Exhibit H

Outlook

RE: Pu'unene Heavy Industrial Subdivision

From Murakawa, Scott T <scott.murakawa@doh.hawaii.gov>
Date Mon 10/26/2015 7:48 AM
To Blanca Lafolette <blancal@pacificrimland.com>

Good Morning Blanca,

The Clean Water Branch has reviewed the Draft Water Monitoring Plan that you provided. At this time, the CWB does not have any comments regarding the Draft Water Monitoring Plan. If there are groundwater considerations related to the planned Puunene Heavy Industrial Subdivision, please contact the Department of Health, Safe Drinking Water for more information.

Please be advised that an NPDES permit application will need to be submitted before any construction activities commence.

Scott Murakawa
Environmental Health Specialist | Environmental Health Division - Clean Water Branch
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From: Blanca Lafolette [mailto:blancal@pacificrimland.com]
Sent: Friday, October 23, 2015 12:01 PM
To: Murakawa, Scott T <scott.murakawa@doh.hawaii.gov>
Subject: Pu'unene Heavy Industrial Subdivision

Hi Scott,
Attached is the comment letter dated July 9, 2012 from Clean Water Branch and our response letter dated July 19, 2012. I've highlighted in yellow on both letters the section that pertains to the condition from the SLUC. As noted in our response, no surface water (runoff) is expected to reach Ma'alaea Beach. Studies have indicated that the mud caprock along the southern two-thirds of Ma'alaea Bay prevents groundwater discharge along the shoreline, forcing it further offshore where it is thoroughly mixed to background ocean water levels. In addition, the subdivision is located approximately two miles inland from Ma'alaea Bay with developments in between.

Pease review with the appropriate staff in your office to determine if this Nearshore Marine Monitoring Program is even necessary for our project.

I appreciate your assistance.

Blanca Lafolette | Pacific Rim Land, Inc
Project Coordinator
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NEARSHORE MARINE MONITORING PROGRAM,
FOR THE PU'UNENE HEAVY INDUSTRIAL SUBDIVISION,
PU'UNENE, MAUI

Prepared for:

CMBY 2011 Investment LLC
P.O. Box 220,
1300 N. Holopono St., Ste. 201
Kihei, Hawaii 96753

By:

Steven Dollar, Ph.D.
Marine Research Consultants, Inc.
1039 Waakaua Pl.
Honolulu, HI 96822

September 30, 2015

1. INTRODUCTION AND PURPOSE

The planned Pu'unene Heavy Industrial Subdivision located in central Maui, Hawaii will consist of approximately 28 heavy industrial lots that will range in size from 0.5 acre to 20 acres. Related infrastructure improvements to support the Project include the construction of internal roadways, drainage retention systems, grading work, landscaping and utilities (e.g., water, telephone, cable, electric, private water system, and a private wastewater treatment plant). The developable lots within the Project will encompass approximately 66 acre, and the interior roadways and drainage retention area will encompass approximately 20 acres.

Although the project site is located approximately two miles inland of Maalaea Bay, there was concern during the planning process about the potential for impacts to State waters at Maalaea Beach, and at the Kealia National Wildlife Refuge due to the development of the Project (Figure 1). As a result of this concern the State of Hawaii Land Use Commission imposed condition #10 on the project that reads:

"Water Quality Monitoring. *Petitioner shall develop and implement a near shore water quality monitoring program to detect the presence of contaminants resulting from the development of the Project. The monitoring program will be developed by the Petitioner in consultation with the State Department of Health, to include the sampling constituents, the location, frequency and duration of monitoring, and reporting requirements. If contaminants are present, and such presence is irrefutably linked to the development of, or operations at, the Project, Petitioner, its successors and assigns, shall, in coordination with the DOH, implement appropriate revisions to the pollution prevention plan and BMPs, and CC&Rs if applicable, to address such contaminants."*

The purpose of this document is to present a proposed scope of work to meet the conditions specified in LUC Condition #10. As there are no streams in the area, the monitoring program to meet the condition is designed to determine if development of the project has effects to groundwater that reaches the nearshore ocean.

2. METHODS

2.1 Sampling Frequency

An initial sampling to establish baseline conditions will be conducted just prior to commencement of construction activities. The baseline will provide a record of existing water quality resulting from ongoing activities in the area without contribution of the proposed project.

A second increment of sampling will be conducted following the completion of construction, estimated to take approximately 18 months. These two increments of sampling will comprise the monitoring program to assess the effect of development of the project.

2.2 Sampling Sites and Sampling Protocol

Nearshore marine water chemistry will be assessed by sampling along three transects downslope from the project site that originate at the shoreline and extend to the central portion of Maalaea Bay. One of these transects (#1) will be located to the west of Kealia Pond, one transect will be located off the central portion of Kealia Pond (#2) and one transect will be located to the east of Kealia Pond (#3) (See Figure 1).

Water samples will be collected at eight stations along each ocean transect. Sampling will be more concentrated in the nearshore zone because this area is most likely to show the effects of alteration in groundwater composition. A likely sampling scheme will consist of sampling stations at distances of 0.1, 5, 10, 20 50, 100, 200 and 500 m from the shoreline. Where water depth exceeds 1 m, samples will be collected at two depths; a surface sample will be collected within approximately 10 centimeters (cm) of the sea surface, and a bottom sample will be collected within one m of the sea floor. In addition, samples will be collected from Kealia Pond as well as any other surface water features that might be located downslope from the property. Water will also be collected from irrigation and potable wells in the area to provide end-point parameters of groundwater that enters the ponds and ocean.

Such a sampling scheme, which allows scaling of water chemistry parameters to salinity is an effective method of determining changes in chemical make-up of groundwater and surface water discharge. In addition, the method allows identification of chemical sources on land that are contributing to material input to the marine environment (Dollar and Atkinson 1992, Smith and Atkinson 1990, Dollar and Smith 1988). The sampling scheme also allows for determination of spatial variability of chemical constituents within the horizontal range of the survey (across the reef), and with respect to vertical stratification.

2.3 Monitoring Constituents

Chemical composition of pond and marine waters will be evaluated by analysis of all constituents specified by State of Hawaii, Department of Health water quality standards (Chapter 11-54 S11-54-06 (3)). Specific constituents that will be evaluated include total nitrogen (TN), nitrate + nitrite nitrogen (NO_3^- + NO_2^-), ammonium (NH_4^+), total phosphorus (TP), dissolved silica (Si), salinity, turbidity, chlorophyll a, dissolved oxygen, temperature and pH. While not included in the DOH standards, several other constituents will be assessed that provide important information. These constituents include dissolved silica (Si), orthophosphate phosphorus (PO_4^{3-}), total inorganic nitrogen (TON) and total inorganic phosphorus (TOP). These constituents include materials present in fertilizers, and erosional sediment (siltation), and are instrumental for evaluating the influence of groundwater and surface runoff entering the marine and pond environment.

2.4 Analytical Methodology

Water samples will be collected in 1-liter polyethylene bottles. Pond and nearshore ocean samples (within 10 m of the shoreline) will be collected by swimmers working from shore. Offshore water samples will be collected from a small boat using 1.8-liter Niskin oceanographic sampling bottles. These bottles contain spring-loaded end-caps which are cocked in an open position allowing free flow-through as the bottle is lowered to the desired sampling depth. At the desired depth, a weighted messenger is released from the surface which trips the end-caps to close, isolating a volume of water. Following collection, samples will be transferred from the Niskin bottles to triple-rinsed 1-liter polyethylene bottles and stored on ice until return to the laboratory. *In-situ* field measurements will include acquisition of continuous vertical profiles of dissolved oxygen, water temperature, pH and salinity using a RBR Model XR-420 CTD.

Subsamples for nutrient analyses will be split into 125-milliliter (ml) acid-washed, triple rinsed, polyethylene bottles and immediately placed on ice. Analysis for NH_4^+, PO_4^{3-}, and NO_3^- + NO_2^- are performed using automated techniques on a Technicon II autoanalyzer. Total nitrogen and total phosphorus are analyzed in a similar fashion following ultra-violet digestion. Dissolved inorganic nitrogen (DON) and dissolved inorganic phosphorus (DOP) are calculated as the difference between total dissolved and dissolved inorganic N and P. All nutrient procedures will be performed according to standard methods for seawater analysis (Strickland and Parsons 1968). Turbidity will be determined on 60-ml subsamples using a laboratory nephelometer. Chl a will be measured by filtering 300 ml of water through glass fiber filters; pigments on filters will be extracted and assessed fluorometrically. Salinity will be determined using a laboratory salinometer with a readability of 0.0001‰.

2.5 Laboratory Certification.

Analytical laboratories employed to conduct sample analysis must possess "Acceptable" ratings in the USEPA Water Quality Performance Evaluation Study (WPO-26) conducted in conjunction with the State of Hawaii Department of Health. In addition, it is assumed that the certified laboratories monitor and implement effective programs to resolve instrument maintenance and operator training.

2.6 Chain of Custody.

Chain of custody of samples will be recorded in writing on appropriate forms during each phase of transfer of samples. At each transfer of samples, chain of custody records will include the name of sampler or analyst, date of collection or analysis, type of sample or analysis, and location of sample collection and analysis. Copies of each chain of custody record will be kept on file by each party in the chain, and will be submitted along with final data reports.

3. REPORTING

Following each increment of the field sampling program, a written report will be prepared, which will contain all data collected during the field survey, along with appropriate graphic representations and explanatory text to fully depict the existing environmental settling off the site of the proposed action. The sum of these data will be used to develop an evaluation of the effects of the project on the marine environment. The written reports will be completed and provided to the appropriate entities within 5-6 weeks of completion of the fieldwork.

Accepted by:

Steven Dollar
Marine Research Consultants, Inc.

For: CMBY 2011 Investment LLC

Date

4. REFERENCES

Dollar, S. J. and M. J. Atkinson. 1992. Effects of nutrient subsidies from groundwater to nearshore marine ecosystems off the Island of Hawaii. Est. Coast. Shelf Sci. 35:409-424.

Officer, C. B. 1979. Discussion of the behavior of non-conservative dissolved constituents in estuaries. Est. Coast. Mar. Sci. 9:569-576.

Smith, S. V. and M. J. Atkinson 1993. Mass balance analysis of C, N, and P fluxes in coastal water bodies, including lagoons. Coastal Lagoon Processes. (ed) B. Kjerfve, Elsevier Oceanography Series, 60. pp 123-145.

Strickland J. D. H. and T. R. Parsons. 1968. A practical handbook of sea-water analysis. Fisheries Research Bd. of Canada, Bull. 1 67. 311 p.

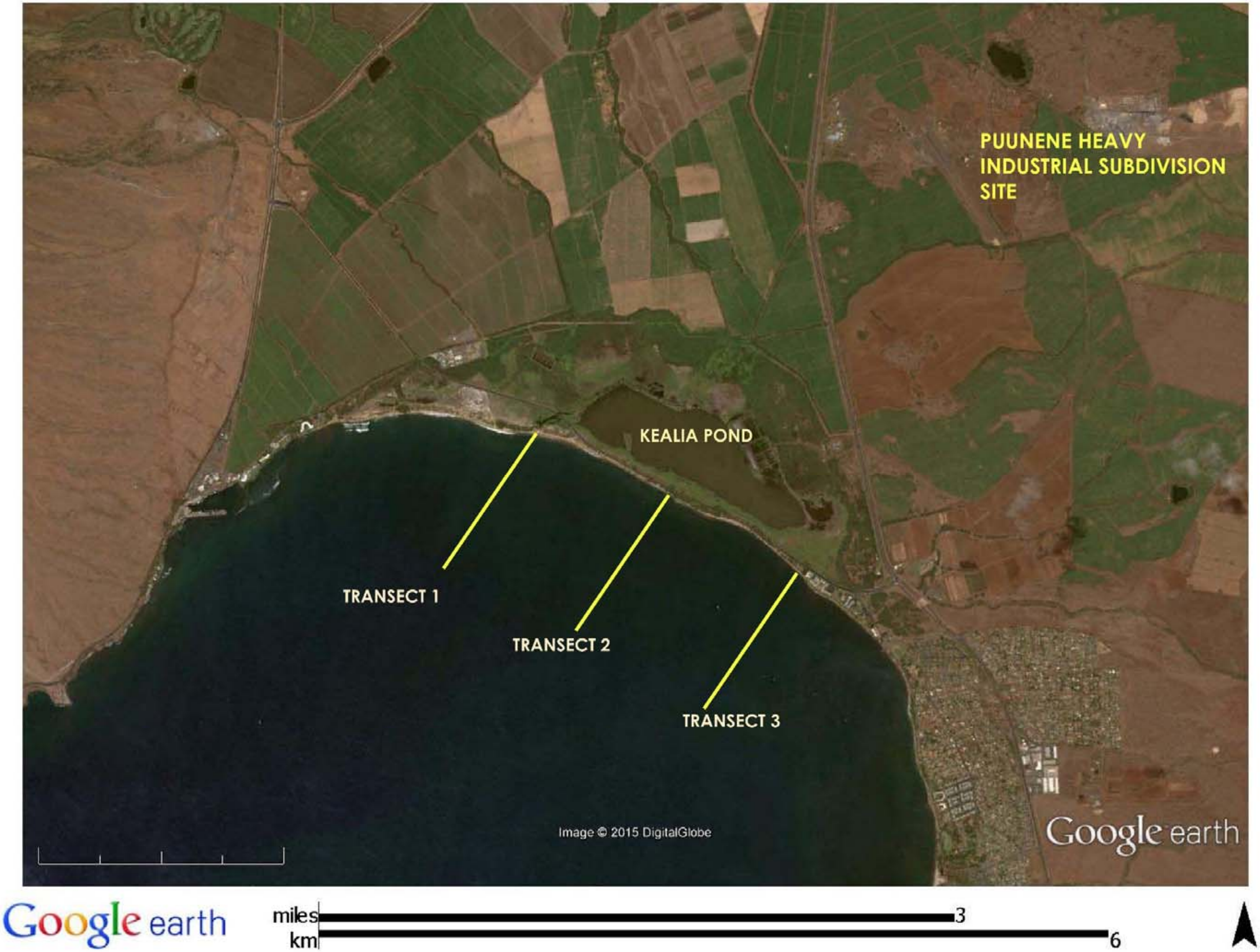

FIGURE 1. Aerial image of south-central Maui showing site location of Pu'unene Heavy Industrial Subdivision. Also shown are locations of three nearshore ocean sampling transects bracketing Kealia Pond. Transects extend perpendicular to the shoreline from the shallowest accessible areas to the central area of Maalaea Bay. Along each of the transects water samples will be collected at eight distances from shore from both surface and bottom waters.