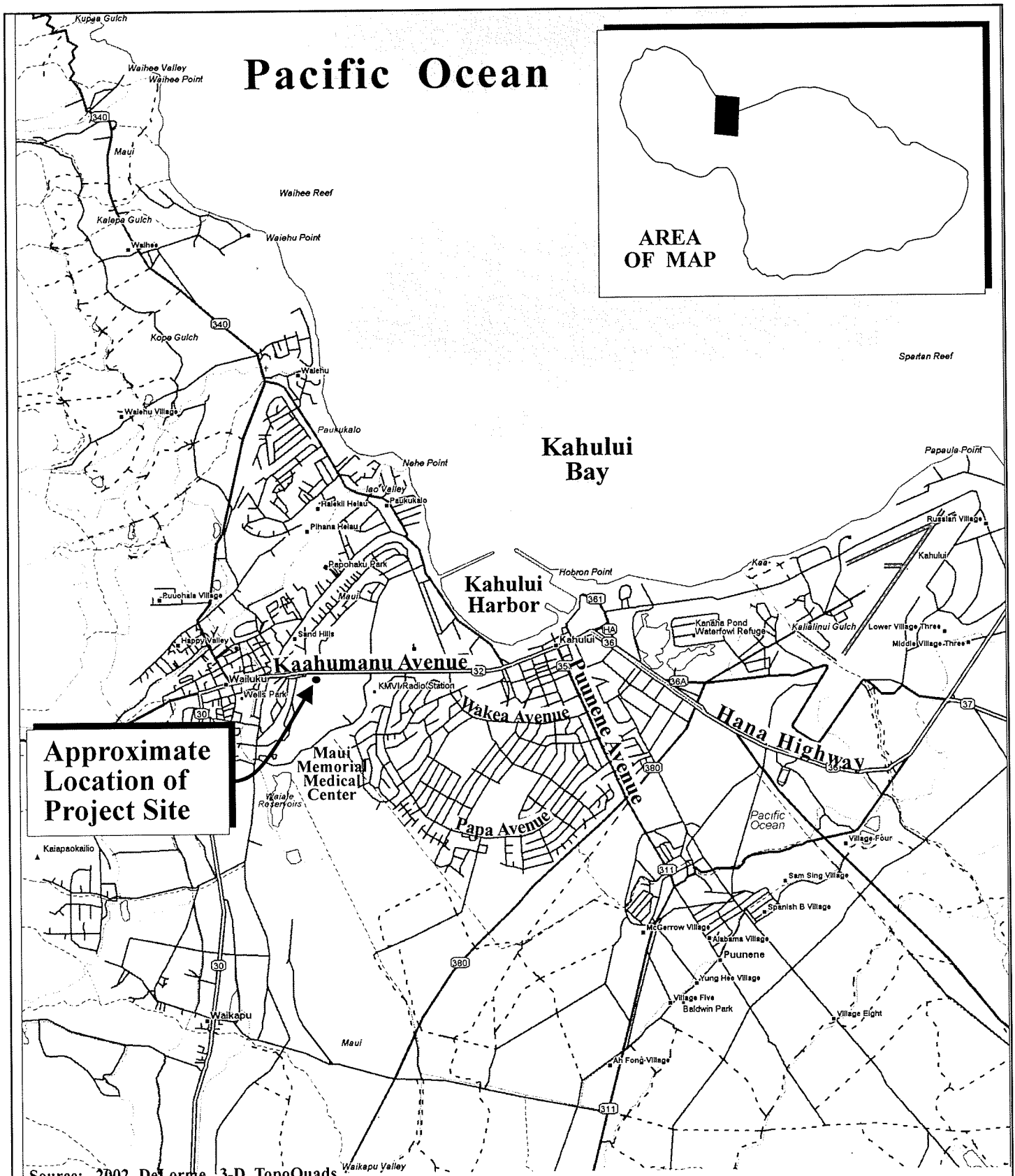
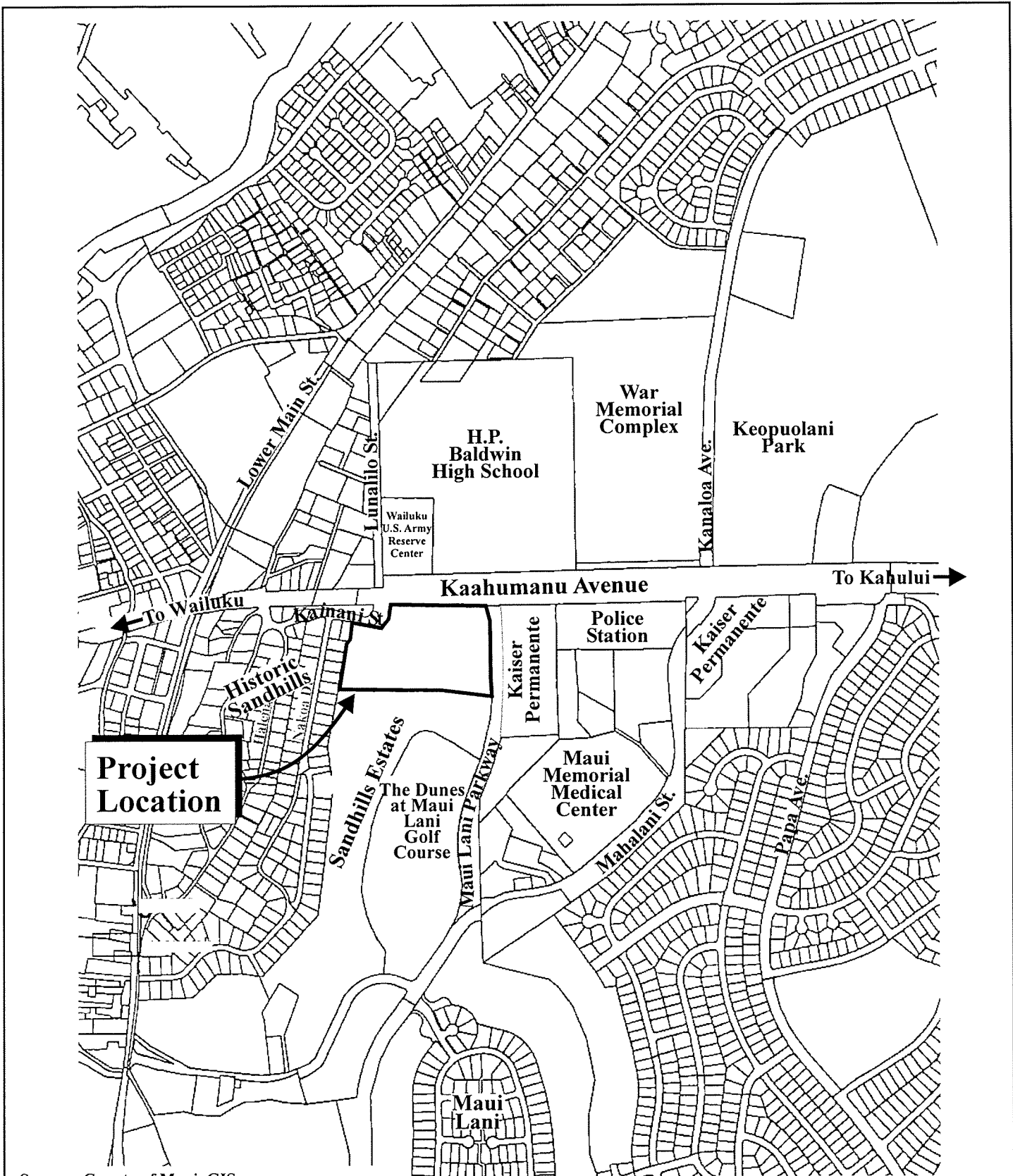


Figure 1 Proposed Maui Lani Shopping Center NOT TO SCALE
Regional Location Map





Source: County of Maui, GIS

Figure 2 Proposed Maui Lani Shopping Center NOT TO SCALE
Site Location Map





Source: County of Maui, GIS

Figure 3

**Proposed Maui Lani Shopping Center
Kainani Street Relationship to Project Site**

NOT TO SCALE



Prepared for: HRT, Ltd.

MUNEKIYO & HIRAGA, INC.

Sueda\Maui\ani\Cir\Kainani Street

Department of Planning recommended disapproval of the proposed Resolution and suggested that ingress only be prohibited from Kainani Street and that egress from the proposed project be permitted, the Maui Planning Commission recommended approval of the Resolution to restrict ingress and egress from Kainani Street to the Maui County Council. Presently, the Maui County Council Land Use Committee is in receipt of the Resolution and draft bill (LU-14). To date, the committee has not yet scheduled the bill for review and further deliberation.

In light of concerns raised relative to the Kainani Street access point, the applicant reviewed project programming and feasibility parameters to identify an access and circulation plan which can be implemented without the use of Kainani Street. Earlier versions of the site plan called for a total retail/commercial area of approximately 130,310 sq. ft. Traffic trips generated from a shopping center of this size required the use of Kainani Street to avoid traffic congestion and backup along Maui Lani Parkway.

A detailed project review was undertaken by the applicant to determine ways to eliminate the need for Kainani Street, while still allowing for a feasible and functional project. Based on this review, the project size was scaled down by approximately 20 percent, to 105,098 s.f. This reduction in project scope and its attendant reduction in trips generated, allows for an access plan which eliminates the need for a Kainani Street access point.

C. EXISTING CONDITIONS

The existing property is vacant, with grubbing and rough grading completed on the project site. Along the western perimeter of the site is a residential community known as Historic Sandhills; to the south of the site lies the remainder of the Maui Lani Project District, including the new Sandhills Estates subdivision to the immediate south and the Dunes at Maui Lani Golf Course; to the east of the site are medical facilities, including Kaiser Permanente and Liberty Dialysis Center, and other business offices; and to the north of the site, beyond Kaahumanu Avenue are Baldwin High School, the Wailuku U.S. Army Reserve Center, and the nearby War Memorial Complex.

D. PROPOSED ACTIONS

The proposed “Maui Lani Shopping Center” will provide a space for commercial retail, business offices, and food and beverage operations to serve the expanding Wailuku-Kahului population. Currently, there is no commercially oriented shopping center located within the

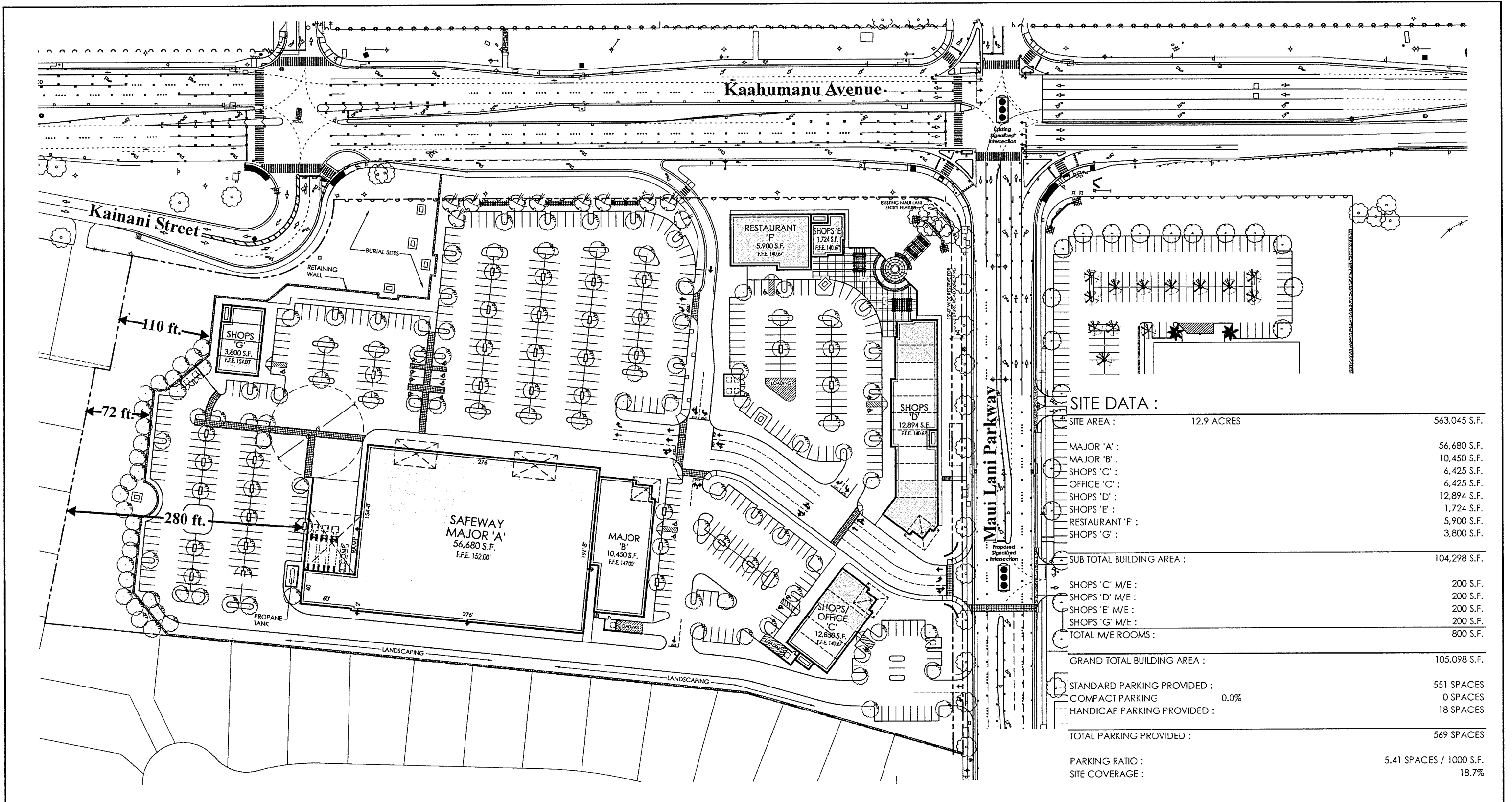
Wailuku region. In keeping with the Wailuku-Kahului Project District 1, HRT, Ltd. is seeking to develop a neighborhood shopping center that will meet long-term community and regional needs.

The proposed action involves the development of a neighborhood shopping center on the site. See **Figure 4**. The project components will include a food market as a major tenant, sub-major tenant, retail and service shops, office space, and restaurants. The total retail area will be approximately 105,098 sq. ft. Currently, Safeway is the proposed major tenant, occupying approximately 56,680 sq. ft. of the shopping center. Typical building elevations for Safeway and the sub-major tenant are presented in **Figure 5**. Preliminary architectural plans, including additional elevations are located in **Appendix "B"**. In reducing the size of the project from 130,000 sq. ft. to 105,098 sq. ft., the applicant also established a buffer between the adjacent Historic Sandhills homes and the developed shopping center site. As shown in **Figure 4**, the developed area is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to further address concerns regarding automobile noise and parking lot lighting and their impacts upon the neighboring homes. The applicant does not intend on developing the buffer area in the future.

The applicant proposes to provide a total of 569 parking stalls on site. Of the 569 stalls, 551 will be standard parking stalls and 18 will be handicap parking. Other improvements include parking lot lighting, trash enclosures and landscaping.

Retaining walls and boundary walls are proposed at the south and west perimeter of the site due to the grade differences on the lot.

Related improvements include onsite utility systems. Proposed offsite improvements include the relocation of an 8-inch wastewater line into the project's roads to provide better access for maintenance, and installation of a new 42-inch drainline within the southbound lanes of Maui Lani Parkway to mitigate the additional runoff generated by the project. Proposed access for the site will be from Maui Lani Parkway and Kaahumanu Avenue. As previously noted, the use of Kainani Street as a point of access is no longer proposed. In addition, sidewalks, crosswalks and shoulder lanes are proposed in conjunction with the project.



SITE DATA :

SITE AREA :	12.9 ACRES	563,045 S.F.
MAJOR 'A' :		56,680 S.F.
MAJOR 'B' :		10,450 S.F.
SHOPS 'C' :		6,425 S.F.
OFFICE 'C' :		6,425 S.F.
SHOPS 'D' :		12,894 S.F.
SHOPS 'E' :		1,724 S.F.
RESTAURANT 'F' :		5,900 S.F.
SHOPS 'G' :		3,800 S.F.
SUB TOTAL BUILDING AREA :		104,298 S.F.
SHOPS 'C' M/E :		200 S.F.
SHOPS 'D' M/E :		200 S.F.
SHOPS 'E' M/E :		200 S.F.
SHOPS 'G' M/E :		200 S.F.
TOTAL M/E ROOMS :		800 S.F.
GRAND TOTAL BUILDING AREA :		105,098 S.F.
STANDARD PARKING PROVIDED :		551 SPACES
COMPACT PARKING :	0.0%	0 SPACES
HANDICAP PARKING PROVIDED :		18 SPACES
TOTAL PARKING PROVIDED :		569 SPACES
PARKING RATIO :		5.41 SPACES / 1000 S.F.
SITE COVERAGE :		18.7%

Source: Benner Stange Associates Architects, Inc.

Figure 4

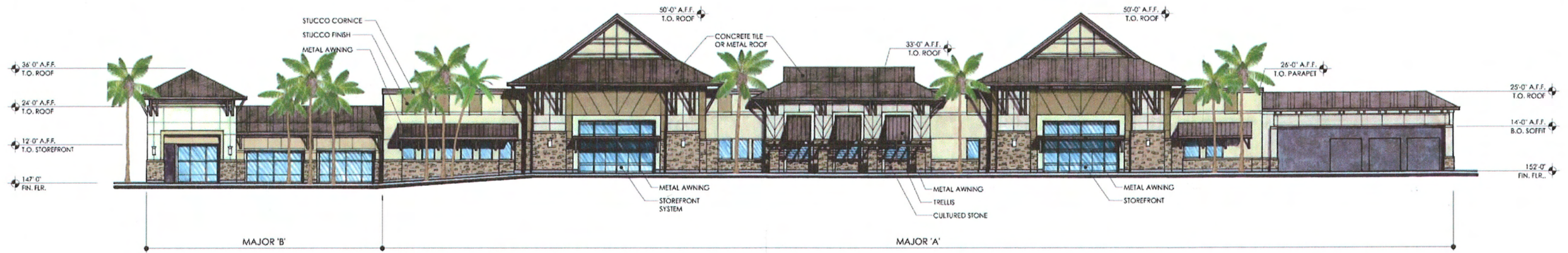
Proposed Maui Lani Shopping Center
Site Plan

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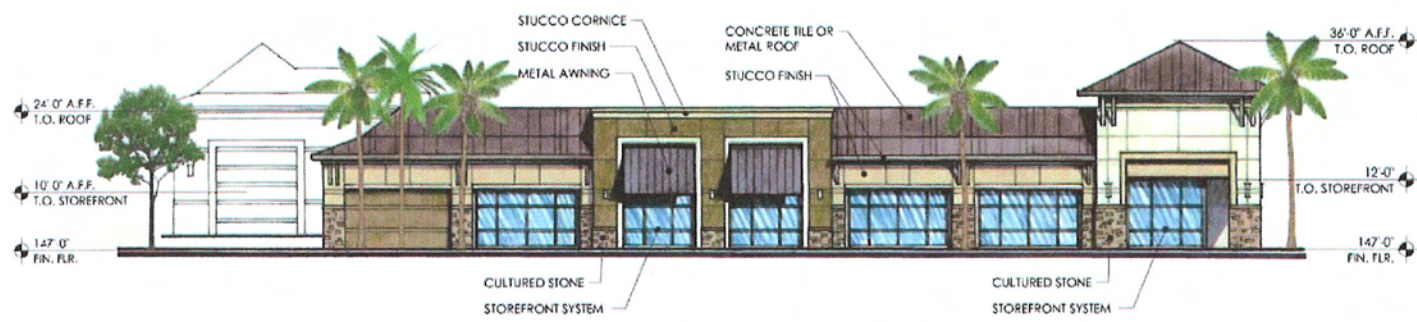


Prepared for: HRT, Ltd.

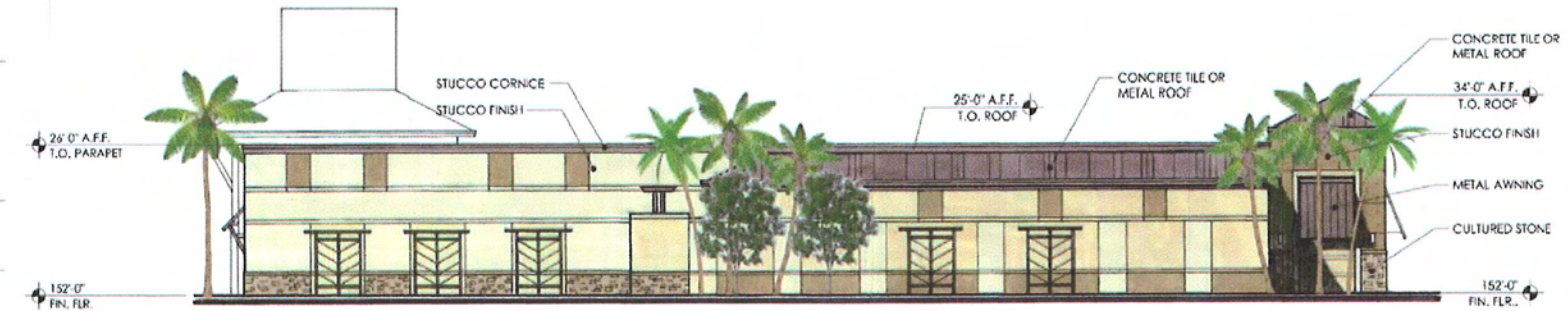




Major A & B North Elevation



Major B East Elevation



Major A West Elevation



Major A & B South Elevation

Source: Benner Stange Associates Architects, Inc.

Figure 5

Proposed Maui Lani Shopping Center
Building Elevations to Safeway (Major A) and Major B

NOT TO SCALE

Proposed vehicular access points are described below.

Maui Lani Parkway

The applicant proposes to construct two (2) new access points along Maui Lani Parkway, a privately owned roadway facility to be dedicated to the County of Maui in the future. The main access will be located towards the middle of the property, approximately 500 ft. south from the Maui Lani Parkway/Kaahumanu Avenue intersection, in line with the main access to Kaiser Permanente (to the east of the project site). This access will be a full movement intersection with right-turn in, right-turn out, as well as left-turn in, and left-turn out turning movements. The applicant proposes to monitor the access intersection and will install a traffic signal when warranted. The second access on Maui Lani Parkway will be approximately 130 ft. south of the main access, and will also operate as a parking access and service road. This access will be a limited access with right turn in and right turn out turning movements only.

Kaahumanu Avenue

To provide a functional and viable circulation and access plan, the applicant proposes to construct a right turn only entry with a deceleration lane into the shopping center from Kaahumanu Avenue, approximately 420 feet east of the Kainani Street and Kaahumanu Avenue intersection. An auxiliary lane between the Kainani Street and Maui Lani Parkway intersections with Kaahumanu Avenue is also proposed. In addition, the Kainani Street/Kaahumanu Avenue intersection will be reconfigured to include a pedestrian island on the southeast corner. This island or “bulb out” will channelize the northbound traveling vehicles on Kainani Street wishing to make a right turn onto Kaahumanu Avenue.

Other Related Roadway Improvements

While investigating a feasible site plan that included identifying alternative building layouts and access points, the applicant’s traffic engineer, PB Americas, Inc. (PB), completed its preliminary traffic evaluation for the proposed shopping center. See **Appendix “C”**. As previously noted, the outcome of this was a reduction in project scope and its attendant reduction in trips generated. The traffic engineer has since been working with the State of Hawaii, Department of Transportation (DOT) to secure their concurrence on the access concept. The DOT has preliminarily accepted the traffic evaluation in a letter dated December 23, 2009. See **Appendix “D”**.

E. REGULATORY CONTEXT

The project site is located within the Wailuku-Kahului Community Plan region. The subject property is designated “Project District 1” by the Community Plan, which guides the sequencing, patterns, and characteristics of future development in the region. The intent of the Wailuku-Kahului Project District 1 (Maui Lani Project District) is to establish a residential community along with an integrated open space and recreation system, future school sites, village mixed use area, and community or regional scale commercial shopping facilities to serve the expanding Wailuku-Kahului population (Chapter 19.78.010 MCC).

1. Project District Phase II

As part of the Project District processing requirements for the “Maui Lani Shopping Center”, the applicant is requesting Project District Phase II Approval (development of a Project District shall be subject to three (3) phases of approvals). Project District Phase II Approval involves the submittal of a preliminary site plan for the project district development to the Planning Director who, in turn, submits the preliminary site plan and supporting documentation to the Planning Commission. A public hearing for the affected Community Plan region is then held by the Planning Commission, who may approve the site plan with or without modifications.

The application for Project District Phase II Approval was filed on August 15, 2005. The public hearing for the proposed “Maui Lani Shopping Center” was held on July 10, 2007. At the July 10, 2007 Maui Planning Commission Meeting, action on the proposed project was deferred until a Chapter 343, Hawaii Revised Statutes (HRS) Environmental Assessment (EA) is prepared.

2. Project District Phase III

After Project District Phase II Approval, Project District Phase III Approval is required. The Project District Phase III process involves the submittal of a final site plan for the development to the Planning Director. The director approves the site plan if it conforms in all substantive respects to the approved preliminary (Phase II) site plan (19.45.050).

F. CHAPTER 343, HAWAII REVISED STATUTES

As previously noted, the proposed project will involve the use of State land in the form of improvements to Kaahumanu Avenue. As such, an EA is being prepared pursuant to Chapter 343, HRS and Chapter 200 of Title 11, Department of Health Administrative Rules, Environmental Impact Statement Rules. Accordingly, this document addresses the project's technical characteristics, environmental impacts and alternatives, and advances findings and conclusions relative to the significance of the proposed action.

The approving agency for the EA is the Maui Planning Commission.

G. PROJECT COSTS AND SCHEDULE

The estimated construction cost for the proposed improvements is approximately \$20.0 million. Construction of the proposed improvements will commence upon the receipt of all necessary regulatory permits and approvals. Construction duration is estimated to be approximately 18 to 24 months.

**II. DESCRIPTION OF THE
EXISTING ENVIRONMENT,
POTENTIAL IMPACTS
AND MITIGATION
MEASURES**

II. DESCRIPTION OF THE EXISTING ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATION MEASURES

A. PHYSICAL SETTING

1. Surrounding Land Uses

a. Existing Conditions

The subject property is located within the Maui Lani Project District (Wailuku-Kahului Project District 1). The Project District lands incorporate the southwestern portions of the Wailuku-Kahului urban area. Kahului is the island of Maui's center of commerce. Kahului is home to Kahului Harbor, the island's only deep water port, and the Kahului Airport, the second busiest airport in the State. With its proximity to the harbor and airport, the Kahului region has emerged as the focal point for heavy industrial, light industrial and commercial activities and services such as warehousing, baseyard operations, automotive sales and maintenance, and retailing for equipment and materials for suppliers. Kahului is considered Central Maui's commercial retailing center with the Kaahumanu Center, Maui Mall, Maui Marketplace and Kahului Shopping Center located within the region. Wailuku, on the other hand, serves as the seat of County and State governments, with several agencies headquartered in the civic center area between Kaohu Street and Main Street. Wailuku also serves as a center for professional services including, medical, dental, legal and design professions.

Land uses surrounding the Maui Lani Project District include existing residential areas of Kahului and Wailuku, as well as public/quasi-public uses found in the vicinity of the Maui Memorial Medical Center and Baldwin High School. Project District lands along the easterly extent of the Project District (along Kuihelani Highway) are bordered by sugar cane fields. The old Waikapu landfill (closed) is located to the southwest of the Project District.

The proposed project site is located at the corner of Maui Lani Parkway and Kaahumanu Avenue in Wailuku, and covers an area of approximately 12.926 acres. Adjacent to the western perimeter of the site is a residential community known as Historic Sandhills. To the east of the project site, beyond Maui Lani Parkway, are medical facilities, including Kaiser Permanente, Liberty Dialysis Center, and other business offices. Maui Memorial Medical Center is also located to the southeast of the project site. To the north of the site, beyond Kaahumanu Avenue, are Baldwin High School, the Wailuku U.S. Army Reserve Center, and the nearby War Memorial Complex. Neighboring the southern portion of the property are the new Sandhills Estates homes and lots, while further south is the Dunes at Maui Lani Golf Course. The existing project site is vacant with grubbing and rough grading completed on the property.

b. Potential Impacts and Proposed Mitigation Measures

The subject property is within the Commercial PD-WK/1 Sub-district of the Maui Lani Project District. In accordance with Chapter 19.78 of the Maui County Code, permitted principal uses and structures in this district include:

- a. *Automobile services, excluding major repairs;*
- b. *Animal boarding facility;*
- c. *Animal hospital;*
- d. *Day care facility;*
- e. *Eating and drinking establishments;*
- f. *Education, general;*
- g. *Education, specialized;*
- h. *Eleemosynary organizations;*
- i. *Food and beverage, retail;*
- j. *Garage, storage;*

- k. General merchandising;*
- l. General office;*
- m. Group shelters;*
- n. Light manufacturing and processing;*
- o. Medical center, minor;*
- p. Parking area, public;*
- q. Personal and business services;*
- r. Public facility or public use;*
- s. Quasi-public use or quasi-public facility;*
- t. Recreation, indoor;*
- u. Self-storage, provided it is within an enclosed building; and*
- v. Utility facilities, minor.*

As part of the Maui Lani Project District, the project site is located in the midst of the Wailuku-Kahului urban core. The proposed project will serve as an urban infill with its close proximity to neighboring urban uses. The proposed action will increase the opportunity for retail and business space in the Central Maui area.

There have been land use compatibility issues highlighted by residents from the neighboring community of Sandhills. These issues have been identified through the progression of the early consultation process, as well as through a meeting with the Historic Sandhills Neighborhood Association on September 12, 2007 and the community meetings conducted with the neighboring community of Sandhills on October 16, 2007, December 13, 2007, and November 12, 2008. See **Appendix “E”**, **Appendix “F”**, **Appendix “G”**, and **Appendix “H”**, respectively.

Land use compatibility issues identified by neighboring residents are discussed in subsequent sections of this report as presented in **Table 1**.

Table 1. EA Report Sections Addressing Land Use Compatibility Issues Raised by Neighboring Residents

Issue Raised	EA Report Section Pertaining to Issue Raised
1. Cut-through traffic in the Sandhills neighborhood due to proposed project	Chapter II, Section D.1
2. Other traffic-related issues	Chapter II, Section D.1
3. Archaeological and cultural concerns	Chapter II, Section A.6 and A.7
4. Odor impacts to neighboring residents as a result of shopping center trash bins	Chapter II, Section A.8 and C.3
5. Noise impacts generated from delivery trucks and other shopping center-related equipment	Chapter II, Section A.9
6. Light impacts generated from shopping center lighting	Chapter II, Section A.11
7. Adverse impacts to neighboring Baldwin High School located to the north of the project site, beyond Kaahumanu Avenue	Chapter II, Section C.5 and D.1
8. Landscaping bordering adjacent residents' lots	Chapter II, Section A.10
9. Pedestrian Safety	Chapter II, Section C.5
10. Alternative Access: Sidewalks, bike paths	Chapter I, Section D and Chapter II, Section C.5

In addition to the foregoing, concern has been expressed with regard to Safeway's proposed 24 hours a day, 7 days a week store opening hours. The neighboring Sandhills community has expressed concern with impacts associated with the "24/7" operating proposal. Such concerns include noise generated by equipment and trucks, as well as safety and security concerns associated with loitering and late night activities in the parking lot. To address these concerns, the applicant will prepare and implement a night-time security and operations plan which would include such measures as limiting the use of service vehicles, trucks and equipment during late night and early morning hours, as well as employing security patrol protocols designed to control loitering.

Further, the applicant will employ a management firm that would oversee operations at the shopping center. This would allow for a single point of contact whereby neighboring residents could address their concerns. In addition, it is anticipated that the management operations would facilitate a mutual working relationship between the shopping center and its activities and neighboring communities.

2. Climate

a. Existing Conditions

Like most areas of Hawaii, Maui's climate is relatively uniform year round. Characteristic of Hawaii's climate, the project site experiences mild and uniform temperatures year round, moderate humidity and a relatively consistent northeasterly tradewind. Variation in climate on the island is largely left to local terrain.

Average temperatures at the project site (based on temperatures recorded at Kahului Airport) range from lows in the 60's to highs in the 80's. August is historically the warmest month, while January and February are the coolest. Rainfall at the project site averages approximately 20 inches per year. Winds in the Kahului region are predominantly out of the north-northeast and northeast.

b. Potential Impacts and Mitigation Measures

The proposed project is not anticipated to adversely affect climatic conditions in the area.

3. Topography and Soils

a. Existing Conditions

The site is located on Maui's central isthmus. The property ranges in elevations from approximately 127 feet above mean sea level (amsl) at its easterly boundary to approximately 197 feet amsl at its westerly boundary adjacent to the Historic Sandhills neighborhood. Underlying the site and surrounding lands is soil belonging to the Pulehu-Ewa-Jaucas association

which is characterized as having deep, nearly level to moderate slope, with well drained soils that have moderately fine to coarse texture. See **Figure 6**. The soil types specific to the project site is Puuone Sand (PZUE). See **Figure 7**. PZUE soils predominate in the Kahului region and are typified by a sandy surface layer underlain by cemented sand (Soil Conservation Service, 1972).

The project site is currently vacant with grubbing and rough grading completed on the property.

b. Potential Impacts and Mitigation Measures

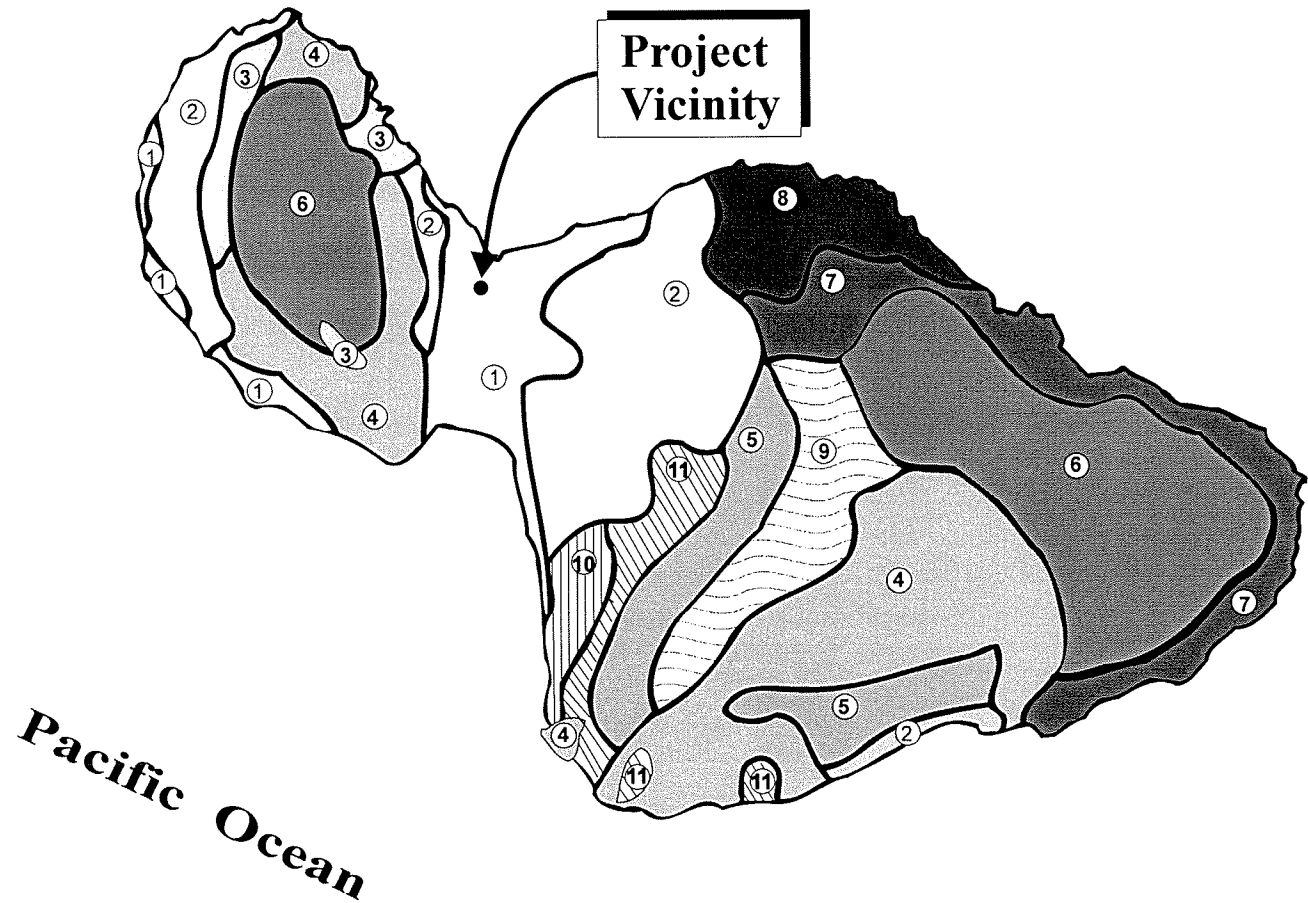
The project site is currently cleared, grubbed, and graded. The existing (post-mass grading) topographic conditions at the project site, ranging in elevation from approximately 127 feet amsl at its easterly boundary to approximately 197 feet amsl at its westerly boundary (adjacent to the Historic Sandhills neighborhood), will be minimally modified during the fine-grading phase of work to meet design requirements. See **Figure 8**.

As illustrated in **Figure 9**, there is an approximately 45-foot drop from the existing property line at the adjacent Historic Sandhills lots' boundary to approximately 275-feet east within the project site, near the proposed Safeway structure. Retaining walls and boundary walls are proposed at the south and west perimeter of the site due to the grade differences between the subject property and abutting lands.

The proposed project will not significantly alter existing topography and soil characteristics at the project site.

LEGEND

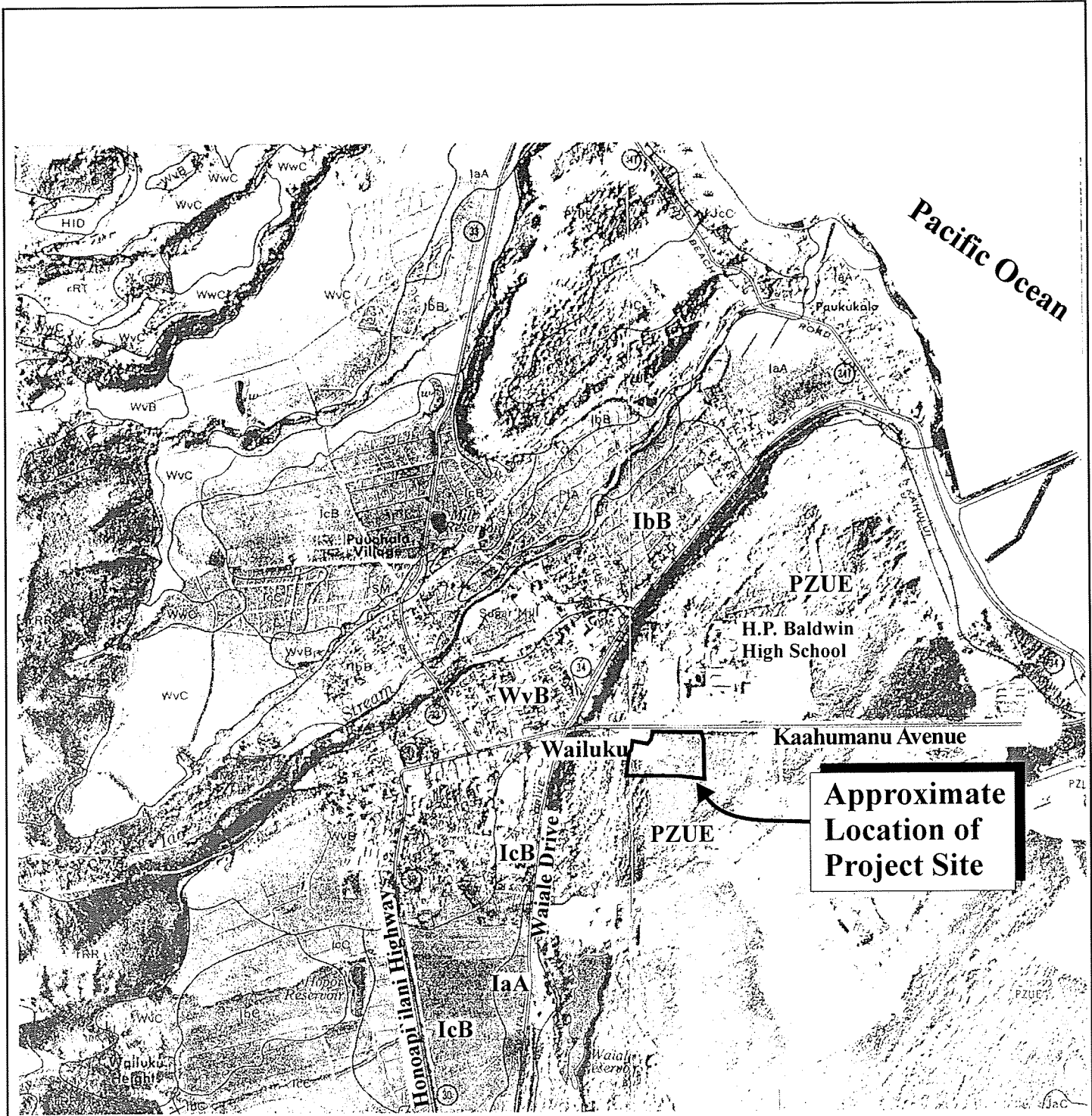
- | | |
|--|-------------------------------------|
| ① Pulehu-Ewa-Jaucas association | ⑦ Hana-Makaalae-Kailua association |
| ② Waiakoa-Keahua-Molokai association | ⑧ Pauwela-Haiku association |
| ③ Honolua-Olelo association | ⑨ Laumaia-Kaipoi-Olinda association |
| ④ Rock land-Rough mountainous land association | ⑩ Keawakapu-Makena association |
| ⑤ Puu Pa-Kula-Pane association | ⑪ Kamaole-Oanapuka association |
| ⑥ Hydrandepts-Tropaquods association | |



Source: USDA Soil Conservation Service

Figure 6 Proposed Maui Lani Shopping Center NOT TO SCALE
Soil Association Map





Source: USDA Soil Conservation Service

Figure 7 Proposed Maui Lani Shopping Center
Soil Classification Map

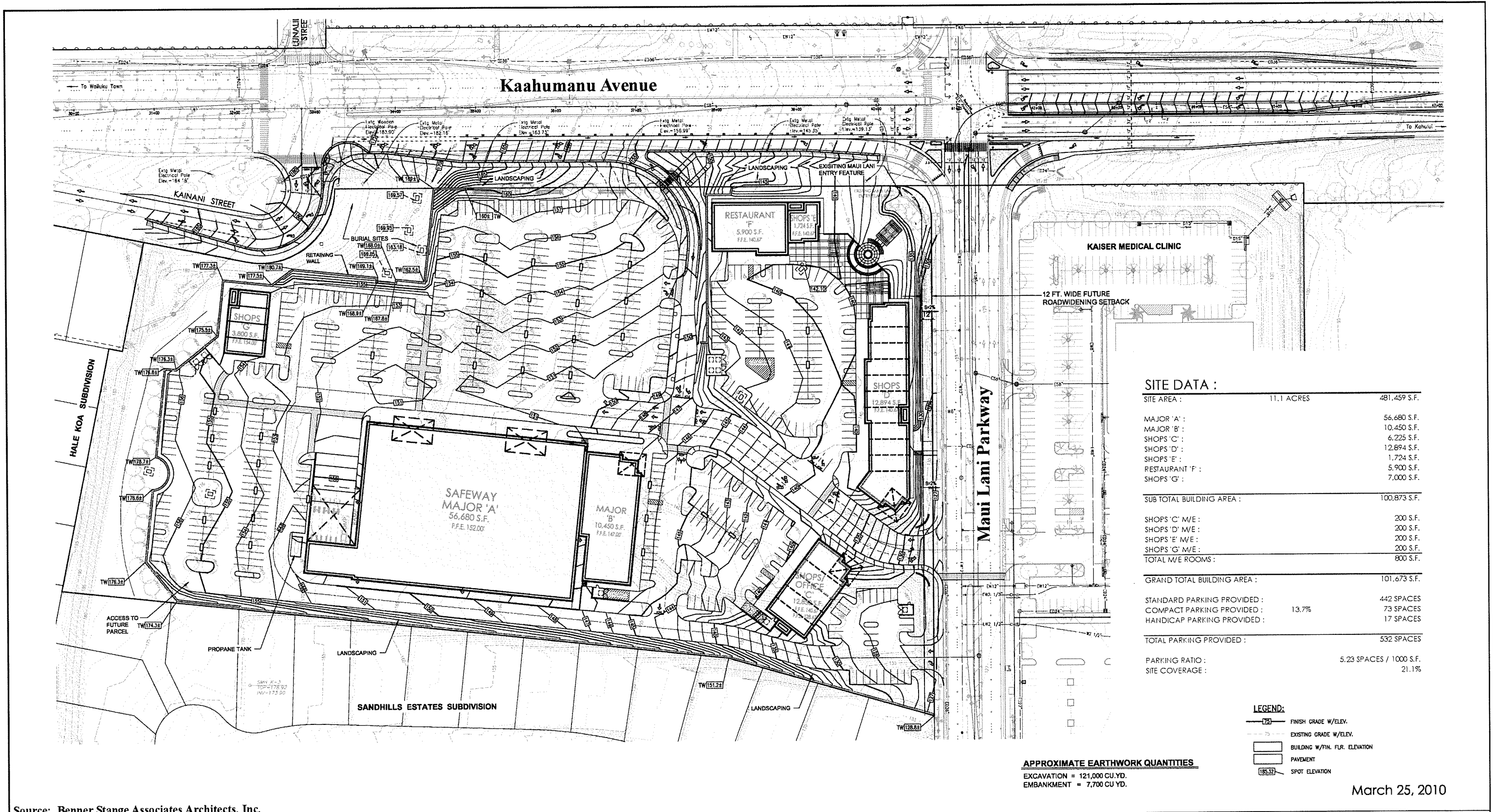
NOT TO SCALE



Prepared for: HRT, Ltd.

MUNEKIYO & HIRAGA, INC.

sueda\MauiLaniCtr\soilclass



SITE DATA :

SITE AREA :	11.1 ACRES	481,459 S.F.
MAJOR 'A' :		56,680 S.F.
MAJOR 'B' :		10,450 S.F.
SHOPS 'C' :		6,225 S.F.
SHOPS 'D' :		12,694 S.F.
SHOPS 'E' :		1,724 S.F.
RESTAURANT 'F' :		5,900 S.F.
SHOPS 'G' :		7,000 S.F.
SUB TOTAL BUILDING AREA :		100,873 S.F.
SHOPS 'C' W/E :		200 S.F.
SHOPS 'D' W/E :		200 S.F.
SHOPS 'E' W/E :		200 S.F.
SHOPS 'G' W/E :		200 S.F.
TOTAL W/E ROOMS :		800 S.F.
GRAND TOTAL BUILDING AREA :		101,673 S.F.
STANDARD PARKING PROVIDED :		442 SPACES
COMPACT PARKING PROVIDED :	13.7%	73 SPACES
HANDICAP PARKING PROVIDED :		17 SPACES
TOTAL PARKING PROVIDED :		532 SPACES
PARKING RATIO :		5.23 SPACES / 1000 S.F.
SITE COVERAGE :		21.1%

APPROXIMATE EARTHWORK QUANTITIES
 EXCAVATION = 121,000 CU.YD.
 EMBANKMENT = 7,700 CU.YD.

LEGEND:

	FINISH GRADE W/ELEV.
	EXISTING GRADE W/ELEV.
	BUILDING W/FIN. FLR. ELEVATION
	PAVEMENT
	SPOT ELEVATION

March 25, 2010

Source: Benner Stange Associates Architects, Inc.

Figure 8

Proposed Maui Lani Shopping Center
 Preliminary Grading Plan

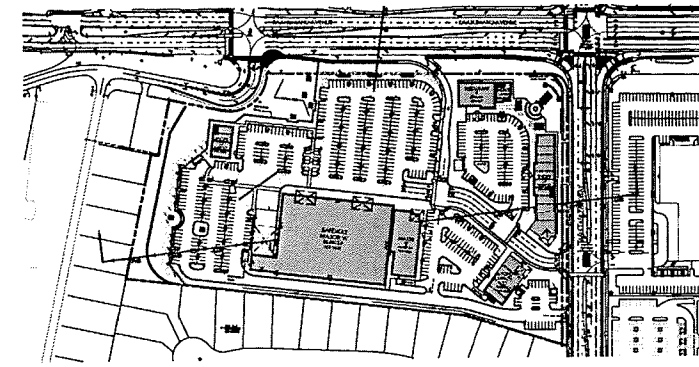
NOT TO SCALE



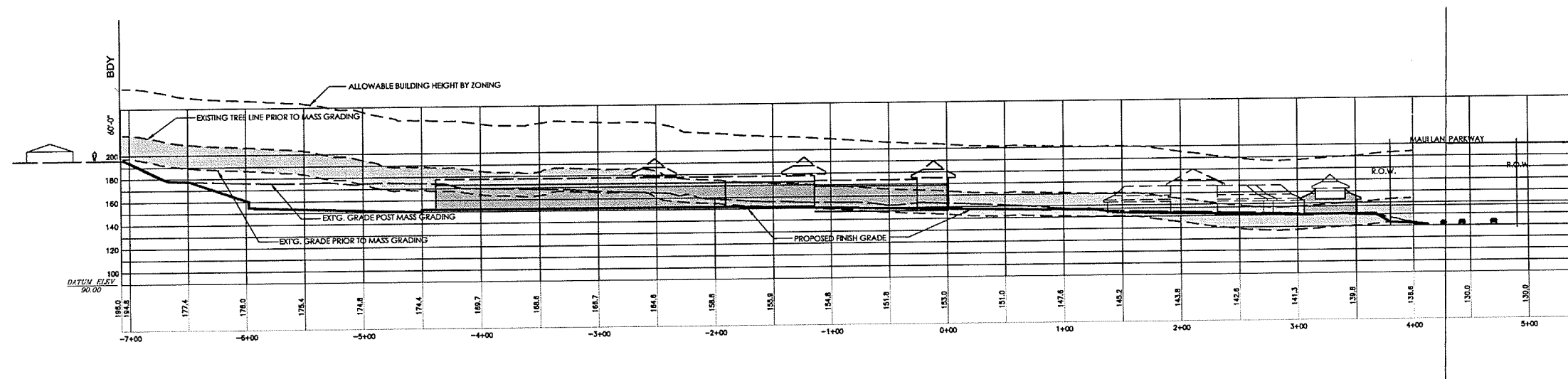
Prepared for: HRT, Ltd.

MUNEKIYO & HIRAGA, INC.

Sueda\MauiLaniCtr\PrelimGradingPlan



① Site Plan Prior to Grading



② Site Section



WARREN S. UNEMORI - ENGINEERING, INC.
 Waie Street Professional Center - Suite 403
 2145 Waie Street - Waikoloa, Hawaii 96793
 (808)242-4403 FAX: (808)244-4858
 September 26, 2005

LEGEND:

- PROPOSED FINISH GRADES & STRUCTURES
- - - - EXTG. GRADE PRIOR TO MASS GRADING
- · — · EXTG. GRADE POST MASS GRADING
- · - · - · EXISTING TREE LINE PRIOR TO MASS GRADING
- · - · - · ALLOWABLE BUILDING HEIGHT BY ZONING

Source: Benner Stange Associates Architects, Inc.

Figure 9

Proposed Maui Lani Shopping Center
 Site Section

NOT TO SCALE

4. **Flood and Tsunami Hazard**

a. **Existing Conditions**

The Flood Insurance Rate Map (FIRM) for this region indicates that the project site is located in Zone X, areas determined to be outside the 0.2 percent annual chance floodplain. See **Figure 10**. In addition, the subject property is located beyond the reaches of the tsunami inundation zone.

b. **Potential Impacts and Mitigation Measures**

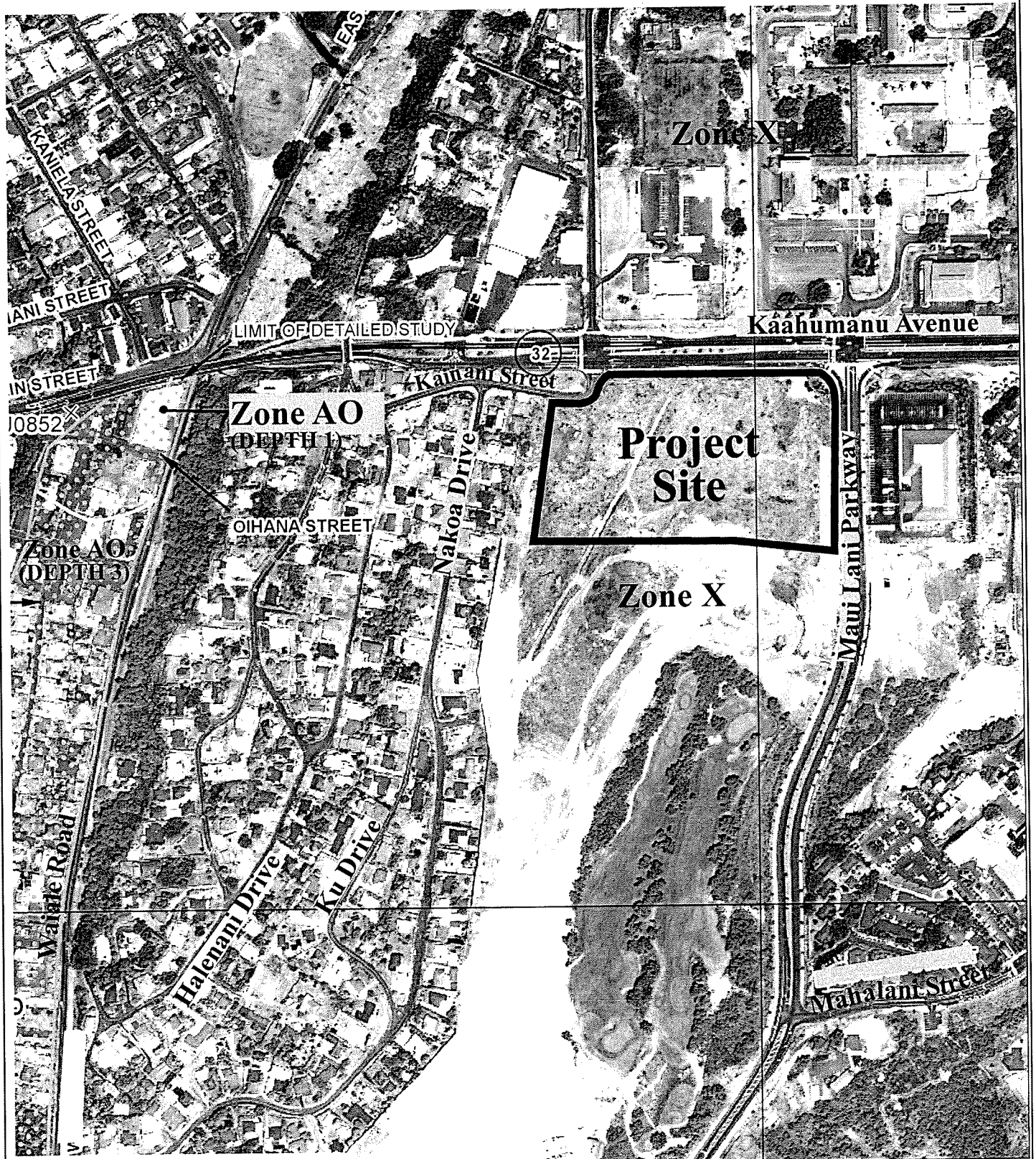
The project site is not a shoreline property, nor is it situated near streams, wetland areas or other areas which may pose flooding concerns. The subject property is located within Zone X, an area determined to be outside the 0.2 percent annual chance floodplain and located beyond the reaches of the tsunami inundation zone. A more detailed discussion of drainage impacts associated with the project is presented in Section D.4 of this chapter.

5. **Flora, Fauna and Avifauna**

a. **Existing Conditions**

The subject property is vacant, with grubbing and rough grading completed on the project site. Since completion of grading work, weeds and shrubs have regrown in various spots on the property. Prior to the grubbing and grading work, the flora found within the site consisted primarily of kiawe, koa haole, and various grasses and weeds. There are no known rare threatened or endangered species of plants within the project site.

Fauna and avifauna are also characteristic of urban areas. Fauna typically found in the vicinity include mongoose, rats, dogs and cats. Avifauna include the Common Mynah, Spotted Dove, Barred Dove, Japanese White-Eye Cardinal, Red-Crested Cardinal, and House Sparrow. There are no identified rare, threatened or endangered species of fauna or avifauna found at the project site.



Source: FEMA Map, Number 150003 0391E

Figure 10 Proposed Maui Lani Shopping Center NOT TO SCALE
 Flood Insurance Rate Map



b. Potential Impacts and Mitigation Measures

There are no known significant habitats or rare, endangered or threatened species of flora, fauna, and avifauna located within the project site. There are no streams or wetlands located within the project site. Further, the project site will be landscaped to provide a complex which will aesthetically complement the surrounding neighborhoods. While landscaping is not intended to provide replacement habitats for displaced fauna, it will allow for transient use by birds which frequent the Sandhills area. The proposed action is not anticipated to have an adverse impact upon these environmental features.

6. Archaeological Resources

a. Existing Conditions

An archaeological inventory survey was conducted in 1997 by Xamanek Researches, LLC. See **Appendix "I"**. At that time a burial feature (Site 4401) was identified in the northeast quadrant of the project site. The identified burial feature was then presented to the Maui/Lanai Islands Burial Council (MLIBC) and the proposed mitigation for Site 4401 was preservation in place. Subsequently, archaeological monitoring of vegetation removal and grading was undertaken from 1999 to 2005 by Archaeological Services Hawaii, LLC. During archaeological monitoring, a total of nineteen (19) localities (Sites 5236 Feature 1 formerly FS 58; 5236 Feature 2 formerly FS 83; 6569 formerly FS 84; 6570 Features 1-12 formerly FS 85a-1; and 6571 Features 1-4 formerly FS 88a-d) comprised of human skeletal remains from twenty-one (21) individuals were documented. Further, during monitoring along Kaahumanu Avenue for an unrelated monitoring project, previously disturbed skeletal remains (Site 5229) were recovered. The applicant has agreed to have Site 5229 reinterred within the project area due to the burial site's close proximity to the project area.

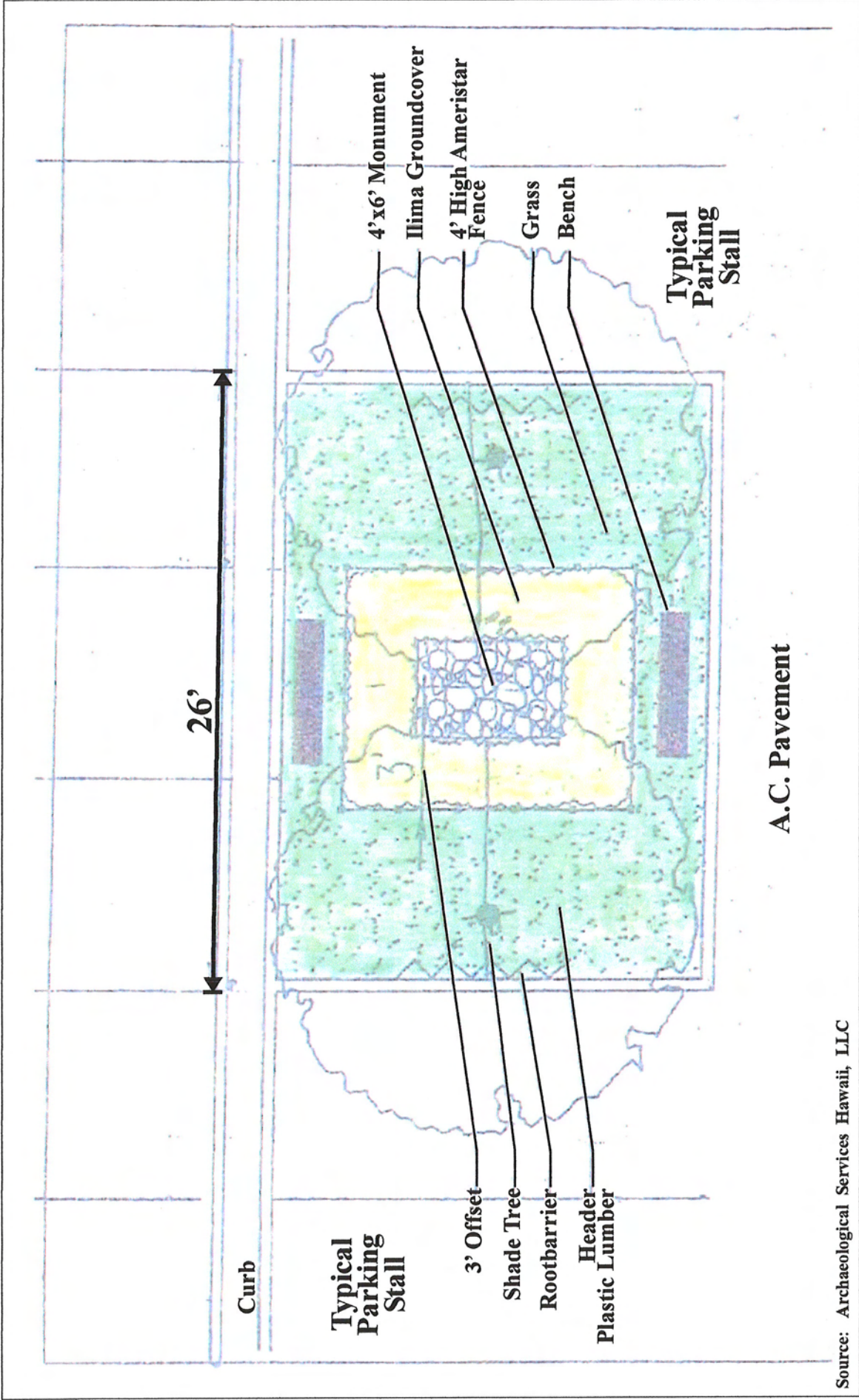
In November of 2008, Archaeological Services Hawaii, LLC prepared a Summary of Historic Properties for the proposed project. See **Appendix "J"**. During monitoring activities from 2004 to 2005, inadvertent burial features comprised of single burial features, Sites 5236 Feature 2 and 6569, as well as burial concentrations 6570 Features 1-12 and 6571 Features 1-4 were

documented and consisted of scatters of previously and recently displaced human skeletal remains, and partial in situ burial features. Through consultation with the State Historic Preservation Division (SHPD) and the MLIBC at its July 2005 meeting, relocation of Site 6571 (Features 1-4) and Feature 2 of Site 5236, as well as preservation in place of Site 6569 and Site 6570 (Features 1-12) were accepted. Site 6571 (Features 1-4) shall be relocated to the large preservation area surrounding Site 6570 and Site 5236 (Feature 2) will be reinterred at a lower depth in the same location. The SHPD has prepared a determination letter (0812HR07) accepting the above treatment of the inadvertent burial features and scattered human skeletal remains. A Burial Component of a Preservation Plan is being developed in consultation with the SHPD and MLIBC for these inadvertently discovered burial sites.

b. Potential Impacts and Mitigation Measures

A Burial Treatment and Preservation Plan prepared by Archaeological Services Hawaii, LLC has been accepted for solitary burial features, Sites 5229 (FS 63), 5236 Feature 1 (FS 58) and 4401. See **Appendix “K”**. Site 4401, an *in situ* burial with minimal disturbance, will be preserved in place in a preservation area established within the central portion of the project area. See **Figure 11**. Through consultation with the MLIBC, it was determined that a low rock burial platform will be placed over the burial feature and protected by a black wrought iron fence placed 3.0 ft. from the burial platform. Two (2) benches and shade trees will be placed outside the fence for visitation. Signage indicating that the area is a Native Hawaiian Burial Site and to please respect the area will be affixed to the top of the burial platform. Site 5236 was an inadvertent partial *in situ* burial that had been previously disturbed during years of land clearing activities for a firebreak lane between the project area and the Historic Sandhills subdivision. Site 5236 (Feature 1) will be reinterred at the same location, but at a lower depth. Site 5229 will be relocated and preserved with Site 5236 (Feature 1) utilizing preservation measures illustrated in **Figure 11**.

Archaeological monitoring will re-commence upon construction, as required by SHPD. Should human osteological material or other cultural remains be uncovered during construction activities, applicable procedures to ensure



Source: Archaeological Services Hawaii, LLC

Figure 11



Proposed Maui Lani Shopping Center
 Approved Burial Preservation Plan for
 Sites 5229, 5236, and 4401

NOT TO SCALE

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MUNEKIYO & HIRAGA, INC.

Stueda\Maui\ani\Cr\BurialPlan

compliance with Chapter 6E, Hawaii Revised Statutes (HRS), will be followed. A monitoring report will be submitted to SHPD upon completion of all phases of archaeological monitoring.

7. **Cultural Resources**

a. **Cultural Context**

Pre-Contact Period

The project site is located in the *ahupuaa* of Wailuku. The *ahupuaa* of Wailuku is a large land unit that encompasses land near Kahului Bay from Paukukalo to Kapukaulua. The *ahupuaa* includes Iao Valley and the northern half of the Kahului isthmus. This *ahupuaa* is located in, and encompasses approximately half the land area of the Wailuku District. According to the Archaeological Inventory Survey Report, Wailuku is noted as being the place where chiefs were buried and wars were fought. The environmental conditions in the lower Iao Valley were ideal for agricultural practices vital to support a large population. Combined with access to Kahului Harbor, these conditions made Wailuku a key location for a political and religious center.

The core area of Wailuku was comprised by Iao Valley and the two related dune formations to the north and south of the river. This was the central place of religious and political power on Maui, which culminated during the time of High Chief Piilani (c. 1600 AD). During the late pre-contact period, warfare intensified as the chiefs from Maui, Oahu and Hawaii competed for political and military supremacy.

For the duration of King Kahekili (1765 -1790), Wailuku once more became the place of intense warfare. In the mid-1770's, Kalanilahale, the royal residence of Kahekili, was marched upon by a Big Island chief named Kalaniopuu and his *alapa* (warriors). News of his coming preceded him, and Kahekili hid his warriors in the sand dunes above Halekii *heiau* to surprise the invading troops. A battle (Battle of Kakanilua) followed whereby the army of Kalaniopu`u was pushed to the sea and defeated.

By 1786, Kahekili controlled the islands of Maui, Molokai, Lanai, and Oahu. However, in 1790, Kahekili's control over the islands came to a close with the battle of Kepaniwai when King Kamehameha I defeated the ruler.

Early Post-Contact Period

Significant changes to the landscape of Hawaii ensued after the arrival of missionaries and other foreigners in the late 1700s and early 1800s.

Further, the establishment of the sugar industry in the 19th century catalyzed a dramatic transition in Wailuku. The first sugar cane crops grown in the *ahupua`a* were harvested and processed in 1828. Kamehameha III, with the assistance of two Chinese technicians, established a water-powered mill in Wailuku: Hungtai Sugar Works. The Wailuku Sugar Mill was established later in 1862.

Raising cattle also became an established commercial activity on the southern and eastern side of the Iao Valley dunes.

Post-1850s Period

According to the Archaeological Inventory Survey Report, following the Great Mahele of 1848, much of the *ahupua`a* of Wailuku was designated as Crown Land, to be used in support of the royal "state and dignity".

The boost of the sugar industry came in 1876 with the introduction of The Reciprocity Treaty that increased the price of sugar. The construction of ditches in the 1880s by Claus Spreckels tapped into the water resources from the mountains to irrigate fields for sugar cane production. These endeavors contributed to the foundation of the Hawaiian Commercial and Sugar Company in 1882.

The construction of the railroad in the late 1870s and its continuation for approximately two (2) decades facilitated mobility across towns, as well as contributed to the growth of various commercial activities and residential areas.

The introduction of the automobile in the 1950s greatly increased the ease of travel across the island. Residents residing in Wailuku were able to make daily commutes to other areas of the island, especially into nearby Kahului, an expanding town offering two (2) major ports of entry, the Kahului Harbor and Kahului Airport, as well as newly completed shopping centers and other social facilities.

Alexander and Baldwin first initiated planning the Maui Lani Development in the 1970s and 1980s.

b. Potential Impacts and Mitigation Measures

In accordance with the State of Hawaii, Office of Environmental Quality Control (OEQC) a Cultural Impact Assessment was prepared for the project in November of 2007 by Hana Pono, LLC. See **Appendix “L”**.

According to the Cultural Impact Assessment report, the Wailuku *ahupua`a* included land from Iao Valley to Kahului Harbor. Because of the unique land distribution of the *ahupua`a*, taro planting within the mauka sections of the Wailuku District, as well as harvesting sweet potato in the dryer, lower elevations of the district were made possible. Deep and shoreline fishing, as well as seaweed gathering, have been a part of the *ahupua`a* activities.

Interviews with local residents familiar with Wailuku and its surrounding areas were completed by Hana Pono, LLC as part of the Cultural Impact Assessment (CIA). The results of the interviews indicated that there are no known cultural practices taking place onsite.

Of interest, the CIA reports the presence of the *pueo* (Hawaiian short-eared owl) within the Maui Lani Project District lands. The CIA states that the *pueo* is among the oldest physical manifestations of the Hawaiian family protectors, or *aumakua*. According to the CIA, the *pueo*'s diet consists mostly of introduced rodents, rats, mice, and small mongoose. However, the proposed project is not anticipated to have significant adverse impacts on the *pueo* population numbers.

The proposed Maui Lani Shopping Center is not anticipated to adversely impact cultural practices, beliefs, and features. It is noted that the CIA suggests native plants to be kept intact as much as possible to retain the *ahupua`a*'s unique identity, as well as recognizing the importance of traditional beach and mountain routes with regards to cultural gatherings and activities. While the project site is currently cleared, grubbed, and graded, it is anticipated that the site will be landscaped with some native Hawaiian and Polynesian plants. The proposed development of the shopping center site is not anticipated to adversely impact any traditional beach or mountain access routes.

Furthermore, should there be unanticipated finds of archaeological or cultural significance, including human burials, appropriate protocols will be implemented in accordance with procedures established by SHPD and MLIBC.

8. Air Quality

a. Existing Conditions

The Wailuku-Kahului region is not exposed to adverse air quality conditions. Point sources, such as the Maui Electric Power Plant and Hawaiian Commercial and Sugar Company's Puunene Mill and non-point sources such as automobile emissions, are not significant to generate high concentrations of pollutants.

b. Potential Impacts and Mitigation Measures

Localized air quality impacts from construction equipment and vehicles may occur during construction of the proposed project. As such, potential air quality impacts during construction will be mitigated by complying with the provisions of the State Department of Health Administrative Rules, Title 11, Chapter 60, Air Pollution. Measures which may be taken to reduce air quality impacts include water spraying and sprinkling of loose or exposed soil, erecting dust screens, and re-vegetating or paving exposed areas as soon as practical. Exhaust emissions from construction vehicles are anticipated to have a negligible impact on regional air quality as the emissions would be relatively small and readily dissipated.

As noted previously, odors generated by trash bins are an expressed concern by neighboring residents. Currently, there are five (5) designated locations proposed for trash bins within the shopping center complex. With the exception of one (1) trash bin located on the western portion of the site, the majority or four (4) trash bins will be located within the eastern portion of the site. Although there is one (1) trash bin located on the western developed perimeter of the site, it is located approximately 80 ft. from the adjacent Sandhills lots. See **Figure 12**. All trash bins will be enclosed and contained within the project site so as to mitigate adverse odor conditions.

No significant long-term air quality impacts are anticipated as a result of the proposed project.

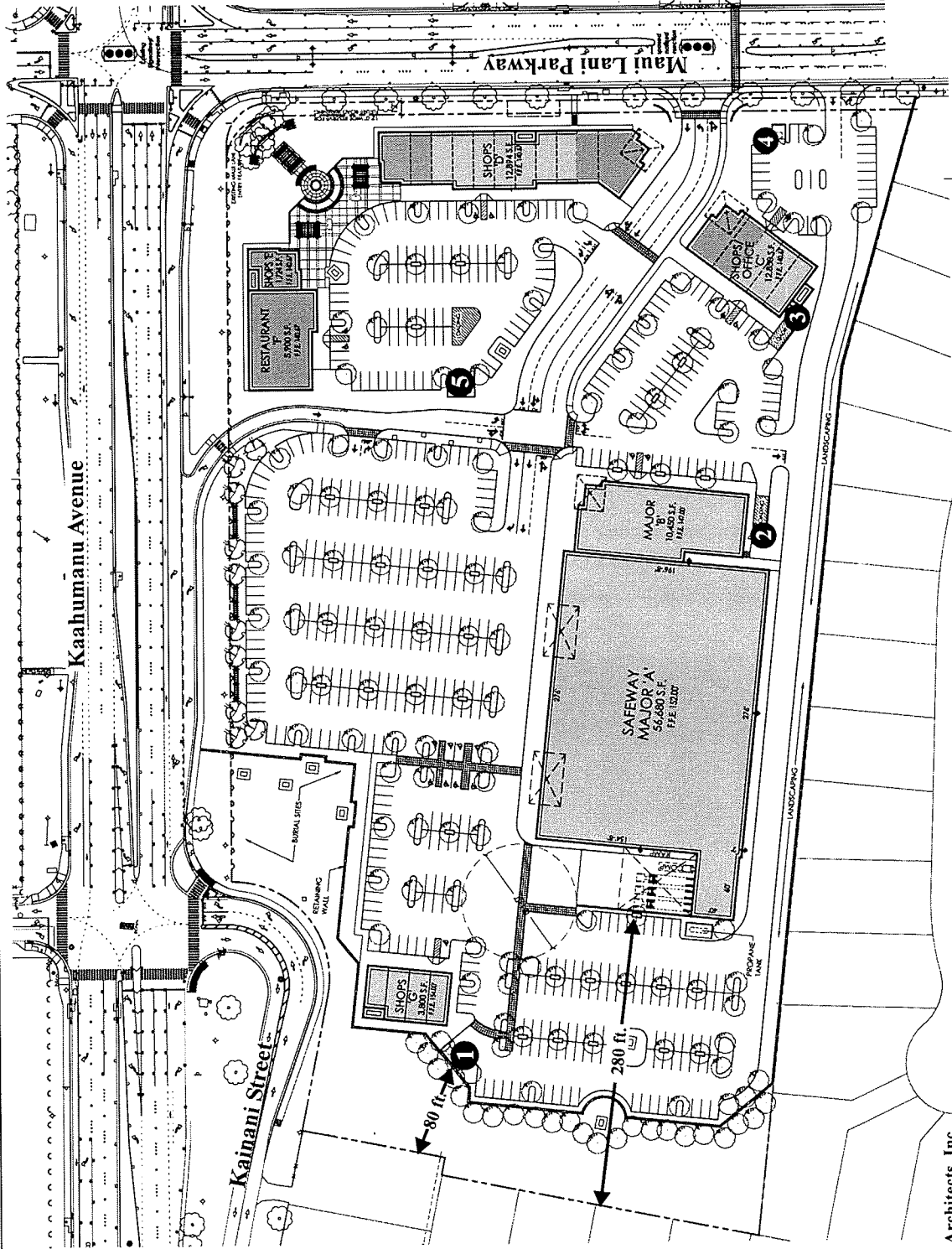
9. Noise

a. Existing Conditions

Existing background noise levels are primarily attributable to traffic noise along Kaahumanu Avenue. Intermittent noise in the vicinity of the project site may be generated by recreational activity originating from the War Memorial Complex and the Baldwin High School Gymnasium. A Noise Study was conducted for the project by Y. Ebisu & Associates. See **Appendix "M"**. According to the study, variations in background noise levels reflect the variations in traffic volume along Kaahumanu Avenue, being lowest during the nighttime and early morning hours, and being highest during the daytime and peak traffic hours.

b. Potential Impacts and Mitigation Measures

During construction of the proposed project, construction noise will be unavoidable. Operation of construction equipment, such as backhoes, trucks, and generators, will raise ambient noise levels in the vicinity of the project site. Construction noise impacts will be mitigated through compliance with the provisions of the State of Hawaii DOH Administrative Rules, Title 11,



KEY
 # Trash Bin Location

Source: Benner Stange Associates Architects, Inc.

Figure 12



Proposed Maui Lani Shopping Center
 Trash Bin Locations

NOT TO SCALE

Prepared for: HRT, Ltd.



MUNEKIYO & HIRAGA, INC.

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Chapter 46, "Community Noise Control." These rules require a noise permit if the noise levels from construction activities are expected to exceed the allowable levels set forth in the Chapter 46 rules. In complying with Chapter 46, the contractor will be responsible for minimizing noise by properly maintaining noise mufflers and other noise-attenuating equipment. Construction will be limited to normal daylight hours.

After construction, ambient noise levels along roadways in the vicinity of the project site may increase due to the increase in vehicular traffic generated by the proposed project. Additional noise originating from delivery and other project-related equipment trucks may also impact ambient noise levels in the vicinity. However, such noise attributed to delivery and project-related equipment trucks will be limited to the hours of operation set forth by the applicant. In this regard, deliveries for all shopping center tenants will be limited to the hours of 7:00 a.m. to 10:00 p.m. As part of the noise mitigation program being designed by the applicant, operational elements associated with the Safeway store, such as loading, unloading and use of compactors, will be housed within the buildings or shielded from neighboring properties to minimize nuisance effects to neighboring residents.

Noise associated with the operation of refrigeration units and fans along the perimeter of the shopping center complex may impact ambient noise levels. To mitigate these impacts, the refrigeration units and fans will be enclosed and sound proofed.

Furthermore, as previously indicated, in reducing the size of the project by approximately 20 percent, the applicant also established a buffer between the adjacent Historic Sandhills lots and the developed shopping center site. As such, the parking lot is now setback from the project site's western perimeter by approximately 72 ft. to 110 ft. Refer to **Figure 4**. This separation is intended to reduce noise impacts upon neighboring homes.

Refer to **Appendix "M"**.

10. Visual Resources

a. Existing Conditions

Scenic resources to the west of the project site include the Iao Valley and the West Maui Mountains. Looking east, Haleakala is visible. To the north, lies Kahului Harbor and the Pacific Ocean.

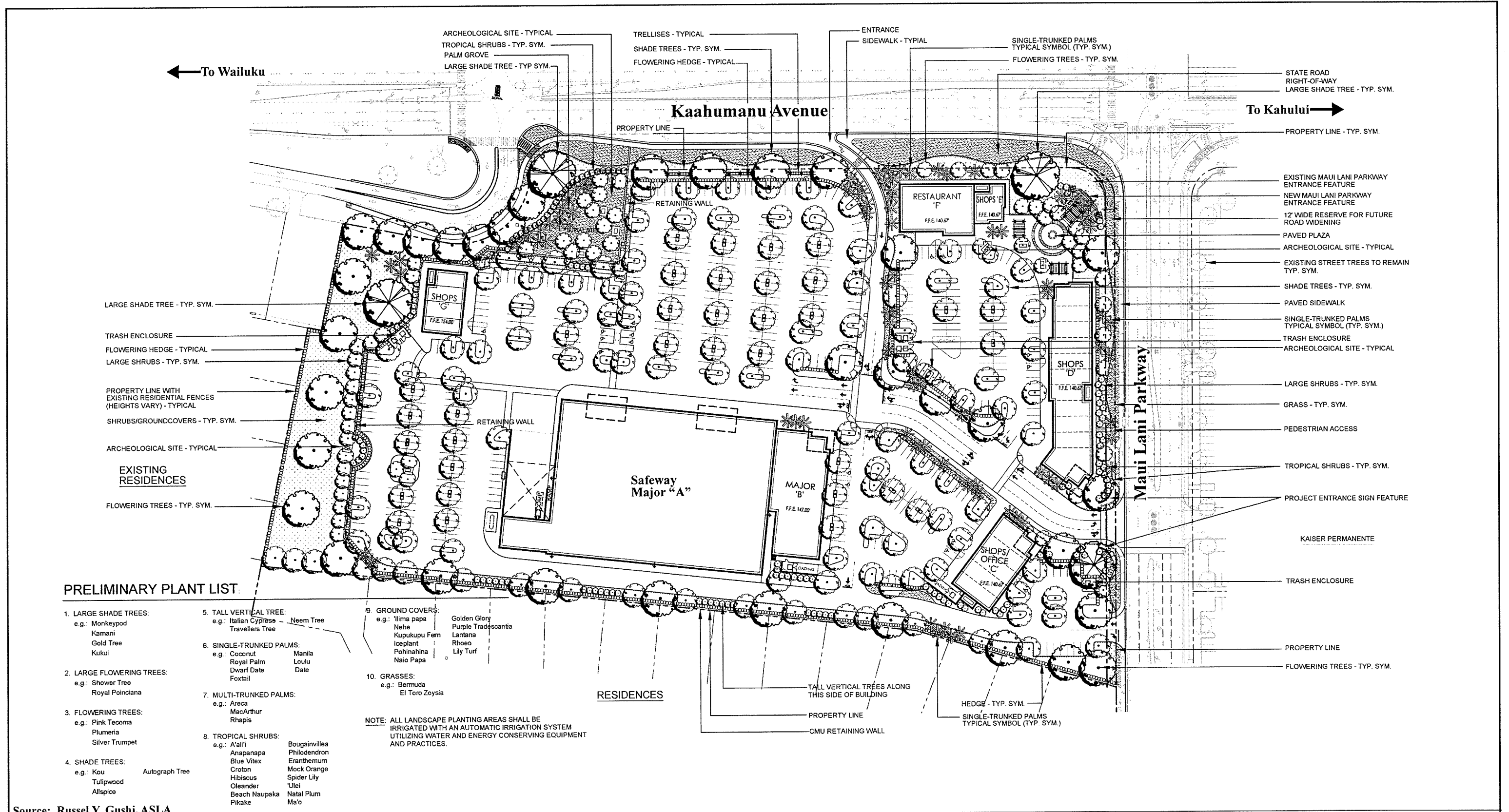
b. Potential Impacts and Mitigation Measures

The proposed Maui Lani Shopping Center will be architecturally designed to be compatible with the surrounding environment.

The project site will be landscaped to provide a complex which will aesthetically complement surrounding areas. It is noted that the proposed project will connect visually to neighboring properties, such as the Kaiser Permanente and Liberty Dialysis Center to the east of the project site, through architectural design with similar rooflines and materials, as well as through a comprehensive landscape plan. It is anticipated that the landscaping plan will utilize a “Hawaiian” or “Tropical” theme. Multiple layers of plants will be incorporated as part of the landscape at the project’s perimeters, bordering neighboring residences’ lots. It is intended that the use of a combination of plants at the project’s perimeters will soften the visual impact of the shopping center. See **Figure 13**.

The new buffer area located along the western perimeter of the site will also provide setback of approximately 72 ft. to 110 ft. from the developed shopping center site to the neighboring Sandhills’ homes. This setback is anticipated to provide a visual buffer between the shopping center and its neighboring community to the west.

The subject property is not part of a scenic corridor and will not affect views from inland vantage points. Accordingly, the proposed project is not anticipated to have an adverse impact upon the visual character of the surrounding area.



Source: Russel Y. Gushi, ASLA

Figure 13

Proposed Maui Lani Shopping Center
Preliminary Landscape Plan

NOT TO SCALE



11. Outdoor/Lighting

a. Existing Conditions

Existing lighting fixtures in the project vicinity include street lights illuminating Kaahumanu Avenue, Maui Lani Parkway, as well as along roadways serving the nearby subdivision areas. Nearby developed properties, including Kaiser Permanente and Liberty Dialysis Center along Maui Lani Parkway, as well as properties along Kaahumanu Avenue, including Baldwin High School and Central Maui Self-Storage, also utilize parking lot and exterior building light fixtures. An example of a lighting design that shields light fixtures eliminating upward illumination is utilized by Kaiser Permanente. See **Figure 14**.

b. Potential Impacts and Mitigation Measures

Lighting for the proposed parking lot will be designed to balance the need to minimize light spillage and pollution with security and safety requirements. Light poles for the parking lot will be approximately 25 ft. to the top of the light fixture, keeping the top of the light pole below the ground level of the adjacent residences in the Historic Sandhills neighborhood. Refer to **Figure 9**. In addition, lighting design will specify the shielding of all lights and directional down lighting so that there will be no upward illumination from the poles. Similar design principles will be used for exterior lighting of the buildings, with the intent of minimizing unnecessary light spillage while allowing for an adequate level of security lighting for customers and employees. Refer to **Figure 14**.

In addition to addressing concerns relating to noise and visual resources, the buffer provided between the adjacent Historic Sandhills homes and the developed shopping center site is also anticipated to provide separation between the properties to help mitigate impacts of parking lot lighting on the adjacent homes.



Figure 14 Proposed Maui Lani Shopping Center
Photographs of Lighting Fixtures Used in
Kaiser Permanente Parking Lot

NOT TO SCALE

B. SOCIO-ECONOMIC ENVIRONMENT

1. Population

a. Existing Conditions

The population in the County of Maui has exhibited relatively steady growth over the last decade. The resident population of Maui County in 1990 was estimated at 100,504. The year 2000 population was estimated at 128,241, which is a 28 percent increase over 1990 (DBEDT, Hawaii Census 2000). The resident population for the year 2010 is projected to be 151,300 (Maui County Planning Department, June 2006). The estimated 1990 population of the Wailuku-Kahului region was 32,816. The region's population shows an increase to 41,503 in the year 2000 (Maui County Planning Department, June 2006). By the year 2010, population is anticipated to increase to 51,312 (Maui County Planning Department, June 2006).

b. Potential Impacts and Mitigation Measures

The proposed project is not considered a population generator and is not anticipated to have an adverse impact on population parameters. Employees and the majority of customers to the shopping center are anticipated to be Maui Island residents.

2. Economy

a. Existing Conditions

The Wailuku-Kahului region encompasses a broad range of commercial, service, and governmental activities. In addition, the region is surrounded by significant agricultural acreages primarily in sugar cane cultivation. The vast expanse of agricultural land, managed by Hawaiian Commercial & Sugar (HC&S), is considered a key component of the local economy. The commercial components of the project district are presented through the proposed Maui Lani Shopping Center site as well as the Maui Lani Village Mixed Use district area, located southwest of the roadway extensions of Maui Lani Parkway and Kuikahi Drive. It is anticipated that the commercial/residential subdistrict (VMX(C/R)), consisting of approximately

57 acres of the Maui Lani Village Mixed Use district, will include a mix of residential, civic, commercial, office, retail, and light manufacturing uses.

Other future commercial opportunities in the vicinity of the project site include the Kehalani Village neighborhood center, bordered by Waiale Drive, Kuikahi Drive and Honoapiilani Highway. The approximately 20-acre area is designated for Village Mixed Use purposes which allows for commercial establishments and residential uses.

Additionally, areas in the Central Maui region which are planned for new commercial growth include A&B Properties, Inc.'s Maui Business Park Phase II project in Kahului, in the vicinity of the Maui Marketplace. The project area, encompasses approximately 179 acres to meet the island's light industrial needs.

b. Potential Impacts and Mitigation Measures

On a short-term basis, the proposed action is anticipated to have a positive effect during the construction phase of development as expenditures for construction and related support services are made through local suppliers and through the employment of local labor.

Upon completion, from a long-term perspective, the proposed Maui Lani Shopping Center would increase the availability of business/commercial lands and inventory. Attendant employment opportunities would also be derived from businesses located within the shopping center. In addition, ancillary support for shopping center operations would be required, resulting in the employment of local labor and services. According to the Hawaii Workforce Informer of the State of Hawaii, Department of Labor and Industrial Relations, the unemployment rate for the County of Maui in January 2010 was 8.8 percent. Given the current national, as well as local economic climate, the proposed project would serve as a community benefit as the project would provide the prospect for employment.

The proposed Maui Lani Shopping Center will supply space for both local and nationally based tenants. Although the major tenant space for the project has been set aside for Safeway, it is also noted that the center will provide retail

and office space leasing opportunities for local businesses as well. The proposed shopping center is viewed as an opportunity to meet the needs of the community, as population increases in Central Maui. The proposed Maui Lani Shopping Center is intended to provide retail/commercial space which will complement service provision to residents in the region. The proposed Safeway store, as well as opportunity for leasing by both national and local tenants, are viewed as complementary to businesses in Wailuku Town.

C. PUBLIC SERVICES

1. Recreational Facilities

a. Existing Conditions

The Wailuku-Kahului region encompasses a full range of recreational opportunities, including shoreline and boating activities at the Kahului Harbor and adjoining beach parks, and individual and organized athletic activities offered at numerous County parks. The War Memorial Complex, for example, located along Kaahumanu Avenue, includes a gymnasium, swimming pool, tennis courts, youth baseball fields, football and soccer practice areas, the War Memorial Stadium and baseball stadium. Also found in the Wailuku-Kahului area are the Wailuku Community Center, Kahului Community Center, Kanaha Beach Park, and Keopuolani Park. Within the Maui Lani Project District is the Dunes at Maui Lani, a daily fee golf course and driving range open to the public.

b. Potential Impacts and Mitigation Measures

The proposed project is not considered a significant population generator. As such, the proposed project will not place any new demands on recreational activities in the project area.

2. Police and Fire Protection

a. Existing Conditions

Police protection for the Wailuku region is provided by the County Police Department headquartered at the Wailuku Station, located east of the subject

property at the intersection of Kaahumanu Avenue and Mahalani Street. The region is served by the Department's Central Maui patrol.

Fire prevention, suppression, and protection services for the Wailuku region is provided by the County Department of Fire and Public Safety's Wailuku Station which is located approximately less than a mile west of the subject site.

b. Potential Impacts and Mitigation Measures

The location of the proposed Maui Lani Shopping Center, adjacent to the existing Wailuku-Kahului urban core, does not extend service area limits for emergency services. Police and fire protection services are not expected to be adversely impacted by the proposed project. The proposed project will not adversely affect the service capabilities for emergency services.

3. Solid Waste

a. Existing Conditions

Single-family residential solid waste collection service is provided by the County of Maui on a once-a-week or twice-a-week basis. Residential solid waste collected by County crews are disposed at the County's Central Maui Landfill, located four (4) miles southeast of the Kahului Airport. In addition to County-collected refuse, the Central Maui Landfill accepts commercial waste from private collection companies.

b. Potential Impacts and Mitigation Measures

As applicable, a solid waste management plan will be developed in coordination with the Solid Waste Division of the County Department of Environmental Management (DEM) for the disposal of construction waste material generated by the project.

Upon project completion, solid waste collection for the Maui Lani Shopping Center will be provided by a private refuse collection company and disposed of at the Central Maui Landfill. The applicant proposes to limit the hours of trash collection so as to mitigate potential adverse impacts to neighboring

residents. The anticipated solid waste generated by the project is not expected to adversely impact the County solid waste capacity of the Central Maui Landfill. In addition, the proposed shopping center will encourage recycling measures for all tenants of the center in order to reduce the amount of solid waste collected for disposal at the Central Maui Landfill.

As identified by neighboring residents of Historic Sandhills, the locations of the trash bins proposed within the shopping center were of concern. Neighboring residents indicated that the potential adverse impacts of the trash bins in close proximity to adjoining lots included adverse odor conditions, as well as noise impacts from trucks responsible of trash collection. To address the concerns of the Sandhills community, the applicant proposes that the five (5) trash bin locations for the Maui Lani Shopping Center will be located away from the residential areas as shown in **Figure 12**. It is also noted that the applicant proposes to limit the hours of trash collection so that commercial waste pick up will not occur before 7:00 a.m. In general, garbage pick ups for a center of this type occurs twice a week.

4. **Health Care**

a. **Existing Conditions**

Maui Memorial Medical Center, the only major medical facility on the island, services the Wailuku-Kahului region. Acute, general and emergency care services are provided by the approximately 201-bed facility. The Kaiser Permanente Medical Care facility, Liberty Dialysis Center, located within the Maui Lani Project District to the east of the project site, provides additional private health care services in the Central Maui area. In addition, numerous privately operated medical/dental clinics and offices are located in the area to serve the region's residents.

b. **Potential Impacts and Mitigation Measures**

The proposed project is not anticipated to increase the service demands placed upon health care services.

5. Education

a. Existing Conditions

The Wailuku-Kahului region is served by the State Department of Education's public school system, as well as several privately operated schools accommodating elementary, intermediate and high school students. Department of Education facilities in the Kahului area include Pomaikai, Lihikai and Kahului Schools (Grades K to 5), Maui Waena Intermediate School (Grades 6 to 8), and Maui High School (Grades 9 to 12). Existing facilities in the Wailuku area include Wailuku Elementary School (Grades K to 5), Iao Intermediate School (Grades 6 to 8), and Baldwin High School (Grades 9 to 12). Maui Community College, a branch of the University of Hawaii, serves as the island's principal institution of higher education. Baldwin High School (Grades 9 to 12) is located north of the project site, beyond Kaahumanu Avenue. In addition, there are several private schools in the Wailuku-Kahului area.

b. Potential Impacts and Mitigation Measures

The proposed project is not considered a student population generator. As such, the proposed project will not adversely affect enrollments or locations of educational facilities.

It is noted that neighboring residents of Sandhills have indicated land use compatibility issues with the proposed project and nearby Baldwin High School, located to the north of the project site, beyond Kaahumanu Avenue. Residents have indicated that because the school is in close proximity to the proposed shopping center, students will frequent the area. As such, traffic concerns (see Section D.1) have been highlighted as a safety issue, as well as the proposed sale of alcohol within the site by Safeway and potential restaurant tenants. New sidewalks will be installed along Kaahumanu Avenue to facilitate pedestrian access to and from the property. Shoulder lanes for bicycle use will also be installed along Kaahumanu Avenue. In addition, all tenants are obligated to comply with applicable State and County regulations with regards to the sale of alcohol to minors. Terms relating to the compliance of alcohol sale regulations will be included in tenant leases.

On September 8, 2008, the representative of the applicant and Munekiyo & Hiraga, Inc. met with the Department of Education (DOE) to discuss the proposed project plans, as well as to receive DOE comments. At the meeting the DOE noted their concern of pedestrian safety, as students of Baldwin High School frequently cross the signalized intersection (with pedestrian walk signals) of Maui Lani Parkway and Kaahumanu Avenue.

Furthermore, a meeting with representatives of Baldwin High School (BHS) and the State of Hawaii, Department of Transportation was held on June 19, 2009 to discuss concerns and comments regarding traffic circulation, as it affects BHS. See **Appendix “N”** and **Appendix “O”**. At the June 19, 2009 meeting, BHS identified the following traffic-related issues affecting the school.

1. Students have a tendency to disregard traffic signals and cross Kaahumanu Avenue and Maui Lani Parkway outside of marked crosswalks and against traffic signal directions.
2. West-bound vehicles on Kaahumanu Avenue utilize the BHS Entry Drive intersection to circumvent the red light cycle at the Kaahumanu Avenue-Maui Lani Parkway-BHS Entry Drive intersection.
3. The speed limit along the segment of Kaahumanu Avenue fronting BHS is 45 miles per hour. Consideration should be given to reducing the speed limit in this vicinity.
4. The before-school and after-school traffic at the BHS Entry Drive intersection is heavily congested.

In addition, while vehicle circulation and pedestrian safety concerns are existing at the location, the representatives of BHS noted that the implementation of the proposed Maui Lani Shopping Center will increase pedestrian traffic crossing Kaahumanu Avenue and will increase traffic volumes at the Kaahumanu Avenue-Maui Lani Parkway-BHS Entry Drive intersection. As a result of meeting with BHS, the applicant has agreed to fund a traffic study to analyze current circulation conditions within BHS and to identify recommendations which may aid in relieving existing congestion and safety concerns. As part of the applicant’s continuing efforts to work closely with the school and the community, a Traffic Evaluation Study for

BHS was then prepared in February 2010 by PB. See **Appendix “P”**. HRT, Ltd. is also willing to work with the BHS administration and State DOT to discuss the recommendations and identify reasonable action steps to improve conditions at the school’s Entry Drive intersection.

It is also noted that coordination with the DOE regarding the potential impacts to neighboring Baldwin High School is ongoing. The applicant is willing to work with the Department of Education to ensure that the Department’s concerns are properly addressed.

D. INFRASTRUCTURE

1. Roadways

a. Existing Conditions

Roadway Network: The Wailuku-Kahului region is served by a roadway network which includes arterial, collector and local roads. Existing roadways in the vicinity of the project site include Kaahumanu Avenue to the north, Maui Lani Parkway to the east, and Kainani Street to the northwest.

Kaahumanu Avenue is the principal linkage between Wailuku and Kahului. Kaahumanu Avenue is a four-lane, divided roadway with a raised median. Exclusive left turn lanes are provided in the median of Kaahumanu Avenue and right turn acceleration lanes are provided at selected access locations. The posted speed limit within the project vicinity is 45 mph.

Maui Lani Parkway is a four-lane, divided roadway completed between Kaahumanu Avenue and Waiinu Road. This existing segment is an initial phase of a roadway that will, in the future, extend to Kuihelani Highway providing an alternative route to Kaahumanu Avenue. The existing configuration provides an alternative path to the High Street/Main Street route through Wailuku Town for vehicles traveling between areas located south of Wailuku and areas to the east of Wailuku. Maui Lani Parkway also serves as an alternative access to Mahalani Parkway. It is anticipated that Maui Lani Parkway will be dedicated to the County of Maui in the future.

Kainani Street is a two-lane, undivided collector roadway providing access to Kaahumanu Avenue from the existing Historic Sandhills neighborhood, located south of Kaahumanu Avenue and east of Waiale Road. Kainani Street intersects Kaahumanu Avenue opposite Lunalilo Street, which provides access to Kaahumanu Avenue for the Kanaloa Houselots subdivision.

Existing Traffic Operating Conditions: As previously noted, a Traffic Evaluation Report (TER) dated August 2009 was prepared for the proposed project by PB. Refer to **Appendix “C”**. This report was produced for the project in order to conduct a traffic impact assessment of the proposed development and is a separate document than the Traffic Evaluation Study that was completed for BHS. Existing traffic volumes were collected on Kaahumanu Avenue at the Kainani Street and Maui Lani Parkway intersections. PB conducted peak period traffic turning movement counts at these intersections from Wednesday, April 23, 2008 to Thursday, April 24, 2008. The AM peak hour was found to be from 7:15 AM to 8:15 AM; the mid-day peak hour from 11:45 AM to 12:45 PM; the afternoon school peak hour from 1:45 PM to 2:45 PM; and the PM peak hour from 4:00 PM to 5:00 PM.

The Level of Service (LOS) was assigned for each intersection. LOS designations, as classified in the 2000 Highway Capacity Manual, are qualitative measures ranging from “A” through “F”, and are used to describe the condition of traffic operations. LOS “A” defines operating conditions resulting in low vehicle delay while LOS “F” represents operating conditions with very long delays.

Kaahumanu Avenue/Maui Lani Parkway:

The Maui Lani Parkway and Kaahumanu Avenue intersection, opposite the main Baldwin High School entrance, operates as a signalized intersection with a cycle length of approximately 130 seconds during the AM peak period and 150 seconds during the PM peak period. According to the traffic report, during the intersection’s peak hour (and especially close to 8:00 AM), the intersection processes a high volume of traffic. The intersection was found to operate at an acceptable level overall. The Kaahumanu Avenue through

movements operate at LOS “C” or better, as eastbound and westbound movements between Wailuku and Kahului are given priority.

During the AM peak period, east and westbound left turns operate at an acceptable LOS “E”, which is acceptable for a peak hour movement with a cycle length of 150 seconds. The eastbound left turn into Baldwin High School is heavier than the westbound left, and vehicles have been observed to queue for this movement. The Maui Lani Parkway left turns also operate at LOS “E”, as does the northbound through movement into Baldwin High School. The northbound through movement into Baldwin was observed to have a very sharp peak that occurs between 7:45 AM and 8:00 AM. During this time, queues of up to 15 to 20 vehicles were observed at the northbound Maui Lani Parkway approach. During other time periods, this movement was very light. Overall the intersection operates at LOS "D" during the AM peak.

According to the TER, traffic in and out of Baldwin High School is considerably lower during the mid-day peak hour. Overall, the intersection operates at LOS “B” during the mid-day peak.

The afternoon peak coincides with the adjournment of school and represents a sharp spike in traffic volumes. The intersection operates at LOS “C”, with heavy movements in and out of Baldwin High School. Maui Lani turning movements operate at LOS “E” or better, while Kaahumanu Avenue through movements operate at LOS “C” or better. Most of the queuing associated with this peak occurs within the Baldwin High School property. The TER reports that queuing does periodically occur in the Kahului-bound direction. However, this is not persistent throughout the entire peak hour.

During the PM peak hour, the intersection of Maui Lani Parkway and Kaahumanu Avenue operated at a LOS “C” with a lower delay than during the afternoon peak. Kaahumanu Avenue left turns operated at LOS “E”. This delay is caused by relatively long signal cycle length and the priority given to the Kaahumanu Avenue through movements. The cycle length during the PM peak is 150 seconds. The Baldwin southbound through operates at LOS "F", but is acceptable. The TER notes only 7 vehicles make this movement, thus delay is caused primarily by the cycle length. Minor street through movements operate at LOS “E” or better.

Kaahumanu Avenue/Kainani Street:

The intersection of Kaahumanu Avenue and Kainani/Lunalilo Street is signalized. According to the traffic study report, the intersection operates at LOS “B” overall during all four (4) peak periods. The westbound Kaahumanu Avenue left turn operates at LOS “F” during the AM peak primarily due to signal delay. During all other peak hours, Kaahumanu Avenue left turns operate at LOS “E”. According to the report, this is primarily due to low volumes and long cycle length, which result in a high delay per vehicle despite the movement clearing completely every cycle. The northbound and southbound left/through movements operate at LOS “E” as well.

The intersection operates at LOS “B” or better with no movement operating worse than LOS “D” during the Mid-Day, Afternoon, and PM peak hours.

Maui Lani Parkway/Kaiser Access:

As indicated in TER, movements into and out of the main Kaiser access, as well as the secondary Kaiser access, operate at LOS “B” or better during all peak periods.

Baldwin Internal Intersection:

The Baldwin High School internal intersection undergoes sharp spikes in traffic demand during the AM peak and the afternoon school peak. Demand on the circular road, which traverses the main Baldwin High School parking lot, is heavy during the AM and afternoon peaks as the main gate is partially closed during times of high demand. The afternoon peak hour, however, is much more concentrated than the AM and as a result this approach can queue for 2 lanes around the parking lot and front of the auditorium. Further, the TER notes that mid-day and PM peaks, the amount of traffic processed through this intersection is much lower than during the AM and afternoon school peak hours.

b. Potential Impacts and Mitigation Measures

According to the TER prepared by PB, as planned in the Maui Long-Range Land Transportation Plan and the Maui Lani Roadway Master Plan, within the year 2020 timeframe, various roadway network changes are projected to occur. One of such changes would include the continuation of Maui Lani Parkway between Kaahumanu Avenue and Kuihelani Highway, serving to ease traffic on Kaahumanu Avenue. The TER acknowledges that the forecasted volume of traffic takes into account the enhanced roadway connectivity as well as the build-out of the Maui Lani Development and other major developments such as Kehalani and Kehalani Mauka. The TER analyzed projected traffic volumes for the year 2020 without construction of the proposed Maui Lani Shopping Center, as well as with construction of the development. Summarized below, are the traffic volume projections with buildout of the proposed shopping center.

Kaahumanu Avenue/Maui Lani Parkway:

The TER evaluated three (3) future alternatives at the Kaahumanu Avenue and Maui Lani Parkway intersection:

1. Alternative 1: Existing Configuration: Single westbound Kaahumanu Avenue left-turn lane, single northbound Maui Lani Parkway left-turn lane.
2. Alternative 2: Double westbound Kaahumanu Avenue left-turn lanes, single northbound Maui Lani Parkway left-turn lane.
3. Alternative 3: Double westbound Kaahumanu Avenue left-turn lanes, double northbound Maui Lani Parkway left-turn lanes.

The TER notes that the second westbound left-turn lane on Kaahumanu Avenue will be approximately 500 feet in length. The second northbound left-turn lane on Maui Lani Parkway will be approximately 275 feet in length, matching the existing single left-turn lane.

According to the TER, during the AM peak hour, the Kaahumanu Avenue/Maui Lani Parkway intersection is projected to operate at LOS D overall for all three (3) scenarios.

The TER reports that school-related traffic volumes are expected to remain light during the mid-day peak and that the intersection is projected to operate at LOS C overall for all three (3) scenarios.

The Kaahumanu/Maui Lani intersection is projected to operate at LOS D with the Alternative 1 configuration during the afternoon school peak. Under Alternative 2, the overall LOS for the intersection improves LOS from D to C. Overall, the intersection is projected to operate at LOS C with the Alternative 3 lane geometry in place.

During the PM peak, the Kaahumanu/Maui Lani intersection is projected to operate at LOS C for Alternative 3, and LOS D for Alternatives 1 and 2.

Kaahumanu Avenue/Kainani Street:

According to the TER, the Kaahumanu Avenue/Kainani Street intersection is projected to operate at LOS “A” during the AM peak hour, with the proposed development. Kaahumanu Avenue through movements are projected to operate at LOS “A”. All left-turn movements from all approaches are projected to operate at LOS “E”, which is caused by the cycle length.

During the mid-day and afternoon peaks, the intersection is projected to operate at LOS “B”. The Kaahumanu Avenue left-turn is projected to operate at LOS "D". All other movements during the mid-day and afternoon peak hours are projected to operate at LOS "C" or better.

The intersection is expected to operate at LOS “B” during the PM peak. All movements are projected to operate at LOS "C" or better. According to the TER, this period is expected to be a peak period for shopping center-related traffic.

Maui Lani Parkway Shopping Center Access:

During the AM peak hour, the Maui Lani Parkway/Kaiser Driveway/Maui Lani Shopping Center Driveway intersection is projected to operate at LOS “A” overall, with each individual movement operating at LOS “D” or better. A sharp peak of traffic demand is projected just before school starts in the

morning between 7:30 AM and 8:00 AM. During this peak, northbound traffic into Baldwin may negatively impact the intersection. The TER notes, however, that this should not be an issue as both shopping center and Kaiser traffic are anticipated to be low during mornings.

The intersection is expected to operate at LOS "B" overall during the mid-day, afternoon, and PM peak hours as shopping center and Kaiser related traffic increase throughout the day. All movements are projected to operate at LOS "D" or better.

The TER notes synchro analysis was performed during all peak hours to analyze the northbound queuing on Maui Lani Parkway. The longest queue occurred during the PM peak hour at 431 feet for the northbound single left scenario and 176 feet for the northbound double left scenario. Importantly, for both scenarios, the queue will not reach the shopping center access.

Kaahumanu Avenue Shopping Center Access:

As indicated in the TER, the right-in access from Kaahumanu Avenue is not projected to experience a delay with the provision of storage space in the internal parking lot configuration of the shopping center to prevent vehicles from spilling onto Kaahumanu Avenue. The auxiliary lane between Kainani Street and Maui Lani Parkway would help to reduce weaving between shopping center traffic and Kahului bound traffic on Kaahumanu Avenue. Furthermore, with the deceleration lane weaving on Kaahumanu Avenue would occur between vehicles traveling at one speed.

Summary

The TER concludes that the surrounding roadway system will be able to accommodate the proposed project. Based on the TER analyses of the intersections the following recommendations (to be implemented in conjunction with the proposed project by the applicant) were presented in the report:

- Monitor the Kaiser/Maui Lani Commercial Development access intersection and install a traffic signal when warranted.

- The Kainani Street/Kaahumanu Avenue intersection should be reconfigured to formalize the exclusive right turn on the Kainani Street approach. This should include a pedestrian island on the southeast corner which would channelize the northbound Kainani Street right turn while also preventing vehicles from making through movements from the eastbound Kaahumanu Avenue right turn lane.
- Construct an auxiliary lane between Kainani Street and Maui Lani Parkway.
- Construct a right-in only shopping center access on Kaahumanu Avenue. Provide a deceleration lane. Configure the interior of the project site to provide sufficient storage space to prevent vehicles from spilling onto Kaahumanu Avenue.
- Investigate feasibility of a physical barrier on the Kaahumanu Avenue median between Kainani Street and Maui Lani Parkway to prevent jaywalking.

The TER also presented long range regional roadway improvements. Implementation of these improvements would not be needed until Maui Lani Parkway is connected between Waiinu Street and the future Kuikahi Drive extension. The recommended long range regional roadway improvements are listed below.

- Construct a second left turn lane on the westbound approach at the Kaahumanu Avenue and Maui Lani Parkway intersection. Modify the southbound departure to two lanes to accommodate the double left turning movement.
- Provide Right-of-Way on the western edge of Maui Lani Parkway south of the Kaahumanu Avenue and Maui Lani Parkway intersection for the eventual widening of the Maui Lani approach to accommodate double northbound left turn lanes.

2. **Wastewater**

a. **Existing Conditions**

Domestic wastewater generated in the Wailuku-Kahului region is conveyed to the County’s Wailuku-Kahului Wastewater Reclamation Facility located one-half mile south of Kahului Harbor. The design capacity of the facility is 7.9 million gallons per day (MGD). The facility serves the Kahului, Wailuku, Paia, Kuau and Spreckelsville areas.

An 8-inch County sewer system line is located in Maui Lani Parkway. This line connects to existing lines on Kaahumanu Avenue and Kanaloa Drive, and discharges into the County’s pump station at Paukukalo. Wastewater is then pumped through a 24-inch force main to the Wailuku-Kahului Wastewater Reclamation Facility. Treatment capacity at the Wailuku-Kahului Wastewater Reclamation Facility is available to meet the wastewater generation needs of the proposed shopping center.

See **Appendix “Q”**.

b. **Potential Impacts and Mitigation Measures**

As represented in **Appendix “Q”**, wastewater generated from the project will be directed into the County’s 8-inch gravity line on Maui Lani Parkway. The estimated wastewater generation from the proposed shopping center is 13,000 gallons per day. This amount will not require improvements or upgrades to the County’s wastewater collection, transmission and treatment systems. It is noted that the applicant will comply with assessment fee requirements of Chapter 14.35.060 of the Maui County Code, relating to assessment fees for facility expansion for the Wailuku/Kahului wastewater treatment system.

3. **Water**

a. **Existing Conditions**

Domestic water for the Wailuku-Kahului region is provided by the Department of Water Supply’s Central Maui System. The Central Maui System water sources are located on the windward slope of the West Maui

Mountains. The major source of water for this system is the Iao Aquifer. Approximately 75 percent of the water to supply the Central Maui System is withdrawn from the Iao Aquifer which is located in the vicinity of the Iao Stream and Waiehu Stream. The remaining 25 percent is withdrawn from Waihee Aquifer to the northwest. The sustainable yield of the Iao Aquifer is 20 MGD.

The proposed Maui Lani Shopping Center will be connected to the County water system on Maui Lani Parkway. The main sources of water for this system are the Iao tunnel and Kepaniwai Well, supplemented by treatment of surface water from Wailuku Water Company's Iao/Waikapu Ditch. Water is also being drawn from the Iao Aquifer by way of Shaft 33 in Kehalani, owned by Stanford Carr Development.

Storage is provided by the 3.0 MG storage tank near the junction of Iao Valley and Alu Roads. Another 2.0 MG storage tank to be constructed jointly by Kehalani Mauka LLC and Maui Lani Partners is planned for this area.

A series of 18-, 16-, and 12-inch lines extend from the tank site down Main Street, along Kaahumanu Avenue and along Maui Lani Parkway abutting the project's easterly boundary.

The project site has an existing water service lateral in place to accept the 3-inch water meter which will be installed by the Department of Water Supply.

b. Potential Impacts and Mitigation Measures

The proposed Maui Lani Shopping Center will be connected to the County water supply. Refer to **Appendix "Q"**.

A 6-inch domestic line will be extended into the project site to serve each building. The irrigation system will also be connected to this system.

A 12-inch fire line off of a separate 12-inch lateral will be installed to feed the fire sprinkler systems and fire hydrants for fire protection. The hydrants will be spaced at intervals of 250 feet or less throughout the project site. The water

system will be designed in compliance with the Water Supply and Fire Department standards.

According to the Preliminary Engineering Report (**Appendix “Q”**), the average daily water demand for the project site is expected to be approximately 33,000 gallons per day (gpd).

The proposed project is not anticipated to adversely impact existing water systems.

4. **Drainage**

a. **Existing Conditions**

Onsite Runoff: The project site currently generates approximately 9 cubic feet per second (cfs) of onsite surface runoff during a 10-year recurrence interval 1-hour duration storm. The onsite surface runoff currently sheet flows across the project site into the adjacent Maui Lani Parkway. The runoff is then intercepted by catch basins and discharged into an existing underground drainage system located within Maui Lani Parkway. This drainage system conveys and eventually discharges the surface runoff into Fairways 10 and 11 of the Dunes at Maui Lani Golf Course which serves as a retention basin.

Offsite Runoff: A grated catch basin and 24-inch drainline also discharges into the project site from Nakoa Drive, approximately 90 feet south of Kainani Street. It is estimated that around 7 cfs is being discharged into the project site by this system, based on a 10-year recurrence interval, 1-hour storm duration. This offsite runoff is also captured by the Maui Lani Parkway drainage system. See **Appendix “R”**.

b. **Potential Impacts and Mitigation Measures**

The proposed drainage plan for the Maui Lani Shopping Center is described in the Preliminary Engineering Report (**Appendix “R”**) in two parts: onsite improvements and offsite improvements. These elements of the drainage plan are discussed below.

Onsite: Post-development runoff, based on the 10-year recurrence interval, 1-hour storm, is estimated to be 34 cfs, representing an increase of approximately 25 cfs over the existing runoff volume. A new onsite drainage system will be installed, comprised of catch basins, manholes, and underground drainlines. The onsite drainage system will connect to the Maui Lani Parkway drainage system. To accommodate this increase, drainage system upgrades will be needed to the existing 36-inch Maui Lani Parkway drainline. A new 24-inch parallel drainline may be installed and a portion of the existing 36-inch line will be increased in size to a 42-inch diameter drain pipe. Stormwater flows from the upgraded Maui Lani drainage system will continue to be discharged into Fairway Nos. 10 and 11 for retention.

Offsite: The offsite runoff from Nakoa Drive will be accommodated by the shopping center's proposed drainage system. The offsite runoff volume of 7 cfs from Nakoa Drive will remain unchanged.

A new component of offsite runoff which will be partially accommodated by the shopping center's drainage system encompasses runoff captured from Kainani Street and Kaahumanu Avenue (due to construction of the new Kaahumanu Avenue auxiliary lane, new sidewalks, etc.) Approximately 9 cfs will be generated from the roadway based on a 10-year recurrence interval, 1-hour duration storm event. While a portion of the Kaahumanu Avenue runoff will be directed to the onsite system, a portion will be connected to the existing Kaahumanu Avenue drainage system. The amount of runoff which will continue to flow into the existing Kaahumanu Avenue drainage system will not exceed the runoff volume currently flowing through the system. The existing Kaahumanu Avenue system ultimately discharges into a retention basin located within Keopulani Park.

Summary: The proposed drainage systems will address all post-development increases in runoff attributed to the project. Onsite flows will be directed to retention areas in Fairway Nos. 10 and 11 of the Dunes at Maui Lani Golf Course, while a portion of the Kaahumanu Avenue runoff will be directed to an existing drainage retention basin within Keopulani Park.

No adverse impacts to downstream environments or to natural drainage patterns surrounding the project site are anticipated as a result of project implementation.

5. Electrical, Telephone and CATV Systems

a. Existing Conditions

Electrical, telephone and CATV service is provided via overhead lines along Kaahumanu Avenue, to the north of the project site. Electrical, telephone and CATV facilities along Maui Lani Parkway have been undergrounded. Services are provided by Maui Electric Company, Ltd., Hawaiian Telcom and Oceanic Time Warner Cable.

b. Potential Impacts and Mitigation Measures

The project site will be served by the underground electrical, telephone and CATV distribution systems at Maui Lani Parkway. Extension of these lines to each building within the shopping center complex will be underground.

No adverse impacts to electrical, telephone and CATV systems are anticipated as a result of project implementation.

III. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

III. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

A. STATE LAND USE DISTRICTS

Chapter 205, Hawaii Revised Statutes, relating to the Land Use Commission, establishes the four (4) major land use districts in which all lands in the State are placed. These districts are designated “Urban”, “Rural”, “Agricultural”, and “Conservation”. The subject property is located within the “Urban” district. See **Figure 15**. The proposed use of the property is consistent with "Urban" district provisions.

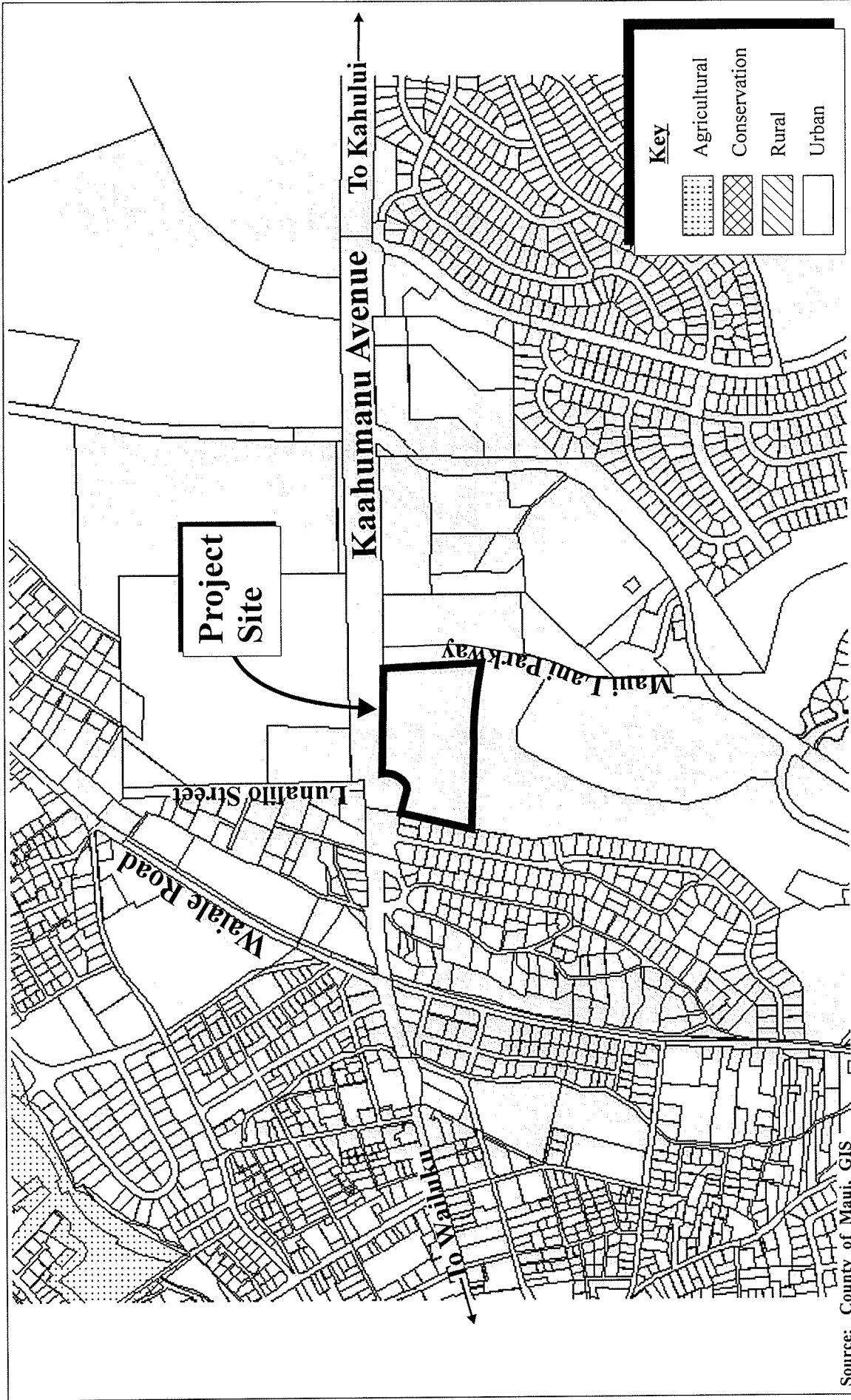
B. MAUI COUNTY GENERAL PLAN

As indicated by the Maui County Charter, the purpose of the general plan shall be to:

... indicate desired population and physical development patterns for each island and region within the county; shall address the unique problems and needs of each island and region; shall explain opportunities and the social, economic, and environmental consequences related to potential developments; and shall set forth the desired sequence, patterns and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density; land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development.

Chapter 2.80B of the Maui County Code, relating to the General Plan and Community Plans, implements the foregoing Charter provision through enabling legislation which calls for a Countywide Policy Plan and a Maui Island Plan. The Countywide Policy Plan was adopted as Ordinance No. 3732 on March 24, 2010. The Maui Island Plan is currently in the process of review and formulation by the Maui County Council.

With regard to the Countywide Policy Plan, Section 2.80B.030 of the Maui County Code states the following.



Source: County of Maui, GIS

Figure 15

Proposed Maui Lani Shopping Center
State Land Use District Designations

NOT TO SCALE



Prepared for: HRT, Ltd.

The countywide policy plan shall provide broad policies and objectives which portray the desired direction of the County's future. The countywide policy plan shall include:

- 1. A vision for the County;*
- 2. A statement of core themes or principles for the County; and*
- 3. A list of countywide objectives and policies for population, land use, the environment, the economy, and housing.*

Core principles set forth in the Countywide Policy Plan are listed as follows:

1. Excellence in the stewardship of the natural environment and cultural resources;
2. Compassion for and understanding of others;
3. Respect for diversity;
4. Engagement and empowerment of Maui County residents;
5. Honor for all cultural traditions and histories;
6. Consideration of the contributions of past generations as well as the needs of future generations;
7. Commitment to self-sufficiency;
8. Wisdom and balance in decision making;
9. Thoughtful, island appropriate innovation; and
10. Nurturance of the health and well-being of our families and our communities.

Congruent with these core principles, the Countywide Policy Plan identifies goals objectives, policies and implementing actions for pertinent functional planning categories, which are identified as follows:

1. Natural environment
2. Local cultures and traditions
3. Education

4. Social and healthcare services
5. Housing opportunities for residents
6. Local economy
7. Parks and public facilities
8. Transportation options
9. Physical infrastructure
10. Sustainable land use and growth management
11. Good governance

With respect to the proposed Maui Lani Shopping Center Project, the following goals, objectives, policies and implementing actions are illustrative of the project's compliance with the Countywide Policy Plan.

Goal: Maui County's economy will be diverse, sustainable, and supportive of community values.

Objective:

1. Promote an economic climate that will encourage diversification of the County's economic base and a sustainable rate of economic growth.

Policies:

- a. Support economic decisions that create long-term benefits.
- c. Invest in infrastructure, facilities, and programs that foster economic diversification.
- d. Support and promote locally produced products and locally owned operations and businesses that benefit local communities and meet local demand.
- e. Support programs that assist industries to retain and attract more local labor and facilitate the creation of jobs that offer a living wage.

- f. Encourage work environments that are safe, rewarding, and fulfilling to employees.
- h. Encourage businesses that promote the health and well-being of the residents, produce value-added products, and support community values.

Goal: Maui County's physical infrastructure will be maintained in optimum condition and will provide for and effectively serve the needs of the County through clean and sustainable technologies.

Objective:

- 2. Improve waste-disposal practices and systems to be efficient, safe, and as environmentally sound as possible.

Policy:

- a. Provide sustainable waste-disposal systems and comprehensive, convenient recycling programs to reduce the flow of waste into landfills.

Goal: Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.

Objective:

- 1. Improve land use management and implement a directed-growth strategy.

Policies:

- b. Direct urban and rural growth to designated areas.
- e. Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farm land and open-space resources.
- f. Discourage new entitlements for residential, resort, or commercial development along the shoreline.

- h. Direct new development in and around communities with existing infrastructure and service capacity, and protect natural, scenic, shoreline, and cultural resources.

In summary, the development of the proposed Maui Lani Shopping Center is consistent with the themes and principles of the Countywide Policy Plan.

Additionally, as previously noted that the County of Maui is currently in the process of updating the General Plan. The updated General Plan document will provide goals, objectives, policies and action items for the County of Maui through the year 2030. Included in the update to the General Plan is the creation of growth boundary maps, indicating the limits of proposed urban and rural growth on the island of Maui through the planning period. The General Plan Advisory Committee (GPAC), made up of citizens of the County of Maui, the Department of Planning, and the Maui Planning Commission (MPC) have created draft maps, indicating areas within the proposed Urban Growth Boundaries (UGB).

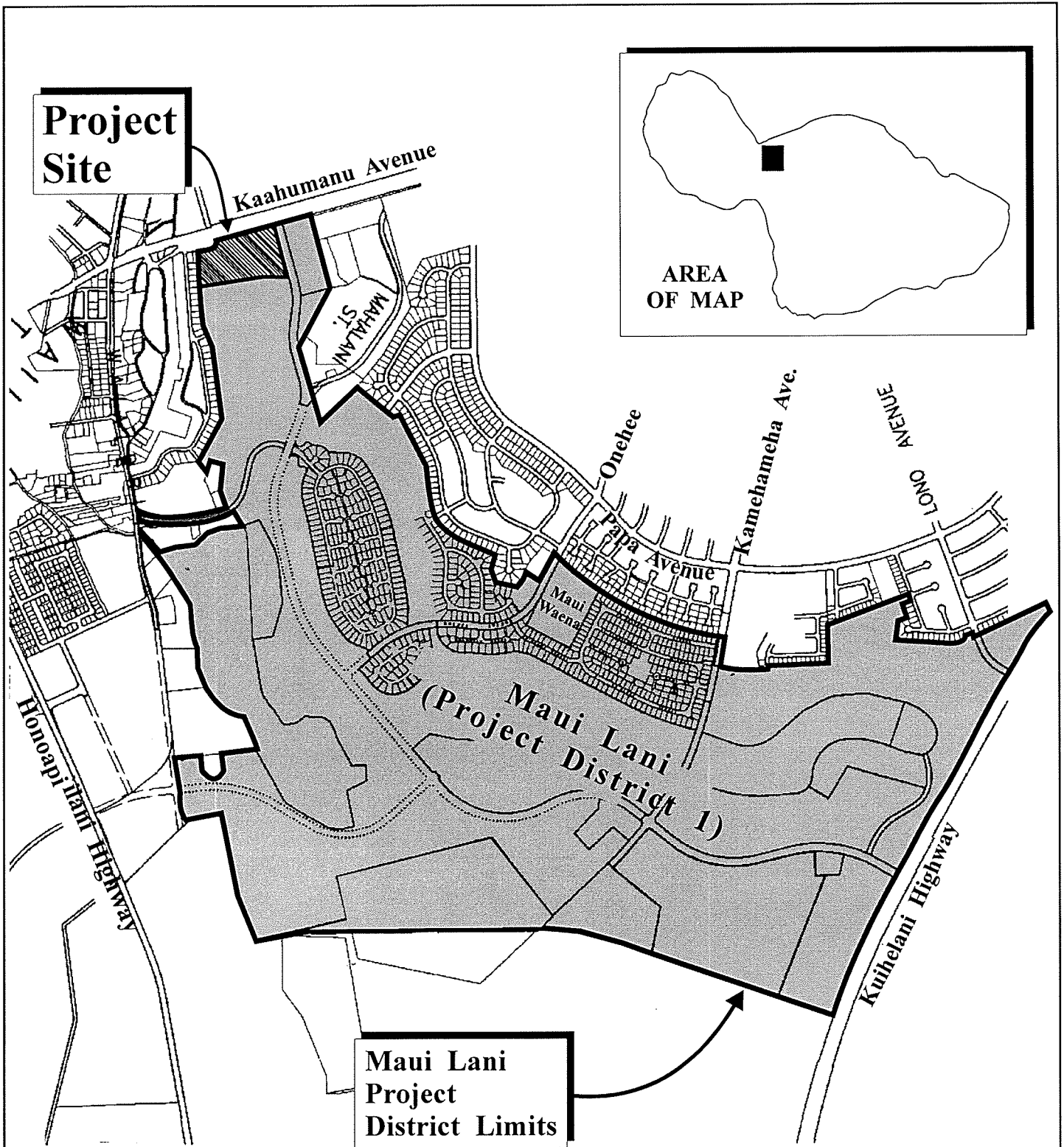
The proposed site for the Maui Lani Shopping Center is located within the proposed UGB for the GPAC, the MPC and the Planning Department's draft maps. This inclusion of the project site within the draft UGB area indicates that it is an area that is supported for future development.

C. WAILUKU-KAHULUI COMMUNITY PLAN

The subject parcel is located in the Wailuku-Kahului Community Plan region which is one (1) of nine (9) Community Plan regions established in the County of Maui. Planning for each region is guided by the respective Community Plans, which are designed to implement the Maui County General Plan. Each Community Plan contains recommendations and standards which guide the sequencing, patterns and characteristics of future development in the region.

The Wailuku-Kahului Community Plan was adopted by the County of Maui through Ordinance No. 3061 which took effect on May 30, 2002.

Land use guidelines are set forth by the Wailuku-Kahului Community Plan Land Use Map. As shown in **Figure 16**, the lands underlying the subject property comprise Project District I on the Wailuku-Kahului Community Plan Map. The Project District is implemented in accordance with Maui County Code Chapter 19.45.



Source: Warren S. Unemori Engineering, Inc.

Figure 16 Proposed Maui Lani Shopping Center NOT TO SCALE
Project District 1 Location Map



As described in the Wailuku-Kahului Community Plan, project districts provide a “flexible and creative planning approach rather than specific land use designations for quality developments”, establishing “continuity in land uses and designs while providing for a comprehensive network of infrastructural facilities and systems.” The Wailuku-Kahului Community Plan further notes that “a variety of uses as well as open space, parks and other project uses are intended in accord with each individual project district objective.”

The Wailuku-Kahului Community Plan outlines guidelines for each of the project districts within the community plan region. The following constitutes the guidelines of the Wailuku-Kahului Project District 1 (Maui Lani).

PROJECT DISTRICT 1 (Maui Lani) 1069 acres

Guidelines should be based on the master plan for this residential community which will provide about 3,700 residential units of various types. Alternatives to promote affordable housing, such as experimental and demonstration housing, shall be considered in the residential development. An open space and recreation system which include a golf course, future school sites, village mixed use area, and community or regional scale commercial shopping facilities shall be integrated in the development to serve the expanding Wailuku-Kahului population. Transportation routes should provide alternative means of access between Kahului and Wailuku. Recommended guidelines for spatial allocations within the project district are:

<i>Residential</i>	
<i>Single Family</i>	<i>542 acres</i>
<i>Multi-Family</i>	<i>22 acres</i>
<i>Commercial</i>	<i>27 acres</i>
<i>Village mixed use:</i>	
<i>Village mixed use (C/R)</i>	<i>57 acres</i>
<i>Village mixed use (R)</i>	<i>34 acres</i>
<i>Recreational</i>	
<i>Golf Course</i>	<i>177 acres</i>
<i>Parks</i>	<i>28 acres</i>
<i>Public/Quasi-Public</i>	
<i>School</i>	<i>26 acres</i>
<i>Church sites</i>	<i>6 acres</i>
<i>Open Space</i>	<i>12 acres</i>
<i>Major Roads</i>	
<i>Circulation</i>	<i>54 acres</i>

<i>Other Areas</i>	
<i>Waiale Reservoir</i>	<i>77 acres</i>
<i>Area near Maui Memorial Park</i>	<i>7 acres</i>
<i>Residential Units</i>	<i>3,700 units</i>

The proposed project is in conformance with the following goals, objectives, and policies of the Wailuku-Kahului Community Plan.

ECONOMIC ACTIVITY

Goal

A stable and viable economy that provides opportunities for growth and diversification to meet long-term community and regional needs and in a manner that promotes agricultural activity and preserves agricultural lands and open space resources.

Objectives and Policies

- Support agricultural production so agriculture can continue to provide employment and contribute to the region’s economic well-being.
- Recognize the importance of small businesses to the region’s economy.

CULTURAL RESOURCES

Goal

- Identification, protection, preservation, enhancement, and where appropriate, use of cultural practices and sites, historic sites and structures, and cultural landscapes and view planes that:
- Provide a sense of history and define a sense of place for the Wailuku-Kahului region; and
- Preserve and protect native Hawaiian rights and practices customarily and traditionally exercised for subsistence, cultural and religious purposes in accordance with Article XII, Section 7, of the Hawaii State Constitution, and the Hawaii Supreme Court’s PASH opinion, 79 HAW. 425 (1995).

Objectives and Policies

- Preserve the character and integrity of historic sites in the Wailuku-Kahului region.

- Recognize the importance of historically and archaeologically sensitive sites and encourage their preservation through development project review.
- Protect and preserve historic, cultural and archaeological sites and resources through on-going programs to identify and register important sites, and encourage their restoration. This shall include structures and elements that are a significant and functional part of Hawaii's ethnic and cultural heritage.
- Ensure that the proposed projects are compatible with neighboring historic, cultural, and archaeological sites or districts. Such projects should be reviewed by the Cultural Resources Commission, where appropriate.
- Require development projects to identify all cultural resources located within the project area as part of initial project studies. Further, require that all proposed activity include recommendations to mitigate potential adverse impacts on cultural resources.

SOCIAL INFRASTRUCTURE

Goal

Develop and maintain an efficient and responsive system of public services which promotes a safe, healthy and enjoyable lifestyle, accommodates the needs of young, elderly, disabled and disadvantaged persons, and offers opportunities for self-improvement and community well-being.

LAND USE

Goal

An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

- Maintain a project district approach for the major residential growth areas adjacent to Wailuku, Kahului, and Waiehu to allow flexibility in master planning. These project districts may contain a variety of residential unit types as well as supporting community services, including business, public, recreational and educational facilities.

TRANSPORTATION

Objectives and Policies

- Provide bikeway and walkway systems in the Wailuku-Kahului area which offer safe and pleasant means of access, particularly along routes accessing residential districts, major community facilities and activity centers, school sites, and the shoreline between Kahului Harbor and Paia.

URBAN DESIGN

Goal

An attractive and functionally integrated urban environment that enhances neighborhood character, promotes quality design, defines a unified landscape planting and beautification theme along major public roads and highways, watercourses and at major public facilities, and recognizes the historic importance and traditions of the region.

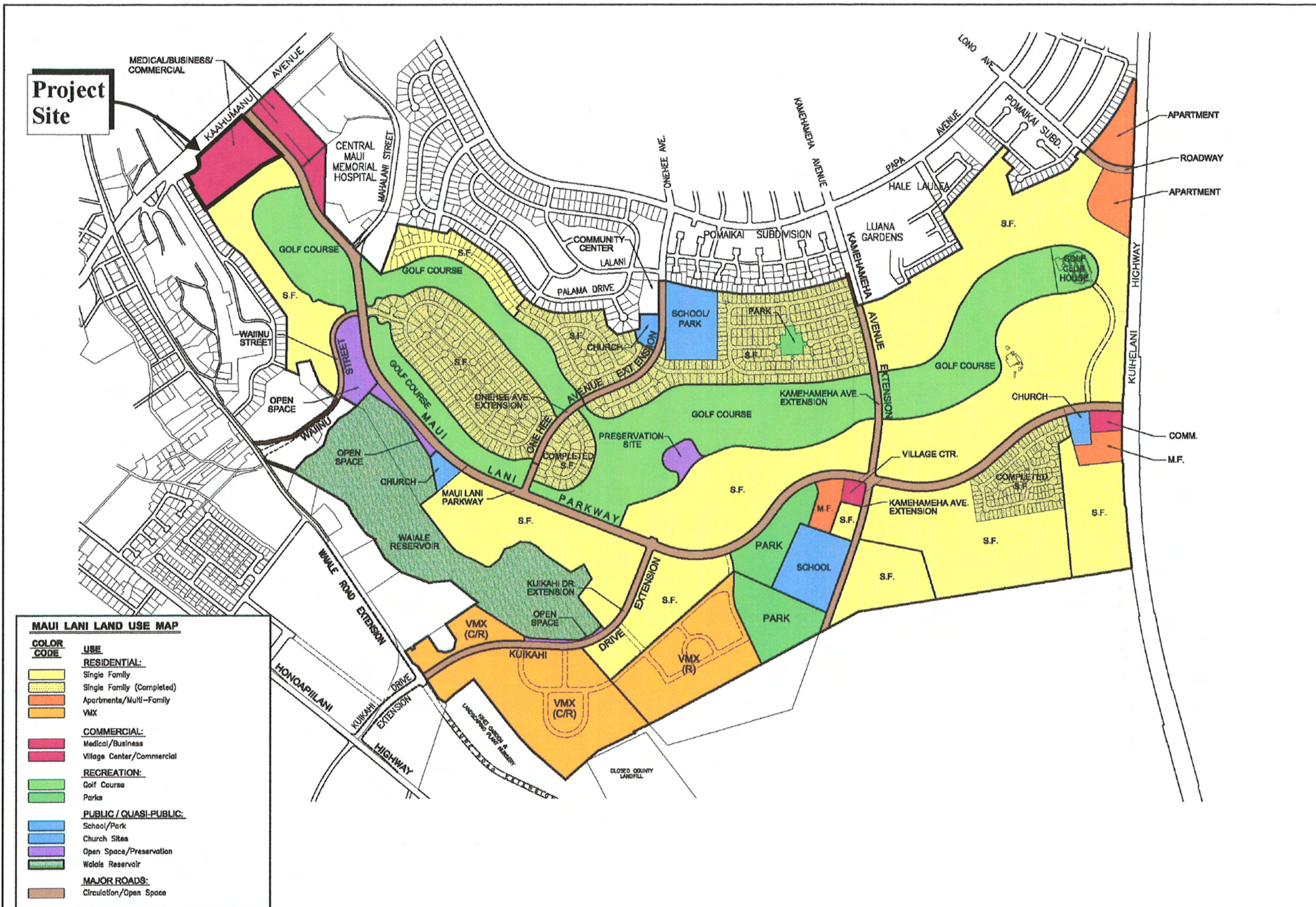
Objectives and Policies

- Enhance the appearance of major public roads and highways in the region.
- Maintain a design quality for commercial and public projects and large-scale master planned developments.
- Improve pedestrian and bicycle access within the region.
- Use native Hawaiian plants for landscape planting in public projects to the extent practicable.
- Existing and future public rights-of-way along roads and parks shall be planted with appropriate trees, turfgrass and ground covers.
- Emphasize contrasting earth-tone color schemes for buildings and avoid bright or garish colors. Within Wailuku Town, require buildings that have bright or garish colors to comply with earth-tone color schemes.
- Encourage the review of architectural and landscape architectural plans for major government projects by the County's Urban Design Review Board.

D. COUNTY ZONING

The subject property is designated “Wailuku-Kahului Project District 1 (Maui Lani)” by Maui County zoning. The project site lies within the Commercial PD-WK/1 Sub-district of the Maui Lani Project District. See **Figure 17**. Pursuant to Maui County Code 19.78 permitted principle uses and structures within Commercial PD-WK/1 include:

- a. Automobile services, excluding major repairs;
- b. Animal boarding facility;
- c. Animal hospital;
- d. Day care facility;
- e. Eating and drinking establishments;
- f. Education, general;
- g. Education, specialized;
- h. Eleemosynary organizations;
- i. Food and beverage, retail;
- j. Garage, storage;
- k. General merchandising;
- l. General office;
- m. Group shelters;
- n. Light manufacturing and processing;
- o. Medical center, minor;



Source: Warren S. Unemori Engineering, Inc.

Figure 17

Proposed Maui Lani Shopping Center
Maui Lani Project District Phase II Map

NOT TO SCALE



Prepared for: HRT, Ltd.

MUNEKIYO & HIRAGA, INC.

- p. Parking area, public;
- q. Personal and business services;
- r. Public facility or public use;
- s. Quasi-public use or quasi-public facility;
- t. Recreation, indoor;
- u. Self-storage, provided it is within an enclosed building; and
- v. Utility facilities, minor.

The proposed use of the property for a community shopping center is in accordance with permitted uses listed under the “Wailuku-Kahului Project District 1(Maui Lani)” zoning.

E. PROJECT DISTRICT PHASE II PROCESSING

As part of the Project District processing requirements for the proposed Maui Lani Shopping Center, the applicant is requesting Project District Phase II Approval for project implementation. Pursuant to MCC 19.45.050, the applicant filed for Project District Phase II Approval on August 15, 2005. The application was then certified as complete and ready for processing by the Department of Public Works and Environmental Management on August 17, 2005. A public hearing on the application was conducted on July 10, 2007. At the Maui Planning Commission meeting on July 10, 2007, action on the Project District Phase II Approval application for the proposed project was deferred until completion of the EA process, as required, pursuant to Chapter 343, HRS. Upon completion of the EA process, the Department of Planning will schedule the Project District Phase II Application with the Maui Planning Commission for action.

F. COASTAL ZONE MANAGEMENT OBJECTIVES AND POLICIES

Pursuant to Chapter 205A, Hawaii Revised Statutes, projects are evaluated with respect to Coastal Zone Management (CZM) objectives, policies and guidelines. It is noted that while the subject property is not located within the County of Maui's Special Management Area, the

project's relationship to applicable coastal zone management considerations have been reviewed and assessed.

(1) Recreational Resources

Objective:

Provide coastal recreational opportunities accessible to the public.

Policies:

- (A) Improve coordination and funding of coastal recreational planning and management; and
- (B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:
 - (i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
 - (ii) Requiring replacement of coastal resources having significant recreational value, including but not limited to surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the state for recreation when replacement is not feasible or desirable;
 - (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
 - (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
 - (v) Ensuring public recreational use of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;
 - (vi) Adopting water quality standards and regulating point and non-point sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
 - (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and

- (viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, county planning commissions; and crediting such dedication against the requirements of Section 46-6, HRS.

Response: The proposed project is not located near the shoreline and is not anticipated to adversely impact existing coastal or inland recreational resources.

(2) **Historic Resources**

Objective:

Protect, preserve and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Policies:

- (A) Identify and analyze significant archeological resources;
- (B) Maximize information retention through preservation of remains and artifacts or salvage operations; and
- (C) Support state goals for protection, restoration, interpretation, and display of historic resources.

Response: As stated previously, an archaeological inventory survey report (by Xamanek Researches, LLC.), burial treatment plan (by Archaeological Services Hawaii, LLC), archaeological summary (by Archaeological Services Hawaii, LLC) as well as cultural impact assessment report (by Hana Pono LLC) were produced to identify and issue recommendations regarding historic, cultural and archaeological resources. Refer to **Appendix “I”, Appendix “J”, Appendix “K” and Appendix “L”,** respectively. Should additional human remains be inadvertently discovered during land-based, ground-altering activities, work will promptly cease in the immediate area of the find, and the find will be further protected from damage. The State Historic Preservation Division and the Maui/Lanai Islands Burial Council will be notified immediately and procedures for the treatment of inadvertently discovered human remains will be followed pursuant to Chapter 6E, HRS.

(3) **Scenic and Open Space Resources**

Objective:

Protect, preserve and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies:

- (A) Identify valued scenic resources in the coastal zone management area;
- (B) Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
- (C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
- (D) Encourage those developments which are not coastal dependent to locate in inland areas.

Response: The subject property is located within Maui's central isthmus. The property ranges in elevations from approximately 127 feet amsl at its easterly boundary to approximately 197 feet amsl at its westerly boundary. The urban forms established by the proposed project plan will be buffered with landscaping to mitigate the impact on visual resources. There are no significant view corridors which will be affected by the proposed Maui Lani Shopping Center.

Additionally, the new buffer area located along the western perimeter of the site will provide a setback of approximately 72 ft. to 110 ft. from the developed shopping center site to the neighboring Sandhills homes. This setback is anticipated to provide a visual buffer between the shopping center and its neighboring community to the west.

(4) **Coastal Ecosystems**

Objective:

Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- (A) Improve the technical basis for natural resource management;
- (B) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
- (C) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- (D) Promote water quantity and quality planning and management practices which reflect the tolerance of fresh water and marine ecosystems and prohibit land and water uses which violate state water quality standards.

Response: Best Management Practices (BMPs) will be implemented during the construction of the project to minimize disruption of coastal water ecosystems. The completion of the proposed project is not expected to adversely impact coastal ecosystems. The project will comply with applicable County drainage provisions.

(5) **Economic Uses**

Objective:

Provide public or private facilities and improvements important to the State's economy in suitable locations.

Policies:

- (A) Concentrate coastal dependent development in appropriate areas;
- (B) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor facilities and energy generating

facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and

- (C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal dependent development outside of presently designated areas when:
 - (i) Use of presently designated locations is not feasible;
 - (ii) Adverse environmental effects are minimized; and
 - (iii) The development is important to the State's economy.

Response: The proposed action is designed to provide increased availability of business/commercial lands and inventory. It is anticipated that the proposed project will assist in the promotion of economic growth within the County of Maui. The proposed project is in keeping with objectives and policies relating to economic uses.

(6) Coastal Hazards

Objective:

Reduce hazard to life and property from tsunamis, storm waves, stream flooding, erosion, subsidence and pollution.

Policies:

- (A) Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;
- (B) Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint pollution hazards;
- (C) Ensure that developments comply with requirements of the Federal Flood Insurance Program;
- (D) Prevent coastal flooding from inland projects; and
- (E) Develop a coastal point and nonpoint source pollution control program.

Response: According to the Flood Insurance Rate Map for the area, the project site is located within “Zone X”, an area determined to be outside of the 0.2 percent annual floodplain. No significant adverse drainage impacts to downstream properties are anticipated as a result from project implementation. However, it is also noted that the proposed Maui Lani Shopping Center will be designed in accordance with the Drainage Standards of the County of Maui, to ensure that the project will not adversely affect downstream and adjoining properties from the effects of flooding and erosion.

(7) **Managing Development**

Objective:

Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies:

- (A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
- (B) Facilitate timely processing of applications for development permits and resolve overlapping of conflicting permit requirements; and
- (C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life-cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

Response: In compliance with the requirements of Chapter 343, Hawaii Revised Statutes, this Environmental Assessment has been prepared to facilitate public understanding and involvement with the proposed project. All aspects of the development will be conducted in accordance with applicable Federal, State, and County standards. Opportunities for review of the proposed action are offered through the regulatory review process for construction and development permits, as well as the Project District Phase II and Project District Phase III Approval processes.

(8) **Public Participation**

Objective:

Stimulate public awareness, education, and participation in coastal management.

Policies:

- (A) Maintain a public advisory body to identify coastal management problems and to provide policy advice and assistance to the coastal zone management program;
- (B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal-related issues, developments, and government activities; and
- (C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

Response: Opportunities for agency and public review of the proposed action are provided through the notification, review and comment processes of the EA requirements of Chapter 343, HRS. As previously mentioned, public input opportunities will also be provided through the Project District Phase II Approval process. It is noted that community meetings were conducted with residents of the Sandhills community on September 12, 2007 (refer to **Appendix “E”**), October 16, 2007 (refer to **Appendix “F”**), December 13, 2007 (refer to **Appendix “G”**) and November 12, 2008 (refer to **Appendix “H”**) to facilitate the early consultation process of the Draft EA. These community meetings, and the public input which occurred as a result of them, were integral components in developing the project site plan presented in this document.

(9) **Beach Protection**

Objective:

Protect beaches for public use and recreation.

Policies:

- (A) Locate new structures inland from the shoreline setback to conserve open space and to minimize loss of improvements due to erosion;
- (B) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and
- (C) Minimize the construction of public erosion-protection structures seaward of the shoreline.

Response: The proposed project will not involve construction in the vicinity of shoreline areas. It is noted that during grading activities associated with the proposed project, appropriate BMPs will be utilized to ensure that the downstream coastal environment is not adversely impacted. The proposed project is not anticipated to have an adverse effect on local beach environments.

(10) **Marine Resources**

Objective:

Implement the State's ocean resources management plan.

Policies:

- (A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- (B) Assure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
- (C) Coordinate the management of marine and coastal resources and activities management to improve effectiveness and efficiency;
- (D) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

- (E) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and
- (F) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

Response: The proposed project is not located adjacent to any beach or shoreline. The proposed project, therefore, is not anticipated to have adverse effects upon marine and coastal resources in the project vicinity.

In addition to the foregoing objectives and policies, SMA permit review criteria pursuant to Act 224 (2005) provides that:

No Special Management Area Use Permit or Special Management Area Minor Permit shall be granted for structures that allow artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes when the light:

- (1) Directly illuminates the shoreline and ocean waters; or
- (2) Is directed to travel across property boundaries toward the shoreline and ocean waters.

Although the proposed project is not located within the Special Management Area, nevertheless the proposed project lighting design will specify the shielding of all lights and directional down lighting. The design considerations should mitigate light pollution and prevent lighting from traveling across property boundaries.

**IV. SUMMARY OF
ADVERSE
ENVIRONMENTAL
EFFECTS WHICH CANNOT
BE AVOIDED**

IV. SUMMARY OF ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

The proposed Maui Lani Shopping Center project will result in some construction-related impacts as described in Chapter II, Description of the Existing Conditions, Potential Impacts and Mitigation Measures. Potential effects include noise generated impacts occurring from site preparation and construction activities. In addition, there may be temporary air quality impacts associated with dust generated from construction activities, and exhaust emissions discharged by construction equipment. However, these impacts are anticipated to be temporary and will be mitigated through the use of appropriate BMPs. Implementation of the proposed project is not anticipated to create significant long-term adverse environmental effects.

V. ALTERNATIVES TO THE PROPOSED ACTION

V. ALTERNATIVES TO THE PROPOSED ACTION

A. LAND USE ALTERNATIVES

As described in Chapter 19.78 of the Maui County Code, the intent of the Maui Lani Project District is to establish a residential community along with an integrated open space and recreation system, future school sites, village mixed use area, and community or regional scale commercial shopping facilities to serve the expanding Wailuku-Kahului population.

The subject property is zoned for commercial use (PD-WK/1) pursuant to Chapter 19.78.030 of the Maui County Code. Permitted uses within the commercial PD-WK/1 district of the Maui Lani Project District include the following principal uses and structures.

- a. *Automobile services, excluding major repairs;*
- b. *Animal boarding facility;*
- c. *Animal hospital;*
- d. *Day care facility;*
- e. *Eating and drinking establishments;*
- f. *Education, general;*
- g. *Education, specialized;*
- h. *Eleemosynary organizations;*
- i. *Food and beverage, retail;*
- j. *Garage, storage;*
- k. *General merchandising;*
- l. *General office;*

- m. Group shelters;*
- n. Light manufacturing and processing;*
- o. Medical center, minor;*
- p. Parking area, public;*
- q. Personal and business services;*
- r. Public facility or public use;*
- s. Quasi-public use or quasi-public facility;*
- t. Recreation, indoor;*
- u. Self-storage, provided it is within an enclosed building; and*
- v. Utility facilities, minor.*

In addition, the code allows for the following accessory uses and structures.

- a. Energy systems, small-scale;*
- b. Outdoor storage yards that are ancillary to a permitted principal use, provided the storage yards are appropriately screened from the public right-of-way;*
- c. Parking areas, covered or uncovered;*
- d. Service and utility enclosures and structures;*
- e. Walls and fences; and*
- f. Warehouses which are ancillary to a permitted principal use.*

The proposed action involves the development of a retail commercial complex which will accommodate a supermarket, office space, restaurant, small retail shops. An alternative potential use of the property could include “medical center, minor”, based on similar uses along the Maui Lani Parkway, across the project site (“minor medical center” means a facility established to provide medical, surgical, dental, laboratory, and x-ray, or other similar health care services to the general public without overnight accommodations). This use was not

considered in the context of the overall Maui Lani master plan since approximately 9.38 acres have already been developed for medical-related purposes at the neighboring Kaiser Permanente and Liberty Dialysis Center sites. Instead the applicant seeks to construct a retail and office complex which provides diversity in business services, in keeping with the intent of the Maui Lani Project District.

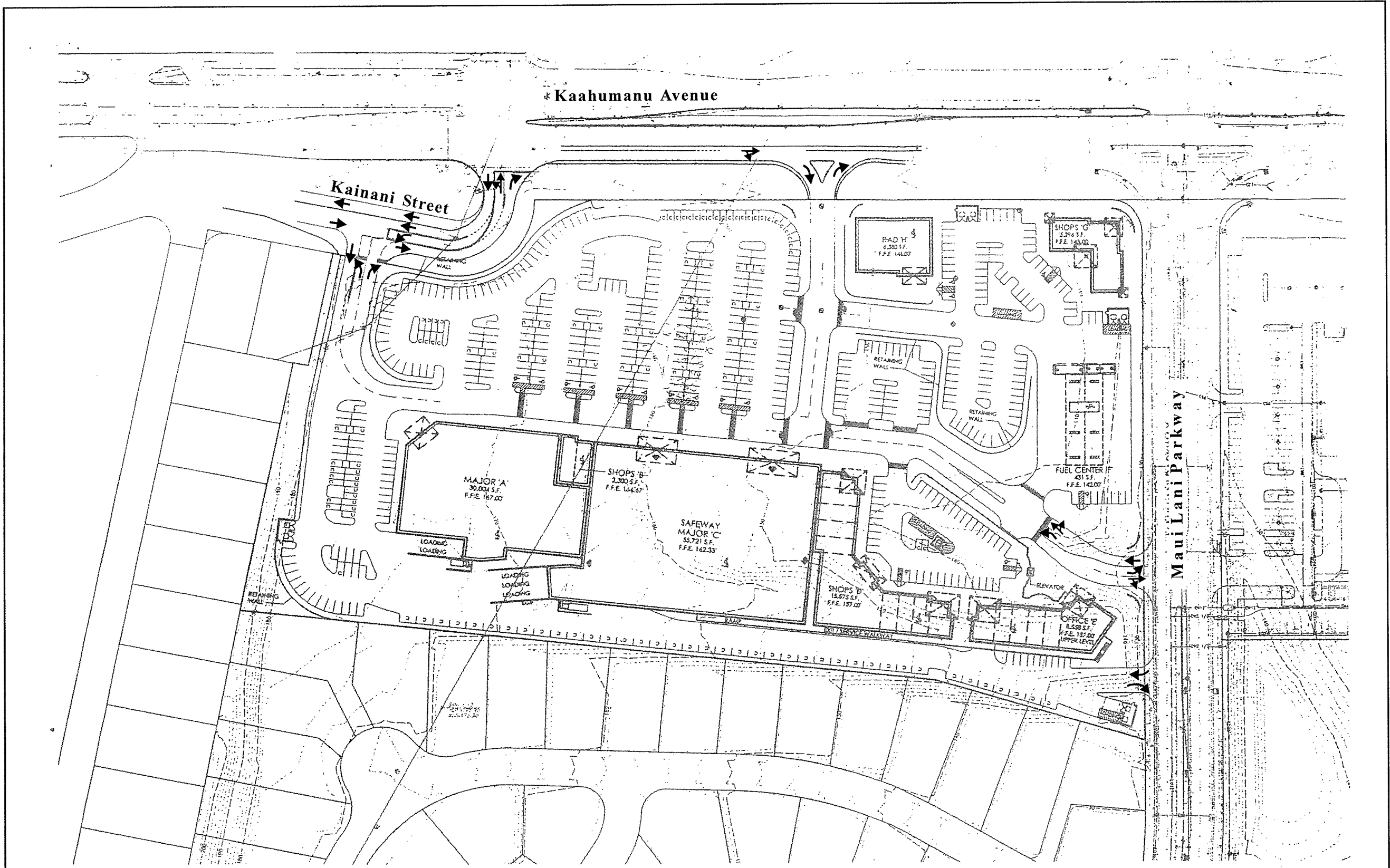
B. SITE PLAN AND ACCESS ALTERNATIVES

A number of site plan alternatives were developed to reflect the following basic project components:

- Space for an approximately 56,000 s.f. Safeway store;
- An additional 25,000 to 30,000 s.f. for second retailer;
- Office space of approximately 10,000 to 20,000 s.f.;
- Building pad for a future restaurant;
- Space for smaller retail shops; and
- Parking

The initial site plan was developed to address the foregoing uses within the 12.926-acre site. This initial plan was submitted in connection with the Project District Phase II application. See **Figure 18**. Under this scenario, approximately 128,400 square feet (sf) of building area is provided with approximately 673 parking stalls. This alternative includes building pads for office space, shops and a possible restaurant. In addition a gas fueling station is depicted, providing fueling space for 12 vehicles. Access to the property is provided as follows:

- Provision of a full service access point along Maui Lani Parkway across the Kaiser Clinic access driveway;
- Provision of an additional right turn in/right turn out driveway along Maui Lani Parkway, near the southern property line of the project site;
- Provision of a right turn in and right turn out access directly from Kaahumanu Avenue; and



Source: Benner Stange Associates Architects, Inc.

Figure 18

Proposed Maui Lani Shopping Center
Submitted with Project District Phase II Application Site Plan

NOT TO SCALE



- Provision of full service access from Kainani Street, allowing left and right turn movements from Kainani Street into the project site, as well as left and right turn movements from the project site onto Kainani Street.

Following filing of the Project District Phase II application in August 2005, comments received from the State of Hawaii Department of Transportation (DOT) (via letter dated February 2, 2007) indicated that use of Kaahumanu Avenue as an access point would not be permitted. See **Appendix “S”**. According to the DOT:

Due to traffic operational and access concerns, we will not allow direct vehicular access on Kaahumanu Avenue between Kainani Street and Maui Lani Parkway. Last year, after we informed the developer's consultant of our decision they asked to meet with our staff to present supplemental traffic analysis and alternatives. This meeting was held on January 17, 2006. However, the additional information presented was not sufficient to address our safety concerns.

As a result, the applicant considered alternative access plans, each of which was accompanied by site layouts which accommodated the proposed access alternatives. The alternative access and site plans which follow were developed to address the DOT concerns and concerns expressed by neighboring residents.

It is noted that under the initial site plan, which was part of the Project District Phase II application (refer to **Figure 18**), traffic from Kainani Street, is permitted to turn left or right into the project site. Traffic exiting the project site is permitted to turn either left or right onto Kainani Street under this proposal. Traffic crossing Kaahumanu Avenue from Lunalilo Street, as well as east-bound Kaahumanu Avenue traffic turning right onto Kainani Street, would also be able to enter the project site under this alternative. Residents of Historic Sandhills expressed concern that any alternative which allowed right turn movements from Kainani Street into the project site, as well as left-turn movements from the project site onto Kainani Street would encourage traffic to cut through the Historic Sandhills neighborhood, thereby creating issues with safety and local congestion.

1. Access Alternative 1: Provide for Right Turn Only Entry from Kaahumanu Avenue

As an alternative to the initial Kaahumanu Avenue access alternative which depicted right turn out and left turn in movements, the applicant proposed the use of Kaahumanu Avenue as an ingress point only. This alternative limits access from

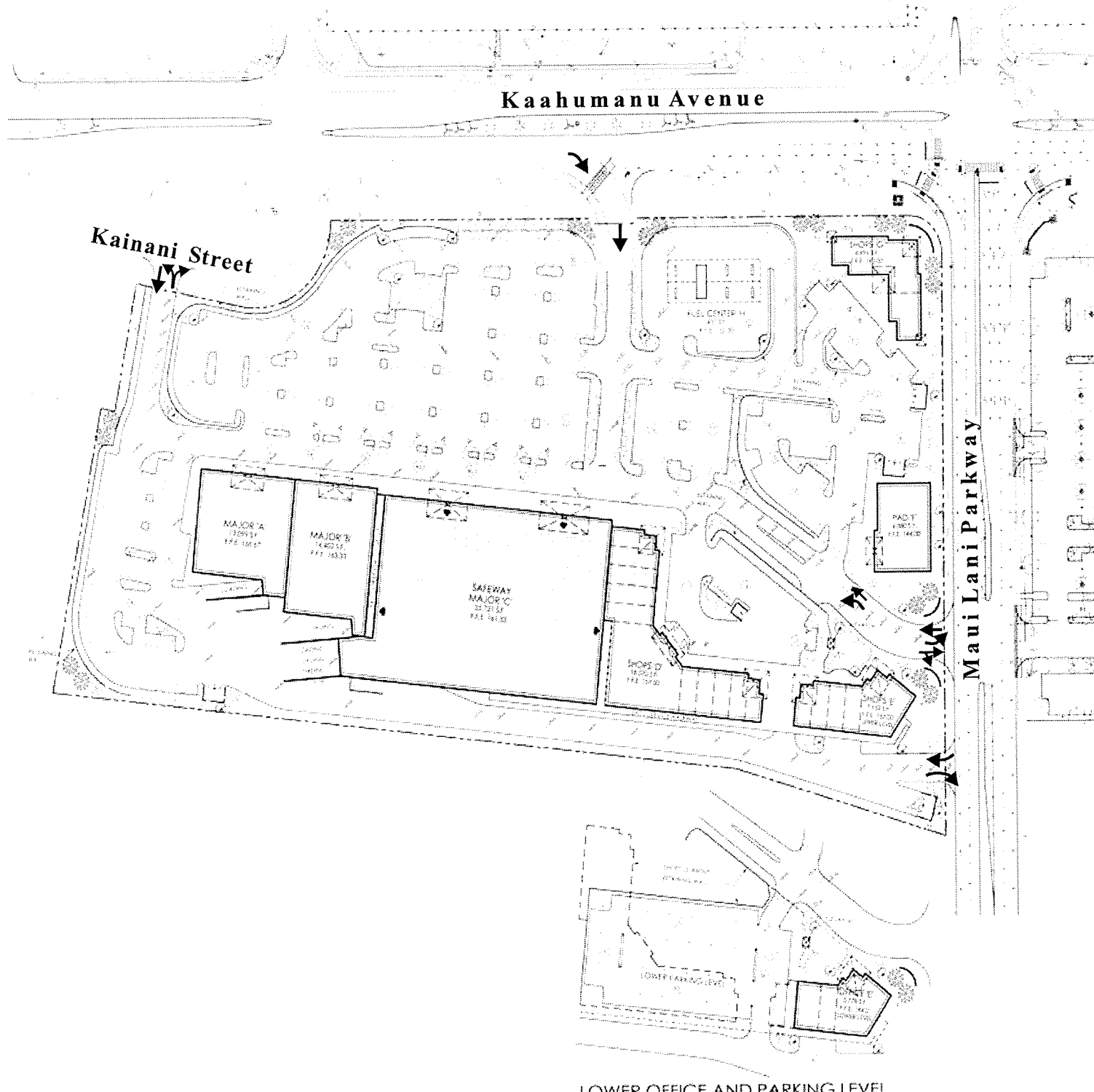
Kaahumanu Avenue to right turn only movements into the project site, and was presented as a variation of the initial site plan. Under Access Alternative 1, access points from Maui Lani Parkway and Kainani Street remain unchanged. The Kaahumanu Avenue access pattern suggested by Access Alternative 1 and its accompanying site plan are presented in **Figure 19**. This alternative as well was not considered operationally viable by DOT. In both the initial site plan and Access Alternative 1, the vehicle weaving patterns along Kaahumanu Avenue created by traffic accessing the project site and east-bound Kaahumanu traffic changing lanes to exit onto Maui Lani Parkway is considered a safety concern.

(It is noted that a modified version of this plan was subsequently submitted to the DOT and deemed operationally viable by the agency. The modified version of the Kaahumanu Avenue ingress is reflected as part of Access Alternative 5 .)

2. Access Alternative 2: Provide Full Movement Access at Kainani Street

As a result of the DOT's determination that access would not be permitted off of Kaahumanu Avenue, access Alternative 2 eliminates any direct access from Kaahumanu Avenue, limiting access points to Maui Lani Parkway and Kainani Street, as depicted in **Figure 20**. The access configurations along Maui Lani Parkway remain unchanged for Access Alternative 2. This access scenario was presented at the Maui Planning Commission at its meeting of July 10, 2007. This concept which was presented at the Maui Planning Commission is similar to the plan submitted with the Project District Phase II application (refer to **Figure 18**), with the exception that the Kaahumanu Avenue ingress and egress point has been deleted.

The Kainani Street configuration remained unmodified under Access Alternative 1 and Access Alternative 2 based on the traffic engineer's assessment that "cut-through" traffic would not create adverse safety and congestion impacts. However, the Kainani Street configuration and its implications for external traffic through the Historic Sandhills neighborhood continued to be of significant concern.



SITE DATA

SITE AREA	(12.93 ACRES)	563,045 SF
MAJOR A		13,099 SF
MAJOR B		14,402 SF
SAFEWAY MAJOR C		55,721 SF
SHOP D		18,070 SF
SHOP E		7,153 SF
OFFICE E		5,776 SF
PAD F		6,380 SF
SHOP G		6,476 SF
FUEL CENTER H		431 SF
EXIT CORRIDOR		1,520 SF
TOTAL BUILDING AREA		129,050 SF
STANDARD PARKING PROVIDED		477 SPACES
COMPACT PARKING PROVIDED	(23%)	148 SPACES
HANDICAP PARKING PROVIDED		20 SPACES
TOTAL PARKING PROVIDED		645 SPACES
PARKING RATIO		5.00 SPACES/1,000 SF
SITE COVERAGE		22.9%

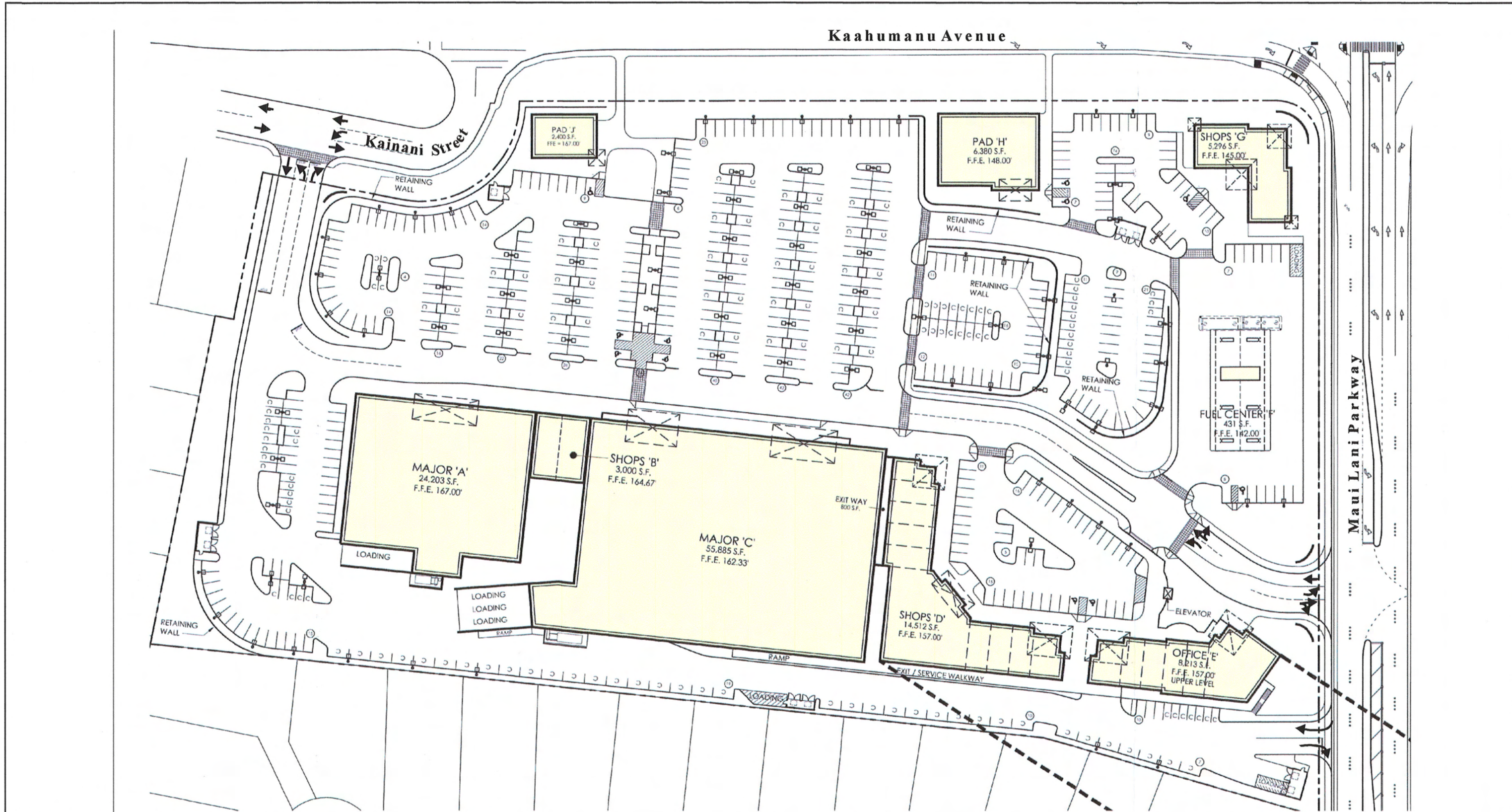
Source: Benner Stange Associates Architects, Inc.

Figure 19

Proposed Maui Lani Shopping Center
Right Turn Only Entry from Kaahumanu Avenue (Alternative 1)

NOT TO SCALE





Source: Benner Stange Associates Architects, Inc.

Figure 20

Proposed Maui Lani Shopping Center
Full Movement Access at Kainani Street (Alternative 2)

NOT TO SCALE



3. Access Alternative 3: Limited Movement Access at Kainani Street

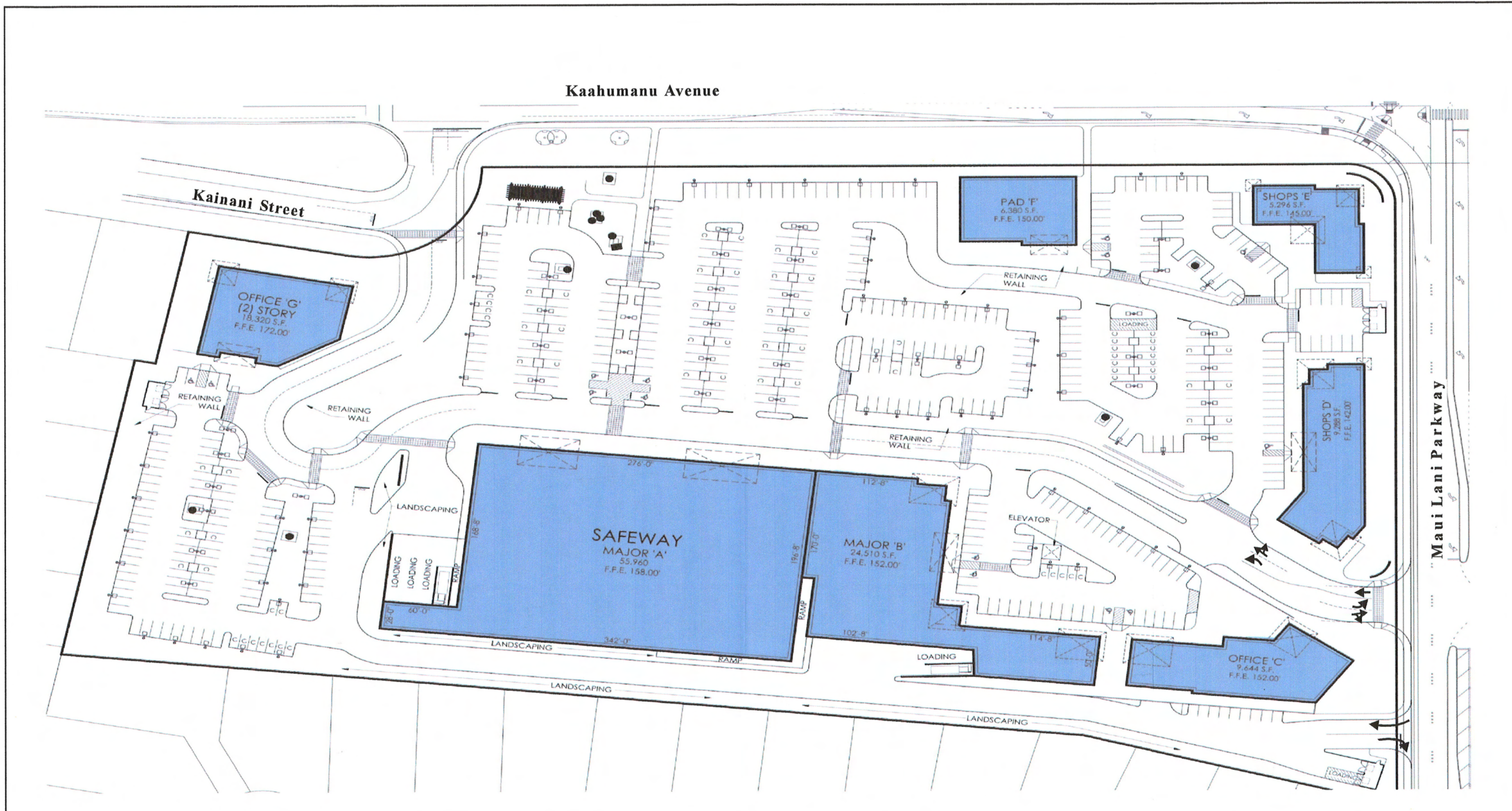
Subsequent to the preparation of the July 10th version of the site plan (Access Alternative 2), the applicant's architect and civil engineer considered other site traffic flowing through the Historic Sandhills neighborhood. The options included geometric configurations which would limit turning movements at Kainani Street with the intent that vehicles heading to and from the shopping center would not utilize the local roadway facilities traversing through Historic Sandhills.

A community meeting with residents of the Historic Sandhills neighborhood was held on October 16, 2007. The purpose of the meeting was to present refinements to the project site plan and to present a Kainani Street access alternative which prevents east-bound Kainani Street traffic from entering the shopping center and exiting traffic from the shopping center from turning left onto Kainani. Access Alternative 3 and its accompanying site plan are presented in **Figure 21**.

Access Alternative 3 was presented as a concept in response to concerns regarding Historic Sandhills cut-through traffic. Detailed traffic impact analysis for the concept was not undertaken at the time of the community meeting since the objective of the concept presentation was to elicit general input from residents. Residents indicated that more time would be needed to review the proposed concept and that the traffic impact implications of the proposal should be provided as well.

Site plan modifications made in connection with Access Alternative 3 were also made to address resident comments regarding project operational considerations such as loading and unloading of containers. The modifications included the deletion of the 12 pump fueling station and the relocation of the buildings further east, away from the western border of the project site. The intent of moving the structures further east was to create additional separation from the existing residences along Nakoia Drive. Further, in order to maintain the overall lease areas, an approximately 18,320 s.f. two-story Office "G" was included in the site plan near the northwest corner of the project site.

Having received comments on Access Alternative 3 and its accompanying site plan, residents and the applicant agreed that a follow-up meeting would be scheduled to



Source: Benner Stange Associates Architects, Inc.

Figure 21

Proposed Maui Lani Shopping Center
 Limited Movement Access at Kainani Street (Alternative 3)

NOT TO SCALE



Prepared for: HRT, Ltd.

further discuss Access Alternative 3, as may be refined to address traffic impact analysis requirements.

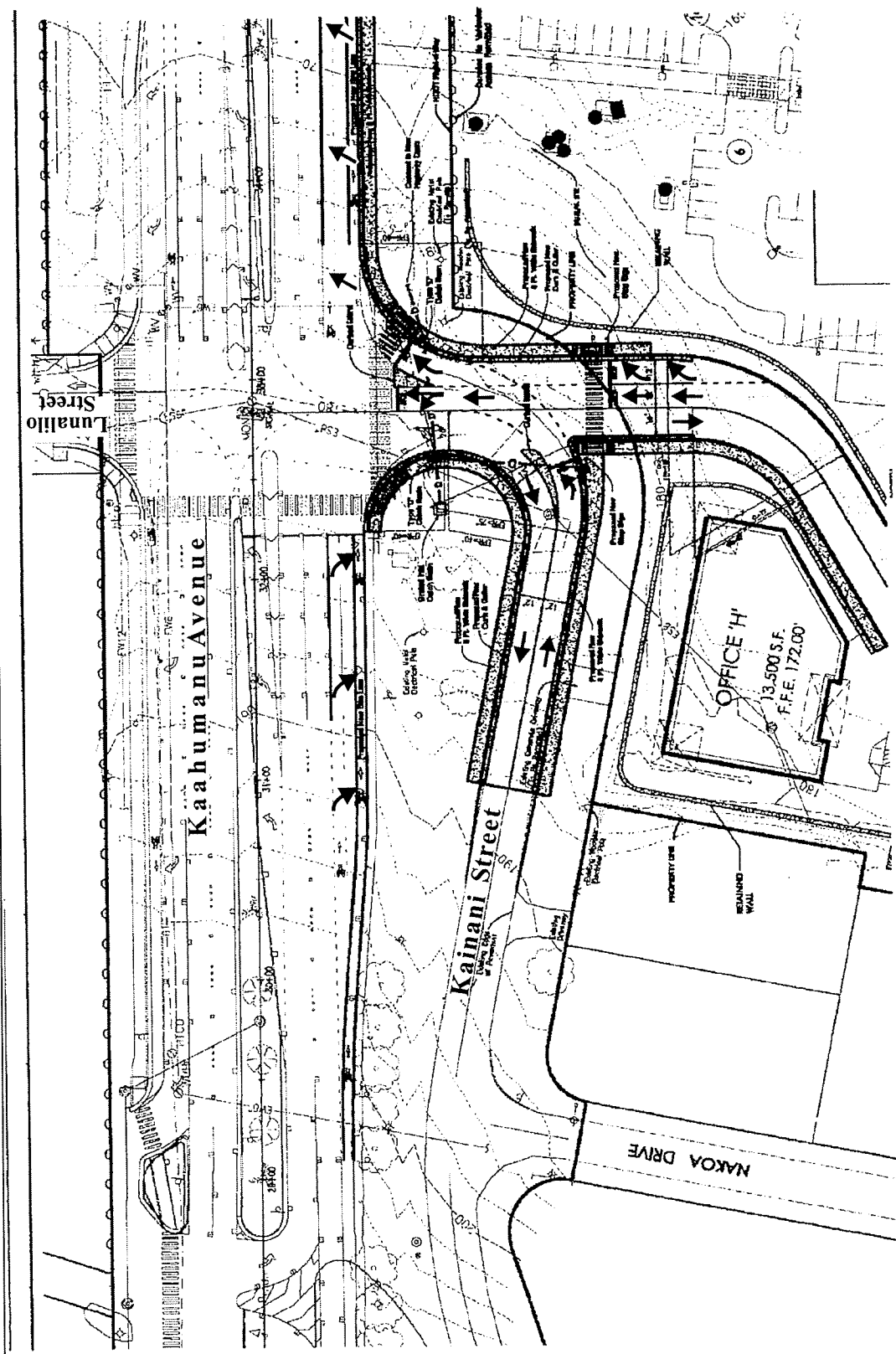
It is also noted that subsequent to the community meeting held on October 16, 2007, an updated schematic plan for the proposed Kainani Street access point was mailed to Historic Sandhills residents. See **Appendix “T”**. The schematic plan further depicts the concept for the access alternative that was presented at the October 16th community meeting (Access Alternative 3) by indicating the turning movements and stop sign locations at the intersection. See **Figure 22**. As previously noted, the plan does not permit right turns into the shopping center and left turns onto Kainani Street.

4. **Access Alternative 4: Limited Movement Access at Kainani Street with Geometric Modifications**

Following the community meeting on October 16, 2007, PB evaluated the Kainani Street-Kaahumanu Avenue intersection from a technical standpoint. A follow-up community meeting with residents of the Historic Sandhills neighborhood was conducted on December 13, 2007. At this meeting, Access Alternative 4 was presented to the Sandhills community. See **Figure 23**.

Access Alternative 4 utilizes Access Alternative 3's intersection functional objective of limiting traffic movements at the Kainani Street intersection to that of a “straight-in/straight-out” configuration. Thus, right turns into the project site from Kainani Street are not permitted under this alternative, nor are left turns onto Kainani Street from the project site permitted. The revisions made to the Kainani Street access point from the previous alternative (Access Alternative 3) included a proposed 8,000 square foot portion of the project property dedicated to the State of Hawaii.

Additional site plan alterations completed in association with Access Alternative 4 were made with the intention of addressing residents' comments including those of acoustical concerns. Such alterations to the site plan include the enclosure of the proposed Safeway's loading area to utilize a covered roof structure; the relocation of the loading area underground for Major 'B' tenant; the relocation of the two-story office building to the southeast corner of the project site; and the addition/deletion of parking.



Source: Warren S. Unemori Engineering, Inc.

Figure 22 Proposed Maui Lani Shopping Center
Limited Movement at Kainani Street Detail



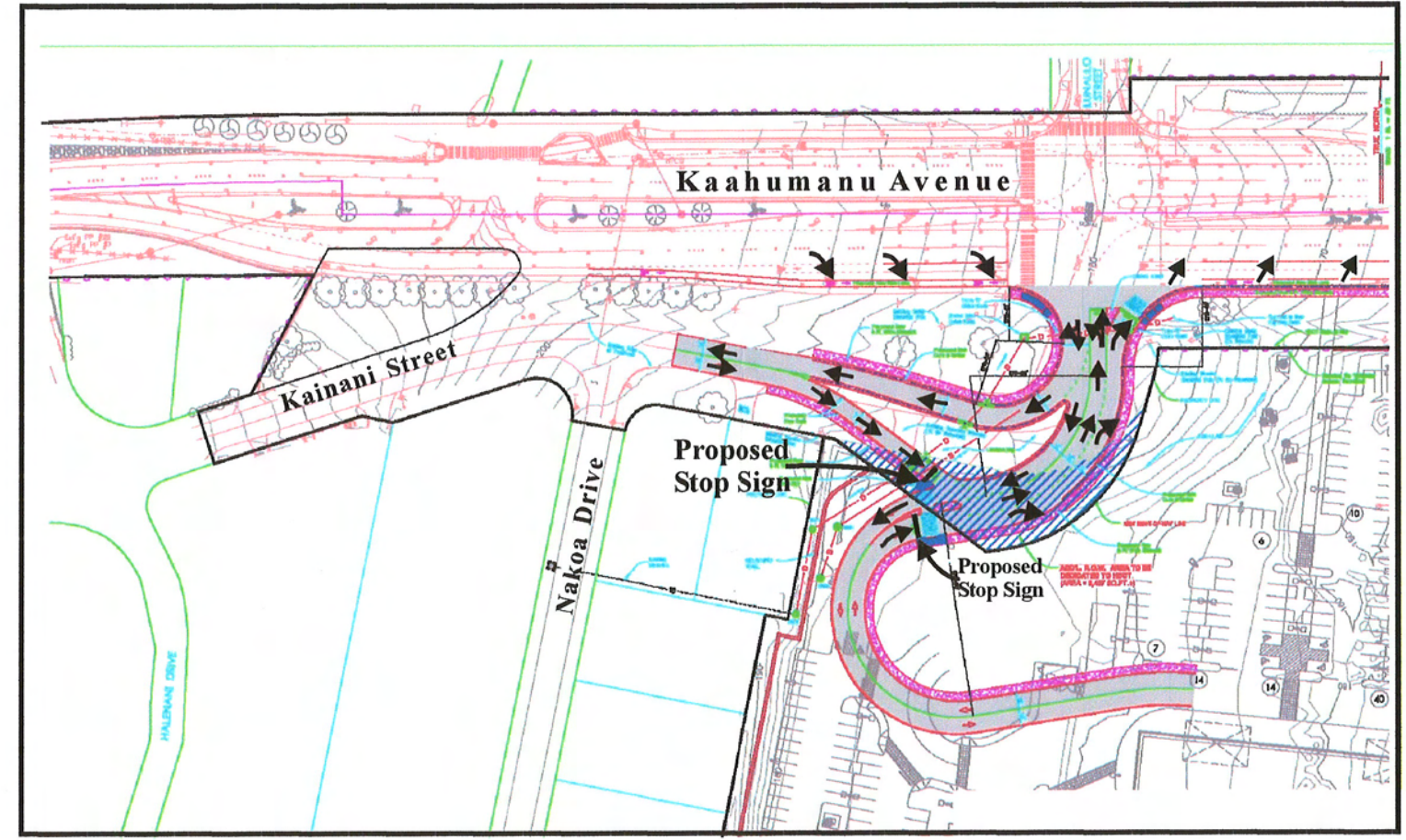
NOT TO SCALE

Prepared for: HRT, Ltd.



MUNEKIYO & HIRAGA, INC.

SuedaMauiLaniCr/LimitedMovementatKainaniStreetDetail



Inset A

Source: Benner Stange Architects Associates, Inc.

Figure 23



Prepared for: HRT, Ltd.

**Proposed Maui Lani Shopping Center
Limited Movement Access at Kainani Street with
Geometric Modifications (Alternative 4)**

NOT TO SCALE



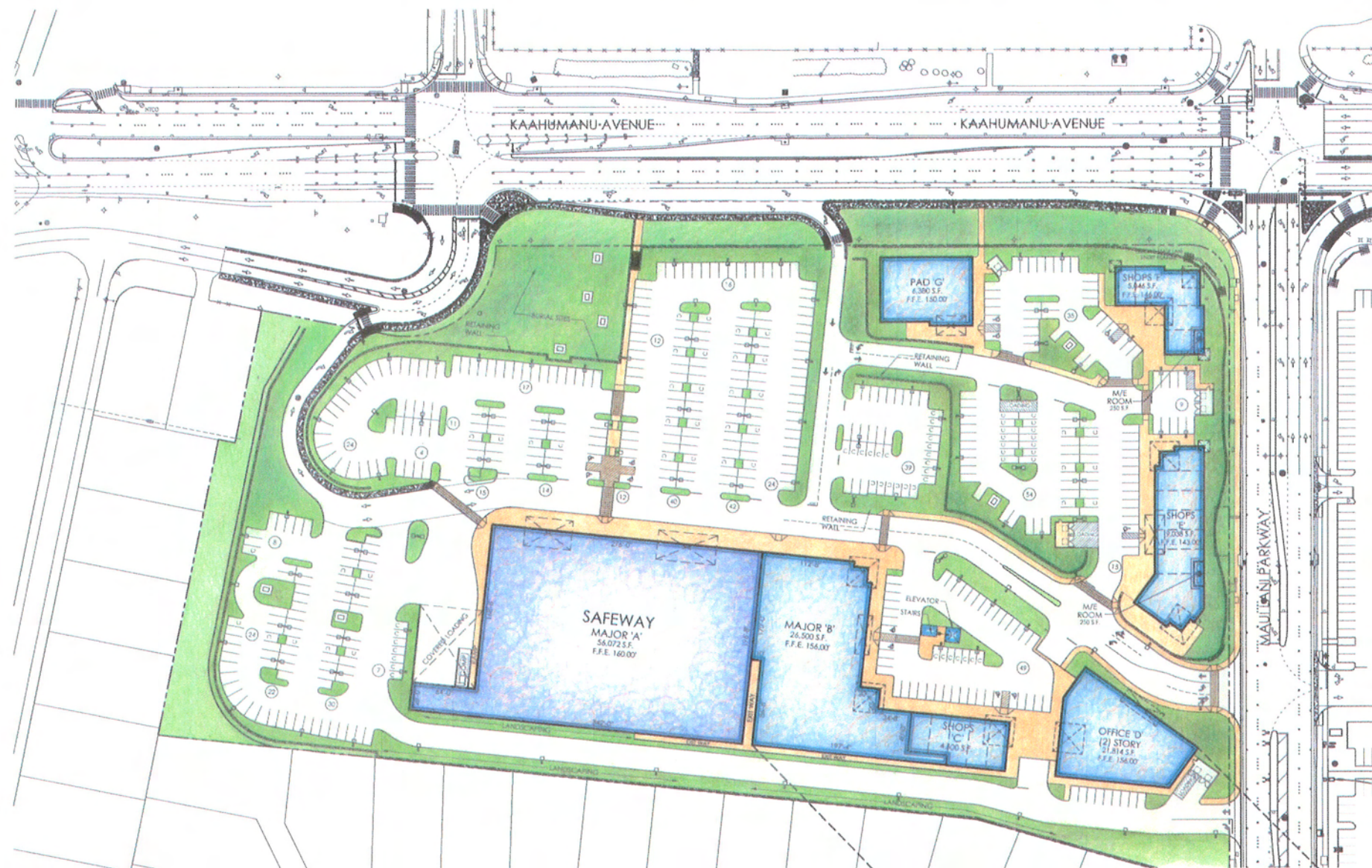
5. **Access Alternative 5: Right Turn Only Entry from Kaahumanu Avenue and Right Turn Exit Only at Kainani Street**

Access Alternative 5 was developed with the objective of preventing cut-through traffic in the residential neighborhood of Historic Sandhills. With this objective in mind, HRT's representative requested that the Department of Transportation (DOT) reconsider a right turn only entrance from Kaahumanu Avenue with additional modifications. The modifications included the creation of a new east-bound auxiliary lane to accommodate traffic utilizing the Kaahumanu Avenue right turn ingress access to address traffic weaving concerns. With the proposed entry from Kaahumanu Avenue, the project's architects and engineers would eliminate the use of Kainani Street as an ingress point. Moreover, the exit movement at the shopping center's proposed Kainani Street driveway would be limited to a right turn out only. This proposal for the shopping center's Kainani Street driveway would eliminate any possibility of shopping center related traffic directly affecting roadways within the Sandhills neighborhood. The configuration of Access Alternative 5 was developed with this concept in mind. See **Figure 24**.

Following the design completion of this alternative, as well as the completion of an updated traffic report, the applicant's traffic consultant met with the DOT to receive comments on the access plan. The DOT issued an approval letter on October 30, 2008. See **Appendix "U"**. On November 12, 2008 a community meeting was held to present the proposed plan of Access Alternative 5 to the public.

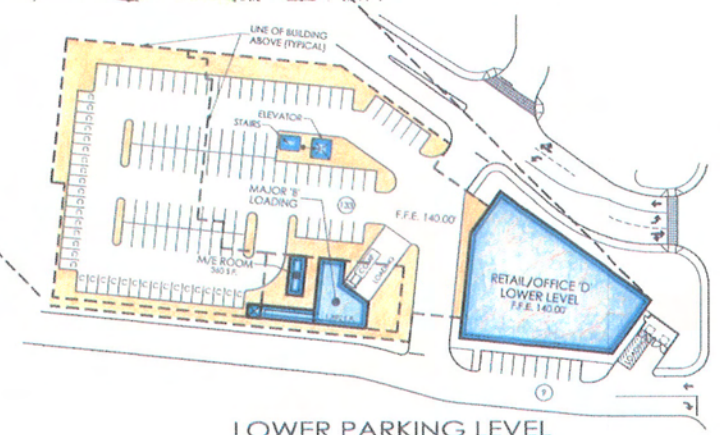
6. **Access Alternative 6 (Preferred Access Alternative): Right Turn Only Entry from Kaahumanu Avenue and No Ingress/Egress from Kainani Street**

At its regular meeting on August 22, 2008, the Maui County Council voted to adopt the resolution referring to the Maui Planning Commission the draft bill amending Section 19.78.070 of the Maui County Code. See **Appendix "V"**. The proposed legislation was reviewed by the Maui Planning Commission and a Public Hearing was held on November 25, 2008. Although the Department of Planning recommended disapproval of the resolution and suggested that ingress only be prohibited from Kainani Street, the Maui Planning Commission ultimately recommended approval of the resolution to restrict ingress and egress from Kainani Street. In a letter dated February 10, 2009, the Department of Planning forwarded the Maui Planning



SITE DATA :

SITE AREA :	12.9 ACRES	563,045 S.F.
MAJOR 'A' :		56,072 S.F.
MAJOR 'B' :		26,500 S.F.
SHOPS 'C' :		4,400 S.F.
OFFICE 'D' :		21,814 S.F.
SHOPS 'E' :		9,038 S.F.
SHOPS 'F' :		5,046 S.F.
PAD 'G' :		6,390 S.F.
SUB TOTAL BUILDING AREA :		129,450 S.F.
SHOPS 'C' AVE :		360 S.F.
SHOPS 'F' AVE :		250 S.F.
SHOPS 'I' AVE :		250 S.F.
TOTAL M/E ROOMS :		860 S.F.
GRAND TOTAL BUILDING AREA :		130,310 S.F.
STANDARD PARKING PROVIDED :		527 SPACE
COMPACT PARKING PROVIDED :	18.1%	120 SPACE
HANDICAP PARKING PROVIDED :		16 SPACE
TOTAL PARKING PROVIDED :		663 SPACE
PARKING RATIO :		5.09 SPACES / 1000 S.F.
SITE COVERAGE :		23.1%



Source: Benner Stange Architects Associates, Inc.

October 22, 2008

Figure 24

Proposed Maui Lani Shopping Center
 Right Turn Only Entry from Kaahumanu Avenue and
 Right Turn Exit Only at Kainani Street

NOT TO SCALE



Prepared for: HRT, Ltd.



Commission's recommendations to the Maui County Council. See **Appendix "W"**. Presently, the Maui County Council Land Use Committee is in receipt of the Resolution and draft bill (LU-14).

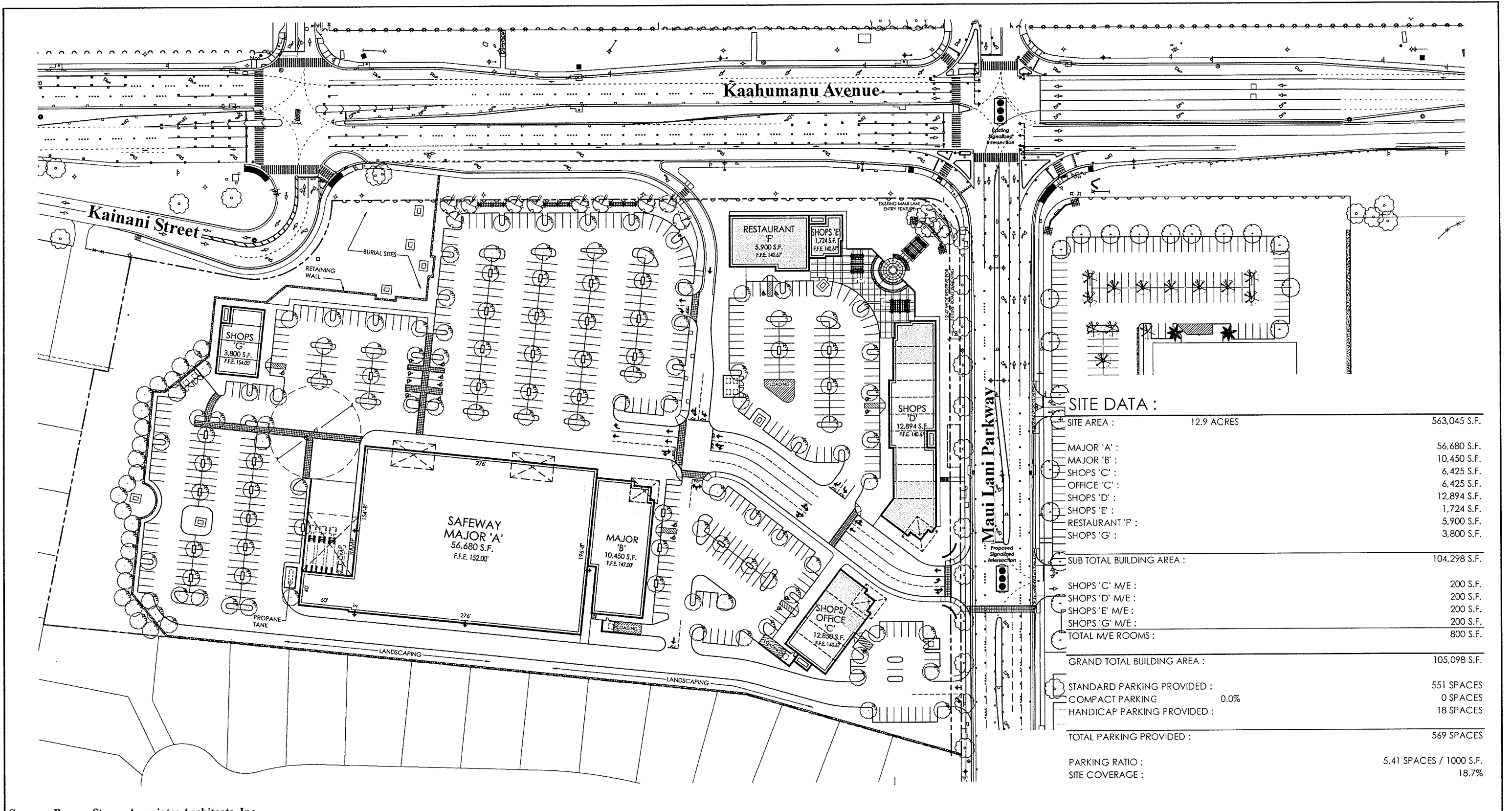
To address the intent of the resolution, the applicant requested that the traffic engineer investigate options for eliminating the Kainani Street access point.

Based on the traffic engineers' evaluation of Access Alternative 5, it was determined that the right turn only exit point at Kainani Street was a significant component of the project's overall access plan. Specifically, with the project's former size of 130,310 s.f., the exit point at Kainani Street was important to reduce queuing on the northbound travel lanes of Maui Lani Parkway. As such, in order to allow for a viable access configuration, the internal layout and building design would have to be scaled down. Access Alternative 6 was devised by the applicant and its consultants with the intention of developing a site plan that would be functional and feasible without the need to utilize Kainani Street. In order to meet this objective, the applicant reduced the total retail/commercial building area by 20 percent. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. reflected in the previous site plan of Access Alternative 5. See **Figure 25**.

The applicant's traffic engineer, PB, completed a preliminary traffic analysis which concludes that Access Alternative 6 (the preferred alternative) is workable from a traffic operations standpoint. The State of Hawaii DOT has determined that Access Alternative 6 is acceptable. Refer to **Appendix "D"**.

7. **Alternative 7: No Action Alternative**

The "no action" or "no build" alternative calls for retaining the project site in its current condition. Currently, the existing 12.93-acre site is grubbed and graded vacant land. The "no action" alternative would involve a continuation of the underutilized and unmaintained nature of the property. In addition, this alternative is not considered a viable scenario in the context of Maui Lani's master planned land use spatial allocations.



Source: Benner Stange Associates Architects, Inc.

Figure 25

Proposed Maui Lani Shopping Center
 Right Turn Only Entry from Kaahumanu Avenue
 and No Access from Kainani Street (Alternative 6)

NOT TO SCALE



**VI. IRREVERSIBLE AND
IRRETRIEVABLE
COMMITMENTS OF
RESOURCES**

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed action is anticipated to result in the irreversible and irretrievable commitment of certain natural and fiscal resources, including fuel, labor, funding, and material resources. Funding for the proposed Maui Lani Shopping Center will be provided by HRT, LTD. Development of the proposed project will also involve the commitment of land for a commercially oriented shopping center which would preclude other land use options for the site. This commitment of land resources, however, is consistent with the purpose and intent of the Maui Lani Project District I.

VII. SIGNIFICANCE CRITERIA ASSESSMENT

VII. SIGNIFICANCE CRITERIA ASSESSMENT

The "Significance Criteria", Section 12 of the Administrative Rules, Title 11, Chapter 200, "Environmental Impact Statement Rules", were reviewed and analyzed to determine whether the proposed project will have significant impacts to the environment. The following criteria and preliminary analysis are provided.

1. **Involves an irrevocable commitment to loss or destruction of any natural or cultural resource.**

There are no known rare, threatened, or endangered species of flora, fauna or avifauna located within the project site. As mentioned in Chapter II of this document, a cultural impact assessment of the project site concluded that no significant impacts to cultural practices were anticipated. The archaeological inventory survey report notes the potential for encountering burials on the property, given the parcel location in the Puuone Sand Dune region. It is noted that should human osteological material or other cultural remains be encountered during construction activities, applicable procedures to ensure compliance with Chapter 6E, Hawaii Revised Statutes (HRS), will be followed. Appropriate mitigation measures will be undertaken in coordination with the State Historic Preservation Division.

2. **Curtails the range of beneficial uses of the environment.**

The proposed project and the commitment of land resources is not anticipated to curtail the range of beneficial uses of the environment. The proposed project should not result in adverse effects on beneficial uses of the environment.

3. **Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders.**

The State's Environmental Policy and Guidelines are set forth in Chapter 344, Hawaii Revised Statutes. The proposed action does not contravene provisions of Chapter 344, Hawaii Revised Statutes.

4. **Substantially affects the economic welfare, social welfare, and cultural practices of the community or State.**

The proposed project will directly benefit the local economy by providing construction and construction-related employment. In the long term, the project would increase the availability of business/commercial lands and inventory to meet the island's growing economic base.

5. **Substantially affects public health.**

With proposed mitigation measures, no adverse impacts to the public's health and welfare are anticipated.

6. **Involves substantial secondary impacts, such as population changes or effects on public facilities.**

Because the project is not considered a significant direct population generator, adverse changes to population levels are not anticipated as a result of the proposed project.

From a land use standpoint, the proposed project is in keeping with the objectives, policies, and implementing actions of the Wailuku-Kahului Community Plan.

Adverse impacts to water and wastewater capacities and facilities are not anticipated as a result of project implementation.

7. **Involves a substantial degradation of environmental quality.**

During construction of the project, appropriate BMPs will be utilized to ensure that potential adverse environmental effects are mitigated. No substantial degradation of the environment is anticipated as a result of project implementation.

No substantial degradation of environmental quality resulting from the project is anticipated.

8. **Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions.**

The proposed action does not represent a commitment to larger actions. In addition, the proposed action is not expected to result in cumulative impacts that would adversely affect the environment.

9. **Substantially affects a rare, threatened, or endangered species, or its habitat.**

There are no known or identified habitats of rare, threatened, or endangered species of flora, fauna or avifauna, or their habitats in the vicinity of the project site.

10. **Detrimentially affects air or water quality or ambient noise levels.**

Construction activities will result in short-term air quality and noise impacts. Dust control measures, such as regular watering and sprinkling, and installation of dust screens will be implemented to minimize windblown emissions. Noise impact will occur primarily from construction equipment. Equipment mufflers or other noise attenuating equipment, as well as proper equipment and vehicle maintenance, will be used during construction activities. Construction noise impact will be mitigated through compliance with the provisions of the State of Hawaii, Department of Health Administrative Rules Title 11, Chapter 46, "Community Noise Control". These rules require a noise permit if the noise levels from construction activities are expected to exceed the allowable levels set forth in Chapter 46 rules.

With proposed mitigation measures, the project is not anticipated to have adverse significant impacts on air quality or noise levels.

Water quality is not expected to be affected in the short term or long term.

11. **Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.**

The project is not located within and would not affect environmentally sensitive areas. The project site is not subject to flooding or tsunami inundation according to the

Flood Insurance Rate Maps. Soils underlying the project site are not considered to be erosion-prone. There are no geologically hazardous lands, estuaries, or coastal waters within or adjacent to the project site.

12. Substantially affects scenic vistas and viewplanes identified in county or state plans or studies.

The project site is not identified as a scenic vista or viewplane. It is not anticipated that the proposed project will affect scenic corridors and coastal scenic and open space resources.

13. Requires substantial energy consumption.

The proposed project will involve the short-term commitment of fuel for equipment, vehicles, and machinery during construction activities. However, this use is not anticipated to result in a substantial consumption of energy resources. In the long term, the project will create additional demand for electricity. However, this demand is not deemed substantial or excessive within the context of the region's overall energy consumption.

Based on the foregoing findings, it is anticipated that the proposed action will result in a Finding of No Significant Impact (FONSI).

VIII. LIST OF PERMITS AND APPROVALS

VIII. LIST OF PERMITS AND APPROVALS

The following permits and approvals will be required prior to the implementation of the project.

County of Maui

1. Project District Phase II and Phase III Approvals
2. Construction Permits (Grading, Building, Electrical, Plumbing, Driveway)

State of Hawaii

1. Community Noise Permit, as applicable
2. Work to Perform in State Highway Right-of-Way
3. National Pollutant Discharge Elimination System (NPDES) (as applicable)

**IX. PARTIES
CONSULTED DURING THE
PREPARATION OF THE
DRAFT ENVIRONMENTAL
ASSESSMENT; LETTERS
RECEIVED AND
RESPONSES TO
SUBSTANTIVE
COMMENTS**

IX. PARTIES CONSULTED DURING THE PREPARATION OF THE DRAFT ENVIRONMENTAL ASSESSMENT; LETTERS RECEIVED AND RESPONSES TO SUBSTANTIVE COMMENTS

- | | |
|---|--|
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| <p>2. George Young
Chief, Regulatory Branch
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| <p>5. Sandra Lee Kunimoto, Chair
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| <p>6. Georgina K. Kawamura, Director
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| | <p>12. Chiyome Fukino, M.D., Director
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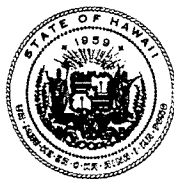
13. Alec Wong, P.E., Acting Chief
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14. Herbert Matsubayashi
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200 South High Street
Wailuku, Hawaii 96793
25. Carl Kaupololo, Chief
County of Maui
**Department of Fire
and Public Safety**
200 Dairy Road
Kahului, Hawaii 96732
26. Vanessa A. Medeiros, Director
County of Maui
**Department of Housing and
Human Concerns**
200 South High Street
Wailuku, Hawaii 96793
27. Tamara Horcajo, Director
County of Maui
Department of Parks and Recreation
700 Halia Nako Street, Unit 2
Wailuku, Hawaii 96793

28. Jeffrey Hunt, Director
County of Maui
Department of Planning
250 South High Street
Wailuku, Hawaii 96793
29. Thomas Phillips, Chief
County of Maui
Police Department
55 Mahalani Street
Wailuku, Hawaii 96793
30. Milton Arakawa, Director
County of Maui
Department of Public Works
200 South High Street
Wailuku, Hawaii 96793
31. Cheryl Okuma, Director
County of Maui
Department of Environmental Management
2200 Main Street, Suite 176
Wailuku, Hawaii 96793
32. Donald Medeiros, Director
County of Maui
Department of Transportation
200 South High Street
Wailuku, Hawaii 96793
33. Jeffrey Eng, Director
County of Maui
Department of Water Supply
200 South High Street
Wailuku, Hawaii 96793
34. **Hawaiian Telcom**
60 South Church Street
Wailuku, Hawaii 96793
35. Neal Shinyama, Manager – Engineering
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Hawaii 96733
36. Jocelyn Perreira, Executive Director
Wailuku Main Street Association
2035 West Main Street, Suite 1
Wailuku, Hawaii 96793
37. Clare Apana, President
Historic Sandhills Neighborhood Assn.
260 Halenani Drive
Wailuku, Hawaii 96793
38. Wesley P. Lo, Chief Executive Officer
Maui Memorial Medical Center
221 Mahalani Street
Wailuku, Hawaii 96793
39. Norman Quon, Director
Kaiser Permanente
531 Ohohia Street
Honolulu, Hawaii 96819

**PRE-ASSESSMENT
CONSULTATION
COMMENT LETTERS
RECEIVED FROM
AGENCIES**

AUG 30 2007

LINDA LINGLE
GOVERNOR



RUSS K. SAITO
COMPTROLLER

BARBARA A. ANNIS
DEPUTY COMPTROLLER

(P)1210.7

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

AUG 29 2007

Ms. Erin Mukai
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793

Dear Ms. Mukai:

Subject: Early Consultation Request for Proposed Maui Lani Shopping Center, Wailuku,
Maui, Hawai'i (TMK (2) 3-8-07:121)

Thank you for the opportunity to conduct an early review of the subject project. This 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, please call me at 586-0400 or have your staff call Mr. Clarence Kubo of the Public Works Division at 586-0488.

Sincerely,

A handwritten signature in cursive script that reads "Russ K. Saito".

RUSS K. SAITO
State Comptroller

AUG 29 2007

LINDA LINGLE
GOVERNOR



GEORGINA K. KAWAMURA
DIRECTOR

ROBERT N.E. PIPER
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER
PUBLIC UTILITIES COMMISSION

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION

August 24, 2007

Ms. Erin Mukai, Planner
Munekiyo & Hiraga, Inc
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Mukai:

Your request for comments on the proposed Maui Lani Shopping Center project located in Kahului, Maui, has been reviewed. In accordance with Chapter 343, HRS, we have no substantive pre-assessment comment to provide.

If you should have any questions regarding this matter, please feel free to contact Mr. Neal Miyahira, Administrator of the Budget, Program Planning and Management Division, at (808) 586-1530.

Aloha,

A handwritten signature in black ink that reads "Georgina K. Kawamura".

GEORGINA K. KAWAMURA
Director of Finance

LINDA LINGLE
GOVERNOR



AUG 27 2007

ORLANDO "DAN" DAVIDSON
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:

07:PEO/106

August 23, 2007

Ms. Erin Mukai
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Mukai:

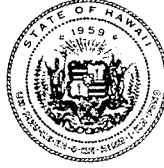
Re: Early Consultation Request for Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii TMK (2)3-8-07:121

Thank you for the opportunity to review the project overview for the proposed Maui Lani Shopping Center project.

We have no housing-related comments to offer at this time.

Sincerely,

Orlando "Dan" Davidson
Executive Director



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

OFFICE OF THE SUPERINTENDENT

August 31, 2007

Ms. Erin Mukai, Planner
Munekiyo & Hiraga Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793

Dear Ms. Mukai:

Subject: Early Consultation for Maui Lani Shopping Center
Kahului, TMK; 3-8-07: 121

The Department of Education (DOE) has no comment at this time about the impacts of the proposed Maui Lani Shopping Center, except for our concern about any non-school traffic entering Baldwin High School from the intersection of Ka'ahumanu Avenue and Maui Lani Parkway.

The improvements to the intersection have facilitated cars entering the high school. However, the school's driveway is not a continuation of Maui Lani Parkway, nor is it a dedicated county road. The DOE would appreciate special consideration of this situation when conducting any type of review of local traffic patterns, particularly in the labeling of maps.

Thank you for the opportunity to comment. If you have any questions, please call Heidi Meeker of the Facilities Development Branch at (808) 733-4862.

Very truly yours,

A handwritten signature in black ink that reads "Patricia Hamamoto".

Patricia Hamamoto
Superintendent

PH:jmb

c: Randolph Moore, Assistant Superintendent, OBS
Duane Kashiwai, Public Works Administrator, FDB



MICHAEL T. MUNEKIYO
GWEN DHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Kathryn Matayoshi
Interim Superintendent
State of Hawaii
Department of Education
P.O. Box 2360
Honolulu, Hawaii 96804

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Ms. Matayoshi:

This letter responds to former Superintendent Patricia Hamamoto's letter dated August 31, 2007 providing comments on the subject project. On behalf of the applicant, HRT Ltd., we wish to provide the following responses to your comments.

We note your comments concerning non-school related traffic entering Baldwin High School from the intersection of Kaahumanu Avenue and Maui Lani Parkway.

An updated traffic analysis report has been prepared for the subject project and will be included in the Draft Environmental Assessment (EA). Appropriate geometric adjustments will be made at the Maui Lani Parkway - Kaahumanu Avenue intersection to ensure that non-school related traffic does not unnecessarily enter Baldwin High School.

In this regard, the representative of the applicant, Lloyd Sueda and I met with Bruce Anderson of your department on September 8, 2008 to discuss the parameters of the proposed subject project, as well as to receive any comments he or your department may have on the project.

Furthermore, a meeting with Ferdinand Cajigal of the State of Hawaii, Department of Transportation and representatives of Baldwin High School (BHS), Natalie Gonsalves and Jo Ann Shibuya, was held on June 19, 2009 to discuss concerns and comments regarding traffic circulation as it affects BHS. At the June 19, 2009 meeting, BHS identified its traffic related issues affecting the school including pedestrian safety, traffic congestion, and the speed limit fronting the school. See **Exhibit "A"** for our letter to Ms. Natalie Gonsalves, and **Exhibit "B"** for Ms. Gonsalve's response.

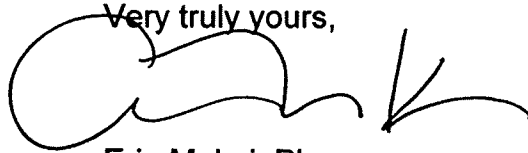
Kathryn Matayoshi
April 7, 2010
Page 2

As a result of meeting with BHS, the applicant agreed to fund a traffic study to analyze current operations at the BHS Entry Drive intersection and to identify recommendations which may aid in relieving congestion and safety concerns for vehicles and pedestrians entering and exiting the school during morning and after-school periods. The Baldwin High School Traffic Evaluation Report was submitted to BHS by Munekiyo & Hiraga, Inc., on behalf of the applicant. HRT, Ltd. is also willing to work with the BHS administration and State DOT to discuss the recommendations and identify reasonable action steps to improve conditions at the Entry Drive intersection.

As applicable, further coordination will be carried out with your department. A copy of the Draft EA will be provided to your office for review and comment.

Again, thank you for your comments and participation in the early consultation process.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Phillip Matsunaga, PB Americas, Inc.
Bruce Anderson, Department of Education
Darren Unemori, Warren S. Unemori Engineering, Inc.



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICK" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

June 24, 2009

Ms. Natalie Gonsalves
Principal
H.P. Baldwin High School
1650 Ka'ahumanu Avenue
Wailuku, Hawai'i 96793

SUBJECT: Meeting of June 19, 2009 Regarding Traffic Comments

Dear Ms. Gonsalves:

We appreciated the opportunity of meeting with you, Ms. Jo Ann Shibuya and Mr. Ferdinand Cajigal on June 19th to discuss concerns and comments regarding traffic circulation as it affects Baldwin High School (BHS). Attached for your review and comment is our memorandum which summarizes key discussion points from the meeting.

To recap, we understand the following to be the important traffic related issues affecting the school.

1. Students have a tendency to disregard traffic signals and cross Ka'ahumanu Avenue and Maui Lani Parkway outside of marked crosswalks and against traffic signal directions.
2. West-bound vehicles on Ka'ahumanu Avenue utilize the BHS Entry Drive intersection to circumvent the red light cycle at the Ka'ahumanu Avenue-Maui Lani Parkway-BHS Entry Drive intersection.
3. The speed limit along the segment of Ka'ahumanu Avenue fronting BHS is 45 miles per hour. Consideration should be given to reducing the speed limit in this vicinity.
4. The before-school and after-school traffic at the BHS Entry Drive intersection is heavily congested.

While the vehicle circulation and pedestrian safety concerns are currently existing, you noted that the implementation of the proposed Maui Lani Shopping Center will increase

Ms. Natalie Gonsalves
June 23, 2009
Page 2

pedestrian traffic crossing Ka'ahumanu Avenue and will increase traffic volumes at the Ka'ahumanu Avenue-Maui Lani Parkway-BHS Entry Drive Intersection.

Mr. Lloyd Sueda, representing HRT, Ltd., the owner of the property, acknowledged your concerns and expressed the need to ensure that solutions advanced for the intersection must be fair and reasonable to all parties. Notwithstanding, HRT, Ltd. has agreed to fund a traffic study to analyze current operations at the BHS Entry Drive intersection and to identify recommendations which may aid in relieving congestion and safety concerns for vehicles and pedestrians entering and exiting the school during morning and after-school periods.

Moreover, HRT, Ltd. is willing to work with the BHS administration and State DOT to discuss the recommendations and identify reasonable action steps to improve conditions at the Entry Drive intersection.

With this in mind, we would appreciate receiving your written confirmation that the foregoing traffic study approach is acceptable. Upon receipt of your written confirmation, HRT, Ltd. will issue a notice to proceed to Parsons Brinckerhoff, the project's traffic engineer, to initiate the traffic study.

Thank you again for taking the time to meet with us to discuss your concerns regarding BHS traffic conditions.

Very truly yours,



Michael Munekiyo, AICP
Principal

MM:lh

Attachment

Cc: Lloyd Sueda, Representing HRT, Ltd. (w/attachment)
Jo Ann Shibuya, Baldwin High School (w/attachment)
Ferdinand Cajigal, Department of Transportation (w/attachment)
Phillip Matsunaga, Parsons Brinckerhoff (w/attachment)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/attachment)
Jeff Benner, Benner Stange Associates Architect, Inc. (w/attachment)

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN KAWAHARA

MARK ALEXANDER ROY

June 24, 2009

MEETING MEMORANDUM

Date: June 19, 2009

Participants: Natalie Gonsalves, *Baldwin High School (BHS)*
Jo Ann Shibuya, *BHS*
Ferdinand Cajigal, *State Department of Transportation*
Lloyd Sueda, *Representing HRT, Ltd.*
Darren Unemori, *Warren S. Unemori Engineering, Inc.*
Phillip Matsunaga, *Parsons Brinckerhoff*
Michael Munekiyo, *Munekiyo & Hiraga, Inc.*

From: Michael Munekiyo, Principal

Subject: Maui Lani Shopping Center

The purpose of this meeting was to discuss the Maui Lani Shopping Center's improvements proposed for the Ka'ahumanu Avenue-Maui Lani Parkway-BHS Entry Drive intersection, and to receive comments from BHS representatives regarding traffic issues affecting the school. Key meeting discussion items are summarized below.

1. An overview of the proposed Maui Lani Shopping Center project was provided by L. Sueda. D. Unemori followed with an explanation of shopping center-related improvements to the Ka'ahumanu Avenue-Maui Lani Parkway-BHS Entry Drive intersection. A copy of the conceptual plan for the proposed improvements was provided to N. Gonsalves.
2. N. Gonsalves explained that the school has the following concerns regarding the intersection operations.
 - a. There is a jaywalking problem, with students crossing Ka'ahumanu Avenue and Maui Lani Parkway outside of marked crosswalks and against traffic signal directions. The proposed shopping center will attract a greater number of students crossing Ka'ahumanu Avenue.
 - b. West-bound vehicles on Ka'ahumanu Avenue enter BHS property and use the entry drive to circumvent the red light cycle at the Ka'ahumanu Avenue-Maui Lani Parkway-BHS Entry Drive intersection.

- c. **The speed limit on Ka`ahumanu Avenue fronting the school is 45 miles per hour. This speed limit is not compatible with the school use.**
- d. **The Ka`ahumanu Avenue- Maui Lani Parkway-BHS Entry Drive intersection is heavily congested before school and when school ends.**
3. **With regard to the jaywalking concern, meeting participants agreed that students' roadway crossing behavior is prevalent at all high schools. Solutions for managing this problem may be difficult without enforcement presence.**
4. **With respect to west-bound traffic circumventing the red light signal, F. Cajigal felt that this concern will be mitigated to some extent with the addition of a second left-turn lane on Ka`ahumanu Avenue (to Maui Lani Parkway). He noted that when the existing single left-turn lane is backed up, drivers have a greater tendency to use the BHS entry drive intersection to bypass the congestion.**
5. **F. Cajigal stated that the 45 mph speed limit may be reduced, but implementation of such a reduction involves analysis and modification to signal timing along Ka`ahumanu Avenue (i.e., this is a system modification as opposed to a local speed limit adjustment).**
6. **In discussing traffic congestion at the BHS Entry Drive intersection, J. Shibuya suggested that a separate right-turn exit be provided closer to the armory property. A separate exit would relieve congestion at the BHS Entry Drive intersection.**
7. **N. Gonsalves and J. Shibuya explained that the County of Maui is prepared to execute a memorandum of agreement which will enable the closure of Halia Nakoa Street during school hours. Eliminating traffic on Halia Nakoa Street during school hours will improve pedestrian safety for students accessing the BHS gymnasium facility.**
8. **J. Shibuya asked about the viability of utilizing a diagonal crosswalk on Ka`ahumanu Avenue to facilitate pedestrian crossing. F. Cajigal explained that diagonal crosswalks adversely affects signal timing and vehicle progression, and are therefore not used on Maui.**
9. **N. Gonsalves noted that once the shopping center is completed, some students may be attracted to the center during school hours. She explained that cooperation between the shopping center's security department and the BHS security personnel will be needed to ensure that students are on school premises during school hours. L. Sueda stated that details of this type of cooperation will be worked out with the school.**
10. **J. Shibuya reported that BHS has submitted a request to DOE to conduct a traffic study to address congestion at the BHS Entry Drive intersection. However, given**

the current state of the economy and budget limitations, it is unlikely that such a study will occur in the near term. Both J. Shibuya and N. Gonsalves reiterated the need to address the congestion problem.

11. L. Sueda indicated that HRT, Ltd. may be able to fund the BHS Entry Drive intersection traffic study. Such a study would address existing conditions and operational constraints, and identify solutions which may be implemented to better manage traffic flow at the Entry Drive intersection.
12. L. Sueda stated that if fair and reasonable solutions are identified which will help to address the problem, HRT, Ltd. may be able to work with BHS and DOT to implement the needed action steps. The benefit of a more efficiently operating entry drive will not only relieve congestion, but also improve traffic conditions affecting pedestrian safety.
13. L. Sueda will work with HRT, Ltd. and P. Matsunaga to define requirements for a traffic study proposal.

Meeting participants subsequently visited the intersection site to further discuss points raised in the meeting. The meeting was adjourned following the site visit.



Michael Munekiyo, AICP
Principal

MM:lh

cc: Natalie Gonsalves and Jo Ann Shibuya, Baldwin High School
Ferdinand Cajigal, State Department of Transportation
Lloyd Sueda, Representing HRT, Ltd.
Darren Unemori, Warren S. Unemori Engineering, Inc.
Phillip Matsunaga, Parsons Brinckerhoff

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JUL 20 2009

LINDA LINGLE
GOVERNOR



PATRICIA HAMAMOTO
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
H.P. BALDWIN HIGH SCHOOL
1650 KAAHUMANU AVENUE
WAILUKU, HAWAII 96793

July 17, 2009

Michael Munekiyo
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Dear Mr. Munekiyo:

Mahalo for meeting with the school and inquiring of the school's concern on the traffic impact of the proposed Maui Lani Shopping Center development. We appreciated the sincere support extended to the school during this meeting by the representative of the Maui Lani Shopping Center and Mr. Ferdinand Cajjal, Department of Transportation.

The school accepts the proposed approach for a traffic study, but the study should do more than analyze and identify recommendations for the current traffic situation at the Maui Lani Parkway-Kaahumanu Avenue-H.P. Baldwin High School (BHS) intersection. The study must also analyze and identify recommendations to mitigate the impact of Maui Lani developments on the intersection, including impacts to BHS, and the school's traffic flow, both vehicles and pedestrians. It is hoped that the traffic study also includes recommendations to alleviate current traffic congestion during school peak hours.

The proposed plan presented by D. Unemori highlighted significant improvements on Kaahumanu Avenue and Maui Lani Parkway, but excluded the traffic pattern of BHS and the public access road on school property aka Halii'a Nako'a by the County of Maui. Maui Lani Parkway north-south bound traffic lanes disjointedly connect to this intersection of State and school properties and county public access road.

The FEA on the Maui Lani Land Use Plan dated February 2005 indicated "finding of no significant impact" as the Papa/Kamehameha intersection that experienced the greatest delay and traffic volumes would be alleviated when Papa Avenue connection to Kuihelani Highway is opened to traffic. The second most impacted intersection was Maui Lani Parkway/Kaahumanu, which the FEA cited as operating "acceptably for urban peak hour conditions". However, a projected level of service analysis "with the project" was absent. The issue was not referenced in the summary of analysis and no roadway improvements were recommended. Further development at Maui Lani, Sandhills and Maui Lani Center will increase both vehicle and pedestrian traffic from Maui Lani Parkway to BHS campus during school peak hours and to the public access road onto the War Memorial Complex and/or Kanaloa Avenue.

EXHIBIT 10

Munekiyo & Hiraga, Inc.
Page Two
July 17, 2009

We look forward to continuing our discussion of traffic mitigations at the completion of the traffic study including, but not limited to,

- acknowledging the school zone on Kaahumanu Avenue by reducing the speed limit,
- developing a crosswalk pattern that discourages jaywalking,
- preventing public thru-access on BHS driveway,
- developing a traffic pattern that discourages vehicles to circumvent the red light cycle or no-U-turns at the intersection and
- developing a traffic pattern conducive to the traffic congestion during school peak hours.

If you have any questions, please call me at 984-5656, X231 or Joanne Shibuya, X226.

Mahalo for your support in ensuring the safety of our children commuting to and from our school campus, families visiting our campus and community in the surrounding areas.

Sincerely,



Natalie Gonsalves
Principal

cc: **Ferdinand Cajigal**
Phillip Matsunaga
Joanne Shibuya
Lloyd Sueda
Darren Unemori



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

In reply, please refer to:
EMD / CWB

08065PK.P.07

August 24, 2007

Ms. Erin Mukai
Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Mukai:

**Subject: Early Consultation Request for Proposed Maui Lani Shopping Center
Wailuku, Maui, Hawaii**

The Department of Health, Clean Water Branch (CWB), has reviewed the subject document and offers these comments on your project. Please note that our review is based solely on the information provided in the subject document and its compliance with 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://www.hawaii.gov/health/environmental/env-planning/landuse/CWB-standardcomment.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 are 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 the following types of discharges into Class A or Class 2 State waters, you may apply for NPDES general permit coverage by submitting a Notice of Intent (NOI) form:

- a. Storm water associated with construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. 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. An NPDES permit is required before the start of the construction activities.
- b. Once through cooling water less than one (1) million gallons per day.
- c. Hydrotesting water.
- d. Construction dewatering effluent.

You must submit a separate NOI form for each type of discharge at least 30 calendar days prior to the start of the discharge activity, except when applying for coverage for discharges of storm water associated with construction activity. For this type of discharge, the NOI must be submitted 30 calendar days before to the start of construction activities. The NOI forms may be picked up at our office or downloaded from our website at:


<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/genl-index.html>.

3. You must also submit a copy of the NOI to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD), or demonstrate to the satisfaction of the CWB that SHPD has or is in the process of evaluating your project. Please submit a copy of your request for review by SHPD or SHPD's determination letter for the project along with your NOI or NPDES permit application, as applicable.
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.

Ms. Erin Mukai
August 24, 2007
Page 3

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

Sincerely,


for Alec Wong, P.E., Chief
Clean Water Branch

KP:np



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Alec Wong, P.E., Chief
Clean Water Branch
State of Hawaii
Department of Health
P.O. Box 3378
Honolulu, Hawaii 96801

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Mr. Wong:

Thank you for your letter dated August 24, 2007 providing comments on the subject project. On behalf of the applicant, HRT Ltd., we wish to provide the following responses to your comments.

Response to Comment No. 1

We note the requirements of Hawaii Administrative Rules, Section 11-54-1.1, Section 11-54-3, and Sections 11-54-4 through 11-54-8. The applicant will submit a National Pollutant Discharge Elimination System (NPDES) permit and the water quality impact criteria will be addressed, as applicable, through the NPDES permit.

Response to Comment No. 2

Your comments regarding the NPDES and its relation to HAR, Chapter 11-55 are acknowledged. The project engineer will be applying for the NPDES permit for discharges of water, including storm water runoff.

Response to Comment No. 3

Coordination with the Department of Land and Natural Resources (DNLN) and the State Historic Preservation Division (SHPD) will be carried out, as applicable, by the project engineer.

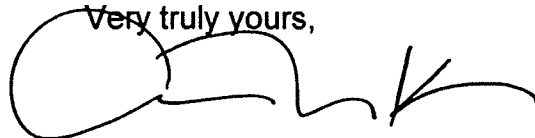
Alec Wong, P.E., Chief
April 7, 2010
Page 2

Response to Comment No. 4

Your comments concerning compliance with the State's Water Quality Standards are noted.

A copy of the Draft Environmental Assessment will be provided to your office for your review and comment.

Again, thank you for your comments and participation in the early consultation process.

Very truly yours,


Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.

F:\DATA\Sueda\Maui\Lani\Ctr\StateDOHres.ltr.wpd

AUG 29 2007

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, 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, MAUI, HAWAII 96793-2102

August 28, 2007

Ms. Erin Mukai
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793

Dear Ms. Mukai:

Subject: **Early Consultation Request for Proposed Maui Lani Shopping Center, TMK: (2) 3-8-07: 121, Wailuku, Hawaii**

Thank you for the opportunity to participate in the early consultation process for the proposed Maui Lani Shopping Center. The following comments are offered:

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 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.
3. HAR, Chapter 11-46 sets maximum allowable sound levels from stationary equipment such as compressors and HVAC equipment. The attenuation of noise from these sources may depend on the location and placement of these types of equipment. This should be taken into consideration during the planning, design, and construction of the building and installation of these types of equipment.

It is strongly recommended that the Standard Comments found at the Department's website: www.state.hi.us/health/environmental/env-planning/landuse/landuse.html be reviewed, and any comments specifically applicable to this project should be adhered to.

Should you have any questions, please call me at 808 984-8230.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Matsubayashi", enclosed in a circular scribble.

Herbert S. Matsubayashi
District Environmental Health Program Chief



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Patricia Kitkowski
Acting District Environmental Health Program Chief
State of Hawaii
Department of Health
Maui District Health Office
54 High Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Ms. Kitkowski:

Thank you for your department's letter dated August 28, 2007 in response to the request for early consultation on the subject project. On behalf of the applicant, HRT Ltd., we would like to provide the following information in response to your comments.

Response to Comment No. 1

Your comments regarding the National Pollutant Discharge Elimination System (NPDES) permit is acknowledged. As appropriate, the project engineer will coordinate with the Department of Health, Clean Water Branch.

Response to Comment No. 2

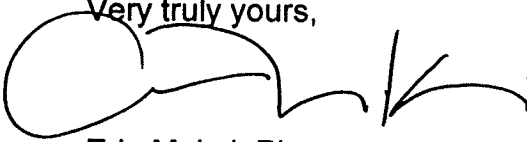
The proposed project will conform to Hawaii Administrative Rules (HAR), Chapter 11-46 "Community Noise Control." An application for a noise permit, as appropriate, will be submitted to the Department of Health prior to construction by the project engineer.

Response to Comment No. 3

Your comment concerning HAR, Chapter 11-46 regarding maximum allowable sound levels from stationary equipment such as compressors and HVAC equipment is noted. The applicant will comply with all applicable rules and regulations as set forth by HAR, Chapter 11-46.

Patricia Kitkowski
April 7, 2010
Page 2

Again, thank you for your comments and participation in the early consultation process.

Very truly yours,

Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.

F:\DATA\Sueda\Maui\LaniCtr\dohmaui.res.wpd

AUG 28 2007

LINDA LINGLE
GOVERNOR OF HAWAII



Laura H. Thielen
Interim 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 24, 2007

Munekiyo & Hiraga, Inc.
305 High Street Suite 104
Wailuku, Hawaii 96793

Attention: Mr. Erin Mukai

Gentlemen:

Subject: Early Consultation Request for Proposed Maui Lani Shopping Center,
Wailuku, Maui, Tax Map Key: (2) 3-8-7:121

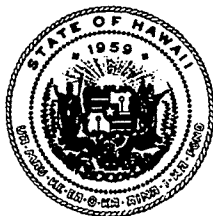
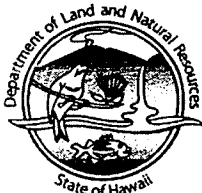
Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources has no comment to offer on the subject matter. Should you have any questions, please feel free to call our office at 587-0433. Thank you.

Sincerely,

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

Russell Y. Tsuji
Administrator

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

November 2, 2007

Ms. Erin Mukai
Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku Hawai'i 96793

LOG NO: 2007.2834
DOC NO: 0710JP13
Archaeology

Dear Ms. Mukai:

**SUBJECT: Chapter 6E-42 Historic Preservation Review [County/DSA/Planning] –
Early Consultation Request for the Proposed Maui Lani Shopping Center
Wailuku Ahupua'a, Wailuku District, Island of Maui
TMK (2) 3-8-007:121**

Thank you for the opportunity to review and comment on the early consultation request for the proposed Maui Lani Shopping Center development project, which was received by our staff on August 23, 2007. Our review is based on reports, maps, and aerial photographs maintained at the State Historic Preservation Division (SHPD). There has been on-going archaeological mitigation within and immediately surrounding the current subject parcel. The intent of this letter is to clarify some former SHPD discrepancies and to provide recommendations for mitigation regarding significant historic properties that have been identified on the subject parcel.

Proposed Project:

The subject application consists of plans to develop a neighborhood shopping center. The proposed project components include a food market as a major tenant, a sub-major tenant, retail shops, service shops, restaurants and office space. The proposed total retail area measures approximately 129,000 square feet. The proposed project will be surrounded by an old historic residential neighborhood (sand hills) and a new residential subdivision. The subject area is located adjacent to Ka'ahumanu Avenue directly across the street from the historic Baldwin High School; and adjacent to Maui Lani Parkway directly across the street from the recently constructed Kaiser Permanente.

Archaeological Background:

The subject area is located within Aeolian sand dunes (*Pu'u One*), which are known to contain both isolated and clustered human burial features. Numerous human burials have been identified within and surrounding the subject parcel. Multiple human burials have been identified along Ka'ahumanu Avenue including locations immediately adjacent to the subject parcel.

Previous archaeological investigations have occurred throughout the central Maui sand dune network since at least the 1970s; when human skeletal remains were identified. Subsequently, archaeological investigations led to the identification of several human burials; some scattered across the surface (previously disturbed) and others in-tact within subsurface contexts. During former investigations that included sections of the current subject area, surface features were identified in the form of sandstone

mounds and a sandstone parallel alignment (trail). The structures were evaluated as "recent origin" and no permanent site numbers were issued for any of the surface features (1995: M-499). Another more recent surface survey led to the discovery of a sandstone C-shape structure that was also evaluated as modern construction.

We have accepted an archaeological inventory survey report that included a small portion of the current subject area (LOG NO: 2005.2646/ DOC NO: 0512MK22). Although the SHPD previously indicated that this inventory survey report included the current subject area, the inventory survey was in fact specific to the Maui Lani Parkway road corridor adjacent to the current subject parcel. During the 1997 survey, one *in situ* traditional Hawaiian human burial was recorded and issued State Inventory of Historic Places (SIHP) number 50-50-04-4401. Additionally, exposed human remains were identified near the base of a large sand dune and designated SIHP 50-50-04-4368. The site was not located in the boundaries of the Maui Lani Parkway road corridor survey however they were identified within the adjacent HRT subject parcel (new subdivision).

Full-time archaeological monitoring ensued during various grubbing and grading activities on the current subject parcel. The monitoring program led to the identification of several human burials within the subject area (previously and recently disturbed). There were some isolated finds including partial *in situ* burials as well as disturbed scattered human remains. The archaeological monitoring report was scheduled to be submitted no later than 180 days from the completion of the construction projects. To date, we have not received the archaeological monitoring report(s) documenting the significant findings.

State Inventory of Historic Places (SIHP) Update:

The previously identified and some of the inadvertent human burial features were subject to consultation with the Maui Lana'i Islands Burial Council (MLIBC). The MLIBC discussed three of the burial sites during its regular meeting held on August 28, 2003 and recommended that the SHPD accept the combined burial treatment and preservation plan for previously identified burial site 50-50-04-4401, and inadvertent discoveries listed as SIHP 50-50-04-5236 and SIHP 50-50-04-5229. In April 2004, the SHPD concurred with and supported the MLIBC in their position and at the time, stated the plan was acceptable (LOG NO: 2004.1152/ DOC NO: 0404KK19). We request that a copy of the final burial treatment and preservation plan be submitted to the Maui archaeology branch of the SHPD. It is necessary to update our site files to correlate with the results presented in the formerly accepted plan.

There are outstanding issues surrounding some of the burial finds and determinations for their final dispositions. Former SHPD correspondence states that final disposition determinations were made for SIHP 50-50-04-4401, -5229, -5236, -5767, and -5768 (LOG NO: 2005.2646/ DOC NO: 0512MK22). The former SHPD correspondence letter has proven to be inaccurate and this letter serves to clarify those inaccuracies. Determinations for the final dispositions were only made for the three sites (listed in the former paragraph). We sincerely apologize for any confusion and/or inconveniences this may cause. We are anxious to resolve all of the outstanding issues and move forward with the development of the parcel. We thank you for your patience and understanding in this matter.

According to available records, no final determination has been made for inadvertent burial discoveries previously assigned SIHP 50-50-04-4368, 50-50-04-5767, 50-50-04-5768, as well as "HRT Sandhills burials" listed on the state register as 50-50-04-5687 through 50-50-04-5694 (issued on 29 April 2005). There also appears to be a discrepancy between the SHPD site files and what was presented to the MLIBC. We have been seeking clarification from the contracted archaeological firm. The SHPD site files need to be updated to reflect an accurate depiction of all the burial discoveries to date. The archaeological monitoring report(s) may help to clarify some of these outstanding issues.

During a relatively recent SHPD site inspection there were observations of a cluster of human burials in the northwest quadrant of the subject parcel near Kainani Road. We are uncertain if the boundaries

depicting the concentrated area of human burials have been firmly established. Additional hand testing and skeletal recovery techniques (raking/screening associated stockpiles etc.) may need to occur in order to complete prior fieldwork investigations and to establish definite boundaries, which will help obtain final determinations for all of the significant inadvertent findings; particularly in the northern section. The burial concentration is currently demarcated by an interim buffer zone. We anticipate additional subsurface findings surrounding the area.

Summary:

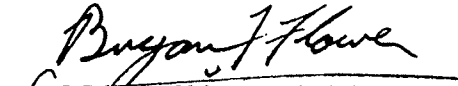
We have previously requested and continue to anticipate the archaeological monitoring report(s) that will formally document the significant historic properties in the area (to date). We have also requested a construction map depicting the exact location of the identified burials in relation to the proposed project (to scale with accurately surveyed UTM coordinates). Upon submittal and review of the report(s) and map, we will be able to ascertain a more complete understanding of the significant historic properties including any additional information and outstanding concerns surrounding the known burial features.

Based on accessible information, we anticipate a high probability of previously disturbed human and/or animal skeletal remains on the surface and within subsurface deposits of the subject parcel. We anticipate the potential for additional *in situ* burials particularly in areas where there have been human skeletal remains identified through prior archaeological investigations. Following any possible additional testing and/or archaeological field work, we will continue to recommend full-time archaeological monitoring.

Before the final revised plans for the proposed project are complete, it may be beneficial to schedule a meeting for all of the involved parties. We are extremely interested in continuing mitigation to clarify all of the unresolved cultural and archaeological concerns. We appreciate the opportunity to provide comments and look forward to working together in the near future in order to mitigate the outstanding concerns.

Please direct any archaeological questions or concerns to the Maui Office Annex of the State Historic Preservation Division at (808) 243-4641. The SHPD Maui Cultural Historian Mr. Hinano Rodrigues may be contacted at (808) 243-4640 and our main Maui office at (808) 243-1285.

Aloha,


Melanie Chinen, Administrator
State Historic Preservation Division

JP:oap

- c: Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793
Director, County of Maui, Department of Planning, FAX (808) 270-7634
Mr. Hinano Rodrigues, SHPD Culture and History
Archaeological Services Hawaii, 1930 A Vineyard Street, Wailuku HI 96793
Department of Public Works, DSA County of Maui FAX (808) 270-7972
MLIBC

LINDA LINGLE
GOVERNOR OF HAWAII



DEC 19 2007

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

November 30, 2007

Ms. Erin Mukai
Planner
Munckiyō & Hiraga, Inc.
305 High Street, Suite 104
Wailuku Hawai'i 96793

LOG NO: 2007.2834
DOC NO: 0710JP13
Archaeology

Dear Ms. Mukai:

**SUBJECT: Chapter 6E-42 Historic Preservation Review [County/DSA/Planning] –
Early Consultation Request for the Proposed Maui Lani Shopping Center
Wailuku Ahupua'a, Wailuku District, Island of Maui
TMK (2) 3-8-007:121**

Thank you for the opportunity to review and comment on the early consultation request for the proposed Maui Lani Shopping Center development project, which was received by our staff on August 23, 2007. Our review is based on reports, maps, and aerial photographs maintained at the State Historic Preservation Division (SHPD). There has been on-going archaeological mitigation within and immediately surrounding the current subject parcel. The intent of this letter is to clarify some former discrepancies and to provide recommendations for archaeological mitigation regarding significant historic properties on the subject parcel.

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Based on your correspondence, the subject application consists of plans to develop a neighborhood shopping center. Proposed project components include a food market as a major tenant, a sub-major tenant, retail shops, service shops, restaurants and office space. The retail area is planned to include an area of approximately 129,000 square feet. The proposed project is located adjacent to a historic residential neighborhood and a new residential subdivision in sand hills (*Pu'u One*). The subject area is also adjacent to Ka'ahumanu Avenue directly across the street from historic Baldwin High School; and adjacent to Maui Lani Parkway directly across the street from the relatively recently constructed Kaiser Permanente.

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Previous archaeological investigations have occurred throughout the central Maui sand dunes since at least the 1970s; when human skeletal remains were identified. Subsequently, archaeological investigations led to the identification of several additional human burials; some scattered across the

surface (previously disturbed) and others in-tact within subsurface contexts. During inventory survey level investigations that included sections of the current subject area, surface features were identified in the form of sandstone mounds and a sandstone parallel alignment (trail). The structures were evaluated as *recent origin* and no permanent site numbers were issued for the surface features (1995: M-499). Another more recent surface survey led to the discovery of a sandstone C-shape structure that was also evaluated as modern construction.

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A program of archaeological monitoring ensued during various grubbing and grading activities that occurred on the current subject area. The archaeological monitoring program led to the identification of several human burials within the subject area (previously and recently disturbed). There were some isolated finds including partial *in situ* burials as well as disturbed scattered human remains. The archaeological monitoring report was scheduled to be submitted no later than 180 days from the completion of the construction projects. To date, we have not received the archaeological monitoring report(s) documenting the significant findings.

State Inventory of Historic Places (SIHP) Update:

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We wish to elucidate some outstanding issues surrounding some of the inadvertent burial finds and their determinations for final disposition (preserve in place and/or relocate). Former SHPD correspondence states that final disposition determinations were made for SIHP 50-50-04-4401, -5229, -5236, -5767, and -5768 (LOG NO: 2005.2646/ DOC NO: 0512MK22). The former SHPD correspondence letter has proven to be inaccurate and this letter serves to clarify those inaccuracies. Determinations for the final dispositions were made for the three sites listed in the former paragraph (50-50-04-4401, -5229, and -5236). We sincerely apologize for any confusion and/or inconveniences this may cause. We are anxious to resolve the outstanding issues in order to move forward with the development of the parcel. We thank you for your patience and understanding in this matter.

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During a relatively recent SHPD site inspection there were observations of a cluster of human burials in the northwest quadrant of the subject parcel near Kainani Road. We are uncertain if the boundaries depicting the concentrated area of human burials have been firmly established. Additional hand testing and skeletal recovery techniques (raking/screening associated stockpiles etc.) may need to occur in order to complete prior fieldwork investigations and to establish definite boundaries, which will help obtain final determinations for all of the significant inadvertent findings; particularly in the northern section. The burial concentration is currently demarcated by an interim buffer zone.

Summary:


We have previously requested and continue to anticipate the archaeological monitoring report(s) that will formally document the significant historic properties in the area (to date). We have also requested a construction map depicting the exact location of the identified burials in relation to the proposed project (to scale with accurately surveyed UTM coordinates). Upon submittal and review of the information, report(s), and map, we will be able to ascertain a more complete understanding of the significant historic properties including any additional information and outstanding concerns surrounding the known burial features.

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Before the final revised plans for the proposed project are complete, it may be beneficial to schedule a meeting for all of the involved parties. We are extremely interested in continuing mitigation to clarify all of the unresolved cultural and archaeological concerns. We appreciate the opportunity to provide comments and look forward to working together in the near future in order to mitigate the outstanding issues.

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Aloha,

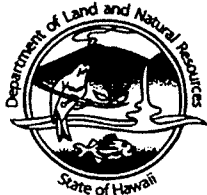

Melanie Chinen, Administrator
State Historic Preservation Division

JP:oap

c: Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793
Director, County of Maui, Department of Planning, FAX (808) 270-7634
Archaeological Services Hawaii, 1930 A Vineyard Street, Wailuku HI 96793
Jeffrey Pantaleo, Principle Investigator, ASH, LLC, FAX (808) 837-0171
Mr. Hinano Rodrigues, SHPD Culture and History
Jenny Pickett, SHPD Maui Archaeology
Department of Public Works, DSA County of Maui FAX (808) 270-7972
MLIBC

JAN 17 2008

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA
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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

January 7, 2008

Ms. Erin Mukai
Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku Hawai'i 96793

LOG NO: 2007.2834
DOC NO: 0710JP13
Archaeology

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The previously identified and some of the inadvertent human burial features were subject to consultation with the Maui Lana'i Islands Burial Council (MLIBC). The MLIBC discussed three of the burial sites during its regular meeting held on August 28, 2003 and recommended that the SHPD accept the combined burial treatment and preservation plan for previously identified burial site 50-50-04-4401, and inadvertent discoveries listed as SIHP 50-50-04-5236 and SIHP 50-50-04-5229. In April 2004, the SHPD concurred with and supported the MLIBC in their position and at the time, stated the plan was acceptable (LOG NO: 2004.1152/ DOC NO: 0404KK19). We request that a copy of the final treatment and preservation plan be submitted to the Maui archaeology branch of the SHPD. It is necessary to update our site files in order to correlate with the results presented in the formerly accepted plan.

We wish to elucidate some outstanding issues surrounding some of the inadvertent burial finds and their determinations for final disposition (preserve in place and/or relocate). Former SHPD correspondence states that final disposition determinations were made for SIHP 50-50-04-4401, -5229, -5236, -5767, and -5768 (LOG NO: 2005.2646/ DOC NO: 0512MK22). The former SHPD correspondence letter has proven to be inaccurate and this letter serves to clarify those inaccuracies. Determinations for the final dispositions were made for the three sites listed in the former paragraph (50-50-04-4401, -5229, and -5236). We sincerely apologize for any confusion and/or inconveniences this may cause. We are anxious to resolve the outstanding issues in order to move forward with the development of the parcel. We thank you for your patience and understanding in this matter.

According to available records, there were no SHPD final determinations for inadvertent burial discoveries previously assigned SIHP 50-50-04-4368, 50-50-04-5767, 50-50-04-5768, as well as "HRT Sandhills burials" listed on the state register as 50-50-04-5687 through 50-50-04-5694 (issued on 29 April 2005). We believe some of these burials may have already been subjected to preservation in place and/or relocation. There also appears to be a discrepancy between the SHPD site files and what was presented to the MLIBC. We continue to seek clarification from the contracted archaeological firm with respect to these issues and anticipate resolutions as soon as possible. The SHPD site files shall be updated to reflect an accurate depiction of all the burial discoveries to date. The final archaeological monitoring report(s) submittal will help clarify some of these outstanding issues.

During a relatively recent SHPD site inspection there were observations of a cluster of human burials in the northwest quadrant of the subject parcel near Kainani Road. We are uncertain if the boundaries depicting the concentrated area of human burials have been firmly established. Additional hand testing and skeletal recovery techniques (raking/screening associated stockpiles etc.) may need to occur in order to complete prior fieldwork investigations and to establish definite boundaries, which will help obtain final determinations for all of the significant inadvertent findings; particularly in the northern section. The burial concentration is currently demarcated by an interim buffer zone.

Summary:

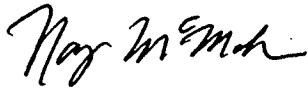
We have previously requested and continue to anticipate the archaeological monitoring report(s) that will formally document the significant historic properties in the area (to date). We have also requested a construction map depicting the exact location of the identified burials in relation to the proposed project (to scale with accurately surveyed UTM coordinates). Upon submittal and review of the information, report(s), and map, we will be able to ascertain a more complete understanding of the significant historic properties including any additional information and outstanding concerns surrounding the known burial features.

Based on accessible information, we anticipate a high probability of previously disturbed human and/or animal skeletal remains on the surface and within subsurface deposits of the subject parcel. We anticipate the potential for additional *in situ* burials particularly in areas where there have been human skeletal remains identified through prior archaeological investigations. Following any possible additional testing and/or archaeological field work, we will continue to recommend full-time archaeological monitoring.

Before the final revised plans for the proposed project are complete, it may be beneficial to schedule a meeting for all of the involved parties. We are extremely interested in continuing mitigation to clarify all of the unresolved cultural and archaeological concerns. We appreciate the opportunity to provide comments and look forward to working together in the near future in order to mitigate the outstanding issues.

Please direct any archaeological questions or concerns to the Maui Office Annex of the State Historic Preservation Division at (808) 243-4641. The SHPD Maui Cultural Historian Mr. Hinano Rodrigues may be contacted at (808) 243-4640 and our main Maui office at (808) 243-1285.

Aloha,



Nancy McMahon, Acting Archaeological Branch Chief
State Historic Preservation Division

JP:oap

- c: Maui Cultural Resources Commission, Dept. of Planning, 250 S. High Street, Wailuku, HI 96793
Director, County of Maui, Department of Planning, FAX (808) 270-7634
Archaeological Services Hawaii, 1930 A Vineyard Street, Wailuku HI 96793
Jeffrey Pantaleo, Principle Investigator, ASH, LLC, FAX (808) 837-0171
Mr. Hinano Rodrigues, SHPD Culture and History
Jenny Pickett, SHPD Maui Archaeology
Department of Public Works, DSA County of Maui FAX (808) 270-7972
MLIBC



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Dr. Puaalaokalani Aiu, Administrator
State of Hawaii
Department of Land and Natural Resources
State Historic Preservation Division
601 Kamokila Blvd., Room 555
Kapolei, Hawaii 96707

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Dr. Aiu:

Thank you for your department's letters dated November 2, 2007, November 30, 2007, and January 7, 2008, providing comments on the subject project. On behalf of the applicant, HRT Ltd., we wish to provide the following responses to your department's comments.

Archaeological Monitoring

We note your department's request for an archaeological monitoring report documenting the significant historic properties in the area of the project site, as well as a construction map depicting the locations of the identified burials. According to the project's archaeologist, Lisa Rotunno-Hazuka, an archaeological monitoring report has not yet been prepared and/or submitted to your department as construction activities have not yet been completed. We note, however, in February of 2008, Archaeological Services Hawaii, LLC submitted to the State Historic Preservation Division (SHPD) a summary of the historic properties identified, to date, at the proposed Maui Lani Shopping Center site. Included within the summary is a site plan depicting the locations of the identified burials.

Treatment and Preservation Plan Submittal

A copy of the Burial Treatment and Preservation Plan for Site 50-50-04-4401, SIHP 50-50-04-5236 and SIHP 50-50-04-5229 has been submitted to the Maui archaeology branch of SHPD by Archaeological Services Hawaii, LLC.

Coordination to Clarify SHPD Site Files

The applicant and its archaeologist looks forward to continuing coordination with the SHPD to ensure accurate depictions in SHPD's site files.

Dr. Puaalaokalani Aiu, Administrator
April 7, 2010
Page 2

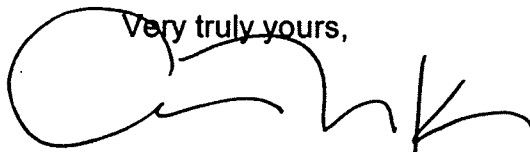
Human Burial Clusters Near Kainani Street

In recognition of the potential for encountering additional burials in the northwest quadrant of the project site, near Kainani Street, the applicant has established preservation boundaries, within which ground altering activities will not occur.

Your comment concerning the scheduling of a meeting for all involved parties prior to the finalization of project plans is acknowledged. The applicant and its archaeologist will contact your office to schedule this meeting.

Again, thank you for your comments and participation in the early consultation process.

A copy of the Draft Environmental Assessment will be provided to your office for your review and comment.

Very truly yours,

Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Lisa Rotunno-Hazuka, Archaeological Services Hawaii, LLC
Laura Thielen, Department of Land and Natural Resources
Nancy McMahon, State Historic Preservation Division

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DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

SEP 11 2007

CHARMAINE TAVARES
Mayor

VANESSA A. MEDEIROS
Director

LORI TSUHAKO
Deputy Director

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

September 7, 2007

Ms. Erin Mukai
Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793


Dear Ms. Mukai:

**SUBJECT: Proposed Maui Lani Shopping Center
Wailuku, Maui, Hawaii TMK (2) 3-8-07:121**

We have reviewed your August 16, 2007 early consultation letter for the subject project and wish to inform you that we do not have any comment to offer.

Thank you for the opportunity to comment.

Sincerely,


VANESSA A. MEDEIROS
Director of Housing and Human Concerns

xc: Assistant Housing Administrator

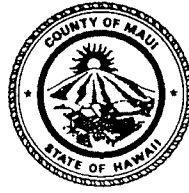
SEP 12 2007

TAMARA HORCAJO
Director

ZACHARY Z. HELM
Deputy Director

(808) 270-7230
Fax (808) 270-7934

CHARMAINE TAVARES
Mayor



DEPARTMENT OF PARKS & RECREATION

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

September 6, 2007

Munekiyo & Hiraga
Attention: Erin Mukai
305 High Street Suite 104
Wailuku, HI 96793

Dear Ms. Erin Mukai

Subject: Request for proposed ,Maui Lani Shopping Center Wailuku, Maui, HI (TMK
(2) 3-8-007:121)

We have reviewed the proposed Maui Lani Shopping Center project, and we have
no comments or objections to the subject project.

Thank you for the opportunity to comment. Please contact me or Patrick Matsui,
Chief of Planning and Development, at 270-7387 if there are any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Tamara Horcajo", is written over a faint, larger version of the same signature.

TAMARA HORCAJO
Director, Parks & Recreation

xc: Patrick Matsui, Chief of Planning & Development

TH:PM:tk

CHARMAINE TAVARES
Mayor

JEFFREY S. HUNT
Director

COLLEEN M. SUYAMA
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

September 24, 2007

Ms. Erin Mukai
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Mukai:

RE: Pre-Assessment Consultation Comments in Preparation of a Draft Environmental Assessment for the Maui Lani Shopping Center Project, Located at Kahului, Maui, Hawaii, TMK: 3-8-007:121 (EAC 2007/0029)

The Maui Department of Planning (Department) is in receipt of your request for pre-consultation comments regarding the proposed construction of a neighborhood shopping center. The project components will include a food market as a major tenant, a sub-major tenant, retail and service shops, restaurants and office space. The total retail area will be approximately 129,000 sq. ft. Proposed access to the site will be from Maui Lani Parkway and from Kainani Street.

The proposed Kainani Street roadway improvements are located on a State of Hawaii roadway facility and as such, an Environmental Assessment (EA) is being prepared.

Based on the foregoing, the Department provides the following comments:

1. The subject parcel has a State Land Use District designation of Urban, Community Plan designation of Project District 1 (Maui Lani), and a Zoning District designation of Wailuku Project District 1 (Maui Lani) approved by ordinance No. 1872 in 1989 and recently amended by ordinance No. 3146 in 2003;
2. The subject parcel is located outside of the Special Management Area Boundary of the County of Maui;
3. As the trigger for the EA is with a State roadway, the State DOT may be the accepting authority for Chapter 343, HRS compliance;

Ms. Erin Mukai
September 24, 2007
Page 2

4. At its regular meeting on July 10, 2007, the Maui Planning Commission (Commission) voted to defer action on the above project until an Environmental Assessment (EA) is prepared and the EA process is complete;
5. At the public hearing, many members of the public were concerned with the proposed roadway access to the project from Kainani Street. Discuss alternatives to the Kainani Street roadway design presented to the Maui Planning Commission. Discuss, as an alternative, no access from Kainani Street and concerns raised by the Police Department in having access to a large commercial project from only one street;
6. Discuss what measures will be taken to mitigate construction-related impacts on the residential lots which abut the subject parcel; and
7. Discuss burial issues raised by the Department of Land and Natural Resources State Historic Preservation Division at the public hearing on July 10, 2007, specifically placement of development and parking in close proximity to existing burial sites on the property.

Thank you for the opportunity to comment. Please include the Department on the distribution list for the Draft EA. Should you require further clarification, please contact Ann Cua, Staff Planner, by email at ann.cua@mauicounty.gov or at 270-7521.

Sincerely,



JEFFREY S. HUNT, AICP
Planning Director

JSH:ATC:nt

c: Clayton I. Yoshida, AICP, Planning Program Administrator
Ann T. Cua, Staff Planner
Lloyd Sueda, Sueda & Associates
Project File
General File
K:\WP_DOCS\PLANNING\EAC\2007\0029_MauiLaniShoppingCenter\PreconsultationComments

April 7, 2010

Jeffrey S. Hunt, AICP, Director
County of Maui
Department of Planning
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Mr. Hunt:

Thank you for your department's letter dated September 24, 2007 providing comments to the early consultation request on the subject project. On behalf of the applicant, HRT Ltd., we would like to provide the following information in response to your comments.

Response to Comment No. 1

The existing land use designations are noted.

Response to Comment No. 2

The parcel's location outside of the Special Management Area of the County of Maui is noted.

Response to Comment No. 3

According to Hawaii Administrative Rules, Chapter 200, Section 11-200-4, the approving agency shall be the agency initially receiving and agreeing to process the request for an approval. The Environmental Assessment (EA) is being prepared in connection with the request for Project District Phase II approval by the Maui Planning Commission. The State Department of Transportation has not objected to the designation of the Maui Planning Commission as the approving agency for the EA.

Response to Comment No. 4

Your comment concerning the Maui Planning Commission meeting of July 10, 2007 is acknowledged. An Environmental Assessment (EA) is being prepared for the subject project.

Response to Comment No. 5

Following the initiation of proposed legislation by the Maui County Council that, if passed would prohibit traffic ingress and egress on Kainani Street to and from the development within the Maui Lani Project District, the applicant and its consultants developed a revised site plan that eliminated the use of Kainani Street as an access point. Currently, the project plans propose three (3) access points for the site solely via Kaahumanu Avenue and Maui Lani Parkway. The proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, two (2) accesses are proposed along Maui Lani Parkway: one (1) full movement access and one (1) limited access with right-turn in and right-turn out. Alternatives to the site plan and its roadway designs will be addressed in Chapter V of the Draft EA.

Response to Comment No. 6

Discussion on mitigation measures to construction-related impacts on nearby residential lots will be incorporated in Chapter II of the Draft EA.

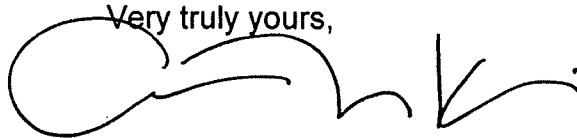
Response to Comment No. 7

Discussion on burial issues will be addressed in Chapter II of the Draft EA.

Again, thank you for your comments and participation in the early consultation process.

A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

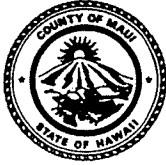


Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.
Phillip Matsunaga, PB Americas, Inc.

SEP 13 2007



CHARMAINE TAVARES
MAYOR

OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

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



THOMAS M. PHILLIPS
CHIEF OF POLICE

GARY A. YABUTA
DEPUTY CHIEF OF POLICE

August 29, 2007

Ms. Erin Mukai, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Dear Ms. Mukai:

SUBJECT: Early Consultation Request for Maui Lani Shopping Center, Wailuku, Maui, Hawaii (TMK (2) 3-8-07:121)

Thank you for your letter of August 16, 2007, requesting comments on the above subject.

We have reviewed the information submitted for this project and have enclosed a copy of our comments. Thank you for giving us the opportunity to comment on this project.

Very truly yours,

Assistant Chief Wayne T. Ribao
for: Thomas M. Phillips
Chief of Police

Enclosure
c: Jeff Hunt, Planning Department

COPY

TO : THOMAS PHILLIPS, CHIEF OF POLICE, COUNTY OF MAUI
VIA : CHANNELS
FROM : STEPHEN ORIKASA, ADMINISTRATIVE SERGEANT, WAILUKU PATROL DIVISION
SUBJECT : RESPONSE TO EARLY CONSULTATION REQUEST FOR PROPOSED MAUI LANI SHOPPING CENTER
TMK: (2) 3-8-07:121

CONCUR. THE CONCERNS OF M.P.D. SHOULD BE ADDRESSED.
AC Wayne Miller
08/29/07

This communication is submitted as a response to the Early Consultation Request for Proposed Maui Lani Shopping Center (TMK (2) 3-8-07:121), from Erin Mukai, Planner for Munekiyo & Hiraga, Inc.

REVIEW AND RESPONSE:

On July 10, 2007 I attended the County of Maui, Department of Planning, Planning Commission hearing regarding the development of the Maui Lani Shopping Center. During this hearing there was an overwhelming concern from the public of the proposed ingress and egress location of the Maui Shopping Center at Kainani Street. The proposed lane restructuring on Kainani Street and Kaahumanu Avenue directly affected by this development needs to be revisited.

Ingress and egress points along Maui Lani Parkway should have an evaluation as to the need for traffic signals. This is a roadway that is becoming heavily used, and a traffic mitigation plan should take into consideration impacts from the nearby Kaiser medical Facility and Baldwin High School across the street.

The complex in itself needs to consider adequate lighting and pathways to increase security of the area by design. Security along with evacuations plans need to be established for the complex in the event of critical incidents. The levels of emergency responses should be considered, but not necessarily incorporated, in this plan.

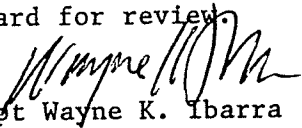
CONCLUSION:

No objections to the development of the complex at this time. Vehicular and pedestrian safety and the safety of the of the public at large must be taken into consideration during all phases of this project.

Respectfully submitted for your perusal,


Stephen T. Orikasa E#716
Administrative Sergeant/Wailuku Patrol Division
08/28/07 @ 0945 Hours

Forward for review.


A/Capt Wayne K. Ibarra 9229
08/28/07



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Gary Yabuta, Chief
County of Maui
Maui Police Department
55 Mahalani Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Chief Yabuta:

Thank you for the Police Department's letter dated August 29, 2007 providing comments on the subject project. On behalf of the applicant, HRT Ltd., we wish to provide the following information in response to your letter.

Traffic

Your department's comment regarding ingress and egress at Kainani Street as well as the proposed lane restructuring on Kainani Street and Kaahumanu Avenue are noted. Following the initiation of proposed legislation by the Maui County Council that, if passed would prohibit traffic ingress and egress on Kainani Street to and from the development within the Maui Lani Project District, the applicant and its consultants developed a revised site plan that eliminated the use of Kainani Street as an access point. Currently, the project plans propose three (3) access points for the site via Kaahumanu Avenue and Maui Lani Parkway. The proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition two (2) accesses are proposed along Maui Lani Parkway: one (1) full movement access and one (1) limited access with right-turn in and right-turn out.

An updated traffic impact assessment report has been prepared by the project's traffic consultant, PB Americas, Inc. The potential need for traffic signals along Maui Lani Parkway, has been identified in the traffic study. As part of its recommendations, the traffic study recommends that the applicant monitor the Kaiser/Maui Lani Shopping Center access intersection and install a traffic signal when warranted. Further, the potential traffic impacts to nearby Kaiser Permanente and Baldwin High School are being examined as part of the traffic analysis update. Following meetings with Baldwin High School (BHS) representatives, the applicant agreed to fund a separate traffic study for the school to analyze current operations at the BHS Entry Drive intersection. The study also identifies

Gary Yabuta, Chief
April 7, 2010
Page 2

recommendations which may aid in relieving congestion and safety concerns for vehicles and pedestrians entering and exiting the school during morning and after school periods.

A copy of the project's updated traffic impact analysis report and the Baldwin High School traffic evaluation report will be incorporated in the Draft Environmental Assessment.

Lighting

Developing a lighting scheme that incorporates adequate lighting to provide security for those at the center is of equal concern to the applicant. A lighting plan has been developed to provide security to patrons and employees of the shopping center, yet at the same time limit impacts to neighboring properties.

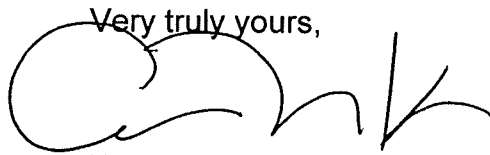
Security

Security is proposed 24 hours a day, 7 days a week for the shopping center. Security as well as evacuation plans will be prepared by the applicant in coordination with the management agency selected for the shopping center.

A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Again, thank you for your participation in the early consultation review.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', written over the typed name below.

Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Phillip Matsunaga, PB Americas, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.

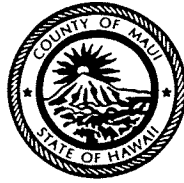
SEP 05 2007

CHARMAINE TAVARES
Mayor

MILTON M. ARAKAWA, A.I.C.P.
Director

MICHAEL M. MIYAMOTO
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7955



RALPH NAGAMINE, L.S., P.E.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

August 30, 2007

Ms. Erin Mukai
MUNEKIYO & HIRAGA, INC.
305 High Street, Suite 104
Wailuku, Maui, Hawaii 96793

Dear Ms. Mukai:

**SUBJECT: EARLY CONSULTATION REQUEST FOR PROPOSED
MAUI LANI SHOPPING CENTER; TMK: (2) 3-8-007:121**

We reviewed the subject application and have the following comments:

1. Full compliance with Chapter 20.08 (Soil Erosion and Sedimentation Control) of the Maui County Code is required. For questions on the grading and grubbing permit process, please contact the Development Services Administration, Engineering Plans Review Section, at 270-7242.
2. See enclosed comments previously made concerning the subject project.

Please call Michael Miyamoto at 270-7845 if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Milton M. Arakawa".

MILTON M. ARAKAWA, A.I.C.P.
Director of Public Works

MMA:MMM:ls
Enclosure

xc: Engineering Division
Highways Division

S:\LUCA\CZMMaui_Lani_Shpg_Ctr_erly_ea_38007121_ls.wpd

ALAN M. ARAKAWA
Mayor

MILTON M. ARAKAWA, A.I.C.P.
Director

MICHAEL M. MIYAMOTO
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7955



COUNTY OF MAUI
**DEPARTMENT OF PUBLIC WORKS
AND ENVIRONMENTAL MANAGEMENT**
200 SOUTH HIGH STREET, ROOM 322
WAILUKU, MAUI, HAWAII 96793

RALPH NAGAMINE, L.S., P.E.
Development Services Administration

DAVID TAYLOR, P.E.
Wastewater Reclamation Division

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

TRACY TAKAMINE, P.E.
Solid Waste Division

September 25, 2006

MEMO TO: MICHAEL W. FOLEY, PLANNING DIRECTOR

FROM:  MILTON M. ARAKAWA, A.I.C.P., DIRECTOR OF PUBLIC WORKS
AND ENVIRONMENTAL MANAGEMENT

SUBJECT: REVISED TIAR AND PROJECT PLANS
FOR MAUI LANI SHOPPING CENTER
TMK: (2) 3-8-007:121
PH2 2005/0007

We reviewed the subject application and have the following comments:

1. Although wastewater system capacity is currently available as of August 1, 2006, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
2. Wastewater contribution calculations are required before building permit is issued.
3. Developer shall pay assessment fees for treatment plant expansion costs in accordance with ordinance setting forth such fees.
4. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.
5. Plans should show the installation of a service manhole near the property line prior to connection to the County sewer.
6. Non-contact cooling water, condensate, etc. should not drain to the wastewater system.

Memo to Michael W. Foley, Planning Director
September 25, 2006
Page 2

7. Kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens, etc.).
8. Figure 6 contains negative numbers. Given the proposed uses, pass-by trips can be assumed, but the text of the report does not indicate specifics regarding the assumptions of the pass-by trips. Table 3 does not reflect any pass-by trips. Please provide a figure showing only the application of pass-by trips and state any assumptions.
9. Table 4 lists the assumed trip distribution pattern, but when comparing to Figure 6, it is difficult to confirm. Please identify the trip distribution pattern assumed on the roadway network with the new trips generated by the project.
10. In the afternoon peak hour at the intersection of Kainani Street and the project access, there is a large volume, 166 vehicles per hour, assumed to make the left turn into the site. The Kainani Street approach to Kaahumanu Avenue is projected to experience 53.8 seconds of delay which will result in a queue that may or may not affect the Kainani Street access. As both intersections are in close proximity, please discuss how queuing from each intersection may affect the adjacent intersection.

If you have any questions regarding this memorandum, please call Michael Miyamoto at 270-7845.

MMA:MMM:da

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Milton Arakawa, Director
County of Maui
Department of Public Works
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Mr. Arakawa:

Thank you for your letter dated August 30, 2007 providing comments on the subject project. On behalf of the applicant, HRT Ltd., we wish to provide the following responses to your comments.

Response to Comment Regarding Chapter 20.08 of the Maui County Code

Your comment regarding Chapter 20.08 (Soil Erosion and Sedimentation Control) of the Maui County Code is noted. Full compliance with Chapter 20.08 will be carried out.

Response to Comments in a Letter Dated September 25, 2006 to Michael W. Foley

We would like to provide the following responses to your comments in a letter dated September 25, 2006, in the same order presented in your letter. We note that at the time the letter was finalized, your department and the Department of Environmental Management had not yet separated into two (2) departments, but instead operated under a single department head.

Response to Comment No. 1

Your comment concerning wastewater system capacity is noted.

Response to Comment No. 2

Your comment concerning the requirement of wastewater contribution calculations before a building permit is issued is acknowledged. Accordingly, your comment has been forwarded to the project engineer for appropriate action.

Response to Comment No. 3

The payment of assessment fees for treatment plant expansion costs is noted and has been forwarded to the applicant for appropriate action.

Response to Comment No. 4

The funding of any necessary off-site improvements to collection system and wastewater pump stations by the developer is noted.

Response to Comment No. 5

The project engineer will prepare plans for the service manhole in accordance with County standards and requirements.

Response to Comment No. 6

Your comment regarding non-contact cooling water and condensate is noted.

Response to Comment No. 7

Kitchen facilities proposed for the project will comply with all applicable rules and regulations.

Response to Comment No. 8

A revised traffic impact assessment report (TIAR) has been prepared for the project. A copy of the TIAR will be included in the Draft Environmental Assessment which will be delivered to your office for review.

Response to Comment No. 9

See response to Comment No. 8 above.

Response to Comment No. 10

See response to Comment No. 8 above.

Inasmuch as Comment Nos. 1,2,3,4,5,6, and 7 now fall under the jurisdiction of the County's Department of Environmental Management, we are providing a copy of

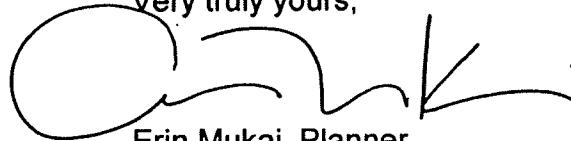
Milton Arakawa, Director
April 7, 2010
Page 3

this response letter to Ms. Cheryl Okuma, Director of the Department of Environmental Management.

Again, thank you for your comments and participation in the early consultation process.

A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

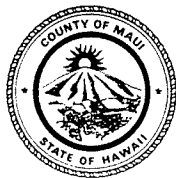
EM:lh

cc: Cheryl Okuma, County of Maui, Department of Environmental Management
Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.
Phillip Matsunaga, PB Americas, Inc.

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AUG 27 2007

CHARMAINE TAVARES
MAYOR



DON A. MEDEIROS
Director
WAYNE A. BOTEILHO
Deputy Director
Telephone (808) 270-7511
Facsimile (808) 270-7505

DEPARTMENT OF TRANSPORTATION

COUNTY OF MAUI
200 South High Street
Wailuku, Hawaii, USA 96793-2155

August 22, 2007

Ms. Erin Mukai, Planner
Munekiyo and Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

SUBJECT: MAUI LANI SHOPPING CENTER

Dear Ms. Mukai:

The above-mentioned project is a perfect example of Transit Oriented Development principals begging to be applied. We must stop looking at projects as if they are stand alone. Instead, integration with surrounding uses, as well as the greater community, should be considered.

Since the Maui Lani Parkway has not been dedicated to the County, a bus shelter should be constructed on Maui Lani Parkway with accessible pedestrian routes to both the new shopping center and the Kaiser facilities. This will foster the use of public transportation, thus reducing automobile traffic in the area.

Bus shelters which serve multiple attractors of people (such as medical facilities and shopping centers) are a key component in both Smart Growth and Transient Oriented Development.

Thank you for the opportunity to comment. Please do not hesitate to contact me at 270-7511 if I can be of any assistance or clarification.

Sincerely,

A handwritten signature in black ink, appearing to read "Medeiros", is written over a white background.

DON MEDEIROS
Director of Transportation



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Don Medeiros
Director of Transportation
County of Maui
200 South High Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Mr. Medeiros:

Thank you for your letter dated August 22, 2007 providing comments on the subject project. On behalf of the applicant, HRT Ltd., we wish to provide the following information in response to your comments.

We acknowledge your suggestion regarding the consideration of a designated area for a bus stop as well as accessible pedestrian routes. Currently, Maui Lani Parkway is a private roadway facility. However, it is anticipated that Maui Lani Parkway will be dedicated to the County of Maui in the future. Coordination will be undertaken with the County Department of Transportation to determine the technical feasibility of a bus shelter as part of the roadway dedication process.

A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Again, thank you for your comments and participation in the early consultation process.

Very truly yours,

Erin Mukai, Planner

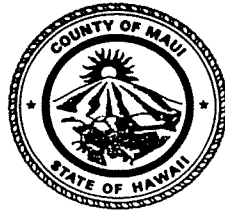
EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Phillip Matsunaga, PB Americas, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.

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SEP 07 2007

CHARMAINE TAVARES
Mayor
CHERYL K. OKUMA, Esq.
Director
GREGG KRESGE
Deputy Director



TRACY TAKAMINE, P.E.
Solid Waste Division
DAVID TAYLOR, P.E.
Wastewater Reclamation Division

**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**
2200 MAIN STREET, SUITE 175
WAILUKU, MAUI, HAWAII 96793

September 5, 2007

Erin Mukai
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

**SUBJECT: PROPOSED MAUI LANI SHOPPING CENTER
EARLY CONSULTATION
TMK (2) 3-8-007:121**

Dear Ms. Mukai,

We have reviewed the subject application and have the following comments:

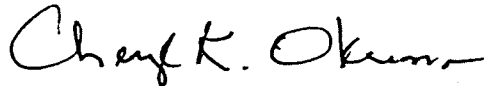
1. Solid Waste Division comments
 - a. Include a plan for construction waste disposal/recycling.
2. Wastewater Reclamation Division comments:
 - a. Although wastewater system capacity is currently available as of 9/5/2007, the developer should be informed that wastewater system capacity cannot be ensured until the issuance of the building permit.
 - b. Wastewater contribution calculations are required before building permit is issued.
 - c. Developer shall pay assessment fees for treatment plant expansion costs in accordance with ordinance setting forth such fees.
 - d. Developer is required to fund any necessary off-site improvements to collection system and wastewater pump stations.
 - e. Plans should show the installation of a service manhole prior to connecting to the County sewer system.

Ms. Erin Mukai
Proposed Maui Lani Shopping Center
September 5, 2007 - Page 2

- 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.
- g. Kitchen facilities within the proposed project shall comply with pre-treatment requirements (including grease interceptors, sample boxes, screens etc.)
- h. Non-contact cooling water and condensate shall not drain to the wastewater system.
- i. The existing sewer line which traverses this lot is no longer in use by the County of Maui. Prior to the rough grading of subject lot contractor capped and abandoned lines. Developer shall verify that this occurred.
- j. Developer will be required to plug abandoned line at Manhole No. KA20XB2600 if not already completed (see attached exhibit.)

If you have any further questions regarding this project please contact Gregg Kresge at 270-8236.

Sincerely,



Cheryl Okuma, Director



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Cheryl Okuma, Director
County of Maui
Department of Environmental Management
2200 Main Street
Wailuku, Hawaii 96793

SUBJECT: Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Ms. Okuma:

Thank you for your letter dated September 5, 2007 providing comments to the early consultation request on the subject project. On behalf of the applicant, HRT Ltd., we would like to provide the following comments in response to your letter.

Solid Waste Division

Response to Comment a

As requested, a plan for construction waste disposal/recycling will be prepared and included in the construction documents prepared by the project design team.

Wastewater Reclamation Division

Response to Comment a

Your comments concerning wastewater system capacity are noted.

Response to Comment b

Your comment regarding wastewater contribution calculations is noted and has been forwarded to the project engineer for appropriate action.

Response to Comment c

Your comment concerning payment of assessment fees for treatment plant expansion costs is acknowledged and has been forwarded to the applicant for appropriate action.

Response to Comment d

Your comment concerning funding of any necessary off-site improvements to collection system and wastewater pump stations is acknowledged.

Response to Comment e

The project engineer will prepare plans for the service manhole in accordance with County standards and requirements. The project engineer will be in contact with the division.

Response to Comment f

Construction plans will reflect easement ownership information, as requested.

Response to Comment g

Kitchen facilities proposed for the project will comply with all applicable rules and regulations.

Response to Comment h

Your comment regarding non-contact cooling water and condensate is noted.

Response to Comment i

Your comments regarding the existing sewerline have been forwarded to the project engineer. The engineer will confirm that abandoned lines have been capped.

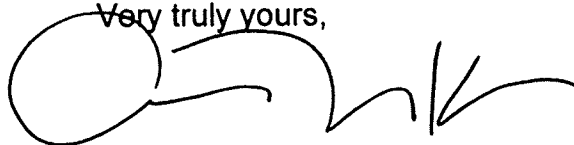
Response to Comment j

The engineer will confirm that the abandoned line at Manhole No. KA20XB2600 has been plugged.

Cheryl Okuma, Director
April 7, 2010
Page 3

Again, thank you for your comments and participation in the early consultation process. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', written over the closing text.

Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeff Benner, Benner Stange Associates Architects, Inc.
Darren Unemori, Warren S. Unemori Engineering, Inc.

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Hawaiian Telcom ●

August 29, 2007

Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

ATTN: Erin Mukai, Planner

SUBJECT: Early Consultation Request for Proposed Maui Lani Shopping Center
Wailuku, Maui, Hawaii (TMK: (2) 3-8-07:121)
Preparation for Environmental Assessment

Dear Ms. Mukai;

Thank you for providing Hawaiian Telcom the opportunity to comment on the preparation of the Environmental Assessment for the proposed Maui Lani Shopping Center project.

Hawaiian Telcom has no comment on this project at this time.

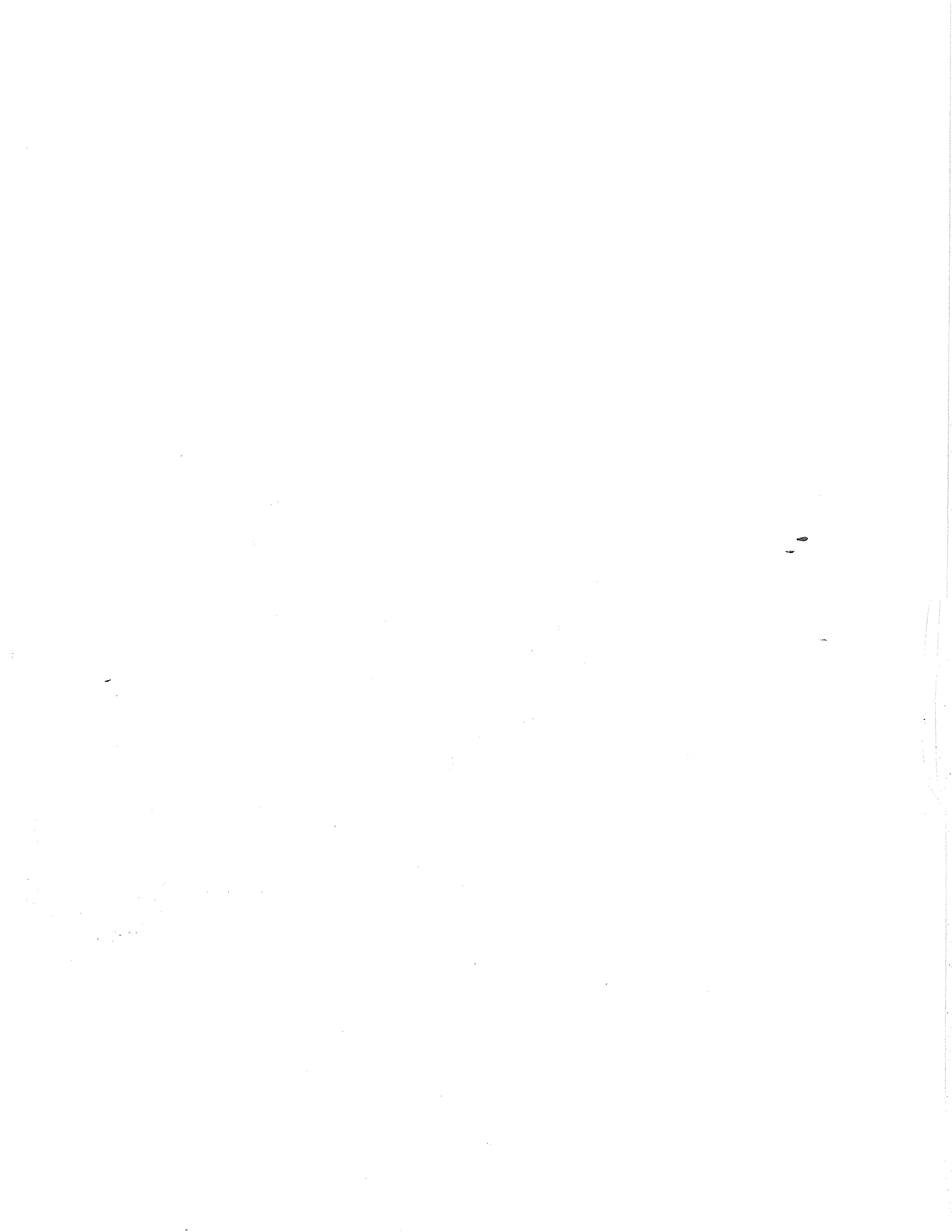
If there are any questions, please call me at (808) 242-5258.

Sincerely,



Sheri Tihada
Senior Engineer
IP-OSP Engineering

C: File (3080 0708-071)
S. Tihada



**PRE-ASSESSMENT
CONSULTATION
COMMENT LETTERS
RECEIVED FROM
NEIGHBORING
RESIDENTS**

COMMENT FORM

NOV 05 2007

Proposed Maui Lani Shopping Center
October 16, 2007 Community Meeting

Resident Name Clare Apana Phone No. 2424189
Address 260 Halekani Dr Alternate No. 2144411

Please write any comments you wish to share on the proposed project below. Comments received prior to October 31, 2007 will be included in the Draft Environmental Assessment currently being prepared.

This is my EA response. Please
accept this and call me if you have
any questions.

Malama pono Sandhills and all of the
islands of MAUI-NEI!

Clare Apana

If you wish, you may mail your comments to:

Erin Mukai, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Should you have any questions, please feel free to contact Erin by phone at (808) 244-2015, or by email at erin@mhincnline.com.

FAX 244 879

My name is Clare Apana. I am a resident of the historic Sandhills neighborhood. I was born 54 years ago at Maui Memorial Hospital and was brought home to our family home at 260 Halenani Drive. Growing up in my neighborhood of Sandhills has shaped my values of respect for my elders, my family, my surroundings and for my community. I have also lived in Honolulu, Seattle and Washington, but this house on Halenani Drive in Sandhills has always been "home" to me. After witnessing Honolulu grow so fast and so big, I appreciate the many small things about Sandhills such as the peace and quiet and the ability to know your neighborhoods and the privilege of being able to see lots of stars in the dark night sky.

My medical condition brought me back to Maui in 2002. For my health's sake, I exchanged the hustle and bustle of the city, for the quieter, cleaner lifestyle I had as a child. The clean environment, city noise, fewer cars and toxic emissions, fewer brightly lit commercial areas nearby, tranquil surroundings of being part of a slower paced community, restful night's sleep was the prescription I needed to recover from being poisoned by an airborne pesticide.

I am a concerned resident reviewing the application for the HRT. Ltd., proposed Phase 2 Project District. This proposed project at TMK 3-8-07 is below my neighborhood. From the plans presented thus far, I feel it will adversely affect my need for a quiet and clean place to live in. The quality of life for me and my neighborhoods will cause irreparable harm.

My increasing concern that the proposed project should not be placed in Sandhills, caused me to look for the true history of this area. In my opinion, the archeologist hired by HRT, Ltd, did not report any significant historical or cultural findings, she just reported that skeletal remains that had been found, identified and that there were plans for it. Here is what I found:

The History of Sandhills

After reading the history of this area and I am thoroughly convinced that this **MUST NOT** be a shopping center like the one that HRT, Ltd. is planning.

The lot at TMK 3-08-07 is part of a very famous and unique historical Hawaiian battleground. This battle story is told by kupuna and Hawaiian historians as a significant battle between chiefs for rule of the Hawaiian Islands. It is recorded that 1600 Alii warriors of the Alapa and PiiPii regiments came to fight here on the sand dunes at the "Battle of Kakanilua".

Of those 1600, only two warriors survived and were able to return home to the big island of Hawaii to tell the story of this bloody battle. As I said earlier, I was brought up to revere my ancestors and treating burial grounds with great respect as this is a sacred battle ground is something I feel needs to be done with more than just bunching bones up in a cement plot with a brass marker.

At some of the community meetings presented by the Developer, HRT, Ltd., the lot at TMK 3-08-07 is being planned with many national chain stores. I have nothing against national chains, I shop at them all the time. I do however, feel there is a need for further study to just pave over and inter the bones next to big red signs and handicapped stalls. I have pondered this idea with great distress, I have sympathy for the families of the Alii warriors who feel that their ancestor's graves should be left alone. I can only imagine that if this is the trend, that someday, bright red S signs will be put up over other graveyards here in Maui County. It is disrespectful and not allowed. I doubt any approving agency would be foolish enough to allow development to pave over the Chinese graves in Waiehu, the Japanese graves in Paia, so why pave over this important cultural resource and historical artifacts in the name of commercial progress?

Historically, in 1776, the year this Battle of Kakanilua was fought, the US Declaration of Independence was signed. We all know our American history, major battles took places and battles grounds have been preserved as monuments of historical importance. Great battlefields of the civil war have been preserved with no development, no homes, and no super stores to dishonor those soldiers that lost their lives in those battles. I feel saddened that in their own land the Kanaka warriors have been given no acknowledgement by the developers who have been disturbing the resting places of those ancient warriors. During this research, I have come to connect my own lineage from the Kohala region of the Big Island of Hawaii. Many of the Alapa originated from Kohala by the genealogical charts. I am related to some of these warriors , they are my ohana!!!!

TREATMENT OF BURIALS

I am upset that Ms. Hazuka (hired archeologist of HRT, Ltd.) reported to the Maui Planning Commission on July 10,2007, that some remains would be under a median strip to be walked upon. I asked the architect who was explaining the final plans given at this same planning committee meeting for the location of the burial treatment areas and he could not find them on the plan. They were not on the plan submitted on July 10, 2007.

Can you explain why, if there was a burial treatment plan since 2003, it has not be placed on the plans or printed for our review? Can the location of these burial markers be changed? Does the Archeologist and Developer have leeway in placement of the burial treatment? Does not HRT, Ltd. Have to comply with the State of Hawaii burial treatment plans. Ms Hazuka reported briefly (on July 10, 2007) about the burial treatment plan for which she did not have a plan for some 17 other inadvertent burials. It was my understanding that she has been asked to provide an overlay with locations of the burials to be placed over the plans for the buildings for his review. Has the archeologist submitted this

overlay? She had not submit these on July 10, 2007 of the planning commission meeting and to my knowledge she still has not submitted them to SHPD. When can she provide this overlay?

I would like to ask again? Is it allowable by the Burial Council, that the Developer place the burials at locations where it is convenient for him? Does the community have any say as to where these burial remains should be interred? I request to know the exact location of each burial site they plan to fill with bones and how many sets of human remains will be placed within how many square feet of land?

I somehow feel, that the developer may not wish to disclose this, although I will give them the benefit of the doubt, so once again, please provide the exact locations of all the burial remains discovered, to date. When may I have this information?

Also, please explain or clarify why this information concerning the 17 inadvertent findings was not in the Maui County Planning Departments report on HRT, Ltd., application for Project District Phase 2 that was reviewed on July 10, 2007? What is the archeologist's responsibility for reporting, handling, monitoring and accuracy in reporting location and condition of Iwi that is on a site?

At the same Maui planning commission meeting, it was also stated that there is very likely going to be more iwi found in this area, especially by the area of their property that they wish to use an exit by Kainani Street? Mr. Rodrigues said that he is almost sure they will find more iwi. Has there been anymore investigation into that statement by Ms. Hazuka to confirm this. If more iwi is found, what insurance can she provide me, that she will place these additional iwi on the overlay or report to the Developer, Maui County Planning Department and other pertinent agencies? Ms. Hazuka reported that she trenched " a lot ". Please quantify what is " a lot? "

Can this EA answer these questions:, how far apart, how deep, and how many iwi are upon which areas of the property?

Where on the property, did they actually do their study? Please indicate of the map, where the actual study was done.

When the burials were found? Please indicate the dates and identify the burials.

What condition were the remains in? Please describe the remains.

When were the 17 remains found? Did the trenching work continue as the 17 remains were found?

Did the work stop when the 17 remains were found?

When the remains were found, were the 17 remains reported?

Again, what is being done to ensure the Historic Sandhills neighborhood and the Hawaiian community , that if more iwi will be found , that these burial remains will be treated with respect and Honor?

I did not attend the October meeting with the neighborhood, I wanted to know if Ms. Hazuka had the exact GPS sites of the 17 inadvertent burials and had cleared them with the SHPD?

When did she give the SHPD the information. If she has not done this, why not? When will she be able to do this? Please explain in detail, Ms. Hazuka's comprehensive burial treatment plan for all remains both found and yet to be found. When may we expect this report from her. We request a more detailed report. We know that this is her business and feel that as an Archeologist, she must be trained to do this with empathy and compassion for the families of these remains, so I realize she has her work cut out for her, at the same time, we who live here in Sandhills, myself especially being a relative of some of the Alapa , have deeper concerns.

Please provide the history that Ms. Hazuka has discovered about this area and the names of those she contacted to get the history on this area.

Planning for the future

Can the most careful study be done so that iwi kupuna are found before the phase 2 permit is considered or given? My first

recommendation is that no plans to build are given or considered until a thorough search of the land is made for remains, burials, and artifacts.

My second recommendation is that a very comprehensive, detailed survey of the entire site be conducted by a reputable and culturally sensitive firm or agency. While I respect the choices of consultants hired by HRT, Ltd., somehow I feel that the hired consultants for the Maui Lani project district Aki Sinoto and Lisa Hazuka have found many, many remains and have not been able to come up with this important data although it is well documented in history books. I would like to request that another firm be used.

In correspondence from SHPD(2004) and OHA(2005), both agencies asked for more study to find the cultural significance of the area. OHA asked for a Cultural Impact Assessment (CIA) be done in 2005. Where is this Cultural Impact Assessment? May I have a copy of it? If a CIA it has not been done, please explain why HRT, Ltd. Did not do it or why they thought it was they did not have to do it?

Can a study of the historical significance of this battle, cultural artifacts, waterways, and remains be conducted by a company that OHA would recommend?

Responsibility and HRT, Ltd.

Who will take the responsibility to tell the descendants of the findings of remains in this battle area? Will HRT do this? Will HRT assume stewardship of this land and honor the warriors and the history of the area? Will HRT honor the burial laws of Hawaii and allow the families to claim for their ohana? The Hawaiian community and especially the descendants of the Alapa and PiiPii deserve to have their iwi kupuna treated with respect.

My third suggestion is that HRT create a plan to deal with the historical significance of this battleground. This plan should include working with OHA, descendants, and community.

Treat the Iwi Kupuna With Respect
Treat the Battle of Kakanilua With Respect

Little did I know that my move back home was more than a health need or the love of my first home in Wailuku. There was a bigger purpose in returning to the battleground of Kakanilua. I believe, it was the calling of my ancestors whose remains lay beneath the sands of the area now known as the Maui Lani Project District. I am committed to seeing that this project becoming *Pono* and I will be willing to work with HRT or any agency to see that the ancestors are properly honored, remembered and treated with respect. Will HRT be willing to work with me? Please give me a written response to my request.

I want to share my aloha for those who love Hawaii especially for those who approach these special lands located in the historic Sandhills neighborhood. Many hands and hearts come together and do the work to ensure that the special places, things and values are preserved for many generations to come. Mahalo.

Erin Mukai

From: ahkada@aol.com
Sent: Sunday, January 06, 2008 12:06 AM
To: Erin Mukai
Subject: Fwd: EA response

Subject: EA response

Response to EA for proposed Maui Lani Shopping center, Clare Apana. Please add to my first response..

Dear Mike and Erin,

This is a second response for the EA. I wanted to get a neighborhood meeting and group discussion after the last meeting with the new plan for using Kainani Street. Frankly, there have been so many different proposals and the last one being less prepared (drawing and explanation not as clear, as well as not receiving the drawing until after the meeting) that getting people to a meeting was quite difficult. They all had opinions but are not sure if there is any progress to be made with the developer. In other words, HRT and Lloyd Sueda seem bent on doing that entrance/exit on Kainani interfacing into our neighborhood despite our concerns and the input we have provided. The neighborhoods' objection to the size of the project and the hours of operation also are not reflected by the developer's new plan.

What is an old neighborhood to do? Shall we wait until something dangerous and hazardous happens like on Palama Drive or will we have to go to a lawsuit as the neighbors on Palama street and Nakoa drive have done.

We are important and the quality of our lives and the safety we deserve in our homes and neighborhood must be considered as important. I am responding to the latest Kainani plan and to the meeting that you so graciously arranged for me with the archiologist, Lisa Hazuka. I hope that that the comments of one old time resident of Sandhills will actually be heard and addressed.

The Latest Plan to Change Kainani Street

I do not support the latest proposed change in Kainani Street. It proposes an unsafe and confusing transition. It will bring cut through traffic into our neighborhood and our streets will be even more unsafe. I will not elaborate on all of the cons to our neighborhood as I think they have been listed by so many already. I was also surprised to find out that Lloyd Sueda did not know if they had the right to change or use Kainani Street. Please answer the question brought up at the meeting, is the project's use and proposed changes to Kainani Street permitted for in Phase one? Is this proposed change on Kainani Street legal? Let's not add our neighborhood to the list of the Developer was allowed to break the law and the old neighborhood suffers, as seems to be the pattern in the Maui Lani Project district.

Ms Hazuka assured me in an email that she cares about the burials and that she will preserve them. I am relieved to know that. I have to disagree with her sense of whether further study is necessary in the area of the changes proposed.

It is imperative that HRT know that there are no burials that will be disturbed by a change in the configuration of Kainani before HRT even propose such a change! Ms Hazuka stated that they have

01/08/2008

not studied the Kainani area because the former plans did not call for any this use of Kainani. .

The probability of finding more burials in that particular area is high. Please treat the burials with respect and protect them with common sense not convenience. Putting the already found number of burials next to a major entrance/exit is no kind of buffer zone and no kind of way to keep them quietly and naturally undisturbed. Please answer this. Can the burials already found in this area and other burials likely to be found in the area, be given a respectful buffer zone and have the changes made to Kainani Street? How big is the buffer zone for the burials in this area in the present plan? Can you know this without further study? Will the burials in this area be truly left in place even if they are in the proposed changes to Kainani? Will HRT give up on using Kainani Street to preserve the burials?

Burials and Preserving Cultural History

I want to be sure that you know that the first EA response I submitted with questions is still pertinent and I would like my questions to be answered. Please address my questions. I have more questions as follows:

1. When foundations for buildings are made is the ground altered? Is this how numerous burials under the Whole Foods building on Ward Avenue in Honolulu were discovered? How can a similar situation to Whole foods many inadvertent burials found and being disturbed be avoided? ie Will you make sure buildings don't have burials under them?
2. Ms Hazuka said there is equipment that can be used above ground to detect burials. Why can't the proposed building sites be researched in this manner? Who has this equipment? How do you prevent putting a building or parking lot over burials in this site?
3. In May 26, Ms Hazuka asked to move some remains because they would be under a corner of a building. Was this an inadvertent find? Were the remains in the archeology reports previously submitted none of the numbers for this burial was listed on the first and second reports by the archeologists. Which of the remains found in this project area are inadvertent finds? Is Hazuka complying with the requests for information from SHPD? Has an inventory of the Maui Lani Project district burial findings been compiled?
4. When will a BTP for all remains found so far be submitted to HSPD and the burial council?
5. If the battle of Sandhill or better known as the Battle of Kakanilua was known to the archeology firm, why was it never reported throughout the entire Maui Lani Project area and specifically to this project when significant history of this area was called for in Burial council and in Environmental statements? Will this significant historical battle be lost or will the responsible landowner and archeologist preserve the history?
6. When Hazuka says she will preserve the burial what does she mean. I have seen her in the burial council meeting asking for approval of projects where pipes are within feet of burials. I do not consider this to be respectful or pono. Can I or a committee work with Hazuka to work on a plan to preserve the history of the battle of Kakanilua now that she is stating that she knows about the battle but referred to it as the Battle of Sandhills. I have an archeologist who has studied Hawaiian battles and beleives that battlegrounds are important parts of the culture and history of Hawaii. I have his article on how to study a battle specifically for Hawaii. Would it be of use to an archeologist who wants to report the true significance of the Maui Lani project district? Please tell me that this is part of doing a Cultural Impact Report or at very least of doing a complete archeological study of this area and of this project.

Thank you for the extension of time. Other residents are concerned that their first responses may not be considered. Will they be even though the change in the Kainani plan changed the application?

Clare Apana

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Ms. Clare Apana
260 Halenani Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2) 3-8-007:121**

Dear Ms. Apana:

Thank you for your letter delivered to our office on November 5, 2007 and email of January 6, 2008 responding to our request for pre-assessment comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter and email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kanani Street for vehicular access is no longer proposed as part of the project.

It is in the context of the revised plan that we are providing responses to your comments of November 2, 2007 and January 5, 2008.

Response to Comments Relating to Traffic and Access

The applicant recognizes the sensitivity associated with the Kainani Street access issue. As a result, during the course of planning for the project, a number of alternatives to address impacts associated with the use of Kainani Street were considered. After examining the various options and considering comments offered by residents of the Historic Sandhills neighborhood, the applicant has developed a plan which would eliminate the need to use Kainani Street as an ingress and egress point for vehicular access.

To establish a viable basis for the revised plan, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the

previous site plan that was presented at the community meeting of November 12, 2008.

Under the revised plan, three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway are proposed. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We would also like to note that the project's traffic engineer, PB Americas, Inc., has prepared a new traffic study to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA).

Response to Comments Regarding Archaeology

To provide some background information that may be helpful in understanding archaeological features discovered at the project site, we provide the following information. In 1997 Xamanek Researches, LLC conducted an inventory survey where one burial feature was identified. This feature was assigned State Inventory of Historic Places (SIHP) 50-50-04-4401 (Site 4401). Site 4401 is located within the northeast quadrant of the project site. Site 4401 was presented to the Maui/Lanai Islands Burial Council (MLIBC) and the proposed mitigation for Site 4401 was preservation in place. (At that time no Burial Treatment Plan was prepared, however, HRT LTD. initiated planning of the design of the proposed shopping center around the Site 4401.)

Archaeological monitoring for vegetation removal and grading of the site was conducted intermittently from 1999 to 2005 by Archaeological Services Hawaii, LLC. During monitoring, a total of 19 localities (Sites 5236 Feature 1 formerly FS 58; 5236 Feature 2 formerly FS 83; 6569 formerly FS 84; 6570 Features 1-12 formerly FS 85a-1; and 6571 Features 1-4 formerly FS 88a-d) comprised of human skeletal remains from twenty-one (21) individuals were documented. Further, during monitoring along Kaahumanu Avenue for an unrelated monitoring project, previously disturbed skeletal remains (Site 5229) were recovered. The applicant has agreed to have Site 5229 reinterred within the project area due to the burial site's close proximity to the project area.

In November of 2008, Archaeological Services Hawaii, LLC prepared a Summary of Historic Properties for the proposed project. During monitoring activities from 2004 to 2005, inadvertent burial features comprised of single burial features, Sites 5236 Feature 2 and 6569, as well as burial concentrations 6570 Features 1-12 and 6571 Features 1-4 were documented and consisted of scatters of previously and recently displaced human skeletal remains, and partial in situ burial features. Through consultation with the State

Historic Preservation Division (SHPD) and the MLIBC at its July 2005 meeting, relocation of disturbed burial features located at Site 6571 (Features 1-4) and Feature 2 of Site 5236, and preservation in place of Site 6569, as well as Features 1-12 at Site 6571 were accepted. Site 6571 (Features 1-4) will be relocated to the large preservation area surrounding Site 6570 and Site 5236 (Feature 2) will be reinterred at a lower depth in the same location. A determination letter accepting the aforementioned treatment of the inadvertent burial features has been prepared by SHPD. A Burial component of a Preservation Plan is being developed in consultation with the SHPD and MLIBC for these inadvertently discovered burial sites.

A Burial Treatment and Preservation Plan prepared by Archaeological Services Hawaii, LLC has been accepted for solitary burial features, Sites 5229 (FS 63), 5236 Feature 1 (FS 58) and 4401. Site 4401, an *in situ* burial with minimal disturbance, will be preserved in place in a preservation area established within the central portion of the project area. Through consultation with the MLIBC, it was determined that a low rock burial platform will be placed over the burial feature and protected by a black wrought iron fence placed 3.0 ft. from the burial platform. Two (2) benches and shade trees will be placed outside the fence for visitation. Signage indicating that the area is a Native Hawaiian Burial Site and to please respect the area will be affixed to the top of the burial platform. Site 5236 was an inadvertent partial *in situ* burial that had been previously disturbed during years of land clearing activities for a firebreak lane between the project area and the Historic Sandhills subdivision. Site 5236 will be reinterred with Site 5229.

Archaeological monitoring will re-commence upon construction, as required by SHPD. Should human osteological material or other cultural remains be uncovered during construction activities, applicable procedures to ensure compliance with Chapter 6E, Hawaii Revised Statutes (HRS), will be followed. A monitoring report will also be submitted to SHPD upon completion of all phases of archaeological monitoring.

Additionally, we note that an approximately 15,200 s.f. area which currently remains ungraded, will not be altered as part of the development of the proposed project in this connection, the applicant recognizes the importance of working closely with the SHPD and MLIBC to ensure that all burials are treated with the utmost respect.

Response to Comments Regarding Cultural History

Thank you for sharing your concerns and comments regarding the history of Sandhills by noting, in particular, that it is the site of the ancient Hawaiian Battle of Kakanilua. The applicant and project team recognize the longevity of the Sandhills neighborhood and in no way wish to disregard the significance of its establishment in Maui's history. The cultural and archaeological significance of the area are also of importance to the applicant. The

applicant and project's archaeologist will work closely with the SHPD and MLIBC to ensure that the proper care and consideration are given to the archaeological and cultural features of the site. In this context, signage provided at the preservation areas are one of the measures that will be implemented during construction of the project. We would like to assure you that the applicant and project team recognize the cultural and historical importance of the area.

As further clarification, we attach for your reference, Archaeological Services Hawaii, LLC's letter of December 14, 2007 regarding the important cultural and historical points you have raised. See **Exhibit "A"**.

In consultation with Lisa Rotunno-Hazuka, we wish to provide the following information in response to your comments of your email of January 6, 2008:

Response to Comment 1 of Email of January 6, 2008

Following the final design for the proposed project, the archaeologist intends to perform additional testing on the site. Additional testing will include testing in areas that have not yet been previously graded. Inadvertent discoveries may be discovered during the construction of the project. However, as previously noted, an archaeological monitoring plan will be prepared for the project by the archaeologist. Archaeological monitoring will ensure that applicable procedures complying with Chapter 6E, HRS will be followed.

Response to Comment 2 of Email of January 6, 2008

According to the project's archaeologist, the noted equipment has not been frequently utilized on the island, as the equipment will require some form of excavation to determine if the anomaly is a burial.

Preservation of discovered burials, whether it is preservation in place or relocation, is determined by the Burial Sites Program Administrator, Hinano Rodrigues of the SHPD in consultation with the MLIBC. Generally, as indicated by the archaeologist, it is the preference to preserve burials in place and design around them. Excavations will be undertaken for footings and utilities at the project site. Determination of whether a burial is relocated rests with the SHPD and MLIBC. The project archaeologist notes that generally, burials are not left located under buildings.

Response to Comment 3 of Email of January 6, 2008

All burials discovered to date, except for Site 4401, are inadvertent finds. The project's archaeologist continues close coordination with the SHPD to comply with all the division's

requests.

Response to Comment 4 of Email of January 6, 2008

A summary of the archaeological findings to date, along with the proposed treatment has been submitted to the SHPD. Following the submittal, and coordination with the SHPD, the division prepared a determination letter that accepts the proposed treatment of the inadvertent burial features.

Response to Comment 5 of Email of January 6, 2008


The applicant and the project's archaeologist recognize the importance of preserving the memory and history of the Battle of Kakanilua. The archaeologist will continue to work with the SHPD and MLIBC so that proper procedures are in place to ensure preservation of discovered burials as well as cultural features of the site.

Response to Comment 6 of Email of January 6, 2008

A separate Cultural Impact Assessment for the project has been prepared by Hana Pono, LLC. A copy of Hana Pono's report will be included in the Draft Environmental Assessment. During the review period of the Draft Environmental Assessment, we welcome any comments you may have on the cultural integrity of the site. Should you wish to share historical information of the area with the project team, including Hana Pono, LLC or Archaeological Services Hawaii, please feel free to contact me.

Clare Apana
April 7, 2010
Page 6

We appreciate your continued involvement and receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. In the meantime, should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

Erin Mukai, Planner

EM:lh

cc: Lloyd Sueda, Sueda & Associates, Inc.
Jeffrey Benner, Benner Stange Associates Architects, Inc.
Lisa Rotunno-Hazuka, Archaeological Services Hawaii, LLC
Phil Matsunaga, PB Americas, Inc.

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ARCHAEOLOGICAL SERVICES HAWAII, LLC
1930 A Vineyard St.; Wailuku Hi; 96793
808-244-2012; 808-244-9592

14 December 2007

Ms. Clare Apana
Historic Sandhills Resident

Subject: Follow up to Meeting for the Maui Lanai Commercial Site (TMK 3-8-07: 121 pors.)

Dear Clare,

Thank you for the meeting. I would like to re-cap and clarify several points from the discussion. First, I am familiar with the historical significance of Wailuku and the battles that took place within the Sand Hills of Wailuku, however I am not familiar with the place name Kakanilua. We have always referred to it as the Battle of the Sand Dunes. Regardless and as per our discussion, I will conduct additional research on this place name.

Pertaining to the question about the burial features and do they represent buried warriors; we have always presumed that these sites are *ohana* cemeteries. This assumption was based on the equal representation of women and children, that the *iwi* did not exhibit any trauma, and that there are no grave goods representative of war implements. Annette's response was, "of course the women and children are present as the warriors would travel with their families". I have no knowledge if this is an accurate statement, and is she then implying when the warriors died, so did their families and that's why they are buried there. Obviously, this idea needs more thought and research, and I will look into it.

Another concern was additional testing along the newly proposed corridor for Kainani Street. As I explained to you during our meeting, numerous burial features were identified during supplemental testing (22-2.0 by 2.0 m test units and 13 backhoe trenches) of that area. Based on the presence of these burial sites, coupled with the landowners' willingness to preserve the burials in place, all testing in this area was terminated. At the time (2004) of that decision, no development (Building J or Kainani Street Entrance) was proposed within that section. It was not until 2007 that I became aware of plans to widen Kainani Street. Please be advised that if further testing and or grading is warranted within the new roadway corridor of Kainani, we will perform these excavations and apprise you and the State Historic Preservation Division (SHPD) of the results.

Lastly, I want to be very clear that I feel a deep responsibility towards these burial features and my work does not represent just a "paycheck". I may not be familiar with the place name Kakanilua, but my focus is to protect and find Native Hawaiian sites. I understand that you are questioning whether a Safeway should be located so near your historic home, but I assure you, whatever development occurs there, the burials will be well protected and cared for per the recommendations of SHPD and the Maui/Lanai Islands Burial Council.

Thank you very much for your interest and care, and I will apprise you as information becomes available.

Lisa Rotunno-Hazuka/Consulting Archaeologist
Cc: Mr. Mike Munekiyo

EXHIBIT "A"

Erin Mukai

From: saltiseaman@aol.com
Sent: Thursday, October 04, 2007 12:03 AM
To: Erin Mukai
Subject: Safeway project

Regarding environmental assessment: How much freezer/refridgorating space or more precisely compressor horse power will Safeway be installing? What will be the location of these?

Can we get a noise level reading of those compressors? Since there will also be central air a noise evaluation of those compressors should also be factored in.

mahalo
charles araki
nakoia dr.

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)

April 7, 2010

Charles Araki
126 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. Araki:

Thank you for your email of October 4, 2007 responding to our request for early consultation comments on the proposed Maui Lani Shopping Center project. As you may know, since our receipt of your email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed appropriate in concept, by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Freezer/Refrigerator Space and Compressor Horsepower

The freezer and refrigeration units will be rated at approximately 150 horsepower. All freezer and refrigeration units, including attendant compressors will be fully enclosed.

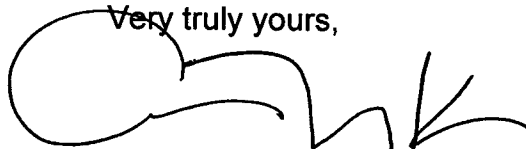
Noise

In response to noise concerns raised by Sandhills residents, the applicant will implement building design features to include full enclosure of store-related noise generating equipment and activities (i.e.: compressors, loading zone activities). To ensure that noise impacts from the proposed Safeway store equipment are properly mitigated, the applicant has retained an acoustical engineer to document baseline noise study conditions and to assess the effectiveness of noise mitigation design measures. Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for

example, would include limiting loading and unloading at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours. A copy of the noise study will be incorporated within the Draft Environmental Assessment.

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. In the meantime, should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a large loop at the start and a long horizontal stroke at the end.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)



MICHAEL T. MUNEKIYO
GWEN DHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Dan Clark
P.O. Box 2148
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. Clark:

Thank you for taking the time to meet on October 26, 2007 to provide early consultation comments on the proposed Maui Lani Shopping Center. As you may know, since our meeting in 2007, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed appropriate in concept, by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments received at our meeting of October 26, 2007.

Management Firm

The applicant recognizes the importance of, as well as, the convenience for neighboring residents of instituting a management firm that will oversee operations at the shopping center. As such, the applicant notes the establishment of a management office within the shopping center whereby residents, if they so choose, can direct their concerns. This will serve as a single point of contact for residents in working with shopping center management and owners.

Landscaping

In addition to your comments received at the October 26, 2007 meeting, thank you for meeting on January 14, 2008 with Russel Y. Gushi Landscape Architect ASLA and Munekiyo

& Hiraga, Inc. As was discussed at the meeting on January 14th, a final landscape plan for the proposed project will be prepared by Russel Y. Gushi.

Although the project is still in the preliminary design stage, the landscape architect indicated that the intention of creating a blind/screening along the project's perimeter bordering residential areas to soften the impact of the proposed shopping center buildings is part of the landscape design. Russel Gushi also noted the low elevation, salty air, and sandy and salty soil as elements to consider when determining whether the Italian Cypress would do well at the project site. He also noted that pests are known to inhabit the Italian Cypress, creating concerns regarding plant disease and long-term tree survivability. The landscape architect also commented on the drawback of using solely one variety of plant species in one area of the project site, noting that if one plant is affected by a disease, all plants in the area are susceptible to the same disease.

The landscape architect also added that the original intent of the landscape plan is to use Hawaiian and tropical inspired plants as part of the design. The landscape architect intends to incorporate multiple layers of plants to landscape the project's southern perimeter. The combination of plants would assist in the mitigation of project-related visual impacts. A preliminary landscape plan will be provided in the Draft Environmental Assessment (EA).

Kainani Street/Intersection of Kaahumanu Avenue

The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants, in coordination with the DOT, developed a revised plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Although the applicant has reviewed a number of access scenarios, including a grade separated alternative, at this time the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway,

as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

The project's traffic engineer collected additional traffic data in the vicinity of the project site. A new traffic study has been prepared to evaluate operations at adjacent roadway facilities. The purpose of the new study is to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft EA.

Restaurant

All tenants of the shopping center are obliged to comply with applicable State and County regulations with regards to the sale of alcohol to minors. Terms relating to the compliance of alcohol sale regulations will be included in tenant leases. The restaurant envisioned for the shopping center is expected to be of a reputable national family restaurant chain. Such companies hold extremely high standards for the serving of liquor and strict standards for the maintenance of their restaurants, including sensitivity to neighboring uses.

The proposed Maui Lani Shopping Center will provide space for both local and nationally-based tenants. While the space set aside for the restaurant has been set aside for a national restaurant chain, the center will provide retail and office space leasing opportunities for local businesses as well.

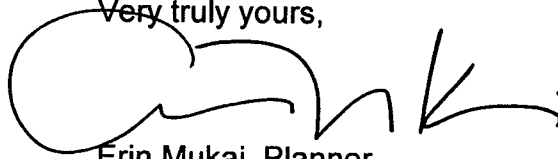
Exiting Movements of Delivery Trucks

As currently proposed, delivery trucks will mainly utilize the service access/exit point located along Maui Lani Parkway. The architect has designed a site plan that has taken into account turning movements of the aforementioned delivery trucks to ensure that enough space is provided surrounding the loading areas for trucks to reverse and properly turn to exit.

Dan Clark
April 7, 2010
Page 4

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. In the meantime, should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', written over the closing text.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Russel Gushi, Russel Y. Gushi Landscape Architect ASLA (w/out enclosure)

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September 24, 2007

Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Attention: Erin Mukai

Subject: Maui Lani Shopping Center Environmental Assessment

Dear Ms. Mukai:

We have numerous environmental concerns regarding the Maui Lani Shopping Center as currently planned. The neighborhood will be impacted in the following ways:

1. **NOISE** - The noise from greatly increased traffic will adversely affect our community. This includes customer vehicles as well as container trucks. When the container trucks back up to unload at the docks the shrieking beeping will be most annoying. The 24 hours of operation makes this even more frightening. When will the garbage dumpsters be emptied and how often? The store generators and air-conditioned containers will be a constant noise. Historic Sand Hills will never know another quiet day or night.

For months, we endured the shrieking beeping of the bulldozers when the land was graded. Sound travels quite far in our neighborhood. We also can hear the outdoor concerts at the MACC, but this is not unpleasant.

2. **AIR** - The increased traffic will denigrate the quality of our air, especially the diesel smell from the container trucks. How many container trucks does it take to keep a 55,000 square foot Safeway store filled? Also, consider the stink from the garbage dumpsters. How many dumpsters are required for a store of this size?

3. **LIGHTING** - The night sky is difficult enough to see with lighting at its current levels. More lights can do nothing but harm to our ability to see the heavens.

4. **DETRITUS** - Detritus in the form of garbage, plastic bags, shopping carts, will clutter up our neighborhood. Who will keep our streets clean and free from this unwanted garbage?

5. **SAFETY** - Safety of our children and pedestrians will be affected. Children, from Baldwin High School across the street from the shopping center, will be crossing Kaahumanu trying to beat the lights. The campus is open so students can try crossing the street throughout the day. The highway is not a pedestrian friendly method to access the shopping center, but the children will be accessing it this way. Does the traffic study take into account the increase in pedestrian traffic?

Another safety issue is loitering. The 24-hour status of the store will draw people at all hours. This will add to the noise and detritus issues. Crime in the area will undoubtedly increase.

Lastly, a 12-pump gas station across from a high school does not make sense. Fumes, noise, traffic put our children at risk, and they do not have to be!

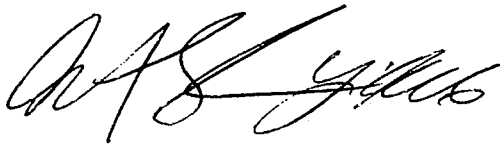
6. **TRAFFIC** - The increased traffic on our old narrow roads will increase noise, air quality and safety issues in our neighborhood. Is there a way to deter vehicles from using our streets as a thoroughfare? The new gated communities will not be impacted by this annoyance.

Munekiyo & Hiraga, Inc,
September 24, 2007
Page 2 of 2

In conclusion, it is atypical to construct a store of this size in a residential area. Would you want a development of this size abutting your property? It is one thing to plan a community and include a store to service that community. It is another thing to put a regional store in a historic old community to service all the new residential subdivisions in the area. Yes, there is room for a store of this size on Maui, but Maui Lani is not the location. Plan this regional store in one of the many new subdivisions going up all over the greater Wailuku area. Plan a store with reasonable hours, abutting Maui Lani Parkway or Kaahumanu, no entrance/exit on Kainani, no 12-pump gas station for our historic neighborhood.

We have lived peacefully in this neighborhood for almost 10 years and would hate to move. Thanking you in advance for your consideration of this matter.

Very truly yours,



Mr. and Mrs. Anthony Edington
235 Halenani Drive
Wailuku, HI 96793
242-5036



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Mr. and Mrs. Anthony Edington
235 Halenani Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. and Mrs. Edington:

Thank you for your letter of September 24, 2007 responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project. As you may know, since receipt of your comments, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Response to Comment No. 1: Noise

A number of Sandhills residents expressed their concerns relating to noise generated from shopping center activity. In response to these concerns, the applicant will implement building design features to include full enclosure of store-related noise generating equipment and activities (i.e., compressors, loading zone activities). To ensure that noise impacts from the proposed Safeway store equipment are properly mitigated, the applicant has retained an acoustical engineer to document baseline noise conditions and to assess the effectiveness of noise mitigation design measures. Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for example, will include limiting loading and unloading, at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours. In addition, to address concerns of noise generating from trash pick-ups, the applicant proposes to limit the hours of trash collection to ensure that

commercial waste pick up will not occur before 7:00 a.m. In general, garbage pick ups for a center of this type occurs **twice** a week.

As previously noted, since the last community meeting of November 12, 2008, the applicant has made several changes to the site plan. One of such changes includes the provision of a buffer along the western perimeter of the site, between the adjacent Historic Sandhills lots and the proposed parking lot. The western limits of the parking lot is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to serve as not only a visual buffer, but will also serve as a noise buffer to aid in the mitigation of noise impacts of the shopping center to surrounding properties.

Response to Comment No. 2: Air

On average, the proposed Safeway is expected to receive 6-8 tractor-trailer containers twice per week. Currently there are five (5) designated areas for trash containers proposed within the shopping center complex. Four (4) out of five (5) of the areas are located on the easterly extent of the project site. All trash containers will be enclosed and contained within the project site.

Response to Comment No. 3: Lighting

The lighting for the proposed shopping center will be designed to incorporate the need to minimize light spillage and pollution, as they may affect neighboring properties, while simultaneously complying with security and safety requirements for the shopping center. The project's lighting design will specify the shielding of all lights and directional down lighting to minimize upward illumination and its effects to neighboring residents. Pole heights for parking lot lighting will be designed to be lower than the existing grades of the abutting Historic Sandhills residences.

It should also be noted that the aforementioned buffer proposed at the western perimeter will provide approximately 72 ft. to 110 ft. of separation between the adjacent Sandhills homes and the western extent of the parking lot. We anticipate then that this buffer will help address concerns regarding the effects of lighting on neighboring properties.

Response to Comment No. 4: Detritus

The applicant equally recognizes the importance of keeping neighboring streets clean and free of garbage. Safeway's experience at other stores indicate that trash, in the form of cardboard boxes, paper and plastic materials are fully managed and retained onsite. In this regard, Safeway's operating philosophy has been to establish a strict maintenance

understanding with shopping center management companies to ensure that the highest standards of cleanliness are maintained.

Response to Comment No. 5: Safety

The applicant recognizes that safety is an utmost concern and proposes to construct additional sidewalks in the vicinity of the project site. The traffic engineer will recommend adjustments to intersection geometrics and signal timing to ensure safe crossing conditions for pedestrians.

As the applicant recognizes the significance of the close location of Baldwin High School (BHS) to the project site, the applicant has met with representatives of BHS to discuss concerns and comments regarding traffic circulation as it affects BHS. As a result of its meetings, the applicant has funded a traffic study to analyze current operations at BHS and to identify recommendations that may aid in relieving congestion and safety concerns. A copy of the BHS Traffic Evaluation Study, as well as the traffic study prepared for the project will both be included in the Draft Environmental Assessment (EA).

As currently proposed, Safeway will open as a 24 hour market. Neighborhood concerns expressed on the "24/7" operating proposal include noise generated by equipment and trucks, as well as safety and security concerns associated with loitering and late night activities in the parking lot. The applicant will prepare and implement a night-time security and operations plan which would include such measures as employing security patrol protocols designed to control loitering.

The 12-pump gas station proposed in the eastern section of the project site has been removed entirely from the proposed project plans.

Response to Comment No. 6: Traffic

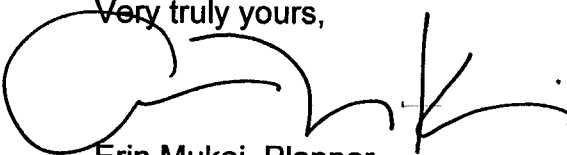
As previously noted, the current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants, in coordination with the DOT, developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has decreased the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Mr. and Mrs. Anthony Edington
April 7, 2010
Page 4

Currently, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We appreciate your continued involvement and receiving your comments regarding the proposed shopping center. Once completed, a copy of the Draft EA will be provided to you for your review and comment. Should you have any questions, please feel free to contact me.

Very truly yours,

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)

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COMMENT FORM

**Proposed Maui Lani Shopping Center
October 16, 2007 Community Meeting**

Resident Name Mrs. Anthony Edlington Phone No. 242-5036
 Address 235 Halelani Dr. Alternate No. _____

Please write any comments you wish to share on the proposed project below. Comments received prior to October 31, 2007 will be included in the Draft Environmental Assessment currently being prepared.

1. Can Safeway be green with solar panels, plants on the roof tops, etc., to mitigate the negative environmental effects of the shopping center?
2. Can Safeway have it's back to Maui Lani Parkway mitigating the noise from trucks, unloading, and stink from the dumpsters?

Sorry I Scramged
up the wrong sheet!
Just wait until you're
over the hill!

If you wish, you may mail your comments to:

Erin Mukai, Planner
 Munekiyo & Hiraga, Inc.
 305 High Street, Suite 104
 Wailuku, Hawaii 96793

Should you have any questions, please feel free to contact Erin by phone at (808) 244-2015, or by email at erin@mhinonline.com.



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Mrs. Anthony Edington
235 Halenani Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mrs. Edington:

Thank you for completing the comment form distributed at the October 16, 2007 community meeting, responding to our request for early consultation comments on the proposed Maui Lani Shopping Center. As you may know, since completion of your comment form, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of the revised plan that we would like to provide the following information in response to your questions listed in bold.

1. Can Safeway be green with solar panels, plants on the roof tops, etc. to mitigate the negative environmental effects of the shopping center?

Thank you for your question regarding "green" design. Currently, Safeway, Inc. is in the process of creating a standard prototype store design whereby "green" building, as well as, operational measures will be integrated as part of new stores' designs. "Green" design elements for the proposed Safeway store at the proposed Maui Lani Shopping Center will be formulated as part of the detailed architectural design phase of work.

2. **Can Safeway have its back to Maui Lani Parkway mitigating the noise from trucks, unloading, and stink from the dumpsters?**

The site layout proposed by the applicant is a result of a number iterations of site plan scenarios considered. The site plan layout considers visibility from adjacent roadways, parking layout efficiencies, as well as, site topography. Based on the designer's assessment of the site, the general concept of placing the main building along the southern border of the property, with the smaller buildings/pads and parking lot area along Kaahumanu Avenue was deemed to be most suitable for the project site. The concerns relating to operations which you have raised would then need to be mitigated in the context of the proposed layout concept. Mitigative measures to be incorporated in the plan include the strategic placement of trash bins, delivery truck routing, and self-imposed operational constraints on loading and unloading.

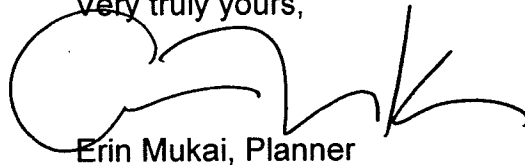
Currently, there are five (5) designated trash bin locations proposed for the shopping center. Four (4) of the locations are proposed on the eastern portion of the property. Although there is one (1) trash bin located on the western developed perimeter of the project site, it is located approximately 80 ft. from the adjacent Historic Sandhills lots.

As for noise concerns relating to the deliveries of trucks, deliveries for all shopping center tenants will be limited to the hours of 7:00 a.m. to 10:00 p.m. As part of the noise mitigation program being designed by the applicant, operational elements associated with the Safeway store, such as loading and unloading will be housed within the buildings or shielded from neighboring properties to minimize nuisance effects to neighboring residents.

Mrs. Anthony Edington
April 7, 2010
Page 3

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)

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COMMENT FORM

Proposed Maui Lani Shopping Center October 16, 2007 Community Meeting

Resident Name Eric Engle Phone No. 244 0886
Address 104 Nakoa Dr. Alternate No. _____
Wailuku HI 96793

Please write any comments you wish to share on the proposed project below. Comments received prior to October 31, 2007 will be included in the Draft Environmental Assessment currently being prepared.

Please analyze viability of Maui Lani only
Entrance/Exit. Other major shopping centers
like the Sackn-Save on E. H. 2.

~~Please analyze all options considered for
A. 2. 1. 2.~~

If you wish, you may mail your comments to:

Erin Mukai, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Should you have any questions, please feel free to contact Erin by phone at (808) 244-2015, or by email at erin@mhinc.com.

April 7, 2010

Eric Engh
104 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. Engh:

Thank you for completing the comment form distributed at the October 16, 2007 Community Meeting, responding to our request for early consultation comments on the proposed Maui Lani Shopping Center. As you may know, since completion of your comment form, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Shopping Center Access

At the October 16, 2007 community meeting, the access configuration for the proposed Maui Lani Shopping Center included two (2) access points off of Maui Lani Parkway and one (1) access off of Kainani Street.

During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. In light of the concerns raised relative to the Kainani Street access point, the applicant and its consultants, in coordination with the DOT, reviewed project programming and feasibility parameters to identify an access and circulation plan which can be implemented without the use of Kainani Street. Thus, given the need for creating safe circulation and access patterns for the shopping center, the internal layout and building design have been scaled down by

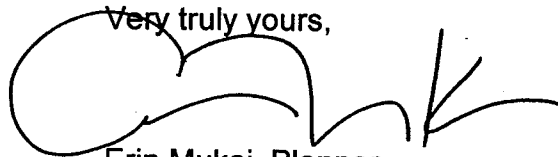
Eric Engh
April 7, 2010
Page 2

approximately twenty percent. Currently, the total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008. This reduction in project scope and its attendant reduction in trips generated, allows for an access plan that eliminates the need for a Kainani Street access point.

Under the new plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We appreciate your continued involvement and receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. In the meantime, should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

EM:lh
Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)

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Erin Mukai

From: Nadine Gomes [eric.nadinegomes@hawaiiantel.net]
Sent: Tuesday, October 30, 2007 7:49 PM
To: Erin Mukai
Subject: Proposed Maui Lani Shopping Center

Aloha Erin,

Here is our letter regarding the proposed Maui Lani Shopping Center.

Mahalo,

Eric & Nadine Gomes

[ps: Please call Nadine (385-9592) if you require a hard copy of this letter.]

10/31/2007

Eric & Nadine Gomes
169 Ku Drive
Wailuku, Hawaii 96793
(808) 243-9591
Eric.nadinegomes@hawaiiantel.net

October 30, 2007

Erin Mukai, Planner
Munekiyo & Hiraga
305 High Street
Wailuku, Hawaii 96793

Re: Environmental Assessment for the proposed Maui Lani Shopping Center

Aloha!

Our names are Eric and Nadine Gomes. Nadine's Popo (Chinese for Grandmother) Ella Chang and Goong Goong (Chinese for Grandfather) Wah Chee Chang purchased their home on Nakoa Drive in the late 1940s. Nadine, along with her mother and sister moved to this neighborhood in approximately 1979. In 1993, we married and moved away from Nakoa Drive to live in a two (2) bedroom one bathroom condominium at Iao Parkside. It was a starter home for our family. While living there, we experienced noise from residential and business traffic, street lights shining into our home every night, noise from the loading and unloading of freight from the industrial area. Finally in 2004, an opportunity came for us to purchase a property on Ku Drive and we seized the moment. Our dream of moving away from a flood of street lights and constant noises from Eha Street soon became a reality.

We are opposed to Kainani Street being used as one of the entrance/exits from the proposed Maui Lani Shopping Center for the following reasons:

1. We, as well as Nadine's sister, Patience Kahula, are parents of Baldwin High School students who we drive to school everyday. Although we live less than a quarter mile away from their school, we need to leave our home by 7:10 a.m. because of the horrible morning traffic. The afternoon traffic is equally as bad. Our daughter and nephew walk home from school every afternoon. Having additional traffic flow on to Kainani will make traffic worse and dangerous for the children that walk to and from school; and
2. The roads in the Hale Koa Subdivision are inadequate to accommodate additional traffic. Many of the residents of the Hale Koa Subdivision are elderly and take daily walks. There are no sidewalks for pedestrians.

We are not opposed to having the new proposed Maui Lani Shopping Center in our neighborhood. However, we are concerned about the following:

1. Noise Pollution.
 - a. Eric was a truck driver for Tri-Isle, Ltd. for seven (7) years. Tri-Isle delivered most of the freight in 25'-40' containers to the Safeway Stores on Maui. Delivery and unloading of the containers are very noisy and the times may vary from very early in the morning (2:00 a.m.) to very late at night (12:00 midnight).

- b. We also understand that a restaurant/bar will be a part of the shopping center. Most noise may occur after the restaurant/bar closes from intoxicated patrons and the cleaning of the establishment (e.g. the disposing of bottles, etc.)
2. Light Pollution. Lights shining all night in the parking lot contribute to the light pollution on Maui.
3. Loitering. 24-hour Safeways and having a restaurant/bar in the shopping center will promote loitering by young as well as the homeless.
4. Traffic. Our neighborhood was extremely happy when Maui Lani Parkway opened up. A lot of the traffic that passed through our neighborhood began using Maui Lani Parkway. The Maui Lani Shopping Center will generate more traffic in this area.

We *love* our neighborhood because it is quiet and dark at night. When we lived at Iao Parkside, it was difficult to see the stars and night sky as street lights littered the area. Can you imagine a street light illuminating our bedroom for ten (10) years? Can you imagine being rudely awakened by screeching tires or car crashes? Can you imagine hearing the loading and unloading of trucks and the humming from generators and/or air conditioners from various businesses in your neighborhood? Now, we can see the stars at night and were able to witness the most recent lunar eclipse from our yard. Our children have some place to run and play without being afraid of being run over by speeding cars. Sometimes the silence is deafening but we LOVE it! I don't want my neighborhood and way of life to change.

Please feel free to contact us if you have any questions or concerns regarding the aforementioned.

Sincerely,

Eric S. Gomes and
Nadine N. K. Gomes



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Eric and Nadine Gomes
169 Ku Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. and Mrs. Gomes:

Thank you for your letter of October 30, 2007 responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Response to Comment No. 1 and No. 2: Kainani Street

Thank you for sharing your family's history and connection to the Sandhills neighborhood. The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants, in coordination with the DOT, developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area

of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

In addition, the applicant has met with representatives of Baldwin High School (BHS) to discuss concerns and comments regarding traffic circulation as it affects BHS. As a result of its meetings, the applicant agreed to fund a traffic study to analyze current operations at BHS and to identify recommendations that may aid in relieving congestion and safety concerns. A copy of the BHS Traffic Evaluation Study, as well as the new traffic study prepared for the project will be included in the Draft Environmental Assessment (EA).

We also note that although specific designs have not been finalized, the applicant proposes to construct additional sidewalks and cross walks in the vicinity of the project site to ensure pedestrian safety.

Response to Comment Regarding Noise Pollution

A number of Sandhills residents expressed their concerns relating to noise generated from shopping center activity. In response to these concerns, the applicant will implement building design features to include full enclosure of store-related noise generating equipment and activities (i.e.: compressors, loading zone activities). Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for example, would include limiting loading and unloading at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours. To address concerns of trash pickups, the applicant proposes to limit the hours of trash collection to ensure that commercial waste pick up will not occur before **7:00 a.m.** In general, garbage pick ups for a center of this type occurs approximately **twice** a week.

Further, we would appreciate noting that since the last community meeting of November 12, 2008, the applicant has made several changes to the proposed site plan, including the provision of a buffer located along the western perimeter of the site, between the adjacent Historic Sandhills lots and the western extent of the proposed parking lot. The western limits of the parking lot is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to serve as not only a visual

buffer, but will serve as noise buffer to aid in mitigation of noise impacts of the shopping center to surrounding properties.

Recognizing these noise concerns raised by Sandhills residents, the applicant has undertaken a noise study to quantify existing noise conditions and to assess the impacts of the proposed shopping center as it relates to the existing conditions. Mitigative measures will be implemented to ensure that noise impacts upon neighboring residences are minimized. A copy of the noise study will be incorporated in the Draft EA.

The restaurant envisioned for the shopping center is expected to be of a reputable national family restaurant chain. Such companies hold extremely high standards for the serving of liquor, and strict standards for the maintenance of their restaurants, including sensitivity to neighboring uses.

Response to Comment Regarding Light Pollution

The proposed lighting for the parking lot will be designed to balance the need to minimize light spillage and pollution, as they may affect neighboring properties, while simultaneously complying with security and safety requirements. Light poles for the parking lot will be approximately 25 feet in height, which would keep the top of the light pole below the ground level of the adjacent residences in the historic Sandhills neighborhood. In addition, the light fixtures will be shielded so that there will be no upward illumination from the poles and minimizing its effects to neighboring residents. Similar design principles will be used for exterior lighting of the buildings, with the intent of minimizing unnecessary light spillage while allowing for an adequate level of security lighting for customers and employees.

It should also be noted that the aforementioned buffer proposed at the western perimeter of the site will provide approximately 72 to 110 ft. of area between the adjacent Sandhills homes and the parking lot. It is anticipated that this buffer will help address concerns regarding the effects of lighting on neighboring properties.

Response to Comment Regarding Loitering

As currently proposed, Safeway would be open 24 hours a day. Neighborhood concerns expressed on the "24/7" operating proposal include safety and security concerns associated with loitering and late night activities in the parking lot. The applicant will prepare and implement a night-time security and an operations plan which would include such measures as employing security patrol protocols designed to control loitering.

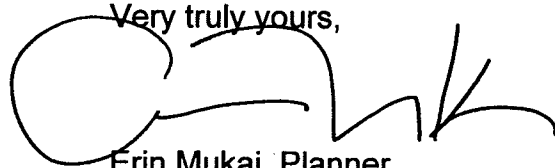
Eric and Nadine Gomes
April 7, 2010
Page 4

Response to Comment Regarding Traffic

Please refer to response regarding Kainani Street on page 1 of this letter.

We appreciate receiving your comments concerning the proposed Maui Lani Shopping Center project. A copy of the Draft EA will be provided to you for your review and comment. In the meantime, should you have any questions, or if additional clarification is needed, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a large circular flourish on the left side and several vertical strokes on the right.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)

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October 30, 2007

Nancy Halley
189 Naniloa Drive
Wailuku, HI. 96793
808.385.2596
nhalley@juno.com

As a resident of Historic Sandhills, I am submitting my concerns and comments regarding the proposed Maui Lani Shopping Center, below. I ask that you take my concerns seriously and address each one in your Environmental Assessment. They are in no particular order of importance, though I am most strongly opposed to:

- any use of Kainani Street to access or leave the proposed development
- to the 2-story building and it's proximity to Nakoa Drive

Left turn on Kainani from the Proposed Development

I am strongly opposed to any use of Kainani Street to access or leave the proposed development. Kainani Street acts as a safety buffer for our neighborhood, keeping high volume, and through traffic at bay.

Does this mean that even local residents would have to drive down to Maui Lani, or access the proposed development from Kaahumanu Avenue? Yes. Is this a problem? No. The majority of local residents that have attended planning meetings and community meetings agree that Kainani should not be used as an entrance or exit from the proposed development.

Historic Sandhills Access to Proposed Development

I would like to see natural foot and bike access developed for residents of Historic Sandhills. Let's create a development that encourages safe walking and biking access. This encourages better health for our community members.

Let's have a model development, not a cookie cutter version of fast development for fast cash, with no thought put into quality of life for local residents.

The proposed 2-story building closest to Nakoa Street.

I am strongly opposed to the placement of the proposed 2-story office building.
I am concerned about:

- The height and its' affects on the homes closest to it.
- The building lights, inside and out. Are people on Nakoa going to be looking into lit offices until all hours of the night and early morning?
- The blocking of sunrise and natural light in the first half of the day. Sunlight is a concern for the residents directly impacted by the 2-story building. The sun shines from the east until almost noon and then falls behind Iao after 3PM. How

many homes will be impacted by the shadows cast by this building? How will these shadows affect backyard garden areas facing east?

- How high over the retaining walls between the building and Nakoia will the building rise? This question was not adequately answered at our last community meeting with developers at Maui Waena School.
- Will the building look out of place, butt up against Nakoia Drive?
- Will strong tradewinds whirling past the building create howling and echoed noises?

Have you ever stood on the One Main Plaza deck looking out over the homes towards Iao Valley? Take a look at that. How sad that these homeowners are in the shadows of that office building. I do not support the location of this 2-story building.

The architect for the building said, it could be moved east. If it is built at all, I propose it is built more towards the Maui Lani Parkway end of the project.

If the building could not be moved, then I propose it runs along the western property line of the development as a low lying senior residential complex, below the west retaining wall, with common areas, and safe walking access to the shops. Perhaps a few doctors offices, could be located in the complex, a physical therapist, a dentist, an organic health food store.

Preserving Historical Integrity and Hawaiian Ancestors

The Maui Lani Shopping Center developers act like they are designing something special for our neighborhood, when it is just a cookie cutter image of the Safeway development in Kihei. The lay out is almost exactly like that in Kihei. The difference is, that the Maui Lani Shopping Center butts up against a historical neighborhood that needs to be protected in order to preserve Maui's past and architectural integrity.

Already numerous human remains have been found on the site. This is an opportunity for the developers to create sacred sites, with walkways leading to these sites and benches for those that wish to sit and honor our Hawaiian ancestors, in a consciously and respectfully designed project.

Access to the proposed Maui Lani Shopping Center

In the past, the DOT refused an access road/lane for ingress/egress to the proposed shopping center between Kainani Street and Maui Lani heading east on Kaahumanu Avenue, but now developers have designed an ingress/egress through Kainani Street. This is even more dangerous, than the Kaahumanu plan, because Kainani is a main artery for a residential community inhabited by the elderly, families, and often community, such as joggers, school track teams, the Maui Police Department new recruits, and kids walking, riding, and skateboarding to Baldwin High School.

I propose the DOT take a look at the eastbound Kaahumanu ingress/egress again.

What are their concerns? I heard it's something about a 500 foot rule. We should have a State DOT representative talk to us and hear our suggestions. It is possible - that a new, independent lane cut into the proposed development allowing for a non-congestive route into and out of the shopping center on Kaahumanu Avenue. Perhaps those leaving the proposed development using Kaahumanu would have a feeder lane that keeps them right turning onto Maui Lani Parkway. That would work for the hundreds, if not thousands of people who live south of Kaahumanu Avenue. Those that wish to travel west or east on Kaahumanu, could turn left at the Maui Lani exit, come up to the intersection at Kaahumanu and either go east or west there.

An additional lane after Kainani Street, that feeds into the proposed development heading east on Kaahumanu Avenue before Maui Lani Parkway, could be considered a safe alternative, because there wouldn't be as many cars turning right into the proposed development at Kainani Street, or at Maui Lani Parkway, where most of the students from Baldwin Highschool cross the street on their way to and from school.

Easing Congestion

I heard the developer say they are trying to relieve congestion at the Maui Lani and Kaahumanu Avenue intersection. It is a major intersection already, because of Baldwin High School, Kaiser, and those that live in the Maui Lani area, and it's not dangerously congested. It is busy when school starts and ends and when rush hour begins and ends. So who cares if it's congested. Everyone already knows that at certain times it is busy. It is a major intersection.

If the development happens, the congestion may actually ease up, because instead of cars backing up during rush hour, they may choose to go shopping for a half an hour or so, or stop for pupu's with friends, and actually ease traffic flow.

Opposed to National chains

Proposed tenants for the shopping center are national chains, Starbucks, Subway, Safeway, and Outback Steakhouse. My concern is how these national chains will affect locally owned Wailuku coffee houses and bakeries. The Coffee Store at Queen Kaahumanu Shopping Center went out of business after Starbucks moved in. How will Stillwell Bakery, Marc Aurel's, 3 Sisters, and the bakery on the corner of Vineyard and Church survive with a Safeway store/bakery moving in? What type of input will local communities have when they are faced with national chains who have lots of money and lots of lawyers? What will happen to competition among retailers in Hawaii? There won't be any. Our food prices will be fixed according to Safeway.

National Corporate chains provide low paying jobs for our community. The profits go to people who don't even live here. The beauty and intrigue of Wailuku is the old bakeries, and quaint locally owned eateries. National chains moving into Historic Sandhills is another step towards commonality, and mediocrity, that makes Maui no more different

than Anytown, USA. Remember, tourism is our number one industry, and tourists want unique, island experiences, and shopping.

Flooding

Concerns have been brought up by neighbors, regarding water run-off during heavy rains. In the past, the area of Nakoa and down Kainani has been known to flood and create pools of water up to a foot deep. I have heard re-routing of the water has occurred, but feel this is an issue that needs to be looked into.

Parking

The current plans indicate that the parking spaces have been increased since previous plans. Joni Mitchell sings out, "You pave paradise and put up a parking lot". I ask, couldn't the architects be more creative by creating parking structures that use the natural grade and slope of the property to have 2-level parking, but by using the slope/grade of the property, the parking is disguised, undetectable by those driving by. The parking structure could be more underground than above ground. Everyone prefers to park in the shade, than in the hot sun. Wouldn't it be wonderful, if you saw mostly garden and picnic areas across the parking areas, because, the parking was underground! You could even have room for local vendors to have art and craft fairs where the proposed parking areas are now, because more of the parking would be underground.

Say No to 24/7

Safeway says their policy is to be open 7 days/ 24 hours per day, and that they will assess whether that is suitable for their business after 1 year. Who has the rights here? Big corporations, or our neighborhood? No one that I've spoken to in our neighborhood wants a 24-hour Safeway. Safeway representatives talk about convenience. Convenience, to me, is often a double-edged sword. It denotes over development and a strip mall, concrete kind of town. Take a look at the development along South Kihei Road. It is obscene. I would like the proposed Safeway to be open from 6AM until 10 or 11PM.

Light and Noise Pollution

A lighted shopping center with cars coming and going all through the night, is a light and noise infringement on our community. Light and noise at all hours disrupts the quality of life for neighboring residents, causing added stress, and endangering their health by disrupting sleep patterns.

How will the lighted parking lots increase light pollution? The more lights, the less stars we can see at night. That's part of the beauty in our neighborhood. We can see stars at night, and teach our children about the beauty of our solar system. Celestial navigation is a huge part of Polynesian history and it's important that we honor our skies and keep parking lot and store lots from creating more light pollution.

It is already apparent that we are seeing the affects of light pollution. Just drive up to Kula and compare their night sky with Wailuku's. This in no way should make developers think it's OK to turn on the lights all through the night. If anything they should take a look at turning the lights off, to protect our environment and quality of life, that includes our ability to see the night sky.

Attracting Termites

Parking lot lights constantly hum, they attract swarming termites, which is a major problem in Historic Sandhills already. Any termite fumigation company on the island will attest that Historic Sandhills has a problem with termites already. Will the management of the proposed development pay the \$1500-\$2000 every 3 to 5 years for each resident of Historic Sandhills to have their homes fumigated due to increased infestations? How will the developers address this potentially serious threat to our homes?

Noise

Noise from external compactors, recyclers, bailers, trucks backing up etc..are of concern to me. Historic Sandhills is on a hill upwind from traveling tradewinds. Noise from the Maui Arts and Cultural Center, the Stadium football games, car traffic from Kaahumanu, sirens from police, hospital, and fire departments impact our neighborhood already. I remember A/C units from Aoka's waking me in the night and I was tossing and turning, stressed, and upset, not being able to sleep. Then having to be a mom the next morning and head off to work. I was, sometimes, sleep deprived, and stressed to tears. There was a constant drone of A/C units.

Noise impacts our neighborhood now. The developers say that the noise will be checked and meet noise level requirements, but I wonder, are these levels added to the noise we already have as a cumulative reading, or is it just Safeway's noise that is calculated? It's the accumulation of all the noise impacting our neighborhood that concerns me.

Deliveries

The developers have said they would restrict deliveries from 10PM until 7AM. This is helpful, but they were not specific. Does this include all delivery vehicles or just those over a certain size? What about boxes being thrown out, stocking noise, car doors slamming, people's car stereos, young people gathering in the parking lot late at night, (like what already happens at Safeway in Kahului).

Developers also said that Safeway won't allow refrigeration trucks. I didn't understand if this means on the whole site, or just in certain areas.

Garbage Dumpsters

My understanding is that current plans place garbage dumpsters close to Nakoa Street. Once again, I am concerned about the noise. When will these dumpsters be emptied? Will

they be unlocked and accessible 24/7? What about the smell from the dumpsters? The wind blowing up into Historic Sandhills carries lots of noise and smells.

Flora and fauna

How will the proposed development affect that bird, plant, and insect life in the area? All play integral parts in protecting our environment and consideration as to their habitat needs to be considered and planned for. Developments go up without concern for our bird life, and even insects. Can the proposed development include plants that can act as homes to birds, be drought tolerant, and be native, or indigenous? Labeling the plants, so that customers, can learn about our local flora and fauna, is something I think is important, and of interest, to students, and visitors to our islands.

As I write this section, I am in Mississauga, a suburb just outside of Toronto. One thing, I notice dramatically is that there are no birds singing. The area has been developed into shopping malls, and high-rise condos, with man-made landscapes, and the birds are gone. The air is silent of their singing. It's disturbing. It makes me realize that the more we remove ourselves from nature, the more we create a world that will ultimately be our downfall. Walking through an apartment building in Mississauga yesterday, I had the same thought I had recently walking through One Main Plaza, that living and working in these types of buildings, without nature, we might as well be in a satellite station in outer space. Earth is gone. It is far, far away.

Nature must be considered. What types of insecticides, pesticides, and fertilizers will be used at the proposed development site? How will these sprays affect birds, plants, insects, children, our neighbors, and ourselves? How will the developer nurture plant life, and foster bird life within the development?

Comments

Often people will go out of their way for a shopping experience that is unique, down home, local, and environmentally conscious. I know that if Whole Foods moves into Star Market, as I've heard, I will shop there. It's not the closest store that I choose, it's the quality of food.

There are a lot of senior citizens in Historic Sandhills that will benefit from a grocery store that is close by, but the size of Safeway is not appealing to seniors. Long aisles, big parking lots, and 200 different cereal choices actually make their shopping experience more difficult than navigating a smaller store like Aoka's or Ah Fooks. How will this proposed development accommodate seniors and those with disabilities? There are people in our neighborhood that have motorized wheelchairs. Will they be able to easily access the proposed development, without risk of being run over by a car?

The Planning Commission should really ask themselves, if Maui Lani Shopping Center is developed, with national chains as tenants, then what is to happen to Wailuku Town. Wailuku town is just waiting for a cash infusion to allow it to develop into a culturally

significant, quaint, historic, and architecturally alluring small town that will attract both locals and tourists. Let's develop Wailuku town.

The developers have not designed with our community in mind. Originally the commercial land in question, was supposed to be a medical facility and senior housing.

We must remember where we are. We are in Hawaii. The Hawaiian Islands are unique in our fragile world, both ecologically, and culturally. We need to preserve our small town quaintness, the safety and health of our families, our historical uniqueness, our respect for those that have come before us, and our access to the night sky and stars.

As unpopular and silly as my ideas sound to some, I know I'm right. I know I have the best interest of Maui nui in my heart and in my mind for all citizens of the world.

I look forward to reading your Environmental Assessment. I am happy to answer any questions you have regarding this paper.

Mahalo,

Nancy Halley



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Ms. Nancy Halley
189 Naniloa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes Environmental Assessment
Early Consultation Comments for Proposed Maui Lani Shopping
Center**

Dear Ms. Halley:

Thank you for your letter of October 30, 2007 responding to our request for pre-assessment comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments. Our responses are offered in the order presented in your letter.

1. Left Turn on Kainani from Proposed Development

The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants, in coordination with the DOT, developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street

access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

2. Historic Sandhills Access to Proposed Development

Sidewalks will be provided in connection with roadway improvements serving the proposed project. Although specific designs have not yet been developed, it is the intent of the applicant to ensure safety for pedestrians.

As requested by the Department of Transportation, proposed bike paths have been removed from the project plans. The bike paths have instead been replaced with shoulder lanes for bicycle use.

3. Proposed Two-Story Building Near Nakoa Street

Presently, the applicant proposes to construct single-story shops totaling approximately 3,800 s.f. at the northwestern corner of the property. The two-story office building to which you referred to in your letter has been relocated to the southeast corner of the project site, along Maui Lani Parkway. Since the last community meeting of November 12, 2008, the applicant has made various changes to the proposed site plan. Included in such changes will be the provision of a buffer of approximately 72 feet to 110 feet between the adjacent homes of Historic Sandhills, located along the western perimeter of the project site, and the western extent of the proposed parking lot. The proposed 3,800 s.f. shops are located approximately 110 feet east of the adjacent Sandhills homes' property line. We would also note that the proposed shops at the northwestern corner of the site will have a height of approximately 22 feet to the top of the building's parapets, with architectural elements (e.g., roof "pop-outs") extending up to 30 feet in height.

4. Preserving Historical Integrity and Hawaiian Ancestors

The applicant's project archaeologist has been and will continue to work with the State Historic Preservation Division to ensure that identified burials are treated and preserved with the highest degree of respect. Burial treatment plans have been

prepared for three (3) burial sites, with additional treatment plans to be prepared for the remaining 19 burials. In addition, the area to the immediate southeast of the Kainani Street-Kaahumanu Avenue Intersection will not be graded given the likelihood of burials in this locale. Instead, an approximately 15,200 square-foot preservation area will be created at this corner of the property.

5. Access to the Proposed Maui Lani Shopping Center

Please refer to Response to Comment No. 1.

6. Easing Congestion

The project's traffic engineer has collected additional traffic data in the vicinity of the project site and has prepared the previously noted new study to evaluate operations at adjacent roadway facilities. The purpose of the new study is to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA). In addition, the applicant has met with representatives of Baldwin High School (BHS) to discuss concerns and comments regarding traffic circulation as it affects BHS. As a result of its meetings, the applicant agreed to fund a traffic study to analyze current operations at BHS and to identify recommendations that may aid in relieving congestion and safety concerns. A copy of the BHS Traffic Evaluation Study as well as the new traffic study for the project will be included in the Draft EA.

7. Opposed to National Chains

The applicant recognizes the importance of small local businesses and notes that Maui Lani Shopping Center will provide space for both local and nationally-based tenants. While the major tenant space for the project has been set aside for Safeway, the center will provide retail and office space leasing opportunities for local businesses as well. The proposed shopping center is viewed as an opportunity to meet the needs of the community as population and consumer demand increases in Central Maui.

8. Flooding

The issue of drainage impacts associated with the project is an important consideration for the applicant. The project civil engineer has reviewed site conditions and has prepared a drainage engineering report which examines ways to ensure that storm runoff from the project does not adversely affect downstream

or adjacent properties. The drainage report will be included in the Draft Environmental Assessment.

9. Parking

Thank you for your input on parking. With the current site plan, approximately 569 parking stalls are proposed for the project. The parking layout has been prepared with consideration of the site's topography. In combination with a carefully developed landscape design and incorporation of a new buffer space, the use of at-grade or surface parking was determined to be appropriate from both functional and aesthetic standpoints.

10. Say No to 24/7

As currently envisioned, Safeway would be open 24 hours a day. Neighborhood concerns expressed on the "24/7" operating proposal include noise generated by equipment and trucks, as well as safety and security concerns associated with loitering and late night activities in the parking lot. The applicant will prepare and implement a night-time security and operations plan which would include such measures as limiting the use of service vehicles, trucks and equipment during late night and early morning hours, and employing security patrol protocols designed to control loitering.

11. Light and Pollution

Thank you for your comments regarding lighting. Lighting for the parking lot will be designed to balance the need to minimize light spillage and pollution with security and safety requirements. Light poles for the parking lot will be approximately 25 feet in height, which would keep the top of the light pole below the ground level of the adjacent residences in the historic Sandhills neighborhood. In addition, the light fixtures will be shielded (similar to the lights at Kaiser Permanente) so that there will be no upward illumination from the poles. Similar design principles will be used for exterior lighting of the buildings, with the intent of minimizing unnecessary light spillage while allowing for an adequate level of security lighting for customers and employees.

It should also be noted that the aforementioned buffer proposed at the western perimeter of the site will provide approximately 72 ft. to 110 ft. of separation between the adjacent Sandhills lots and the parking lot. It is anticipated then that this buffer will help mitigate the effects of lighting on neighboring properties.

Noise levels will be controlled through building design features which propose to enclose noise generating equipment and activities (e.g., compressors, loading zone activities). Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for example, would include limiting loading and unloading, at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As noted above, the applicant will prepare and implement a night-time security and operations plan to ensure that night-time activity in the shopping center is managed to prevent loitering and nuisance activities which may disturb nearby residences.

12. Attracting Termites

The applicant will maintain appropriate termite control measures on the shopping center property. Treatment and prevention systems for ground and dry wood termites will be implemented as part of the long-term maintenance plan for the shopping center. Onsite termite control is intended to not only address the shopping center's facilities maintenance objectives, but also help in reducing infestation to neighboring properties.

13. Noise

A number of Sandhills residents have expressed their concerns relating to noise generated from shopping center activity. In response to these concerns, the applicant will implement building design features that will take into account the noise generated by air conditioning units, refrigeration units and other noise generating equipment generally associated with a facility like the shopping center. To better address noise impact issues, the applicant has undertaken a noise study to quantify existing noise conditions and to assess the impacts of the proposed shopping center as it relates to the existing conditions. Mitigative measures will be implemented to ensure that noise impacts upon neighboring residences are minimized. A copy of the noise study will be incorporated in the Draft Environmental Assessment.

14. Deliveries

Deliveries for all shopping center tenants will be limited to the hours of 7:00 a.m. to 10:00 p.m. As part of the noise mitigation program being designed by the applicant, operational elements associated with the Safeway store, such as loading, unloading, and use of compactors, will be housed within the buildings or shielded from neighboring properties to minimize nuisance effects to neighboring residents. As indicated above, the applicant has commissioned a noise study which will address noise generating activities associated with shopping center operations. As

well, the applicant plans to implement a night-time security program to ensure public safety concerns are properly considered.

Refrigeration trucks and trailers will be needed to bring in goods for the shopping center. However, once the loading/unloading activity associated with these units are completed (generally within a 3 to 5 hour time span), the units will either be moved offsite or turned off. Therefore, there will be no operating refrigeration units between the hours of 10:00 p.m. and 7:00 a.m.

15. Garbage Dumpsters

Currently, there are five (5) designated trash bin locations proposed for the shopping center, with the majority (or four (4)) located on the eastern portion of the project site. Although there is one (1) trash bin located on the western developed perimeter of the project site, it is located approximately 80 ft. from the adjacent Sandhills lots. Garbage pick up will not occur before 7:00 a.m. In general, garbage pick ups for a center of this type occur twice a week.

16. Flora and Fauna

There are no sensitive environmental features such as wetlands, and there are no rare and threatened species of flora or fauna at the project site. The project site will be landscaped to provide a complex which will aesthetically complement the surrounding neighborhoods. While landscaping is not intended to provide replacement habitats for displaced fauna, it will allow for transient use by birds which frequent the Sandhills area.

Herbicides, pesticides and fertilizers will be used for landscape maintenance purposes. However, such use will be minimized, with managed applications. As with other shopping center projects, best management practices for landscape maintenance will be utilized in the context of a public health and safety priority.

17. Other Comments

Accessibility

The project site will be designed to comply with the provisions of the Americans with Disability Act, and accordingly, will provide the needed accessibility design features which will make the shopping center fully accessible to seniors.

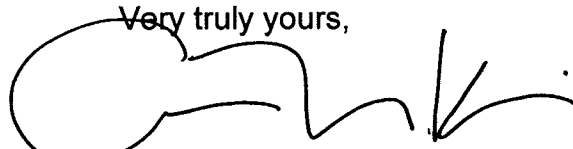
Effects on Wailuku Town

The proposed Maui Lani Shopping Center is intended to provide retail/commercial space which will complement service provision to residents. The proposed Safeway store, as well as opportunity for leasing by both national and local tenants, will serve markets which may not necessarily be able to be accommodated in Wailuku Town.

Alternative Uses for the Site

While the applicant has considered other uses over the course of its ownership of the property, the proposed Maui Lani Shopping Center is being proposed in the context of the Maui Lani's master plan's current development status, which reflects a growing residential base. This growth reflects the general trend of residential expansion in the Central Maui region which creates new demand for retail and commercial services.

We appreciate your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft EA will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please let me know.

Very truly yours,

Erin Mukai, Planner

EM:lfm

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)
Lisa Rotunno-Hazuka, Archaeological Services Hawaii (w/out enclosure)

Erin Mukai

From: GringoPress@aol.com
Sent: Tuesday, October 30, 2007 12:58 PM
To: Erin Mukai; AhKaDa@aol.com
Subject: safeway on maui lani parkway

Dear Erin

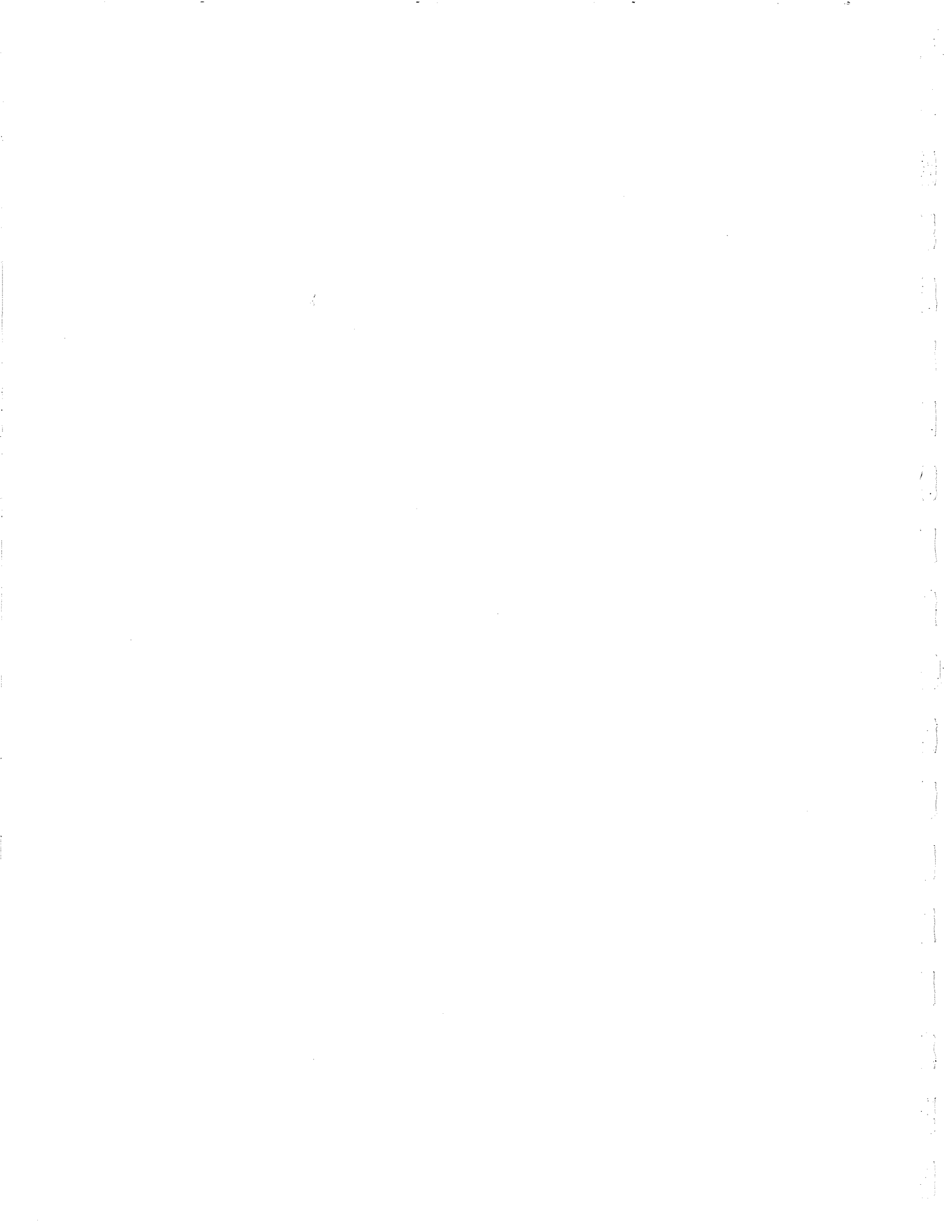
As a resident of the Sand Hills neighborhood, the idea of a 24 hour Safeway distresses me greatly. Noise and light pollution will certainly increase, as will traffic over our old streets.

I also understand there are ancient burial plots in the area which will be disturbed by this project, and that the full scope of this burial ground has yet to be properly determined.

Please, this project cannot be allowed to go forward!

F.D. Hessey Jr.
260 Halenani Drive
Wailuku

See what's new at AOL.com and [Make AOL Your Homepage](#).





MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

F.D. Hessey Jr.
260 Halenani Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. Hessey:

Thank you for your email of October 30, 2007 responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project. As you may know, since receipt of your email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

24-Hour Safeway Operation

As currently proposed, Safeway would be open 24 hours a day. Neighborhood concerns expressed on the "24/7" operating proposal include safety and security concerns associated with loitering and late night activities in the parking lot. In recognition of these concerns, the applicant will prepare and implement a night-time security and operations plan which would include such measures as employing security patrol protocols designed to control loitering.

The applicant is working with Safeway, to ensure that late night and early morning operations do not adversely impact neighboring residents.

Noise Pollution

Concern of noise levels associated with store generators and air-conditioned containers will be controlled through building design features which propose to enclose noise generating equipment and activities (i.e., compressors, loading zone activities). Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for example, would include limiting loading and unloading, at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours. To address concerns of trash pick-ups, the applicant proposes to limit the hours of trash collection to ensure that commercial waste pick up will not occur before 7:00 a.m. In general, garbage pick ups for a center of this type occur twice a week.

As previously noted, since the last community meeting of November 12, 2008, the applicant has made several changes to the proposed site plan. One of such changes includes the provision of a buffer along the western perimeter of the site, between the adjacent Sandhills lots and the proposed parking lot. The parking area is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to serve as not only a visual buffer, but will serve as noise buffer to aid in mitigation of noise impacts of the shopping center to surrounding properties.

To better address noise impact issues, the applicant has undertaken a noise study to quantify existing noise conditions and to assess the impacts of the proposed shopping center as it relates to the existing conditions. Mitigative measures will be implemented to ensure that noise impacts upon neighboring residences are minimized. A copy of the noise study will be incorporated in the Draft Environmental Assessment (EA).

Light Pollution

The proposed lighting for the parking lot will be designed to balance the need to minimize light spillage and pollution with security and safety requirements. Light poles for the parking lot will be approximately 25 feet in height, which would keep the top of the light pole below the ground level of the adjacent residences in the historic Sandhills neighborhood. In addition, the light fixtures will be shielded so that there will be no upward illumination from the poles. Similar design principles will be used for exterior lighting of the buildings, with the intent of minimizing unnecessary light spillage while allowing for an adequate level of security lighting for customers and employees.

The aforementioned buffer proposed at the western perimeter of the site will provide approximately 72 to 110 ft. between the adjacent Sandhills homes and the parking lot. It

is anticipated then that this buffer will help address the concerns of the effects of lighting on neighboring properties.

Traffic

During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

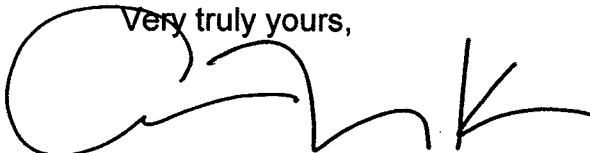
Currently, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

Burials

The applicant's project archaeologist has been and will continue to work with the State Historic Preservation Division to ensure that identified burials are treated and preserved with the highest degree of respect. Burial treatment plans have been prepared for three (3) burial sites, with additional treatment plans to be prepared for the remaining nineteen burials. In addition, the area to the immediate southeast of the Kainani Street – Kaahumanu Avenue intersection will not be graded given the likelihood of burials in this locale. Instead, an approximately 15,200 square-foot preservation area will be created at this corner of the property.

F.D. Hessey Jr.
April 7, 2010
Page 4

We appreciate your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft EA will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please let me know.

Very truly yours,

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)
Lisa Rotunno-Hazuka, Archaeological Services Hawaii (w/out enclosure)

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Erin Mukai

From: David Kingdon [dkingdon@yahoo.com]
Sent: Wednesday, October 31, 2007 1:09 PM
To: Erin Mukai
Subject: UPDATED: Maui Lani Shopping Center Comment for EA



Kainani vs. Maui
Lani.doc (30 ...

Dear Ms. Mukai:

Thank you for your reply. I accidentally omitted a paragraph from my comment. I am re-sending our comment with that paragraph (now the second one) included. Also attached is a .doc copy. Please ensure that this updated version is the one shared with the developers and entered into the EA record.

Thank you.

David Kingdon ** see below and attached **

Resident Names: David Kingdon and Roxanne Gillespie
Address: 302 Nanihoa Drive, Wailuku, HI 96793

We oppose use of Kainani Street for access / egress serving the proposed Maui Lani Shopping Center. The developers have not adequately articulated why all access / egress cannot be achieved via Maui Lani Parkway. Maui Lani Parkway has a much better and safer infrastructure to service the shopping center without the negative and dangerous impacts it could have on Kainani Street.

The medical offices including Kaiser Maui Lani on the east side of Maui Lani Parkway have their only entrances and exits off of Maui Lani Parkway. There is no route into or out of that center from Ka'ahumanu Avenue, nor from any other roadway. These offices and clinics are vast and expanding, and yet traffic has managed Maui Lani-only access and egress without any noted logistical or safety concerns. This is compelling evidence that a shopping center on the west side of Maui Lani could be serviced in a similar fashion. It begs serious questions about why an invasive and dangerous entrance / exit in an old residential neighborhood is "necessary," as purported by the developers, when Maui Lani Parkway itself could serve their needs.

If, for some reason, Kainani Street access / egress is pursued by developers over the community's opposition and marked safety concerns, configuration and legally binding signage should prohibit "cut-through" traffic in the historic Sandhills neighborhood. (Prohibiting left turn from Shopping Center to old Sandhills and/or right turn from old Sandhills into Shopping Center)

David has noted national expertise in injury prevention and can provide citations that show empirical evidence of grave safety concerns that would be created by changes to the physical environment similar to the proposed Kainani Street entrance / exit and/or "cut through" traffic.

Thank you for your consideration.

Sincerely,

David Kingdon and Roxanne Gillespie

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around <http://mail.yahoo.com>

Resident Names: David Kingdon and Roxanne Gillespie
Address: 302 Naniloa Drive, Wailuku, HI 96793

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David has noted national expertise in injury prevention and can provide citations that show empirical evidence of grave safety concerns that would be created by changes to the physical environment similar to the proposed Kainani Street entrance / exit and/or "cut through" traffic.

Thank you for your consideration.

Sincerely,

David Kingdon and Roxanne Gillespie

April 7, 2010

David Kingdon and Roxanne Gillespie
302 Naniloa Drive
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Mr. Kingdon and Ms. Gillespie:

Thank you for your email of October 31, 2007 responding to our request for early consultation comments on the proposed Maui Lani Shopping Center. As you may know, since receipt of your email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team has worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Access Configuration

The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants, in coordination with DOT, developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the

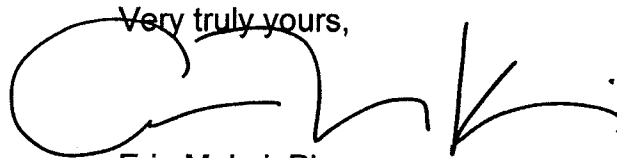
shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Currently, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

Traffic Signage

The appropriate signage indicating restrictions on turning movements, for example, will be utilized in the project vicinity to properly direct traffic. Signs associated with the project development will be implemented in accordance with The Uniform Manual on Traffic Control Devices, which defines the standards used to install and maintain traffic control devices on all streets and highways.

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

Erin Mukai, Planner

EM:lh
Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)

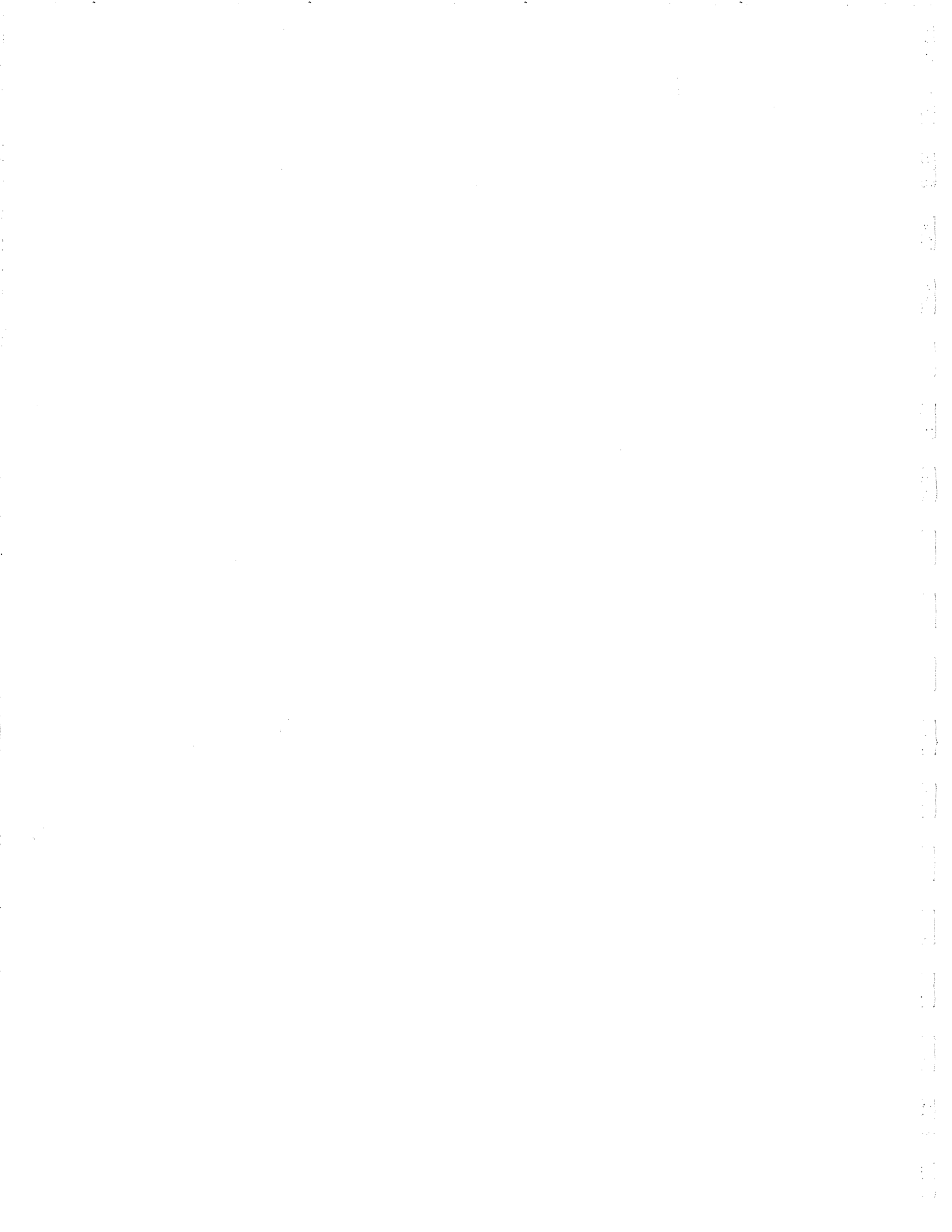
Erin Mukai

From: garywmarshall1@comcast.net
Sent: Wednesday, October 10, 2007 8:45 AM
To: Erin Mukai
Cc: janemarshall@comcast.net
Subject: Maui Lani Shopping Center- Informational Meeting

We are the owners of the home located at 208 Halenani Drive, Wailuku. We cannot attend the meeting on October 16, 2007 but do have a couple of concerns. Our first concern is that the parking lot lights, signage, and other lighting associated with the project will cause light "pollution" at night. Does Maui have a "night sky" ordinance to insure that light pollution will not negatively impact the surrounding neighborhoods? If such an ordinance does not exist will the developer voluntarily incorporate similar measures? Our second concern is related to sidewalks. The site plan included with your letter appears to show new sidewalks for the adjacent public streets, but the scale is too small to be certain. Specifically we are wondering whether the project includes a new sidewalk along the street parallel to Kaahumanu Ave. that connects to the Sand Hills neighborhood west of the proposed shopping center.

Thank you for your attention to these concerns.

Jane and Gary Marshall
574 Panoramic Highway
Mill Valley, CA 94941





MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Gary and Jane Marshall
574 Panoramic Highway
Mill Valley, CA 94941

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. and Mrs. Marshall:

Thank you for your email of October 10, 2007 responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project. As you may know, since receipt of your email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Response to Comment Regarding Lighting

The County of Maui adopted Ordinance No. 3430, relating to Outdoor Lighting in 2007. In this regard, outdoor lighting fixtures will comply with shielding requirements of the ordinance. Specifically, the light fixtures will be fully shielded so that there will be no upward illumination, similar to the lights provided at the neighboring Kaiser Permanente Clinic. The proposed lighting for the parking lot will be designed to balance the need to minimize light spillage and pollution, as they may affect neighboring properties, with security and safety requirements for the shopping center. Light poles for the parking lot will be approximately 25 feet in height, which would keep the top of the light pole below the ground level of the adjacent residences in the historic Sandhills neighborhood. Similar design principles will be used for exterior lighting of the buildings, with the intent of minimizing unnecessary light spillage while allowing for an adequate level of security lighting for customers and employees.

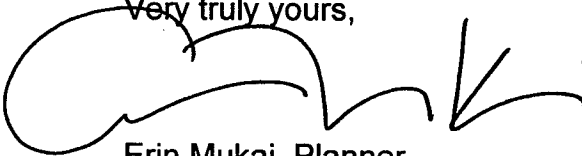
Gary and Jane Marshall
April 7, 2010
Page 2

As previously noted, since the last community meeting of November 12, 2008, the applicant has made several changes to the proposed site plan. One of such changes includes the provision of a buffer along the western perimeter of the site, between the adjacent Sandhills lots and the proposed parking lot. The western extent of the parking area is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to serve as not only a visual buffer between properties, but will help mitigate the effects of lighting on neighboring properties.

Response to Comment Regarding Sidewalks

The applicant proposes to construct additional sidewalks, and cross walks in the vicinity of the project site. Although specific designs have not yet been developed, it is the intent of the applicant to ensure safe and easy access to the shopping center for pedestrians.

We appreciate your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)

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COMMENT FORM

Proposed Maui Lani Shopping Center October 16, 2007 Community Meeting

Resident Name

Judy Mirzai

Phone No.

244-7186

Address

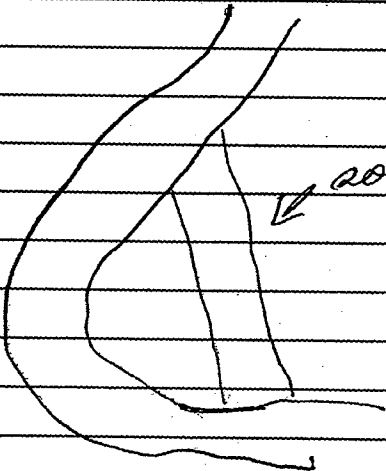
453 Lihii St

Alternate No.

Kalului 96732

Please write any comments you wish to share on the proposed project below. Comments received prior to October 31, 2007 will be included in the Draft Environmental Assessment currently being prepared.

Why is the Entrance driveway so long &
turning? Could there be a shorter road
through the loop

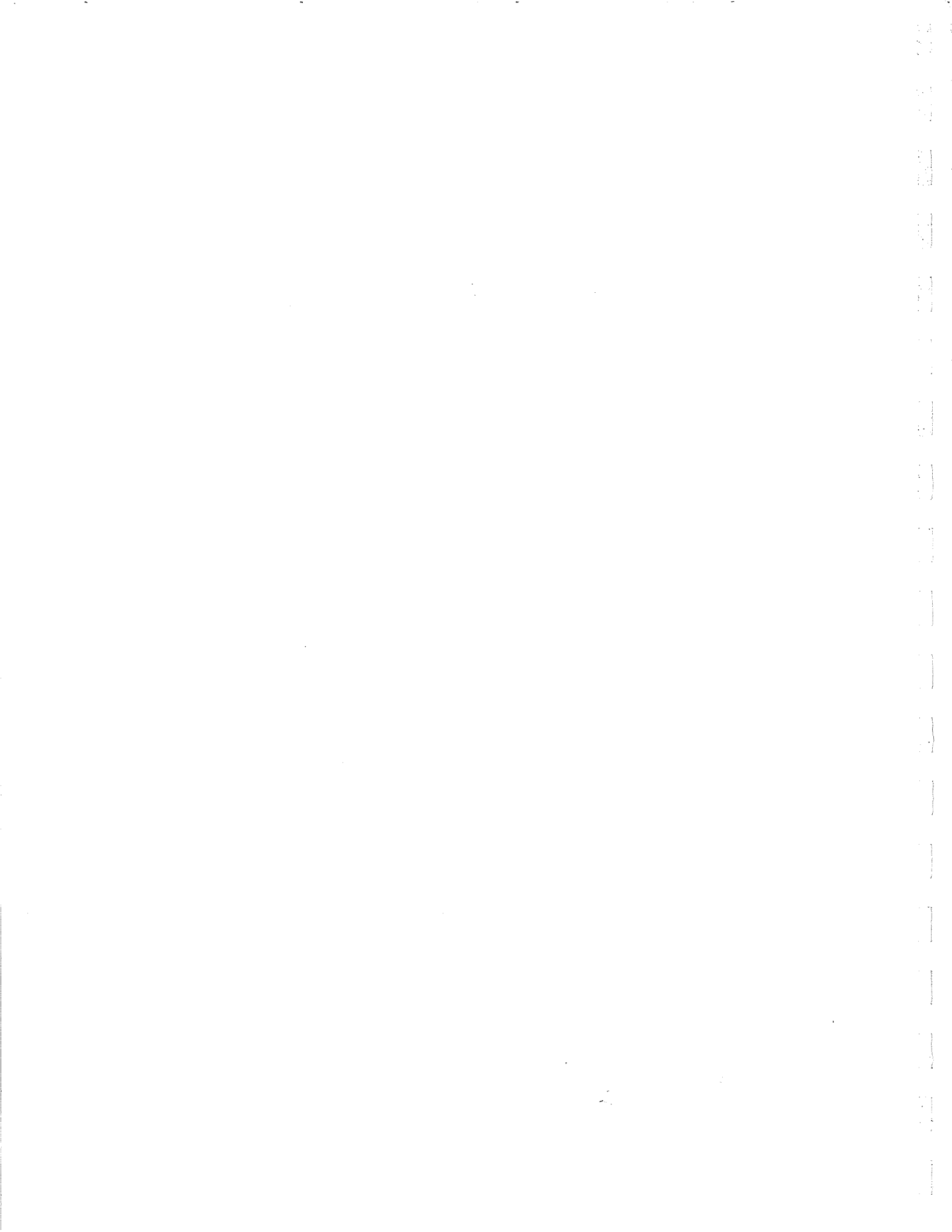


so driveway could serve two areas

If you wish, you may mail your comments to:

Erin Mukai, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Should you have any questions, please feel free to contact Erin by phone at (808) 244-2015, or by email at erin@mhincnline.com.





MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Judy Mirzai
453 Lihi Street
Kahului, Hawaii 96732

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Ms. Mirzai:

Thank you for completing the comment form distributed at the October 16, 2007 community meeting responding to our request for early consultation comments on the proposed Maui Lani Shopping Center. As you may know, since receipt of your comment form, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of the revised plan that we would like to provide the following information in response to your comments.

1. Why is the entrance driveway so long and "turning"? Could there be a shorter road through the loop?

The configuration of the proposed shopping center driveway to which you were referring to was a connection via Kainani Street. However, the current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

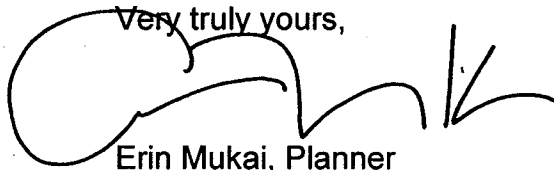
During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant decreased the overall project size by approximately twenty percent to reduce project-related trip generation. This,

Judy Mirzai
April 7, 2010
Page 2

in turn, eliminated the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that we presented at the community meeting of November 12, 2008. Currently, the applicant proposes three (3) access points for the site via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right turns in only. In addition, two (2) accesses are proposed along Maui Lani Parkway: one (1) full movement access and one (1) limited access with right turn in and right turn out.

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', written over the typed name below.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)

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NOV 02 2007

STEPHANIE OHIGASHI
179 HALENANI DRIVE
HISTORIC SANDHILLS
WAILUKU, HAWAII 96793

MUNEKIYO & ASSOCIATES
305 S. HIGH STREET
WAILUKU, HAWAII 96793

RE:MAUI LANI SHOPPING CENTER

Dear Mr. Mune*kiyo, Mike*

Thank you very much for the well organized meeting held at the Maui Waena Intermediate School to review the updated plans for the Maui Lani Shopping Center. It has taken a long time to "get it right" and of course, that should be the objective of any developer to do it right from the beginning.

Attached are my comments for the Environmental Assessment in regards to the impacts I think this project may impose upon me and my neighbors in Historic Sandhills.

Thank you very much for your professional handling of this matter.

Stephanie Ohigashi
Stephanie Ohigashi

Comments from Stephanie Ohigashi, resident of Historic Sandhills
281-4535
10/31/2007

MAUI LANI SHOPPING CENTER

I have lived in the Sandhills neighborhood since 1957. Over the last 50 years, my family and I have rented homes on Leilani and Nanihoa Drives and finally purchased the home we currently live in on Halenani Drive. These past 50 years has brought rapid development and changes to Sandhills, especially with "cut - through " traffic. An ordinance created by the Maui Council to restrict cut-through traffic especially by vehicular trucks over 10,000 pounds (except those rendering service to those residents on those affected roads) on certain substandard streets of Sandhills was approved and placed into the Maui County Code as section 10.68.110. This ordinance has helped maintain some of the peace and quiet all of us feel we deserve in our own homes.

Presently, HRT, Ltd company is seeking approval of their Phase 2 Project District for a large commercial project of which they presented some designs for at the Maui Planning Commission at it's July 10th, 2007 meeting. In seeking the MPC approval, HRT says it feels it needs three entrance and exits to be profitable for the maximum amount of project users to have ease of access and exit from their property. That is a logical request from their perspective, however one of those entry points concern a street described in the above referenced code 10.68.110, Kainani Street. This is the main street all of the residents in Sandhills utilize to enter/exit our neighborhood from/to Kaahumanu Avenue. Therefore, from our perspective, the use of Kainani Street by this developer is undesirable.

Since HRT, Ltd needs Kainani Street as a entry point , the company submitted designs to widen, and install new signage and other improvements so that they can gain approval by the State DOT to use Kainani Street. These new designs have triggered compliance with Chapter 343, Hawaii's Environmental Review Process (EA). The following are my comments to the Environmental Assessment.

1. Kainani Street: In the Phase 2 application, reference is made to the " first " entrance as a major ingress/egress on Maui Lani Parkway, and reference is made to Kainani Street as the " second " entrance in letter of May 21, 2007 from MPD Assistant Chief Ribao to HRT, Ltd. Consultant Sueda, letter of August 16, 2006 from MPD Assistant Chief Kikuchi to the Maui County Planning Director Foley and letter of September 13, 2005 from MPD Chief Phillips to Maui County Planning Director Foley and reference is made to the " third " is the use of a service entry further down on Maui Lani Parkway and the " fourth " as a new entrance/exit on Kaahumanu Avenue. This " fourth " proposed entrance/exit was denied by the State of Hawaii DOT. Consequently, HRT, Ltd and it's traffic consultants re-designed Kainani Street to take the brunt of the traffic that was intended for Wailuku shoppers to access the Shopping Center via the " fourth " entrance on Kaahumanu Avenue.

My Question: Why does this particular shopping center need three entrances?

My Comment: Keep all entrances and exits on the Maui Lani Parkway for this project as it is a Maui Lani project, not a commercial center designed with the residents of historic Sandhills in mind.

Recommendation: The alternative would be two full services entrances/exits on Maui Lani Parkway. Re-design the service entrance by widening it and eliminate the need for Kainani Street altogether. The Wailuku Commercial Center has only two entrances/exits. It does just fine accommodating all users. The Maui Lani project should take a good look at placing all their vehicular traffic needs on Maui Lani Parkway.

Unearthing and realigning Kainani Street will cause harm to those who live on Kainani Street and for all of us who live in this neighborhood.

My Question: What will HRT, Ltd. , do if they are not granted the use of Kainani Street as they wish?

Recommendations/options: Scale down their design plans to make it a more regional center versus a national (chain) center. Two full entrances/exits should be more than enough to accommodate all the needs of the project if scaled back.

My Question: Will the Developer, HRT., Ltd respect and adhere to Maui County ordinance 10.68.110, created and approved by the Maui County Council to preserve the integrity of our historic neighborhood by not allowing any vehicles over 10,000 pounds on those roads named in the ordinance within the Sandhills neighborhood?

My Question: What assurances do we have that in the event, that HRT ltd. gains approval of their project sans Kainani Street, that they will not allow construction traffic in our neighborhood?

My Question: Will they (HRT, Ltd.) be willing to draft a Traffic Advisory to all construction companies, vendors, service contractors (except those whose work is necessary to hook up utilities, etc.) and post it in a public location?

My Question: Will they (HRT, Ltd., agree to an imposed condition of adhering to County ordinance 10.68.110 in writing to acknowledge full compliance of the code into perpetuity?

2. **Traffic:** The aspect of additional traffic , especially “ cut-through “ traffic is one of the issues that most of us in Sandhills agree upon. We don’t want anymore than we already have. Any new designs to Kainani Street to attract more cut-through traffic is undesirable by me and my family.

3. **Traffic on Kaahumanu:** This is also of great concern and most of us travel onto Kaahumanu and have experienced high peak volume in the morning school rush, noon lunchtime rush, after

Page 3

school rush and after work rush derived from Puuone Tract, Sandhills , Maui Lani neighborhoods, Baldwin High School, County Parks Departments, Kaiser Medical Clinic, Liberty Dialysis, Maui Hui Malama, the Maui Memorial Hospital, Keopualani Park users and construction vehicles that are still in the Maui Lani Parkway area. The mix of drivers including our student drivers, our retirees , working people, visitors and trucks is a recipe for tragedy in these very busy intersections. It is of utmost concern. At night, Kaahumanu Avenue has less volume of traffic, however, it becomes a speedway and many screeching tires, crashes, ambulances, police cars, fire trucks can be heard going up and down Kaahumanu. In a memo dated September 25, 2006, reference is made regarding the afternoon peak hours having large volumes or about 166 vehicles per hour. The queuing from each intersection may affect the adjacent intersection. I am assuming that these intersections are Baldwin High School and Maui Lani Parkway, Kaahumanu and Lunalilo Street, Kainani Street and Kaahumanu.

My Question: Please explain the justification used to sacrifice community safety and take a poorly designed collector road like Kainani Street and turn it into a major thoroughfare just for profits sake?

Recommendation: In the controversy between the safety of the citizens versus corporate profit, the safety of human lives win. I recommended that Kainani NOT BE USED AT ALL for the safety and well being of the larger community who utilize Kaahumanu Avenue near the above referenced intersections.

Comment: The Maui Police Department, the State of Hawaii Department of Transportation, and the residents of the Historic Sandhills still have many questions about safety and have a need for additional data on the signalization, signage, directionals, crosswalks, lighting, and queuing aspects of this new proposed changes to Kainani Street. The safety of our citizens is at risk by changing driving patterns without more study and acceptance by the surrounding neighborhoods. The State Department of Transportation should not consider Kainani a " major ingress/egress " like the Developer's hope it can be.

4. Construction vehicles should not be allowed on to Kainani Street during the construction phase of the HRT project if they receive approval. However, if for some unforeseen reason, rocks, dirt, plaster, construction materials, nails are dropped onto Kainani during construction HRT, Ltd., will be responsible for mitigating this unsafe situation. Keeping our neighborhood free from sharp items, nails, rocks, blowing sand, flying plastic bags is a priority of ours.

My Question: Does the Developer have a plan in place to mitigate damages to the residents themselves or homes, cars, animals? If so, may I have a copy? If not, I would like to request that the developers, HRT, Ltd. Answer this in the draft EA.

Comment: To ensure that there are no secondary harmful impacts as a result of this project to the residents of Sandhills by HRT, Ltd.'s desired use of Kainani Street as an entrance/exit for their project, the use of Kainani Street should be off limits to all construction vehicles. The consultant gave us their word that large vehicles would not enter/exit via Kainani Street into their Phase 2 project. May we have this agreement in writing?

Page 4

A 24 hour operation of stores within the HRT proposed project district is being suggested for a one year trial period and after that year, the " company " will assess their profitability and adjust their hours if needed.

My comments: Totally absurd.

My Question(s): What rationale does HRT, LTD have to share with the historic Sandhills neighborhood as justification for 24 hour store(s)?

Nationally, in Canada and the UK many large chain stores have stores hours to reflect it's customer base or the lifestyle of it's customer base?

HRT, Ltd has not to this date, designed any stores to reflect the " lifestyle " of the residents in the surrounding neighborhoods or suggested operating hours that was considerate of the residents nearby. Longtime residents in Historic Sandhills Neighborhood and families with young children in both the gated Maui Lani and the new Sandhills Estates should be considered when deciding on hours of operation. In our case, many retirees live on Nakoa Street, a street filled with residents that will feel the brunt of the negative impacts of 24 hour store(s). It will be intrusive, noisy, sounds of cars, car doors slamming, the cracking open of ice bags, the throwing of rubbish, the sound of boom boxes, late deliveries, unloading, loading, talking, laughingall this impacts the " early to bed " crowd in the Sandhills neighborhood. A recipe for pilikia.

My Question: Will Maui Lani create a policy that this project district is open for business at reasonable hours , hours that are acceptable by the surrounding residents?

Recommendation: That HRT, Ltd. have operating hours open to the public between 5am and 10pm daily for all of the businesses and services within that project district.

ATTACHED ARE PETITIONS THAT WERE SUBMITTED TO THE MAUI PLANNING COMMISSION FOR THE PUBLIC HEARING OF JULY 10, 2007.

THE bulk of signers want the Safeway to close at 10pm.

In closing, I am totally against making major changes to Kainani Street.

I am totally against such large buildings.

I am totally against the insensitive designs of the buildings.

I am very disappointed that even after the Maui Planning Commission admonished the Developers and it's consultants to " tune-up " or overhaul " their plans, they made very little changes to the overall concept of their projecy.

I am also very disappointed that the Developers HRT, Ltd., and it's consultants are not paying attention to the direction of growth that Maui County is going. Our Mayor and our council are going Green and Smart. The new updated plans did not change in design or purpose.

My final recommendation is that they create a holistic, environmentally friendly project that fits in with it's surrounding medical facilities and neighborhoods or else create a cultural park.

2007 JUN 22 AM 11 59
DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Stephanie L. Ohigashi
179 Halenani Drive
Wailuku, Hawaii 96793

Maui Planning Commission
c/o Maui County Planning Department
250 S. High Street
Wailuku, Hawaii 96793

6/23/2007

Re:Maui Lani Shopping Center

Dear Planning Commissioners:

Thank you for taking special time out from the many volunteer tasks you have in order to render appropriate decisions on the projects that come before you. I appreciate your efforts and your commitment to our unique island lifestyle.

Enclosed are petitions and other documents indicating the mood and sentiment of some of the residents of the historic Sandhills neighborhood that sits above the sand dune where the Maui Lani Shopping Center is proposed to be built.

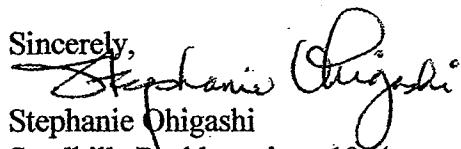
There are varying degrees of acceptance of this shopping center within our residential neighborhood from totally opposed to it to accepting it with reservations and conditions.

The biggest concern we have is the use of Kainani Street as a truck exit. For more than 50 years, Kainani Street has been a two lane road that serviced our neighborhood. Over the past 10 years, it has become a pass through and by the looks of the proposed re-design of Kainani to a four lane road at the Kaahumanu intersection of it, it will be forced to handle even higher levels of traffic caused by pass though shoppers and delivery trucks. The State Department of Transportation has reviewed all plans and their letter also recommends the limitation of trucks on Kainani Street.

We ask that you, the Maui Planning Commission place a condition on the developers that no trucks over 10,000 pounds, except those rendering service to the Sandhills neighborhood, be allowed on Kainani Street. Large delivery trucks on Kainani Street will be a recipe for tragedy.

Thank you so much for your consideration of the feelings and expressions of concern by the residents of the historic Sandhills neighborhood.

Sincerely,


Stephanie Ohigashi
Sandhills Resident since 1954

EXHIBIT

46

PETITION OBJECTING TO THE USE OF KAINANI STREET AS AN ENTRANCE AND EXIT for proposed Maui Lani Shopping Center Project District Application Phase II (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT.

We, the undersigned, residents of Historic Sandhills neighborhood, who live on Kainani Street, Nakoa Drive, Halenani Drive, Leinani Drive, Naniloa Street and Ku Drive are opposed to the proposed design change on Kainani Street by developer HRT. We also oppose the use of Kainani street as one of two major entrances and exits to the project. We oppose the use of Kainani Street by trucks over 10,000 as stated by County ordinance.

We strongly hold the County of Maui, DOT, the County Planning Department, Planning Commission responsible for the safety of all neighborhoods including Kainani street. The result of the use of Kainani Street as proposed by this project will threaten the traffic safety in this community as well on Kaahumanu Highway.

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Name	<u>Maryann Tamura</u>	Address/TMK	<u>12 Kainani</u>	Date	<u>6-20-07</u>
Name	<u>Wayne Nakato</u>	Address	<u>22 Nakoa Dr</u>	Date	<u>6/20/07</u>
Name	<u>Janet Nakato</u>	Address	<u>" " "</u>	Date	
Name	<u>Polina N. Nomanu</u>	Address	<u>34 Nakoa Dr</u>	Date	<u>6/20/07</u>
Name	<u>Junice Sehnell-Nomanu</u>	Address	<u>34 NAKOA DR.</u>	Date	<u>6/20/07</u>
Name	<u>KAWIKA AUCIA</u>	Address	<u>42 NAKOA DR.</u>	Date	<u>6/20/07</u>
Name	<u>Chiyoko Hirohata</u>	Address	<u>54 NAKOA DR.</u>	Date	<u>6/20/07</u>
Name	<u>Helen Ohigashiki</u>	Address	<u>60 Nakoa Dr.</u>	Date	<u>6/20/07</u>

DEPARTMENT OF PLANNING
 COUNTY OF MAUI
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 2007 JUN 22 PM 12 00

PETITION OBJECTING TO THE USE OF KAINANI STREET AS AN ENTRANCE AND EXIT for proposed Maui Lani Shopping Center Project District Application Phase II (TMK:3-8-07:121 Lot 11-A-I-A) by developer HRT.

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Name	<u>Elken Tamoupe</u>	Address/TMK	<u>74 Nakoa Dr</u>	Date	<u>6/20/07</u>
Name	<u>Ewa S. Varea</u>	Address	<u>66 Nakoa DR.</u>	Date	<u>6/20/07</u>
Name	<u>Atel A. Varea</u>	Address	<u>" " "</u>	Date	<u>6/20/07</u>
Name	<u>Mara Okada</u>	Address	<u>80 Nakoa Dr</u>	Date	<u>6/20/07</u>
Name	<u>Emily Eng</u>	Address	<u>104 Nakoa Dr.</u>	Date	<u>6/20/07</u>
Name	<u>Carol Oka</u>	Address	<u>157 HALENANI DR</u>	Date	<u>6/20/07</u>
Name	<u>Je N. Oka</u>	Address	<u>157 Halenani</u>	Date	<u>6/20/07</u>
Name	<u>Am S. Cuadro</u>	Address	<u>60 Nakoa Dr.</u>	Date	<u>6/20/07</u>

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 COUNTY OF MAUI
 DEPARTMENT OF PLANNING
 2007 JUN 22 PM 12:00

PETITION OBJECTING TO THE USE OF KAINANI STREET AS AN ENTRANCE AND EXIT for proposed Maui Lani Shopping Center Project District Application Phase II (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT.

2007 JUN 28 PM 12:00
 DEPT. OF TRANSPORTATION
 COUNTY OF MAUI
 PLANNING

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Name	<u>Cordie Utiga</u>	Address/TMK	<u>17 Nakoa Dr.</u>	Date	<u>6-20-07</u>
Name	<u>Clayton Higgs</u>	Address	<u>17 Nakoa Dr.</u>	Date	<u>6-20-07</u>
Name	<u>Jeanette Watanabe</u>	Address	<u>7 Nakoa Dr</u>	Date	<u>6-20-07</u>
Name	<u>W. Watanabe</u>	Address	<u>7 Nakoa Dr</u>	Date	<u>6-20-07</u>
Name	<u>Joseph J. Augerino</u>	Address	<u>29 Nakoa Dr</u>	Date	<u>6/20/07</u>
Name	<u>[Signature]</u>	Address	<u>35 Nakoa Dr.</u>	Date	<u>6/20/07</u>
Name	<u>Patricia Kahala Zakaki</u>	Address	<u>35A Nakoa Dr</u>	Date	<u>6/20/07</u>
Name	<u>A. Ciacci</u>	Address	<u>43 Nakoa Dr</u>	Date	<u>6/20/07</u>

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- | | | | | | |
|------|-------------------------------|-------------|------------------------|------|----------------|
| Name | <u>Ch. Twarowski</u> | Address/TMK | <u>49 NAKOA DR.</u> | Date | <u>6/20/07</u> |
| Name | <u>Thelma C. Ferreira</u> | Address | <u>77 NAKOA DR</u> | Date | <u>6/20/07</u> |
| Name | <u>BRUCE + Lucille GUERIN</u> | Address | <u>83 NAKOA DR</u> | Date | <u>6/20/07</u> |
| Name | <u>BRYAN OKADA</u> | Address | <u>80 NAKOA DR</u> | Date | <u>6/20/07</u> |
| Name | <u>MASAKO BREDA</u> | Address | <u>80 NAKOA DR.</u> | Date | <u>6/20/07</u> |
| Name | <u>Michal Mesian</u> | Address | <u>89 NAKOA DR</u> | Date | <u>6/20/07</u> |
| Name | <u>Clare Agnew</u> | Address | <u>260 Halenani Dr</u> | Date | <u>6/21/07</u> |
| Name | <u>Stephanie Puzoski</u> | Address | <u>179 Halenani Dr</u> | Date | <u>6/22/07</u> |

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 COUNTY OF MAUI
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|------|----------------------------|-------------|-------------------------|------|----------------|
| Name | <u>Carole Mahan</u> | Address/TMK | <u>268 Halenani Dr.</u> | Date | <u>6/21/07</u> |
| Name | <u>Duke Finkbe</u> | Address | <u>283 Halenani Dr</u> | Date | <u>6/21/07</u> |
| Name | <u>Johnny Pedisay</u> | Address | <u>284 A Adhewy</u> | Date | <u>6/21/07</u> |
| Name | <u>MariGrace Rodriguez</u> | Address | <u>258A Halenani Dr</u> | Date | <u>6/21/07</u> |
| Name | <u>Ted Yamamura</u> | Address | <u>282 Naniloa Dr</u> | Date | <u>6/21/07</u> |
| Name | <u>Shigeko Franco</u> | Address | <u>310 NANILOA DR</u> | Date | <u>6-21/07</u> |
| Name | <u>Elmo Lanni</u> | Address | <u>220 Naniloa Dr</u> | Date | <u>6/21/07</u> |
| Name | <u>Caryn Hojo</u> | Address | <u>179 Halenani Dr</u> | Date | <u>6/21/07</u> |

PETITION OBJECTING TO THE USE OF KAINANI STREET AS AN ENTRANCE AND EXIT for proposed Maui Lani Shopping Center Project District Application Phase II (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT.

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- Name Joni Hironaga Address/TMK 114 Nakoa Dr Date 6/21/07
- Name Miyoko Hironaga Address 114 Nakoa Dr Date 6/21/07
- Name Kaitiaka Teves Address 165 Nakoa Dr Date 6/21/07
- Name Akemi Tanaka Address 197 Nakoa Dr Date 6/21/07
- Name Terry Pungia Address 197 Nakoa Dr Date 6/21/07
- Name Sh. Naku Address 232 Nakoa Dr Date 6/21/07
- Name Paul Medeiros Address 232 Nakoa Dr Date 6/21/07
- Name Will O'Connell Address 174 Halewahi Dr Date 6/21/2007

DEPARTMENT OF PLANNING
 COUNTY OF MAUI
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Name	<u>Yvonne Aganos</u>	Address/TMK	<u>223 Halenani Dr</u>	Date	<u>6/21/07</u>
Name	<u>STEVE PARUTA</u>	Address	<u>223 Halenani Dr</u>	Date	<u>6/21/07</u>
Name	<u>Angela B. Perez Jr</u>	Address	<u>253 Halenani Dr</u>	Date	<u>6/21/07</u>
Name	<u>Enos Medeiros Jr</u>	Address	<u>171 Halenani Dr</u>	Date	<u>6/21/07</u>
Name	<u>DON DANF</u>	Address	<u>171 Halenani Dr</u>	Date	<u>6-21-07</u>
Name	<u>COLETTE HANG</u>	Address	<u>171 Halenani Dr</u>	Date	<u>6-21-07</u>
Name	<u>Don H. H.</u>	Address	<u>130 Halenani Dr.</u>	Date	<u>6-21-07</u>
Name	<u>Jan Ni Hala</u>	Address	<u>130 Halenani Dr.</u>	Date	<u>6-21-07</u>

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Name	<u>Earl [Signature]</u>	Address/TMK	<u>118 Halenani</u>	Date	<u>6/22/07</u>
Name	<u>Merion Kimeka</u>	Address	<u>68 Halenani Dr</u>	Date	<u>6/21/07</u>
Name	<u>Eric Tamara</u>	Address	<u>35 Kainani Dr</u>	Date	<u>6/22/07</u>
Name	<u>Paul Tamara</u>	Address	<u>35 Kainani St.</u>	Date	<u>6/22/07</u>
Name	<u>Beth Arakawa</u>	Address	<u>74 Naniloa Dr</u>	Date	<u>6/22/07</u>
Name	<u>James [Signature]</u>	Address	<u>178-C Naniloa Dr.</u>	Date	<u>6/22/07</u>
Name	<u>Yasamin Alarab</u>	Address	<u>235 Halenani Dr</u>	Date	<u>6/22/07</u>
Name	<u>Anthony Edly [Signature]</u>	Address	<u>235 Halenani Dr</u>	Date	<u>6/22/07</u>

DEPARTMENT OF PLANNING
 COUNTY OF MAUI
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 2007 JUN 22 PM 12:01

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Name	<u>Francis D. Henry</u>	Address/TMK	<u>268 Halenani Dr</u>	Date	<u>6-21-07</u>
Name	<u>Patrick Lawas</u>	Address	<u>261 Halenani Dr.</u>	Date	<u>6-22-07</u>
Name	_____	Address	_____	Date	_____
Name	_____	Address	_____	Date	_____
Name	_____	Address	_____	Date	_____
Name	_____	Address	_____	Date	_____
Name	_____	Address	_____	Date	_____

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We strongly hold the County of Maui, DOT, the County Planning Department, Planning Commission responsible for the safety of all neighborhoods including Kainani street. The result of the use of Kainani Street as proposed by this project will threaten the traffic safety in this community as well on Kaahumanu Highway.

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The State of Hawaii's Department of Transportation's (Brennon Morioka) letter dated 5/23/2007 to Jeff S. Hunt, Planning Director states, " The developer shall widen Kainani Street and install appropriate lane markings, crosswalks, and signage based on their April 9, 2007 application submittal update. It goes on to say that " Kainani Street signage shall indicate that trucks are prohibited from using Kainani Street. " We agree with the placement of signs and appreciate the wisdom of the State DOT. We ask that this condition be adhered to without the allowance of special permits or variances to the project and it's developer.

DEPARTMENT OF PLANNING
 COUNTY OF MAUI
 RECEIVED
 2007 JUN 22 PM 12 01

Nakoa
170
154

Name	<u>Jimmy L. Naka</u>	Address/TMK	<u>222 Ukaas</u>	Date	<u>07/21/07</u>
Name	<u>Natalie Gonzalez</u>	Address	<u>223 NAKOA DR</u>	Date	<u>06/21/07</u>
Name	<u>Kazuko Tobita</u>	Address	<u>212 Nakoa Drive</u>	Date	<u>06/21/07</u>
Name	<u>Bruce Spurr</u>	Address		Date	
Name	<u>Heika Carvalho</u>	Address	<u>170 NAKOA DRIVE</u>	Date	<u>6/21/07</u>
Name	<u>Albert P. Parvosh</u>	Address	<u>198 NAKOA DRIVE</u>	Date	<u>6/21/07</u>
Name	<u>Cynthia Naka</u>	Address	<u>148 NAKOA DR</u>	Date	<u>6/21/07</u>
Name	<u>Charles Aweki</u>	Address	<u>126 NAKOA DR.</u>	Date	<u>21 June 07</u>

Additional signatures obtained but not turned in to Maui Planning Commission. Two signators do not live in Sandhills, but the neighborhood across of on Liholiho Street. Liholiho connects to Lunalilo which is the intersection of Kaahumanu, Lunalilo and Kainani Streets.

PETITION OBJECTING TO THE USE OF KAINANI STREET AS AN ENTRANCE AND EXIT for proposed Maui Lani Shopping Center Project District Application Phase II (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT.

We, the undersigned, residents of Historic Sandhills neighborhood, who live on Kainani Street, Nakoa Drive, Halenani Drive, Leinani Drive, Naniloa Street and Ku Drive are opposed to the proposed design change on Kainani Street by developer HRT. We also oppose the use of Kainani street as one of two major entrances and exits to the project. We oppose the use of Kainani Street by trucks over 10,000 as stated by County ordinance.

We strongly hold the County of Maui, DOT, the County Planning Department, Planning Commission responsible for the safety of all neighborhoods including Kainani street. The result of the use of Kainani Street as proposed by this project will threaten the traffic safety in this community as well on Kaahumanu Highway.

We ask that the Planning Commission place a condition on the Developer HRT to comply with the County ordinance restricting use of trucks of over 10,000 pounds on Kainani Street.

The State of Hawaii's Department of Transportation's (Brennon Morioka) letter dated 5/23/2007 to Jeff S. Hunt, Planning Director states, "The developer shall widen Kainani Street and install appropriate lane markings, crosswalks, and signage based on their April 9, 2007 application submittal update. It goes on to say that "Kainani Street signage shall indicate that trucks are prohibited from using Kainani Street." We agree with the placement of signs and appreciate the wisdom of the State DOT. We ask that this condition be adhered to without the allowance of special permits or variances to the project and it's developer.

Name	<u>[Signature]</u>	Address/TMK	<u>208 Halenani Dr</u>	Date	<u>7-3-07</u>
Name	<u>Elysebeth Daniels</u>	Address	<u>" "</u>	Date	<u>1111</u>
Name	<u>[Signature]</u>	Address	<u>260 Halenani Dr</u>	Date	<u>7-3-07</u>
Name	<u>[Signature]</u>	Address	<u>211 KINAHO</u>	Date	<u>7-9-07</u>
Name	<u>[Signature]</u>	Address	<u>211 KINAHO DRIVE</u>	Date	<u>7-09-07</u>
Name	<u>Hollis Lee</u>	Address	<u>80 Halenani Dr</u>	Date	<u>7-09-07</u>
Name	<u>Nanay Halley</u>	Address	<u>189 Naniloa</u>	Date	<u>7-09-07</u>
Name	_____	Address	_____	Date	_____

2007 JUN 22 PM 12:04
DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name Fred Pine Tinsley Address 35 Kainani St.
Date 6/22/07

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because of:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

Here are possible solutions:

- Do not use Kainani as an entrance/exit
- Other

- 24 hours operation of Safeway store and/or gas station

- Have closing hour of shopping center at 10pm 12pm other

- Safety issues are not adequately addressed for the neighborhood streets (Kainani, Nakoa, Halenani, Ku, Naniloa, Leinani) regarding traffic.

- No plan for pedestrian traffic from the Baldwin high school across Kaahumanu to the shopping center. Potential danger to students.
- Size of the proposed Center is too large.

- Noise, light, air pollution

- Other concerns:

- Downsize to keep a feeling of neighborhood center and reduce traffic generated by the project.
- Good idea!

EXHIBIT 47

2007 JUN 22 PM 12 02

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name [Signature] Address 222 Nahunu
Date 6/24/07

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because uf:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

Here are possible solutions:

- Do not use Kainani as an entrance/exit
- Other _____

- 24 hours operation of Safeway store and/or gas station

- Have closing hour of shopping center at 10pm _____ 12pm other _____

- Safety issues are not adequately addressed for the neighborhood streets (Kainani, Nakoa, Halenani, Ku, Nanihoa, Leinani) regarding traffic.

- No plan for pedestrian traffic from the Baldwin high school across Kaahumanu to the shopping center. Potential danger to students.

- Size of the proposed Center is too large.

- Noise, light, air pollution

- Downsize to keep a feeling of neighborhood center and reduce traffic generated by the project.

- Other concerns: _____

EXHIBIT 48

2007 JUN 22 PM 12 02

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name James + Norma Lynn Address 223 Halenani Dr.
Date 6/21/07

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because of:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street
- 24 hours operation of Safeway store and/or gas station

Here are possible solutions:

- Do not use Kainani as an entrance/exit
- Other

- Have closing hour of shopping center at 10pm 12pm other

EXHIBIT 50

- Safety issues are not adequately addressed for the neighborhood streets (Kainani, Nakoa, Halenani, Ku, Naniloa, Leinani) regarding traffic.
- No plan for pedestrian traffic from the Baldwin high school across Kaahumanu to the shopping center. Potential danger to students.
- Size of the proposed Center is too large.
- Noise, light, air pollution
- Other concerns:

- Downsize to keep a feeling of neighborhood center and reduce traffic generated by the project.

2007 JUN 22 PM 12 02

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name Joe Medeiros Address 232 N. Akoa
Date _____

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because of:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

- 24 hours operation of Safeway store and/or gas station

- Safety issues are not adequately addressed for the neighborhood streets (Kainani, Nakoa, Halenani, Ku, Naniloa, Leinani) regarding traffic.

- No plan for pedestrian traffic from the Baldwin high school across Kaahumanu to the shopping center. Potential danger to students.

- Size of the proposed Center is too large.

- Noise, light, air pollution

- Other concerns:

Here are possible solutions:

- Do not use Kainani as an entrance/exit
- Other _____

- Have closing hour of shopping center at 10pm _____ 12pm other _____

- _____
- _____
- _____

- Downsize to keep a feeling of neighborhood center and reduce traffic generated by the project.
- _____
- _____
- _____

2007 JUN 22 PM 12 02

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name Lee K. Sauer Address 202 Mahou Rd
Date 6/21/07

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because of:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

Here are possible solutions:

- Do not use Kainani as an entrance/exit
- Other

- 24 hours operation of Safeway store and/or gas station

- Have closing hour of shopping center at 10pm 12pm other

- Safety issues are not adequately addressed for the neighborhood streets (Kainani, Nakoa, Halenani, Ku, Naniloa, Leinani) regarding traffic.

- No plan for pedestrian traffic from the Baldwin high school across Kaahumanu to the shopping center. Potential danger to students.
- Size of the proposed Center is too large.

- Downsize to keep a feeling of neighborhood center and reduce traffic generated by the project.

- Noise, light, air pollution

- Other concerns:

EXHIBIT 52

357-0527
412 mins

Name: Nadine Gonschke Address: 223 Naka Dr
Date: 6/21/07

2007 JUN 22 PM 12 02
DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because of:

See written statement

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

Here are possible solutions:

- Do not use Kainani as an entrance/exit
- Other

- 24 hours operation of Safeway store and/or gas station

- Have closing hour of shopping center at 10pm 12pm other

- Safety issues are not adequately addressed for the neighborhood streets (Kainani, Nakoa, Halenani, Ku, Naniloa, Leinani) regarding traffic.

- No plan for pedestrian traffic from the Baldwin high school across Kaahumanu to the shopping center. Potential danger to students.

- Size of the proposed Center is too large.

- Noise, light, air pollution

- Downsize to keep a feeling of neighborhood center and reduce traffic generated by the project.

- Other concerns: Safety issues for BHS student

EXHIBIT

53

Name Chiyocho Teromoto Address _____

54 Nakuia Dr.

2007 JUN

DEPARTMENT OF PLANNING
COUNTY OF MAUI
DIVISION

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

Safety issues are not adequately addressed for the neighborhood streets (Kainani,

No plan for pedestrian traffic from the high school or across Kaahumanu.

Size of the proposed shopping center is too large to be a neighborhood store.

24 hours operation of any store and/or gas station
 Other issues as outlined below.

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

Downsize to keep a feeling of old Wailuku.

Have closing hours of shopping center at 10pm 12pm other _____

EXHIBIT

54

Name Eva S. Vance

Address 66 Nakaa Dr.

2007 JUN 20 PM 12 03
DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT. I am opposed to the project because:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

Safety issues are not adequately addressed for the neighborhood streets (Kainani,

No plan for pedestrian traffic from the high school or across Kaahumanu.

Size of the proposed shopping center is too large to be a neighborhood store.

24 hours operation of any store and/or gas station

Other issues as outlined below.

Downsize to keep a feeling of old Wailuku.

Have closing hours of shopping center at 10pm ___ 12pm ___ other ___

EXHIBIT

2007 JUN 12 PM 12 03

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name Helen Ohigashi Address 60 Nakua Dr

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT. Here are possible solutions

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT. I am opposed to the project because:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

Safety issues are not adequately addressed for the neighborhood streets (Kainani,

No plan for pedestrian traffic from the high school or across Kaahumanu.

Size of the proposed shopping center is too large to be a neighborhood store.

Downsize to keep a feeling of old Wailuku.

24 hours operation of any store and/or gas station

Have closing hours of shopping center at 10pm 12pm other _____

Other issues as outlined below. _____

EXHIBIT

Name Stephanie Lee Chigobi

Address 179 Halemanu Drive

2007 JUN 28
DEPARTMENT OF PLANNING
COUNTY OF MAUI
REPLACEMENT

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT. I am opposed to the project because:

Make 2 Entrance/Exits on Main Highway

Do not use Kainani as an entrance/exit

Use of Kainani Street as an exit/entrance
 Proposed changes on Kainani Street

Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

Safety issues are not adequately addressed for the neighborhood streets (Kainani,

No plan for pedestrian traffic from the high school or across Kaahumanu.

Size of the proposed shopping center is too large to be a neighborhood store.

24 hours operation of any store and/or gas station
 Other issues as outlined below.

Downsize to keep a feeling of old Wailuku.

Have closing hours of shopping center at 10pm 12pm other

EXHIBIT

2007 JUN 20 12 03
 DEPARTMENT OF PLANNING
 COUNTY OF MAUI
 RECORD

Name Nancy Ciacci Address 43 Nakoa Dr

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT. I am opposed to the project because:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

Safety issues are not adequately addressed for the neighborhood streets (Kainani,

No plan for pedestrian traffic from the high school or across Kaahumanu.

Size of the proposed shopping center is too large to be a neighborhood store.

24 hours operation of any store and/or gas station

Other issues as outlined below.

Downsize to keep a feeling of old Wailuku.

Have closing hours of shopping center at 10pm ~~12pm~~ other _____

2007 JUN 20 12 03
 DEPARTMENT OF PLANNING
 COUNTY OF MAUI
 RECEIVED

Name Chorton Twarowski Address 49 Nakoa Dr. Wailuku

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because:

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

Safety issues are not adequately addressed for the neighborhood streets (Kainani,

No plan for pedestrian traffic from the high school or across Kaahumanu.

Size of the proposed shopping center is too large to be a neighborhood store.

Downsize to keep a feeling of old Wailuku.

24 hours operation of any store and/or gas station
 Other issues as outlined below.

Have closing hours of shopping center at 10pm 12pm other _____

2007 JUN 22 PM 12 03

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name Bernice C. Takaki Address 35A Naha Dr - Wailuku

Other issues as outlined below.

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT.I am opposed to the project because:

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes.

- Safety issues are not adequately addressed for the neighborhood streets (Kainani,

EXHIBIT 60

- No plan for pedestrian traffic from the high school or across Kaahumanu.

- Repair neighborhood streets, make safe walk ways along roadways especially sidewalks where possible, repair retaining walls on streets, widen unsafe areas, lots of slowing traffic measures speed bumps not very effective.

- Size of the proposed shopping center is too large to be a neighborhood store.

- Downsize major store A to keep a feeling of old Wailuku.

- 24 hours operation of any store and/or gas station

- Have closing hours of shopping center at 10pm ~~X~~ 12pm other _____

2007 JUN 29 12 03

DEPARTMENT OF PLANNING
COUNTY OF MAUI
RECEIVED

Name Cleighton/Cordis High Address 17 Nakoa Dr.
Wailuku

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) by developer HRT. Here are possible solutions

- Do not use Kainani as an entrance/exit
- Measure and do a trial run of the cue and how changing lanes works especially at pau hana or end of Balwin school day.

I have concerns about the proposed Maui Lani Shopping Center (TMK:3-8-07:121 Lot 11-A-1-A) developer HRT. I am opposed to the project because:

- Use of Kainani Street as an exit/entrance
- Proposed changes on Kainani Street
- Safety issues are not adequately addressed for the neighborhood streets (Kainani, _____)
- No plan for pedestrian traffic from the high school or across Kaahumanu. _____
- Size of the proposed shopping center is too large to be a neighborhood store. _____
- 24 hours operation of any store and/or gas station
- Other issues as outlined below. _____

Build medical-related buildings instead of a satway.

Erin Mukai

From: ahkada@aol.com
Sent: Saturday, January 05, 2008 11:26 PM
To: Erin Mukai
Subject: Fwd: Maui Lani Shopping Center

-----Original Message-----

From: Sohigashi@aol.com
To: AhKaDa@aol.com
Sent: Fri, 4 Jan 2008 3:25 pm
Subject: Maui Lani Shopping Center addition to EA response from Stephanie Ohigashi

Aloha Erin,

Thank you for your patience and work on this project. Here are my comments in regards to the last meeting and surprise drawing presented at the meeting at the Hongwanji. One of the triggers for this EA is the use of a County road Kainani Street, drainage and environmental concerns.

Apparently, this latest design attempt was not mailed to everyone in the 500 foot radius of the proposed shopping center. I am considering the latest design as just an afterthought by the developers and not an official noticed design proposal to every homeowner in the 500 feet radius so I am not taking it as something HRT, Inc. will submit to the State DOT. The residents in attendance at the meeting did not embrace this last minute plan. The numerous design changes and re-designs have left our neighborhood not really knowing what is being proposed and how to comment on it this aspect for the EA. It is challenging.

- 1.. The use of Kainani Street had not been given approval by the Maui County Council in the original Project District Phase 1 approval. I checked with Planner Ann Cua and she did confirm that No, the Developers have never received any approval for use of Kainani Street.
2. The many map changes indicate no such approval. If the developer wishes to gain the use of Kainani Street as a major entrance/exit into the property, I request going back to the Maui County Council for review and approval. Major traffic problems will impact Maui drivers if changes are made and changes to the drainage, burial sites and safety are a big concern of our residents.
3. I personally continue to object to any changes in Kainani Street for the purposes of an entrance/exit out of the Maui Lani Shopping Center property.
4. The petitions that I submitted to Munekiyo and Hiraga on the EA still reflect the wishes of the residents who have grave concerns about the safety of residents who live on Nakoia Street, Ku Drive, Naniloa, Halenani and Kainani Streets with cut through traffic.
5. The Archeologist Lisa Rotuno-Hazuka in her letters and correspondence concludes that she was unaware of the need for Kainani Street as an entrance until recently and because the owners agreed to stop trenching the area surrounding Kainani Street, she felt her work there was done. However, she will still need to conduct an inventory because of this EA and provide a comprehensive BTP for the site. She did give a partial plan at the Maui Island Burial Council Meeting of May 26, 2006 and informed them she would come back and " present specific long-term treatment, landscaping, platforms, and signage for the burial council at their next MLIBC meeting. I never found any minutes where she returned to give them that information. Please provide that information in the EA.
6. Because of the many burials found, HRT, Inc. agreeded to preserve the burials in place so no further trenching or testing was needed. Preservation of that area was to take place and medians built so all of the burials would be

01/08/2008

preserved in place. The respect that these burials were going to be given is now being threatened with additional roadway development and I strongly feel that more burials will be discovered as indicated by Hinano Rodrigues indicated at the last Maui Planning Commission meeting of July 10, 2007.

The Maui Lanai Island Burial Council were apprised of this plan and L. Hazuka said there would be rock platforms, cemented areas and signage to indicate where these burials were and it would continue to be part of the land and that The Maui Lani Homeowners Association would be responsible for maintenance of the preservation areas near the homes. There was no mention at this meeting as to who will be responsible for maintenance of the preservations areas of the commercial areas. Since there are really no signed tenants to date.

Please provide who will specifically be responsible to be the caretakers of the preservations areas.

7. Having grandparents that have their burials near my home, I feel strongly that if some corporate giant came and bought the property where my ojichan and obachan's graves were and deciding to dig it up and place someplace else, without considering my families feelings or wishes, would be the highest form of disrespect. The Hawaiian warriors and kupuna who are interned in the sand dunes on Kainani Street deserve respect just like my grandparents and yours do. If someday in the future, Maui continues to develop, many sacred places will be ruined and destroyed in the interest of profit. That should not happen here in our special place and I feel we need to speak up or it may be lost forever. I propose that the developer be good friend to the Hawaiian community and keep the grave sites intact and placed at a quiet place on the property where descendants can come and visit and meditate. It should definitely not be placed in the middle of a traffic loop with no chance for descendants to come near the sites. I think any supermarket would not like the public to feel that they consider selling Bud Light more important to respecting our ancestors.

8. This Shopping Center design itself does not fit into the original Sandhills neighborhood, as if to say that the Sandhills neighborhood was never considered to be an influence on the design, which is okay by me, because I never considered the Maui Lani Shopping Center to impact our Sandhills neighborhood like it is doing now. However, since they are requesting to use Kainani Street, a Street specifically created for Sandhills by the County of Maui, I feel we do have the right to air our concerns.

Not once at the any of the meetings with the developer, has he (Sueda) tried to say that the historic homes and 1950's designs could be made a part of the shopping center somewhere, somehow. He has never taken the attitude that Sandhills is important. He has not even acknowledged that the Streets of Nakoa have history as a place where WWII veterans returned to Maui and built their homes, Nakoa Street is also the site of the Battle of Kakanilua, the ancient Hawaiian warriors great battle, where numerous skeletal remains remind us of our ancient history. No effort has been made on the developers part to erect signs or information of the historical, cultural significance of this area. Instead, it was explained to the members of the Maui Planning Commission that the design is the SAME design used for the Piilani Shopping Center. That is Kihei and fits in with the new development schemes of Kihei. The developer justified the design by saying that the roofs and lights and colors schemes all match the Maui Lani Kaiser Clinic across the street from the proposed shopping center. Once again, the developer has planned, executed, carried out a Maui Lani cookie cutter project with not thoughts or regards to the surrounding areas. I feel it is his right to do so and since he placed all the emphasis on creating a " Maui Lani Shopping Center ", he should keep all his entrances and exits on Maui Lani Parkway.

9. KMART on Dairy Road has only one entrance and exit that is on their property. They have high traffic on Dairy Road and long ques because of the airport and Costco, however, there are two traffic signals that serve to move traffic so that there is ease of movement into and out of the KMART.

The Maui Lani Shopping Center agreed to signalize it's main entrance and exit on Maui Lani Parkway and that will also serve to move traffic out of the road onto Kaahumanu in a timely manner.

I feel strongly that HRT, Inc. go back and take a hard look at giving the community reassurances that it will be safe to travel to their shopping center by signalizing their entrance and exit into the Maui Lani Shopping Center on the Parkway and also go back and ask the State DOT to allow a right in on Kaahumanu.

Start the year off right. Easy ways to stay in shape in the new year.

More new features than ever. Check out the new [AOL Mail!](#)

April 7, 2010

Ms. Stephanie Ohigashi
179 Halenani Drive
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for Proposed Maui Lani Shopping
Center

Dear Ms. Ohigashi:

Thank you for your letter received on November 2, 2007 and your email received on January 5, 2008, responding to our request for pre-assessment comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter and email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of the revised plan that we are providing responses to your comments of November 2, 2007 and January 5, 2008. The responses below are presented in the order of your comments in your letter and email.

RESPONSES TO YOUR LETTER RECEIVED ON NOVEMBER 2, 2007

1. TRAFFIC-RELATED COMMENTS

The applicant recognizes the sensitivity associated with the Kainani Street access issue. As a result, during the course of planning for the project, a number of alternatives to address impacts associated with the use of Kainani Street were considered. After examining the various options and considering comments offered by residents of the Historic Sandhills neighborhood, the applicant has developed a plan which would eliminate the need to use Kainani Street as an ingress and egress point for vehicular access.

To establish a viable basis for the revised plan, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the revised plan, three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway are proposed. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We would also like to note that the project's traffic engineer, PB Americas, Inc., has prepared a new traffic study to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA).

2. ADHERENCE TO CHAPTER 10.68.110 OF THE MAUI COUNTY CODE

As previously noted, the current proposal for access configuration does not include Kainani Street. Inasmuch as Kainani Street will not be used as an ingress or egress point for the shopping center, local roadways through the Historic Sandhills neighborhood are not anticipated to be used by shopping center-related truck traffic in keeping with the spirit of Chapter 10.68.110 of the Maui County Code.

3. NO CONSTRUCTION TRAFFIC THROUGH SANDHILLS

The applicant will limit construction access to the site via Maui Lani Parkway only. We note that limited construction access may also occur via the proposed Kaahumanu Avenue access point. Such access will only be used to facilitate construction of the Kaahumanu Avenue access improvements. The intent of this construction access plan is to discourage construction vehicles from using local roadways through the Sandhills neighborhood.

4. **TRAFFIC ADVISORY TO CONSTRUCTION COMPANIES AND VENDORS**

The applicant is willing to issue traffic advisories to construction companies and vendors to discourage the use of roadways traversing local Sandhills neighborhoods.

5. **CONDITION FOR COMPLIANCE WITH CHAPTER 10.68.110**

The applicant is agreeable to a Project District Phase II condition which acknowledges that it will comply with Chapter 10.68.110 of the Maui County Code in perpetuity.

6. **KAINANI STREET ACCESS SHOULD NOT ATTRACT "CUT-THROUGH" TRAFFIC**

As previously noted, Kainani Street will not be utilized for egress from and/or ingress to the shopping center. The elimination of Kainani Street as an access point will mitigate cut through traffic through the neighborhood of Sandhills.

7. **TRAFFIC ON KAAHUMANU AVENUE**

We note your concerns regarding the high volume of traffic utilizing Kaahumanu Avenue and the use of Kainani Street by the proposed development. As previously noted, Kainani Street will not be used for egress from and/or ingress to the project. As previously noted, a revised traffic study has been prepared by the project's traffic engineer. In part, the study evaluates traffic conditions along Kaahumanu Avenue.

Additionally, the applicant has met with representatives of Baldwin High School (BHS) and the State of Hawaii, Department of Transportation (DOT). As a result of its meetings with BHS, the applicant agreed to fund a Traffic Evaluation Study to analyze current operations at the BHS entry drive intersection and to identify recommendations that may aid in relieving congestion and safety concerns for vehicles and pedestrians. A copy of the Traffic Evaluation Study will also be included in the Draft EA.

8. **NEED FOR ADDITIONAL DATA**

The traffic engineer has collected additional traffic data in the vicinity of the project site. The purpose of the new study is to ensure that the proposed alternative offers a safe and workable traffic solution for this location.

9. **CONSTRUCTION TRAFFIC SAFETY CONCERNS**

As noted above, construction traffic will primarily access the site via Maui Lani Parkway. Coordination with contractors will be undertaken to ensure that this limitation is respected. It is noted that construction of the Kaahumanu Avenue entry may also require access to the property from Kaahumanu Avenue. However, use of Kaahumanu Avenue to construct the new right-turn in access will be limited to that construction element only.

In summary, there will be no construction vehicles accessing the property from Kainani Street. It is noted, the contractor will be required to implement Best Management Practices to minimize construction-related dust. A representative of the contractor will be assigned as a point-of-contact should there be specific concerns raised by neighboring residents.

10. **MITIGATING DAMAGES TO SANDHILLS PROPERTIES**

The applicant, through its contractor, is willing to conduct a pre-construction inspection of homes which border the project site to establish baseline structural and property conditions. The information collected can then be used as a basis for assessing property damages during the construction phase of development.

11. **PROHIBITING LARGE VEHICLES FROM USING KAINANI STREET**

See response No. 3, above.

12. **24-HOUR OPERATION OF SAFEWAY STORE**

As currently envisioned, Safeway would be open 24 hours a day. Neighborhood concerns expressed on the "24/7" operating proposal include noise generated by equipment and trucks, as well as safety and security concerns associated with loitering and late night activities in the parking lot. The applicant will prepare and implement a night-time security and operations plan which would include such measures as limiting the use of

service vehicles, trucks and equipment during late night and early morning hours, and employing security patrol protocols designed to control loitering.

The applicant is willing to work with all of its tenants, including Safeway, to ensure that shopping center operations do not adversely impact neighboring residents. Through close cooperation with Sandhills residents, the applicant believes that it can successfully manage a 24-hour Safeway operation without affecting nearby residential areas.

RESPONSES TO YOUR EMAIL RECEIVED ON JANUARY 5, 2008

Response to Comment Nos. 1 through 4, Relating to Kainani Street

As noted above, the applicant has reduced the size of the project to enable elimination of Kainani Street as an ingress/egress point.

Response to Comment No. 5 Relating to Archaeology

An archaeological inventory survey was conducted in 1997 by Xamanek Researches, LLC. At that time a burial feature was identified. The identified burial feature was then presented to the Maui/Lanai Islands Burial Council (MLIBC) and the proposed mitigation for the feature was preservation in place. Subsequently, archaeological monitoring of vegetation removal and grading was undertaken from 1999 to 2005 by Archaeological Services Hawaii, LLC. During monitoring, additional burial features were discovered. A Burial Treatment and Preservation Plan was prepared by Archaeological Services Hawaii, LLC and has been accepted for three burial features. The aforementioned burials discovered during monitoring, as well as their respective proposed preservation measures, have been presented to the State Historic Preservation Division (SHPD) and MLIBC. The SHPD has prepared a determination letter accepting the proposed treatment of the inadvertent burial features determination letter for these burials. Treatment of these burials is being discussed with SHPD by the project archaeologist. A burial component of a Preservation Plan is being developed in coordination with the SHPD and the MLIBC.

Response to Comment No. 6

Maintenance of the preservation areas within the proposed project site is the responsibility of the landowner per the Preservation Plan.

Response to Comment No. 7

Due to the potential for encountering additional burials in the northwest corner of the site (near Kainani Street), the applicant has determined that this area will be preserved as is. Thus, an approximately 15,200 s.f., area which currently remains ungraded, will not be altered as part of the development of the Maui Lani Shopping Center. In this connection, the applicant recognizes the importance of working closely with the SHPD and MLIBC to ensure that all burials are treated with the utmost respect.

Response to Comment No. 8

Thank you for sharing your concerns and comments regarding the history of Sandhills by noting, in particular, that it is home to World War II veterans and the site of the ancient Hawaiian Battle of Kakanilua. The applicant and project team recognize the longevity of the Sandhills neighborhood and in no way wish to disregard the significance of its establishment in Maui's history. The cultural and archaeological significance of the area are also of importance to the applicant. The applicant and project's archaeologist will work closely with the SHPD and MLIBC to ensure that the proper care and consideration are given to the archaeological and cultural features of the site. In this context, signage provided at the preservation areas are one of the measures that will be implemented during construction of the project.

While the design of the shopping center may not reflect the designs of the neighboring 1950s homes of Sandhills, we would like to assure you that the applicant and project team recognize the meaning and historical importance of the area.

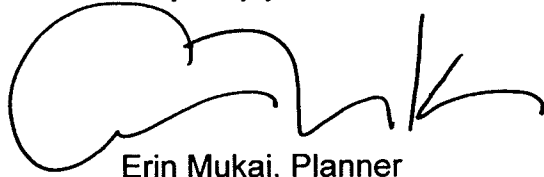
Response to Comment No. 9

The applicant will monitor conditions at the main access point along Maui Lani Parkway and will install a traffic signal when warranted. Roadway improvements proposed will be designed in accordance with State and County standards to ensure that the safety of pedestrians and drivers are not compromised.

Ms. Stephanie Ohigashi
April 7, 2010
Page 7

We appreciate your comments regarding the proposed shopping center project and associated impacts. A copy of the Draft Environmental Assessment will be provided to you for review and comment. In the meantime, should you have any questions or if additional clarification is needed, please do not hesitate to call.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu and Associates (w/out enclosure)
Lisa Rotunno-Hazuka, Archaeological Services Hawaii (w/out enclosure)

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Erin Mukai

From: Cindy Schenk [dougscindy@hotmail.com]
Sent: Monday, October 15, 2007 11:11 AM
To: Erin Mukai
Subject: Comments on Maui Lani Shopping Center

Dear Erin:

It was good to talk to you the other day! Doug and I won't be able to make the meeting on Tuesday after all. So...here is our input on the shopping center. If you have any information you can share with us about the meeting, please email it to us as we will be gone until December.

This area of the Sandhills (Nakoa, Halenani, Naniloa) is an old quiet, historic neighborhood where many elderly people live. The streets are narrow, winding, substandard roads with NO sidewalks at all, on either side of the street. Each morning and evening, residents use these streets to walk on for exercise and peaceful enjoyment. Even with the small amount of traffic currently on the roads, it is dangerous. Adding more cars will certainly increase the likelihood of an accident, and will ruin any peaceful enjoyment residents now have.

We feel strongly that Kainani Road should be left alone and not used as an entrance or exit from this shopping center. For those of us who live in the neighborhood, just crossing four lanes of traffic to get to Kaahumanu Avenue will be dangerous and annoying. Our feeling is that large delivery trucks will be using this road and it will not be a good mix.

As for the shopping center itself, we would much rather see something with a lower impact, on a smaller scale. If we want to go to a large store, there are already plenty to choose from in Kahului. What this area really needs is a smaller, more convenient grocery store along the lines of a Pukalani Superette. Offices and restaurants could be welcome, but NOT a big Safeway store.

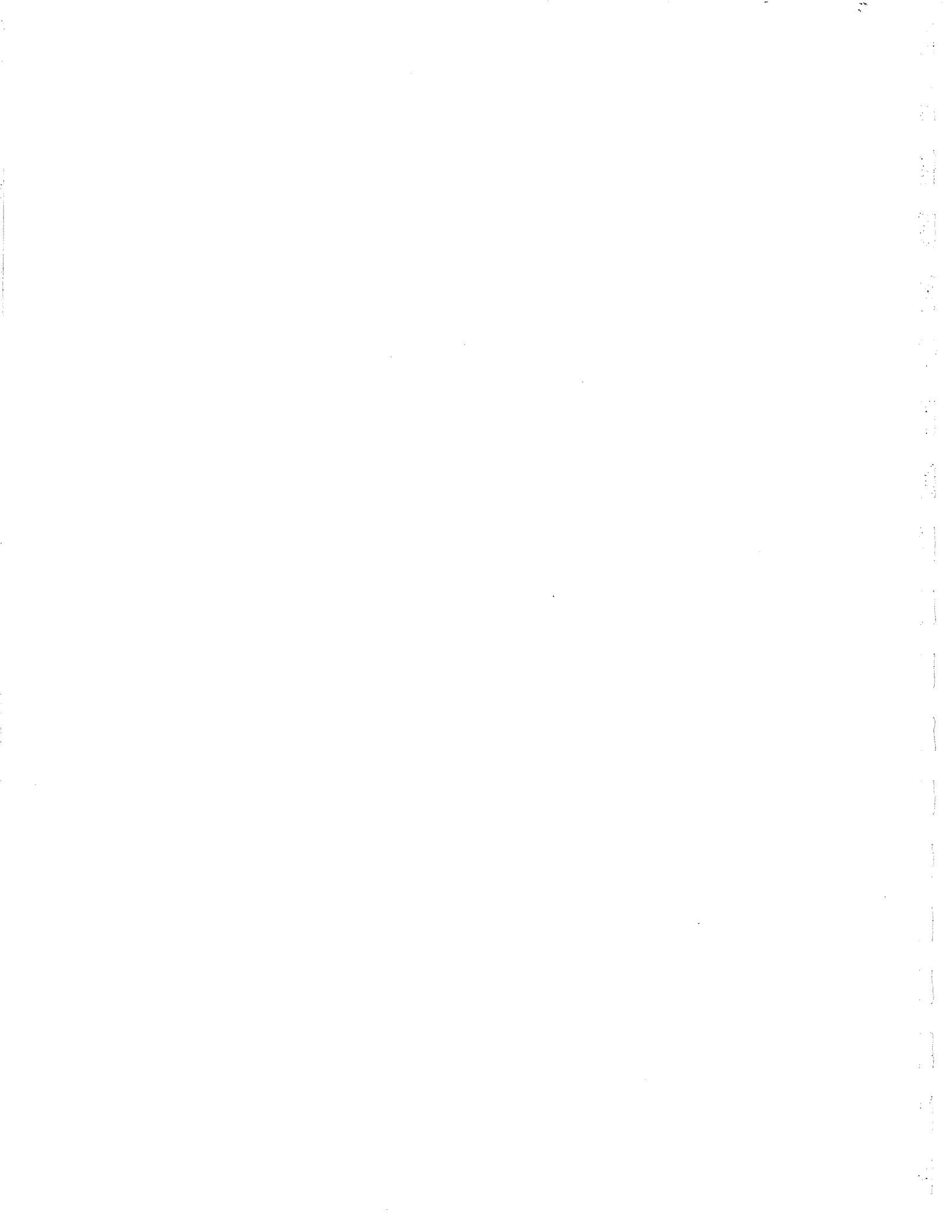
Thank you for your consideration. Please take into account the wishes and needs of the local resident population when completing the EA. Our objections are valid. We live here and deserve to be heard and acknowledged. People who have lived here for 60 years and more are not happy about this project and have already been highly impacted with the loss of views, dust, ugly black fences, and noise that it has wrought so far. We don't want this thing crammed down our throats and in our face.

Thank you!

Aloha,

Douglas and Cindy Schenk
309 Naniloa Drive
Wailuku
808-572-4596

10/15/2007





MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Douglas and Cindy Schenk
309 Naniloa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. and Mrs. Schenk:

Thank you for your email of October 15, 2007 responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised site plan that we would like to provide the following information in response to your comments.

Response to Comments Regarding Traffic and Proposed Access Points

The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants in coordination with the DOT, developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

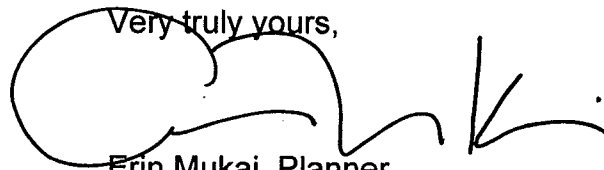
Douglas and Cindy Schenk
April 7, 2010
Page 2

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

Response to Comments Regarding Alternatives to the Proposed Plan

While the types of alternative uses and commercial formats for the property are numerous, the applicant has selected this model of development together with a major anchor (Safeway) to best meet market demand while ensuring that impacts to the surrounding environment can be adequately managed and mitigated. It is in this context that the project size has been scaled down by approximately 20 percent to address concerns relating to neighborhood impacts. Towards this end, the applicant will work with Safeway to develop appropriate measures to minimize nuisance effects associated with store operations, including noise and loitering.

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. Should you have any questions, please feel free to contact me.

Very truly yours,

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)

Bernice C. Takaki
P.O. Box 330497
Kahului, HI 96733

October 25, 2007

Erin Mukai
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Dear Miss Mukai:

My name is Bernice C. Takaki. My residential address is 35A Nakoa Drive in Wailuku. I have lived in my home for 15 years and in this area for most of my life.

I live 4 house lots away from Kainani Street.

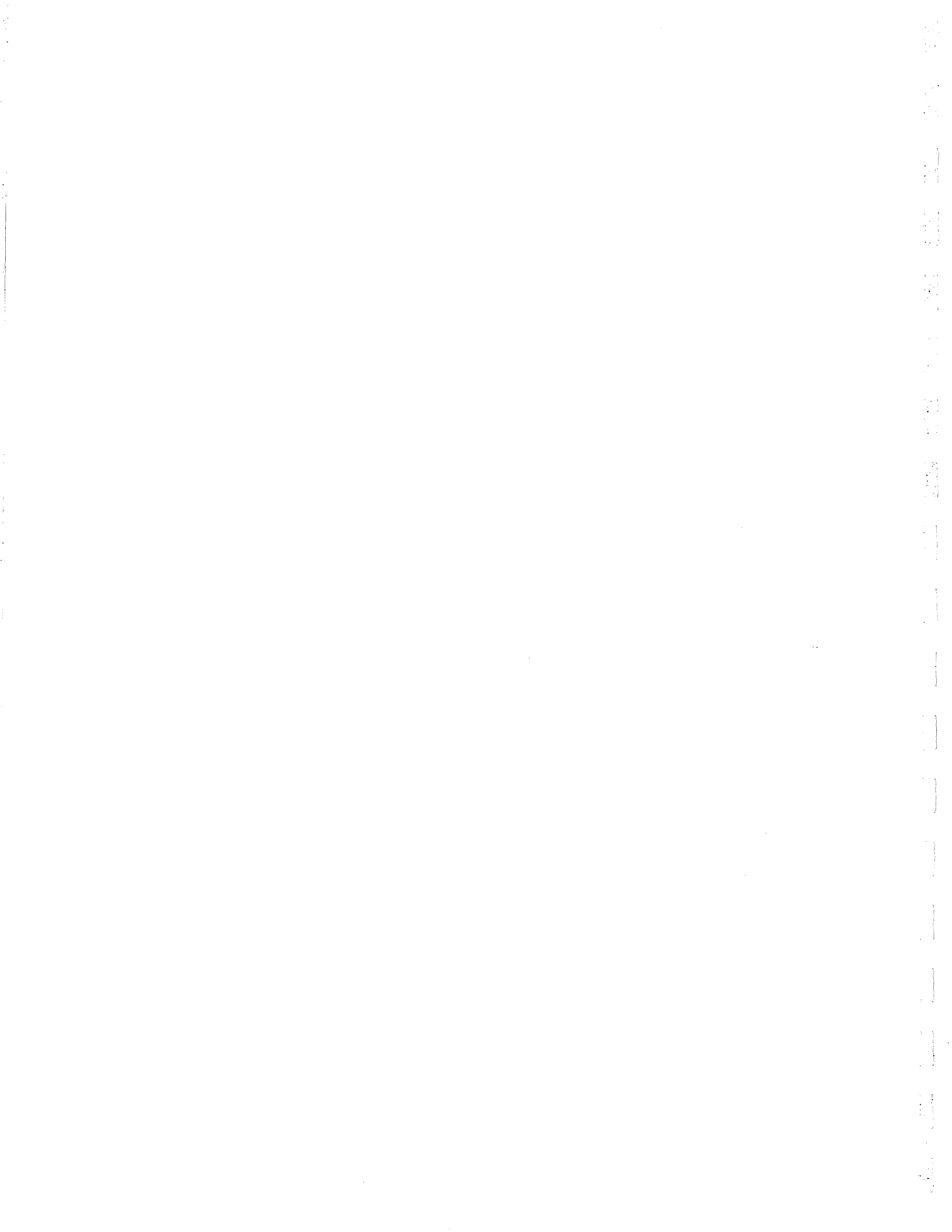
I am writing in opposition of the Safeway/Shopping/Business complex that wants Kainani Street as an entrance and exit. Proposing Kainani Street as a 4 lane street was shocking and eye opening as to what big business could do. Changing that plan to two lanes and still a major entrance and exit is not desirable. Once the building goes up all promises and conditions will no longer apply.

Our neighborhood does not want an increase in traffic, noise, lights and dust. We do not want a 24 hour store or a 24 hour drive through next to our homes. We do not want an increase in cars and delivery trucks on our streets. We want quiet peaceful safe places to live.

We do not live in a 24 hour community. Let the Queen Kaahumanu Center in Kahului be a testament for our living and shopping habits. The mall is dead after 6 p.m. The Safeway on Kamehameha Avenue is also slow after 7 p.m. And yet the corporate office of Safeway wants a 24 hour store in our neighborhood with an access that would definitely change our quality of life.

Sincerely,







MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Bernice C. Takaki
P.O. Box 330497
Kahului, Hawaii 96733

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Ms. Takaki:

Thank you for your letter dated October 25, 2007 responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised site plan that we would like to provide the following information in response to your comments.

Traffic

The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

During the course of planning for the project, the applicant has studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options, the applicant and its consultants in coordination with the DOT, developed a revised site plan that eliminates the use of Kainani Street as an access point. To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

A new traffic study has also been prepared to evaluate operations at adjacent roadway facilities. The purpose of the new study is to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment.

24-Hour Safeway Operation

As currently proposed, Safeway would be open 24 hours a day. Neighborhood concerns expressed on the "24/7" operating proposal include safety and security concerns associated with loitering and late night activities in the parking lot. In recognition of these concerns, the applicant will prepare and implement a night-time security and operations plan which would include such measures as employing security patrol protocols designed to control loitering.

The applicant will work with all of its tenants, including Safeway, to ensure that shopping center operations do not adversely impact neighboring residents. Through close cooperation with Sandhills residents, the applicant believes that it can successfully manage a 24-hour Safeway operation without affecting nearby residential areas.

Noise

Concern of noise levels associated with store generators and air-conditioned containers will be controlled through building design features which propose to enclose noise generating equipment and activities (i.e.: compressors, loading zone activities). Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for example, would include limiting loading and unloading, at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours. To address concerns of trash pick-ups, the applicant proposes to limit the hours of trash collection to ensure that commercial waste pick up will not occur before 7:00 a.m. In general, garbage pick ups for a center of this type occurs twice a week.

Further, since the last community meeting of November 12, 2008, the applicant has made several changes to the proposed site plan, including the provision of a buffer along the

western perimeter of the site, between the adjacent Sandhills lots and the proposed parking lot. The western extent of the parking area is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to serve as not only a visual buffer, but will serve as noise buffer to aid in mitigation of noise impacts of the shopping center to surrounding properties.

To better address noise impact issues, the applicant has undertaken a noise study to quantify existing noise conditions and to assess the impacts of the proposed shopping center as it relates to the existing conditions. Mitigative measures will be considered to ensure that noise impacts upon neighboring residences are minimized. A copy of the noise study will be incorporated in the Draft Environmental Assessment.

Light

The proposed lighting for the parking lot will be designed to balance the need to minimize light spillage and pollution, as they may affect neighboring properties, with security and safety requirements. Light poles for the parking lot will be approximately 25 feet in height, which would keep the top of the light pole below the ground level of the adjacent residences in the historic Sandhills neighborhood. In addition, the light fixtures will be shielded so that there will be no upward illumination for the poles. Similar design principles will be used for exterior lighting of the buildings, with the intent of minimizing unnecessary light spillage while allowing for an adequate level of security lighting for customers and employees.

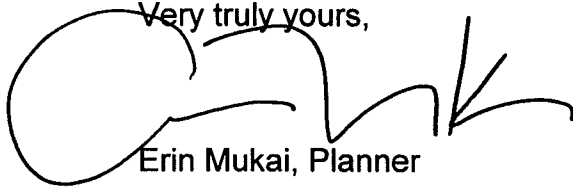
Dust

Dust associated from construction equipment and vehicles may be generated during the construction of the proposed project. However, the proposed project will comply with the provisions of the State Department of Health Administrative Rules, Title 11, Chapter 60, Air Pollution. Mitigative measures to lessen the impacts of such dust may include water spraying and sprinkling of loose or exposed soil, erecting dust screens, and re-vegetating or paving exposed areas as soon as practical. Once construction is completed, fugitive dust will be managed through ongoing maintenance of landscaped areas.

Bernice C. Takaki
April 7, 2010
Page 4

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. Should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,



Erin Mukai, Planner

EM:lh
Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)

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OCT 15 2007

SAKAE UEHARA
178 Naniloa Drive
Wailuku, Maui, Hawaii 97693

Phone (808) 244-5732

October 15, 2007

Mr. Michael Munekiyo
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

Dear Mr. Munekiyo,

I enclose copies of my testimony presented to the Planning Commission in July 2007, and testimony I hope to present at the next meeting of the Planning Commission, plus appropriate maps.

I hope you will give appropriate weight to my recommendations in your preparation of the EA for the project.

Respectfully submitted,



Sakae Uehara, M.D.

SU/ea

Attachments (Maps A and B)

SAKAE UEHARA, M. D.
178 Naniloa Dr.
Wailuku, Maui, Hawaii 96793

Phone: (808) 244-5732

June 15, 2007

(Met 7/10/07)

Planning Commission, County of Maui
200 High St.
Wailuku, HI 96793

Dear members:

I am Dr. Sakae Uehara, a resident for the past forty years on Naniloa Dr. in the Sandhills of Wailuku, and would like to discuss my concerns about the proposed traffic plans involving Kainani St. and the entrance -exit for the Maui Lani Shopping Center from this area. The proposal, dated 1/07 is the latest I have available. Certain lanes have been labeled by me as A, B, C, etc. for ease in identification in my discussion.

1. As seen in Map A, lanes A and B are direct exits from east-bound and west-bound traffic, respectively from Kaahumanu Ave. between Wailuku and Kahului. Right turn traffic into Kainani St. and straight traffic from Lunailo St. is practically non existent at present but projected to increase by the year 2020, plus the left turn from west-bound Kaahumanu Ave. and is causing some worry about queuing back into Kaahumanu Ave., especially in lane B, turning into the Shopping Center. A greater concern to me is the cross-over from A to B to go to the Shopping Center and the cross-over from B to A to go to Sandhills. Map B. The left turn from west-bound Kaahumanu into Kainani St. is and will continue to be a major flow into Sandhills - Nakoia Dr. And Ku Dr., Halenani Dr., Naniloa Dr. and Naniluna Dr. These cross-overs will occur in a short 175 feet of curved road. Especially in peak hours, this will be hazardous and frustrating situation, never mind a 1-car or 8-car "storage" in stopped or slow moving traffic. This will encourage cut-through traffic coming down Kainani St. To the Shopping Center. It will more than inconvenience local residents on the west-bound Kaahumanu Ave. trying to get through messed up cross-over traffic on Kainani St.

May I suggest a little change in the traffic proposal which may reduce the cross-over and queuing. 1) The east-bound traffic on Kaahumanu Ave., from Wailuku, to the Shopping Center, turn onto Kainani St. in lane B then left into the Shopping Center. 2) The through traffic from Lunailo St. proceeds straight into lane A or B. 3) The west-bound Kaahumanu Ave. traffic turn left into lane A as most of this traffic will be going into the Sandhills.

The cross-overs previously mentioned should be minimized, will be much more orderly and regulated by the existing traffic signal and cross-overs occur before the 175 feet of lanes A and B. The traffic signal sequence can be similar to the present but with new durations for 1), 2), and 3). Map C.

2. I do not understand the reasoning for the creation of 2 lanes, D and E, for such a short block from Nakoia Dr. to the 3 lanes of the Shopping Center (lanes F, G, and H) where only 1 lane exists today in that short block. If a right turn from lane F is desired and warranted, a right turn lane (short) should be designed. This intersection should not be developed into a too complicated "T". As it is, delivery trucks is being directed by the Shopping Center to exit the Shopping Center via Kainani St. despite letter of 5/23/07 from Brennon Morioka to Jeff Hunt , Item 3. --"Kainani St. signage shall indicate that trucks are prohibited from using Kainani St." !!! Map D.

3. The report dated 4/16/07 from PB Americas, Inc. again has the erroneous statement that there are speed bumps on Kainani St. Speed bumps should be installed; there are none at present!!!

4. Please have HDOT eliminate the "Proposed new bicycle path" west of Kainani St. and along the south curb of Kaahumanu Ave. (4/907 note from Wayne Yoshioka to Brennon Morioka , Page 5). This path goes up west to the bridge over Kaahumanu Ave. from Kainani St. but there is barely any space for a bicycle path and a sidewalk on the south side of the road under the bridge. In fact, on the Wailuku side of the bridge, but not on the Kahului side of the bridge, are white stripes forbidding any traffic next to the automobile lane under the bridge. A cyclist coming up this proposed path would be tempted to try a dangerous transit under the bridge!!! Cyclist and walkers do not need misinformation that leads to danger. Map E. I remember 1 accident when a pedestrian was struck trying to go under the bridge rather than going up the up-ramp over the bridge. Bicycles now come from Wailuku on the sidewalk of the Waiale bridge over Waiale Road, then up the ramp to the bridge (Ting Bridge) , cross the bridge over Kaahumanu Ave., then down the ramp on the north side of Kaahumanu Ave. and down to Kahului.

To access the Shopping Center, enable cyclists to cross Kaahumanu Ave. at the Lunalilo-Kainani crosswalk or at the Baldwin High School- Maui Lani Parkway crosswalk. Traffic lights are present at these two locations. These routes, although longer, will be safer.

5. Finally, for better access to the Waiale neighborhood and easier access to Honoapiilani Hwy. for Wailuku Heights, Waikapu, Malaeae, Kihei, and Lahaina, please require or strongly encourage the operators of the Shopping Center to educate their customers to use the Maui Lani Parkway exit – turn right, go to the wider Wainu St. and then Waiale Rd. to Honoapiilani Hwy. This can be done via ads in the newspaper, in handouts and posters in the stores in the Center.

Thank you for allowing me to express some of my concerns regarding the new development and its traffic in our old beloved neighborhood – a neighborhood with narrow 2-lane streets, streets with no parking in most places, no traffic lights, no sidewalks, no bike paths, and utility poles abutting the edges of streets.

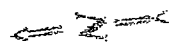
Sincerely,

Sakae Uehara, M.D.

7/06
1/07

LINEAL
FEET

C
7/10/07



KAAHUMANI

KAINANI ST.

NAKOA DR.

PAD
7.408 SQ
107 x 107.50

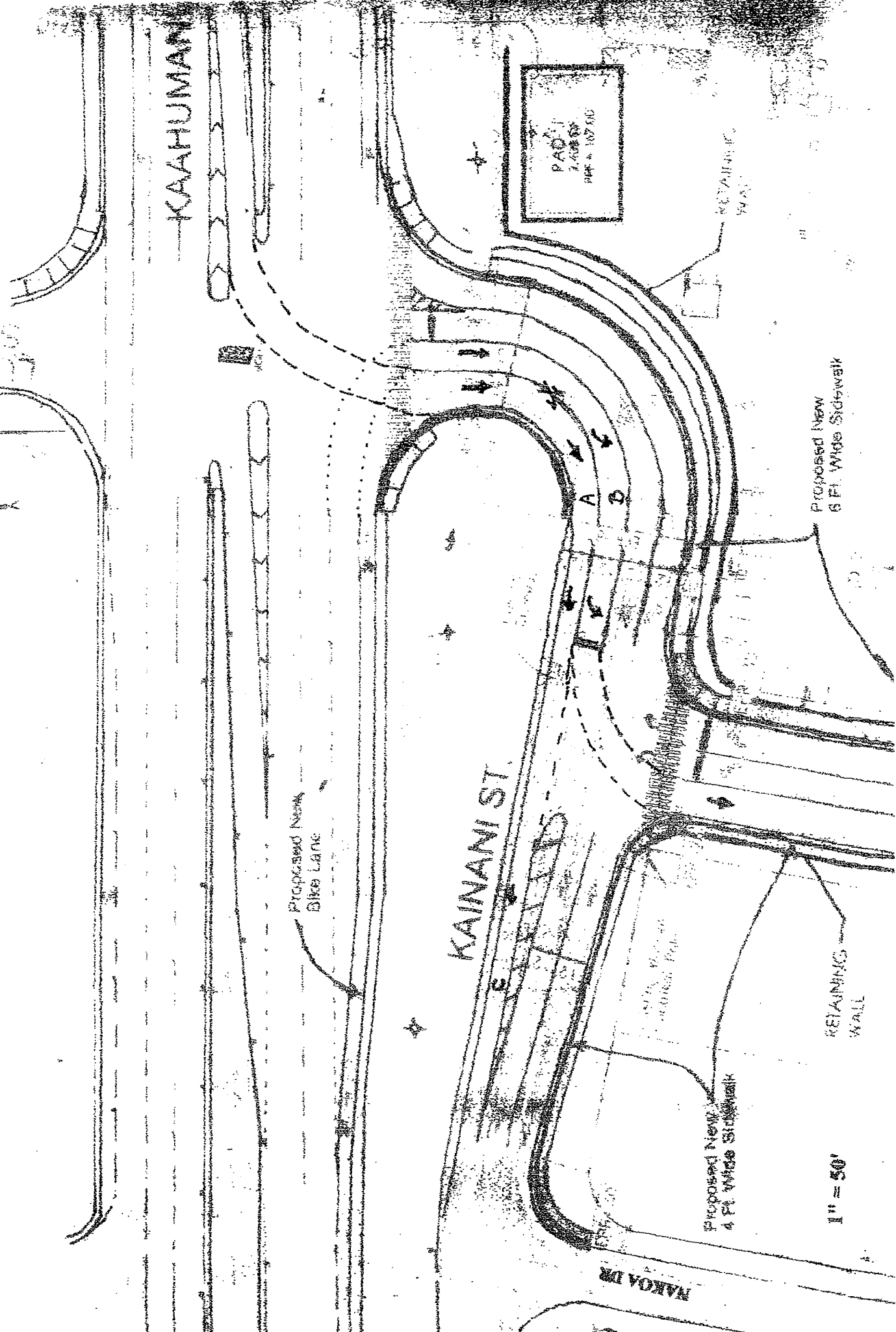
Proposed New
Bike Lane

Proposed New
4 Ft. Wide Sidewalk

Proposed New
6 Ft. Wide Sidewalk

RETAINING
WALL

1" = 50'



OCT 29 2007

SAKAE UEHARA, M. D.
178 Nanihoa Dr.
Wailuku, Maui, Hawaii 96793

Phone: (808) 244-5732


October 25, 2007

Ms. Erin Mukai
Munekiyo & Hiraga, Inc.
305 High St. Ste 104
Wailuku, HI 96793

Dear Ms. Mukai,

Enclosed is my statement I am sending to Munekiyo & Hiraga, Inc. for consideration for their EA. I may use this as testimony to the Planning Commission depending on the schedule and new changes HRT may submit.

Sincerely,


Sakae Uehara, M.D.

SAKAE UEHARA, M. D.

178 Naniloa Dr.

Wailuku, Maui, Hawaii 96793

Phone: (808) 244-5732

MAUI LANI CENTER

The presentation by HRT of the revised site plan for the Center on October 16, 2007 at the Maui Waena School was a little confusing and arrogantly insulting to the local community.

1. This new Site Plan - Option 1A is a deliberate plan to substitute the Entrance-Exit from Kaahumanu Ave. to the Center, already denied by the State DOT. The plan now seems to be an attempt to move this denied access a few hundred feet westward and take over Kainani St. from the Sandhills residents for the Center's own benefit - "to prevent cut-through traffic in your neighborhood you had complained about" - with subsequent adverse effects to these residents

2. To eliminate cut-through traffic, HRT proposes to deny residents entrance into the Center from their own Kainani St. **BUT NOT TO CUSTOMERS COMING FROM KAAHUMANU AVE. INTO KAINANI ST. BUT WHO WILL ALSO BE GRANTED A DIRECT AND UNOBSTRUCTED ENTRY INTO THE CENTER FROM KAINANI ST. - UNLIKE RESIDENTS COMING DOWN KAINANI ST. WHO WILL NOW HAVE TO STOP IN THE MIDDLE OF KAINANI ST.** as it curves to Kaahumanu Ave. to allow other new traffic into the Center - "After stopping, you folks have to go right on Kaahumanu, right on Maui Lani and right into the Center"!!! **HOW JOYFUL!!!!**

3. To further reduce resident traffic on Kainani St., the new plan considers possibly imposing **NO TURNS** from parts of Naniloa Dr. into Kainani St.. What happens to those living on Naniluna Dr. and Ting's Way if they want to go east to Kahului, or if they need to go to the Emergency room at the Hospital, or even to Maui Lani Parkway to go shopping,???

May I propose the following for your consideration?

A. EXIT ONLY from the Center (with a **STOP** sign at Kainani St) to proceed to Kaahumanu Ave.

1. To try to reduce truck traffic returning to exit at Maui Lani Parkway through heavy and dangerous traffic within the Center .
2. Avoid truck traffic exiting the second exit further south on Maui Lani Parkway which must turn right and then be tempted to turn left on to Mahalani (the Hospital road) to return to Kaahumanu Ave.
3. Hopefully truck traffic scheduling will be considerate of the neighborhood.
4. Cut-through traffic through Sandhills to the Center should then not exist with no entrance into the Center from Kainani St. -just like at present.
5. Allow north-bound Kainani St traffic to turn left ,go straight into Liholiho St., or turn right at junction with Kaahumanu Ave.
6. Sandhill residents and customers from the west will have to go east, then turn right (south) into Maui Lani Parkway to enter the Center.
--- Sandhill residents will have to exit at the same (across Kaiser Clinic), turn left on Kaahumanu Ave. and left into Kainani St. to return home.
7. It will be impossible to limit exiting vehicles to "trucks only" unless security personnel is present 24/7.
8. No trucks, trailers, containers, palettes, and like will be left along Kainani and

1 adjoining streets – this responsibility shall be the Center’s to enforce.
2
3
4

5 This will essentially leave Kainani St. as is except for the merging exit lane from the Center.
6

7 **B SIGNS**

- 8 1. Leave present sign as is ----- **“VEHICLE OVER 10,00 POUNDS etc.—“**
9 2. **NO ENTRANCE INTO SHOPPING CENTER** - at Kaahumanu Ave.-
10 Kainani St. intersection and at curve of Kainani St. at exit from Center (add curb)
11 3. **STOP** at Exit Lane merging into Kainani St
12 4. **EXIT ONLY TO KAAHUMANU AVE.** well within the Center to enable
13 a non-truck driver to turn around if needs to do so.
14
15
16
17

18 Respectfully submitted,
19

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21 

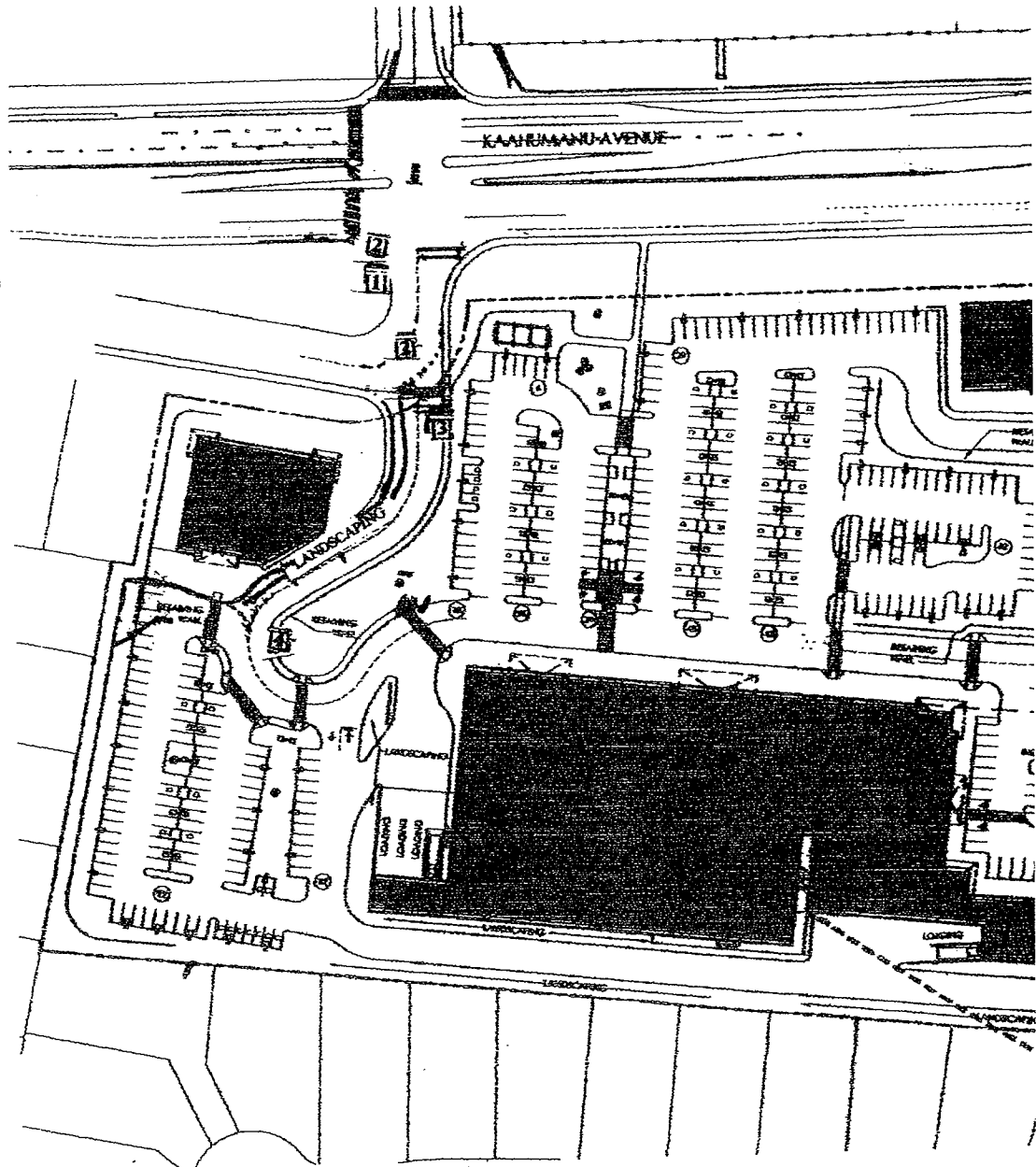
22 Sakae Uehara, M. D.
23

24
25 October 23, 2007
26

27 (The above comments are being submitted by me and have not been approved or concurred in by
28 anyone – except read by my wife)
29
30
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SIGNS

- [1]..... Same as present
(NO VEHICLES OVER etc.)
- [2]..... NO ENTRANCE TO
SHOPPING CENTER
- [3]..... STOP
- [4]..... EXIT ONLY TO
KAAHUMANU AVE.



SITE PLAN - OPTION 1A

SCALE: 1" = 50'

HRT, LTD.

3660 Waiolae Ave. Suite 400
Honolulu, Hawaii 96816

Maui Lanī

Erin Mukai

From: Lori Munekiyo
Sent: Wednesday, January 02, 2008 8:00 AM
To: Michael Munekiyo; Erin Mukai
Subject: FW: Kainani Street

Lori Munekiyo

Munekiyo & Hiraga, Inc.

305 High Street, Suite 104
Wailuku, Hawaii 96793
Telephone: (808) 244-2015
Facsimile: (808) 244-8729
Email: lori@mhinc.com

CONFIDENTIAL COMMUNICATION: This message is intended for the use of the designated recipient (s) named above. If you have received this message in error, kindly notify us immediately by email or telephone. Thank you.

From: sfuehara@aol.com [<mailto:sfuehara@aol.com>]
Sent: Sunday, December 30, 2007 4:52 PM
To: General eMail
Subject: Kainani Street

These are my comments.

Sakae Uehara, M.D.
sfuehara@aol.com

More new features than ever. Check out the new [AOL Mail!](#)

MAUI LANI CENTER AND KAINANI ST

On 12/13/07, the public was presented with the latest 2 plans and maps by HRT for Kainani St. relative to access into and out of the Maui Lani Shopping Center in a meeting at the Wailuku Hongwani.

Two points I wanted to make were: 1 – ACCESS should be specified as ACCESS-In or ACCESS-Out and ACCESS In & Out for clarity. 2 – Does Maui Lani Shopping Center really need to have or required to have a third vehicular entry from Kainani St. in addition to the 1 and ½ entry/exit it will already have from Maui Lani Parkway?

A. Does the Center need to appropriate a very significant portion of Kainani St. for this third entry and:

1. Create an unnecessary hazard with a STOP sign on the east-bound limb of the new Kainani St.
2. Adding a second STOP sign on the south-bound limb of the new Kainani St.
3. Calling a space a “clear zone” between stop signs does not help.

B. Much heavier entry traffic into Wal-Mart and into COSTCO in Kahului are served by 1 and 1/2 entries each, and neither seem to have significant problems.

C. Improving the service entry south of the Main Gate on the Maui Lani Parkway should help entry into the Center besides being only “a service entry.” Wal-Mart and Costco both have their service entries as their second entries.

Therefore, HRT should eliminate consideration of traffic ENTRY from Kainani St.

Truck exit into Kainani St. and into Kaahumanu Ave. can be accommodated with only slight changes. Because of size of some trucks, exiting at the Main Gate against traffic from Kaiser Clinic may be a problem. Exiting via the “service exit” will pose question of what happens to trucks turning right into the Parkway, going south, and possibly turning left onto Mahalani St. and going in front of the hospital, Cameron Center, the first Kaiser Clinic, and the Police Headquarters. It should be safer and easier for trucks to exit into Kainani St. and then into Kaahumanu Ave. A large TRUCKS ONLY sign well within the Center on this one lane out will help.

If the above changes can made to the numerous choices that have been proposed so far, the results will be:

1. Substantially preserving the configuration and function of Kainani St. by and for residents nearby and with very little effect on our environment.
2. Eliminate all consideration and worries of residents of Sandhills regarding “cut-throughs.”
3. Provide a safer and easier Exit for trucks to Kaahumanu Ave.
4. Provide a few more square feet of space for Office “H”.
5. No need for HRT to give some land to the State to realign Kainani St.

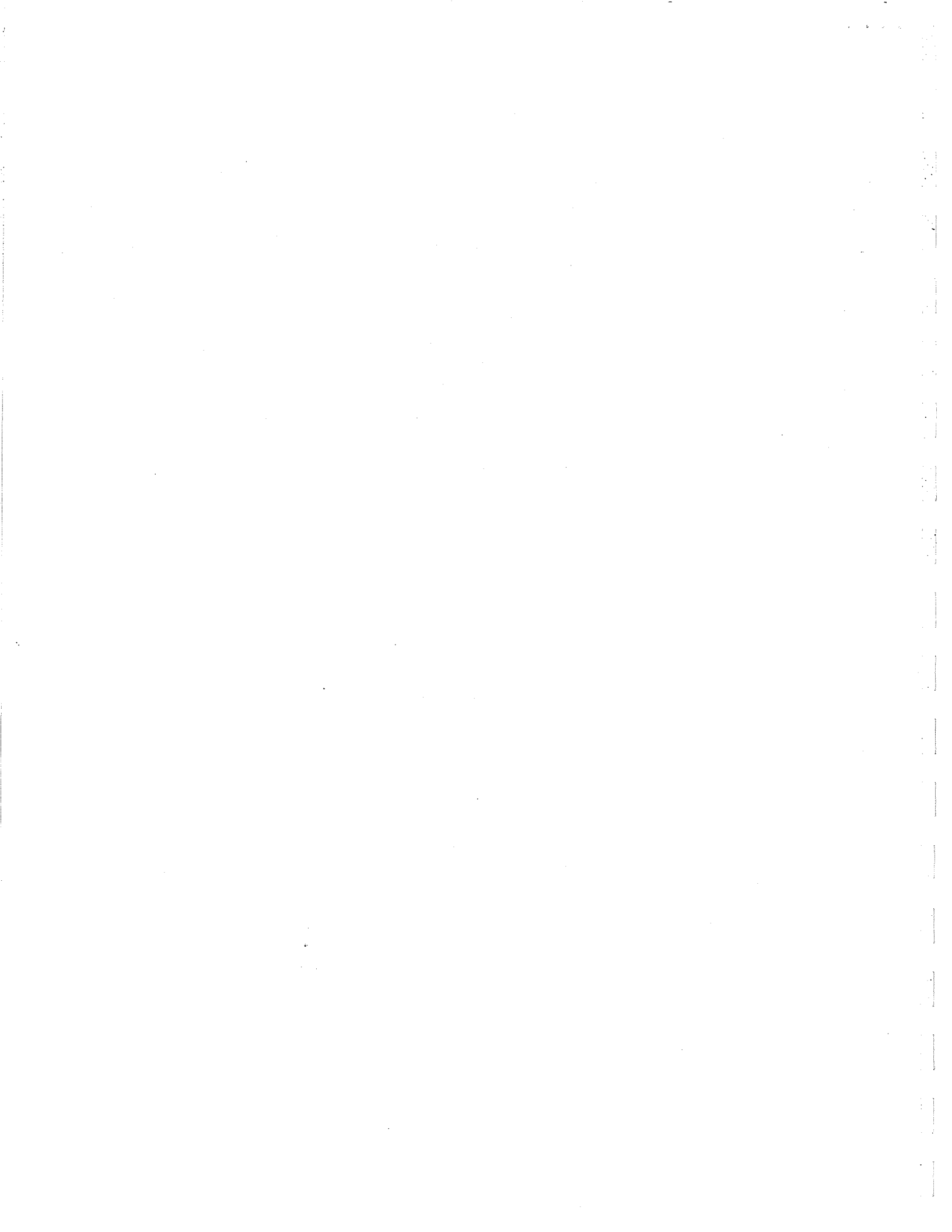
ENVIRONMENTAL ASSESSMENT

- 1. Preserve Kainani St. and Sandhills community as much as possible**
- 2. Minimize new traffic hazards – on Kainani St; from southern limb of Maui Lani Parkway (Mahalani St.); across Kaiser Clinic exit from Main Gate.**
- 3. Encourage automobile traffic use of south limb of Parkway – to Wainu St., Waiale Rd., Wailuku Heights, Honoapiilani Hwy., Waikapu, Kihei, Maalaea, and the West Side – and avoiding going through Wailuku.**

Respectfully submitted,

Sakae Uehara, M.D.

12/31/07



April 7, 2010

Sakae Uehara, M.D.
178 Naniloa Drive
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation for the Proposed Maui Lani Shopping Center,
Wailuku, Maui, Hawaii, TMK (2)3-8-007:121

Dear Dr. Uehara:

Thank you for your letters dated June 15, 2007 and October 25, 2007, as well as your email from December 30, 2007, responding to our request for early consultation comments on the proposed Maui Lani Shopping Center project. As you may know, since completion of your letters and email, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would appreciate providing you with the following information in response to your comments.

Responses to Letter dated October 15, 2007

1. Response to Comments Regarding Access Configurations

The applicant recognizes the sensitivity associated with the Kainani Street access issue. As a result, during the course of planning for the project, a number of alternatives to address impacts associated with the use of Kainani Street were considered. After examining the various options and considering comments offered by residents of the Historic Sandhills neighborhood, the applicant has developed a plan which would eliminate the need to use Kainani Street as an ingress and egress point for vehicular access.

To establish a viable basis for the revised plan, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the revised plan, three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway are proposed. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We would also like to note that the project's traffic engineer, PB Americas, Inc., has prepared a new traffic study to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA).

2. Response to Comment Regarding Bicycle Path

As requested by the DOT, the proposed bicycle lane parallel to Kaahumanu Avenue has been converted to a shoulder lane.

3. Response to Comment Regarding the Encouragement of Shopping Center Patrons to Utilize Maui Lani Parkway Exit

As previously noted, the current access configuration will require all traffic exiting the shopping center to utilize the Maui Lani Parkway point of egress. There is no longer any other exit point other than that along Maui Lani Parkway.

Responses to Letter dated October 25, 2007

1. Response to Comment Regarding Site Plan – Option 1A

Please see response No. 1 to letter dated October 15, 2007.

2. **Response to Comment Regarding No Right Turn Into Shopping Center from Kainani Street**

As previously noted, the current plan reflects no egress from or ingress to the shopping center via Kainani Street. Potential patrons of the shopping center originating from the Sandhills neighborhood have the option of accessing the site via the right-turn in only access off of Kaahumanu Avenue or the access points along Maui Lani Parkway.

3. **Response to Comment Regarding No Turns from Naniloa Drive**

The proposed project plans do not reflect changes to any part of Naniloa Drive or Ting's Way.

4. **Response to Comment Regarding Suggested Exit Only at Kainani Street Access Point**

Please see response No. 1 to letter dated October 15, 2007.

5. **Response to Truck Traffic Exiting Movements**

As currently proposed, exit points are provided along Maui Lani Parkway only. Delivery trucks will mainly utilize the service access/exit point located along Maui Lani Parkway. However, on occasion, trucks may also utilize the main access point along Maui Lani Parkway (across the Kaiser Permanente access drive) as well.

6. **Response to Truck Traffic Scheduling**

The applicant recognizes the proximity of the Sandhills neighborhood to the project site. In recognition of this, as well as understanding concerns expressed by residents, noise control measures relating to self-imposed operational restrictions are also proposed as part of the project. Such restrictions, for example, would include limiting loading and unloading of delivery trucks at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours.

During construction, the applicant will limit construction access to the site via Maui Lani Parkway only. We note that limited construction access may also occur via the proposed Kaahumanu Avenue access point. Such access will only be used to facilitate construction of the Kaahumanu Avenue access improvements. The intent of this construction access plan is to discourage construction vehicles from using local roadways through the Sandhills neighborhood.

7. Response to Location of Trucks, Trailers, Containers Along Kainani Street and Adjoining Streets and Management

No vehicles, trailers, containers and the like will be stored along Kainani Street or any other roadway traversing through the adjoining neighborhood of Sandhills.

It is also noted that the applicant recognizes the importance of, as well as, the convenience for neighboring residents of instituting a management firm that will oversee operations at the shopping center. As such, the applicant notes the establishment of a management office within the shopping center whereby residents, if they so choose, can direct their concerns. This will serve as a single point of contact for residents in working with shopping center management and owners.

8. Response to Traffic Signage

The appropriate signage indicating restrictions on turning movements, for example, will be utilized in the project vicinity to properly direct traffic. Signs associated with the project development will be implemented in accordance with, The Uniform Manual on Traffic Control Devices. Published by the U.S. Department of Transportation, Federal Highway Administration, The Uniform Manual on Traffic Control Devices defines the standards used to install and maintain traffic control devices on all streets and highways.

Responses to Email dated December 30, 2007

1. Response to Comment Regarding Access Specifications

Please see response No. 1 to letter dated October 15, 2007

2. Response to Comment Regarding Number of Access Points for the Proposed Maui Lani Shopping Center

Please see response to letter dated October 15, 2007.

3. Response to Comment Regarding Truck Traffic

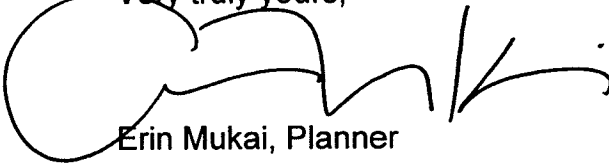
Please see response nos. 5, 6, and 7 to letter dated October 25, 2007.

We appreciate your continued involvement throughout the planning process of the proposed Maui Lani Shopping Center, as well as receiving your comments regarding the

Sakae Uehara, M.D.
April 7, 2010
Page 5

project and associated impacts. Once completed, a copy of the Draft Environmental Assessment will be provided to you for your review and comment. In the meantime, should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', written over the typed name below.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)

F:\DATA\Sueda\Maui\Lani\Uehara\res.ltr.wpd

SEP 27 2007

Teresa S. Wright
150 Naniloa Drive
Wailuku, HI 96793

808-244-8973
teresawr@aol.com

September 26, 2007

Mike Munekiyo
Munekiyo & Hiraga, Inc.
305 South High Street, Suite 104
Wailuku, HI 96793

Dear Mr. Munekiyo,

This letter serves as a formal submission of my comments previously presented to you in person on September 9, 2007 related to the Maui Lani Shopping Center to consider in the Environmental Assessment process. I have enclosed a revised document that includes 7 pages of information, issues & recommendations and the original 13 pages of "Attachments" including spreadsheets, drawings/maps, site plans & traffic photos/data. A similar package was previously submitted to the Planning Commission for their consideration.

Thank you again for meeting with us and for encouraging our involvement in the process. I look forward to your response to my comments. I am available at the contact information above if you have any questions or would like to discuss/clarify anything further.

Warmest regards,



Teresa S. Wright

I have identified several issues that I believe should be addressed by the Planning Commission and in the Environmental Assessment ("EA") process related to the Maui Lani Shopping Center Project. My focus was only on the aspects discussed below. Please refer to the attachments to this document for any noted "Attachments" below and to the Planning Commission Package (dated July 10, 2007; Docket No. PH2 2005/0007) prepared by the Planning Department for any noted "Exhibits" below.

WAILUKU-KAHULUI COMMUNITY PLAN ("The Community Plan)

Cultural Resources

Info/Issues

- Page 17 of the Community Plan indicates the character and integrity of historical sites should be preserved and requires "development projects to identify all cultural resources located within or adjacent to the project area as part of initial project studies." Further, it requires "that all proposed activity include recommendations to mitigate potential adverse impacts on cultural resources including site avoidance, adequate buffer areas, and interpretation" and to "establish recognition of culturally sensitive areas such as "Naniloa Bridge" (also referred to as "Ting Bridge") (See Attachment C).
- Page 11 of the Report to the Commission, indicates the developer is consistent with the recommendations of the Community Plan as to cultural resources. However, the developer did not identify Naniloa Bridge as a culturally sensitive area located adjacent to the Project area and consequently did not provide recommendations to mitigate potential adverse impacts to the Bridge.

Recommendations

- Require the developer to include in the Application and the Traffic Evaluation Report the required identification, discussion and recommendations to mitigate potential adverse impacts to the Naniloa-Ting Bridge.
- This should be considered in the EA process.

Infrastructure - Water

Info/Issues

- The Application for the Project was prepared as of March 2005 and reviewed by the Dept of Water Supply on October 11, 2005 (Exhibit 16). At that time, the water meter reservation the applicant paid for in 2002 had expired. The DWS requested the applicant to provide a schedule as to when all necessary approvals for the Project could be obtained to determine how long extensions for the reservation the Department would allow.
- County Code 16-108-9 (b) indicates the duration of reservations shall not exceed two years plus two six-month extensions; each for good cause shown and approved by the Board of Water Service. If within two years, or longer with extensions, the applicant is not able to accept installation of water services, **unless for good cause shown and approved by the board**, the application and the reservation of the allocation shall expire.
- It is not clear from the Application if the Project has shown or will be able to show good cause for delaying their reservation of their 2002 water meter, nor if the Board of Water Services will approve or has approved any further extensions.
- It is also not clear from the Application whether the department is NOW issuing reservations for future meters or whether new sources have been brought on line.

Recommendations

- Water is such a critical component of the infrastructure that needs to be in place before any new projects are approved given the county's water challenges and shortages. The planning department should obtain a new comment letter from the DWS and Department of Land & Natural Resources (see Exhibit 26) to ensure the applicant will be able to obtain a water meter/access to water supplies.
- The public should also be given more recent information regarding the status of the Project's ability to meet DWS requirements, especially since this topic is a highly visible and contentious one countywide.
- This should be considered in the EA process.

Overall Maui Lani Project District 1 - Traffic Infrastructure

Info/Issues

- Page 12 of the Community Plan indicates, "public facility and infrastructure improvements should not lag behind development in the region. Upon adoption of this Plan, it shall be **required** that adequate facilities and infrastructure will be concurrent with future development."
- Page 29 also indicates, "Upon adoption of this Plan, allow no further development unless infrastructure, public facilities, and services needed to service new development are available prior to or concurrent with the impacts of new development."

- Page 36 also provides several improvements for regional roadway network for the Maui Lani Project District including to:
 - Extend Lono Avenue, Kamehameha Avenue, and Onehee Street into the Maui Lani Project District,
 - Provide interconnections with the Maui Lani roadway network to Kuihelani Highway, Honoapiilani Highway, and Waiale Drive in order to provide maximum flexibility for the additional traffic to be generated by Maui Lani and to reduce its impact on adjoining existing neighborhoods.
 - The extension of Lono Avenue to Kuihelani Highway should precede the Kamehameha Avenue and Onehee Street extensions. If the Maui Lani project does not proceed in a timely manner, the County should move forward with the Lono Avenue extension.
 - Upgrade Mahalani Street, Kamehameha Avenue, Onehee Avenue and Lono Avenue to County collector road standards.
 - Plan the Maui Lani Parkway as an arterial road.
- The Map in Attachment A is a drawing of the Maui Lani Project District boundaries within the yellow highlighted area. The green lines are those roads that have been improved per above. The red lines are those roads that have NOT yet been improved per above. Additionally the Lono Avenue extension, which is off the map, has also NOT been extended to Kuihelani Highway.
- As can be seen on the Map in Attachment A, the main “arterial” road for the Maui Lani Project District has NOT been put into place yet. Since 40% or “the most dominant movement for the future time frame is to the south” per page 18 of the Traffic Evaluation Report (Exhibit 32, page 18), it would go to reason that this main “arterial” road is very important to the infrastructure of the Project District.
- When the developer designed the project district, it is clear by the purple shaded areas on Attachment A, 23 out of the total 27 acres or 93% designated “commercial” for the Maui Lani Project District is to the North of the Project District closest to the historic communities of Wailuku/Sandhills. Without the roadway infrastructure in place, it is apparent the existing communities will be impacted.
- The Application, Traffic Report nor the Commission Package address when this critical component of the infrastructure of the Maui Lani Project District will be in place.

Recommendations

- Consistent with the Community Plan, the Planning Commission should **require** that roadway infrastructure improvements be made prior to or concurrent with development of this Project, especially as it relates to the completion of the Project Districts **arterial road**, Maui Lani Parkway. These roadway improvements should be put in place to reduce the Projects impact on adjoining existing neighborhoods.
- This should be considered in the EA process.

Urban Planning Considerations

Info/Issues

- Page 12 of the Community Plan Item C.2. indicates support should be given “to the revitalization of the Wailuku commercial core and adjacent areas **by expanding the range of commercial services**” . . . and “improving Wailuku’s image and level of service as a **commercial center** for the region’s population”.
- Page 28 of the Community Plan Item 13.c.1) indicates “within the Wailuku Town core is the Commercial Core – an area generally situated along Central, Wells, Main, High, and Vineyard Streets. **It should emphasize commercial uses oriented to serve the business and residential community.** Ground floor activities should emphasize commercial retail with expansion of the variety and scope of offerings to serve residents.”
- Given the proximity of the historic Sandhills community and surrounding neighborhoods to Wailuku Town, it appears the redevelopment plans for Wailuku Town Commercial Core would provide the types of services/businesses the Maui Lani Shopping Center is proposing to offer such communities.
- As can be seen on the map in Attachment A, it is clear by the purple shaded areas that out of the total 27 acres or 93% designated “commercial” for the Maui Lani Project District is to the North of the Project District closest to the historic communities of Wailuku/Sandhills. If this Commercial Center is intended to support the new development in the project district, why is it so far way from the core of the project districts residential development?
- In an article dated June 3, 2007 in The Honolulu Advertiser, “6 New Shopping Centers Proposed for Maui”, it was noted that the “second largest proposed project is Maui Lani Town Center planned by local developer Bill Mills as part of a master-planned residential community in Central Maui”. According to Colliers, Maui Lani Town Center is slated for 414,480 square feet of retail and is targeted to open in mid-2009. Also a 207,000-square-foot Kehalani Village neighborhood center in Wailuku is slated for a late-2009 opening, which is being developed by Hawaii-based developer Stanford Carr.

Recommendations

- All of the aforementioned new proposed commercial development projects and any others being proposed for the Waikulu area as well as existing commercial sites should be disclosed and evaluated in the EA to clearly indicate: 1) the nature and extent of current/planned commercial centers, 2) the communities that each existing or proposed center is planning to support, 3) the impact to city-wide urban planning, with any major overlaps or unnecessary development identified including consideration of having no commercial project at the site and/or alternatives uses of the land (i.e., medical, daycare, and/or recreational facilities), 4) whether there are better site locations or options/alternatives for the commercial business planned for the Maui Lani Shopping Center especially given limitations in access roads to the project, proximity of the site to one of the largest public schools on Maui with poor accessibility across a major highway, and the potential impacts the project may have to an older, well-established neighborhood originating in the 1920's and housing a high number of the elderly in the community.
- The EA should specifically address all the environmental, social and economic consequences of the proposed development, their mitigating factors, and what the positive social, economic and/or environmental impacts the project would have to our community.

TRAFFIC EVALUATION REPORT AND PROCESS

Kainani Access Road

Info/Issues

- The community expressed concerns to the development team regarding its use of the primary road to our neighborhood when it was changed from a two-lane road to a three-lane road (see Attachment B). Instead of addressing our concerns, the developer has now widened the road from a two-lane road to a four-lane road (see Exhibit 3), including exiting delivery trucks.
- The State DOT has reviewed the new proposal per their comment letter dated May 23, 2007 (see Exhibit 22), however we are not clear as to the following?
 - Item 3. - Indicates, "Kainani Street signage shall indicate that trucks are prohibited from using Kainani Street". It is unclear if this was the State's literal intent, in which case the developer needs to redesign their project internal traffic pattern, OR if the trucks are prohibited from using Kainani Street turning left in to the neighborhood from the project access road.
 - Item 6. - What the DOT meant by "Highway access rights may be reassessed in the event that use of the Kainani Street driveway significantly intensifies as the rest of "cut-through" traffic that is NOT generated by the shopping center?
 - Item 8. - Whom the report will be prepared and who will be involved in the review process of the results and recommendations to mitigate traffic impact measures, if any exist?
 - Item 9. - What viable "calming improvements" are possibilities on county roads in advance? Also, since these recommendations are written by the State but are imposing requirements on the County, the Planning Department would need to agree to these requirements and have a process in place to ensure the developer complies with them.
- The traffic engineer erroneously indicated improvements on Kainani would "reinforce the existing speed humps on "Kainani Street" (See Exhibit 33, page 5). There are currently NO existing speed humps on Kainani.
- An additional lane was added on Kainani from Nakoa to the Project access road, which would appear to encourage cut-through traffic to the Project from our neighborhood/Naniloa-Ting Bridge.
- The traffic activity into the project was summarized in a spreadsheet (Attachment D) and reconciled to various tables in the updated Traffic Report dated July 20, 2006 (see Attachments E – E.3). Note: My analysis focused on Kainani Street as well as a reconciliation of total Project Traffic counts reconciled to the Traffic Consultants 4/9/07 letter (see Exhibit 33, page 3), which did not agree. The final counts related to Maui Lani access were not evaluated/analyzed.
- As reflected in the spreadsheet, 30 vehicles turning WB Left off of Kaahumanu are going into the project while 125 vehicles turning EB Right off of Kaahumanu are going into the project during PM Peak.
- Public Works, the Police Department and the State DOT all had issues with WB Left traffic from Kaahumanu and potential back-up queue turning onto Kainani. The discussion by the Traffic Consultant in Exhibit 32 page 4 indicates that in the 174 – 179 feet or 8-car queue of space on Kainani into the project, the maximum potential of a 3-car queue once traffic is released at the light from WB traffic turning left then left again into the project (30 cars during PM peak), will be supported.
- The community still has concerns with vehicles heading EB on Kaahumanu turning right on Kainani and then left into the project (125 cars during PM peak) including:
 - Will the 8-car queue be able to support the movement of the volume of traffic from Kaahumanu during PM Peak hours? While any back up of vehicles in the queue will not impede East or Westbound movement on Kaahumanu

by itself, there is the potential for extended queuing when the WB left traffic off of Kaahumanu is prevented from having full access to the queue when the light changes.

- If a no-turn-on red posting is needed for EB right traffic to prevent this back up, then additional considerations need to be factored in to calculate the queue required for this EB traffic turning right.
- As seen from the photos in Attachment F – F.1, Kainani is a hairpin turn that is awkward and very sharp. It also appears adding two additional lanes of traffic to this tight intersection where existing metal poles can't be moved on the NE side, will require the hairpin turn to be even tighter/sharper.
- The hairpin turn ends approximately 120' from the intersection. That leaves only about 55-65' from after the end of the hairpin turn to the Kainani access road driveway. If the mid-176' of the developer's number will allow for 8 cars (22' fee per car), then 55 - 65' will only allow for approximately 2.5-to-3-car. It is unclear at what point the State and County Agencies think it would be safe for cars turning right from Kaahumanu onto Kainani should be allowed to crisscross over to get in the left turn lane into the project. This would reduce the length of the queuing lane for left turning cars into the project.
- Also, if the car behind the first car disobeys a solid white line and crisscrosses over prior to the break of the white line, this could lead to an accident. It is not a straight-away . . . drivers will have to pay attention to the sharp, in essence, U-turn they are first making to get from Kaahumanu right on to Kainani.
- If this intersection does not support a comfortable flow of traffic, alternatives will be found. Our community's contention has always been going up the Naniloa-Ting Bridge (see Exhibit C), rolling through the stop signs like so many do, and then turning right into the project will be MORE convenient and closer than going all the way down to Maui Lani, a VERY busy intersection, and turning right and then right into the project! As it is, as seen from current traffic counts (1 car for AM and 1 car for PM Peak), our neighborhood does not currently use the right turn lane at Kaahumanu to Kainani since we have the Naniloa-Ting Bridge alternative.
- The community still has concerns with vehicles exiting the Project on Kainani going towards Kaahumanu (142 cars during PM peak) including:
 - Per the Traffic Report Tables in Attachments E.2 – E.3, it does not appear the Traffic Report accounts for the flow of traffic into the service access road, where the trucks enter.
 - Also per the spreadsheet analysis at Attachment D, it does not appear the Traffic Report accounts for the flow of trucks and or other traffic that exits out of Kainani that turns right on Kaahumanu (it is assumed most delivery trucks will go back that way). Since trucks are longer and require more space, this should be considered in the Traffic Report and the added space required for queuing on Kainani!
 - Since under the latest proposal, Kainani is going to be used as the SOLE exit of trucks after unloading in the shopping center, the sign should be moved to the west of the driveway along Kainani so all trucks will have to turn right instead of going into our neighborhood in compliance with existing ordinances.
 - In light of the car/truck traffic unaccounted for above AND the volume of cars already projected to turn right out of Kainani and then left onto Kaahumanu, the community remains VERY concerned with traffic backing up onto Kainani since it is our main access road to our community.
 - Again, our community's contention is if traffic backups occur, traffic coming from the Project out of Kainani will turn left, going through our neighborhood, going over the Naniloa-Ting Bridge down the exit ramp on to Kaahumanu!
- If the issues above are considered valid and relevant by the Planning Commission, State and County departments, the questions are:
 - What processes are in place that should have identified and addressed these issues accordingly?
 - What role should the DOT and/or Public Works have in reviewing State and/or County roads for a more local/neighborhood impact?

Recommendations

- Accurate counts of all traffic affecting the Kainani/Kaahumanu intersection from the Project should be calculated, presented and analyzed when evaluating whether this intersection will be able to support the traffic of the Project and still meet the needs of the community.
- The community should be given accurate and reflective information and comfort as to how the Project's traffic will impact the daily lives and safety of our community, and should have our questions appropriately addressed, especially after repeatedly brought forward. In the current situation, the Traffic consultant works for the developer and has not been willing to acknowledge or address our concerns adequately.
- The Project should be required to contain their back-up queue of traffic on their property just like the Kaahumanu Shopping Center and Maui Mall, especially delivery trucks!
- **To minimize any potential "cut-through" traffic through our neighborhood, the EB Kainani right turn and WB Kainani left turn from the Project should be eliminated.**
- A very CAREFUL and DETAILED review and analysis of any changes made to Kainani to accommodate the Project should be considered in the EA Process.

Alternative Traffic Recommendations

- The development team has NOT been willing to come up with any other options for alternative traffic flows related to Kainani Street. I am proposing three options depending on whether they can technically meet the needs of the developer, community and State/County Agencies.
 - Option 1) Extending Lunalilo straight into the Project, with Kainani intersecting into it** (See Attachment G) - Preferred if the State will allow a double synchronized intersection
 - Add a stop light at Kainani/new Lunalilo intersection that is synchronized with Kaahumanu such that a) right, left or straight traffic from Kaahumanu onto Kainani is cleared through the intersection before the traffic signal allows Kainani traffic access to the intersection, b) other than this delay, the light on Kainani is green when Kaahumanu is green thus allowing neighborhood traffic access to the road (and a flow of right turn on red through Kaahumanu off of the new Lunalilo), c) Project traffic is contained on their property until the light gives them the right-of-way. This will also prevent queuing in the Kainani/new Lunalilo intersection from the volume of cars exiting the Project.
 - The right turn at the Kaahumanu/new Lunalilo will be signalized no-right-turn-on-red.
 - Require no right turn into the Project from Kainani (install a hard-island to discourage this) and no left turn out of the Project onto Kainani.
 - Option 2) Right turn only out of Kainani from the Project** (See Attachment G.1) - Preferred if 1) is not feasible.
 - A hard island is installed to discourage illegal left turns from the Project
 - Option 3) Modified Existing Plan** (see Attachment G.2) - Not preferred but better than the current plan and only if right and left turn queuing will be accommodated on Kainani
 - Allow for one-lane entrances approaching intersections with the gradual creation of a left turn lane consistent with Michael Miyamota's recommendation. This will prevent cross over traffic on Kainani.
 - Eliminated right turn into the Project from Kainani (install a hard-island to discourage this) and no left turn out of the Project onto Kainani.

Lack of Independence of Traffic ConsultantIssue/Info

- State, County and community residents have identified several inconsistent, inaccurate, incomplete or omitted data, analysis and information in the Traffic Evaluation Analysis Report and subsequent letter. While each item individually may not have a material effect on the Traffic Analysis, collectively it is perceived as a lack of due diligence and care in preparing the report.
- The traffic analysis requires professional and technical knowledge and the application of algorithms and subjective assumptions. While a layman might be able to identify obvious errors or irregularities in the report, the more technical and critical information is difficult to validate and get comfort with.
- The public's reliance on the integrity of the information and resulting analysis in the report is impacted by the interaction the traffic consultant has with the community, their willingness to address issues brought forth by the community and the factual accuracy of information used as a basis for their analysis.

Recommendations

- Require the developer to pay for another traffic evaluation analysis using an independent traffic consultant selected by the State/County prior to an EA. The report should be prepared for and addressed to the State/County so that all of their interests are protected as well as the interests of the surrounding communities.
- If the developer is not required to hire a second independent traffic consultant, State/County's review of the information contained in the report is critical. Both the State DOT and Public Work department have indicated there is a large degree of reliance placed on this report, with selected testing and analysis of the data/results. Better checks and balances should be put into place to ensure the information contained in the report is accurate and reflective with meaningful and indicative results.
- Ensure the traffic consultant and EA reports include consideration of the adjacent neighborhood's traffic considerations, including the appropriate challenges and limitations as well as existing traffic ordinances/posted truck signs, State Right of Ways, reasons for installation of speed bumps in the community given known problems in the past, alternative routes through the neighborhood that may be used by non-residence given traffic congestion during peak-periods, etc., including a broader map that clearly shows roads that may be potentially impacted by the project similar to Attachment C.
- Lack of using an independent source and inaccurate/incomplete data should be considered in the EA Process.

Community's InvolvementInfo/Issues

- Since learning of the Project in 2005, residents in the adjoining Sandhill's community have taken a VERY active interest in the traffic considerations of the project given our community's limited number of roads to our neighborhood, lack of sidewalks, steep narrow roads/driveways, and blind curves and resulting safety concerns.
- We were proactive in providing the developer's traffic consultant, who lives on Oahu, with historical traffic/cut-through issues including mitigating facts such as the installation of speed bumps and issuance of an ordinance specifically prohibiting or regulating the use of roadways in our neighborhood by certain classes or kinds of traffic. We also informed the developer that Kainani Street from Kaahumanu to just beyond the first street of Nakoa is actually a State right of way and not under the jurisdiction of the County (see Exhibit 39).
- We also attempted to get responses from the Director of Planning, Public Works, Police Department, and State DOT among others. Out of these departments, only the State DOT was willing to have their staff review one of our letters of concerns.
- The ultimate result of all this work was the deferral of our issues to be addressed in the future. This of course means AFTER the Project is in place, where there are limited options to mitigate our concerns.

Recommendations

- When the public takes their time to get involved, their issues/concerns should be addressed and not deferred or go unanswered. If you want the public to be involved and for them to feel they are part of the process, they should not be left feeling that their concerns are secondary to the process.
- This should be considered in the EA process.

OTHER ISSUES

24-Hour Operation and Noise Concerns

Info/Issues

In our meeting dated June 14, 2007, a representative from Safeway said they are willing to work with the community but then refused to consider opening other than a 24-hour store since it is their policy to do so irrespective of the community's request to limit the hours to a 10:00 pm close time.

Recommendations

- Given the close proximity of the Safeway store to two large neighborhoods and noise that may be elevated up the residential hillside, require Safeway to limit their store hours to a more respectable time OR have the developer select another grocery store where it is their normal practice to do so (i.e., local grocery chains, Trader Joes, Whole Foods, etc.).
- Also, the development team and the EA process should clearly address and quantify any activities of loitering, noise, restocking activities, crime and other related issues that may result from a project of this size, quantify the impact it may have on the surrounding neighborhoods, address what the State/County ordinances/guidelines/standards are, determine how the project anticipated results measure up to these ordinances/guidelines/standards, and what steps will be put in place to ensure acceptable levels are maintained.

Outdated Project Application and Agency Comments/Reviews

Info/Issue

- It was a long, time-consuming task to first become aware of and then understand and know the facts surrounding the Maui Lani Project District and related ordinances approved some time ago for the project. There are several new people in our neighborhood who were not a party to Phase I approvals of the Project and thus not aware of the potential impact (positive or negative) of the project to our community and/or home values.
- The project application has been open over two years from its original submittal date in March 2005. Several Agencies reviewed the Project and provided feedback, but it is not apparent rather new issues need to be addressed given changes since 2005 OR if old ones are still relevant.
- Additionally, several comments that were provided in the Agency comment letters have gone unaddressed.
- In one known instance, it was represented to the public that the Public Works Department would be reviewing the latest traffic changes to the Project, but none was performed/included in the Planning Commission Report. After directly inquiring with Public Works, I was told they would follow up with the appropriate departments and have the changes reviewed prior to the Planning Commission meeting.

Recommendations

- If not already in place, there should be time limits on how long projects are left open. After a specified time frame, the developer should be required to resubmit applications for State/County Agency "fresh" reviews to ensure recent issues impacting the project are considered. Specifically, the developer for this project should be required to update their 2005 application, especially for those areas that are not now being addressed by the EA Process.
- It should be required for sellers/realtors to disclosure such "open" projects (including Project Districts) for potential/new homeowners to consider when evaluating real estate sales/purchases. Information should be readily

available to pull from County records related to TMK numbers. Any potential negative or positive impact to home values in the area should be address in the EA process.

- There needs to be better checks and balances to ensure ALL comment letters are properly received and that issues brought up in comments letters are addressed and “cleared” by the corresponding department prior to approvals of the Project. Any uncleared or unaddressed comments should be considered in the EA process.
- Additionally, the EA team should ensure recent reviews by ALL State and County agencies have been performed, obtained, reviewed/analyzed and incorporated into the EA process.

Project Grading Prior to Phase III Approvals

Info/Issue

- Even before Phase II approval, the developer cleared, graded, re-graded the proposed site. For two years now, our community has had to endure an eyesore of this vacant land that was once green trees, as well as sand, dirt and dust blowing from the project into our community. The developer has tried to grow grass on the project, but without investing a lot of money to amend the sand for plant growth, they have been unsuccessful.

Recommendations

- Developers should not be able to grade/develop a plot of land until their final project approvals are in place.
- We are on the windward side of the Island. The Developer should implement more successful methods to prevent sand and dust generated by the vacant land from blowing into our community, both immediately and in the future during the development/construction phase until newly installed landscaping matures.
- This should be considered in the EA process.

Notification to Owners/Lessees Within 500 feet of the Parcel

Info/Issues

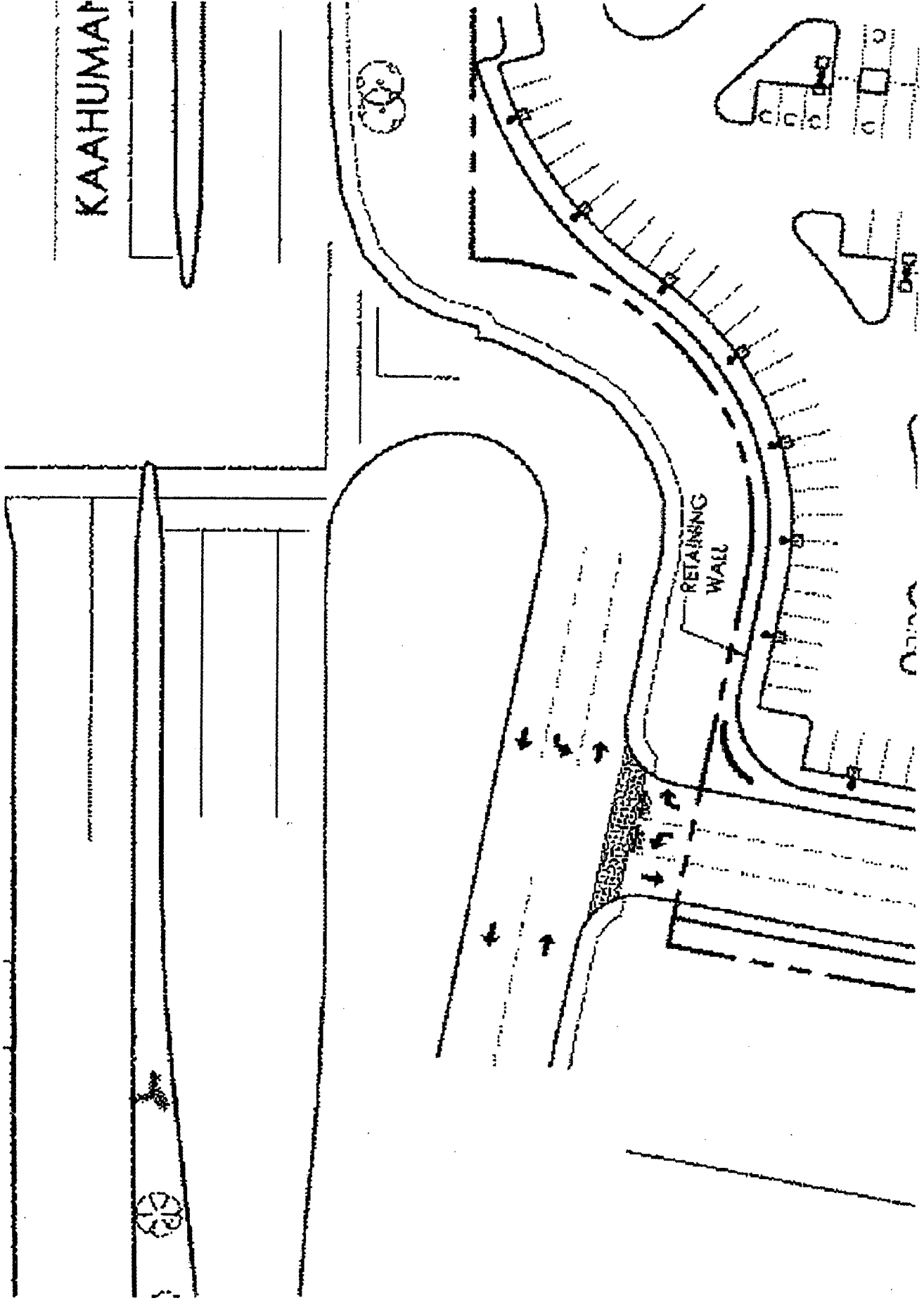
- Page 3 of the report to the Planning Commission indicates the applicant mailed a letter of notification to all owners and recorded lessees within 500 feet of the subject property, but does not indicate the date of record from which “all” was generated.
- Also, the letter of notification was mailed on June 9, 2007, effectively 30 days prior to the Planning Commission meeting, however several people in the community did not get their notification letters until after the meeting given th lack of manpower at the post office to deliver and have the certified or registered mail signed (postman said he could only do about 10 a day).
- County Code 19.510 D. 6. requires the list to be derived from the most current list available at the real property tax division of the department of finance of the county at the time of the filing of the application with the director of planning. Since this application has been delayed for over two years, the list included in the Application is outdated and thus contains individuals who have moved, are deceased, and excludes new residents within the boundaries.
- County Code 19.510 requires a map, drawn to scale, which clearly identifies the 500-foot boundary surrounding the subject parcel and the parcels within the boundary. It does not appear such map was included in the Application.

Recommendations

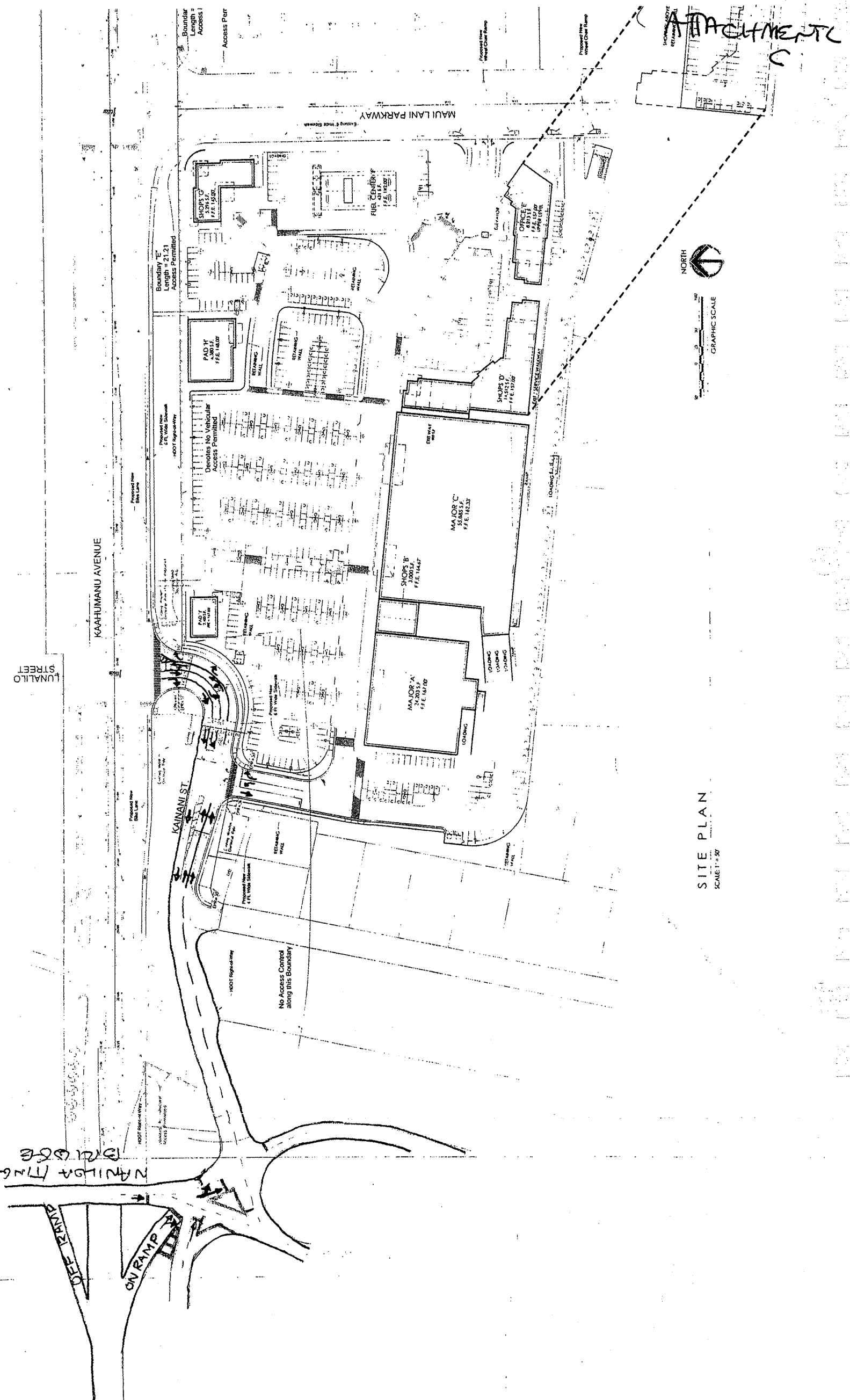
- Change the wording of the Code to require a more updated list be generated prior to notification of public hearings. The public should not be penalized from getting their notification due to delayed applications, whether the County, State or developer caused the delay.
- Consideration should be given to extending the notification period to 45 days prior to the meeting or an alternative form of delivery considered. Residences should not be penalized from receiving their notification letters due to the mass mailing that cannot be handled by the post office.
- Require the developer to provide a map clearly identifying the 500-foot boundary.
- Obtain a more recent list of all owners and recorded lessees within 500 feet, including from the Maui Lani Project District/New Sandhills Estate subdivision, to ensure appropriate individuals are properly notified.
- This should be considered in the EA process.

ATTACHMENT B

KAAHUMAI



ATTACHMENT C



SITE PLAN
SCALE 1" = 50'

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This not only helps in tracking expenses but also ensures compliance with tax regulations.

In the second section, the author outlines the various methods used to collect and analyze data. These include direct observation, interviews, and the use of specialized software tools. Each method has its own strengths and limitations, and the choice of which to use depends on the specific requirements of the study.

The third section provides a detailed overview of the results obtained from the data analysis. It highlights several key findings that have significant implications for the field. These findings are supported by statistical evidence and are presented in a clear and concise manner.

Finally, the document concludes with a series of recommendations for future research. It suggests that further studies should focus on exploring the long-term effects of the interventions discussed in the paper. Additionally, it encourages the development of more robust and user-friendly data collection tools.

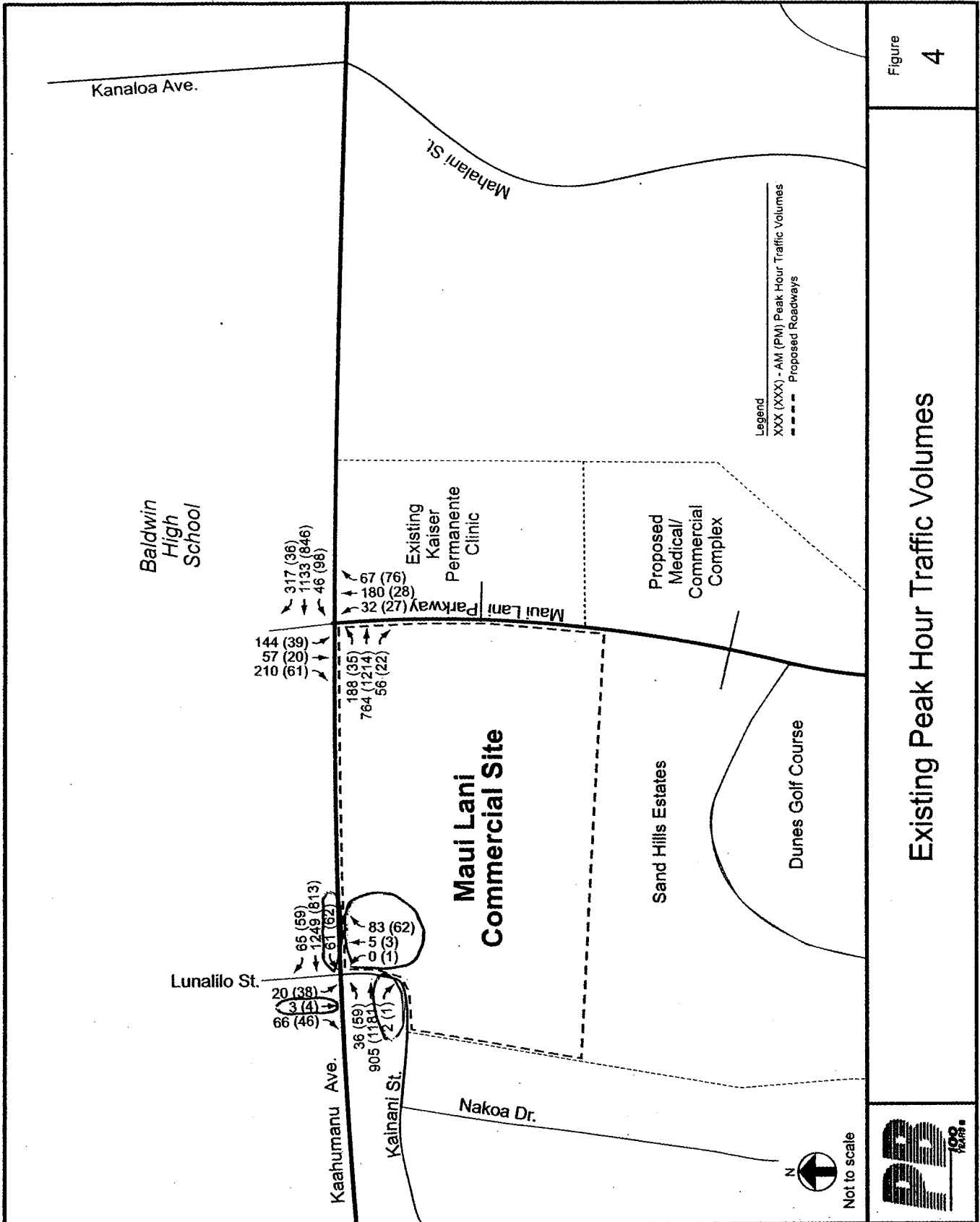


Figure 4

Existing Peak Hour Traffic Volumes



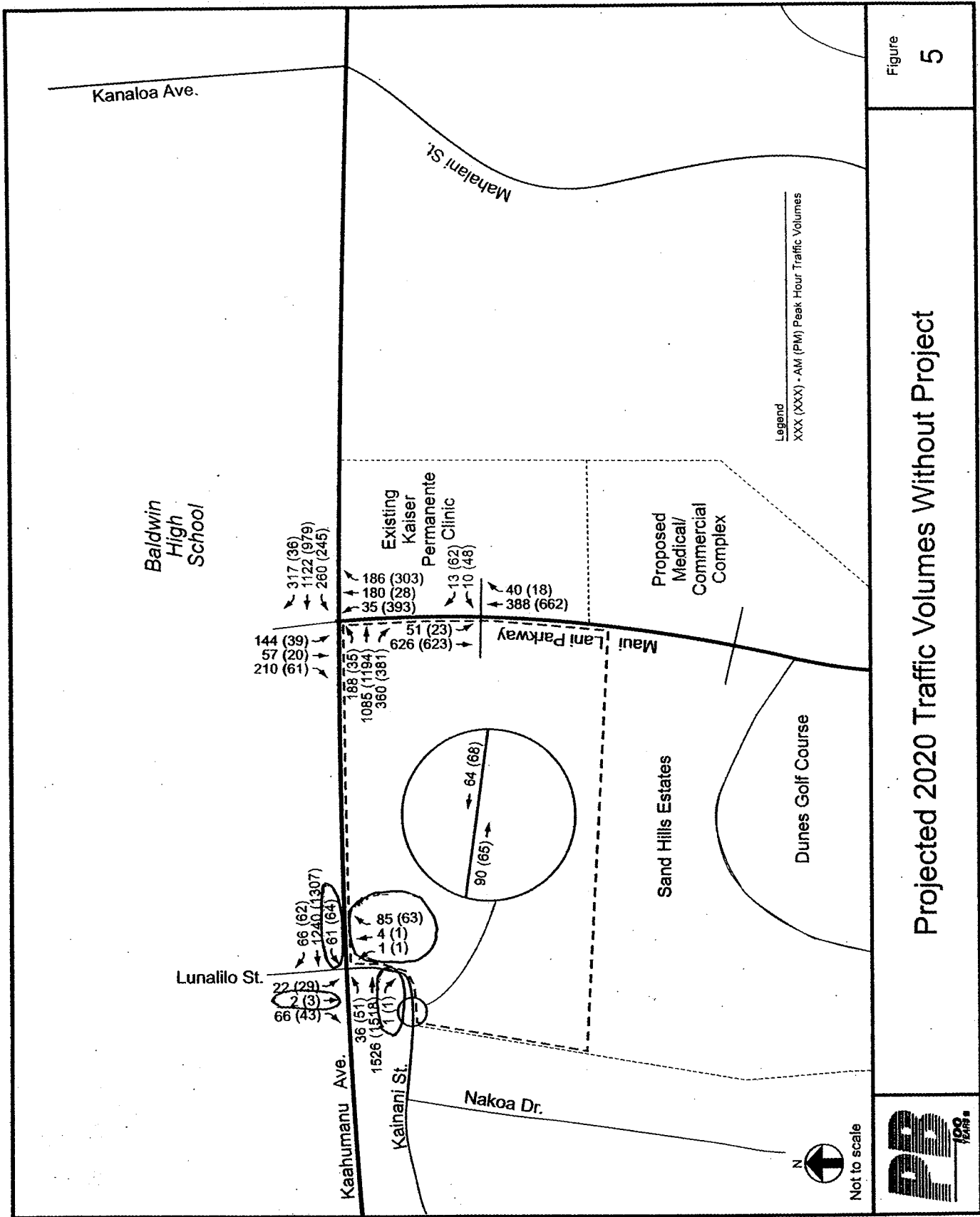
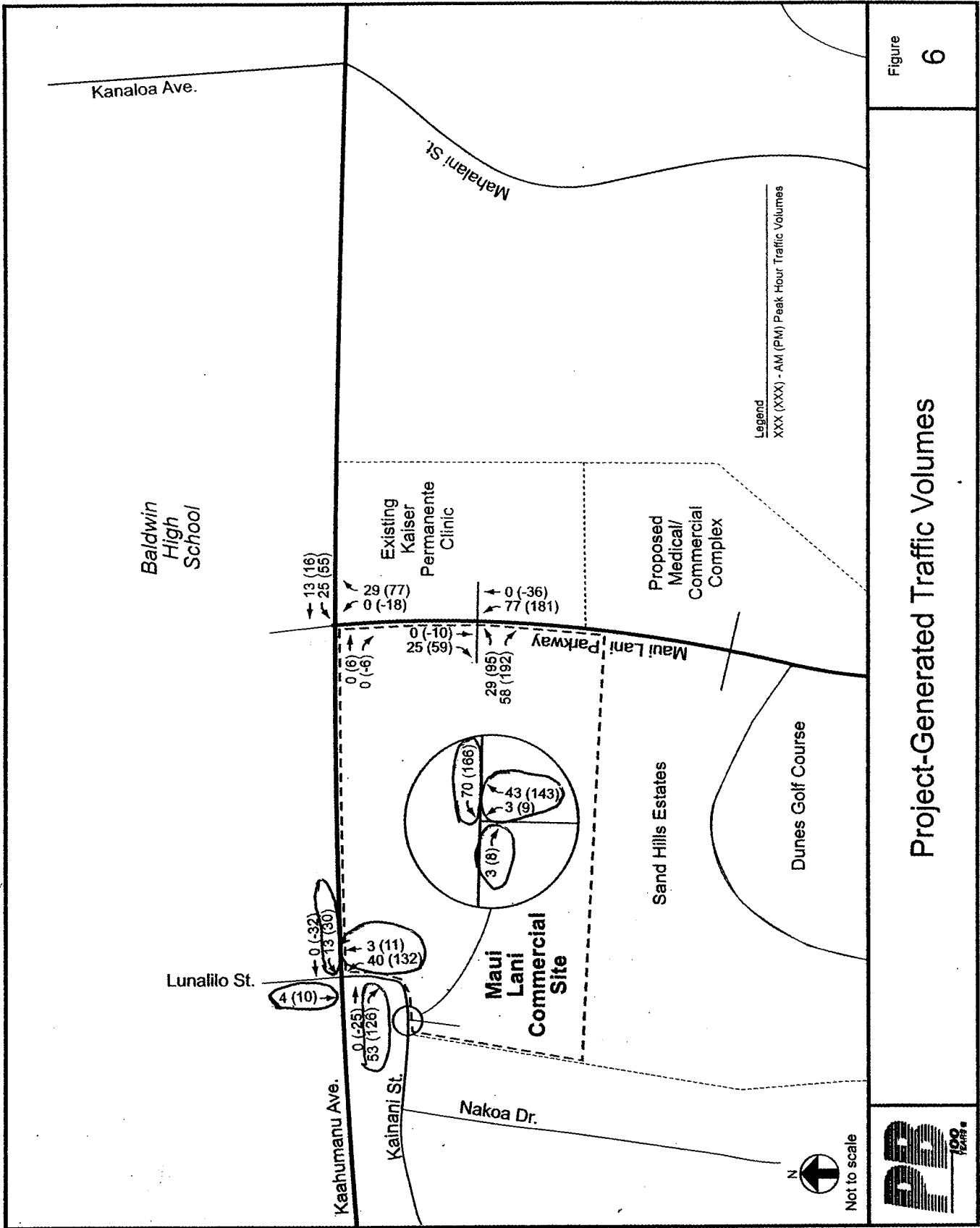


Figure 5

Projected 2020 Traffic Volumes Without Project





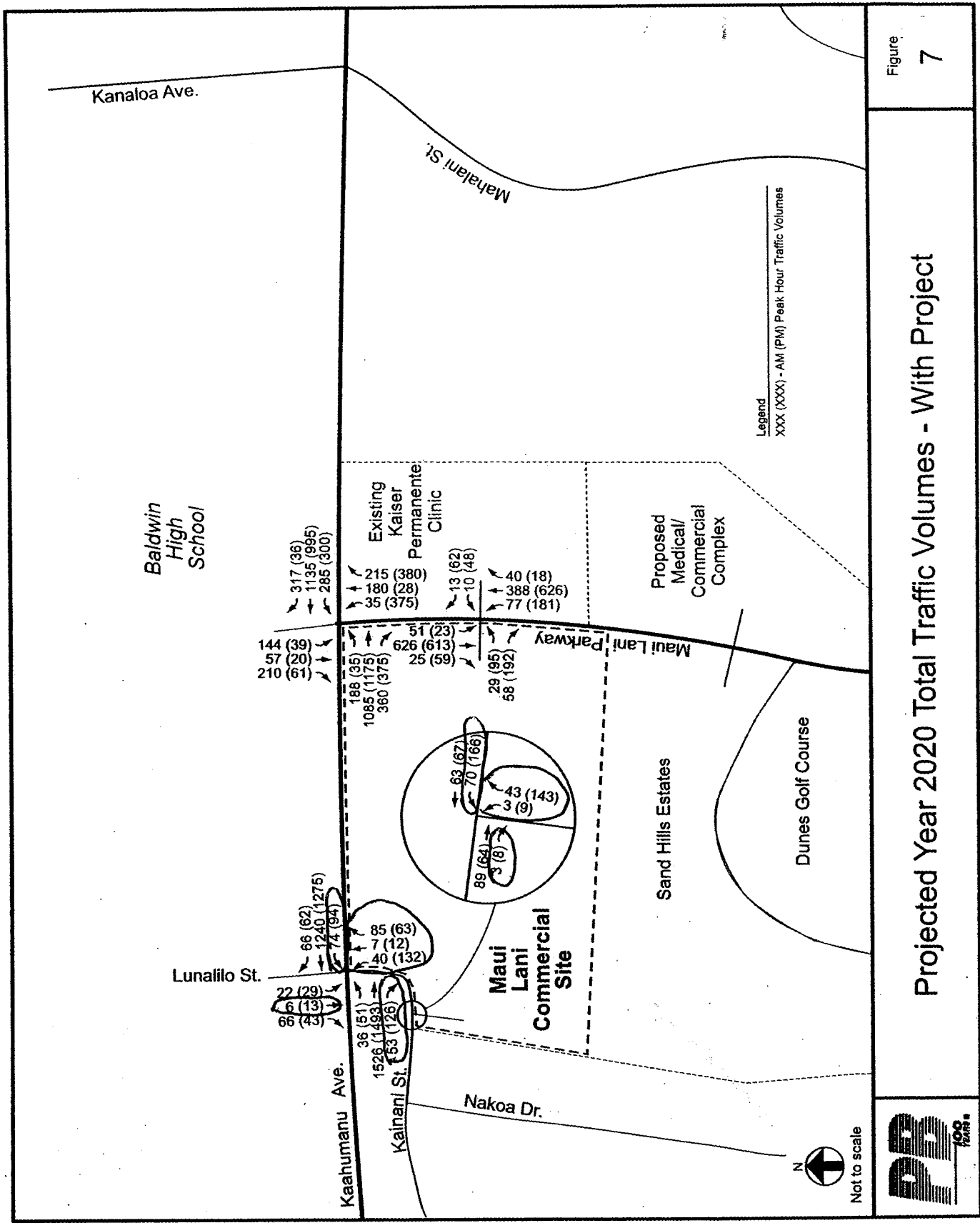


Figure 7

Projected Year 2020 Total Traffic Volumes - With Project



Not to scale

ATTACHMENT F





KAAHUMANU AVENUE

Attachment G

SYNCHRONIZED LIGHTS

* Subject to relocated neighborhood approval

PAD 'J'
2,400 S.F.
FFE = 167.00'

Existing Metal Electrical Pole

KAINANI ST.

Proposed New Bike Lane

Existing Wooden Electrical Pole

Proposed New 4 Ft. Wide Sidewalk

RETAINING WALL

Stationing: 19+00, 20+00, 31+00, 32+00, 33+00, 34+00, 35+00

EPR=40
EPR=37

Existing Concrete Driveway

EPR=24

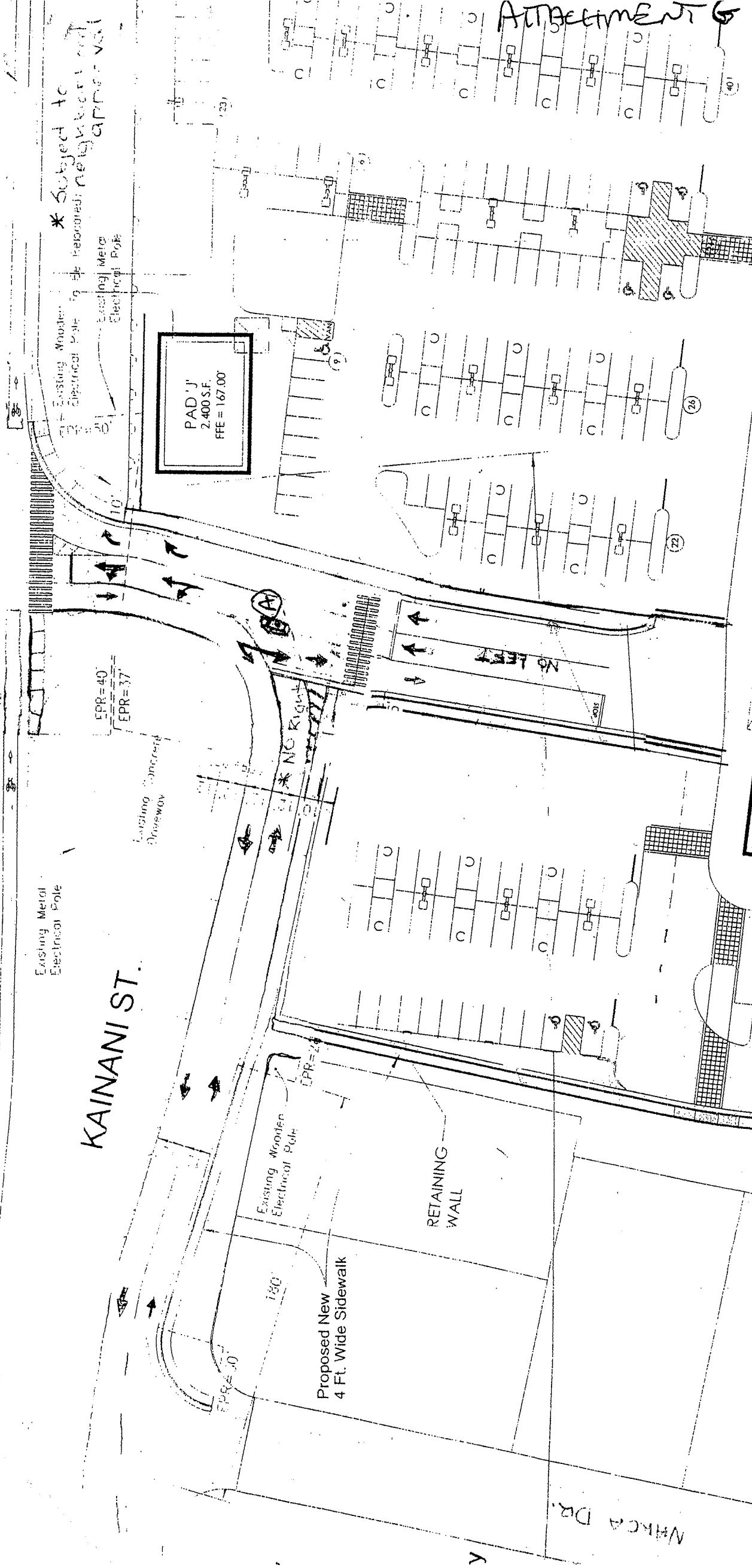
EPR=30

150'

No Left Turn

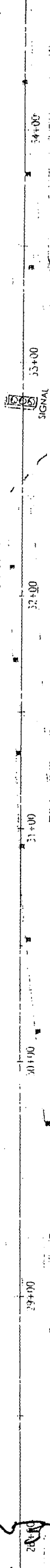
No Right Turn

NAKKA DR.



Attachment 51

KAAHUMANU AVE



Proposed New Bike Lane

KAINANI ST.

PAD 'J'
2,400 S.F.
FFE = 167.00

HDOT Right-of-Way

Proposed New 4 Ft. Wide Sidewalk

EXIT ONLY

Proposed New 6 Ft. Wide Sidewalk

RETAINING WALL

RETAINING WALL

Existing Metal Electrical Pole

Existing Metal Electrical Pole to be Relocated

Existing Concrete Driveway

EPR=40
EPR=37

EPR=30

EPR=26

Existing Wooden Electrical Pole

EPR=30

(14)

(4)

(14)

(16)

(22)

(26)

ATTACHMENT 51

WILSON DR.

No Access Control along this Boundary

KAAHUMANU AV

Attachment G

28+00 29+00 30+00 31+00 32+00 33+00 34+00
SIGNAL

Proposed New
Bike Lane

KAINANI ST.

Existing Concrete
Driveway

PAD 'J'
2,400 S.F.
FFE = 167.00'

HDOT Right-of-Way

Proposed New
4 Ft. Wide Sidewalk

No Right
Turn

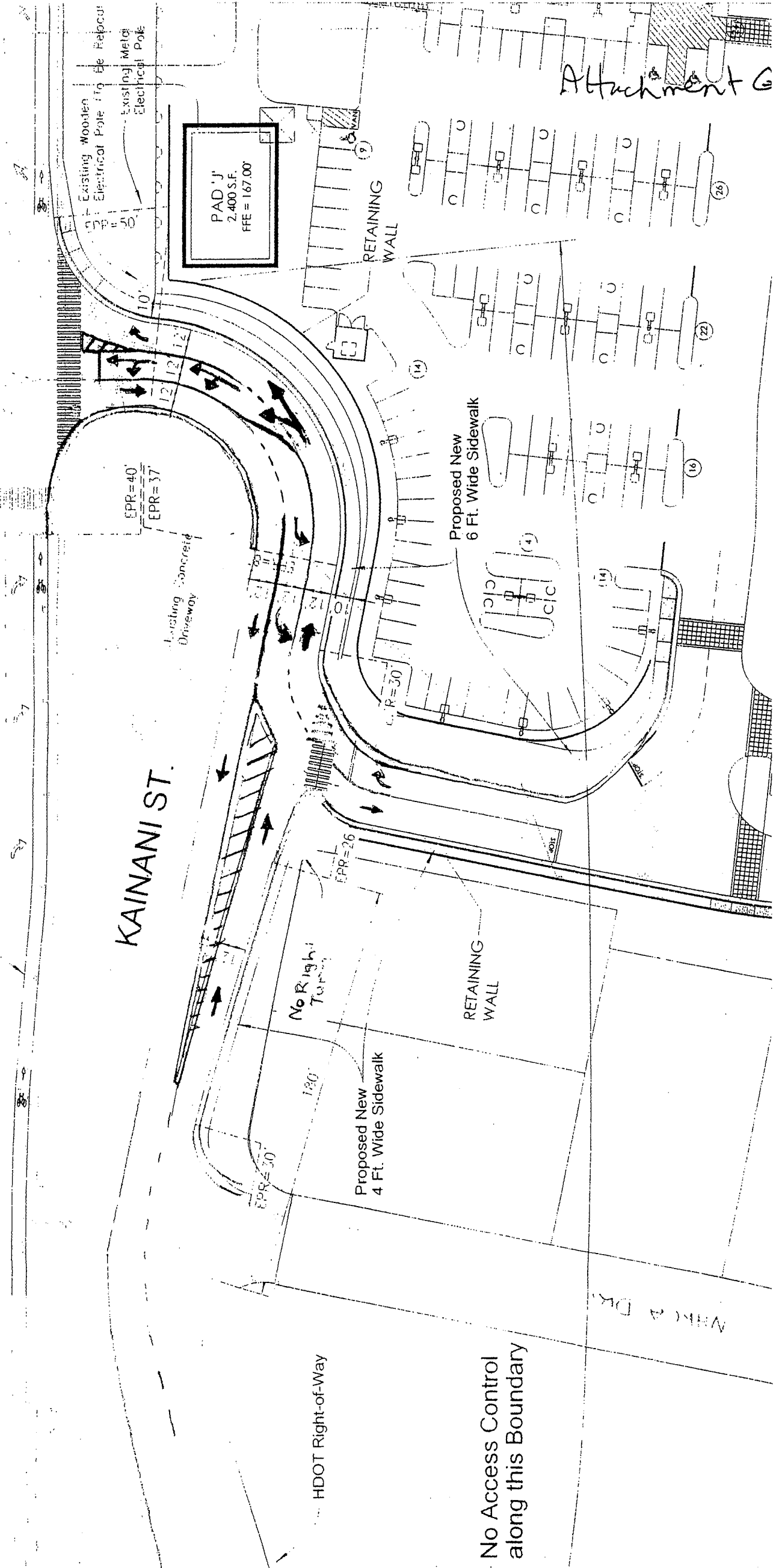
Proposed New
6 Ft. Wide Sidewalk

RETAINING
WALL

RETAINING
WALL

No Access Control
along this Boundary

WALK A DR





MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Ms. Teresa S. Wright
150 Naniloa Drive
Wailuku, Hawai'i 96793

SUBJECT: Chapter 343, Hawai'i Revised Statutes, Environmental Assessment
Early Consultation Comments for Proposed Maui Lani Shopping
Center

Dear Ms. Wright:

Thank you for your letter and attached information of September 26, 2007, responding to our request for pre-assessment comments for the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your reference. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments. Our responses are offered in the order presented in your letter.

1. **CULTURAL RESOURCES**

- a. **Recommendation:** Require the developer to include in the Application and the Traffic Evaluation Report, the required identification, discussion and recommendations to mitigate potential adverse impacts to the Naniloa-Ting Bridge.

Response: The applicant recognizes the sensitivity associated with the Kainani Street access issue. As a result, during the course of planning for the project, a number of alternatives to address impacts associated with the use of Kainani Street were considered. After examining the various options and considering comments offered by residents of the Historic Sandhills

neighborhood, the applicant has developed a plan which would eliminate the need to use Kainani Street as an ingress and egress point for vehicular access.

To establish a viable basis for the revised plan, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway. This access configuration will serve as a disincentive for shopping center-bound traffic from utilizing the Naniloa-Ting Bridge, as well as local roadways which serve the Sandhills neighborhood. With this mind, the historic integrity of the bridge is not anticipated to be adversely compromised.

We would also like to note that the project's traffic engineer, PB Americas, Inc., has prepared a new traffic study to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA).

2. INFRASTRUCTURE - WATER

- a. **Recommendation:** Water is such a critical component of the infrastructure that needs to be in place before any new projects are approved given the County's water challenges and shortages. The Planning Department should obtain a new comment letter from the DWS and the Department of Land and Natural Resources to ensure the applicant will be able to obtain a water meter/access to water supplies.

Response: The Draft EA will be distributed to the County Department of Water Supply (DWS) and the State Department of Land and Natural Resources for review and comment. Concurrently, the applicant's civil

engineer is working with the DWS to complete the necessary improvements for connection to the County's water system.

Recommendation: The public should also be given more recent information regarding the Project's ability to meet DWS requirements, especially since this topic is a highly visible and contentious one Countywide.

Response: The project's engineer has been working closely with the DWS regarding water availability for the project. In this regard, the water system construction plans will be designed to meet all applicable requirements of the DWS. A discussion of the proposed water system improvements will be included in the Draft EA.

3. **OVERALL MAUI LANI PROJECT DISTRICT I - TRAFFIC INFRASTRUCTURE**

- a. **Recommendation:** Consistent with the Community Plan, the Planning Commission should require that roadway infrastructure improvements be made prior to or concurrent with development of this Project, especially as it relates to the completion of the Project District's arterial road, Maui Lani Parkway. These roadway improvements should be put in place to reduce the Project's impact on adjoining existing neighborhoods.

Response: On June 3, 2003, the County of Maui and Maui Lani Partners (one of the project district's master developers) entered into a Master Roadway Agreement which sets forth obligations for constructing new roads in and around the project district to mitigate traffic impacts resulting from the implementation of the Maui Lani Project District. Under the Master Roadway Agreement, the Maui Lani Parkway is being phased with other project district roadway infrastructure components, including Kuikahi Drive extension and traffic signal installation at various intersections, to ensure that roadway improvement obligations are met in a timely manner as the various modules of the Maui Lani Project District are developed over time.

In addition to the foregoing project district-wide roadway improvement obligations, the Maui Lani Shopping Center's project-specific traffic mitigation measures are anticipated to address the objectives and policies of the Wailuku-Kahului Community Plan as it relates to infrastructure concurrency.

4. **URBAN PLANNING CONSIDERATIONS**

- a. **Recommendation:** All of the aforementioned new proposed commercial development projects and any others being proposed for the Wailuku area as well as existing commercial sites should be disclosed and evaluated in the EA to clearly indicate: 1) the nature and extent of current/planned commercial centers, 2) the communities that each existing or proposed center is planning to support, 3) the impact to city-wide urban planning, with any major overlaps or unnecessary development identified including consideration of having no commercial project at the site and/or alternatives uses of the land (i.e., medical, daycare, and/or recreational facilities), 4) whether there are better site locations or options/alternatives for the commercial business planned for the Maui Lani Shopping Center especially given limitations in access roads to the project, proximity of the site to one of the largest public schools on Maui with poor accessibility across a major highway, and the potential impacts the project may have to an older, well-established neighborhood originating in the 1920's and housing a high number of the elderly in the community.

Response: The Maui Lani Project District's land use concept is intended to establish a residential community along with an integrated open space and recreation system, future school sites, village mixed use area, and community or regional scale commercial shopping facilities to serve the expanding Wailuku-Kahului population. The commercial elements of the project district are offered through the proposed Maui Lani Shopping Center site as well as the Village Mixed Use district being implemented by Maui Lani 100, LLC. The Village Mixed Use district area, located off of the Kuikahi Drive Extension, will provide for retail/office, light manufacturing, civic and residential uses.

The other commercial project cited, referred to as the Kehalani Village Neighborhood Center is bordered by Waiale Drive, Kuikahi Drive and Honoapi'ilani Highway. The approximately 20-acre area is designated for Village Mixed Use purposes, which allows for commercial establishments and residential uses.

Other areas in the Central Maui region which are planned for new commercial growth includes the Maui Business Park Phase II project in Kahului, in the vicinity of the Maui Marketplace. The project area

encompasses about 179 acres and is intended to meet the island's light industrial needs.

Recommendation: The EA should specifically address all the environmental, social and economic consequences of the proposed development, their mitigating factors, and what the positive social, economic and/or environmental impacts the project would have to our community.

Response: The EA will address environmental, social and economic consequences of the proposed development. Environmental impact parameters such as air quality and noise impacts, flora/fauna, archaeological and cultural impacts will be addressed in the EA document. Additionally, land use forecast data as well as socio-economic forecast data developed by the County of Maui will be reviewed and incorporated in the EA document to establish the context for considering socio-economic effects associated with the proposed Maui Lani Shopping Center project.

5. **TRAFFIC EVALUATION REPORT AND PROCESS**

- a. **Recommendation:** Accurate counts of all traffic affecting the Kainani/Kaahumanu intersection from the Project should be calculated, presented and analyzed when evaluating whether this intersection will be able to support the traffic of the Project and still meet the needs of the community.

Response: As previously noted, Kainani Street will not be utilized for egress from and/or ingress to the shopping center. The current access configuration for the proposed project has been revised to recognize the sensitivity associated with the Kainani Street access issue.

Updated traffic counts has been undertaken by the traffic engineer to analyze key intersections in the vicinity of the project site, including the Kainani Street-Kaahumanu Avenue intersection. This analysis will be included in the EA document. Please refer to response to Number 1.

- b. **Recommendation:** The community should be given accurate and reflective information and comfort as to how the Project's traffic will impact the daily lives and safety of our community, and should have our questions appropriately addressed, especially after repeatedly

brought forward. In the current situation, the Traffic consultant works for the developer and has not been willing to acknowledge or address our concerns adequately.

Response: The applicant and its traffic engineer understands the need to respond in a forthright manner on all issues, particularly those pertaining to traffic impacts which may affect the Sandhills residential community. As a result of the October 15, 2007 neighborhood meeting, the applicant and its traffic engineer examined solutions to the Kainani Street ingress/egress point with the intent of addressing residents' concerns while providing for an operationally viable access point for the proposed shopping center. After evaluating a number of access alternatives, the applicant formulated the current proposal to eliminate the use of Kainani Street as an access point. This proposal involved the downsizing of the project to reduce trip generation from the project.

- c. **Recommendation:** The Project should be required to contain their back-up queue of traffic on their property just like the Kaahumanu Shopping Center and Maui Mall, especially delivery trucks!

Response: The ingress and egress points of the shopping center have been studied to ensure that back-up queues do not create safety and operational problems for vehicles traveling along Kaahumanu Avenue and Maui Lani Parkway.

- d. **Recommendation:** To minimize any potential "cut-through" traffic through our neighborhood, the EB Kainani right turn and WB Kainani left turn from the Project should be eliminated.

Response: The applicant and its traffic engineer proposes to eliminate access to and from Kainani Street. This proposal, in part, is being implemented to address neighborhood concerns regarding traffic cutting through the Sandhills neighborhood.

- e. **Recommendation:** A very careful and detailed review and analysis of any changes made to Kainani to accommodate the Project should be considered in the EA Process.

Response: As previously noted, Kainani Street will not be utilized as an access point for the project.

- f. **Recommendation:** The development team has not been willing to come up with any other options for alternative traffic flows related to Kainani Street. I am proposing three options depending on whether they can technically meet the needs of the developer, community and State/County Agencies.

Option 1: Extending Lunalilo straight into the Project, with Kainani intersecting into it - Preferred if the State will allow a double synchronized intersection

- Add a stop light at Kainani/new Lunalilo intersection that is synchronized with Kaahumanu such that a) right, left or straight traffic from Kaahumanu onto Kainani is cleared through the intersection before the traffic signal allows Kainani traffic access to the intersection, b) other than this delay, the light on Kainani is green when Kaahumanu is green thus allowing neighborhood traffic access to the road (and a flow of right turn on red through Kaahumanu off of the new Lunalilo), c) Project traffic is contained on their property until the light gives them the right-of-way. This will also prevent queuing in the Kainani/new Lunalilo intersection from the volume of cars exiting the Project.
- The right turn at the Kaahumanu/new Lunalilo will be signalized no-right-turn-on-red.
- Require no right turn into the Project from Kainani (install a hard-island to discourage this) and no left turn out of the Project onto Kainani.

Option 2) Right turn only out of Kainani from the Project - Preferred if 1) is not feasible.

- A hard island is installed to discourage illegal left turns from the Project

Option 3) Modified Existing Plan - Not preferred but better than the current plan and only if right and left turn queuing will be accommodated on Kainani

- Allow for one-lane entrances approaching intersections with the gradual creation of a left turn lane consistent with Michael Miyamoto's recommendation. This will prevent cross over traffic on Kainani.

- **Eliminated right turn into the Project from Kainani (install a hard-island to discourage this) and no left turn out of the Project onto Kainani.**

Response: See responses to item nos. 5.d and 5.e, above.

6. **LACK OF INDEPENDENCE OF TRAFFIC CONSULTANT**

- a. **Recommendation:** Require the developer to pay for another traffic evaluation analysis using an independent traffic consultant selected by the State/County prior to an EA. The report should be prepared for and addressed to the State/County so that all of their interests are protected as well as the interests of the surrounding communities.

Response: PB Americas, Inc., the applicant's traffic engineer, will continue work with the State Department of Transportation (DOT) and the County Department of Public Works (DPW) to ensure that the updated traffic analysis is prepared in a way which meets all applicable technical engineering standards. It should also be noted that the DOT has reviewed the updated traffic study and has provided comments to the applicant. Both agencies will review the updated traffic study and the study report will be revised, as required to yield a report meeting the highest of technical and professional standards. In this regard, the applicant understands the need to maintain integrity of process and analysis in conducting all of its studies. Towards that end, the applicant will also continue to engage the Sandhills residents to ensure that results of the traffic analysis, as well as other technical studies, are presented and discussed in a forthright manner.

- b. **Recommendation:** If the developer is not required to hire a second independent traffic consultant, State/County's review of the information contained in the report is critical. Both the State DOT and Public Works department have indicated there is a large degree of reliance placed on this report, with selected testing and analysis of the data/results. Better checks and balances should be put into place to ensure the information contained in the report is accurate and reflective with meaningful and indicative results.

Response: See response to item no. 6.a, above.

- c. **Recommendation:** Ensure the traffic consultant and EA reports include consideration of the adjacent neighborhood's traffic considerations, including the appropriate challenges and limitations as well as existing traffic ordinances/posted truck signs, State Right of Ways, reasons for installation of speed bumps in the community given known problems in the past, alternative routes through the neighborhood that may be used by non-residents given traffic congestion during peak-periods, etc., including a broader map that clearly shows roads that may be potentially impacted by the project similar to Attachment C.

Response: As noted, Kainani Street will not be utilized as an access point. The proposed access configuration is intended to address concerns neighboring residents have expressed regarding challenges and limitations associated with the Sandhills local roadway system.

To facilitate discussion of traffic issues, a regional roadway map will be included in the Draft EA.

- d. **Recommendation:** Lack of using an independent source and inaccurate/incomplete data should be considered in the EA Process.

Response: As previously noted, the updated traffic analysis developed by the traffic engineer will be reviewed by the State DOT and the County DPW to ensure that the report is prepared in accordance with standards and protocols acceptable to both agencies.

7. **COMMUNITY'S INVOLVEMENT**

- a. **Recommendation:** When the public takes their time to get involved, their issues/concerns should be addressed and not deferred or go unanswered. If you want the public to be involved and for them to feel they are part of the process, they should not be left feeling that their concerns are secondary to the process.

Response: The applicant believes that open dialogue with the residents of the Sandhills community is essential. They will continue to work with residents to ensure that information and input received from residents are considered to the fullest extent practicable.

8. **24-HOUR OPERATION AND NOISE CONCERNS**

- a. **Recommendation:** Given the close proximity of the Safeway store to two large neighborhoods and noise that may be elevated up the residential hillside, require Safeway to limit their store hours to a more respectable time OR have the developer select another grocery store where it is their normal practice to do so (i.e., local grocery chains, Trader Joes, Whole Foods, etc.).

Response: The applicant will work with all of its tenants, including Safeway, to ensure that shopping center operations do not adversely impact neighboring residents. Through establishment of operational protocols for security, the applicant believes that it can successfully manage a 24-hour operation without adversely affecting nearby residential areas.

- b. **Recommendation:** Also, the development team and the EA process should clearly address and quantify any activities of loitering, noise, restocking activities, crime and other related issues that may result from a project of this size, quantify the impact it may have on the surrounding neighborhoods, address what the State/County ordinances/guidelines/standards are, determine how the project anticipated results measure up to these ordinances/guidelines/standards, and what steps will be put in place to ensure acceptable levels are maintained.

Response: As noted above, the management of the shopping center will include protocols for addressing security concerns. This element of management is considered significant not only in terms of mitigating impacts to the Sandhills neighborhood, but in ensuring the safety and welfare of the shopping center's customers. As a general principle of contemporary commercial center management, it is important to protect the interest and welfare of customers and neighboring residents to develop a solid foundation of reputation and integrity, which all tenants of the center rely on.

9. **OUTDATED PROJECT APPLICATION AND AGENCY COMMENTS/REVIEWS**

- a. **Recommendation:** If not already in place, there should be time limits on how long projects are left open. After a specified time frame, the developer should be required to resubmit applications for State/County Agency "fresh" reviews to ensure recent issues impacting the project

are considered. Specifically, the developer for this project should be required to update their 2005 application, especially for those areas that are not now being addressed by the EA Process.

Response: The EA process offers an opportunity for agencies and the public to review the project in its most recently updated form, including the latest site plan, traffic study and preliminary engineering and drainage report. Thus, all agencies which reviewed the Project District Phase II application will have the opportunity to review the Draft EA. In addition, the Maui Planning Commission will have an opportunity to review the Draft EA and Final EA prior to taking action on the Project District Phase II application.

- b. **Recommendation:** It should be required for sellers/realtors to disclose such "open" projects (including Project Districts) for potential/new homeowners to consider when evaluating real estate sales/purchases. Information should be readily available to pull from County records related to TMK numbers. Any potential negative or positive impact to home values in the area should be addressed in the EA process.

Response: The EA process serves as a vehicle for public education and participation on projects which may be of interest to buyers and sellers of real property. In addition, the Wailuku-Kahului Community Plan and the Project District ordinance pertaining to Maui Lani are available at the Maui Planning Department, the County Clerks office, and the County of Maui website. Realtors have ready access to these sources of information and the applicant concurs that such information would be beneficial to buyers and sellers in real property transactions.

The proposed development of a commercial center, as reflected in Project District plans, and its impacts upon real property values are difficult to measure, particularly in today's complex marketplace, where supply and demand swings are significant, and attendant market psychology is variable. In general, the applicant does not believe that the implementation of the shopping center will have an measurable effect on market values, either positive or negative.

- c. **Recommendation:** There needs to be better checks and balances to ensure ALL comment letters are properly received and that issues brought up in comments letters are addressed and "cleared" by the corresponding department prior to approvals of the Project. Any

uncleared or unaddressed comments should be considered in the EA process.

Response: All substantive comments received from parties commenting on the Draft EA will be responded to by the project team. Based on past practice, it is our understanding that the Planning Department will not schedule the Planning Commission meeting on the Final EA until all issues arising from the comments are appropriately addressed. The applicant will work with commenting parties and the Planning Department to ensure that comments are properly responded to.

- d. **Recommendation:** Additionally, the EA team should ensure recent reviews by ALL State and County agencies have been performed, obtained, reviewed/analyzed and incorporated into the EA process.

Response: The applicant and its project team will work with the Planning Department to coordinate distribution of the Draft EA to agencies and organizations. All comments received on the Draft EA will be included in the Final EA. Additionally, responses to all substantive comments will be incorporated in the Final EA document.

10. **PROJECT GRADING PRIOR TO PHASE III APPROVALS**

- a. **Recommendation:** Developers should not be able to grade/develop a plot of land until their final project approvals are in place.

Response: Construction work will not proceed until all applicable approvals are secured, including the Project District Phase III approval, grading permit and construction plans/building permit approvals.

- b. **Recommendation:** We are on the windward side of the Island. The Developer should implement more successful methods to prevent sand and dust generated by the vacant land from blowing into our community, both immediately and in the future during the development/construction phase until newly installed landscaping matures.

Response: The applicant's contractor will utilize Best Management Practices (BMP) to manage fugitive dust during the construction phase of work. Such practices may include the installation of dust screens, water

spraying and immediate revegetation of open areas. While an unavoidable effect of construction is dust generation, the BMP program developed and implemented by the contractor will be designed to minimize such nuisance effects associated with construction.

11. NOTIFICATION TO OWNERS/LESSEES WITHIN 500 FEET OF THE PARCEL

- a. **Recommendation:** Change the wording of the Code to require a more updated list be generated prior to notification of public hearings. The public should not be penalized from getting their notification due to delayed applications, whether the County, State or developer caused the delay.

Response: The applicant understands and appreciates the importance of the public's receipt of timely notification of a public hearing. The provisions of Maui County Code Chapter 19.45, relating to project district processing regulations pertains to the Project District Phase II public hearing which was held on July 10, 2007. It is our understanding that the Planning Department, in its report to the Planning Commission reviewed and documented the steps taken for public notification.

- b. **Recommendation:** Consideration should be given to extending the notification period to 45 days prior to the meeting or an alternative form of delivery considered. Residences should not be penalized from receiving their notification letters due to the mass mailing that cannot be handled by the post office.

Response: See response to comment 11.a.

- c. **Recommendation:** Require the developer to provide a map clearly identifying the 500-foot boundary.

Response: See response to comment 11.a.

- d. **Recommendation:** Obtain a more recent list of all owners and recorded lessees within 500 feet, including from the Maui Lani Project District/New Sandhills Estate subdivision, to ensure appropriate individuals are properly notified.

Response: See response to comment 11.a.

Ms. Teresa S. Wright
April 7, 2010
Page 14

Thank you again for providing pertinent input and comments on the proposed Maui Lani Shopping Center project. Once completed, a copy of the Draft EA will be provided to you for review and comment. In the meantime, if there are any questions regarding the responses provided, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

EM:lh

Enclosures

cc: Lloyd Sueda, Sueda & Associates (w/enclosures)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/enclosures)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/enclosures)
Phillip Matsunaga, PB Americas, Inc. (w/enclosures)
Ann Cua, County of Maui, Department of Planning (w/enclosures)

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OCT 31 2007

Brian and Sharon Yamada
63 Naniluna Place
Wailuku, HI 96793
(808) 242-5673
(808) 870-8308 Brian
(808) 268-3680 Sharon

October 30, 2007

Dear Mr. Munekiyo,

We are concerned about the 55,000 square foot Safeway store being built in the Maui Lani Shopping Center complex. This complex will have an effect on our Historic Sandhills neighborhood.

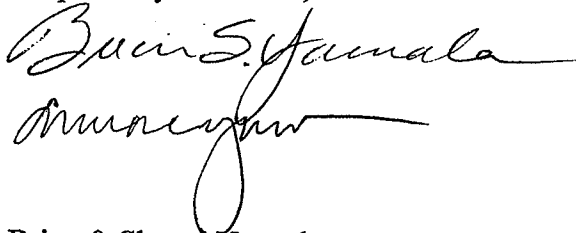
We live on Naniluna Place which is the street located next to the bridge on ramp that allows traffic to come into our subdivision from Wailuku town. Currently there is a stop sign at the end of the ramp that people disregard. If people are allowed to gain access into the shopping center through the bridge on ramp and Kainani Street this will create an even more dangerous situation for people coming out of Naniluna Place. We already have a hard time seeing the cars coming up the bridge, we don't need an increase in traffic. People that are not familiar with the subdivision don't know Naniluna Place exists and they come right up the ramp and don't stop.

Please don't allow outside traffic to have access to the shopping center through our subdivision via the bridge and Kainani Road. Our historic subdivision has blind curves and narrow streets which cannot accommodate outside traffic.

Also, we have a lot of early morning and late afternoon/ evening walkers especially seniors use Kainani Street for their daily walks and not to mention the students from Iao and Baldwin High School that walk through our subdivision after school. Additionally Cross Country teams from Baldwin High and St. Anthony Schools run through here during the season. Any added traffic just creates a very dangerous situation.

We are opposed to any traffic using our neighborhood as a thoroughfare to get into the Maui Lani Center.

Respectfully submitted,



Brian & Sharon Yamada

Nanima place & bridge on ramp (left)



Bridge on ramp



Naniluna Place.

Bridge on ramp to the left.





MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Brian and Sharon Yamada
63 Naniluna Place
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii, TMK (2)3-8-007:121**

Dear Mr. and Mrs. Yamada:

Thank you for your letter dated October 30, 2007, responding to our request for early consultation comments on the proposed Maui Lani Shopping Center project. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your review. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your comments.

Safeway and Shopping Center Related Concerns

Recognizing your, as well as others in the community's concerns, the applicant is intent on working with Sandhills residents to ensure a cooperative basis for addressing issues and concerns relating to Safeway operations.

Neighborhood concerns expressed on the "24/7" operating proposal include noise generated by equipment and trucks, as well as safety and security concerns associated with loitering and late night activities in the parking lot. The applicant will prepare and implement a night-time security and operations plan which will include such measures as limiting the use of service vehicles, trucks and equipment during late night and early morning hours, and employing security patrol protocols designed to control loitering.

Traffic

The applicant recognizes the sensitivity associated with the Kainani Street access issue. As a result, during the course of planning for the project, a number of alternatives to address impacts associated with the use of Kainani Street were considered. After examining the various options, and considering the comments offered by residents of the Historic Sandhills neighborhood, the applicant has developed a plan which would eliminate the need to use Kainani Street as an ingress and egress point for vehicular access.

To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We would also like to note that the project's traffic engineer, PB Americas, Inc., has prepared a new traffic study to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA).

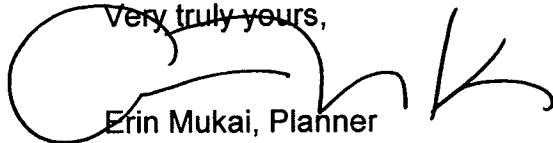
Pedestrian Safety

Pedestrian safety is an utmost concern of the applicant. The applicant proposes to construct additional sidewalks and cross walks in the vicinity of the project site. Although specific designs have not yet been developed, it is the intent of the applicant to ensure safety and easy access to the shopping center for pedestrians.

Brian and Sharon Yamada
April 7, 2010
Page 3

Additionally, the applicant has met with representatives of Baldwin High School (BHS) and the State of Hawaii, Department of Transportation (DOT). As a result of its meetings with BHS, the applicant agreed to fund a Traffic Evaluation Study to analyze current operations at the BHS entry drive intersection and to identify recommendations that may aid in relieving congestion and safety concerns for vehicles and pedestrians. A copy of the Traffic Evaluation Study will also be included in the Draft EA.

We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Once completed, a copy of the Draft EA will be provided to you for your review and comment. In the meantime, should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)

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Erin Mukai, Planner
 Munekiyo & Hiraga, Inc.
 305 High Street, Suite 104
 Wailuku, Hawaii 96793

On October 10, 2007 at our community meeting held at Maui Waena, Mr. Sueda one of the architects for the Maui Lani Shopping Center Project stated: He has met with our community four times already. He said that Safeway and the developer which he represents have been very patient, but he needs to get this project on a "fast track".

Look at what Mr. Sueda/developer have not resolved: Traffic is a serious and major concern for our neighborhood. He has NOT resolved this major issue. Mr. Yoshioka, the traffic engineer did not even have a traffic analysis prepared for his new proposal, yet he wanted our community to vote on it, so he could tell the Department of Transportation this is what we wanted and agreed to! Mr. Sueda does not have approval as stated by their own archaeologist, for the placement of the 17 (of 19) graves they want to place in the shopping center's parking lot.

This project which has increased in retail size by 10,000 S.F. from 129,000 S.F. to 139,142 S.F. will have a significant and detrimental impact on our Sandhills neighborhood. The developer has placed a 2-story office building right next to my neighbor, Mrs. Tokunaga's home. There will be a restaurant that will serve liquor, thus could possibly remain open until 2:00 A.M.. The architect said he could not disclose the restaurant tenant nor the hours of operation. The massive 55,960 S.F. Safeway will be running 24/7 and will have its very large loading dock and huge rubbish container parallel to Nakoa Drive. The architect stated that no deliveries will be allowed from 10:00 P.M. until 7:00 A.M. will this be for as long as the store exists? And will this be in writing? And does this no delivery during those specified times cover all of the tenants in the project? What about the dumping of rubbish/garbage especially by Safeway and the restaurant (beer bottles, etc.) into the rubbish bins late into the night and at the restaurant's closing time? A 24/7- 55,960 S.F. regional superstore will generate intrusive noise into our neighborhood, no ifs, ands or buts about this fact!

And on top of all of this is Kainani Street. Mr. Yoshioka the traffic engineer stated that Maui Lani Parkway will be the primary access as it was designed to be a regional access road. He said in the future traffic will be even busier. (We know, look at all of the development occurring in Central Maui.) So he wants to distribute the traffic so it doesn't pile up on Maui Lani Parkway. So he wants to use Kainani Street as a secondary access road.

Kainani Street is NOT designed to be and CAN NOT safely be designed to be a regional access road. Using Kainani Street as a secondary access road (that's what the architect and traffic engineer called it) will turn Kainani Street into a regional access road! This project will distribute SIGNIFICANT traffic throughout the Sandhills neighborhood especially on Kainani Street and Nakoa Drive.

Please visit the Sandhills neighborhood, study the site. See how our neighborhood streets are configured and how they feed into Kainani Street. Our roads are not flat and straight, but hilly and curving. Mr. Sueda and Mr. Yoshioka don't want traffic piling up on Maui Lani Parkway for the convenience of the shoppers for this project.---We don't want traffic piling up on Kainani Street and our neighborhood streets because how are we, the residents of Sandhills going to safely enter and exit our neighborhood streets to go to school, to go to work, to do our business and to come home?

The safety of the children in our neighborhood is of great concern. There are children on our streets that walk to Baldwin High School. What about the safety of the elderly people who walk in our neighborhood? Baldwin High School's cross country runners use our streets to train, what about their safety?

Mr. Sueda stated at our community meeting, that he needs a second access so he can develop this project. That DOESN'T give him the right to turn Kainani Street into a regional access road to service the shoppers for his Maui Lani Shopping Center. And in doing so cause a great inconvenience and more significantly endanger our lives with hazardous traffic conditons and ruin the quality of life we have enjoyed in our Sandhills neighborhood for generations.

Mr. Sueda and the developer want to fast track their project. Yes, they wish to build and leave and move on to other lucrative projects.

We will have to live with the mess they leave behind- every day and every night- for the rest of our lives.

Is this right?

Cleighton/Condis Higa

17 Nakoa Drive

22 Nakoa Drive

Eileen Tokunaga

8 Nakoa Drive

Mitsuo/Jeanette Watanabe

7 Nakoa Dr

Susan T Sugino 29 Nakoa Dr

Al Cacci 43 Nakoa Dr

Patience MK Kahula 35 NAKOA DR.

MICHAEL K. KAHULA WAILUKA, HI. 96793

ROBIN LUIS KAHULA, HI 96732

Cleighton Higa
Condis Higa
Wayne Nakato

Eileen Tokunaga
M Watanabe
Jeanette Watanabe
Susan T Sugino

Patience Kahula

Michael K. Kahula
Robin Luis Kahula

Pumaiikai Henry	42 NAKOA DRIVE	Pumaiikai Henry
ED NISHIHARA	28 NAKOA DR.	Waiuku
YAEKO HONDA	23 NAKOA DR.	Waiuku
Nancy Halley	189 Naniloa Dr.	Wailuku
Eva M. Kaneshina	319 NAKOA Drive,	Wailuku
Helen Ohigashi	60 NAKOA DR.	Waiuku
IRLEEN LIGERIO	63 NAKOA	Waiuku
Kim Muka-Otani	103 Ku Dr	Wailuku

Ed. Nishihara
 Yaeiko Honda
 Nancy Halley
 Eva M. Kaneshina
 Helen Ohigashi
 Alrij
 K Ot



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Cleighton and Cordis Higa
17 Nakoa Drive
Wailuku, Hawaii 96793

SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)

Dear Cleighton and Cordis Higa:

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Cleighton and Cordis Higa
April 7, 2010
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Very truly yours,



Erin Mukai, Planner

EM:lh

Enclosure

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Wayne Nakata
22 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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Wayne Nakata
April 7, 2010
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Very truly yours,

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Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Eileen Tokunaga
8 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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Eileen Tokunaga
April 7, 2010
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Erin Mukai, Planner

EM:lh

Enclosure

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April 7, 2010

Mitsuo and Jeanette Watanabe
7 Nako Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
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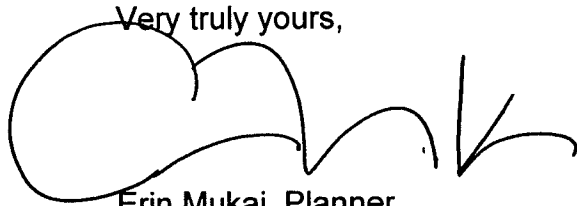
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April 7, 2010
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Very truly yours,

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Erin Mukai, Planner

EM:lh

Enclosure

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Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Susan T. Sugino
29 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

Dear Ms. Sugino:

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Susan T. Sugino
April 7, 2010
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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Nancy Ciacci
43 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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Nancy Ciacci
April 7, 2010
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Erin Mukai, Planner

EM:lh

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MARK ALEXANDER ROY

April 7, 2010

Robin Luis
Kahului, Hawaii 96732

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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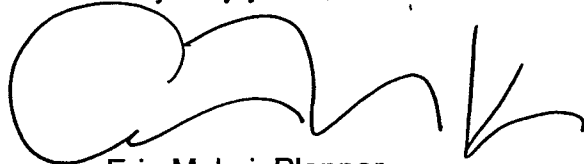
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Robin Luis
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April 7, 2010

Patience and Michael Kahula
35 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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Patience and Michael Kahula
April 7, 2010
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Erin Mukai, Planner

EM:lh
Enclosure

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Pomaikai Henry
42 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

Dear Pomaikai Henry:

Thank you for your joint letter responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project which was hand delivered to our office on October 26, 2007. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and the project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your review. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

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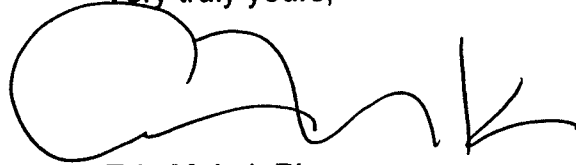
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Pomaikai Henry
April 7, 2010
Page 5

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Erin Mukai, Planner

EM:lh

Enclosure

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Ed Nishihara
28 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

Dear Mr. Nishihara:

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Ed Nishihara
April 7, 2010
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Erin Mukai, Planner

EM:lh

Enclosure

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Yaeko Honda
23 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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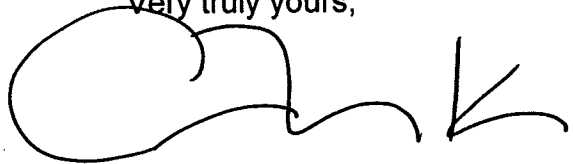
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Yaeko Honda
April 7, 2010
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Erin Mukai, Planner

EM:lh

Enclosure

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Nancy Halley
189 Naniloa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

Dear Ms. Halley:

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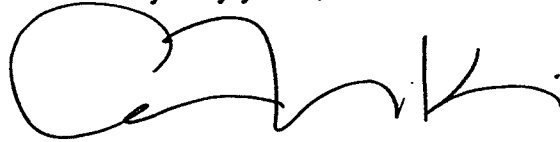
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Nancy Halley
April 7, 2010
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Erin Mukai, Planner

EM:lh

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April 7, 2010

Eva M. Kaneshina
319 Nakoia Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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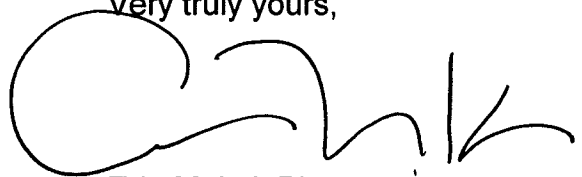
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Eva M. Kaneshina
April 7, 2010
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Erin Mukai, Planner

EM:lh

Enclosure

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Helen Ohigashi
60 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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April 7, 2010
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Erin Mukai, Planner

EM:lh

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Arleen Ligorio
63 Nakoa Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

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April 7, 2010
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Erin Mukai, Planner

EM:lh

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MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "MICH" HIRANO
KARLYNN FUKUDA

MARK ALEXANDER ROY

April 7, 2010

Kim Mukai-Otani
103 Ku Drive
Wailuku, Hawaii 96793

**SUBJECT: Chapter 343, Hawaii Revised Statutes, Environmental Assessment
Early Consultation Comments for the Proposed Maui Lani Shopping
Center, Wailuku, Maui, Hawaii (TMK (2)3-8-007:121)**

Dear Ms. Mukai-Otani:

Thank you for your joint letter responding to our request for early consultation comments for the proposed Maui Lani Shopping Center project which was hand delivered to our office on October 26, 2007. As you may know, since completion of your letter, several iterations of the site plan have been completed. The revisions to the plan have been largely made as a result of community meetings conducted with the neighborhood residents. Since our last community meeting of November 12, 2008, the applicant and the project team have worked with the State of Hawaii, Department of Transportation (DOT) to produce a site layout and access configuration that is deemed viable in concept by the DOT. A copy of the revised site plan is enclosed herewith for your review. As you will notice, the use of Kainani Street for vehicular access is no longer proposed as part of the project.

It is in the context of this revised plan that we would like to provide the following information in response to your collective comments.

Traffic

The applicant recognizes the sensitivity associated with the Kainani Street access issue.

As a result, during the course of planning for the project, the applicant studied a number of alternatives to address impacts associated with the use of Kainani Street. After examining the various options and considering comments offered by residents of the Historic Sandhills neighborhood, the applicant developed a revised site plan that eliminated the use of Kainani Street as an ingress and egress point for vehicular access.

To accomplish this site plan alternative, the applicant has scaled down the overall project size by approximately twenty percent to reduce project-related trip generation. This, in turn, would eliminate the need for a Kainani Street access point. The new total building

area of the shopping center is 105,098 s.f., compared to 130,310 s.f. from the previous site plan that was presented at the community meeting of November 12, 2008.

Under the new site plan, the applicant proposes three (3) access points for the shopping center via Kaahumanu Avenue and Maui Lani Parkway. A proposed access along Kaahumanu Avenue will be limited to right-turn in only. In addition, a major component of the access plan reflects a full-movement access off of Maui Lani Parkway, as well as a second limited access with right-turn in and right-turn out turning movements off of Maui Lani Parkway.

We would also like to note that the project's traffic engineer, PB Americas, Inc., prepared a new traffic study to ensure that the proposed access points for the shopping center offer a safe and workable traffic solution for the project's location. A copy of the new traffic study will be included in the Draft Environmental Assessment (EA).

Burials

The applicant's project archaeologist has been and will continue to work with the State Historic Preservation Division to ensure that identified burials are treated and preserved with the highest degree of respect. Burial treatment plans have been prepared for three (3) burial sites, with additional treatment plans to be prepared for the remaining nineteen (19) burials. In addition, the area to the immediate southeast of the Kainani Street – Kaahumanu Avenue intersection will not be graded given the likelihood of burials in this locale. Instead, an approximately 15,200 square-foot preservation area will be created at this corner of the property.

Proposed Two-Story Office Building

The two-story office building proposed near the northwest corner of the project site has been relocated, with the office spaces for the project now accommodated near the southeast corner of the property, along Maui Lani Parkway. Recognizing the need to maintain adequate separation between buildings in the shopping center and the adjacent residences in the Historic Sandhills neighborhood, an open space buffer has been established along the western property line of the project. While a retail building has been located towards the northwest portion of the project site, the open space buffer provides needed separation to ensure that impacts to properties bordering the site are not adversely affected by shopping center operations.

Restaurant/Liquor Sale

All tenants of the shopping center are obliged to comply with applicable State and County regulations with regards to the sale of alcohol to minors. Terms relating to the compliance of alcohol sale regulations will be included in tenant leases. The restaurant envisioned for the shopping center is expected to be of a reputable national family restaurant chain. Such companies hold extremely high standards for the serving of liquor and strict standards for the maintenance of their restaurants, including sensitivity to neighboring uses.

24-Hour Safeway Operation

Recognizing your concerns, the applicant is intent on working with the Sandhills community to ensure a cooperative basis for addressing issues and concerns. Neighborhood concerns expressed on the "24/7" operating proposal include noise generated by equipment and trucks, as well as safety and security concerns associated with loitering and late night activities in the parking lot. The applicant will prepare and implement a night-time security and operations plan which would include such measures as limiting the use of service vehicles, trucks and equipment during late night and early morning hours, and employing security patrol protocols designed to control loitering.

The applicant will work with all of its tenants, including Safeway, to ensure that shopping center operations do not adversely impact neighboring residents. Through close cooperation with Sandhills residents, the applicant believes that it can successfully manage a 24-hour Safeway operation without affecting nearby residential areas.

Noise

A number of Sandhills residents have expressed their concerns relating to noise generated from shopping center activity. In response to these concerns, the applicant will implement building design features that consider noise generation from shopping center equipment. Noise levels associated with store generators and air-conditioned containers will be controlled through building design features which propose to enclose noise generating equipment and activities (i.e.: compressors, loading zone activities). Noise control measures relating to self-imposed operational restrictions are also proposed. Such restrictions, for example, would include limiting loading and unloading, at the shopping center to the hours of 7:00 a.m. to 10:00 p.m. As such, deliveries for all shopping center tenants will be limited to the aforementioned hours. To address concerns of trash pick-ups, the applicant proposes to limit the hours of trash collection to ensure that commercial waste pick up will not occur before 7:00 a.m. In general, garbage pick ups for a center of this type occur approximately twice a week.

Further, since the last community meeting of November 12, 2008, the applicant has made several changes to the proposed site plan, including the provision of a buffer along the western perimeter of the site, between the adjacent Sandhills lots and the proposed parking lot. The parking area is now setback from the project site's western property line by approximately 72 ft. to 110 ft. This separation is intended to serve as not only a visual buffer, but will serve as noise buffer to aid in mitigation of noise impacts of the shopping center to surrounding properties.

Furthermore, we note that in order to better address noise impact issues, the applicant has undertaken a noise study to quantify existing noise conditions and to assess the impacts of the proposed shopping center as it relates to the existing conditions. Mitigative measures will be considered to ensure that noise impacts upon neighboring residences are minimized. A copy of the noise study will be incorporated in the Draft Environmental Assessment.

Garbage Dumpsters

Currently, five (5) designated locations for trash bins within the project site are proposed, four (4) of which will be located on the eastern portion of the project site. Although there is one (1) trash bin located on the western developed perimeter of the project site, it is located approximately 80 ft. from the adjacent Sandhills lots. It is noted that garbage pick up will not occur before 7:00 a.m. In general, garbage pickups for a center of this type occur about twice a week.

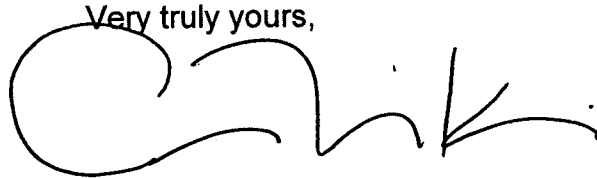
Pedestrian Safety

Pedestrian safety is an utmost concern of the applicant. Sidewalks will be provided in connection with roadway improvements serving the proposed project. Although specific designs have not yet been developed, it is the intent of the applicant to ensure safety to the shopping center for pedestrians.

Kim Mukai-Otani
April 7, 2010
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We appreciate receiving your comments regarding the proposed shopping center project and associated impacts. Should you have any questions or if additional clarification is needed, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Erin Mukai', with a stylized flourish at the end.

Erin Mukai, Planner

EM:lh

Enclosure

cc: Lloyd Sueda, Sueda & Associates, Inc. (w/out enclosure)
Jeff Benner, Benner Stange Associates Architects, Inc. (w/out enclosure)
Darren Unemori, Warren S. Unemori Engineering, Inc. (w/out enclosure)
Phillip Matsunaga, PB Americas, Inc. (w/out enclosure)
Yoichi Ebisu, Y. Ebisu & Associates (w/out enclosure)

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