

IV. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

IV. RELATIONSHIP TO GOVERNMENTAL PLANS, POLICIES AND CONTROLS

This section discusses the relationship of the proposed Ridge Project to applicable State and County land use plans, policies and controls.

A. STATE LAND USE DISTRICTS

Pursuant to Chapter 205, Hawai'i Revised Statutes, all lands in the State have been placed into one (1) of four (4) major land use districts by the State Land Use Commission. These land use districts are designated "Urban", "Rural", "Agricultural", and "Conservation". The project site is classified "Agricultural". See **Figure 24**.

A State Land Use District Boundary Amendment from the "Agricultural" District to the "Urban" and "Rural" Districts is being requested as part of the entitlement requirements to bring consistency between the State Land Use District boundaries and the Kula Ridge Project. Refer to **Figure 16**. This 48.12-acre area will contain a workforce housing component integrated with market-priced housing (including four (4) large lots), open space, and a 3-acre park. Of the 48.12 acres, 31.87 acres are proposed to be reclassified from the Agricultural District to the Urban District. The remainder of the project area (16.25 acres) is proposed to be reclassified from Agricultural to Rural District.

Criteria considered in the reclassification of lands are set forth in the State Land Use Commission Rules (Chapters 15-15-58 and 15-15-21, Hawai'i Administrative Rules). The proposed reclassification of the 48.12 acres within the Project Area from "Agricultural" to "Urban" and "Rural" has been analyzed with respect to the criteria, as discussed below.

B. LAND USE COMMISSION RULES, CHAPTER 15-15, HAWAII ADMINISTRATIVE RULES (HAR)

The proposed reclassification of the subject property has been analyzed with respect to standards of the Urban District set forth in Chapter 15-15-18, HAR and standards for the Rural District set forth in Chapter 15-15-21, HAR.

Urban District Standards (Chapter 15-15-18, HAR)

Chapter 15-15-18, HAR pertains to standards for determining Urban District Boundaries.

- (1) It shall include lands characterized by “city-like” concentrations of people, structures, streets, urban level of services and other related land uses.

Comment: The subdivision property is in proximity to residential subdivisions of a similar character, with structures, streets, and services of an urban type. In this context, the subject property is in immediate proximity to developed residential areas

- (2) It shall take into consideration the following specific factors:

- A. Proximity to centers of trading and employment except where the development would generate new centers of trading and employment.

Comment: The area proposed for reclassification is located approximately 8.0 miles to Makawao Town and approximately 6.0 miles to Pukalani Town. The proposed Ridge Project will provide a residential community in proximity to key employment centers in both towns, as well as generate employment opportunities associated with home building and maintenance services.

- B. Availability of basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection.

Comment: The area proposed for reclassification will be serviced by infrastructure and public services without creating capacity and operational constraints. Appropriate onsite and offsite infrastructure improvements will be provided by the applicant as reported in the Preliminary Engineering Report. Refer to **Appendix "H"**. The area is located in close proximity to major existing roadways, such as Kula Highway, and includes a planned internal transportation system of collector and local roads.

The project area requiring reclassification will be served by neighboring schools and parks. Fire protection services are available nearby and a new police community service center will be located in the Kulamalu Town Center, approximately 1.0 mile northeast of the project site.

- C. Sufficient reserve areas for foreseeable urban growth.

Comment: Other planned areas of urban growth are anticipated in the Makawao-Pukalani-Kula Community Plan. The Waiohuli Homestead Community Phase 2 and Phase 3 Developments, for example, will accommodate future urban growth. Incremental development at Keokea and Waiohuli is proceeding with build-out anticipated over the next several years.

- (3) It shall include lands with satisfactory topography, drainage, and reasonably free from the danger of any flood, tsunami, unstable soil conditions, and other adverse environmental effects.

Comment: The project site gently slopes in a west to east direction, with elevations ranging between 2,708 to 3,085 feet. Having been formerly used for pasture land, the property can be characterized as generally level, with defined drainage patterns. The land proposed for reclassification is located within Zone C, an area of minimal flooding, on the Federal Emergency Management Agency (FEMA) flood insurance rate maps. This land area is not subject to tsunami inundation or unstable soil conditions.

- (4) Land contiguous with existing urban areas shall be given more consideration than non-contiguous land, and particularly when indicated for future urban use on state or county general plans.

Comment: The 31.87-acre parcel proposed to be reclassified is in proximity to existing Urban district lands to the west. Although not contiguous, the intervening Kula Community Center and tennis courts establish a land use spatial configuration which provides a continuity of urban use patterns between the project site and lands falling within the State urban district. In general, this area contains residential lots, a community center, a church, and small business establishments, along with an elementary school and park space.

- (5) It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on the state and county plans.

Comment: This 31.87-acre parcel lies adjacent to areas of single-family residential uses designated in the Makawao-Pukalani-Kula Community Plan. The Makawao-Pukalani-Kula Community Plan designates the project site as both single-family and rural. The proposed area for reclassification is surrounded by other urban uses. It is in close proximity to a grocery store, gas station, restaurant, a school, and a community center.

- (6) It may include lands which do not conform to the standards in paragraphs (1) to (5):

- A. When surrounded by or adjacent to existing urban development; and
- B. Only when those lands represent a minor portion of this district.

Comment: The area proposed for reclassification is adjacent to existing urban development and activity. The 31.87 acres proposed for reclassification represent a minor portion of the 244,632 acres of Agricultural classified lands on the island of Maui (Maui County Data Book, 2006).

- (7) It shall not include lands, the urbanization of which will contribute toward scattered spot urban development, necessitating unreasonable investment in public infrastructure or support services.

Comment: The area proposed for reclassification will be implemented as a small planned development. The property's location adjacent to developed and undeveloped urban lands does not contribute to spot development or burdensome infrastructure investments.

- (8) It may include lands with a general slope of twenty percent or more if the commission finds that those lands are desirable and suitable for urban purposes and that the design and construction controls, as adopted by any federal, state, or county agency, are adequate to protect the public health, welfare and safety, and the public's interest in the aesthetic quality of the landscape.

Comment: These single-family residential lots will be developed on lands having slopes of less than 20 percent. County grading regulations will be followed to ensure the protection of public health, safety and welfare.

- (9) The extent to which the proposed reclassification conforms to the applicable goals, objectives, and policies of the Hawai'i state plan and relates to the applicable priority guidelines of the Hawai'i state plan and adopted functional plans.

Comment: The proposal to incorporate the land uses as envisioned in the Kula Ridge Subdivision project is in alignment with overall theme, goals, objectives and policies of Chapter 226, Hawai'i Revised Statutes, relating to Hawai'i State Planning Act. The applicable objectives, policies and priority guidelines are set forth in Section C of this Chapter.

- (10) The extent to which the proposed reclassification conforms to the applicable district standards.

Comment: The proposed reclassification conforms to Urban District standards as identified in Chapter 205-2 and in keeping with the Maui County General Plan.

(11) The impact of the proposed reclassification on the following areas of state concern:

A. Preservation or maintenance of important natural systems or habitats.

Comment: There are no important systems or habitats within the reclassification area.

B. Maintenance of valued cultural, historical or natural resources.

Comment: An archaeological inventory survey was carried out on the subject property. An archaeological monitoring plan for the property will be developed to appropriately cover the recommendations of the SHPD. The property is not being used for cultural practices and adverse impacts to cultural resources are not anticipated as a result of reclassification.

C. Maintenance of other natural resources relevant to Hawai'i's economy, including, but not limited to, agricultural resources.

Comment: The use of the subject property for workforce and market housing purposes will not compromise agricultural productivity for the island. The subject property has been used historically for habitation and pasture land. Moreover, other natural resources are not anticipated to be adversely affected by the proposed action. Refer to **Appendix "C"**.

D. Commitment of State funds and resources.

Comment: The proposed reclassification will not require commitment of State funds or resources.

E. Provision for employment opportunities and economic development.

Comment: The Ridge Project as a whole will provide new employment opportunities for Maui residents. The residential projects will provide construction and service-related employment.

- F. Provision for housing opportunities for all income groups, particularly the low, low-moderate, and gap groups.

Comment: The Ridge Project as a whole will provide a variety of housing types, including affordable and single-family “starter” homes. The workforce housing parameters for the project includes the provision of at least 51 percent of the lots to families earning not more than 160 percent of the Maui County median income.

Rural District Standards (Chapter 15-15-21, HAR)

The proposed reclassification of a 16.25-acre portion of the subject property is also in conformance with the following standards of the Rural District set forth in Chapter 15-15-21, HAR.

- (1) Areas consisting of small farms; provided that the areas need not be included in this district if their inclusion will alter the general characteristics of the areas.

Comment: The area proposed for reclassification is surrounded by other rural areas. The four (4) large lots within the project will encourage farming activities to occur near other farming communities.

- (2) Activities or uses are characterized by low-density residential lots of not less than one-half acre and a density of not more than one single-family dwelling per one-half acre in areas where “city-like” concentration of people, structures, streets, and urban level of services are absent, and where small farms are intermixed with the low-density residential lots.

Comment: The area proposed for reclassification is surrounded by single-family homes, small farms, and urban uses that are reflective of the region’s rural character. The four (4) large lots within the proposed project will be sold with restrictions on further subdividing, and development will be restricted to one (1) main and one (1) accessory dwelling unit.

- (3) It may also include parcels of land which are surrounded by, or contiguous to this district, and are not suited to low-density residential uses for small farm or agricultural uses.

Comment: As noted above, the proposed area for reclassification is surrounded by other uses that are reflective of the region’s rural character. The rural transition between

agricultural and urban areas is considered appropriate, given the proximity of the project site to infrastructure and services.

C. **CHAPTER 226, HRS, HAWAII STATE PLAN**

Chapter 226, HRS, also known as the Hawai`i State Plan, is a long-range comprehensive plan which serves as a guide for the future long-term development of the State by identifying goals, objectives, policies and priorities, as well as implementation mechanisms. The proposed Ridge Project is in concert with the following goals of the Hawai`i State Plan:

- A strong, viable economy, characterized by stability, diversity, and growth, that enables the fulfillment of the needs and expectations of Hawai`i's present and future generations.
- A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.
- Physical, social and economic well-being for individuals and families in Hawai`i that nourishes a sense of community responsibility, of caring and of participation in community life.

1. **Objectives and Policies of the Hawai`i State Plan**

The proposed reclassification is in conformance with the following objectives and policies of the Hawai`i State Plan:

Chapter 226-5, HRS, Objectives and Policies for Population

226-5(b) (1), HRS: Manage population growth statewide in a manner that provides increased opportunities for Hawai`i's people to pursue their physical, social and economic aspirations while recognizing the unique needs of each county.

226-5(b)(3), HRS: Promote increased opportunities for Hawai`i's people to pursue their socio-economic aspirations throughout the islands.

226-6, HRS, Objectives and Policies for the Economy—in General

226-6 (b)(6), HRS: Strive to achieve a level of construction activity responsive to, and consistent with, State growth objectives.

226-11, HRS, Objectives and Policies for the Physical Environment—Land-based, Shoreline and Marine Resources

226-11 (a)(2), HRS: Effective protection of Hawai'i's unique and fragile environmental resources.

226-11 (b)(3), HRS: Take into account the physical attributes of areas when planning and designing activities and facilities.

226-11(b)(8), HRS: Pursue compatible relationships among activities, facilities and natural resources.

226-12, HRS, Objectives and Policies for the Physical Environment—Scenic, Natural Beauty and Historic Resources

226-13(b)(5), HRS: Encourage the design of developments and activities that complement the natural beauty of the islands.

226-13, HRS, Objectives and Policies for the Physical Environment—Land, Air and Water Quality

226-13(b)(2), HRS: Promote the proper management of Hawai'i's land and water resources.

226-13(b)(6), HRS: Encourage design and construction practices that enhance the physical qualities of Hawai'i's communities.

226-13(b)(7), HRS: Encourage urban developments in close proximity to existing services and facilities.

226-19, HRS, Objectives and Policies for Socio-Cultural Advancement—Housing

226-19(a)(2), HRS: The orderly development of residential areas sensitive to community needs and other land uses.

226-19(b)(1), HRS: Effectively accommodate the housing needs of Hawai'i's people.

226-19(b)(3), HRS: Increase homeownership, rental opportunities and choices in terms of quality, location, cost, densities, style and size of housing.

226-19(b)(5), HRS: Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.

226-19(b)(7), HRS: Foster a variety of lifestyles traditional to Hawai'i through the design and maintenance of neighborhoods that reflect the culture and values of the community.

Chapter 226-23, HRS, Objectives and Policies for Socio-Cultural Advancement—Leisure

226-23(b)(4), HRS: Promote the recreational and educational potential of natural resources having scenic, open space, cultural, historical, geological, or biological values while ensuring that their inherent values are preserved.

2. Priority Guidelines of the Hawai'i State Plan

The proposed action is in keeping with the following priority guidelines of the Hawai'i State Plan.

Chapter 226-103, HRS, Economic Priority Guidelines:

226-103(1), HRS: Seek a variety of means to increase the availability of investment capital for new and expanding enterprises.

A. Encourage investments which:

- (i) Reflect long-term commitments to the State;
- (ii) Rely on economic linkages within the local economy;
- (iii) Diversify the economy;
- (iv) Reinvest in the local economy;
- (v) Are sensitive to community needs and priorities; and
- (vi) Demonstrate a commitment to management opportunities to Hawai'i residents.

Chapter 226-104, HRS, Population Growth and Land Resources Priority Guidelines

226-104(a)(1), HRS: Encourage planning and resource management to ensure that population growth rates throughout the State are consistent with available and planned resource capacities and reflect the needs and desires of Hawai'i's people.

226-104(b)(1), HRS: Encourage urban growth primarily to existing urban areas where adequate public facilities are already available or can be provided with reasonable public expenditures and away from areas where other important benefits are present, such as protection of important agricultural land or preservation of lifestyles.

226-104(b)(2), HRS: Make available marginal or non-essential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district.

226-104(b)(12), HRS: Utilize Hawai'i's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline conservation lands, and other limited resources for future generations.

Chapter 226-106, HRS, Affordable Housing Priority Guidelines

226-106(1), HRS: Seek to use marginal or nonessential agricultural land and public land to meet housing needs of low- and moderate-income and gap-group households.

226-106(8), HRS: Give higher priority to the provision of quality housing that is affordable for Hawai'i's residents and less priority to development of housing intended primarily for individuals outside of Hawai'i.

D. STATE FUNCTIONAL PLANS

The State Functional Plans implement the Hawai'i State Plan by identifying needs, problems and issues, and by recommending policies and priority actions which address the identified areas of concern. The proposed reclassification request is consistent with the following State Functional Plans:

1. State Agricultural Functional Plan

The proposed action will reclassify approximately 48.12 acres of land from the State Agricultural district to the State Urban and Rural districts. The four (4) large lots proposed as part of the project encompasses a total of 16.25 acres. Agricultural pursuits relating to pasture land uses can be accommodated on these lands. The proximity of the subject property to existing and planned urban land uses provide a reasonable nexus and an appropriate foundation for the proposed reclassification request, particularly in the context of meeting affordable housing needs of the community.

2. State Housing Functional Plan

The growing public demand for affordable housing indicate a current shortage of single-family housing on Maui. The 70 affordable residential houselots and the 46 market lots within the proposed subdivision will help to address a critical community need.

3. State Recreational Functional Plan

Outdoor recreation is recognized by the Hawai'i State Plan as an important part of life for Hawai'i's residents. As the population rises and residential land uses increase, creating areas dedicated to outdoor recreation becomes increasingly vital. The State Functional Plan for Recreation urges the improvement and expansion of recreational facilities in urban areas and local communities. The proposed action for the subdivision includes provisions to provide approximately 3.0 acres of park to address this need.

E. MAUI COUNTY GENERAL PLAN

The Maui County General Plan (1990 Update) sets forth broad objectives and policies to help guide the long-range development of the County. 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.

The Maui County General Plan developed five (5) major themes that focus on the overall goals of the plan. These themes were devised to reflect the general scope and priorities of the Maui County General Plan. The proposed project responds to the following theme:

Theme Number 5

Provide for needed resident housing:

- Amendments to the General Plan address the development of resident housing as a major social need in our community.

The proposed action is in keeping with the following General Plan objectives relating to population, land use, economic activity, housing and urban design.

POPULATION

Objective

To plan the growth of resident and visitor population through a directed and managed growth plan so as to avoid social, economic and environmental disruptions.

Policies

- a. Manage population growth so that the County's economic growth will be stable and the development of public and private infrastructures will not expand beyond growth limits specified in the appropriate community plans or negatively impact our natural resources.
- b. Balance population growth by achieving concurrency between the resident employee work force, the job inventory created by new industries, affordable resident/employee housing, constraints on the environment and its natural resources, public and private infrastructure, and essential social services such as schools, hospitals, etc.

LAND USE

Objective

1. To preserve for present and future generations existing geographic, cultural and traditional community lifestyles by limiting and managing growth through environmentally sensitive and effective use of land in accordance with the individual character of the various communities and regions of the county.

Policies

- a. Provide and maintain a range of land uses districts sufficient to meet the social, physical, environmental and economic needs of the community.

Objective

- 2. To use the land within the County for the social and economic benefit of all the County's residents.

Policies

- a. Encourage land use patterns that foster a pedestrian oriented environment to include such amenities as bike paths, linear parks, landscaped buffer areas and mini-parks.
- b. Encourage land use methods that will provide a continuous balanced inventory of housing types in all price ranges.
- c. Encourage programs to stabilize affordable land and housing prices.

ECONOMIC ACTIVITY (General)

Objective

Utilize an equitable growth management program which will guide the economic well-being of the community.

Policies

- a. Encourage the adoption of a resource allocation program which gives a high priority to affordable residential projects.

HOUSING

Objective

To provide a choice of attractive, sanitary and affordable homes for all our residents.

Policies

- a. Provide or require adequate physical infrastructure to meet the demands of present and planned future affordable housing needs.
- b. Encourage the construction of housing in a variety of price ranges and

geographic locations.

- c. Encourage the use of innovative performance standards and building methods to reduce housing costs to the consumer.
- d. Streamline or “fast-track” the governmental review process for affordable single-family housing projects.
- e. Make full use of State and Federal programs that provide financial assistance to renters and homebuyers.
- f. Ensure that each community plan region contains its fair share of affordable housing.

URBAN DESIGN

Objective

To encourage development that reflects the character and culture of Maui County’s people.

Policies

- a. Encourage community design that establishes a cohesive identity
- b. Encourage the establishment of continuous green areas, bike-paths, active and passive recreation areas and mini-parks in new subdivision development.

F. MAKAWAO-PUKALANI-KULA COMMUNITY PLAN

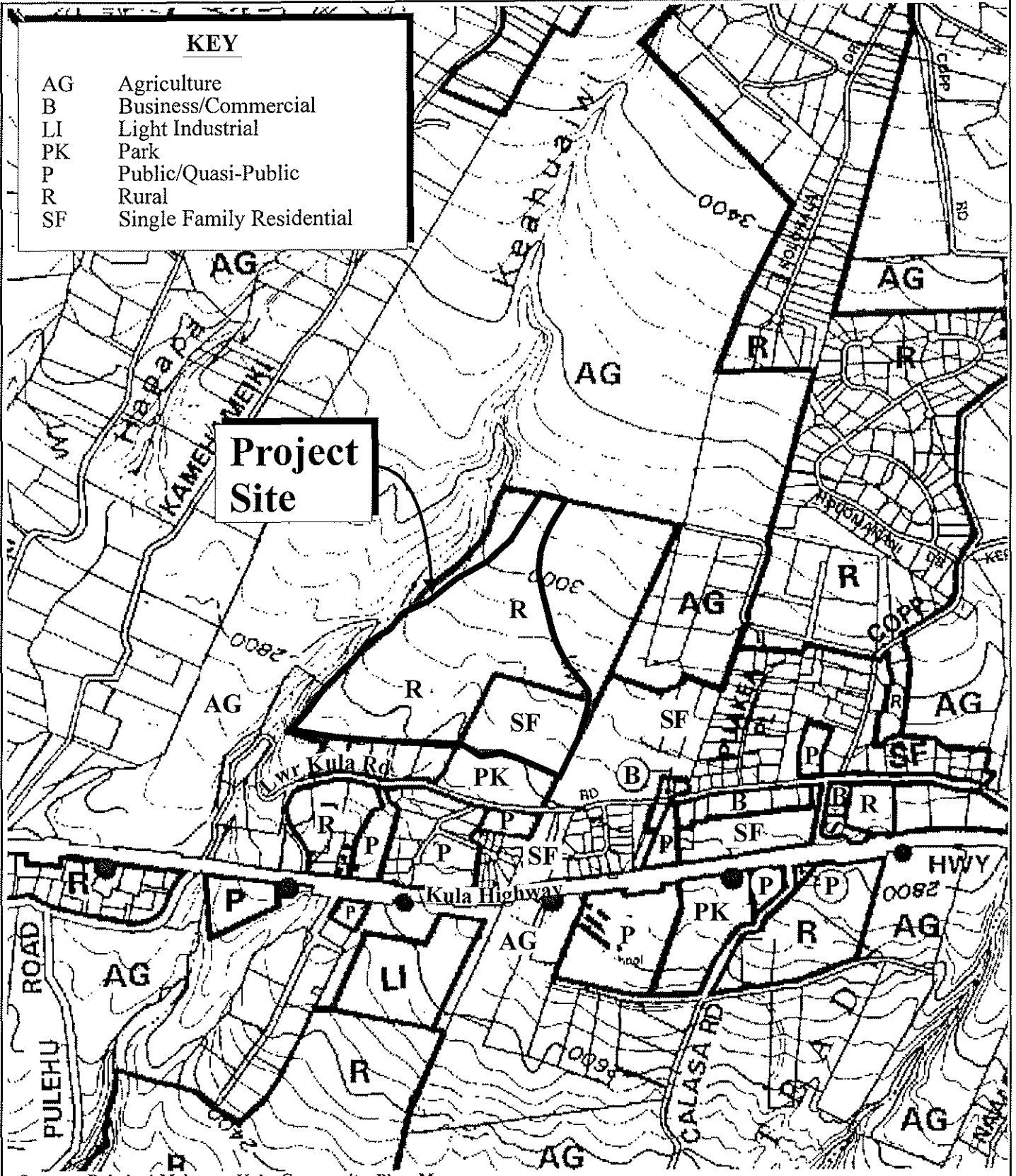
The project site is located within the Makawao-Pukalani-Kula Community Plan region, one (1) of nine (9) community plan regions established in the County of Maui. Planning for each region is guided by the respective community plans, which are designed to implement the Maui County General Plan. Each community plan contains recommendations and standards which guide the sequencing, patterns and characteristics of future development in the region.

The Makawao-Pukalani-Kula Community Plan was adopted by the County of Maui through Ordinance No. 2510 which took effect on July 23, 1996.

Land use guidelines are set forth by the Makawao-Pukalani-Kula Community Plan Land Use Map. See **Figure 25**. Fifteen (15) acres of the subject property are designated for “Single-Family” use with a remainder of 33.12 acres set aside for “Rural” use. The proposed project

KEY

- AG Agriculture
- B Business/Commercial
- LI Light Industrial
- PK Park
- P Public/Quasi-Public
- R Rural
- SF Single Family Residential



Source: Pukalani-Makawao-Kula Community Plan Map

Figure 25 Proposed Kula Ridge Residential Workforce Housing Subdivision
Community Plan Land Use Map NOT TO SCALE



Prepared for: Kula Ridge, LLC

MUNEKIYO & HIRAGA, INC.

NishikawaKulaAHCPLUD

includes 116 single-family homes, a 3-acre park space, and a 5-acre open space area.

Because the proposed project will provide workforce housing opportunities for residents, it will be processed in accordance with Section 201H-38 of the Hawai'i Revised Statutes. The applicant will be seeking exemptions from certain regulatory and statutory requirements relating to land use, construction, subdivision, public services and infrastructure and administrative procedures. An exemption from Chapter 2.80B of the Maui County Code, relating to the General Plan and Community Plans, will be included in the Section 201H-38 exemption list.

The proposed project is consistent with the following goals, objectives and policies set forth in the Makawao-Pukalani-Kula community plan.

ECONOMIC ACTIVITY

Goal: A stable and diverse economic environment which supports a level of community prosperity in order to provide social services and environmental amenities and which respects the region's rural and agricultural lifestyle, open space, and natural resources.

Objectives and Policies:

- Provide for the preservation and enhancement of agricultural lands and operations, emphasizing the importance of promoting diversified agriculture to the region's economic base and lifestyle.
- Preserve agriculture by actively promoting locally grown agricultural products.

LAND USE

Goal: The maintenance and enhancement of Upcountry's unique and diverse rural land use character with sensitivity to existing land use patterns, natural resource values, and economic and social needs of the region's residents.

Objectives and Policies:

- Recognize the value of open space, including agricultural lands and view planes to preserve the region's rural character.
- Encourage new residential developments in area which are contiguous

extensions of, or infills within the established residential pattern, and which do not adversely affect agricultural uses.

- Ensure that adequate lands are set aside for recreational and open space purposes.
- Preserve and enhance the “country” atmosphere in all communities by maintaining the small-scale, unique and independent character of each of the three sub-regions. “Country” atmosphere is defined by building style, a low density mix of residences, ranches, open spaces, greenways, plantings, and cultivated lands.
- Make available agricultural lands for those who wish to farm.
- Ensure an adequate supply of lands designated for residential use to address the affordable and elderly housing needs of the region’s residents.

URBAN DESIGN

Goal: Recognitions and preservation of the unique design characteristics of the Makawao, Pukalani, and Kula communities in order to enhance Upcountry’s man-made environment.

Objectives and Policies:

- Support the revision of subdivision and roadway design criteria and standards to be more compatible with the rural character of the upcountry region.
- Preserve the unique characteristics of all of the Upcountry towns by recognizing and respecting architectural styles as described in the Country Town Design Guidelines.
- Support the development of pedestrian equestrian and bikeway connections which provide safe and convenient linkages within and between Upcountry communities.

HOUSING

Goal: Housing opportunities for the residents of Makawao-Pukalani-Kula, to include all income and age groups, which are affordable, safe, and environmentally and culturally compatible.

Objectives and Policies:

- Provide a mixture of housing types, smaller lot sizes, and coordinated assistance programs aimed at lowering housing costs and expanding housing opportunities.
- In keeping with public health and safety principles, and consistent with the Upcountry character, develop zoning, subdivision and design standards which will facilitate the development of affordable housing.

SOCIAL INFRASTRUCTURE

Goal: An efficient and responsive system of people-oriented public services which enable residents to live in a safe, healthy, and enjoyable lifestyle, and offer the youth and adults of the region opportunities and choices for self and community improvement.

Objectives and Policies:

- Pursue the development of equestrian trails, pathways, greenways, and related facilities which will meet the recreational needs of runners, joggers, walkers, horseback riders, and cyclists.

G. UPCOUNTRY GREENWAY MASTER PLAN

The project site is located within the Upcountry Greenway Master Plan Region. The Makawao-Pukalani-Kula Community Plan calls for the preparation and implementation of an Upcountry Master Plan for Bikeways, equestrian trails and pedestrianways which connect major origin and destination points. Such facilities include:

1. Pedestrian/equestrian/bikeway routes which link the Makawao Town Center, Eddie Tam Memorial Gym, Kalama Intermediate School, and continuing along Makani Road to Haleakala Highway.
2. Pedestrian/equestrian/bikeway routes which link Pukalani residential areas with the Pukalani Community Center, Pukalani Elementary School, and the Pukalani Terrace Center, along Pukalani Street from Haleakala Highway to the Pukalani Country Club, with a future extension to the Kulamalu project.
3. Pedestrian/bikeway route along the Pukalani Bypass and Kula Highway from Makani Road to Ulupalakua.

Greenway Master Plan Goal

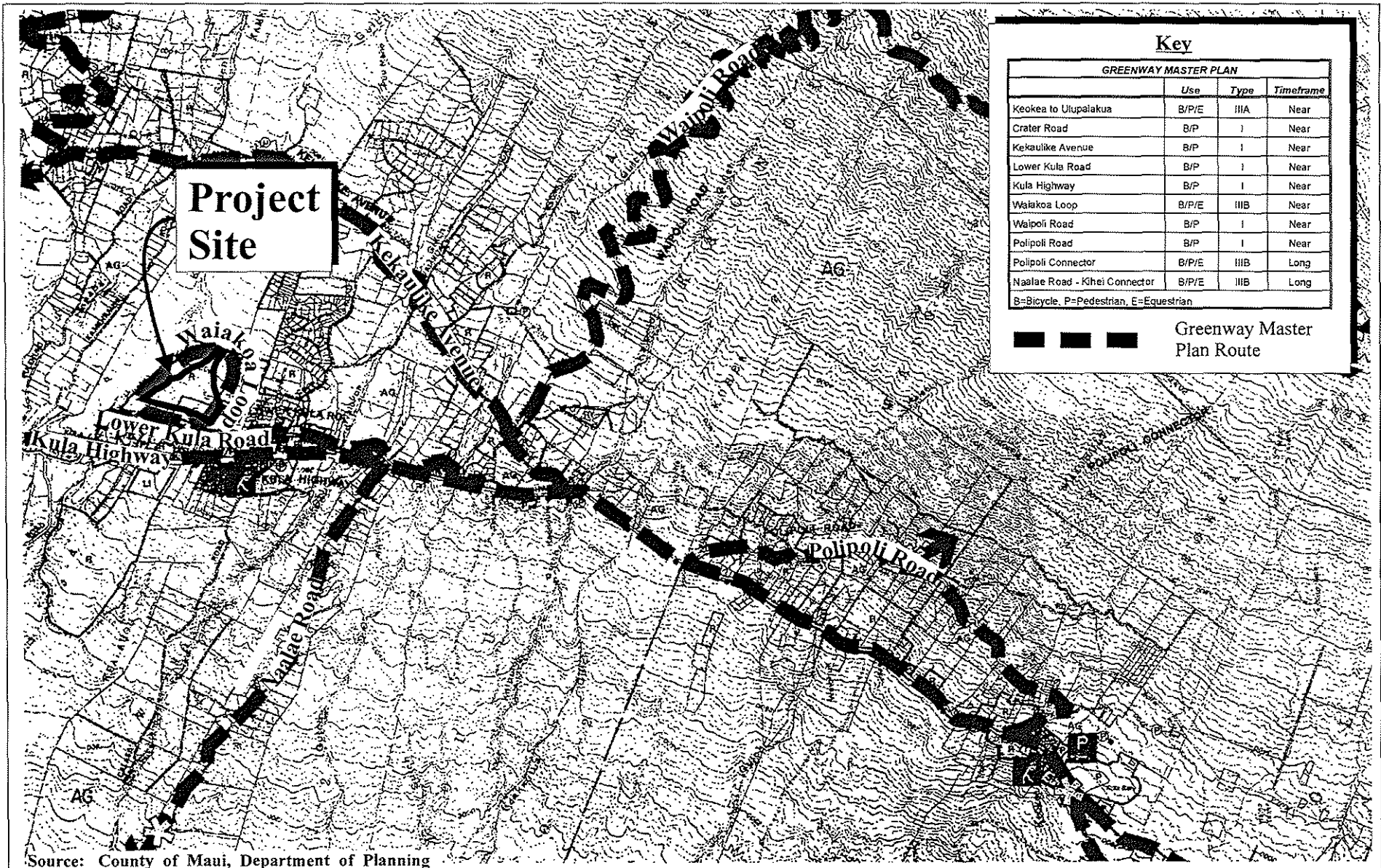
An integrated system of non-motorized transportation and recreation multi-use routes, trails and paths, which respect the rights of private property owners and utility service companies, and which are compatible with existing and future land uses in the region.

Greenway Master Plan Objectives

1. Identify greenway routes which provide linkages between and within communities.
2. Establish greenway design criteria which are suitable to multi-use and multi-function purposes.
3. Develop routing criteria which recognizes physical, operational, and land use needs of private property owners and utility service providers.
4. Establish a regulatory and management framework to ensure the long-term operational success of the Upcountry Greenway.
5. Develop a user education program to promote user safety and welfare and to broaden understanding of private property interests and needs.
6. Develop greenway implementation priorities and timeframes which maximize operational utility within the context of available funding.

Greenway Concepts Envisioned In The Project Vicinity

An opportunity for a recreational loop trail was identified along the perimeter of the project area. Conceptually, a recreational loop trail incorporates a trail or path parallel to, and physically separated from the vehicular travel way. The trail/path may be within an existing right-of-way or may be placed adjacent to the existing roadway on private lands. This type of section would have the flexibility to accommodate pedestrians, bicyclists, and horseback riders. See **Figure 26**. The applicant intends to incorporate recommendations from the Upcountry Greenway Master Plan and will work with the County's Department of Public Works to identify opportunities and constraints in implementing a recreational loop trail along the perimeter of the project area. As project-specific details evolve, physical constraints relating to the topography and land use patterns will be addressed through site planning and a grading plan. Project planning will also involve coordination to determine use regulations and maintenance of the trail.



Source: County of Maui, Department of Planning

Figure 26

Proposed Kula Ridge Residential
Workforce Housing Subdivision
Upcountry Greenway Master Plan

NOT TO SCALE



H. COUNTY ZONING

The Ridge Project site is zoned “Interim” by Maui County zoning. While the current zoning does not allow for the proposed residential subdivision, the Section 201H-38, HRS application, which will be filed with the Maui County Council, will include an exemption from the County’s Title 19 zoning provisions which would allow for the proposed project.

According to Chapter 19.30A.020 of the Maui County Code, agricultural lands that meet at least two (2) of the following criteria should be given the highest priority for retention in the agricultural district:

1. Agricultural Lands of Importance to the State of Hawai‘i (ALISH);
2. Lands not classified by the ALISH system whose agricultural land suitability, based on soil, topographic, and climatic conditions, supports the production of agricultural commodities, including but not limited to coffee, taro, watercress, ginger, orchard and flower crops, and non-irrigated pineapple. In addition, these lands shall include lands used for intensive husbandry, and lands in agricultural cultivation in five of the ten years immediately preceding the date of approval of this chapter; and
3. Lands which have seventy-five percent or more of their boundaries contiguous to lands within the agricultural district.

While portions of the project site meet Criteria 1 and 3, there are a number of factors which limit the feasibility of the project site for active agricultural use. Although the entire project area is designated as “other” agricultural lands, about 16 acres or 33 percent of the project area have agronomic conditions that are suitable for growing high-elevation crops. Much of this land is located at the mauka portion of the site where the four 4-acre lots are planned. These lands are planned to be available for agricultural uses which include both farming and grazing operations. The remainder of the site contains soils with low productivity ratings. About 25 acres (52 percent) of the project site have soils rated D, and about 7 acres (15 percent) are rated E.

The recent release of land from plantation agriculture has resulted in the supply of agricultural land far exceeding its demand. This current trend indicates that ample land is available in Hawai‘i to accommodate the growth of diversified crops.

The agricultural impact of this project is near negligible when taken in the context of the recent trends occurring on Maui. In the last 30 years, the closures of Wailuku Sugar and

Pioneer Mill on Maui have taken significant acreages out of active sugar cane cultivation. These actions have greatly increased the supply of non-sugar based agricultural lands. In fact, much of the lands of these former plantations are still fallow. The proposed project will ultimately involve the use of approximately 48 acres of land, which represents less than one (1) percent of the roughly 246,000 acres of State Agricultural district lands on the island of Maui.

When evaluated based on the housing shortage that exists on Maui, coupled with the scarcity of entitled, undeveloped residential lands in Upcountry Maui, the conversion of the project's agriculture lands into residential development presents a beneficial opportunity. The expansion of the urban district boundary in Upcountry Maui will allow residential use and supply additional housing units at a site deemed less than optimal for long-term agricultural use.

I. HAWAII COASTAL ZONE MANAGEMENT PROGRAM

The Hawai'i Coastal Zone Management Program (HCZMP), as formalized in Chapter 205A, HRS, establishes objectives and policies for the preservation, protection and restoration of natural resources of Hawai'i's coastal zone. The subject property is not within the County of Maui's Special Management Area.

As set forth in Chapter 205A, HRS, this section addresses the project's relationship to applicable coastal zone management considerations.

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
 - (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 uses 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, and county authorities; and crediting such dedication against the requirements of Section 46-6, HRS.

Response: The project site is located upland, away from the coastline. As such, the proposed action is not expected to impact coastal recreational opportunities or affect existing public access to the shoreline.

2. **Historical/Cultural 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: The project site had been previously impacted by many years of cattle grazing and erosion. An archaeological inventory survey, prepared by Scientific Consultant Services, reports that 18 identified sites have been assessed as significant under Criterion B. These sites have been photographed and documented for their significance. Refer to **Appendix "E"**.

No further archaeological work is recommended and the proposed project is not anticipated to have an adverse effect on historical or cultural resources. Refer to **Appendix "F"**.

3. Scenic and Open Space Resources

Objectives: 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 that are not coastal dependent to locate in inland areas.

Response: The proposed workforce housing project will be designed to ensure visual compatibility with the surrounding land uses. The project will call for the construction of single-story and two-story homes. The project site is located adjacent

to developed areas in the vicinity of Lower Kula Road and does not fall within a coastal scenic or open space view corridor. The project will also involve the construction of a 500,000 gallon tank approximately 1,500 ft. makai of Kekaulike Highway at the 3,600 ft. elevation. The height of the tank is not anticipated to impede on views along Kekaulike Highway. Grade differentials will help to mitigate views of the site long Kekaulike Highway.

4. Coastal Ecosystem

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

Policies:

- a. Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- b. Improve the technical basis for natural resource management;
- c. Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;
- d. 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
- e. Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

Response: The proposed action is not expected to adversely impact coastal ecosystems. Runoff will be retained in a retention basin located on the northwestern corner of the subdivision. Drainage system improvements will be designed in accordance with applicable regulatory standards to ensure that there is no adverse effect on downstream properties.

Temporary environmental effects due to construction of offsite water improvements which include the construction of a ground water well, waterlines to service the project area and a water storage tank in the project area will occur. This activity will disturb the soils and vegetation in the immediate vicinity. Waterline

construction will be limited to a period when the gulch is dry. Environmental impacts are expected to be minimal and will be monitored on a regular basis. After construction, the preconstruction conditions of the area are expected to recover fully.

In addition, appropriate erosion control measures and Best Management Practices will be implemented to minimize the effects of stormwater runoff during construction of the project and to ensure that coastal ecosystems are not adversely impacted.

5. **Economic Use**

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 project will be a positive contribution to the local economy through the generation of workforce housing for Maui's residents and the creation of construction-related job opportunities. Surrounding businesses, such as Café 808 and Morihara Store, will benefit from the patronage of the residents. The proposed project is not contradictory to the objective and policies for economic use.

6. **Coastal Hazards**

Objective: Reduce hazard to life and property from tsunami, 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; and
- d. Prevent coastal flooding from inland projects.

Response: The proposed subdivision and the offsite water improvements fall within Zone C, an area of minimal flooding. Drainage improvements will be designed in accordance with the Drainage Standards of the County of Maui to ensure that the project will not adversely affect downstream 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: This Environmental Assessment has been prepared for public review in compliance with Chapter 343, HRS, and Chapter 200 of Title 11, Administrative

Rules, Environmental Impact Statement Rules.

The proposed project will be processed as a Section 201H-38, HRS project. Public review will be provided through Council meetings on the proposal.

In February 2006, the applicant presented the project to the members of Kula Community Association (KCA) for their review and comment. Subsequent meetings with the KCA's Planning Committee and Board were also held. The applicant plans on keeping the Board and its general membership informed as the project progresses through the planning process.

8. Public Participation

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

Policies:

- a. Promote public involvement in coastal zone management processes;
- 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 issues, developments, and government activities; and
- c. Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

Response: In addition to meetings with the KCA, the applicant also met with neighboring residents on July 13, 2006. Minutes of that meeting are contained in **Appendix "K"**. An opportunity for agency and public review will also be provided as part of the notification review and comment process required for the Environmental Assessment, Chapter 343, HRS, and through the Section 201H-38, HRS review process. As noted above, the applicant is undertaking ongoing coordination with the Kula Community Association. The County's objective of public awareness, education and participation is being addressed through these efforts.

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, minimize interference with natural shoreline processes, and 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 project site is located upland, away from the shoreline and is not anticipated to impact shoreline processes.

10. Marine Resources

Objective: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Policies:

- a. Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
- b. Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
- c. 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;
- d. 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
- e. Encourage research and development of new, innovative technologies for

exploring, using, or protecting marine and coastal resources.

Response: As previously stated, the project is located inland, away from the ocean and is, therefore, not anticipated to have an impact on marine or coastal resources. Appropriate BMPs and erosion control measures will be implemented to ensure that coastal resources are not adversely impacted by construction activities.

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.

Response: The proposed subdivision is not located on or near the shoreline. The preliminary lighting plan for the project will be designed to ensure that no lighting is directed across property boundaries towards the shoreline. In addition, lighting will be shielded and directed away from the night sky.

J. SECTION 201H-38, HAWAII REVISED STATUTES

Section 201H-38 of the Hawai'i Revised Statutes (HRS) allows eligible developers/housing projects to be exempt from "all statutes, ordinances, charter provisions, and rules of any governmental agency relating to planning, development improvement to land, and the construction of units thereon...", in order to facilitate the timely and cost effective implementation of proposed affordable housing projects. In coordination with the County of Maui's Department of Housing and Human Concerns (DHHC), the Kula Ridge Subdivision has been determined to be an eligible project. Accordingly, a Section 201H-38, HRS application has been prepared and will be submitted to DHHC for review and transmittal to the Maui County Council. Upon receipt of the 201H-38, HRS request, the County Council shall have 45 days to render its decision on the request for exemptions.

The list of exemptions sought for the project is listed in **Appendix "B"** of this document. The proposed exemptions are intended to support the timely implementation of the project without compromising public health, safety, or welfare considerations.

K. OTHER REGULATORY APPROVALS

Activities necessitating requirements for Department of the Army (DA) permitting and Section 401 Water Quality Certification are not anticipated for the subdivision itself. Additionally, there are no other Federal permits or licenses required which would prompt the need for a Coastal Zone Management Consistency review.

As noted in the U.S. Department of Army's letter of June 19, 2008, a DA permit is not required for the subject property within TMK (2) 2-3-001:174. The DA determined that the subject property area does not contain waters of the United States under Corps jurisdiction. The DA further noted that additional information regarding water flow in the Keahuaiwi Gulch (TMK (2) 2-3-001:023) is needed in order to make a determination of the need for a DA permit. The applicant will coordinate with the DA on the issuance of such determination when final plans for the installation of the proposed waterline crossing the gulch are made available.

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

V. SUMMARY OF ADVERSE ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED

Assessment of construction-related impacts, noise and air quality impacts, and potential impact on physical and socio-economic environment, as well as an archaeological inventory survey and an agricultural impact assessment were carried out as part of the EA. The proposed development will have a limited, unavoidable construction-related impact on the environment, as described in Chapter II.

In the short term, construction associated with the Ridge Project will have a temporary impact on air quality from dust generation and discharge of exhaust from construction equipment during ground altering activities and site grading. Appropriate BMPs will be incorporated to mitigate adverse impacts, including watering of exposed surfaces and regular maintenance of construction equipment to minimize construction-related impacts.

Construction of the Ridge Project will also generate short-term noise impacts which will also be unavoidable. The use of properly maintained construction equipment will mitigate noise impacts caused by equipment. The incorporation of State Department of Health construction noise limits and curfew times is another measure to mitigate noise impacts caused by equipment.

To minimize potential adverse impacts to natural resources in building design, the Office of Environmental Quality Control's publication entitled "Guidelines for Sustainable Building Design in Hawai'i" has been reviewed. As a result, the following measures to conserve natural resources and to promote energy efficiency will be undertaken, where appropriate, in the planning, design, construction, and operation of the project.

- Site buildings to take advantage of natural features and maximize their beneficial effects by providing for solar access, daylighting, and natural cooling.
- Design south, east, and west shading devices to minimize solar heat gain.
- Locate buildings to encourage bicycle and pedestrian access and pedestrian oriented uses.
- Consolidate utility and infrastructure in common corridors to minimize site

degradation and cost, improve efficiency, and reduce impermeable surfaces.

- Design space for recycling and waste diversion opportunities during occupancy.

The project will commit approximately 32 acres of the 48-acre property of agricultural land formerly used for pastureland. The remaining 16 acres encompassed by the four (4) large lots will be available for agricultural use. The loss of agricultural land will not adversely affect the growth of diversified agriculture in Kula. Based on the limited market size for crops that can be grown profitably in Hawai'i, there is ample land on the island of Maui to accommodate the growth of diversified agriculture.

Development of the project will alter the existing landscape, but it is not anticipated to have an adverse impact on scenic or open space resources. The proposed residential community will be developed with residential structures with a low-profile. The project will incorporate park and open space areas that will contribute to view corridors within and through the project. The 500,000-gallon water tank located on the adjacent Mauka Subdivision site is also not anticipated to have an adverse impact on scenic or open space resources. Grade differentials will help mitigate views of the water tank from Kekaulike Highway.

VI. ALTERNATIVES TO THE PROPOSED ACTION

VI. ALTERNATIVES TO THE PROPOSED ACTION

A. PREFERRED ALTERNATIVE

The proposed single-family subdivision was deemed an appropriate use for the property given the surrounding single-family residential and urban type land uses. Given this land use parameter, the applicant considered alternate subdivision scenarios in terms of lot sizes and overall project density.

The low density approach to development, incorporating both affordable house lots and market priced lots was deemed appropriate in terms of surrounding uses and conditions. Specific spatial configurations of the lots were generated based on topographic and boundary patterns established by the surrounding properties. This alternative will provide much needed workforce housing in a location that is available and underused, in proximity to similar land uses.

B. SITE PLAN ALTERNATIVES

Various site plans were considered for the subdivision during consultation with the Kula Community Association. The size and number of large lots and the location of the park were also considered, as were the house-lot packages offered for the affordable lots. In the end, the preferred alternative was deemed the most viable implementation of the project.

C. DEVELOP PARCEL IN ACCORDANCE WITH MAKAWAO-PUKALANI-KULA COMMUNITY PLAN

Under the existing Community Plan, the area designated for “Single-Family” use allows for a 3-acre park area and 87 single-family homes, assuming a minimum lot size area of 6,000 square feet. The area designated for “Rural” use allows for a 5-acre open space area, 24 single-family homes on smaller rural lots, and up to 8 homes on the larger 4-acre parcels. The allowed density in the Makawao-Pukalani-Kula Community Plan is approximately 119 homes which is compatible with the proposed density in the Kula Ridge Workforce Housing

project.

In terms of providing the affordable housing allocations set forth by the project, the spatial land use delineations of the Makawao-Pukalani-Kula Community Plan was not considered sufficient.

D. COUNTY PARTICIPATION IN THE DEVELOPMENT OF WATER SOURCE

The applicant will continue coordination efforts with the County of Maui Department of Water Supply (DWS) regarding standard requirements pertaining to the development of a private well and related infrastructure. The applicant is planning to develop the well, the storage tanks, and the transmission lines according to County standards.

An opportunity for the DWS to participate in the development of water source and related infrastructure at the project site may be available as well. In this alternative, the DWS will enter into a partnership with the applicant in the development and implementation of a groundwater well and related infrastructure. Should this alternative be considered, an agreement between the DWS and the applicant will be developed to establish terms and joint development efforts.

E. NO ACTION ALTERNATIVE

This alternative would see the land remain fallow and under-utilized, while the housing market grows steadily worse. The median single-family home price in the Kula-Ulupalakua-Kanaio area for the month of December 2007 was approximately \$764,000.00 (Realtor Association of Maui, December 2007). The preferred alternative, as set forth in this document, would contribute towards addressing this situation by providing approximately 70 single-family homes for Maui County's workforce population. The No Action alternative is thus not deemed desirable.

VII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

VII. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed action will not call for a substantial commitment of public services or facilities. Development of the proposed project will involve a commitment of energy, labor, fiscal and material resources. The use of these resources, when weighed against the expected benefit to be derived from the project, is not considered an adverse commitment.

VIII. SIGNIFICANCE CRITERIA ASSESSMENT

VIII. 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.**

Temporary environmental effects due to construction of subdivision improvements, including the offsite water improvements area will occur. There are no known, rare, threatened or endangered species of flora, fauna, avifauna or important habitats located within the project sites. Should archaeological features, cultural artifacts or human burials be located during construction activities, work in the area of the find shall be promptly halted and the find protected from further disturbance. The SHPD will be immediately contacted to determine the significance of the find and establish appropriate mitigative measures, if necessary.

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

The proposed action and the commitment of land resources will not curtail the range of beneficial uses of the environment. The proposed use for workforce housing is compatible with surrounding residential, public/quasi-public, and pastureland uses. Fallow agricultural lands would be converted to home sites to help meet affordable housing needs of the community.

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, Hawai'i Revised Statutes. The proposed action is consistent with the policies and guidelines.

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

The proposed action will have a beneficial effect on the local economy during construction. In the long term, the proposed project will support the local economy through the contribution of salaries, wages, and benefits, as well as through the purchases of goods and services from local merchants and service providers. The project will be a social welfare benefit to the Upcountry area.

5. **Substantially affects public health.**

No adverse impact to public health or welfare is anticipated as a result of the proposed action. The proposed 201H-38 exemptions will not compromise public health or welfare.

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

The creation of 116 house-lots for residential use at the project site will result in new residents in this section of the Makawao-Pukalani-Kula region of Upcountry Maui. The increase in residential population is not expected to be significantly different from that which would be generated under the existing Community Plan land use designations. Demands on infrastructure created by the project will be mitigated through the provision of required improvements by the applicant. The applicant is currently pursuing the development of an offsite water source and is coordinating with the Department of Water Supply to develop a well and a storage tank according to County standards. Public service requirements for this sub-region will be addressed with the provision of applicable fees and dedications.

The proposed subdivision is designed to meet affordable workforce housing requirements for the island's residents.

Best Management Practices (BMP's) and appropriate erosion control measures will be utilized during the construction period. Drainage system improvements will be constructed in accordance with applicable regulatory design standards to ensure that surface runoff will not have an adverse effect on adjacent or downstream properties.

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

During the construction phase of the project, there will be short-term air quality and noise impact as a result of the project. In the long term, effect on air quality and ambient noise levels should be minimal. The proposed action is not anticipated to significantly affect the open space and scenic character of the area.

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

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

The proposed action includes the development of 10 workforce housing units for the proposed 21-lot Mauka Subdivision project. The effects of developing this 21-lot agricultural subdivision, together with the Ridge Project is discussed in Chapter III of this report. There are no significant cumulative impacts associated with the combined development of both projects.

It is also noted that the County of Maui's ongoing General Plan update process will involve the formulation of a Maui Island Plan which would delineate urban and rural growth boundaries. Other landowners in the vicinity may seek to have portions of their respective land holdings placed on the Maui Island Plan for purposes of defining future development potential in the Kula region. Should lands other than the proposed Ridge Project be identified as potential future areas for urban and/or rural growth, planning for such areas would need to consider land planning integration opportunities. Upon completion of the General Plan update, the respective community plans, including the Makawao-Pukalani-Kula Community Plan, will be updated. The timeframe for the overall completion of the updating of the community plans has not yet been established. However, the overall timeframe for the General Plan covers a planning horizon up to the year 2030.

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

There are no rare, threatened or endangered species of flora, fauna, avifauna or important habitats that will be adversely affected by the project.

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

Construction activities will have an impact on air quality and noise; however, it will be minimal and temporary. Dust control measures, such as regular watering and sprinkling, will be implemented to minimize wind-blown emissions. Noise impact will be mitigated through limitation on construction to daylight work hours. Utilizing approved BMPs, water quality should not be affected.

In the long term, the proposed action is not anticipated to have a significant impact on air and water quality or ambient noise levels.

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 site is situated upland and is not anticipated to have any adverse impact upon coastal waters or resources. An onsite drainage basin in the northwest corner portion of the project site is expected to retain the runoff generated by the project. Runoff from throughout the subdivision will be channeled into the retention basin by grated catch basins located within grassed shoulder areas. Further appropriate mitigation measures will be developed in consultation with the applicable governmental agencies during the design process. During construction, recommended Best Management Practices (BMPs) will be implemented for erosion and sedimentation control.

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

The proposed development will not block scenic vistas or viewplanes. The project will not affect scenic corridors, coastal scenic or open space resources. The project will incorporate park and open space areas that will provide view corridors within and throughout the project. Grade differentials will help mitigate views of the sight from Kula Highway and along Kekaulike Highway.

13. Requires substantial energy consumption.

The proposed action 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 an additional demand for electricity. However, this demand will not be substantially or excessively more than the energy consumed throughout the region.

In summary, the site is situated at an attractive and central location in Kula, in close proximity to community services and commercial areas in the Upcountry region. Necessary infrastructure systems and services are within near proximity, or can be reasonably provided to serve the project. Residential development and the development of an offsite water system to service the project area are not anticipated to have a significant adverse impact on the physical environment. The site is suitable for the development of single-family housing to meet the housing needs of the region.

IX. LIST OF PERMITS AND APPROVALS

IX. LIST OF PERMITS AND APPROVALS

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

State of Hawai'i

1. State Land Use Commission District Boundary Amendment (Agricultural to Rural and Urban)

2. Requirements of the State of Hawai'i Department of Health:
 - a. As applicable, project activities shall comply with the Administrative Rules of the Department of Health:

Chapter 11-39, Air Conditioning and Ventilation;
Chapter 11-45, Radiation Control;
Chapter 11-46, Community Noise Control;
Chapter 11-501, Asbestos Requirements;
Chapter 11-502, Asbestos-Containing Materials in Schools;
Chapter 11-503, Fees for Asbestos Removal and Certification;
Chapter 11-62, Wastewater Systems;
Chapter 11-60.1-33, Fugitive Dust;
Chapter 11-20, Rules Relating to Potable Water Systems;
Chapter 11-21, Cross-Connections and Backflow Control; and
Chapter 11-23, Underground Injection Control.

3. National Pollution Discharge Elimination System (NPDES) Permit. (Coordination with the U.S. Department of the Army has been undertaken.)

4. Department of Land and Natural Resources Commission Water Resource Management
Application for a Well Construction/Pump Installation Permit
5. Work to perform in State Highway Right-of-Way (as applicable)

County of Maui

1. Section 201H-38, HRS approval by the Maui County Council
2. Subdivision approval
3. Construction Permits

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

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

The following agencies were consulted during preparation of the Draft Environmental Assessment. Agency comments and responses to substantive comments are also included in this section.

- | | |
|---|--|
| 1. Ranae Ganske-Cerizo, Soil Conservationist
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| 2. George Young
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| 4. Laura Thielen, Director
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Honolulu, Hawai`i 96813
12. Carl Kaupololo, Chief
County of Maui
**Department of Fire
and Public Safety**
200 Dairy Road
Kahului, Hawai`i 96732
13. Alice Lee, Director
County of Maui
**Department of Housing and
Human Concerns**
200 S. High Street
Wailuku, Hawai`i 96793
14. Michael W. Foley, Director
County of Maui
Department of Planning
250 South High Street
Wailuku, Hawai`i 96793
15. Glenn Correa, Director
County of Maui
Department of Parks and Recreation
700 Halia Nakoia Street, Unit 2
Wailuku, Hawai`i 96793
16. Thomas Phillips, Chief
County of Maui
Police Department
55 Mahalani Street
Wailuku, Hawai`i 96793
17. Milton Arakawa, Director
County of Maui
**Department of Public Works
and Environmental Management**
200 South High Street
Wailuku, Hawai`i 96793
18. Neal Shinyama, Manager – Engineering
Maui Electric Company, Ltd.
P.O. Box 398
Kahului, Hawai`i 96733
19. Karolyn Mossman, President
Kula Community Association
P.O. Box 417
Kula, Hawai`i 96790
20. Rene Yamafuji, Principal
Kula Elementary School
5000 Kula Highway
Kula, Hawai`i 96790
21. John Schaumburg, Administrator
Kula Hospital and Clinic
204 Kula Highway
Kula, Hawai`i 96790
22. Elmer Cravalho, President
Kula Community Federal Credit Union
137 Kalepa Place
Kahului, Hawai`i 96732
23. Mike Mayberry, Assistant Director
University of Hawai`i
Institute of Astronomy
4761 Lower Kula Road
P. O. Box 209
Kula, Hawai`i 96793

United States Department of Agriculture



Natural Resources Conservation Service
210 Iml Kafa St. Ste 209
Wailuku, HI 96793
808-244-3100

July 28, 2006

Ms. Rowena M. Dagdag, Planner
Munekiyo & Hiraga, Inc.
305 High Street Suite 104
Wailuku, Hawaii 96793

Dear Ms Dagdag,

**SUBJECT: Early Consultation Request for Proposed Affordable Housing Project at
TMK (2) 2-3-01:174, Kula, Maui, Hawaii**

We highly recommend this project be constructed in Phases to reduce the impact of erosion and drainage concerns. As soon as the area grading and construction in each single Phase(s) is complete, the area should be stabilized and vegetated.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Ranae F. Ganske-Cerizo".

Ranae F. Ganske-Cerizo
District Conservationist

Helping People Help the Land

An Equal Opportunity Provider and Employer



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

MARK ALEXANDER ROY

October 29, 2007

Ms. Ranae Ganske-Cerizo
District Conservationist
Natural Resources Conservation Service
U. S. Department of Agriculture
210 Imi Kala Street, Suite 209
Wailuku, Hawaii 96793-2100

SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK 2-2-3-001:174

Dear Ms. Ganske-Cerizo:

Thank you for your letter dated July 28, 2006, commenting on the proposed affordable housing project in Kula. In response to your comments, we would like to note the following:

1. Grading will be addressed in the Environmental Assessment. I will forward your letter to the project architect and civil engineer to ensure erosion and drainage controls.
2. The civil engineer has prepared a Preliminary Drainage Report that discusses the expected increase in runoff from the proposed project and includes mitigation. The drainage report will be included in the Environmental Assessment, along with Best Management Practices.
3. The suggestion to construct the homes in phases to reduce the impact of erosion and drainage concerns will be considered and forwarded to the applicant for review and possible incorporation into plans.

Ms. Ranae Ganske-Cerizo
October 29, 2007
Page 2

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

If there are any questions, please do not hesitate to call me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena Dagdag", written in a cursive style.

Rowena Dagdag, Planner

RD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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AUG 09 2006



DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, HONOLULU
FT. SHAFTER, HAWAII 96858-5440

August 2, 2006

REPLY TO
ATTENTION OF

Regulatory Branch

File No. POH-2006-304

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

Dear Ms. Dagdag:

This responds to your request letter dated October 27, 2005 for early consultation comments for preparation of a Draft Environmental Assessment (DEA) to develop affordable housing units and for improvements to the Kula Highway and Lower Kula Road in Kula, Maui Island, Hawaii TMK(2) 2-3-01:174.

Based on the preliminary information you provided on behalf of Kula Ridge, LLC, we are unable to reach a conclusive determination whether a DA permit would be required. In order to issue a jurisdiction determination, please forward copy of the DEA, site photographs and design drawings for our review.

If you have any questions, please contact Ms. Joy Anamizu by phone at 808-468-7023, by fax at 808-438-0460, or by electronic mail at joy.n.anamizu@usace.army.mil and reference the file number above in future correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "George P. Young".

George P. Young, P.E.
Chief, Regulatory Branch



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

MARK ALEXANDER ROY

October 29, 2007

George P. Young, P.E.
Chief, Regulatory Branch
U. S. Department of the Army
U. S. Army Engineer District, Honolulu
Regulatory Branch
Building 230
Fort Shafter, Hawaii 96858-5440

SUBJECT: Proposed Kula Ridge Affordable Housing Project
at TMK (2) 2-3-01:174

Dear Mr. Young:

Thank you for your letter dated August 2, 2006, commenting on the proposed affordable housing project in Kula.

A copy of the Draft EA which include site photographs, the preliminary drainage report and the schematic development plans will be provided to your office for review and comment.

If there are any questions, please do not hesitate to call me at (808)244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena M. Dagdag", written in a cursive style.

Rowena M. Dagdag, Planner

RMD:yp
cc: Clayton Nishikawa, Kula Ridge, LLC
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AUG 08 2006



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122, Box 50088
Honolulu, Hawai'i 96850

In Reply Refer To:
1-2-2006-TA-638

AUG 07 2006

Ms. Rowena M. Dagdag
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793


Dear Ms. Dagdag:

Thank you for your letter, received on July 14, 2006, requesting a list of threatened and endangered species that may occur in the vicinity of the proposed project along Kula Highway on the island of Maui (TMK: (2) 2-3-01:174). The 48-acre Kula Ridge Affordable Housing Project proposes to develop 116 improved housing lots with 70 lots set aside for affordable housing. The remaining 46 residential lots will be sold at market price. Included in the project are five acres of green space and a three-acre park that will be dedicated to the County of Maui. Access to the project site will be via a new access road off of Lower Kula Road.

We reviewed the information you provided and pertinent information in our files, including data compiled by the Hawaii Biodiversity and Mapping Program. Two federally endangered species, nene (*Branta sandvicensis*) and Hawaiian hoary bat (*Lasiurus cinereus semotus*), occur near the proposed project site. These species may need special consideration before and during the execution of your project.

We appreciate your efforts to conserve endangered species. If you have questions, please contact Fish and Wildlife Biologist Charmian Dang (phone: 808/792-9400; fax: 808/792-9581).

Sincerely,

 Patrick Leonard
Field Supervisor

TAKE PRIDE[®]
IN AMERICA 



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

MARK ALEXANDER ROY

October 29, 2007

Patrick Leonard, Field Supervisor
U. S. Fish and Wildlife Service
300 Ala Moana Boulevard
Room 3-122, Box 50088
Honolulu, Hawaii 96813

**SUBJECT: Proposed Kula Ridge Affordable Housing Project
at TMK (2) 2-3-01:174, Kula, Maui**

Dear Mr. Leonard:

Thank you for your letter dated August 7, 2006, commenting on the proposed affordable housing project in Kula. In response to your comments, we would like to note that a Biological Resources Survey will be included with the Draft Environmental Assessment (EA), which will determine the presence or likely occurrence of any native flora and fauna, particularly any that are federally listed as threatened or endangered. As applicable, the Draft EA will further recommend measures that would mitigate any significant negative impact on the flora and fauna in the proposed subdivision.

Thank you again for your comments. A copy of the Draft EA will be provided to your office for review and comment.

If there are any questions, please do not hesitate to call me at (808)244-2015.

Very truly yours,

Rowena M. Dagdag, Planner

RMD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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JUL 21 2006

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

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

In reply, please refer to:
EMD / CWB

07065PKP.06

July 19, 2006

Ms. Rowena M. Dagdag
Planner
Munekiyo & Hiraga, Inc.
305 South High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Dagdag:

**Subject: Early Consultation Request for Proposed Affordable Housing Project
Kula, Maui, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated July 12, 2006, and associated documents. The CWB has reviewed the limited information contained in the subject document and offers the following comments:

1. The Army Corps of Engineers should be contacted at (808) 438-9258 for this project. Pursuant to Federal Water Pollution Control Act (commonly known as the "Clean Water Act" (CWA) Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40, Code of Federal Regulations (CFR), Section 122.2; and Hawaii Administrative Rules (HAR), Chapter 11-54.
2. In accordance with HAR, Sections 11-55-04 and 11-55-34.05, the Director of Health may require the submittal of an individual permit application or a Notice of Intent (NOI) for general permit coverage authorized under the National Pollutant Discharge Elimination System (NPDES).
 - a. An application for an NPDES individual permit is to be submitted at least 180 days before the commencement of the respective activities. The NPDES application forms may also be picked up at our office or downloaded from our website at <http://www.hawaii.gov/health/environmental/water/cleanwater/forms/indiv-index.html>.

- b. An NOI to be covered by an NPDES general permit is to be submitted at least 30 days before the commencement of the respective activity. A separate NOI is needed for coverage under each NPDES general permit. 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>.
- i. Storm water associated with industrial activities, as defined in Title 40, CFR, Sections 122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi). [HAR, Chapter 11-55, Appendix B]
 - ii. 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 commencement of the construction activities.** [HAR, Chapter 11-55, Appendix C]
 - iii. Discharges of treated effluent from leaking underground storage tank remedial activities. [HAR, Chapter 11-55, Appendix D]
 - iv. Discharges of once through cooling water less than one (1) million gallons per day. [HAR, Chapter 11-55, Appendix E]
 - v. Discharges of hydrotesting water. [HAR, Chapter 11-55, Appendix F]
 - vi. Discharges of construction dewatering effluent. [HAR, Chapter 11-55, Appendix G]
 - vii. Discharges of treated effluent from petroleum bulk stations and terminals. [HAR, Chapter 11-55, Appendix H]
 - viii. Discharges of treated effluent from well drilling activities. [HAR, Chapter 11-55, Appendix I]
 - ix. Discharges of treated effluent from recycled water distribution systems. [HAR, Chapter 11-55, Appendix J]
 - x. Discharges of storm water from a small municipal separate storm sewer system. [HAR, Chapter 11-55, Appendix K]
 - xi. Discharges of circulation water from decorative ponds or tanks. [HAR, Chapter 11-55, Appendix L]

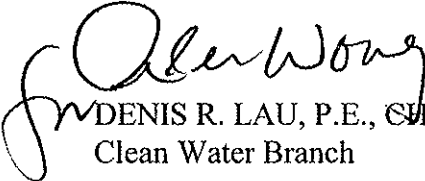
Ms. Rowena M. Dagdag
July 19, 2006
Page 3

3. In accordance with HAR, Section 11-55-38, the applicant for an NPDES permit is required to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD), or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SHPD. If applicable, please submit a copy of the request for review by SHPD or SHPD's determination letter for the project.
4. Any discharges related to project construction or operation activities, with or without a Section 401 WQC or NPDES permit coverage, shall comply with the applicable State Water Quality Standards as specified in HAR, Chapter 11-54.

The Hawaii Revised Statutes, Subsection 342D-50(a), requires that "[n]o person, including any public body, shall discharge any water pollutants into state waters, or cause or allow any water pollutant to enter state waters except in compliance with this chapter, rules adopted pursuant to this Chapter, or a permit or variance issued by the director."

If you have any questions, please contact Mr. Alec Wong, Supervisor of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,


DENIS R. LAU, P.E., CHIEF
Clean Water Branch

KP:np



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

MARK ALEXANDER ROY

October 29, 2007

Dennis R. Lau, P.E., Chief
Clean Water Branch
State of Hawai'i
Department of Health
P. O. Box 3378
Honolulu, Hawai'i 96801-3378

**SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK (2) 2-3-01:174**

Dear Mr. Lau:

Thank you for your letter dated July 19, 2006, commenting on the proposed affordable housing subdivision in Kula. In response to your comments, we would like to note the following:

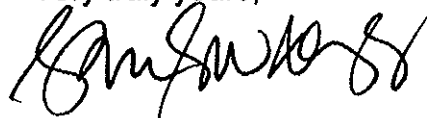
1. The Army Corps of Engineers will be contacted to identify whether a Federal permit will be required for the proposed project. A copy of the Draft Environmental Assessment (EA) will be forwarded to the Department of the Army for review and comment.
2. The applicant will comply with the requirements of Hawai'i Administrative Rules (HAR), Sections 11-55-04 and 11-55-34.05, relating to the National Pollutant Discharge Elimination System, as applicable.
3. An archaeological inventory survey has been prepared and submitted to the State Historic Preservation Division (SHPD) for review. As required by HAR, Section 11-55-38, appropriate coordination and documentation will be secured from SHPD. A copy of the archaeological report will be included in the Draft EA.
4. Project construction and operations will comply with HAR, Chapter 11.54, as applicable.
5. Kula Ridge, LLC acknowledges and understands the requirements of Hawai'i Revised Statutes, Subsection 342D-50(a).

Dennis R. Lau, P.E., Chief
October 29, 2007
Page 2

Thank you again for your input. A copy of the Draft EA will be provided to your office for review and comment.

Should you any questions, please do not hesitate to call me at (808)244-2015.

Very truly yours,



Rowena Bagdag, Planner

RDL:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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JUL 25 2006

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

July 24, 2006

Ms. Rowena M. Dagdag
Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawai'i 96793

Dear Ms. Dagdag:

Subject: **Early Consultation Request for Proposed Affordable Housing Project
TMK: (2) 2-3-01: 174**

Thank you for the opportunity to participate in the early consultation process for the proposed affordable housing project for Kula Ridge, LLC. The following comments are offered:

One hundred sixteen residential lots will be developed for this project. Hawaii Administrative Rules, Chapter 11-62, "Wastewater Systems" will require that a treatment plant in lieu of individual wastewater disposal systems be installed. Questions regarding this matter should be directed to the Department of Health, Wastewater Branch at 808 586-4294.

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

Sincerely,

A handwritten signature in black ink, appearing to read "H. Matsubayashi".

Herbert S. Matsubayashi
District Environmental Health Program Chief

c: WWB
Roland Tejano



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

MARK ALEXANDER ROY

October 29, 2007

Herbert S. Matsubayashi, Chief
District Environmental Health Program
State of Hawaii
Department of Health
54 High Street
Wailuku, Hawaii 96793

SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK 2-2-3-001:174

Dear Mr. Matsubayashi:

Thank you for your letter dated July 24, 2006, commenting on the proposed affordable housing project in Kula. In response to your comments, we would like to note that the wastewater issues are being carefully considered for the proposed project.

The applicant has been granted a variance from the State Department of Health to utilize individual wastewater systems (IWS) and is coordinating with a private company to install and maintain individual aerobic wastewater systems for the 116-lot subdivision. Proposed wastewater improvements will be addressed in the Draft Environmental Assessment (EA).

Thank you again for your input. A copy of the Draft EA will be provided to your office for review and comment.

Should you have any questions, please do not hesitate to call me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena M. Dagdag", written in a cursive style.

Rowena M. Dagdag, Planner

RMD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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OCT 11 2006

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

HRD06/2580

October 4, 2006

Rowena M. Dagdag
Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793

RE: Early Consultation Request for Proposed Affordable Housing Project, Kula, Maui, TMK: 2-3-001:174.

Dear Rowena M. Dagdag,

The Office of Hawaiian Affairs (OHA) is in receipt of your request for consultation on the above-referenced project. We apologize for the delayed response and offer the following comments.

OHA staff recommends that the environmental assessment (EA) you are preparing include a professional "due diligence" study of the potential impact of these projects on archaeological, historic, and cultural resources. We also recommend contacting Ed Lindsey to improve the consultation component of your EA.

OHA further requests your assurances that, should iwi or Native Hawaiian cultural or traditional deposits be found during any ground disturbance associated with this project, work will cease, and the appropriate agencies will be contacted pursuant to applicable law.

Thank you for the opportunity to comment. If you have further questions or concerns, please contact Kai Markell, Lead Advocate – Culture, at (808) 594-1945 or kaim@oha.org.

Aloha,

A handwritten signature in black ink, appearing to read "Clyde W. Nāmu'o".

Clyde W. Nāmu'o
Administrator

Rowena M. Dagdag
Planner
October 4, 2006
Page 2

C: Thelma Shimaoka
Community Resource Coordinator
OHA – Maui Office
140 Hoohana Street, Suite 206
Kahului, HI 96732



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

MARK ALEXANDER ROY

October 29, 2007

Haunani Apoliona
Board of Trustee Chair
Office of Hawaiian Affairs
State of Hawai'i
711 Kapiolani Blvd., Suite 500
Honolulu, Hawai'i 96813

**SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK 2-2-3-001:174**

Dear Mr. Apoliona:

Thank you for the Office of Hawaiian Affairs letter dated October 4, 2006, commenting on the proposed affordable housing project in Kula. In response to these comments, we would like to note the following:

1. Coordination will be undertaken with individuals familiar with the project area, as we prepare the cultural component of the Draft Environmental Assessment (EA). Mr. Ed Lindsey has been contacted in this regard and is willing to offer assistance.
2. An archaeological inventory survey has been prepared by the archaeologist and will be included in the Draft EA.

Thank you again for providing input to the proposed action. A copy of the Draft EA will be provided to your office for review and comment.

If there are any questions, please do not hesitate to call me at (808) 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena M. Dagdag", written in a cursive style.

Rowena M. Dagdag, Planner

RMD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC
Mike Dega, Scientific Consulting Services

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JUL 28 2006



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

OFFICE OF THE SUPERINTENDENT

July 27, 2006

Ms. Rowena M. Dagdag, Planner
Munekiyo & Hiraga Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Dagdag:

Subject: Early Consultation for Kula Ridge, TMK: 2-3-01: 174

The Department of Education (DOE) has reviewed your request for an early consultation on the proposed Kula Ridge project in Kula, Maui.

The DOE will need to know if accessory residential units will be permitted within the project, either on the affordable or the market price lots. We would also like to know the size of the lots. The DOE would like to get an estimate of the actual cost of the affordable house and lot packages and the cost of the market priced lots. The costs of the homes and property have a bearing on the number of public school students we estimate will eventually reside in the project. Finally, the DOE would appreciate receiving an estimated schedule of construction completions of the affordable homes.

Thank you for an opportunity to comment on your plans. 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 cursive script that reads "Patricia Hamamoto".

Patricia Hamamoto
Superintendent

PH:jmb

cc: Randolph Moore, Acting Assistant Superintendent, OBS
Duane Kashiwai, Public Works Manager, FDB
Ken Nomura, CAS, Baldwin/King Kekaulike/Maui Complex Areas



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

KARLYNN KAWAHARA

August 22, 2006

Patricia Hamamoto, Supervisor
State of Hawaii
Department of Education
P. O. Box 2360
Honolulu, Hawaii 96804

**SUBJECT: Proposed Kula Ridge Affordable Housing Project
at TMK (2)2-3-01:174**

Dear Ms. Hamamoto:

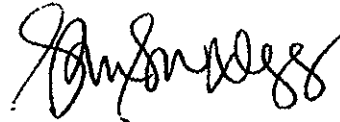
Thank you for your letter dated July 27, 2006, commenting on the proposed affordable housing project in Kula. In response to your comments, we would like to note the following:

1. Accessory residential units will not be permitted on the smaller affordable or market priced lots. Accessory units will be permitted on the four (4) large lots located in the proposed subdivision (Lot Nos. 113, 114, 115 and 116). See Figure 1.
2. The affordable lots are proposed to be a minimum of 5,600 to 8,500 square feet (s.f) with a zero-lot line concept. Market priced lots will be on the order of 6,000 to 21,000 square feet.
3. Sale prices are projected to range from approximately \$210,000.00 to \$325,000.00 for the affordable house-lot packages. The market prices for the residential lots have an estimated sales price range of \$400,000.00 to \$500,000.00, based on current market conditions for "lots only".
4. An estimated schedule of construction completion for the affordable homes will be included in the Draft Environmental Assessment (DEA).

Patricia Hamamoto, Supervisor
August 22, 2006
Page 2

Thank you again for your input. A copy of the DEA will be provided to your office for review and comment. If there are any questions, please do not hesitate to call me at (808) 244-2015.

Very truly yours,

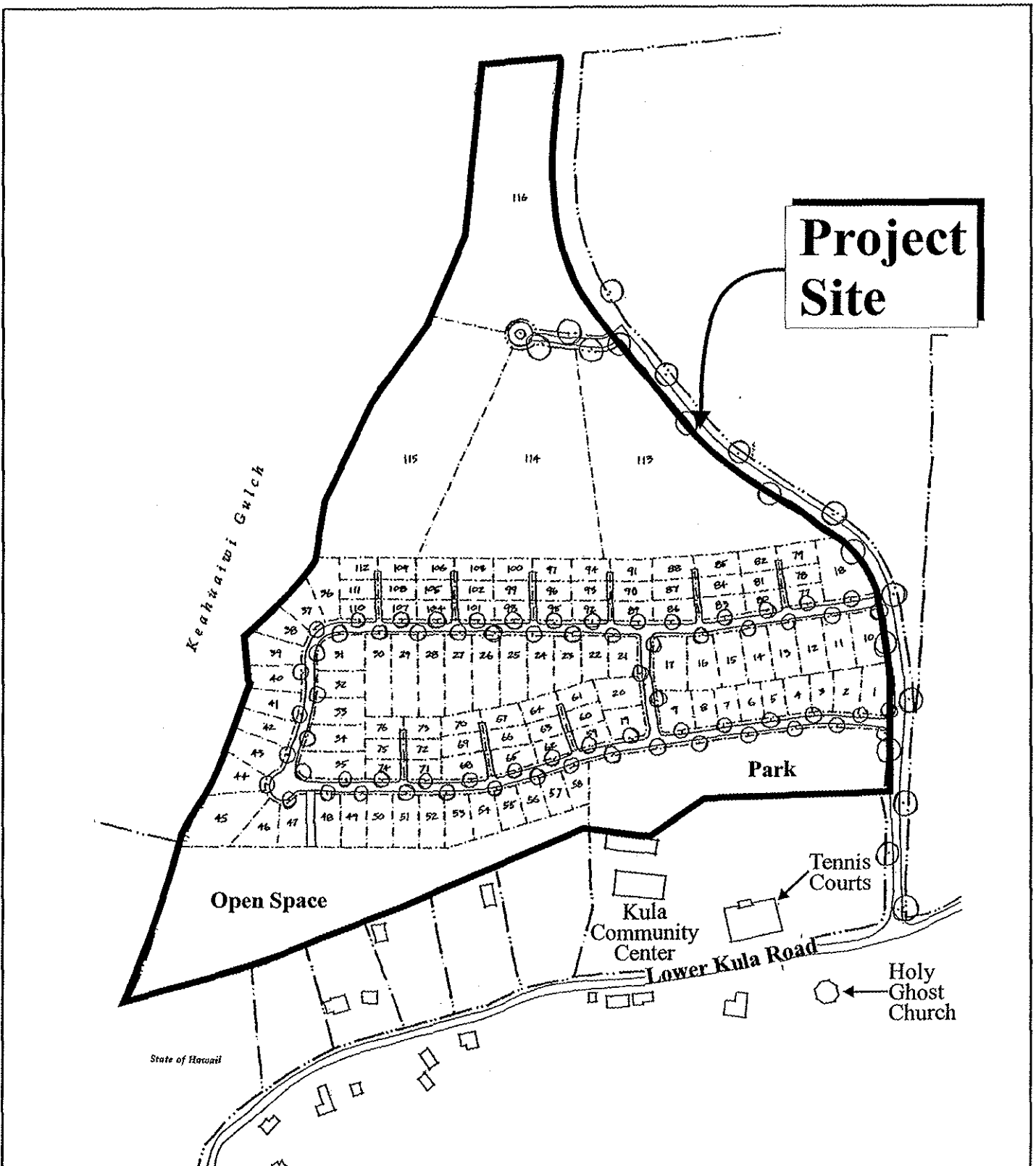


Rowena Dagdag, Planner

RD:yp
Enclosure

cc: Clayton Nishikawa, Kula Ridge, LLC (w/out enclosure)

F:\DATA\Nishikawa\Kula\HDOE\restr.wpd



Source: Architectural Design & Construction, Inc.

Figure 1

Proposed Kula Ridge
Affordable Housing Subdivision
Conceptual Site Plan

NOT TO SCALE



Prepared for: Kula Ridge, LLC

MUNEKIYO HIRAGA, INC.



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

MARK ALEXANDER ROY

October 29, 2007

Patricia Hamamoto, Supervisor
State of Hawaii
Department of Education
P. O. Box 2360
Honolulu, Hawaii 96804

SUBJECT: Proposed Kula Ridge Affordable Housing Project
at TMK (2)2-3-01:174

Dear Ms. Hamamoto:

Thank you for your letter dated July 27, 2006, responding to our request for early consultation comments for the proposed affordable housing project in Kula. We responded to your comments in a letter dated August 22, 2006, and met with Heidi Meeker of the Department of Education Planning Section on October 13, 2006 to discuss the education assessment requirements for the project. We wish to provide you with an update to the information that we presented to you in our last letter.

Based on the 2007 income guidelines, the proposed sale prices for the affordable house-lot packages are projected to range from approximately \$234,685.00 to \$490,900.00. The market prices for the residential lots continue to have an estimated sales price range of \$350,000.00 to \$450,000.00 based on current market conditions. The larger four (4) acre lots have an estimated sale price of \$1.2 million. The market lots will be sold as lots only.

A copy of the Draft Environmental Assessment will be provided to your office for review and comment. If there are any questions, please do not hesitate to call me at (808) 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena Dagdag", written in a cursive style.

Rowena Dagdag, Planner

RD:lh

cc: Clayton Nishikawa, Kula Ridge, LLC

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LINDA LINGLE
GOVERNOR



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

AUG 04 2006

RODNEY K. HARAGA
DIRECTOR

Deputy Directors
FRANCIS PAUL KEENO
BARRY FUKUNAGA
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

STP 8.2226

August 2, 2006

Ms. Rowena M. Dagdag
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Dagdag:

Subject: Kula Ridge LLC, Affordable Housing Project
Early Consultation
TMK: (2) 2-3-01: 174

Thank you for your notification on the proposed subject project.

The project is anticipated to have an impact on our State highway. We understand that an environmental assessment on the project will be done. A traffic impact analysis report (TIAR) should be conducted and provided as a part of the environmental assessment. We request that four (4) copies of the environmental assessment be provided to us for our review.

We will defer further comments on the project until we have reviewed the environmental assessment.

We appreciate the opportunity to provide our comments.

Very truly yours,

A handwritten signature in black ink that reads "Rodney Haraga".

RODNEY K. HARAGA
Director of Transportation



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

MARK ALEXANDER ROY

October 29, 2007

Barry Fukunaga, Director
State of Hawai'i
Department of Transportation
869 Punchbowl Street
Honolulu, Hawai'i 96813-5097

SUBJECT: Proposed Affordable Housing Project at TMK (2) 2-3-01:174

Dear Mr. Fukunaga:

Thank you for the Department of Transportation letter of August 2, 2006, responding to our request for early consultation comments for the proposed affordable housing project in Kula. In response to these comments, we would like to note that a traffic impact analysis has been prepared by the traffic engineer and will be included in the Draft Environmental Assessment (EA).

Four (4) copies of the Draft Environmental Assessment will be provided to your office for review and comment.

If there are any questions, please do not hesitate to call me at (808)244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena Dagdag", written in a cursive style.

Rowena Dagdag, Planner

RD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

JUL 31 2006
ALAN M. ARAKAWA
Mayor

ALICE L. LEE
Director

HERMAN T. ANDAYA
Deputy Director

200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165

July 25, 2006

Ms. Rowena M. Dagdag, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Dagdag:

**SUBJECT: AFFORDABLE HOUSING PROJECT IN KULA,
TMK (2)2-3-01:174,
KULA, MAUI, HAWAII**

We have reviewed your July 12, 2006 letter and enclosures for the proposed affordable housing project in Kula, Maui, and would like to offer the following comments:

1. Since the project is proposed for development under Section 201G-118, HRS, attached for your use is a copy of our department's Section 201G-118, HRS, application process (Revised 3/04/04).
2. It is our understanding that under the provisions of Act 217, SLH 2006, commenting agencies are to be given 45 days to comment on preliminary Section 201G-118, HRS, applications. Therefore, the provision in Section III of our department's Section 201G-118, HRS, application process will be changed to 45 days. In addition, Act 217, SLH 2006, stipulates that if agencies do not comment within the 45 day comment period, that the preliminary application as proposed are deemed acceptable to the agency.
3. Act 180, SLH 2006, has repealed Chapter 201G, HRS, and placed the provisions of Chapter 201G, HRS, into Chapter 201H, HRS. However, at this time, we do not know the new section number for what was Section 201G-118, HRS.

Ms. Rowena M. Dagdag
Page 2
July 25, 2006

4. Please note that under our department's Section 201G-118, HRS, application process, single family units must be affordable to persons/families whose income is 120% or less of Maui County's median annual income.
5. Please advise our department as soon as possible, as to whether the project's EA and preliminary Section 201G-118, HRS, application will be prepared and processed separately or jointly.

Thank you for the opportunity to comment.

Very truly yours,



ALICE L. LEE
Director

ETO:hs

Attachment

c: Housing Administrator

SECTION 201G-118, HRS, APPLICATION PROCESS
DEPARTMENT OF HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

To qualify as a Section 201G-118, HRS, project, a minimum of fifty-one percent (51%) of the proposed units must qualify as affordable housing units.

To qualify as an affordable housing unit, a housing unit must be affordable to persons/families in one or more of the applicable income group(s) shown below, as determined by the Director of Housing and Human Concerns, County of Maui.

Ownership Units

Single-Family Detached (Includes duplexes)	-	120% or less of the County's median income.
Multi-Family Attached	-	110% or less of the County's median income.

Rental Units

Detached/Attached	-	100% or less of the County's median income.
-------------------	---	--

In addition, the final selling price(s) and/or the final rental rate(s) must be approved by the Director of Housing and Human Concerns.

- I. Applicant prepares preliminary Section 201G-118, HRS, application.
- II. Preliminary Section 201G-118, HRS, application shall include but not be limited to the following:
 - A. INTRODUCTION
 1. PROJECT LOCATION, EXISTING USE, AND LAND OWNERSHIP
 2. BACKGROUND
 3. PROJECT NEED
 4. PROPOSED IMPROVEMENTS
 5. REQUESTED WAIVERS AND EXEMPTIONS

B. DESCRIPTION OF THE EXISTING ENVIRONMENT

1. PHYSICAL ENVIRONMENT

- a. Surrounding Land Use
- b. Climate
- c. Flood and Tsunami Zone
- d. Topography and Soils
- e. Flora and Fauna
- f. Archaeological Resources
- g. Air Quality
- h. Noise Characteristics
- i. Visual Resources

2. COMMUNITY SETTING

- a. Regional Setting
- b. Population
- c. Economy
- d. Police and Fire Protection
- e. Medical Facilities
- f. Recreational Facilities
- g. Schools
- h. Solid Waste Disposal

3. INFRASTRUCTURE

- a. Roadway Systems
- b. Water system
- c. Wastewater System
- d. Drainage

e. Electrical and Telephone Service

C. POTENTIAL IMPACTS AND MITIGATION MEASURES

1. IMPACTS TO PHYSICAL ENVIRONMENT

- a. Surrounding Uses
- b. Flora and Fauna
- c. Archaeological Resources
- d. Air Quality
- e. Noise
- f. Visual Impact

2. IMPACTS TO COMMUNITY SETTING

- a. Population and Local Economy
- b. Housing
- c. Police, Fire and Medical Services
- d. Recreational and Social Service
- e. Solid Waste

3. IMPACTS TO INFRASTRUCTURE

- a. Roadways
- b. Water
- c. Drainage
- d. Wastewater
- e. Electrical and Telephone Services

D. RELATIONSHIP TO LAND USE PLANS, POLICIES AND CONTROLS

- 1. STATE LAND USE DISTRICTS
- 2. GENERAL PLAN OF THE COUNTY OF MAUI
- 3. COMMUNITY PLAN

4. ZONING

- E. FINDINGS AND CONCLUSIONS
- F. AGENCIES CONTACTED IN THE PREPARATION OF THE PRELIMINARY SECTION 201G-118, HRS, APPLICATION AND COMMENTS RECEIVED
- G. COMMENTS RECEIVED DURING PUBLIC REVIEW PERIOD AND APPLICABLE RESPONSES
- H. COMMENTS RECEIVED AFTER PUBLIC REVIEW PERIOD
- I. APPENDICES - Preliminary Grading and Drainage Report
- Preliminary Building Specifications
- J. LIST OF FIGURES

- 1 Regional Location Map
- 2 Site Location Map
- 3 Site Plan
- 4 Exterior Building Elevations
- 5 Unit Floor Plans
- 6 Flood Insurance Rate Map
- 7 Soil Association Map
- 8 Soil Classifications
- 9 State Land Use District Classifications
- 10 Community Plan Land Use Designations

III. Fifteen (15) copies of the preliminary Section 201G-118, HRS, application is submitted to the Director of Housing and Human Concerns, County of Maui.

IV. Director of Housing and Human Concerns transmits preliminary Section 201G-118, HRS, application to the following agencies for review and comment, and requests that comments be submitted within (30) days.

Highways Division (Maui), State Department of
Transportation
Environmental Health Division (Maui), State Department
Of Health
Historic Preservation Division, State Department of
Land and Natural Resources
Department of Public Works and Environmental
Management, County of Maui (3 copies)
Department of Planning, County of Maui
Department of Water Supply, County of Maui (2 copies)
Department of Fire and Public Safety, County of Maui
Department of Parks & Recreation, County of Maui
Department of Police, County of Maui

Department of Transportation, County of Maui
Department of Housing and Human Concerns, County of
Maui (2 copies)

- V. Agency comments are forwarded to the applicant by the Director of Housing and Human Concerns with a request that all issues of concern be addressed or resolved prior to the Section 201G-118, HRS, application being finalized.
- VI. Section 201G-118, HRS, application is finalized and twenty-one (21) copies are submitted to the Director of Housing and Human Concerns.
- VII. Director of Housing and Human Concerns transmits nineteen (19) copies of the final Section 201G-118, HRS, application to the County Council via the Mayor with a recommendation for approval. Also transmitted are two resolutions. One resolution is for approval of the project and the second resolution is for disapproval of the project. The County Council has forty-five (45) days to approve or disapprove the project. If the project is not disapproved by the forty-sixth day, the project is deemed approved.
- VIII. If a district boundary amendment by the State Land Use Commission (LUC) is required, a petition shall be submitted to the LUC by the applicant. The LUC has forty-five (45) days to approve or disapprove the petition. If the petition is not disapproved by the forty-sixth day, the petition is deemed approved.

Note: If the proposed project is subject to Chapter 343, Hawaii Revised Statutes (HRS), the preliminary and final Section 201G-118, HRS, applications shall contain all of the information that is specified for an Environmental Assessment.



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

MARK ALEXANDER ROY

October 29, 2007

Vanessa Medeiros, Director
County of Maui
**Department of Housing
and Human Concerns**
200 South High Street
Wailuku, Hawaii 96793

**SUBJECT: Proposed Kula Ridge Affordable Housing Project
at TMK (2) 2-3-01:174**

Dear Ms. Medeiros:

A letter from the Department of Housing and Human Concerns (DHHC) was transmitted to our office on July 25, 2006 responding to our request for early consultation comments for the proposed affordable housing project in Kula. Comments were made based on the information provided in the early consultation request. To better organize the presentation of our response, we have labeled each item to correspond with the number and letter designation for each comment provided in the letter.

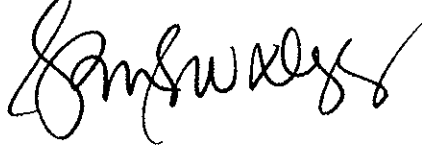
1. The applicant will abide by the Department of Housing and Human Concerns' Section 201H-38, Hawaii Revised Statutes (HRS) guidelines.
2. The applicant has reviewed and understands the provisions of Act 217, SLH 2006.
3. The new replacement section number Section 201H-38, HRS, will be used to refer to Section 201G, HRS.
4. The estimated selling prices for the affordable-priced lots, as well as the estimated selling prices for the market-priced lots will be included in the Draft Environmental Assessment (EA). In accordance with the affordable housing conditions adopted by the County Council Workforce Housing Ordinance No. 3418, the applicant understands that affordable units must be affordable to those earning 160 percent or less of Maui County's median annual income. The applicant is also prepared to set prices using HUD guidelines.
5. The project's Environmental Assessment and preliminary Section 201H-38, HRS, application will be prepared and processed concurrently.

Vanessa Medeiros, Director
October 29, 2007
Page 2

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

If there are any questions, please do not hesitate to call me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena M. Dagdag". The signature is fluid and cursive, with a long horizontal stroke at the end.

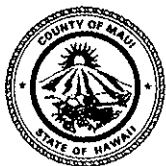
Rowena M. Dagdag, Planner

RMD:yp

cc: JoAnn Ridao, County of Maui Housing Commissioner
Clayton Nishikawa, Kula Ridge, LLC

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JUL 28 2006



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE
ti
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 YABUTA
DEPUTY CHIEF OF POLICE

July 26, 2006

Ms. Rowena M. Dagdag, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, HI 96793


Dear Ms. Dagdag:

SUBJECT: Early Consultation Request for Proposed Affordable Housing Project
at TMK (2) 2-3-01:174, Kula, Maui, Hawaii

Thank you for your letter of July 12, 2006, requesting comments on the above
subject.

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

Very truly yours,


Acting Assistant Chief Milton Matsuoka
for: Thomas M. Phillips
Chief of Police

c: Michael Foley, Planning Department

Enclosure

COPY

TO : THOMAS M. PHILLIPS, CHIEF OF POLICE, MAUI POLICE DEPARTMENT

VIA : CHANNELS

FROM : SCOTT Y. MIGITA, ADMINISTRATIVE SERGEANT, WAILUKU PATROL

SUBJECT : EARLY CONSULTATION REQUEST FOR PROPOSED AFFORDABLE HOUSING PROJECT, TMK (2) 2-3-01:174, KULA, MAUI, HAWAII

Sir, this To/From is being submitted by Munekiyo & Hiraga, Inc., on behalf of Kula Ridge, LLC seeking early consultation comments to prior to an Environmental Assessment (EA) regarding the construction of an affordable housing project in Kula. The proposed project is on an approximately 48-acre parcel at TMK (2) 2-3-01:174, located along Lower Kula Road, east of the Kula Community Center. This proposal involves the development of 116 improved lots, 70 of which will be affordable house-lot packages. The remaining 46 residential lots will be sold at market price. There will also be 5 acres of green space and a 3 acre park dedicated to the County of Maui. The access to the project site will be via a new access road off of Lower Kula Road and there are also plans to improve Kula Highway.

The issue of traffic and safety is paramount from a police perspective. This roadway off of Lower Kula Road is located in a rural area and is not ordinarily heavily used throughout all hours of the day and evening. However, with any new development, an increase in traffic and parking is anticipated, therefore, comments regarding the impact on traffic is being withheld at this time pending a traffic impact study by planners. Another area which would need to be addressed is adequate security and lighting. This proposed development is located mauka (east) of the Kula Community Center and tennis courts, therefore, the issue of sound resulting from the use of the community center for gatherings which may affect this residential area must also be considered and addressed in the draft EA.

Submitted for your information and perusal.

Notes -
 Pendo Traffic Impact
 Study.
 A/Capt. [Signature]
 [Signature] 7/26/06
 [Signature] results
 07/26/06

Respectfully submitted,

[Signature]

Scott Y. MIGITA, E-1122
 Administrative Sergeant, Wailuku Patrol
 07/26/06 at 2107 hours



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

October 29, 2007

Thomas M. Phillips
Chief of Police
County of Maui
Police Department
55 Mahalani Street
Wailuku, Hawaii 96793

**SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK 2-2-3-001:174**

Dear Chief Phillips:

Thank you for your letter dated July 26, 2006, commenting on the proposed affordable housing project in Kula. In response to your comments, we would like to note the following:

1. A traffic impact analysis has been prepared for the project and will be included in the Environmental Assessment. This report addresses the increase in traffic from the additional homes. The project will be governed by design guidelines and covenants to ensure that neighborhood quality is maintained over time. Smaller homes will be able to accommodate two (2) cars off-street, with the larger homes accommodating up to four (4) cars off-street. Parking on the access driveway will not be allowed for the affordable homes with a private access driveway.
2. Safety issues will be considered and issues of adequate security and lighting will be addressed during the project's design phase. The issue of sound resulting from the use of the community center for gatherings was also considered. The distance between the community center building and the nearest home sites is about 80 feet. It is anticipated that this separation distance will help to minimize noise generated from events held at the community center. A copy of your comment letter is being forwarded to the project architect for further review.

Thomas M. Phillips
October 29, 2007
Page 2

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

If there are any questions, please do not hesitate to call me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena Dagdag", with a long, sweeping flourish extending to the right.

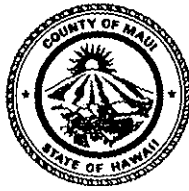
Rowena Dagdag, Planner

RD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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ALAN M. ARAKAWA
Mayor



AUG 11 2006
GLENN T. CORREA
Director

JOHN L. BUCK III
Deputy Director

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

DEPARTMENT OF PARKS & RECREATION

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

August 4, 2006

Ms. Rowena M. Dagdag
Munekiyo & Hiraga, Inc.
305 High Street
Wailuku, HI 96793

Dear Ms. Dagdag.

**SUBJECT: EARLY CONSULTATION REQUEST FOR PROPOSED
AFFORDABLE HOUSING PROJECT AT TMK (2) 2-3-04:174,
KULA, MAUI, HAWAII**

We will work with the developer in coordinating park improvements for the adjoining Kula tennis court facility.

We reserve further comment at this time.

Thank you for the opportunity to comment. Please contact me or Mr. 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 "Glenn T. Correa".

Glenn T. Correa
Director

GTC:PM:do

c: Patrick Matsui, Chief-Planning and Development



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

MARK ALEXANDER ROY

October 29, 2007

Tamara Horcajo, Director
County of Maui
Department of Parks and Recreation
700 Hali'a Nakoa Street, Unit 2
Wailuku, Hawai'i 96793

**SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK (2) 2-3-01:174**

Dear Ms. Horcajo:

A letter from the Department of Parks and Recreation was transmitted to our office on August 11, 2006, responding to our request for early consultation comments for the proposed subdivision at TMK 2-3-001:174, Kula, Maui. We will continue to work with the Department of Parks and Recreation regarding roadway access improvements involving the construction of the adjoining Kula tennis court facility.

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

Please feel free to contact me with any questions at 244-2015.

Very truly yours,

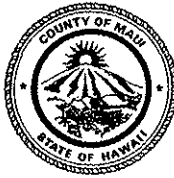
Rowena Dagdag, Planner

RDL:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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ALAN M. ARAKAWA
Mayor
MICHAEL W. FOLEY
Director
DONALD G. COUCH
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

August 9, 2006

Ms. Rowena M. Dagdag
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Dagdag:

RE: Early Consultation Request for Proposed Kula Ridge Affordable Housing Project at TMK: 2-3-001:174, Kula, Island of Maui, Hawai'i (EAC 2006/0025)

The Maui Planning Department (Department) has reviewed the above-referenced document for the proposed action involving the development of:

A residential subdivision including approximately:

- 116 lots, including 70 affordable lots;
- 5 acre green space; and a
- 3 acre park.

Based on the foregoing, the Department recommends that the Draft Environmental Assessment address the following:

1. Provide a regional map depicting where the site is in relation to other nearby features such as roads, streams, existing developments, prominent buildings, points of interest, etc.
2. Explain details on how the affordable housing will be provided:
 - a. What income levels will be targeted (AMI) and how many units will be provided at those levels;
 - b. How the selection of owners will occur;
 - c. How the affordability will be maintained over time;
 - d. Whether the market units will subsidize the affordable units completely;
 - e. Whether the project will entail the construction of affordable homes or merely the sale of lots; and

- f. If there will be a release rate for the market units based on the construction of the affordable units.
3. Clarify whether ohana units will be allowed throughout the development. If ohana units are allowed, then the analysis should reflect the increase.
4. It appears that mass-grading will be necessary. Provide a grading and drainage plan, including potential Best Management Practices to address erosion from wind and rain, especially in regard to the adjacent Keahuaiwi Gulch.
5. Explain how water service will be provided. We understand that the issuance of new water meters in the Kula area may be difficult to obtain.
6. Discuss how wastewater will be handled. Will each lot have an individual septic system?
7. Even though the 210G process may exempt the community plan amendment and change in zoning, a justification should be made as to why this density of development is appropriate in a rural/agricultural area, considering anticipated impacts to the neighborhood character, adjacent properties and infrastructure.
8. Discuss the cumulative loss of all agricultural lands from projects proposed or approved to date. A list of projects and regional project maps may be obtained from the Department's Long Range Division.
9. The discussion should address Section 19.30.020, Maui County Code, which states that:

"Agricultural lands that meet at least two (2) of the following criteria should be given the highest priority for retention in the agricultural district:

- A. *Agricultural Lands of Importance to the State of Hawaii (ALISH);*
- B. *Lands not classified by the ALISH system whose agricultural land suitability, based on soil, topographic and climatic conditions, supports the production of agricultural commodities, including*

Ms. Rowena M. Dagdag
August 9, 2006
Page 3

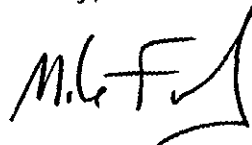
but not limited to coffee, taro, watercress, ginger, orchard and flower crops and non-irrigated pineapple. In addition, these lands shall include lands used for intensive animal husbandry, and lands in agricultural cultivation in five of the ten years immediately preceding the date of approval of this chapter; and

C. *Lands which have seventy-five percent or more of the their boundaries contiguous to lands within the agricultural district."*

10. It is suggested that the County Department of Parks & Recreation be consulted regarding the 3 acre park.
11. Please retain the Planning Department on your mailing list regarding this project.

Should you require further clarification, please contact Mr. Jeff Hunt, AICP, Staff Planner at jeff.hunt@co.maui.hi.us or 270-6271.

Sincerely,



MICHAEL W. FOLEY
Planning Director

MWF:JH:bv

c: Donald G. Couch, Deputy Planning Director
Jeff Hunt, AICP, Staff Planner
EAC Project File
General File
K:\WP_DOCS\PLANNING\EAC\2006\0026_Kula_Ridge_Housing\Early_Comments.wpd

October 29, 2007

Jeffrey Hunt, Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawai'i 96793

SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK 2-2-3-001:174

Dear Mr. Hunt:

A copy of the Department of Planning's August 9, 2006 letter, commenting on the proposed Kula Ridge affordable housing project at TMK (2)2-3-001:174. Comments were made based on the information provided in the early consultation letter has been received by our office. To better organize the presentation of our response, we have labeled each response to correspond with the number and letter designation for each comment provided in the letter.

1. A regional map for the subdivision depicting its location in relations to nearby features will be included in the Draft Environmental Assessment (EA).
2. Affordable housing parameters for the project will be included in the Draft EA. The applicant will enter into an affordable housing agreement with the County of Maui to establish the specific terms and conditions for affordable sales price distribution, applicant selection process, and marketing requirements.
3. Accessory residential units will not be permitted on the smaller affordable or market priced lots. Accessory units will be permitted on the four (4) large lots located in the proposed subdivision (Lot Nos. 113, 114, 115, and 116).
4. A preliminary drainage report and a preliminary grading plan will be included in the Draft EA. Best Management Practices shall be utilized to ensure erosion and runoff control. A copy of this letter is being sent to the project engineer to ensure compliance.
5. The applicant is currently pursuing the development of an on-site water source and is coordinating with the Department of Water Supply to develop a well according to

county standards. Water service and mitigation measures will be addressed in the Draft EA.

6. The applicant has been granted a variance from the State Department of Health to utilize individual wastewater systems (IWS) and is coordinating with a private company to install and maintain individual aerobic wastewater systems for the 116-lot subdivision. Proposed wastewater improvements will be addressed in the Draft EA.
7. A discussion on the appropriateness of the density within the Kula Ridge Affordable Housing project will be included in the Draft EA. The proposed project will provide include single-family homes and the opportunity for small farms that will be reflective of the region's rural character.
8. The subject property has not been used for agricultural production and there are no plans by the current owners to resume such activities. The 48 acres comprising the project site represent a small fraction of the approximately 244,726 acres of land classified as agricultural on the island of Maui. An Agricultural Impact Assessment Report has been prepared and will be included in the Draft EA.
9. Criteria cited in Section 19.30.020 of the Maui County Code will be addressed and discussed in the Draft EA.
10. The applicant has begun coordination with the County of Maui, Department of Parks and Recreation with regards to the 3-acre park in the proposed subdivision.

Thank you again for your input. A copy of the Draft EA will be provided to your office for review and comment.

Should you have any questions, please do not to call me at 244-2015.

Very truly yours,



Rowena M. Dagdag, Planner

RMD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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AUG 30 2006

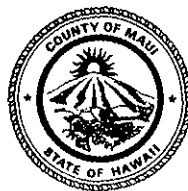
RALPH M. NAGAMINE, L.S., P.E.
Development Services Administration

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



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
AND ENVIRONMENTAL MANAGEMENT
DEVELOPMENT SERVICES ADMINISTRATION
250 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793

August 25, 2006

Mr. Michael Munekiyo, A.I.C.P.
MUNEKIYO & HIRAGA, INC.
305 High Street, Suite 104
Wailuku, Maui, Hawaii 96793

Dear Mr. Munekiyo:

Subject: EARLY CONSULTATION REQUEST FOR PROPOSED
AFFORDABLE HOUSING PROJECT - KULA RIDGE
TMK (2) 2-3-001:174


We reviewed the subject application and have the following comments:

1. The proposed subdivision will have major impacts to surrounding roadway infrastructure. A detailed traffic impact assessment report for the entire subdivision shall be developed.
2. A detailed final drainage report shall be developed and should include hydrologic and hydraulic calculations and the schemes for disposal of runoff waters. It must comply with the provisions of the "Rules and Design of Storm Drainage Facilities in the County of Maui" and must provide verification that the grading and runoff water generated by the project will not have an adverse effect on adjacent and downstream properties. The Best Management Practices plan shall show the location and details of structural and non-structural measures to control erosion and sedimentation to the maximum extent practicable.
3. Address solid waste/recycling.

Mr. Michael Munekiyo, A.I.C.P.
August 25, 2006
Page 2

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

Sincerely,



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

MMA:MMM:da

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

MARK ALEXANDER ROY

October 29, 2007

Milton Arakawa, Director
County of Maui
Department of Public Works
200 South High Street, Room 322
Wailuku, Hawai'i 96793

SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK (2) 2-3-01:174

Dear Mr. Arakawa:

Thank you for your letter dated August 25, 2005, responding to our request for early consultation comments of the proposed subdivision located in Kula, Maui. In response to your comments, we note the following:


1. A detailed Traffic Impact Assessment Report (TIAR) for the subdivision will be incorporated in the Draft Environmental Assessment (EA).
2. A drainage and preliminary engineering report will be included in the Draft EA. Best Management Practices shall be utilized to ensure erosion and runoff control. A copy of this letter is being sent to the project engineer to ensure compliance.
3. Solid waste and recycling issues will be addressed in the Draft EA.

Thank you again for your input on the proposed action. A copy of the Draft EA will be provided to your office for review and comment.

Milton Arakawa, Director
October 29, 2007
Page 2

Should you any questions, please do not hesitate to call me at (808)244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena Dagdag". The signature is fluid and cursive, with a large initial "R" and "D".

Rowena Dagdag, Planner

RDL:yp

cc: Clayton Nishikawa, Kula Ridge, LLC
Stacy Otomo, Otomo Engineering, Inc.

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ALAN M. ARAKAWA
Mayor



GEORGE Y. TENGAN
Director
ERIC H. YAMASHIGE, P.E., L.S.
Deputy Director

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

September 5, 2006

Ms. Rowena M. Dagdag, Planner
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793

RE: Subject: Early Consultation Request for Proposed Affordable Housing Project
TMK: 2-3-001:174 (Kula, Maui, Hawaii)

Dear Ms. Dagdag:

Thank you for the opportunity to comment on this Early Consultation Request.

Source Availability and Consumption

The project site is served by the Upcountry/Makawao system. Water for the system comes from the Makawao aquifer and streams of the Koolau system.

A project of this sort would have an anticipated consumption of about 83,200 gpd (gallons per day) by system standards.

The project is located in an area affected by the finding of inadequate water supply, issued on March 16, 1993. The area has insufficient water supply developed for fire protection, domestic and irrigation purposes to take on new or additional services without the detriment to those already in the regulated area.

If you submit a subdivision application with our Engineering Division, you will be placed on the Upcountry Water Service Priority List. You may also proceed and develop your own private system.

System Infrastructure

The project area is serviced by a 8-inch waterline off Lower Kula Road and a hydrant on Lower Kula Road. Storage is inadequate for new or additional services in the area. Extensive infrastructure improvements would have to be made for a project of this sort.

Should you have any questions, please contact our Water Resources & Planning Division at

"By Water All Things Find Life"



Ms. Rowena M. Dagdag
Page 2
September 5, 2006

244-8550, or our Engineering Division at 270-7835.

Sincerely,

A handwritten signature in black ink, appearing to read "George Y. Tengan", written over the printed name.

George Y. Tengan, Director
ayi

c: Engineering Division
WRPD Reading File



MICHAEL T. MUNEKIYO
GWEN OHASHI HIRAGA
MITSURU "M.C.H." HIRANO
KARLTON KAWAHARA

MARK ALEXANDER ROY

October 29, 2007

Jeffery Eng, Director
County of Maui
Department of Water Supply
200 South High street
Wailuku, Hawai'i 96793

**SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK 2-2-3-001:174**

Dear Mr. Eng:

A letter from the Department of Water Supply was transmitted to our office on September 5, 2006, responding to our request for early consultation comments for the proposed subdivision at TMK (2) 2-3-01:174. Comments were made based on the information provided in the early consultation letter. In response to these comments provided by the Department of Water Supply, we would like to note the following:

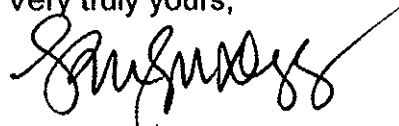
1. The applicant, Kula Ridge, LLC, is pursuing the development of on-site water source. The applicant will continue to coordinate with the Department of Water Supply to ensure that water source is adequately and appropriately addressed for the project.
2. The applicant will also continue to coordinate with your Department regarding infrastructure improvements and storage capacity in the project site area.
3. A copy of your letter has been forwarded to the applicant and the project engineer for further review.

Thank you again for providing input to the proposed action. A copy of the Draft Environmental Assessment will be provided to your office for review and comment.

Jeffery Eng, Director
October 29, 2007
Page 2

If there are any questions, please do not hesitate to call me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena M. Dagdag", with a long, sweeping flourish extending to the right.

Rowena M. Dagdag, Planner

RMD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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AUG 10 2008



August 8, 2006

Munekiyo & Hiraga, Inc.
Attn: Rowena M. Dagdag, Planner
305 High Street, Suite 104
Wailuku, Hawaii 96793

Dear Ms. Dagdag,

Subject: Proposed Kula Ridge Affordable Housing Project --
Lower Kula Road
Kula, Maui, Hawaii
Tax Map Key: (2) 2-3-001:174

Thank you for allowing us to comment on the Early Consultation Request for Proposed Kula Ridge Affordable Housing Project as described in your letter of July 12, 2006.

In reviewing our records and the information received, Maui Electric Company (MECO) will be requiring access and electrical easements for our facilities to serve the subject project site. We highly encourage the customer's electrical consultant to submit electrical drawings and a project time schedule as soon as practical so that service can be provided on a timely basis.

The existing area is currently served from our Kula Substation. Since this substation is nearly filled to capacity, the addition of this project's anticipated electrical load demand will have a substantial impact to our system. Therefore, in addition to a electrical line extension, other upgrades may be necessary to accommodate a project of this magnitude.

We also suggest that the developer and/or their consultant make contact with Walter Enomoto of our Demand Side Management (DSM) group at 872-3283 to review potential energy conservation and efficiency opportunities for their project.

Should you have any questions or concerns, please call Ray Okazaki at 871-2340.

Sincerely,

A handwritten signature in black ink that reads "Neal Shinyama". The signature is written in a cursive, flowing style.

Neal Shinyama
Manager, Engineering

NS:ro

Cc: Walter Enomoto -- MECO DSM



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

MARK ALEXANDER ROY

October 29, 2007

Neal Shinyama
Engineering Manager
Maui Electric Company, Ltd.
P. O. Box 398
Kahului, Hawai'i 96733

SUBJECT: Proposed Kula Ridge Affordable Housing Project at
TMK (2) 2-3-01:174

Dear Mr. Shinyama:

Thank you for your letter dated August 8, 2006, commenting on the proposed affordable housing project in Kula. In response to your comments, we would like to note the following:

1. Your letter will be forwarded to the project architect, who will coordinate with your office to verify electrical demand and indicate the desired service location for timely service. Coordination with the Demand Side Management Group will also be undertaken, as recommended.
2. Proposed electrical line improvements and other upgrades will be addressed in the Draft Environmental Assessment (EA).

Thank you again for your input. A copy of the Draft EA will be provided to your office for review and comment.

Should you have any questions, please do not hesitate to call me at 244-2015.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rowena Dagdag", is written over a dotted line.

Rowena Dagdag, Planner

RDL:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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David J. Darling, EA, FNTPI

Tax Preparation & Consulting

Enrolled to Practice Before the Internal Revenue Service
Fellow: National Tax Practice Institute

GOOD EVENING,

My name is David Darling and I have lived continuously on the corner below the proposed project for 35 ½ years. I was drawn to the area for its climate, the sun rises, bird life, sunsets, soil quality and convenience and central location. I raised a family here and hope to retire in the general Kula area someday. My child and grandchild are on the mainland furthering his studies at Seattle Children's hospital. I would hope he would be able to return to Hawaii to raise his family.

I harbor no "not in my back yard" feelings and would completely understand why these proposed lots will be a popular and desirable item on the future real estate market. I am willing to share the climate, sun rises and sunsets and overall quality of life the area offers.

Two concerns come to mind however and I hope they can be addressed in the planning process rather than after the fact.

One is double edged so I will address it last.

FIRST is traffic on a very narrow and outdated Lower Kula Road between the community center and the Waldorf School property. It is a 20 mph speed zone and is way too narrow by current county standards to support another 120 to 200 cars per day. It passes by a school that is expanding every year and serves (presently) pre-school to grade eight. The project to widen it would be ambitious but necessary to support increased traffic. SECOND is water. My property has a waterfall that runs during heavy rain. The layout of the lots does not seem to accommodate the natural flow of heavy rain, the increased runoff from rooftops and paving will only increase these flows. What drainage solutions are offered?? The double edge to the water question is where will the domestic water be coming from?? 118 water meters in this day and age on the Upper Kula system seems a stretch.

Once these concerns are addressed this project has my support

Thank you,

David Darling
David Darling



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

KARLYNN KAWAHARA

August 3, 2006

David Darling
4074 Lower Kula Road
Kula, Hawaii 96790

SUBJECT: Kula Ridge Housing Project

Dear Mr. Darling:

Thank you for your letter of July 13, 2006, commenting on the proposed Kula Ridge Affordable Housing Subdivision (TMK 2-3-01-174) in Kula, Maui. We would also like to thank you for participating in the community meeting on July 13, 2006 at the Kula Elementary School Cafeteria. We note that the project is in its preliminary stages in terms of the environmental assessment and the Land Use Commission processes. These processes help us identify areas that would be impacted and suggest improvements for the project, as well as offsite improvements for the surrounding areas.

Clayton Nishikawa of Kula Ridge, LLC understands your concerns regarding the proposed subdivision and is working toward identifying ways to mitigate or minimize the project's impact on the community. In response to your comments, we note the following:

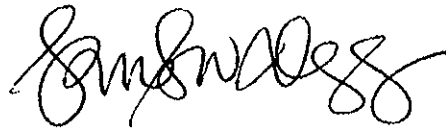
1. A traffic impact analysis report is being done to identify improvements and mitigation measures that need to be made before approval of the subdivision. We are awaiting completion of the traffic impact analysis report, as well as comments from the State of Hawaii, Department of Transportation regarding mitigation considerations for Lower Kula Road, Kula Highway, and other roadways in the project vicinity.
2. Any increase in runoff generated from the development of the property will be mitigated onsite by a detention basin. The design of the basin will be based on a 50 year-1hour storm, in accordance with the County drainage standards. There will be no increase in runoff flowing to the adjoining properties. Furthermore, the existing drainage pattern will be maintained through the makai properties. The civil engineer has prepared a Preliminary Drainage Report that discusses the expected increase in runoff from the proposed project and includes mitigation. The drainage report will be included in the Environmental Assessment, along with Best Management Practices.

David Darling
August 3, 2006
Page 2

3. Residents expressed their concerns over water requirements and asked if the project would receive water before others who have been waiting for a water meter. We would like to note that although the Section 201G, Hawaii Revised Statutes process allows for certain exemptions, it would not permit exemptions relating to the provision of water source and water infrastructure. Kula Ridge, LLC is currently negotiating with Maui Land and Pineapple Company and A&B who are drilling wells in the Upcountry area. The objective of this discussion is to identify opportunities for provision of water to meet project needs.

Thank you once again for your comments. The Draft Environmental Assessment will be made available for residents interested in receiving a copy once it has been completed. Should you have any further questions or require additional information, please call me at 244-2015.

Very truly yours,



Rowena Dagdag, Planner

RD:yp

cc: Clayton Nishikawa, Kula Ridge, LLC

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James R. Davis
6708 Austin Way
Sacramento, CA 95823
7/8/06

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

Re: Informational Meeting for Proposed Affordable Housing Project at Kula, Hawaii,
TMK 2-3-01:174

Dear Sirs:

I got your letter about a housing subdivision on 48 Acres by Kula Ridge, LLC, including an 8 acre park.

Unfortunately I live in Sacramento and cannot come to your meeting on 7/13.

Based on the plat map I think this is in an area that is one lot mauka of a stretch of the old lower Kula road between Haleakala School and the Holy Ghost Church. Is this correct?

You say there will be 116 improved lots with 59 affordable and 53 regular residential lots on 40 acres. This raises some questions?

- 1) What is the current zoning on this land? Urban, rural, agricultural?
- 2) Are there any unimproved lots?
- 3) What is the proposed minimum lot size?
- 4) Does "affordable" housing mean it is subsidized and so commercial?
- 5) I don't understand the percentages? $59/116=50.9\%$ (not 60%) and $53/116=45.7\%$ (not 40%) Is there a goal you are trying to meet? Why? Oh... maybe you mean percentage of land area. So $(48-8)*.60/59=.407A/lot$ and $(48-8)*.40/53=.302A/lot$. If so, why do the subsidized lots get more acreage?
- 6) Where is the road access? Somewhere to the Lower Kula Road? Is there a road on the southern boundary? Is it a public road already? What is the name of that road?
- 7) Where is the 8 acres for the park located? Is it next to the Kula Community Club shown on plat 2-3-37 lot 27? Was this community center ever developed?

Other questions I have are:

- 8) Eight acres for a park is to be dedicated to the County. Is it to be developed before dedicating it to the county? When will the people of the area get to use it as a park? Will you be putting in the trees?
- 9) With 112 more families in the area what roads are to be upgraded? Lower Kula Road and some other feeder road? And who pays for that? What traffic controls will be enhanced?
- 10) With 112 more families in the area what impact on the water system does this have? Lower water pressure at times of peak use? Harder to get subdivision permission for existing Kula lots? Harder to get permits for water hookups?
- 11) What will the impact be on the people already living in the area that purchased in an agricultural or rural area and hoped to maintain a slower pace with lower traffic and noise? Where will the traffic flow be?

12) What does "affordable" mean? Low income? What does that mean in general terms of life style and upkeep of properties and junk and old cars accumulation? In terms of air pollution from old cars? In terms of more noise due to more cars?

13) Who are the principles in Kula Ridge, Inc.? Robert G. Von Tempsky or someone else?

I look forward to your response.

Yours truly,

A handwritten signature in cursive script that reads "James R. Davis". The signature is written in black ink and is positioned to the right of the typed name "Yours truly,".



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

KARLYNN KAWAHARA

August 1, 2006

James R. Davis
6708 Austin Way
Sacramento, California 95823

SUBJECT: Proposed Kula Ridge Subdivision at TMK (2)2-3-01:174, Kula, Maui

Dear Mr. Davis:

Thank you for your letter of June 8, 2006, commenting on the proposed Kula Ridge Affordable Housing Subdivision (TMK 2-3-01:174) in Kula, Maui. We note that the project is in its preliminary stages in terms of the environmental assessment and the Land Use Commission processes. These processes help us identify areas that would be impacted and suggest improvements for the project, as well as offsite improvements for the surrounding areas.

Kula Ridge, LLC understands your concerns regarding the construction of a 116-lot subdivision, and has recently met with residents and land owners living near the proposed subdivision to answer any questions or address any concerns they had regarding the project. See Attachment. In response to your questions, we note the following:

1. The subject property falls within the State "Agricultural" District and will require reclassification to the "Rural" and "Urban" Districts by the State Land Use Commission (LUC).

The property is designated "Rural" and "Single-Family" by the Makawao-Pukalani-Kula Community Plan. It is currently County-Zoned "Interim".

2. The affordable and market units will be sold as house-lot packages. Architectural Design & Construction (ADC) will design and construct the homes.
3. The affordable lot sizes are proposed to be a minimum of 5,600 to 8,500 square feet (s.f.) with a zero-lot line concept proposed for the affordable homes. Market priced lots will be on the order of 6,000 to 21,000 s.f.
4. The term "affordable" as used for this project refers to households whose annual income fall within income thresholds established by the County of Maui. For example, a portion of the affordable units may be set aside for those households

environment
planning
188
government

earning not more than 100 percent of the County's annual median income (\$65,700.00 for 2006).

5. There have been changes to the percentage of affordable units to be provided. The proposed project will involve the development of 116 improved lots with approximately 70 lots (60 percent) set aside for affordable house-lot packages. The remaining lots, consisting of approximately 46 residential lots (40 percent), will be sold at market price. The percentages cited above are rounded.
6. Access to the proposed subdivision would be provided via a new access road off of Lower Kula Road. See Figure 1.
7. Eight (8) acres have been designated as park and open space located above Kula Community Center. (Three (3) acres will be set aside for Park use, with the remaining five (5) acres set aside for Open Space use.) The center is located to the immediate west of the proposed subdivision. The Kula Community Center is an approximate 2,800 square foot building on seven (7) acres of land. The center has a stage, outside barbecue grill area and restrooms. There is a community police office onsite. Recreational facilities on the property include two (2) lighted tennis courts and a gateball court. The gateball court has a field house and storage shed.
8. The proposed three (3) acre park will be dedicated to the County of Maui. Five (5) acres will be used as green/open space and a drainage detention basin. Specific improvements to be implemented on the 3-acre park site will be discussed with the County's Department of Parks and Recreation. Residents will be able to use this park after it has been developed and dedicated to the county.
9. A traffic impact analysis report is being done to identify improvements and mitigation measures that need to be made before approval of the subdivision. We are awaiting a final study of the traffic impact analysis, as well as comments from the State of Hawaii, Department of Transportation and County Department of Public Works and Environmental Management regarding potential traffic impacts and mitigative measures.
10. Water supply and infrastructure improvements will need to be addressed as part of the project's ongoing planning efforts. See item no. 8 in the attached meeting minutes.
11. The impacts associated with the proposed action will be addressed as part of the environmental assessment process. Engineering, traffic and architectural design

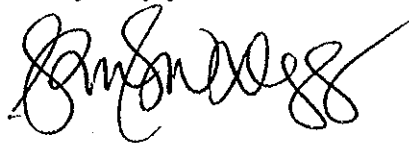
James R. Davis
August 1, 2006
Page 3

issues for example, are being studied to ensure that impacts to the surrounding areas are appropriated addressed.

12. As noted, the above traffic impacts are being studied by a licensed traffic engineer. The project will be governed by design guidelines and covenants to ensure that neighborhood quality is maintained over time.
13. The Kula Ridge Affordable Housing Subdivision is managed under the direction of Mr. Clayton Nishikawa of Kula Ridge, LLC. He is the owner/architect of Nishikawa Architects and a design builder for ADC.

Thank you once again for your comments. Should you have any further questions or require additional information, please call me at (808) 244-2015.

Very truly yours,



Rowena Dagdag, Planner

RD:yp

Enclosures

cc: Clayton Nishikawa, Kula Ridge, LLC (w/out enclosures)

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July 21, 2006

MEETING MEMORANDUM

Date of Meeting: July 13, 2006

From: Rowena Dagdag, Planner

Subject: Kula Ridge Affordable Housing Subdivision

Participants: Clayton Nishikawa, (*Architectural Design & Construction, Inc.*)
Stacy Otomo, (*Otomo Engineering, Inc.*)
Michael Munekiyo, (*Munekiyo & Hiraga, Inc.*)
Rowena Dagdag, (*Munekiyo & Hiraga, Inc.*)
Community Participants, (*See Attached*)

The purpose of the meeting was to introduce the proposed Kula Ridge Subdivision project to residents and community members living in proximity to the proposed project site. The project would require a district boundary amendment and seek exemptions from the community plan amendment and change in zoning process through the Section 201G-118, Hawaii Revised Statutes (HRS) application process.

1. C. Nishikawa provided a brief summary of the project's description and displayed the proposed house plan designs. He noted that the project will involve the development of 116 improved lots, with 70 (60 percent) affordable house/lot packages and 46 (40 percent) market lots.
2. A rendering of what the affordable units would look like using a private access easement for 6 of the lots was displayed. C. Nishikawa stated that one of his reasons for developing affordable housing was to provide well designed affordable homes for Maui residents and their children.
3. The project is moving ahead to obtain the proper sequence of approvals. C. Nishikawa has already met with the Kula Community Association, the Maui County Council members, and with the Mayor. All had recommended that he meet with the residents living near the proposed project to answer any questions or address any concerns that they have regarding the project.

4. M. Munekiyo explained that the project was in its preliminary stages in terms of the environmental assessment and Land Use Commission process. He further explained that the environmental assessment process would help identify areas that would be impacted and suggest improvements that need to be made to mitigate or minimize project impacts.
5. M. Munekiyo stated that the project will need to go through the State Land Use Commission for a district boundary amendment to reclassify the land use from Agricultural to Rural and Urban. Exemptions from the community plan amendment and change in zoning process will be requested as part of the Section 201G-118, HRS application process.
6. The project is to be processed as a Section 201G, HRS application, which allows an affordable housing project to be expedited through exemptions. The regular process would take approximately 3 to 4 years. During the application process, there will be formal opportunities for the public to comment and provide feedback.
7. A resident expressed her concern over water rights and asked if the project would receive water before others who have been waiting for a water meter. M. Munekiyo replied that although the Section 201G, HRS process allows for certain exemptions, it would not permit exemptions relating to the provision of water source and water infrastructure.
8. C. Nishikawa stated that he recently met with the Water Director, who suggested that he find his own water. C. Nishikawa is currently negotiating with Maui Land and Pineapple Company and A&B who are drilling wells in the Upcountry area. The water from these wells could service the project site. He further indicated that he would pay for a percentage of the well being drilled by the companies.
9. The well would eventually be connected to the County water system.
10. D. Mayer stated that the Kula Community Association board members met with C. Nishikawa about two (2) months ago and reviewed the project with him. The association has provided C. Nishikawa with comments and concerns regarding the project. D. Mayer indicated that he was not satisfied with the update regarding the water situation, but was willing to be of help to resolve the issues.
11. A septic tank system will be installed in the homes. C. Nishikawa stated the benefits of a septic system and pointed out the disadvantages of a larger single wastewater system. C. Nishikawa is coordinating with the Department of Health to obtain permission to utilize individual wastewater systems as being proposed.
12. A resident asked if the homes could be expanded to accommodate growing families. C. Nishikawa stated that there would be enough room on the individual lots for expansion. He noted that there would be no need for a larger water meter,

but that the homes may need a larger septic system. Homes would have a 5/8-inch meter.

13. A question was raised regarding the community plan designation, and if there was any mention of density to the area. Residents were concerned that the 116 improved lots would result in increased traffic. They were concerned about the safety of the roads and a large number of cars in the subdivision.
14. C. Nishikawa indicated that the smaller homes would be able to accommodate two (2) cars off-street, with the larger homes accommodating up to four (4) cars off-street. Parking on the access driveway would not be allowed for the affordable homes with a private access driveway.
15. The larger density (116 improved lots) is required to keep the affordable housing cost lower.
16. Ohana units will not be allowed on the individual lots.
17. A resident raised concern about the four (4) large lots on the eastern boundary of the property. Residents are concerned about it becoming a "gentlemen" ranch. M. Munekiyo stated that the current state land use designation will be kept as agricultural or rural.
18. A resident raised concern over the sidewalk along Lower Kula Road and suggested improvements to it. Residents also felt that Lower Kula Road was too narrow to accommodate traffic leading up to the 116 lot subdivision. M. Munekiyo stated that a traffic impact analysis was being done to identify improvements and mitigation measures that need to be made before approval of the subdivision.
19. A resident raised a concern over outdoor lights and its negative impact on the Haleakala Observatory. He suggested that we contact the University of Hawaii Institute For Astronomy for their comments.
20. C. Nishikawa noted that the Maui Police Department would like to see adequate lighting in the new neighborhood to address safety concerns. Residents felt that the police officers would be able to continue their work safely with low lighting.
21. A resident commented that some years ago, the Carden Academy proposed to build a school on Lower Kula Road but was denied approval by the Maui Planning Commission due to traffic impact reasons.
22. A resident felt that the project should be located somewhere else where there is less impact to the surrounding neighborhood. An affordable housing project could be done somewhere else.

23. M. Munekiyo stated that there will be several meetings where residents will be able to testify and provide comments over the project. The public will be able to give testimony before the State Land Use Commission during meetings regarding the environmental assessment. After a draft of the environmental assessment has been published, a 30-day comment period will be held for residents to provide feedback. The applicant will review and address the comments received during the draft environmental assessment comment period.
24. M. Munekiyo noted that residents living within 500 feet of the proposed project site were invited to the meeting, but welcomed others in the Kula area to attend. He added that more meetings could be held to update residents on the status of the project and to gather more comments.
25. A resident noted that 6:00 p.m. may be too early in the evening to hold a meeting. A better time would be at 7:00 p.m.
26. Residents asked D. Mayer if the Kula Community Association could act as the spearhead for upcoming meetings. They want to be informed of any meetings or hearings regarding the projects that impact the entire Kula Community. D. Mayer responded that a website is available at www.kulamaui.org. The website includes information that residents would find useful.
27. C. Nishikawa stated that water and roadway infrastructure are very important issues that need to be addressed and resolved. He is willing to work with residents and the Kula Community Association on these issues.

In closing the meeting, M. Munekiyo stated that the applicant would like to come back to the community to provide updates and receive comments as the project progresses.

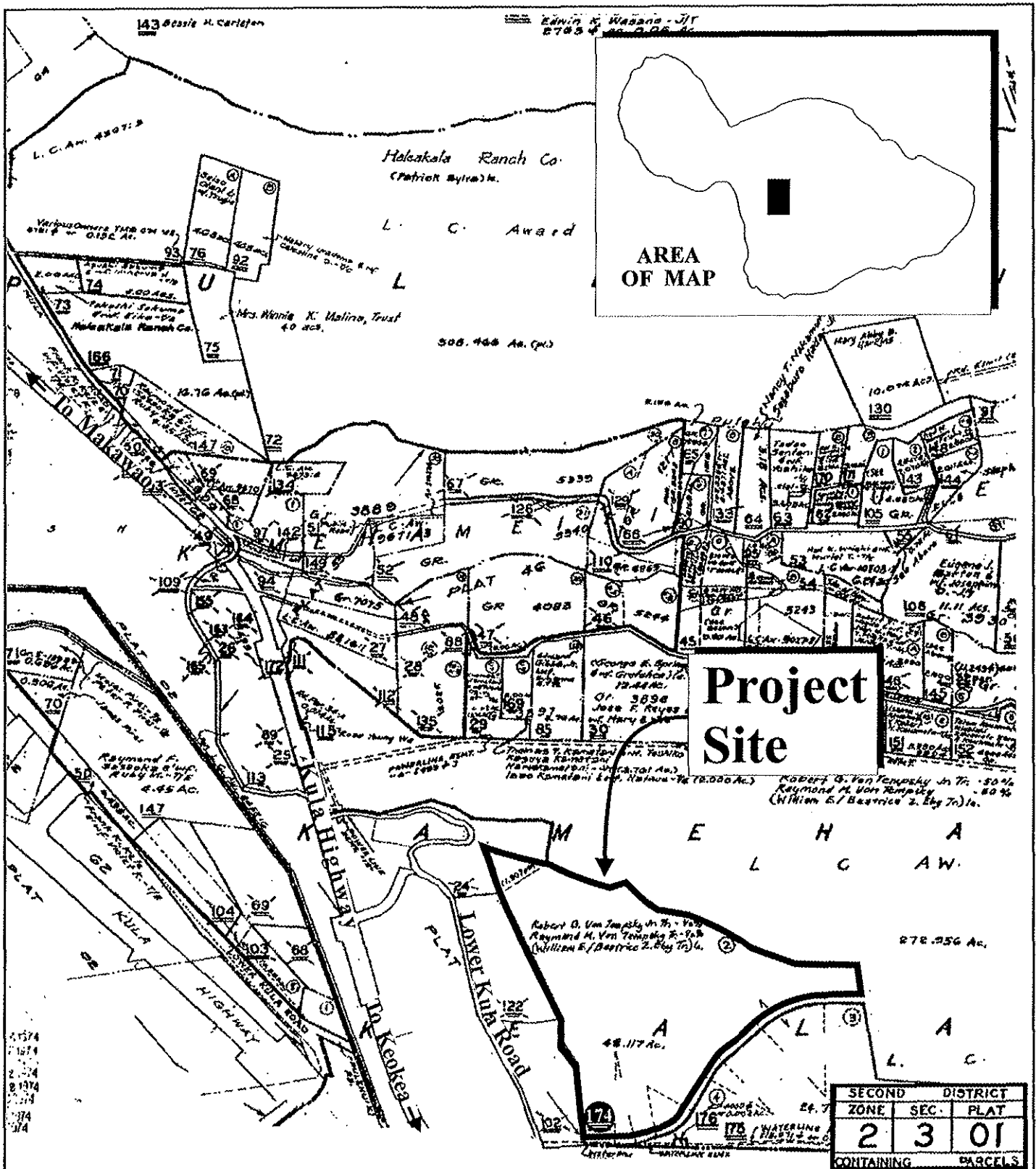


Rowena M. Dagdag, Planner

RMD:yp
Attachment

cc: Clayton Nishikawa, Architectural Design & Construction, Inc. (w/attachment)
Stacy Otomo, Otomo Engineering, Inc. (w/out attachment)
Dick Mayer, Kula Community Association (w/attachment)

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Source: County of Maui Real Property Tax

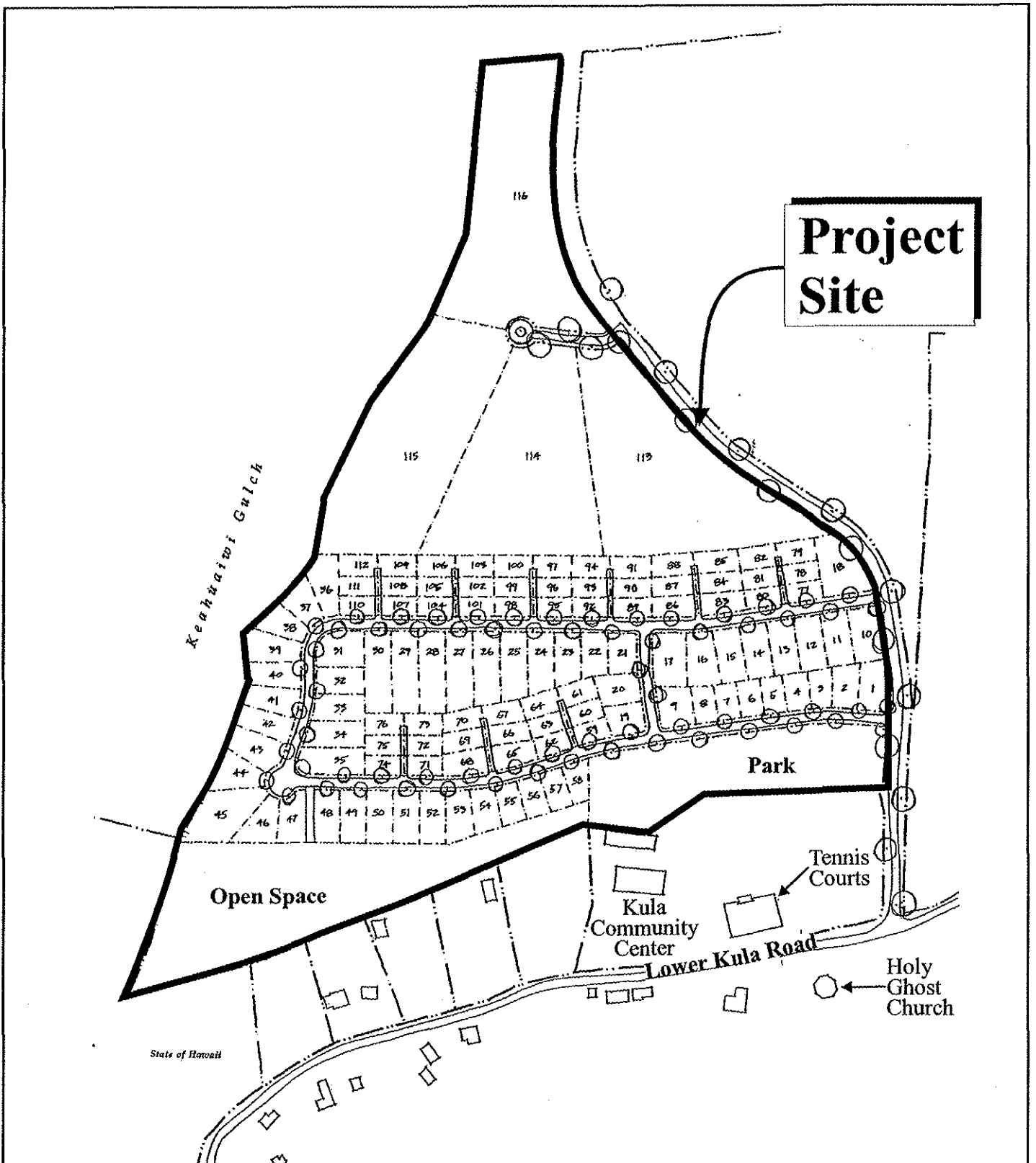
Figure 1 Proposed Kula Ridge Affordable Housing Subdivision Project Site Map

NOT TO SCALE



Prepared for: Kula Ridge, LLC

MUNEKIYO HIRAGA, INC.



Source: Architectural Design & Construction, Inc.

Figure 2

Proposed Kula Ridge
Affordable Housing Subdivision
Conceptual Site Plan

NOT TO SCALE



Prepared for: Kula Ridge, LLC

MUNEKIYO HIRAGA, INC.