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Comments on Draft EIS for OLOWALU TOWN MASTER PLAN

Although I was the Vice-Chairman of the General Plan Advisory Committee (GPAC), I do not represent that committee in my comments here. However many of my comments below, will reflect my experience serving on that committee. I do very much appreciate having the opportunity to comment on this project's DEIS.

Despite the fact that this Draft-EIS is very lengthy and comes in 2 large volumes, it has many omissions and makes numerous assertions which are either untrue or incomplete. Hopefully, the Final EIS will give a complete description of the impacts and mitigations connected to this project proposal.

Note: All page references are to volume 1, except when specifically mentioning volume 2.

Ohana units: Page 20 makes it quite clear that there will be many ohana units in this project. All of the 15-20 agricultural homes are allowed ohana units. All of the 75-100 rural homes are allowed ohana units. And all of the 400-800 town lot homes are also allowed ohana units. That means there may be a total of up to 920 potential ohana units in addition to the 1,500 units often cited for this project!

Nowhere in the subsequent analysis do these ohana units get analyzed, for example: the children who would be attending schools, the considerable traffic generated by each residence, the water consumption, the wastewater sent out, the parking spaces needed, the solid waste generated, etc. Although it will be a major effort, the Final EIS must include these ohana units in all of its calculations, impacts, and mitigations. Alternatively, the applicants may wish to make a statement in their application for a LUC boundary amendment that only a total of 1,500 units would be allowed in the Olowalu project and that there will be a prohibition on any ohana units.

Number of affordable/workforce homes: When the applicants came before the General Plan Advisory Committee (GPAC), they stated explicitly that there would be 1,000 below market price homes in the project. 500 of these homes would be in the affordable range; and 500 homes would meet the needs of gap housing at below market prices. Here is the graphic from the applicant's GPAC presentation:

Space/Community/Roadways - 53%. The price ranges for all of the housing will be allocated into the following:

- 500 units or 1/3 of project for affordable (below 120% median income level);
- 500 units or 1/3 of project for gap-group/under-market (below existing average market prices); and
- 500 units or 1/3 of project for market (above average market prices).

It was partially on the basis of that affordable housing assertion that the GPAC voted to recommend the inclusion of this project within the urban and rural growth boundaries.

Now the Draft EIS states that there will be a maximum of ONLY 750 affordable homes and hints that there may be even fewer if the County's Workforce Housing policy would allow a lower number. The Final EIS should make it clear what the exact number of affordable homes will be. Hopefully, it will be at the promised 1,000 unit level. Otherwise, this would be a classic case of "bait and switch".

Is the Olowalu Town project even needed? There is inadequate analysis in the DEIS of West Maui's housing needs and potential "already entitled" supply. If that analysis is done, it will show that the proposed Olowalu Town project is not needed. On page 25 of the Draft EIS it states that there will be a need for an additional 3,456 units by the year 2030.

The Maui County Planning Department's Long-Range Division has prepared an updated list of the already fully entitled housing units in West Maui. Please see:

[http://www.co.maui.hi.us/documents/Planning/Long%20Range%20Division/GIS%20Maps/Web_20110215DevProjs_WestMauiNorth sm.PDF](http://www.co.maui.hi.us/documents/Planning/Long%20Range%20Division/GIS%20Maps/Web_20110215DevProjs_WestMauiNorth_sm.PDF)

The County Planning Department's list shows that there were 3,963 already entitled units in early 2011. Subsequently during 2011, ML&P's Pulelehua project was fully entitled providing an additional 882 units plus ohanas. Given the fact that there are already about 5,000 fully entitled units available in West Maui, much closer to available jobs, there is no need for the Olowalu Town project at this time and no need for a Boundary Amendment.

Furthermore, the GPAC, Maui Planning Commission, and the County's planning department have all recommended to the County Council urban growth boundaries (UGBs) in West Maui that would permit several thousand additional entitled units much closer to the job locations in Lahaina, Kaanapali, and Kapalua.

Size of the Commercial Area (Page 105): When the applicants came before the General Plan Advisory Committee (GPAC), they stated explicitly that the commercial area would be a modest 25,000 sq. ft. with an additional 15,000 sq. ft. for restaurants. Now, this Draft DEIS claims a desire to build 300,000 sq. ft. of commercial space for this "small town". Another "bait and switch". The Final EIS must include a comprehensive justification for whatever commercial space is being proposed, and an explanation why the large existing (and growing) shopping areas in West Maui and Central Maui cannot meet the needs of Olowalu.

Public Infrastructure Costs: When the applicants came before the General Plan Advisory Committee (GPAC), they explicitly proposed that, "*A significant component of OT includes the design and building of innovative infrastructure systems at no cost to the state or county (applicant's underlining). . . .OT believes strongly in responsible development and will construct and pay for the following infrastructure systems:*" The applicants then provided a long list of infrastructure and public facility improvements which they would pay for. Unfortunately, no similar list exists within the Draft EIS.

Infrastructure – Mauka Highway: The Draft EIS makes it clear that the applicant plans to relocate the highway in a mauka direction within a 200 ft. right-of-way. The applicant proposes to construct a two-lane highway within that corridor, a pair of "O" turns to reduce the need for left-hand turns, and space between the two lanes for a future transit line that presumably would run from Central Maui to West Maui.

Several transportation related issues arise:

a) Page 3 of Appendix L in Volume 2 states that only \$18 million has been set aside for this rather long and probably much more expensive infrastructure project that also includes a bridge. It would seem that this commitment of only \$18 million for the mauka realignment will be grossly inadequate and the applicant may come to the county or state begging for additional funding.

- b) The maps in the Draft EIS did not give a clear indication of the roads connecting the makai and mauka sections of this project. How many intersections will there be on the new mauka highway? How will traffic get across the highway? Lights? Using the "O" turns? What difficulties will the existing mauka agricultural lot residents encounter to get to the ocean?
- c) The maps in the Draft EIS are not very clear as to all of the internal roads that will be contained within the project. The routes of each of the roads should be indicated as well as the width of the roads so that they may be properly assessed by the fire department.
- d) What provision is being made for the future transit rail line to cross the two "O" turns?
- e) What space provisions are being made for a transit station and an adjacent parking and bus connections?

Infrastructure – Existing Honoapi'ilani Highway: The plan is to cut the existing coastal highway in two locations so that travelers on the road would have less access to the Olowalu coastline. The Final EIS should indicate the specific parking facilities, access routes/rights-of-way to the ocean, restrooms that will be available to both the Olowalu town residents and the tourists who now use the Olowalu coastline for snorkeling, fishing etc. Who will own/manage this State property where the present highway will no longer be located? Since visitors would no longer pass the Olowalu store and restaurant, what provision is being made for these changes? How will the owners be compensated for their loss of business?

Infrastructure – Schools: This is one of the biggest issues because the proposed town is so isolated from the existing school infrastructure. On page 31 the Draft EIS states, "As a mixed-use community, public facilities such as schools, community centers, police, fire and emergency services are proposed which will serve the existing and new residential community. The improvement in public facilities will improve the quality of life for existing and future residents of Olowalu."

On page 134 the Draft EIS indicates that all four of the schools in West Maui are already over-capacity!! Then on page 135 the Draft EIS projects that there will be 462 additional students coming from the 1,500 units. However, this projection is much too low because it fails to include the many students that will come from the potential 920 ohana units. Because these ohana units will most likely have young families with school-age children there could be a considerably larger number than 462 students.

There are several implications that can be drawn from the above paragraph.

- a) There will be a need to build a new elementary and middle and high school if students from Olowalu are to attend schools in Lahaina. However, funds for these three schools are unavailable as can be noted by the fact that South Maui with a population of 30,000 still does not have a high school.

- b) The DOE needs to assess impact fees on not only the 1,500 units but also the ohana units. The DOE impact fees are much too low to cover the costs of constructing even one school let alone the three needed ones.
- c) Will the applicant be willing to build the necessary schools in Olowalu?

Infrastructure – Police and Fire: Page 133 trivializes the additional costs of establishing a new police substation and fire station. The provision of land to the County is not adequate; there will be considerable expenses in constructing the stations and ongoing costs to maintain their presence. Estimates of these County costs should be clearly specified. A more robust discussion of the multiple causes and significant effects of fires in this area needs to be included.

Will the County have adequate funds to build the needed fire and police facilities in a timely manner to meet the needs of this project? Those facilities will each need to go through the environmental process as well as receive allocations within the County budget. There are competing needs in other communities for those scarce funds, and there are proposed residential projects in other communities much closer to existing fire and police facilities.

Finally, there should be a complete discussion of (both fire and tsunami) evacuation plans for Olowalu residents with consideration of the likelihood that the highway traffic between Central Maui and Lahaina would be stopped and backed up, making evacuation even more difficult. Given the large number of fires in this area, an effective evacuation plan is absolutely essential to the survival of this community.

Infrastructure – Parks: On page 137 there is an effort to show that this project will meet its parks requirement by providing 223 acres of park and open space. It would be much clearer to indicate separately the number of acres of park land, since open space does not necessarily indicate an ability to use the land for recreational purposes.

Infrastructure – Ambulance: There needs to be an explanation about emergency medical care for a community of this size. What provisions are there for ambulances within the community, or will the community need to rely on an ambulance coming from Lahaina or Central Maui?

Infrastructure – Beach Access: With a resident population of over 4,000, many of whom will be buying homes because of the proximity to the ocean, describe the facilities that will be available to accommodate this large number plus the usual users of this wonderful coral reef area. How will the reef be protected from so many users?

Infrastructure – Hydro-Electricity: On page 170 there is a mention of developing hydroelectric power. Please describe in considerable detail the environmental impacts of utilizing hydroelectric power. What streams will be affected? Will it be on the 640 acres? Etc.

Public Facilities and Financing: County and State Expenditures: Appendix “L”: *Economic and Fiscal Impact Assessment, Olowalu Town Master Plan Development* attempts to provide information and analysis to determine the impacts of the Olowalu Town on County and State finances.

It fails miserably!! Its primary weakness is its lack of ability (or intentional desire) to hide the very real and high costs of needed government expenditures. Those results should not be a surprise since the two authors are “appraisers”, and not economists or CPAs. They have assumed (without any basis) that only 5% of the residents in Olowalu will be in-migrants to Maui; only these people will need additional government services. The authors incorrectly assume that there will be very little additional government expenditure to take care of the needs of 95% of the town’s residents. This totally neglects the large amount of public funds that will be needed to build and maintain schools, police protection, fire protection, ambulance service, solid waste removal, etc.

Phony Numbers: Both Appendix K and L, by the same two authors, develop a set of phony numbers to make the Olowalu Town project look good. For example, they multiply by a factor of 10, all job numbers, residents supported, and households that will benefit!! For example: 477 jobs on Maui and Oahu are made to look like 4,770 jobs; 351 households magically and inappropriately become 3,510. They hope no one will notice.

Number of Jobs: Throughout the Draft EIS mention is made that there will be 1,000 jobs within the community. This number arises on page 5 of Appendix L, out of nowhere, and then is used throughout the Draft EIS. This nice round guesstimate looks like a piece of fiction. Provide supporting data and information in the Final EIS on how this number was derived. This is very important because if the number is significantly lower, it will mean that much more commuter traffic will be leaving the town in both directions.

Agricultural Land: A major concern is the protection of prime agricultural lands; in fact there are both State constitutional requirements as well as obligations within the State’s General Plan. The Draft EIS has considerable discussion about agriculture and agricultural land in general and makes a strong effort to say that this former sugarcane land is only a small part of Maui’s agricultural land. It entirely misses the point.

The real issue here is that the agricultural lands being proposed for a boundary amendment and eventual development into an urbanized area are "PRIME" agricultural lands. These are very special and need to be preserved for Hawaii's future generations. On the bottom of page 112 the EIS indicates that for a mere \$1 million the irrigation system could be repaired and the water could be made available to hundreds of acres of Olowalu's prime agricultural lands. As stated (bottom of page 124) biofuel crops (in addition to those that could be grown in Central Maui) could be a very valuable crop on these sunny lands and would provide real jobs. That is what this land should be used for.

Management and ownership issues: Throughout the Draft EIS it is asserted that certain infrastructure will be maintained by the applicant, and not by the County or State. The Final EIS should clearly indicate who will be responsible for maintaining the infrastructure, the applicant? A homeowners association? Some kind of civil improvement district (County Code chapter 19.34)? The responsible entity will not only make decisions on maintenance, but also will need to have a source of funds to do the maintenance. What is that source of funds? How will it be guaranteed so that the County and/or the State do not have to subsidize the project?

Vagueness: Almost every section that discusses infrastructure ends with a paragraph indicating that plans still need to be developed in that area because discussions are underway with government agencies. Consequently, it is very difficult for the public and decision-makers to do the necessary assessment of whether the EIS is adequately analyzing the impacts and proposing the necessary mitigation measures.

Some Other issues:

- 1.** The Draft EIS makes no statement on the chronological order in which development will take place:
What infrastructure will be complete when the first homeowners are ready to move in? The statement in the middle of page 129 is too vague. "Infrastructure improvements will be phased concurrently with residential development within the Master Plan to ensure that new residences are adequately served by basic services." There should be an infrastructure schedule.
Which houses will be built first: the needed affordable units or the profitable market units?
- 2.** The Draft EIS is mute with regard to vacation rentals and timeshares. Given the strong promises of smart growth and small-town living it would seem inappropriate for these types of developments. The Final EIS should make it clear that vacation rentals and timeshares will play no role in this residential community.

- 3.** Solid Waste Near the top of page 131 there is a use of the word “considered”. It would be far better to indicate the methods by which the solid waste issue will be handled. “Consideration” is not an operative word in an environmental impact statement.
- 4.** Page 160. The Draft EIS mis-states the position of the GPAC and the Maui Planning Commission whose recommendations for the Urban and Rural Growth boundaries differ from the Olowalu Town Master Plan, specifically on the makai side of Honoapi’ilani Highway.
- 5.** There seems to have been no contact with the adjacent community of residents on the mauka side of the property: their concerns, effects on their lifestyle, etc.
- 6.** On page 105 next to last paragraph: suddenly the Draft EIS says that there will be “industrial” jobs. There is no basis elsewhere for such an assertion.