

COUNTY'S EXHIBITS
A97-722

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LAND USE COMMISSION
STATE OF HAWAII

Of Counsel:
KELLY CAIRNS, Deputy Corporation Counsel
Office of the corporation Counsel
County of Maui
200 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7740

Attorneys for :
Maui Planning Department
County of Maui
250 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7735

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

In the Matter of the Petition of	)	Docket No. A97-722
	)	Maui Electric Company, Ltd.
MAUI ELECTRIC COMPANY, LTD.	)	
	)	
To Amend the Land Use District	)	
Boundary From the State Agricultural	)	
District to the Urban District for	)	
Approximately 65.7 acres of Lands	)	
Situated at Tax Map Key: 3-8-003:23	)	
and 24, Pulehu, Island of Maui,	)	
<u>Hawaii</u>	)	

TESTIMONY OF THE MAUI PLANNING DEPARTMENT

The County of Maui Planning Department (hereinafter referred to as "MPD") recommends approval of the petition by Maui Electric Company, Ltd. (hereinafter referred to as "Petitioner"), to reclassify approximately 65.7 acres at Tax Map Keys: 3-8-003: 23 and 24 (hereinafter referred to as "Property"); Pulehu, Island of Maui, Hawaii, from the Agricultural District to the Urban District.

APPLICABLE REGULATIONS:

Standards for reviewing a Land Use Commission Urban District Boundary Amendment are found under Title 15, Subtitle 3 State Land Use Commission, Chapter 15 Land Use Commission Rules, Subchapter 2, § 15-15-18 of the Hawaii Administrative Rules as follows:

- (1) It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses;
- (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;
 - (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; and
 - (C) Sufficient reserve areas for foreseeable urban growth;
- (3) It shall include lands with satisfactory topography, drainage and reasonably free from the danger of floods, tsunamis, unstable soil conditions, and other adverse environmental effects;
- (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;
- (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 general plans;
- (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;
- (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; and
- (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 interests in the aesthetic quality of the landscape.

Pursuant to §15-15-77 Decision-making criteria for boundary amendments:

- (a) The commission shall not approve an amendment of a land use district boundary unless the commission finds upon the clear preponderance of the evidence that the proposed boundary amendment is reasonable, not violative of section 205-2, HRS, and consistent with the policies and criteria established pursuant to sections 205-16, 205-17, and 205A-2, HRS.
- (b) In its review of any petition for reclassification of district boundaries pursuant to this chapter, the commission shall specifically consider the following:
 - (1) The extent to which the proposed reclassification conforms to the applicable goals, objectives, and policies of the Hawaii State plan and related to the applicable priority guidelines of the Hawaii state plan and the adopted functional plans;
 - (2) The extent to which the proposed reclassification conforms to the applicable district standards;
 - (3) The impact of the proposed reclassification on the following areas of state concern:
 - (A) Preservation or maintenance of important natural systems or habitats;
 - (B) Maintenance of valued cultural, historical, or natural resources;
 - (C) Maintenance of other natural resources relevant to Hawaii's economy including, but not limited to agricultural resources;
 - (D) Commitment of state funds and resources;
 - (E) Provisions for employment opportunities and economic development; and
 - (F) Provision for housing opportunities for all income groups, particularly the low, low-moderate, and gap groups;
 - (4) In establishing the boundaries of the districts in each county, the commission shall give consideration to the general plan of the county in which the land is located;
 - (5) The representations and commitments made by the petitioner in securing a boundary change, including a finding that the petitioner has the necessary economic ability to carry out the representations and commitments relating to the proposed use or development; and

- (6) Lands in intensive agricultural use for two years prior to date of filing of a petition or lands with a high capacity for intensive agricultural use shall not be taken out of the agricultural district unless the commission finds either that the action:
 - (A) Will not substantially impair actual or potential agricultural production in the vicinity of the subject property or in the county or State; or
 - (B) Is reasonably necessary for urban growth.

DESCRIPTION OF THE PROPERTY

1. The Property which is approximately 65.7 acres is bounded by Pulehu Road and Waiko Road in the general vicinity of the Central Maui Landfill Site at Puunene, Maui, Hawaii. (See attached Map, Exhibit A)
2. Land Use Designations --
 - a. State Land Use District -- Agriculture
 - b. Wailuku-Kahului Community Plan -- Agriculture
 - c. County Zoning -- Interim
3. Surrounding Uses -- The property is surrounded by lands in sugar cane cultivation. The nearest urban use is the Central Maui Landfill site located north of the property and the Ameron Quarry operation adjacent to the landfill. The nearest urban center is Puunene Town located approximately 3 miles west of the site.
4. A portion of the property is currently vacant (along Pulehu Road) while the remainder of the property is in cane cultivation. The soils conditions at the site consist of the Waiakoa series, a generally stony soil grading to hard bedrock within a depth of approximately 5 feet.

Existing Services

1. **Water** -- There is no County water system in the area.
2. **Sewers** -- The subject property is unsewered.
3. **Drainage** -- The subject property is located in Zone C as indicated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, which defines the area as experiencing minimal flooding. It is not located in any tsunami prone area.
4. **Roadways, Curbs, Gutters and Sidewalks** -- Existing access to the

project site is through Pulehu Road onto Waiko Road. Pulehu Road is a two-lane County right of way with varying widths. Waiko Road is a private agricultural roadway used by HC&S sugar plantation. There are no curbs, gutters or sidewalks in the area.

5. **Electrical and Telephone** -- Overhead electrical and telephone service is available on Pulehu Road.

6. **Solid Waste** -- The nearest landfill site is the Central Maui Sanitary Landfill in Puunene located off Pulehu Road approximately 1/4 mile below the project site.

7. **Public Services** - The nearest fire protection is from the Kahului Fire Station located in Kahului Town.

The Maui Police Department is located at the Wailuku Police Station on Mahalani Road.

The nearest hospital is located at Maui Memorial Hospital located in Wailuku providing acute, general and emergency care services from its 185 bed facility.

DESCRIPTION OF THE PROJECT

The applicant proposes to develop the 65.7 acre site as a new power generating plant for Maui Electric Company, Ltd. The power plant site will contain four dual trained combined-cycle (DTCC) generating units, site improvements and appurtenant facilities. The applicant will construct the site improvements during the first phase of the construction. As the need for additional generating capacity occurs, the subsequent DTCC units will be placed upon the already improved site. (Exhibit B)

The four DTCC units will be arranged with the stacks generally running perpendicular to the prevailing trade winds. The stacks will be 150 feet tall. Each DTCC unit will consist of two combustion turbine generators, two heat-recovery steam generators, and one steam turbine generator. A steam turbine building will be provided for the first two DTCC units with another building provided for the last two DTCC units. The air cooled condensers for the steam turbines will be located adjacent to the steam turbine buildings. The maintenance building and control room will be located between the two steam turbine buildings. The initial phase of the generating station will require two transmission corridors that connect the new switchyard and generating units with the adjacent MECO electrical transmission grid. As the station is further developed, two new 69kV transmission lines will be constructed to connect with the Puunene and Paia Sugar Mill substations.

Distribution lines may also be added to these corridors in the future as demand requires.

The combustion turbines will be fueled by No. 2 diesel fuel transported to the site by tanker trucks from Kahului Harbor. It is estimated that upon full build out approximately 44 fuel tanker truck trips per day may be required. Fuel trucks will unload at a site location designed to contain any spilled fuel. This fuel will be stored in nine cylindrical steel tanks. Two of the fuel tanks, initially installed with the first DTCC unit will be 50 feet in diameter and approximately 36 feet high and will hold approximately 529,000 gallons of fuel each. The other seven tanks will be 80 feet in diameter and approximately 36 feet high and will hold approximately 1.35 million gallons of fuel each.

Project Cost and Schedule (1997 dollars)			
Project Component	Acreage	Cost	Operation Date
DTCC 1	65.7	\$105,370,000	2006
DTCC 2	0	\$96,857,000	2010
Transmission Lines	n/a	\$10,419,000	2006-2020
Transmission and Distribution Facility	0	\$5,900,000	2016
DTCC 3	0	\$100,318,000	2016
DTCC 4	0	\$96,848,000	2020
Total Project Cost		\$415,712,000	

PETITIONER'S FINANCIAL CONDITION

According to the Petitioner MECO currently shows a yearly net income to date of \$9,213,872. Their last fiscal year from August 1996 to August 1997 shows an accumulated net income of \$15,016,036. Further, MECO is a subsidiary of Hawaiian Electric Company, Inc. (HECO), which in turn is a wholly owned subsidiary of Hawaiian Electric Industries (HEI), a holding company with publicly traded stock. As a subsidiary of a publicly traded company, MECO has access to sufficient economic resources required to develop the project. MECO can request the authority from the Public Utilities Commission to make expenditures for construction of the proposed facility and recapture costs through the electricity rates paid by the Petitioner's customers. In addition, HECO is also able to issue

bonds and stock to finance the project. The proposed Waena Station project will be funded through the Petitioner's customer base and will not require expenditures by either the State of Hawaii or the County of Maui.

ANALYSIS

NEED FOR A NEW POWER GENERATING PLANT SITE

According to the petition, the peak power demand by MECO's customers increased an average of 5 percent per year between 1983 and 1996, rising from 95.4 MW to 174.8 MW. MECO considers this growth rate to be above average and anticipates a slower growth rate in the future of approximately 2.6 percent per year. Approximately 299.3 MW will be needed without demand-side management (DSM) measures or 266.5 MW with DSM programs implemented by the year 2016. In order to meet this need, MECO has determined that there will be a shortfall in their system reserve margin by the year 2004. In order to meet the forecasted demand for electricity, additional generation will be required through the year 2016. The Waena Generating Station is planned to meet this demand.

SITE SELECTION

The petitioner conducted the "MECO Central Maui Siting Study" in June of 1994 to address the need for a new generating plant site. Central Maui was specified as the most appropriate location for a new generating plant, the siting study was conducted to determine potential sites within the Central Maui area. Factors considered in the evaluation of the sites included air quality, land ownership, existing land use, land use controls and adjacent uses, topography, soils, groundwater availability, wastewater disposal, flooding and drainage characteristics, noise, flora and fauna, aesthetics, subsurface conditions, transmission system requirements, fuel delivery distance, and road improvements costs.

The study analyzed six sites for consideration. Of these six sites, the three top rated sites (Sites A-1, A-2 and D-1) were located near Pulehu Road in the vicinity of the Central Maui Landfill (Exhibit B). Site A-1 was the most favorable site for development with sites A-2 and D-1 scoring 94.7% and 93.0% of A-1's score, respectively. The petitioner determined that Sites A-1, A-2 and D-1 would be the focus of meteorological data collection to be used in detailed analysis of air quality modeling. In addition, Site C-1 was included in the meteorological data collection due to the property owner's, A&B Hawaii, interest in including the site and because the site was uncultivated.

The final site selected for the new power generation plant was Site A-2, the second ranked site, which is the subject of this petition. The selection of this site was based upon the following factors:

- The site had the least impact on air quality of those considered.
- The site had the least impact on biological resources of those considered.
- The site had the least impact on area traffic and transportation of those considered.
- The site had the least infrastructural costs of those considered.
- The site had the best location of those considered in relationship to the existing MECO generation and transmission systems.

LAND USE

State Plan:

The petition has been reviewed relative to the objectives and policies of the State Plan, in particular, Facility Systems and Energy/Telecommunications. The proposal meets these objectives and policies in that the Waena Generating Station is designed to meet the increasing demand for electricity on the Island of Maui and to improve system reliability in order to ensure that public utilities are developed concurrently with growth demands. Further, the incremental development of the facility over twenty years allow for reevaluation of growth demands, alternative technologies and trends which allows flexibility in future designs and development.

In addition, the petition has been reviewed in the context of the State Energy Functional Plan. The objectives of the State Energy Functional Plan (1991) are to achieve dependable, efficient, and economical statewide energy systems capable of supporting the needs of the people and to increase energy efficiency. The new generating station will accomplish these objectives. The petitioner is also a participant in the Integrated Resource Plan (IRP) process to develop, implement, monitor, and evaluate a utility resource plan that identifies an optimum mix of energy resources for meeting forecasted levels of consumer energy needs. Demand Side Management (DSM) programs were designed to influence customer consumption of electricity in a manner that will produce changes in the utility's demand. Potential programs include conservation, energy efficiency, load management, and fuel substitution.

The petitioner as an participant in the IRP process has developed a long-range energy plan for the Island of Maui which considers not only the traditional supply-side resources but also the customer (demand-side) resources that are available. As a result MECO formed the following four DSM resources programs:

- Commercial and Industrial Energy Efficiency Program
- Commercial and Industrial Customized Rebate Program
- Commercial and Industrial New Construction Program
- Residential Efficient Water Heating Program

In addition to the above programs, MECO includes the following two service programs:

- Educational Program
- Low Income Program (additional incentives and specialized marketing within the residential water heating program)

Altogether, these programs are projected to provide peak-demand saving of 1.5 MW in their first year of implementation and 14.6 MW of energy savings by the year 2004. It is anticipated that these programs will need to be adjusted as the implementation process moves forward. MECO expects to update its DSM program plans annually to optimize program implementation and energy savings. The new generating plant and Demand Side Management Programs together will meet the energy needs of the Island of Maui.

General Plan:

1. The Maui County General Plan (1990) sets forth broad objectives and policies to help guide the long-range development of the County. As stated in the Maui County Charter:

"The purpose of the General Plan is to recognize and state major problems and opportunities concerning the needs and the development of the County and the social, economic and environmental effects of such development and set forth the desired sequence, patterns and characteristics of future development."

The General Plan identifies five major themes, as follows:

1. *Protect Maui County's agricultural land and rural identify*
2. *Prepare a directed and managed growth plan*
3. *Protect Maui county's shoreline and limit visitor industry growth*
4. *Maintain a viable economy that offers diverse employment opportunities for residents*
5. *Provide for needed residential housing*

In addition, the following General Plan objectives and policies pertain specifically to the proposed Waena Generating Station:

D. ENERGY

Objective: To make Maui county more self sufficient in its need for non-renewable energy and more efficient in its uses of energy.

Policies:

- a. Encourage programs to test the feasibility of alternative sources of energy production.*
- b. Maintain an ongoing assessment of the County's energy resources, as well as an assessment of alternative sources in the context of a comprehensive integrated resource plan.*
- c. Publicize the need to conserve energy.*
- d. Create incentive programs to encourage the use of solar heaters and other energy saving building design concepts and devices.*

E. PUBLIC UTILITIES AND FACILITIES

Objective: To anticipate and provide public utilities which will meet community needs in a timely manner.

Policies:

- a. Maintain all power and utility systems so as to meet public health and safety standards.*
- b. Encourage new and expanded power generation facilities to be community planned based on sound land use and environmental planning principles.*
- c. Assure availability of power systems and sources that meet public health and safety standards.*
- d. Locate energy producing plants in areas where they will not create health hazards.*

The removal of 65.7 acres of prime agricultural lands from over 36,000 acres of land from HC&S Sugar Plantation will have minimal impact on the viability of the plantation and its impact on agricultural resources will be minimal. The site was selected through a site selection process which included both cultivated and uncultivated lands. However, after all factors were considered the subject property was deemed to be the best site for a new power generating plant. The petitioner has projected the power needs of the Island of Maui and the development of the new generating plant will ensure that the energy needs of the Island are met in keeping with the Energy and Public Utilities objectives and policies

of the General Plan. The new generating plant will support economic growth on the Island of Maui.

Further, relative to the Energy objectives and policies it should be noted that the petitioner is a participant in the statewide Integrated Resource Plan (IRP) process. During the IRP process the petitioner considered alternatives to fossil fuels such as biomass, wind and solar power. However, these alternatives are currently not economically feasible to provide baseload energy to the Island of Maui.

The petitioner is continually investigating other technologies for the production of energy and promoting energy conservation, education, and use of other resources such as solar energy. Through its Demand Side Management (DSM) Programs, the petitioner is a participant in incentive programs to encourage customers to reduce their energy consumption through solar heaters, energy efficient lights, etc.

2. According to the Wailuku-Kahului Community Plan Map the property is identified for Agriculture. However, on November 20, 1997 the petitioner filed an application for a Community Plan Amendment to Heavy Industrial use consistent with the proposed power plant which is being processed by MPD. Said application is scheduled for public hearing with the Maui Planning Commission on March 10, 1998.

In addition, to the land use map the existing Wailuku-Kahului Community Plan identifies several objectives and policies. Those that are applicable to the petition include the following:

Environment

- a. *Preserve agricultural lands as a major element of the opens pace setting which borders the various communities within the planning region.*

Energy

- b. *Promote the use of alternative energy sources, such as biomass, wind and solar.*

As stated previously the removal of the 65.7 acres of lands from the 36,000 acres currently under HC&S plantation will have minimal impacts on agricultural resources. Further, the expanse of open space created by these large areas of cultivated agricultural lands on the slopes of Haleakala will be minimally impacted

by the project due to its isolated location from other urban areas. Although a county roadway is located adjacent to the project site, extensive landscaping and building setbacks are proposed between the roadway and plant facilities which visually will screen the facility from the roadway.

The petitioner has considered alternative energy sources during its IRP process, however, at this time these energy sources are not economically feasible to provide baseload energy to the Island of Maui. The flexibility of the plant design and phasing of development of the site does enable the petitioner to consider alternative energy sources as new technology is developed making such alternatives more cost effective.

3. It should be noted that the County of Maui has embarked on its ten-year review of the Community Plans. The Update of the Wailuku-Kahului Community which is still under review include the following objectives and policies applicable to the application:

Environment

1. *Preserve agricultural lands as a major element of the open space setting which borders the various communities within the planning region.*
7. *Minimize noise, water, and air pollution from industrial uses, electric power generating facilities, and wastewater treatment plants.*

Housing

6. *Coordinate the planning, design, and construction of public infrastructure improvements with major residential projects that have an affordable housing component.*
7. *Plan, design, and construct off-site public infrastructure improvements in anticipation of residential, commercial, and industrial developments defined in the Community Plan.*

Government

5. *Insure that adequate infrastructure is or will be available to accommodate planned development.*

Infrastructure

Goal

Timely and environmentally sound planning, development, and maintenance of infrastructure systems which serve to protect and preserve the safety and health of the region's residents, commuter, and visitors...

Energy

1. *Promote the use of alternative energy sources, such as biomass, wind and solar.*

The Waena Generating Station meets these goals and objectives by providing for the future energy needs of Maui which helps to stimulate economic growth. Without a reliable energy source, existing services and future development will be adversely impacted. As part of long-range planning for the energy needs of Maui Island and to accommodate existing and future growth, it is projected that a new generating source is will be needed by the year 2004. Although a build-out scenario is identified in the petition using conventional fossil fuels, it does not preclude the use of alternative energy sources as they are developed and become more cost effective and efficient. The phased development of the site will allow for its consideration in future phases.

It should be noted that during the 10-year review, the land use map was not amended to identify the subject property for heavy industrial use. A specific location could not be identified on the land use map since the petitioner was still in the process of selecting the final site for the new power generating station in the Central Maui area. However, throughout the process the petitioner has given status reports to the Maui Planning Commission, Maui County Council, and Mayor on the site selection process. After the meteorological tests were completed the subject property was selected as the final location for the power generating station.

Zoning:

The property is currently in the County's Interim District which allows "public utility uses" which would include the construction of a power plant. On November 20, 1997, the petitioner filed an application for a change in zoning on the property to the M-2 Heavy Industrial District consistent with the proposed community plan heavy industrial land use designation. Said application is scheduled for public hearing with the Maui Planning Commission on March 10, 1998.

Pursuant to Title 19, Chapter 19.510, Section 19.510.050 Conditional

zoning of the Maui County Code, the County Council may impose conditions upon the applicant's use of the property. The conditions shall be imposed if the Council finds them necessary to prevent circumstances which may be adverse to the public health, safety and welfare. The conditions shall be reasonably conceived to mitigate the impacts emanating from the proposed land and shall meet the following criteria:

1. That the public shall be protected from the potentially deleterious effects of the proposed use; and
2. That the need for public services created by the proposed use shall be fulfilled.

Special Management Area:

Although the property is not located within the Special Management Area (SMA) of the Island of Maui, it was reviewed relative to Chapter 205A, Coastal Zone Management, Hawaii Revised Statutes. The property is located approximately 4 miles inland of the shoreline and due to its location will have minimal impact on the shoreline and nearshore waters. In addition, there are no know traditional gathering activities and/or cultural practices affecting the subject property. It is not anticipated that the petition will have any adverse effect on the special management area of the Island of Maui.

AGRICULTURE

1. The site is listed as "Prime Agricultural Land" according to the Agricultural Lands of Importance to the State of Hawaii (ALISH) map. The University of Hawaii Land Study Bureau's Detailed Classification designates the land as "A". this classification system rates lands on a scale of "A" to "E", reflecting land productivity characteristics. Lands designated "A" are considered to be of highest productivity, with "E" rated lands ranked lowest.

2. The 65.7 acre reduction of sugar cane lands from the total agricultural lands under cultivation by HC&S plantation is minimal and will not have any impact on their crop production. However, Waiko Road which will provide alternate access to the power plant is an agricultural roadway utilized by the plantation operations and there may be conflicts between the users of the power plant and the agricultural operations especially between the large cane trucks and the vehicles of employees of the power plant. However, direct access from Pulehu Road is proposed for the main and fire entrances in order to minimize conflicts between the agricultural activities and the power plant operations.

In addition, the petition indicates that HC&S plantation will be developing an additional 1,400 acres for sugarcane cultivation on two sites near Kuihelani Highway on vacant Wailuku Agribusiness lands which will replace the acreage removed due to the power plant construction. As such no net loss of cultivated cane lands will result.

3. The Department of Agriculture reviewed the application and does not object to the petitioner's request. However, the Department of Agriculture has expressed concerns regarding surface runoff into the irrigation ditches of HC&S and impact on groundwater quality due to power plant wastewater injection. Groundwater downslope of the generating plant site is used by HC&S for irrigation and cooling water for their power plant at Puunene, and as such every reasonable effort to monitor and , if necessary, mitigate any unanticipated adverse impact to this water source attributable to power plant wastewater injection.

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

1. According to the archaeological inventory survey report for the project area (Burgett and Spear 1997), no significant sites are located on the subject property or transmission line routes. Historic to modern sugarcane cultivation and the construction of appurtenant agricultural improvements including a roadway and underground aqueduct has extensively altered the previous landscape.

2. The Department of Land and Natural Resources, State Historic Preservation Division (DLNR-SHPD) reviewed the application and concur with the inventory survey and have determined that the proposed construction would have "no effect" on significant historic sites.

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

1. **Water** -- The Department of Water Supply has indicated that there is no fire protection system in the area. The petitioner will be required to provide water for fire and domestic use according to the Board of Water Supply standards as certified by a professional engineer and sign a Private Water System Agreement.

The water needs for the site is generally for nonpotable water. Potable water for the Generating Station is small and will be bottled water transported to the generating station. No extension of the County water delivery system is anticipated.

The nonpotable water supply will come from four brackish water wells that will be developed onsite. Approximately 800,000 to 880,000 gpd of brackish water will be used from the wells. The brackish water will be demineralized for use

within the 232 MW project. Approximately one half of the water pumped from the wells will be demineralized and used within the turbines. The purification process will generate an average of 440,000-480,000 gallons of wastewater per day which will be reinjected into the groundwater system. The wastewater containing the mineral residue may be treated to change its pH factor to levels acceptable by EPA and Department of Health standards.

The State Department of Agriculture, Department of Land and Natural Resources, Commission on Water Resource Management; and the Board of Water Supply have expressed concerns regarding water quality of underground resources due to wastewater disposal by injection. The Department of Agriculture has requested monitoring of the groundwater resources and if necessary, mitigation of any unanticipated impacts due to the power generating plant. The Board of Water Supply has also indicated that given that some mixing with groundwater will naturally occur and that the gradient may be greater than assumed and the flow path may be more directed toward the coast than assumed, then a broader, longer and different flow path may occur. These considerations may need to be reflected in modeling results in future project planning.

2. **Sewers** -- Sanitary wastewater generated by the project is expected to average less than 1,000 gpd. The petitioner plans to construct a septic tank and leach field to treat effluent from sanitary facilities. No extension of the county's wastewater system is anticipated.

In addition, use of a high pressure washing procedure could result in an estimated 5,000 to 10,000 gallons of wastewater produced during a single wash. The wastewater will be stored in a storage tank on site, and treated prior to disposal. Metals present in the wastewater would be removed by precipitation. The precipitating solids would coagulate, forming a sludge. The metal sludge would then be removed from the water by clarification and filtration. The sludge would be dewatered for disposal.

The resulting wastewater would then be processed through an air stripper to remove ammonia. After final treatment, the wastewater would be stored in a treated wastewater storage tank prior to disposal in an injection well. Analysis of the treated wastewater would be performed to verify pH and metal concentrations are within permitted limits. If the treated wastewater is not within permitted limits, the water would be returned to the wastewater treatment system for additional treatment.

3. **Drainage** -- Drainage in the area is generally through a series of gulches. The area of the proposed project is drained by Kalialinui Gulch, located a quarter mile to the north, and by Pulehu Gulch, located a mile to the south of the

project site. Both gulches are normally dry and the stream beds are heavily vegetated. The streams are designated as intermittent and flow only during storm runoff conditions.

The site of the proposed Waena Generating Station is located approximately 1,000 feet from Kalialinui Gulch and 5,000 ft. from Pulehu Gulch. The flow from the site is directed to the northwest, away from both gulches. The nearest HC&S reservoir is located approximately 2,000 feet from the northeast boundary of the site. An irrigation ditch runs through the project site.

It is estimated that the impervious surfaces from the constructed facility will increase storm water runoff from approximately 45.5 cubic feet per second (cfs) to approximately 215.4 cfs. Of this runoff, the 50 acres of developed area will increase runoff from approximately 34 cfs to 204 cfs.

To avoid project specific runoff from reaching adjoining sugarcane lands, the proposed project will include storm water runoff and infiltration ponds to collect and contain storm water on site. A 15-foot landscape buffer around the facility will also aid storm water percolation. Runoff ponds will have special sumps with oil/water separators to remove any oil before disposal of the storm runoff into an infiltration pond. An alternative disposal method of water from the runoff ponds could be through a shallow injection well (dry well). HC&S has requested that storm water runoff be diverted away from their irrigation ditch.

The petitioner has indicated that the proposed drainage improvements will be designed to produce no adverse impacts, due to storm water runoff, on adjacent properties. All drainage improvements will conform to County of Maui standards and will be reviewed and approved by the Department of Public Works and Waste Management prior to construction. Alternative disposal options will also be discussed with the Department of Health and HC& S.

The petitioner has indicated that storm water impacts and erosion to the on-site irrigation ditch are possible during the construction phase. However, the use of best engineering practices to prevent runoff into the ditch can minimize these temporary impacts.

The United States Department of Agriculture, Natural Resources Conservation Service has indicated that drainage from Pulehu and Waiko Road may affect the proposed site and that the drainage report needs to determine runoff concerns.

4. Roadways, Curbs, Gutters and Sidewalks -- Access to the site is proposed from a main entrance located on Pulehu Road and alternate accesses on

Waiko Road. A fire exit is also proposed to be located on Pulehu Road. According to the petitioner adequate turning areas and sight distances at the driveway entrances will allow for smooth transition in and out of the project site, including fuel truck traffic. Also adequate lighting at the entrance will be provided to accommodate night traffic during shift changes from the station.

According to the Traffic Study prepared for the petitioner it is estimated that the Generating Station will generate 210 morning peak hour trips, 32 mid-day peak hour trips, and 192 afternoon peak hour trips. The estimated peak hour trips are as follows:

PROPOSED WAENA GENERATING STATION TRIP GENERATION								
			<i>AM Peak Hour</i>		<i>Mid-Day Peak Hour</i>		<i>PM Peak Hour</i>	
<i>Trip Type</i>	<i>Quantity</i>	<i>Daily Trips</i>	<i>Enter</i>	<i>Exit</i>	<i>Enter</i>	<i>Exit</i>	<i>Enter</i>	<i>Exit</i>
Generation Production Operations ①	20 Employees	40	0	0	0	0	0	0
Generation Non-Operations Production ②	26 Employees	52	26	0	2	2	0	26
Transmission & Distribution ③	110 Employees	220	104	0	10	10	0	104
Transmission & Distribution ③	85 Field Crews/Trucks	170	0	50	0	0	50	0
Service & Deliveries	40 visitors/supplies	80	9	9	0	0	0	0
Fuel Haul	11 Trucks	88	6	6	4	4	6	6
Total		650	145	65	16	16	56	136
Notes: ① These employees work in three shifts (6am-2pm, 2pm-10pm, 10pm-6am) and do not commute during the peak hours. ② The administrative and technical staff work one daytime shift (7am-3:30pm) ③ Potential employee relocation from the Kahului baseyard these employees normally work one shift (7am-3:30pm), except for six dispatchers who work in three shifts. Individual employee commute trips to/from the project site are shown separately from the field crews traveling in MECO vehicles between the project site and repair/maintenance locations, which vary daily.								

When added to the estimated future traffic volumes, no significant adverse impacts in the level-of-service for the area roadways were affected and no intersection movements were anticipated to experience less than LOS E. It should

be noted that the three intersections currently experience LOS D, E and F are located in Kahului Town at Dairy Road/Hana Highway, Hana Highway/Kamehameha Avenue/Hobron Avenue and Hana Highway/Pulehu Road. The primary traffic that may be affected by these intersections are the fuel trucks from Kahului Harbor. It does not appear that residential traffic from the urban areas will be as greatly affected since there are alternative routes to the site. According to the petitioner's Traffic Analysis the traffic conditions experienced would be the same with or without the traffic generated from the project site. Further, the Department of Transportation who has jurisdiction over these intersections has indicated that the state transportation facilities can adequately accommodate the subject project and that they did not anticipate any adverse impact to their system.

Based on the Traffic Analysis both the main access and fuel delivery access driveways from Pulehu Road are not anticipated to cause interference with regional traffic using Pulehu Road. The LOS of both access intersections is estimated to be LOS A. However, due to the change in topography between the project site and Pulehu Road, sight distance analyses will need to be conducted prior to project design to determine the best placement of these access driveways in relationship to the overall facility design.

The Maui Police Department voiced concerns regarding the adequacy of Pulehu Road in terms of roadway widths and shoulders, however, the Department of Public Works and Waste Management did not indicate any similar concerns. The Department of Public Works and Waste Management, however, has indicated that a future road widening lot along Pulehu Road should be included for future widening of the roadway. In addition, although Pulehu Road contains no shoulders, the roadway until the Central Maui Landfill access driveway has been paved and widened.

In particular, the concern raised by the Police Department is the increase in vehicular traffic in the area from both employees and fuel transport to the site. This project is a phased development with the first phase to be operational in the year 2004 and the last phase by approximately 2016. Traffic in the area will incrementally increase with each phase and can be reevaluated during subsequent traffic impact analysis which will determine the necessary roadway improvements during each phase resulting from the project impacts. Prior to construction the petitioner will be required to implement any traffic/roadway improvements that are necessary to mitigate impacts created.

5. Electrical and Telephone -- No impacts are anticipated as a result of this project. The project is anticipated to broaden the ability of MECO, Ltd to provide for the future power generation needs of the County. Also, communication service to the power generating plant facility will be linked to MECO's existing

microwave communication and radio system. Telephone service will need to be provided through GTE Hawaiian Telephone.

6. **Solid Waste** -- The existing landfill site is located in close proximity to the project site and can accommodate the solid waste needs of the project. Construction materials and debris will be disposed at the Maui Demolition and Construction Landfill on North Kihei Road near Honoapiilani Highway. Also, recycling programs will be part of the operations to reduce the amount of solid waste.

7. **Public Services** -- No adverse impacts on police and fire protection services, and medical services are anticipated.

According to the applicant, on site security procedures will be developed by MECO and site access will be restricted by a perimeter fence and driveway access checkpoints. Security lighting will also be provided.

Emergency plans detail the procedures to be followed when there is a fire or fuel spill. On-site water storage for fire suppression will be provided as well as carbon dioxide fire protection system will be used on the combustion turbines in the event of a fire. MECO currently has fire control plans for its generating stations and a similar plan will be designed for the Waena Generating Station.

SOCIO-ECONOMIC IMPACTS

On a short term basis, the project will support construction and construction related employment. In the long term, the proposed project will provide for the estimated power generating needs of the Island of Maui until the year 2016. Further, the phased development of the site will allow flexibility in the planning, design and construction of the power generating plant site to take into consideration advancing technology and changing trends.

ENVIRONMENTAL IMPACTS

Flora and Fauna:

According to the United States Department of the Interior, Fish and Wildlife Service, there are no Federal trust resources, such as migratory birds, endangered or threatened species or wetlands that would be affected by the proposed project. The project is located on a previously disturbed site, the Service does not anticipate any direct adverse impacts to native wildlife or plant resources.

However, some sea birds such as petrels are known to nest on the slopes of

Haleakala and may be confused by bright night lights. As a precaution, the petitioner proposes to hood all exterior night lights.

Water Quality:

The State Department of Agriculture, Department of Land and Natural Resources, Commission on Water Resource Management; and the Board of Water Supply have expressed concerns regarding water quality of underground resources due to wastewater disposal by injection. The Department of Agriculture has requested monitoring of the groundwater resources and if necessary, mitigation of any unanticipated impacts due to the power generating plant. The Board of Water Supply has also indicated that given that some mixing with groundwater will naturally occur and that the gradient may be greater than assumed and the flow path may be more directed toward the coast than assumed, then a broader, longer and different flow path may occur. These considerations may need to be reflected in modeling results in future project planning.

The Department of Land and Natural Resources, Commission on Water Resource Management (CWRM), recommends that approvals of this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality. A well construction permit and a pump installation permit from the CWRM would be required before groundwater is developed as a source of supply for the project.

The U.S. Geological Survey, Water Resources Division, Hawaii District, reviewed the application and had no comments to offer.

Air Quality:

The petitioner conducted air quality modeling using data received from an air quality monitoring station at Maalaea for the Maalaea Generating Plant to determine the potential impacts the new generating plant will have. Based on these modeling results it was determined that nitrogen oxide, sulfur dioxide, carbon monoxide, particulate matter less than 10 microns, and sulfuric acid mist were the emissions that may have an impact on air quality. These emissions were further analyzed pursuant to EPA and Department of Health Standards and were found to be within these standards and regulations. The Department of Health reviewed the application and had no comments to offer.

Noise :

Due to the remote location of the property from other urban areas, primarily residential areas, it is not anticipated that the project will have any adverse impacts

on noise quality.

Visual Impacts:

Due to the topography of the site and lack of other structures in the vicinity, the facility will be visible from areas located on the slopes of Haleakala. However, the long distance of the facility from the urban area of Pukalani, the Kula area and Haleakala Highway will reduce the apparent size of the generating station and will not dominate the visual planes in the area. Haleakala Highway which is the closest viewing point is over 2 miles from the site and the nearest upcountry residential area which could overlook the site is over 4 miles away. Along Pulehu Road, a substantial landscape buffer/leach fields are proposed to screen the facility from traffic on this roadway. Since traffic in the area is vehicular very little of the site will be visible, mainly the four stacks which have a height of 150 feet and those structures which may be visible above the tree line. It would a similar situation as the Maalaea Power Plant site.

Best Management Practices:

The petition included extensive discussion of best management practices for fuel storage and transport. According to the petition all fuel storage tanks will be placed on impervious surfaces and within berms designed to contain any leakage or spills. Bermed areas will be equipped with oil-water separators to remove any oil before disposal. Waste oil will be shipped offsite for processing and disposal. The petitioner observes a variety of best management practice precautions to ensure that fuel spills do not occur, and that if any fuel were to spill, it will be promptly contained by trained personnel. In addition, various precautionary measures such as high-level alarms, check valves, gauges, etc. are incorporated into the fueling equipment to prevent fuel spills during transfer. Also, the storage tanks which are cathodically protected to prevent internal corrosion will be regularly monitored to ensure that contaminants are not in the tank which might indicate a corrosion problem.

In addition to fuel storage, 12,000 gallons of anhydrous ammonia (concentrated ammonia vapor) stored in pressurized vessels is required to be stored on site for the use in the Selective Catalytic Reduction (SCR) for Nitrogen Oxide (Nox) from the emissions from the combustion turbines to form nitrogen and water vapor. The release of anhydrous ammonia into the atmosphere would be more concentrated and hazardous than the release of aqueous ammonia (a solution of ammonia in water). In the event of an ammonia release, the potential dangers are primarily related to exposure effects on the skin, eyes, nose, throat and respiratory tract. Due to the potential hazard, the pressurized systems need to be monitored closely. Further, the isolated location of the generating plant from populated areas

helps to reduce the risks to the general public from a vapor release which should dissipate to insignificant levels prior to reaching populated areas.

Both the Department of Health and Department of Fire Control reviewed the application and did not have any comments to offer or objections to the request.

OTHER GOVERNMENTAL APPROVALS:

On November 24, 1997 the Maui Planning Department accepted the Final Environmental Impact Study prepared for the Maui Electric Company, Ltd.'s Waena Generating Station. Said EIS was published in the December 8, 1997 Office of Environmental Quality Commission Bulletin.

CONCLUSIONS

The MPD finds that the petition is in compliance with the standards of the Urban District.

- (1) The petition does not include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses. However, due to its potential noxious impacts on other urban uses, primarily residential uses, it is not in the public's best interest to be located near these city-like concentrations. The remoteness of the site reduces adverse impacts that may be associated with the use.

Further, through a site selection process the site was selected based on the technical needs for a generating plant as well as its potential impacts such as air quality, noise, traffic, water resources, etc. and found to be the best location for a new generating station.

- (2) Although the petition area is located outside of urban concentrations it will service the energy needs of these communities. The site is located near existing service corridors that make connection to the existing electrical grid of Maui Electric Company convenient and efficient. In addition, future transmission corridors are available from the project site to other areas to meet future energy needs as they occur.

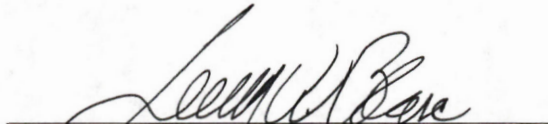
Necessary infrastructure and public services to the site will be provided through either existing systems and services or by alternative measures such as, but not limited to, on site brackish water wells, injection wells, septic system, etc.

- (3) The petition area contains satisfactory topography, drainage and is reasonably free from the danger of floods, tsunامي, unstable soil conditions, and other adverse environmental effects.
- (4) The petition area is not contiguous with existing urban areas but due to the nature of the use it is in the public's best interest to be located away from other urban areas, especially residential areas.
- (5) The petitioner is concurrently applying with the County of Maui for a Community Plan Amendment to amend the land use map of the Wailuku-Kahului Community Plan and a Change in Zoning to establish a power generating station on the subject site
- (6) It does not include lands, the urbanization of which will contribute toward scattered spot urban development, necessitating unreasonable investment in public infrastructure or support services.

POSITION

The MPD supports approval of the Petition for a District Boundary Amendment from the State Agricultural District to the State Urban District. Through the Conditional Zoning provisions of the Maui County Code, any necessary conditions may be included in any zoning action by the County of Maui.

Approved:



DAVID W. BLANE
Director of Planning
Maui Planning Department

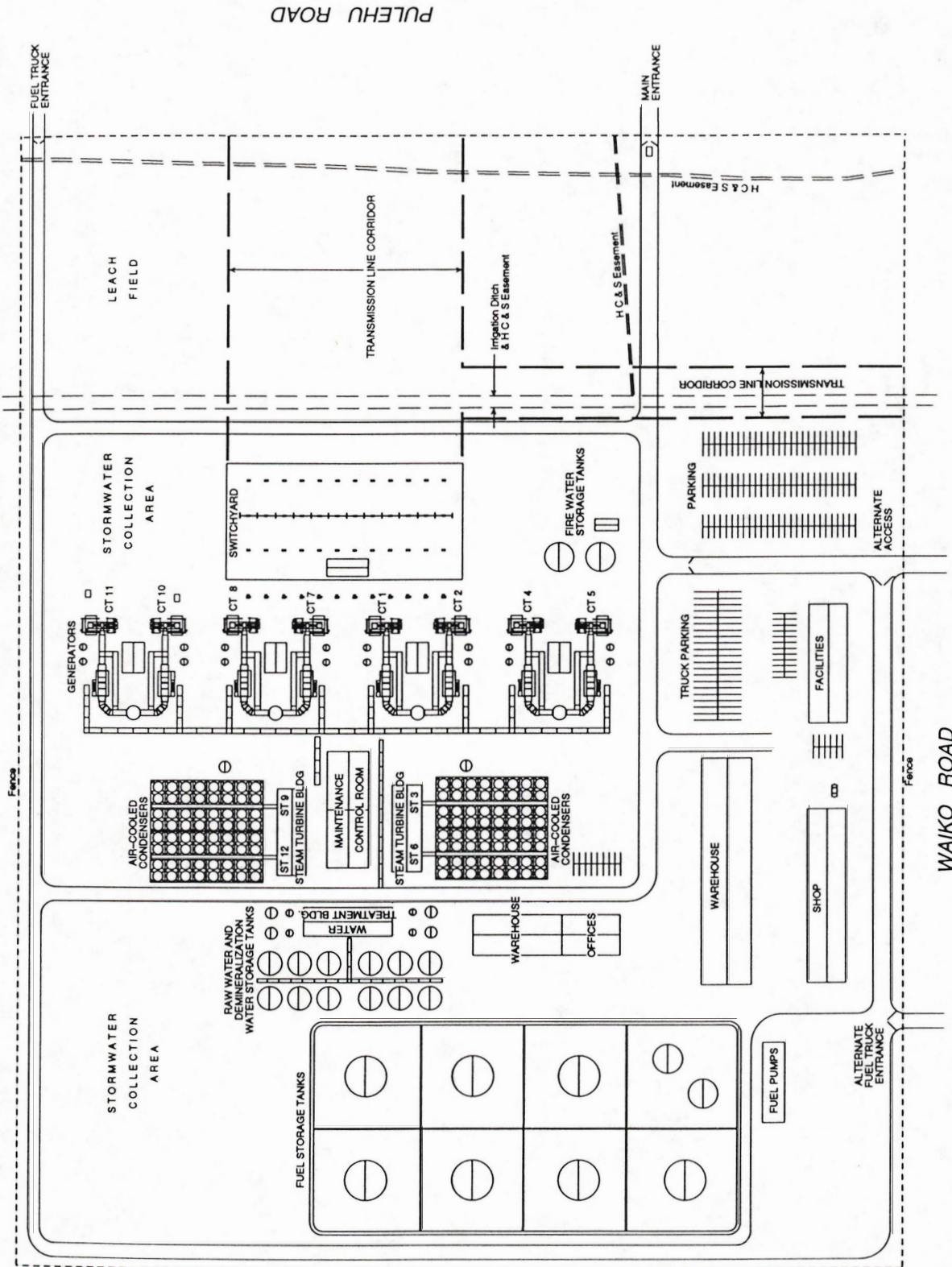


FIGURE	Community Plan Amendment/Change-in-Zoning Proposed Waena Generating Station Maui Electric Company, Limited
CONCEPTUAL SITE LAYOUT	
NOT TO SCALE	

Note: DTCC = Dual-Train Combined-Cycle Combustion Turbine
Source: Maui Electric Company, Limited, 1997

ORIGINAL

LAND USE COMMISSION
STATE OF HAWAII
1998 JAN 26 A 10:39

Of Counsel:
KELLY CAIRNS, Deputy Corporation Counsel
Office of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7740

Attorneys for :
Maui Planning Department
County of Maui
250 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7735

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	Docket No. A97-722
	)	Maui Electric Company, Ltd.
MAUI ELECTRIC COMPANY, LTD.	)	
	)	
To Amend the Land Use District	)	
Boundary From the State Agricultural	)	
District to the Urban District for	)	
Approximately 65.7 acres of Lands	)	
Situated at Tax Map Key: 3-8-003:23	)	
and 24, Pulehu, Island of Maui,	)	
<u>Hawaii</u>	)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the Testimony of the Maui Planning
Department, and List of Witnesses and Exhibits were served on the parties listed
below by depositing the same in the United States Postal Service by certified mail:

ESTHER UEDA, Executive Director
Land Use Commission
P.O. Box 2359

Honolulu, Hawaii 96804-2359 (Original and 15 copies)

Certified Mail #Z225 255 933
Return Receipt Requested

RICHARD EGGED, JR., Director
Office of Planning
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Certified Mail #Z225 255 934
Return Receipt Requested

ABE MITSUDA, Administrator
Land Use Division
Office of Planning
P.O. Box 2359
Honolulu, Hawaii 96804-2359

Certified Mail #Z225 255 935
Return Receipt Requested

ANN OGATA-DEAL, Esq.
Deputy Attorney General
Hale Auhau, Third Floor
425 Queen Street
Honolulu, Hawaii 96813

Certified Mail #Z225 255 936
Return Receipt Requested

B. MARTIN LUNA, Esq.
2200 Main Street, Suite 400
Wailuku, Hawaii 96793

Certified Mail #Z225 255 937
Return Receipt Requested

MAUI ELECTRIC COMPANY, LTD.
P.O. Box 398
Kahului, Hawaii 96732-0398

Certified Mail #Z225 255 938
Return Receipt Requested

MR. MARK WILLEY
CH2M HILL
1585 Kapiolani Blvd., Suite 1420
Honolulu, Hawaii 96814

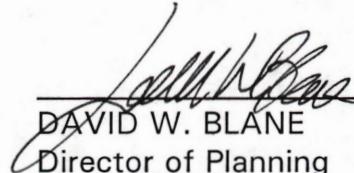
Certified Mail #Z225 255 939
Return Receipt Requested

G. STEPHEN HOLADAY
Hawaiian Commercial & Sugar Company
P.O. Box 266
Puunene, Hawaii 96784

Certified Mail #Z225 255 941
Return Receipt Requested

MARK SHEEHAN
MAUI TOMORROW
P.O. Box 429
Makawao, Hawaii 96768

Dated: this 23rd day of January, 1998, Wailuku, Maui, Hawaii.



DAVID W. BLANE
Director of Planning
Maui Planning Department

DOCKET NO./PETITIONER: A97-722PARTY: Maui Planning DepartmentLIST OF WITNESSES

ORIGINAL

NAME/ORGANIZATION/POSITION (List in Order of Appearance)	TO BE QUALIFIED AS AN EXPERT IN:	SUBJECT MATTER	WRITTEN TESTIMONY (Yes or No)	EXHIBIT NUMBER(S)	LENGTH OF DIRECT
David W. Blane, Planning Director	Planning	Position of Dept.	Yes	1	15 Min.
and/or Colleen Suyama, Planner	Planning	Available for any questions regarding written testimony			

1998 JAN 26 A 10:39
LAND USE COMMISSION
STATE OF HAWAII

LAND USE COMMISSION

PAGE NO. 2

DOCKET NO./PETITIONER: A97-722

PARTY: Maui Planning Department

LIST OF EXHIBITS

ORIGINAL

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LAND USE COMMISSION
STATE OF HAWAII
1998 JAN 26 A 10:39

ORIGINAL

Of Counsel:
KELLY CAIRNS, Deputy Corporation Counsel
Office of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7740

Attorneys for :
Maui Planning Department
County of Maui
250 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7735

LAND USE COMMISSION
STATE OF HAWAII
1997 DEC -11 A 10:15

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

In the Matter of the Petition of	)	Docket No. A97-722
	)	Maui Electric Company, Ltd.
MAUI ELECTRIC COMPANY, LTD.	)	
	)	
To Amend the Land Use District	)	
Boundary From the State Agricultural	)	
District to the Urban District for	)	
Approximately 65.7 acres of Lands	)	
Situated at Tax Map Key: 3-8-003:23	)	
and 24, Pulehu, Island of Maui,	)	
<u>Hawaii</u>	)	

POSITION OF THE MAUI PLANNING DEPARTMENT

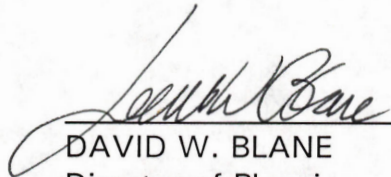
In accordance with §15-15-55 of the State Land Use Commission Rules, the Maui County Planning Department supports the State District Boundary Amendment by the petitioner, Maui Electric Company, Ltd. to reclassify approximately 65.7 acres from the State Agricultural District to the State Urban District at Pulehu, Maui, Hawaii. The site for the new Waena Power Generating Plant is the result of a site selection study conducted by the petitioner in order to meet future power needs of the Island of Maui. The third power plant site will connect into the existing system of Maui Electric Company and provide additional energy along with its Kahului and Ma`alaea power plants.

The site is located in an area where other industrial type uses have been established such as the Central Maui Landfill and Ameron Quarry. The nearest urban center is located approximately 3 miles away at Puunene which contains the HC&S Mill operations and the remnants of a residential community (former plantation housing). Minimal impacts are anticipated on surrounding uses in the area (HC&S agricultural lands) and on the surrounding urban communities of Kahului, Kihei and Pukalani.

The petitioner will also seek a Community Plan Amendment and Change in Zoning from the County of Maui. Appropriate mitigation measures, if necessary, can be imposed by the County of Maui at the time of these land use amendments. This application has been reviewed by other agencies within the County of Maui. Except for the Maui Police Department who voiced safety concerns resulting from increased traffic on Pulehu Road, the county agencies have no comments or objections. Those concerns raised by the Police Department can be mitigated through conditions of approval.

This position statement offers general comments on the petition and does not in any way address all concerns or conditions we may have. Our complete analysis and recommendation for this project will be available at the Land Use Commission's hearing.

Dated: this 3rd day of December, 1997, Wailuku, Maui, Hawaii.



DAVID W. BLANE
Director of Planning
(S:\97a722b)

ORIGINAL

Of Counsel:
KELLY CAIRNS, Deputy Corporation Counsel
Office of the Corporation Counsel
County of Maui
200 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7740

Attorneys for :
Maui Planning Department
County of Maui
250 S. High Street
Wailuku, Maui, Hawaii 96793
Telephone: 243-7735

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of	)	Docket No. A97-722
	)	Maui Electric Company, Ltd.
MAUI ELECTRIC COMPANY, LTD.	)	
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To Amend the Land Use District	)	
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Approximately 65.7 acres of Lands	)	
Situated at Tax Map Key: 3-8-003:23	)	
and 24, Pulehu, Island of Maui,	)	
Hawaii	)	

1997 DEC -4 A 10:15
LAND USE COMMISSION
STATE OF HAWAII

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this position statement was served on the parties listed below by depositing the same in the United States Postal Service by certified mail, or by hand delivery:

ESTHER UEDA, executive Director	By Mail
Land Use Commission	
P.O. Box 2359	
Honolulu, Hawaii 96804-2359 (Original and 15 copies)	

RICHARD EGGED, JR., Director
Office of Planning
P.O. Box 2359
Honolulu, Hawaii 96804-2359

By Mail

ABE MITSUDA, Administrator
Land Use Division
Office of Planning
P.O. Box 2359
Honolulu, Hawaii 96804-2359

By Mail

ANN OGATA-DEAL, Esq.
Deputy Attorney General
Hale Auhau, Third Floor
425 Queen Street
Honolulu, Hawaii 96813

By Mail

B. MARTIN LUNA, Esq.
2200 Main Street, Suite 400
Wailuku, Hawaii 96793

By Mail

MAUI ELECTRIC COMPANY, LTD.
P.O. Box 398
Kahului, Hawaii 96732-0398

By Mail

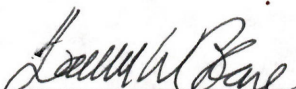
MR. MARK WILLEY
CH2M HILL
1585 Kapiolani Blvd., Suite 1420
Honolulu, Hawaii 96814

By Mail

G. STEPHEN HOLADAY
Hawaiian Commercial & Sugar Company
P.O. Box 266
Puunene, Hawaii 96784

By Mail

Dated: this 3rd day of December, 1997, Wailuku, Maui, Hawaii.



DAVID W. BLANE
Director of Planning