TO:
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State of Hawai‘i Land Use Commission

Ms. Emily Ballard
Pioneer Design Group – Hawai‘i, LLC

FROM:
Albert Perez, Executive Director
Maui Tomorrow Foundation

DATE:
May 7, 2026

RE: Comments on Draft Environmental Impact Statement for the Ho‘onani Village Mixed-Use Development Project, Kahului/Pu‘unēnē, Maui, Hawai‘i

Aloha,

Maui Tomorrow Foundation (“MTF”) submits the following comments on the Draft Environmental Impact Statement (“DEIS”) for the proposed Ho‘onani Village Mixed-Use Development Project. We are particularly concerned about the project’s adverse health effects from chronic aircraft noise, unresolved water and wastewater infrastructure questions, and broader environmental justice impacts on future affordable-housing residents.

MTF recognizes the urgent need for affordable housing on Maui and has consistently supported housing that is appropriately sited, infrastructure-ready, and consistent with long-range planning principles. However, the urgent need for housing does not relax the disclosure, analytical, and substantive requirements of HRS chapter 343 and HAR chapter 11-200.1. This EIS must therefore fully disclose the project’s environmental implications, rigorously evaluate adverse impacts, mitigation, alternatives, unresolved issues, and cumulative effects, and provide decisionmakers with a fair basis for informed judgment. HAR §§ 11-200.1-24(a), (h), (l), (m), (o), (p), (q). In terms of providing information to allow informed public review and decision-making as required by law, this DEIS is insufficient.

The DEIS describes a 166.512-acre, phased, master-planned project consisting not merely of 1,608 affordable rental units, but also 212,200 square feet of commercial/retail/restaurant/office/recreation/civic space, a 240-room hotel, 200,500 square feet of light industrial space, an onsite wastewater treatment plant, drainage improvements, and an offsite/private water system. The DEIS further states that the residential components are “front-

loaded," while nonresidential components are "woven into the phasing," with buildout expected over roughly fifteen years. DEIS Vol. I, at 66–68.

Because these components are expressly presented as one integrated action, the project must be evaluated as a full-buildout, mixed-use development, not as an affordable-housing project in isolation and not as a set of severable pieces. HAR §§ 11-200.1-10 provides that

> "[a] group of actions shall be treated as a single action" when "the component actions are phases or increments of a larger total program," when "[a]n individual action is a necessary precedent to a larger action," or when "[a]n individual action represents a commitment to a larger action."

HAR §§ 11-200.1-24(g) likewise requires the EIS to describe the action, including the action's "technical, economic, social, cultural, and environmental characteristics," its "[p]hasing and timing," and the "[s]ummary technical data, diagrams, and other information necessary to enable an evaluation of potential environmental impact by commenting agencies and the public." HAR §§ 11-200.1-24 (l) further requires analysis of "the probable impact of the proposed action on the environment," including "all phases of the action," "all consequences on the environment, including direct and indirect effects," and "the interrelationships and cumulative environmental impacts of the proposed action and other related actions."

Accordingly, the FEIS must analyze the full buildout and cumulative impacts of the entire mixed use project, including residential, commercial, hospitality, light-industrial, water, wastewater, drainage, roadway, and related infrastructure components.

MTF's principal concerns are set out below.

I. The DEIS still fails to provide the level of full disclosure required for a project of this scale and risk profile.

The DEIS itself acknowledges that HAR § 11-200.1-24 requires discussion of significant adverse impacts, mitigation, alternatives, unresolved issues, compatibility with plans and policies, cumulative impacts, secondary impacts, short-term versus long-term tradeoffs, unavoidable adverse effects, and mitigation sufficient to reduce significant impacts to acceptable levels. DEIS Vol. I, contents checklist.

However, in several of the project's most consequential impact areas, the DEIS either:

1. defers core questions to later permitting or later consultation,
2. Relies on unsupported assurances instead of actual analysis,
3. relies on averaged or generalized metrics that obscure lived conditions,
4. treats economically burdensome design constraints as if they were impact-free mitigation, or
5. understates cumulative burdens created by the project's location, mixed-use program, and phased infrastructure demands.

These deficiencies make the DEIS legally insufficient under HAR §§ 11-200.1-24(a), (g), (h), (l), (m), (o), (p), and (q).

II. The DEIS remains inadequate on aircraft noise, public health, and quality-of-life impacts.

The DEIS's aircraft-noise analysis confirms, rather than resolves, our previously stated concerns. Appendix Q states that the project site is located approximately one mile from Kahului Airport, "directly beneath the approach and departure flight path for Runway 2-20," and that Runway 2-20 is the airport's primary commercial runway, handling the majority of large commercial aircraft operations. Appendix Q further states that standard operating procedures result in the majority of commercial takeoffs and landings occurring over the project site area. DEIS Vol. III, Appendix Q, §§ 2.1–2.1.2.

The DEIS's own measured data show that future residents would be exposed to chronic aircraft and transportation noise at levels that require more than an unsupported conclusion that housing is appropriate for this location. Appendix Q reports seven consecutive days of continuous 24-hour monitoring from April 23–30, 2025. The measured average L_{dn} was 63.7 dBA at L1, the central project-site location identified as closest to the Kahului Airport flight line; 65.4 dBA at L2; and 60.8 dBA at L3. DEIS Vol. III, Appendix Q, Table 1. These measured levels are not minor. Appendix Q itself explains that HDOT's aircraft-noise compatibility standards are more restrictive than FAA Part 150 and establish 60 L_{dn} as the maximum level for residential compatibility without mitigation; residential uses between 60–65 L_{dn} are incompatible unless noise-level-reduction measures achieve interior noise levels of 45 L_{dn} or less; and within the 65–70 L_{dn} range, low-density residential uses are not compatible, while high-density apartments with limited outdoor use are only conditionally acceptable with noise-level-reduction measures. DEIS Vol. III, Appendix Q, § 1.1.1.

Although L2 measured 65.4 L_{dn}, Appendix Q characterizes L2 as a mixed-source location influenced by aircraft and roadway or heavy-vehicle noise. The aircraft-dominated central-site measurement at L1, 63.7 L_{dn}, is therefore the cleaner project-site indicator for aircraft-noise exposure. Even using that more conservative figure, the project remains above HDOT's 60 L_{dn} residential-compatibility threshold for development without mitigation.

This matters because the project is not a warehouse or industrial-only use. It proposes 1,608 affordable residential units, parks, open spaces, pedestrian corridors, recreation areas, gathering places, and other everyday living spaces for thousands of residents. The DEIS cannot treat this as a technical building-envelope issue alone. Under HAR § 11-200.1-24(a), (l), and (m), the EIS must disclose the probable effects and impacts of chronic aircraft noise on the human environment, including:

- hypertension
- a higher risk of cardiometabolic diseases such as heart attack and stroke
- sleep disturbances
- stress

- mental health
- poorer learning outcomes, particularly in children.
- avoidance of outdoor use,
- reduced long-term livability
- Reduced quality of life for households that may have fewer resources to avoid or mitigate those impacts.

The Maui Planning Department's January 2026 staff report underscores the same concern. The staff report states that the proposed project area is within the Wailuku-Kahului Community Plan Airport Special Control District 60 Ldn isoline; that total enclosure of structures and air-conditioning are generally required; that residential uses should be discouraged; and that the proposed project is inconsistent with this policy. Staff Report at 24–25. The staff report also quotes HDOT's concerns that the project is approximately 0.15 miles from the Kahului Airport property boundary, under an existing Runway 2 arrival flight path, and within the 55–75 L_{dn} contours of the 1993 OGG Noise Exposure Map. HDOT recommended relocating noise-sensitive land uses to avoid noise-sensitive areas and relocating all housing outside of the 65 L_{dn} or greater contours. Staff Report at 40–41. The FEIS must directly reconcile those warnings with the applicant's decision to site affordable housing and outdoor residential amenities in this location.

The DEIS also over-relies on averaged metrics. DNL ($L_{dn,}$ or day-night noise level) is useful for regulatory screening because it reflects cumulative 24-hour exposure and adds a 10 dB nighttime penalty, but it does not fully describe the lived experience of repeated single-event aircraft noise. FAA materials confirm that L_{dn} reflects cumulative 24-hour exposure and applies an additional 10 dB weighting for nighttime flights between 10 p.m. and 7 a.m.; FAA materials also recognize that the same L_{dn} can result from different combinations of louder/fewer or quieter/more frequent operations. For residents, especially children, kūpuna, shift workers, people with disabilities, and households without financial flexibility, repeated high-intensity events may affect sleep, learning, stress, and outdoor use even where a 24-hour average appears nominally acceptable. EPA's longstanding public-health guidance identifies 55 dB outdoors and 45 dB indoors as levels intended to prevent activity interference and annoyance, while all three DEIS measurement locations exceeded 55 L_{dn}.

Appendix Q also does not adequately characterize the lived impacts of aircraft noise on future residents during nighttime sleeping hours, because it relies heavily on averaged metrics and does not present a clear accounting of single-event noise (e.g., SEL/LAmax), event frequency, and nighttime/early-morning disturbance patterns that drive sleep disruption. With capturing the episodic, high-intensity nature of aircraft overflights during sleeping hours it therefore understates real-world impacts.

The FEIS also needs to reconcile the official airport-noise contours with the project-specific monitoring results and HDOT's land-use-compatibility recommendations. The staff report and HDOT comments emphasize the 1993 OGG Noise Exposure Map and its 55–75 L_{dn} contours, while Appendix Q relies on project-specific short-term monitoring and concludes that the project

can be made compatible through building-envelope mitigation. Appendix Q itself acknowledges that formal Part 150 noise contours and field measurements are not identical: the contours represent aircraft-noise modeling, while the field measurements characterize the total ambient noise environment at specific monitoring locations. The FEIS therefore needs to clearly identify which contours govern land-use compatibility, whether those contours remain valid for current and reasonably foreseeable airport operations, and how the applicant reconciles project-specific measurements with HDOT's recommendation that housing be relocated outside areas at or above 65 L_{dn}.

The proposed mitigation is also not impact-free. Appendix Q states that standard construction with natural ventilation provides approximately 9 dB outdoor-to-indoor noise reduction, while enhanced construction using air conditioning and sound-rated windows provides greater reduction. It further states that these measures address interior noise only and do not eliminate outdoor noise exposure. DEIS Vol. III, Appendix Q, § 1.1.2. A project that is only arguably compatible if residents keep windows closed and rely on continuous mechanical ventilation or air-conditioning creates its own environmental justice, affordability, public-health, and quality-of-life impacts. The FEIS must disclose who will pay for increased energy use, maintenance, replacement, and repair of these systems; whether those costs will be borne by affordable-housing residents; and what happens during power outages, equipment failures, or periods when households cannot afford continuous cooling. For affordable-housing residents, these costs and constraints are not incidental; they are part of the project's environmental justice analysis because the mitigation strategy may shift long-term energy, maintenance, repair, and livability burdens onto the very households the project is intended to serve.

The DEIS also fails to analyze the impacts of the proposed noise mitigation itself. If the project is only "compatible" by keeping windows closed and requiring near-constant mechanical cooling/ventilation, the FEIS must disclose the public-health consequences of that approach. Relying on closed windows and constant air conditioning not only shifts long-term electricity costs onto households seeking affordable housing, it also increases risks associated with poor ventilation, including indoor air quality concerns, sick building syndrome / CO_2/VOC/allergen buildup, dryness/respiratory effects, and negative cognitive impacts on residents.

The DEIS also fails to provide a meaningful outdoor-noise analysis. Appendix Q recognizes that building-envelope mitigation addresses interior noise only and does not eliminate outdoor exposure, yet the project includes parks, open spaces, pedestrian corridors, community gathering areas, recreation facilities, and outdoor circulation. The FEIS must analyze whether these outdoor areas are suitable for ordinary residential life, children's play, exercise, social gathering, and community use under actual aircraft-operation conditions.

Finally, the measurement methodology does not demonstrate that the data are representative of future resident exposure. Appendix Q states that microphones were mounted approximately 5 feet above grade, plus or minus 0.5 feet. DEIS Vol. III, Appendix Q, § 2.2.4. But the project proposes multi-family housing, and the DEIS does not evaluate upper-floor residential units, elevated lanais or common areas, or receptor-specific conditions across the site. The FEIS

cannot not assume representativeness; it needs to demonstrate it with receptor-specific modeling and monitoring.

At minimum, the FEIS needs to be revised to include:

- single-event aircraft-noise metrics, including SEL and LAmax, with event-frequency tables;
- separate nighttime and early-morning analysis;
- scenario-based analysis for Kona-wind and runway-use conditions;
- receptor-specific analysis for upper-floor units, outdoor common areas, parks, walkways, and gathering spaces;
- disclosure of indoor attenuation assumptions by building type, location, and construction method;
- analysis of resident energy-cost and mechanical-system burdens;
- health and quality-of-life analysis for children, kūpuna, shift workers, and other sensitive residents; and
- a clear explanation of whether any residential units or outdoor residential amenities will be located within areas at or above 60 L_{dn} or 65 L_{dn}, and why housing remains appropriate despite HDOT and staff-report warnings.

The analysis must be supported by quantitative data, mapping, and written agency consultation responses.

III. The DEIS still fails to adequately analyze aircraft safety, crash risk, evacuation, and medical-system consequences.

MTF's EISPN comments expressly called for analysis of aircraft accident risk zones, historical incident data, first-responder access constraints, fuel-spill/fuel-dumping scenarios, evacuation constraints for children, kūpuna, and persons with disabilities, and hospital bed capacity impacts if a major aircraft accident were to occur within or adjacent to the project. DEIS Vol. I, Responses to Comments on EISPN, Comment No. 4. The applicant's response states generally that consultation with agencies having jurisdiction and expertise occurred regarding aviation safety and airspace compatibility, and that comments received from HDOT, FAA, and other agencies during EIS review would be included in the FEIS and addressed through design measures or mitigation "as appropriate." That does not provide the project-specific safety, evacuation, emergency-response, or medical-capacity analysis needed at the DEIS stage in order for reviewers to comment adequately. DEIS Vol. I, Responses to Comments on EISPN, Comment No. 2.

<u>This deficiency is especially irresponsible</u> because the project would place a large and vulnerable residential population in a location where aviation-related hazards need to be analyzed <u>before (not after)</u> land-use approvals are granted. General promises of future coordination do not disclose whether first responders could safely and quickly access the site during an aircraft-related emergency, whether residents could evacuate or shelter in place,

whether fuel-spill or fire scenarios have been considered, or whether Maui's medical system could absorb a mass-casualty incident in or adjacent to the project area.

The FEIS needs to therefore include identification and mapping of relevant aircraft safety or crash-risk zones; historical incident data and reasonably foreseeable accident scenarios; evacuation and shelter-in-place analysis for vulnerable populations; emergency access analysis; hospital-capacity analysis; and written consultation responses from HDOT Airports and FAA on the safety implications of siting family housing in this location.

IV. The DEIS still relies on incomplete aviation compatibility analysis.

MTF's EISPN comments requested written consultation and substantive responses from HDOT Airports, FAA, and EPA; analysis based on current operational aviation data rather than reliance on older noise contours alone; and identification of constraints, prohibitions, or mitigation requirements imposed or recommended by aviation authorities. The applicant responded that HDOT Airports advised reliance on the FAA-approved 1993 Kahului Airport Noise Exposure Map contours because they remain the official accepted noise contours recognized by FAA for land-use compatibility evaluations associated with Kahului Airport. DEIS Vol. I, Responses to Comments on EISPN, Comment No. 2.

That response does not cure the problem. The fact that 1993 contours remain the official accepted map for land-use compatibility evaluations does not relieve the applicant of its independent duty under HAR § 11-200.1-24(a) and (l) to disclose actual present-day environmental conditions and probable impacts. An EIS is not merely a ministerial compatibility memo; it must disclose the real, present, and reasonably foreseeable effects of the action. The FEIS needs to therefore supplement, not merely defer to, the 1993 contours with current operational analysis and must clearly disclose whether HDOT Airports, FAA, or any other consulted agency affirmatively regards this location as appropriate or inappropriate for affordable family housing.

HDOT's own comments underscore the need for that reconciliation. HDOT stated that the project site is within the 55–75 L_{dn} contours of the Base Year 1993 OGG Noise Exposure Map, recommended relocating noise-sensitive land uses to avoid noise-sensitive areas, and specifically recommended relocating all housing outside the 65 L_{dn} or greater contours. HDOT also noted the potential for single-event noise, fumes, smoke, vibrations, odors, and related impacts from aircraft operations over or near the site, with those impacts potentially changing over time depending on airport operations. DEIS Vol. III, Agency Comments / HDOT Airports comment letter.

V. The DEIS fails to adequately disclose nearby existing and planned industrial uses, pollution burdens, and cumulative environmental justice impacts.

This is one of MTF's central concerns, and it must not be lost. The project is not proposed in a vacuum. The DEIS states that Phase 3 would introduce another 268 residential units and approximately 9.5 acres of light industrial space along the western edge of the property,

“aligning with existing industrial uses near Hansen Road and the former sugar mill.” The DEIS also states that Phase 8 would include approximately 13.9 acres of light industrial space and 5.4 acres of office space, complementing the adjacent Maui Business Park corridor. DEIS Vol. I, Ch. I.E, Proposed Land Plan Development Components.

MTF previously raised environmental justice and cumulative-burden concerns arising from the concentration of lower-income households in a location already affected by overlapping airport, industrial, traffic, and air-emissions stressors. The applicant’s response acknowledged that the DEIS would integrate air quality, aircraft noise, transportation, adjacent land uses, and other environmental stressors; consider airport operations, existing industrial uses, and proposed future facilities identified during scoping; and evaluate whether the combined effects of noise, air emissions, and land-use patterns could result in disproportionate environmental or health burdens. DEIS Vol. I, Responses to Comments on EISPN, Comment No. 5. The FEIS must be held to that commitment, as environmental justice considerations are mandated under both federal and state law that require agencies to address disproportionate impacts on vulnerable populations .

The DEIS’s own project materials show a substantial mixed-use program, including Phase 3 light industrial uses, Phase 5 retail/restaurant/food hall/entertainment uses, Phase 7 hospitality uses, Phase 8 light industrial and office uses, and Phase 9 recreation/entertainment, civic, and community uses. Appendix Q’s site-plan figure identifies Phase 3 light industrial at approximately 75,000 square feet on approximately 9.5 acres and Phase 8 light industrial at approximately 180,000 square feet on approximately 13.9 acres, along with a 240-key hospitality phase and major recreation/entertainment uses. DEIS Vol. III, Appendix Q, Figure 1.

MTF’s EISPN comments also specifically identified heavy industrial traffic and the possibility of additional nearby industrial facilities, including the proposed E&K Aloha ‘Āina “Maui Aloha ‘Āina Project,” a waste-to-fuels facility proposed near the Pūlehu Road–Hansen Road intersection. The applicant’s response stated that the DEIS would consider past, present, and reasonably foreseeable actions in the surrounding area, including airport operations, existing industrial uses, and proposed future facilities identified during scoping. DEIS Vol. I, Responses to Comments on EISPN, Comment No. 5.

Those cumulative burdens bear directly on HAR § 11-200.1-24(l), (o), and the significance criteria relating to economic and social welfare, public health and safety, hazardous conditions, and ambient noise. The FEIS must therefore identify existing and reasonably foreseeable nearby industrial emission and nuisance sources; quantify cumulative air-quality, odor, dust, traffic, and noise burdens from airport, roadway, and industrial activity; disclose whether vulnerable or lower-income households would bear disproportionate cumulative burdens; and analyze whether buffer, setback, and land-use separation measures are sufficient for residential compatibility in this corridor. The Planning Department staff report also supports this point by identifying a Wailuku-Kahului Community Plan urban-design policy requiring light/heavy industrial and commercial-type facilities to be buffered from adjacent residential uses with appropriate landscape planting. Staff Report at 27–28.

VI. The DEIS remains inadequate on air quality and pollution burdens.

The applicant previously stated that an Air Quality and Climate Change Study would be incorporated into the DEIS and would analyze existing and future air-quality conditions, greenhouse gas emissions, project-related contributions in the context of regional emission sources, and cumulative effects involving aircraft noise, transportation, adjacent land uses, airport operations, industrial uses, and other environmental stressors. DEIS Vol. I, Responses to Comments on EISPN, Comment No. 5.

However, that does not answer MTF's substantive concern. The FEIS must analyze actual exposure conditions for future residents in a setting shaped by airport operations, heavy traffic, adjacent industrial land uses, onsite industrial components, and construction-related emissions over a long buildout period. Appendix P confirms that the proposed project would generate temporary construction emissions of criteria air pollutants, with diesel-powered equipment and trucks as the primary sources, and that construction activities could generate fugitive dust. DEIS Vol. II, Appendix P, Air Quality and Climate Change Study, Summary of Findings.

The construction-emissions analysis further confirms that construction is modeled across a long schedule. The Air Quality and Climate Change Study states that specific construction assumptions, including a detailed schedule and equipment list, were not available when the analysis was prepared; that all project components were assumed to begin in January 2028 and end in June 2042; and that anticipated construction activities include site preparation, grading, building construction, paving, and architectural coating. Table 6-1 estimates annual construction emissions for 2028–2042 and identifies maximum annual emissions of 3.9 tons/year VOC, 8.9 tons/year NOx, 17.3 tons/year CO, less than 0.1 tons/year SO_2, 2.8 tons/year PM10, and 0.8 tons/year PM2.5. DEIS Vol. II, Appendix P, § 6.1 and Table 6-1.

The staff report repeats the Air Quality Study's key findings, including that construction emissions would come primarily from diesel-powered equipment and trucks, construction activities could generate fugitive dust, operational emissions would primarily come from vehicle exhaust associated with residential trips, and permanent GHG emissions would be unavoidable but not significant according to the consultant. Staff Report at 39–40.

The FEIS needs to therefore do more than present technical emissions inventories and threshold comparisons. It must explain whether, in this location, the project will expose future residents to overlapping air-quality burdens from airport operations, roadway traffic, construction emissions, fugitive dust, existing industrial uses, onsite industrial uses, and reasonably foreseeable nearby facilities in a manner inconsistent with the project's framing as affordable workforce housing.

VII. The DEIS remains incomplete and overly speculative on water supply, water quality, and long-term affordability.

Water remains one of the clearest examples of an unresolved infrastructure dependency. The Department of Water Supply's December 23, 2025 comment letter states that the project

proposes to use a private water source, identified in that letter as Puʻunēnē Pump 5, and that the applicant "must secure a long-term reliable source of water" for the project's total demand. DWS estimated average daily demand for 1,600 multi-family residential units at 560 gallons per day per unit, totaling 896,000 gpd.

The project's own private water calculations are materially larger once the full mixed-use project is considered. The DEIS states that the projected average daily demand for the project at full buildout, using just 400 gpd per residential unit and including commercial, industrial, irrigation, and unmetered losses, is approximately 1,097,170 gpd. The private water calculations also identify maximum daily demand of 1,645,755 gpd, peak hour flow of 2,286 gpm, and reservoir storage needing to exceed 1,645,755 gallons. We note that 400 gpd is less than the 560 gpd that the Department of Water Supply used for their calculations of water demand. Rather than rationalizing 400 gpd based on usage standards from other islands, and unsupported assumptions about what the units should utilize, the FEIS needs to revise its assumptions to conform with the County of Maui's standards.

The preferred water-source alternative is modification of the existing Mahi Pono Well #6 / Puʻunēnē Mill Pump No. 6. The DEIS states that the applicant is working to acquire this existing well, modify the pump system, construct new storage and distribution infrastructure, and initially operate the system privately, while designing it to Department of Water Supply standards so that it may potentially be turned over to the County in the future.

The water-resource materials confirm that Puʻunēnē–Pump 6 is a former HC&S well facility. During plantation operations, its installed pump capacity was 23 MGD. The materials state that the water is anticipated to be slightly brackish and will likely require reverse osmosis treatment for domestic use. Historic chloride concentrations ranged from approximately 350 to 550 mg/L, and August 2025 measurements indicated chloride concentrations of approximately 325 to 330 mg/L. The well is located in the Kahului Aquifer System, which has a CWRM-designated sustainable yield of only 1.0 MGD, while current aquifer pumpage is described as approximately 6 to 7 MGD - that's 6 to 7 times the Sustainable Yield. Regardless of the applicant's contention that Sustainable Yield is just a regulatory planning benchmark, the FEIS needs to discuss what the impact of overpumping the Kahului aquifer would be, on the project, it's future residents, and the surrounding area and its users. With regard to historic chloride concentrations, the FEIS needs to discuss the anticipated impact on chloride concentrations of lower irrigation volumes of Mahi Pono in comparison to those of Hawaiian Commercial & Sugar Company. DEIS Vol. II, Appendix M, Preliminary Engineering Report, § 5.0, Existing Water System, at 19.

These facts raise serious unresolved issues under HAR §§ 11-200.1-24(g), (l), (m), and (q), including baseline water quality and treatment needs; long-term pumping and reverse-osmosis costs; brine management; system vulnerability during outages; backup supply and backup power; cumulative aquifer impacts; and the eventual cost burden on "affordable" residents and the general public alike. The DEIS itself recognizes that additional water-system issues remain unresolved, including comprehensive drinking-water-quality testing for all regulated contaminants before operation; finalizing a long-term management approach for excess treated wastewater during periods when irrigation demand is insufficient; confirming operational

protocols for stormwater infiltration and wastewater reuse; determining funding responsibilities for offsite water infrastructure; deciding whether portions of the water system may ultimately be dedicated to or operated by the County; and finalizing alignment, easement, permitting, and monitoring requirements.

Finally, the FEIS needs to strengthen its water-supply analysis to address not only reliability and treatment costs, but also contamination risk and redundancy. The proposed source is located in lands historically used for plantation agriculture with intensive chemical inputs, raising questions about potential residual and ongoing contamination, and emphasizes the vulnerability of relying on a single off-site well without a clear backup supply ("Plan B") for thousands of residents.

The DEIS also front-loads housing while making the offsite water system essential to Phase 1. The Preliminary Engineering Report states that Phase 1 consists of approximately 268 multifamily rental units and that the proposed offsite water system "will have to be constructed and in place" to serve that initial phase; the sewer system and drainage improvements will also have to be installed to manage Phase 1 drainage and sewage flows. That means water is not a peripheral issue; it is foundational to the project's feasibility.

The FEIS needs to therefore disclose complete water-quality data, including salinity, nitrates, pesticides, herbicides, and other relevant contaminants; treatment requirements and costs; RO brine-disposal requirements; energy burden and backup systems; likely resident water-rate implications; and whether County assumption, subsidy, or future takeover is anticipated or reasonably foreseeable.

The analysis must be supported by quantitative data, mapping, and written agency consultation responses.

VIII. The DEIS still inadequately addresses wastewater and wet-weather exceedances.

The Preliminary Engineering Report states that the project proposes an onsite wastewater treatment plant to treat wastewater to R-1 quality for irrigation reuse. It also states that projected wastewater production, including infiltration, is estimated at 803,995 gpd, and that there will be times in wet weather when treated wastewater will exceed irrigation reuse.

The Preliminary Engineering Report (PER) provides more detail on those wastewater assumptions. It estimates residential wastewater generation from approximately 1,608 dwelling units at 410,040 gpd, non-residential wastewater at approximately 165,031 gpd, combined average wastewater flow exclusive of infiltration and inflow at approximately 575,071 gpd, dry-weather infiltration/inflow at approximately 39,641 gpd, and wet-weather infiltration/inflow at approximately 189,375 gpd. According to the PER, the total average wastewater flow, including infiltration and inflow, is estimated at approximately 803,995 gpd. With a 25 percent safety factor, the proposed WWTP would need to be designed for at least approximately 1,004,994 gpd, with final WWTP design deferred to a later stage. DEIS Vol. II, Appendix M, Appendix E, Preliminary Wastewater System Calculations and Plans, "Preliminary Sanitary Sewer Analysis for Hoonani Village."

That disclosure is significant. Under HAR § 11-200.1-24(l), (o), and (p), the DEIS must do more than acknowledge reuse and defer details. The Preliminary Engineering Report states that discharge of R-1 water to storm drains, streams, or coastal waters without an NPDES permit is prohibited, and that all uses must comply with setback requirements from potable water sources and be operated to prevent cross-connection with potable systems. It also states that final agreements and uses of the R-1 water will be finalized later; that during wet periods, when irrigation demand is reduced, potential disposal options may include underground infiltration through large chambers or absorption beds, aboveground infiltration basins, soil aquifer treatment beds, underground injection control wells, NPDES-permitted surface discharge, or industrial reuse; and that final methods of using or disposing of recycled water will be confirmed with final construction plans.

The FEIS needs to therefore explain what happens when reuse capacity is exceeded, what storage or disposal contingencies are actually proposed, what permits and approvals are needed for each option, who will operate and maintain the system, what financial assurance will be required, and what the environmental and public-health implications are if the system underperforms or if residential phasing gets ahead of infrastructure. This is especially important because the project is phased over many years and depends on self-enabled utility systems.

IX. The DEIS remains inadequate on schools, public services, and cumulative growth impacts.

MTF's concerns about school capacity and public services also remain insufficiently addressed. The DEIS identifies public services, including police and fire protection, medical facilities, education facilities, recreational facilities, and solid waste collection, as impact categories in Chapter II.C.

The project is expected to house thousands of residents over time. The DEIS's medical-facilities section states that the project will increase the population by approximately 4,000 to 5,000 residents, in addition to workers at the commercial and industrial facilities and consumers at the retail and restaurant uses. The same section acknowledges that this increase will lead to increased service population and calls for local healthcare providers; that Maui Memorial, as Maui's only acute-care hospital, will likely face increased pressure because it already operates near capacity; and that increased EMS demand could affect response times.

The DEIS's education section identifies Kahului Elementary School, Maui Waena Intermediate School, and Maui High School as the public schools that would serve school-aged residents of the project. It also provides enrollment data from SY 2021–22 through SY 2025–26, showing total enrollment across those three schools declining from 4,033 to 3,349 during that period. However, the DEIS does not appear to provide a project-specific student-generation estimate by phase, a capacity/utilization analysis for each school, or a funded mitigation plan tied to the timing of residential occupancy; it needs to do so.

The staff report confirms that the Planning Department also wanted additional school-capacity analysis. It states that the proposed schools for project residents are Kahului Elementary, Maui

Waena, and Maui High School, and that the Department “would like to see additional analysis on the effect on student enrollment at full build-out of the project.” The same staff-report section states that police protection is provided by the Wailuku Police Station, fire protection by the Kahului Fire Station approximately 0.5 miles away, and that further analysis of police and fire impacts would be needed in the Draft EIS.

The scale of this project requires a cumulative public-services analysis, not just a listing of nearby facilities and generalized assurances. The FEIS must include student-generation estimates by phase; existing school capacity and utilization; cumulative effects from other major Central Maui developments; any need for new classroom space, bus transportation, safe routes, or capital improvements; and funding and implementation assumptions. The same is true for medical services and emergency response, especially because the DEIS itself acknowledges that Maui Memorial is the island’s only acute-care hospital, operates near capacity, and would face increased pressure from the project’s new residents and activity.

X. The DEIS understates traffic, hazardous conditions, and the effect of industrial traffic in this corridor.

MTF’s EISPN comments stressed that Hansen Road and Pūlehu Road are already burdened by industrial and regional traffic and are critical connectors for East Maui, South Maui, landfill access, and other heavy vehicle movements. This concern is supported by the staff report, which states that the TIAR needs to 1) be expanded to account for weekend conditions and high-visitor conditions, and 2) expand its intersection analysis beyond the six existing study intersections, analyze roadway widths and the potential need for roadway expansion, and identify pedestrian and bicycle facilities along roadways serving the project, including Hansen Road, Pūlehu Road, Pākaula Street, and Hoʻokele Street.

The traffic appendices confirm stressed or failing conditions at key intersections even before the project, with the TIAR’s Existing 2024 Conditions table shows Hansen Road/Pūlehu Road operating at LOS F during the AM peak hour, and Hāna Highway/Hansen Road operating at LOS F during the PM peak hour. The Year 2042 No Project and Plus Project analysis also shows significant future strain: Hāna Highway/Hansen Road is projected to operate at LOS F under both No Project and Plus Project conditions, and the project is expected to have a significant cumulative impact at that location because it would exacerbate already undesirable - and dangerous - operations.

The project is also expected to generate substantial additional trips. The TIAR trip-generation table estimates 20,312 net new driveway trips before retail pass-by reductions, including 1,075 AM peak-hour trips and 1,721 PM peak-hour trips. It also includes trips from residential, retail/restaurant/entertainment, office, hotel, civic, recreation/entertainment/park, and light-industrial uses. Because the project layers thousands of residents and multiple commercial, industrial, hospitality, civic, and entertainment uses onto a corridor already shaped by industrial and regional traffic, the FEIS must analyze not only level-of-service arithmetic but also the real safety implications of mixing residential traffic, industrial traffic, airport traffic, emergency

access, pedestrian/bicycle trips, and school/service trips in this location. HAR §§ 11-200.1-13(b)(5), (10); 11-200.1-24(l), (o).

XI. The DEIS still does not adequately confront its inconsistency with adopted planning documents.

The DEIS is required to disclose and analyze the project's relationship to adopted land-use plans, zoning, and special district policies, including any conflicts or inconsistencies. Where conflicts exist, the FEIS must explain how the applicant has reconciled the project with those plans and policies, or why it proposes to proceed despite the lack of full reconciliation. HAR § 11-200.1-24(j). The DEIS, however, has significant unresolved inconsistencies with the Maui Island Plan, the Wailuku-Kahului Community Plan, the Airport Special Control District, existing agricultural designations, and the proposed zoning framework.

The Maui Island Plan issue is especially important. MIP Policy 8.1.e provides that new development must be consistent with Urban Growth Boundaries ("UGBs"), Small Town Boundaries, and other applicable MIP policies, and that new urban-density development shall not be allowed outside a UGB or STB. This project proposes a major urban-density mixed-use development on land that is outside the UGB. The FEIS needs to therefore do more than note that a UGB amendment has been initiated; it needs to explain why expanding the UGB here is justified under the Maui Island Plan's growth-management framework. As previously explained in the MTF EISPN comments, the Maui Island Plan's Urban Growth Boundary deliberately excluded this site because of airport-related hazards and compatibility concerns, and that the area has long been recognized as more suitable for industrial and nonresidential uses.

The DEIS must also directly address the project's airport and industrial land-use conflicts. The Wailuku-Kahului Community Plan Airport Special Control District is generally defined by the 60 Ldn isoline, and the staff report states that total enclosure and air-conditioning are generally required, residential uses should be discouraged, and the proposed project is inconsistent with that policy. The staff report also states that the 2016 Kahului Airport Master Plan Update describes Puʻunēnē as used for heavy industry compatible with relatively high noise levels. The staff report further states that the project is not consistent with the Wailuku-Kahului Community Plan policy to preserve agricultural lands as a major element of the open-space setting bordering communities.

The project also seeks rezoning of the entire site to M-1 Light Industrial even while placing large-scale residential uses and a hotel/hospitality component. The staff report explains that M-1 zoning is inconsistent with the proposed Business/Multi-Family community-plan designation, that B-2 Community Business would be more consistent with Business/Multi-Family, and that Hotel zoning/designation would be more appropriate for the transient-accommodations component.

The Planning Commission materials included in the appendices show that the Commission recommended deferral of the boundary amendment, community plan amendment, and zoning change until the DEIS and related planning issues were addressed. This reinforces the central

problem that the DEIS can't rely on pending amendments as a substitute for environmental and planning analysis. The FEIS must first provide the analysis necessary to determine whether those amendments are justified. **The Planning Department staff report raises doubt that additional urban land is needed in this location at all, noting that projections identify an approximate increase of 700 units in Central Maui by 2043. The FEIS must explain why this 1,608-unit expansion outside the UGB is necessary or appropriate.**

Under HAR § 11-200.1-13(b)(6) and § 11-200.1-24(j), the FEIS must squarely disclose and analyze these conflicts. The FEIS must explain why the project is appropriate despite its current agricultural designation, its location largely outside the Urban Growth Boundary, the airport-special-control constraints, the staff report's findings of inconsistency, and the mismatch between the proposed M-1 zoning, Business/Multi-Family community-plan designation, residential uses, and hospitality component.

XII. The DEIS still inadequately addresses long-term governance, maintenance, and who bears perpetual costs.

This project is not a single-purpose apartment complex. It is a multi-decade mixed-use development with internal roadways, utility infrastructure, stormwater management facilities, parking areas, pedestrian and bicycle circulation networks, onsite wastewater treatment, modification of an existing offsite agricultural water system, commercial space, industrial space, civic space, recreation/entertainment uses, and hospitality uses. The DEIS action summary describes the project as a master-planned community with 1,608 affordable housing rental units, roadway improvements, onsite wastewater treatment, and modification of an existing offsite water system. The proposed master site plan also identifies multiple residential phases, light-industrial areas, commercial/restaurant/food hall/entertainment uses, office uses, a 240-key hospitality phase, future civic space, recreation/entertainment space, water treatment, a pump station, and internal road types.

The record contains pieces of a maintenance and ownership picture, but not a clear long-term governance structure. For example, the scoping-meeting transcript states that interior streets would be designed to County code because "the long-term idea" is that the County or developer would be able to turn them over to the County, and that the developer would work with the County to provide or dedicate land for civic uses such as parks or a community center. The economic materials also assume maintenance/common-element activity and appear to assume a monthly unit maintenance fee, including an assumption that 80 percent of a $400 monthly unit maintenance fee would be used for site/exterior maintenance, producing estimated annual site/exterior maintenance and renovation expenses of approximately $10.19 million at full buildout.

Those disclosures raise further questions rather than resolve them. They do not clearly explain, by phase and by infrastructure type, who will own, operate, maintain, repair, and replace roads, drainage systems, water treatment and distribution systems, wastewater facilities, landscaping, lighting, parks, pedestrian/bicycle facilities, civic areas, and common elements; what costs will be passed through to residents; whether any master association or comparable governance

entity will exist; how obligations will be funded and enforced; or what happens if nonresidential components or anticipated revenue streams do not materialize as projected.

That matters under HAR § 11-200.1-24(m), (o), and (q), because long-term maintenance failures or cost externalization would directly affect habitability, affordability, infrastructure performance, and environmental quality. The staff report reinforces the need for this type of disclosure by noting that a normal developer-initiated application would require information about operations and management of the proposed use, including employees, hours of operation, fees charged to residents and visitors, and related operational details. The FEIS needs to therefore identify ownership and maintenance responsibilities by phase; costs passed to residents; any master association or comparable governance structure; funding and enforcement mechanisms for common infrastructure; and contingencies if projected nonresidential revenues or County dedications do not occur.

XIII. The DEIS's alternatives analysis remains too narrow.

For a project with this combination of airport exposure, industrial adjacency, speculative utility dependencies, mixed-use intensity, and planning inconsistency, HAR § 11-200.1-24(h) requires a rigorous alternatives analysis. The DEIS's own checklist acknowledges that obligation. The law requires evaluation of a reasonable range of alternatives capable of reducing significant impacts.

However, the DEIS alternatives chapter evaluates only four broad alternatives: Preferred Alternative/Proposed Action, No-Action Alternative, Alternative Design, and Alternative Location. The FEIS needs to provide a more robust alternatives analysis that meaningfully evaluates options capable of reducing or avoiding the project's most serious risks, including: a reduced-intensity alternative; a housing-only alternative without the hotel, industrial, and major entertainment components; alternative phasing that does not front-load occupancy before infrastructure certainty is established; alternative site designs providing greater separation from industrial and airport burdens; and alternative locations better aligned with existing infrastructure and compatibility constraints. Minor design tweaks are not enough where the principal concerns arise from the site's airport exposure, industrial context, land-use conflicts, infrastructure uncertainty, and cumulative environmental justice burdens.

A reasonable alternatives analysis needs to also evaluate land uses better aligned with the site's airport exposure and planning history. This parcel was intentionally excluded from urban residential growth areas in prior community planning due to airport impacts, and continued agriculture or industrial uses may be more compatible with low-flying aircraft operations than large-scale residential development where there are central quality-of-life impacts.

The analysis must be supported by quantitative data, mapping, and written agency consultation responses.

XIV. Conclusion

For all of these reasons, Maui Tomorrow respectfully submits that the DEIS does not yet provide the level of disclosure and analysis required by HRS chapter 343 and HAR chapter 11-200.1. These concerns are not merely editorial. They go to the core of whether the public, consulted agencies, the Land Use Commission, and other decisionmakers can fairly evaluate the project's probable environmental, public-health, infrastructure, planning, and social-welfare consequences before irreversible land-use decisions are made. Acceptance of the Final EIS needs to be withheld until the identified deficiencies are corrected in accordance with legal standards for environmental review .

The record shows that this is not simply an affordable-housing proposal. It is a phased, 166.512-acre mixed-use development with 1,608 affordable rental units, substantial commercial, office, recreation, civic, hospitality, and light-industrial components, an onsite wastewater treatment plant, drainage infrastructure, and an offsite/private water system, with residential uses front-loaded and buildout anticipated over roughly fifteen years. Because the project is presented as one integrated action, the FEIS must evaluate it as a full-buildout mixed-use development, not as housing in isolation and not as a set of severable components.

Before any FEIS is accepted, the accepting authority needs to require the applicant to substantially revise and supplement the analysis, including but not limited to:

- expanded aircraft-noise, public-health, outdoor-use, affordability, and quality-of-life analysis;
- project-specific aircraft-safety, crash-risk, evacuation, emergency-access, and medical-capacity analysis;
- fuller cumulative pollution and environmental-justice analysis, including airport, roadway, onsite industrial, nearby industrial, and construction-related burdens;
- complete disclosure of water quality, water-source reliability, reverse-osmosis treatment needs, brine disposal, backup systems, long-term operating costs, and resident affordability implications;
- more complete wastewater contingency analysis, including wet-weather exceedances, storage/disposal options, permitting, operations, maintenance, financial assurance, and failure scenarios;
- real school, medical, emergency-response, and public-services analysis tied to project phasing and cumulative Central Maui growth;
- a stronger consistency analysis addressing the project's agricultural designation, location largely outside the Urban Growth Boundary, Airport Special Control District constraints, staff-report findings of inconsistency, proposed M-1 zoning, Business/Multi-Family community-plan designation, residential uses, and hospitality component;
- clear long-term governance, ownership, maintenance, cost-allocation, and enforcement disclosure for roads, drainage, water, wastewater, landscaping, lighting, parks, civic areas, common elements, and other shared infrastructure; and

- a genuinely robust alternatives analysis that evaluates reduced-intensity, housing-only, alternative-phasing, improved-separation, and alternative-location options capable of avoiding or reducing the project's most serious risks.

Until those issues are fully disclosed and analyzed, the DEIS does not provide a sufficient basis for informed public review or for acceptance of a final EIS. The FEIS should not be accepted unless these deficiencies are corrected in a manner that allows decisionmakers and the public to understand the project's true environmental, infrastructure, public-health, affordability, and environmental-justice consequences.

Mahalo,

Albert Perez, Executive Director
Maui Tomorrow Foundation