County of Maui

Site Plan and Studies Updates

Paeahu Solar Project

CUP 2020/0008 & PH2 2021/0001

Tax Map Key No: 2-1-008:001 and :056

Wailea, Maui, Hawai‘i

Permittee:

Paeahu Solar, LLC

888 Dunsmuir Street, Suite 1100

Vancouver, BC V6C3K4 Canada

Prepared by:

TETRA TECH

Tetra Tech Inc.

737 Bishop St. Suite 2340 Mauka Tower

Honolulu, Hawai‘i 96813-3201

September 2022

This page intentionally left blank.

Table of Contents

Tables

Figures

Appendices

H Memorandum from Tetra Tech to Paeahu Solar LLC; Subject: Heat Island Effect in Context to the Proposed Paeahu Solar Project, Maui County, Hawai‘i

1.0 INTRODUCTION

On May 25, 2021, the Maui County Planning Commission approved the Paeahu Solar LLC (Paeahu Solar) Paeahu Solar Project (Project) under County Special Use Permit (CUP 2020/0008) and Phase II Development Approval (PH2 2021/0001). The Planning Commission found that the Project was in compliance with the County Special Use approval criteria under Maui County Code (MCC) Section 19.510.070(B). On review, the State Circuit Court concluded that certain parties should have been permitted to intervene in the Planning Commission proceedings. In accordance with the ruling, the Project has returned to the Planning Commission for further consideration. The Project will consist of a 15-megawatt (MW) ground mounted solar photovoltaic (PV) system coupled with a 60 MW-hour (MWh) battery energy storage system, as well as ancillary support infrastructure. The Project is located 0.6 miles east of Pi'ilani Highway, mauka of the Maui Meadows subdivision, on the western portion of tax map key parcel (TMK) 2-1-008:001, owned by 'Ulupalakua Ranch (see *Figure 1* attached). Access for the Project would primarily be via a single new access road extending from Pi'ilani Highway, across TMK 2-1-008:056 (owned by Honua'ula Partners, LLC); however, access may also occur via the existing Auwahi switchyard road that is located on TMK 2-1-008:001 and extends west from Kula Highway to the existing Auwahi switchyard. The Project will interconnect with the Maui Electric Company, Ltd. (Maui Electric) grid at the existing Auwahi switchyard via a 0.53-mile, 69-kilovolt, overhead generation-tie line.

As is typical of other projects, the preliminary design included in the CUP application was refined in preparation of grading and building permit application submittals to Maui County. The refined design is in substantial compliance with the representations made to the Commission in the hearing on May 25, 2021, and in the CUP application documents.

Since the Project has returned to the Planning Commission, the Applicant elected to provide the Maui County Planning Department a description of the design updates (see Section 2.0 below). For most of the resources evaluated for potential impacts in the original CUP application and the Maui County Staff Report (prepared for the May 25, 2021, Commission Meeting), the updated Project design results in no changes to the analysis. Where disclosed, updated studies and analysis are provided in Section 3.0 of this submittal to confirm the impacts have not changed. Section 4.0 confirms that the design updates do not affect the evaluation of the Project's compliance with applicable plans, policies, and rules. Paeahu Solar requests that the design updates included in this submittal, along with the evaluation of potential impacts and consistency with applicable plans, polies, and rules be added to the permit record for CUP 2020/0008 and PH2 2021/0001 and made part of the application and the representations made to the Commission in obtaining the permit approvals, for which the development of the property will be compared against for compliance with Condition No. 7.

2.0 DESIGN UPDATES

All Project components will be located within the approximately 212-acre Project Study Area described in the CUP application submittal. The Project's fence line will continue to be set back a minimum of 250 feet from the Maui Meadows property boundaries. Existing vegetation between the Project fence line (with the exception of the 5-foot fire break/vegetation management zone along the fence line) and the Maui Meadows property boundaries will be left in place, to the extent practicable, to help screen the Project and to reduce visual impacts from the adjacent homes. See *Figure 1* attached. The major components of the Project have not changed. Specific equipment design assumptions have been updated. The major components will include: the solar PV system, a network of electrical collector lines, inverter skids, battery energy storage, step-up transformers, a collector substation and main power transformer, an overhead generation-tie line, internal access roads, and temporary laydown (i.e., staging) areas for construction. The original Project description assumed that the total combined footprint of Project components would be approximately 150 acres, of which the solar panels will be sited within approximately 50 acres. The updated design includes a reduced footprint and reduced solar panel area. Project infrastructure continues to be sited to avoid potentially sensitive environmental and cultural resources to the extent practicable.

Updates to the Project design include the following:

1. ***Revised Site Plan Layout*** – Paeahu Solar has updated the layout of the Project equipment to facilitate refinements in the drainage design (based on coordination with Maui County Department of Public Works) and changes to the equipment design (see item #2 below). The updated layout can be viewed in *Appendix A* and a summary of the major revisions is provided below.

    a. ***Solar Array Layout*** – As noted above, the revised solar array slightly reduced the total area of solar panels. Like the original layout, the revised solar array layout is designed to avoid sensitive environmental and cultural resources to the extent practicable.

    b. ***Battery Energy Storage System*** – The previous layout included a distributed battery energy storage system (BESS) where the batteries would be located throughout the solar array areas at the seven power conversion systems. Due to changes in the available BESS technology (see item #2 below), the BESS will be in a centralized location (the Battery Yard near the Project's collector substation.

    c. ***Project Collector Substation and Overhead Generation-Tie Line*** – The Project's collector substation has moved slightly north of its original location but is still within the 212-acre Project Study Area. Due to the updated location, the Project's overhead generation-tie line (gen-tie line) has slightly increased in length by approximately 400 feet for a total of 0.53 miles.

d. ***Access Roads and Fencing*** – The design of the main access road from Piʻilani Highway has not changed. The network of access roads within the solar array fence line and the access road to the gen-tie line and Auwahi Switchyard have been updated to accommodate the revised design. The perimeter fence that will be installed around the solar array area for general security purposes and public safety will continue to be setback a minimum of 250 feet from the closest Maui Meadows property boundary. The location of the fence along the northeast, east, and south portions of the solar array area has been updated to accommodate the revised design.

e. ***Retention Basins and Other Stormwater Facilities*** – The location and design of these facilities have been updated to accommodate the revised design. The design assumptions did not change and the revised drainage plan ensures that the post-development runoff rate and runoff volume at each point of discharge into downstream properties (Maui Meadows and Piʻilani Highway) will remain at or less than pre-development conditions.

f. ***Vegetation Maintenance Plan*** –As in the original design, fire breaks will be established around the exterior perimeter of each solar array block by incorporating graveled access roads and/or planting short vegetative species that can easily be maintained. Fire breaks will generally be 20 to 30 feet around any solar array block within the Project fence line. Each inverter skid will have a 10-foot perimeter fire break made of gravel or similar noncombustible base. Vegetation will be removed from inside the Project collector substation fence line and gravel or similar noncombustible base will be used. Outside the Project fence line, an additional 5-foot vegetation management zone will be maintained. Danger trees and dying growth outside the perimeter fence will be assessed to minimize fuel loading falling within the vegetation management zone. See *Appendix A* for the updated Vegetation Maintenance Plan which further details the establishment of fire breaks.

2. ***Equipment Design.*** Some of the Project equipment has been updated in response to the design refinements and, in the case of the BESS, in response to market availability. The updated equipment primarily includes the solar PV panels/modules, the BESS, and the inverter skids. Additional refinements to the access road design, gen-tie line poles, and fence is described below. A description of the equipment updates follows:

    a. ***Solar Panels/Modules*** – The solar PV panels will still be mounted on a fixed-tilt racking system. The tilt, orientation, dimension of the panels, and the layout of the panel tables has changed. See Table 1 below for a comparison of the original panel specifications vs. the revised panel specifications. Note that on level ground, the highest expected point of the panels above the ground will be slightly reduce to 7.5 feet (versus 8 feet). In areas where the slope falls away from the panel slope, the expected distance to the ground

will be closer to 11.5 feet. See *Appendix B, Figures B-1 and B-1.1* for updated schematics of the solar PV modules and racking system.

b. ***Access Road*** – Access within the Project Study Area will be provided through a network of existing and new on-site access roads. The original design included one access road type (20-feet wide with compacted gravel surface). The revised design has the 20-foot-wide access roads and has added 10-foot-wide construction access paths. Schematic drawings of the access road designs are included in *Appendix B, Figure B-3*.

Table 1. Solar PV Panel Specification Comparison

Solar Panel Specification	Original Design Described in CUP	Updated Design
Racking System	Fixed-tilt	Fixed-tilt
Tilt	15 degrees	10 degrees
Orientation	150 degrees	168 degrees
Module dimension	Portrait orientation: 6.6 feet long by 4 feet wide and 2 inches thick	Portrait orientation: 7 feet long by 3.7 feet wide by 2 inches thick
String Size	(63,480) First Solar FS-6440	(50,031) VSUN PV Modules
Max Panel Height	The highest point of the panels is expected to extend approximately 8 feet above the ground surface, with an average of approximately 3 feet of ground clearance below the panels.	Level ground: highest point of the panels is expected to extend approximately 7.5 feet above the ground surface, with an average of approximately 4 feet of ground clearance below the panels. North facing slope: highest point of the panels is expected to extend approximately 11.5 feet above the ground surface, with an average of approximately 4 feet of ground clearance below the panels.
Total Module Surface Area (Impervious Area)	Approximately 38.5 Acres	Approximately 30 Acres *Due to different racking configuration and panel tilt, the revised panel design has resulted in a reduced overall module surface area.*
Racking posts	The racking system will include steel posts spaced approximately every 20 feet (varies) and installed to a depth of approximately 6-10 feet (depending on specific soil conditions).	Post spacing within the table is approximately 20' East to West, 10' North to South with each table and installed to a depth of approximately 6-10 feet (depending on specific soil conditions).

a. ***Power Conversion Systems Replaced with Inverter Skids*** – The original design included seven power conversion systems (PCS) distributed throughout the solar array areas. Each PCS included three or four DC Coupled Energy Storage System (DC-ESS) units (i.e., battery system plus inverter and controller) and a step-up transformer. However, in the revised design, the battery system is now centrally located in the Battery Yard. Therefore, the PCSs are no longer needed and have been replaced with seven inverter

skids. Each inverter skid will include four inverters and one step-up transformer and will be installed on a concrete slab approximately 40 feet long, by 11 feet wide. See *Appendix B, Figure B-4* for a schematic of the inverter skid. Each inverter skid will include and incorporate multiple layers of controls and electrical protection to constantly monitor and avoid failures and electrical fault.

b. ***BESS*** – Due to changes in the availability of battery equipment, the BESS design has been updated to a centralized system vs a distributed system. The BESS units will be installed within a BESS Yard located near the Project collector substation, and each BESS unit will be approximately 9 feet (height) by 5.5 feet (width) by 30 feet (length). The BESS Yard will also contain corresponding step-up transformers. See *Appendix B, Figure B-6* for updated schematics of the BESS units and BESS Yard. See *Appendix B, Figure B-7* for a schematic of the step-up transformers. Each BESS unit will include and incorporate multiple layers of controls and electrical protection to constantly monitor and avoid failures and electrical fault. In addition, the BESS unit enclosures are design to limit fire propagation, will be placed on a noncombustible base, and will have a 10-foot perimeter fire break made of gravel or a similar noncombustible base.

c. ***Overhead Gen-tie Line*** – As noted above, the overhead gen-tie line will be extending approximately 400 feet due to the relocation of the collector substation. The gen-tie line pole design has also been updated. The line will consist of three separate phases of 69-kV aluminum conductor steel reinforced cable and one optical ground wire supported by approximately 60-to 75-foot mono pole structures (i.e., poles). A schematic drawing of a typical mono-pole structure is included in *Appendix B, Figure B-9.* The poles will be spaced approximately 325 feet apart. A total of 12 poles are anticipated; however, the final pole count will be determined during final design.

d. ***Fence*** – As noted above, the perimeter fence location around the solar array area has been updated to accommodate the revised site design. The fence is still expected to be approximately 7 feet in height with no barbed wire. The fence material and design has been updated to reflect available fencing material on Maui. See *Appendix B, Figure B-10* for a schematic of the perimeter fence design. The fencing around the collector substation will be of slightly different design and will have barbed wire or spikes to ensure public safety. See *Appendix B, Figure B-11* for a schematic of the substation fence design.

3.0 EVALUATION OF POTENTIAL IMPACTS

For most of the resources evaluated for potential impacts in the CUP application and the Maui County Staff Report (prepared for the May 25, 2021 Commission Meeting), the updated Project design required no changes to the analysis. For example, as the Project's revised layout continues to be sited within the 212-acre Project Study Area and Project infrastructure continues to be sited to avoid potentially

sensitive environmental and cultural resources to the extent practicable, there are no changes to the original assessment of potential impacts to archaeological, historic, or cultural resources, biological resources, streams, and traditional and public access. Furthermore, the design updates will result in no change to the Project's potential impact on infrastructure and public facilities and services (i.e., water, wastewater, roadways, electricity, recreational facilities, education, solid waste, police and fire protection, and medical services). Socio-economic impacts will not change as the Project's positive economic impacts for Maui County and the State remain the same. Potential impacts to air quality will not change as the construction equipment will be the same, dust control measures will still be implemented, and greenhouse gas emissions will continue to be offset by the delivery of clean renewable energy. Potential impacts to agricultural lands will not change as the Project's proposed use and location has not changed. Due to the site design changes and solar panel design changes, the following studies were updated to assess whether these changes resulted in different potential impacts to drainage, noise, and visual resources and whether these changes resulted in changes to potential EMF emissions and Heat Island effect:

- Drainage Report (see *Appendix C*)
- Acoustic Assessment Report (see *Appendix D*)
- Visual Impact Assessment Report (see *Appendix E*)
- Glare Analysis Report (see *Appendix F*)
- Memorandum from Tetra Tech to Paeahu Solar LLC; Subject: EMF and 'Dirty Power' in Context to the Proposed Paeahu Solar Project, Maui County, Hawai'i (see *Appendix G*)
- Memorandum from Tetra Tech to Paeahu Solar LLC; Subject: Heat Island Effect in Context to the Proposed Paeahu Solar Project, Maui County, Hawai'i (see *Appendix H*)

The following provides a summary of the results for each of these updated reports/studies.

3.1 Topography and Drainage

As noted above, the design of the retention basins and other stormwater facilities has been updated to accommodate the revised site design (see updated drainage plan in *Appendix A*). In addition, the Project's drainage report has been updated to reflect the revised design and compliance with the County of Maui's "Rules for the Design of Storm Drainage Facilities in the County of Maui" ("Rules") and "Rules for the Design of Storm Water Treatment Best Management Practices". As required by the Rules, the Project's drainage plan ensures that the Project does not negatively impact the downstream properties. The post-development runoff rate and runoff volume at each point of discharge into downstream properties (Maui Meadows and Pi'ilani Highway) will remain at or less than pre-development conditions. The Project's drainage plan conservatively assumes all areas under the solar panel arrays as impermeable. This conservative approach is proposed to further minimize the potential for negative impacts to the Maui Meadows subdivision, which has existing documented drainage deficiencies, and other downstream areas. The updated drainage report is provided in *Appendix C* and concludes that the Project will have no adverse effects on the adjacent or downstream properties due to

Project's drainage design maintaining peak runoff discharge rates and volumes at pre-development levels as well as reducing storm water runoff pollution. The revised layout poses minimal changes in topographic and drainage impacts and is in substantial compliance with the drainage impact representations previously made to the Commission.

3.2 Noise

Noise levels resulting from Project construction activities are not anticipated to change from what was originally assessed in the CUP application. As indicated in the CUP application, the construction noise assessment indicates that construction noise may periodically exceed levels that currently characterize the area. Modeling indicates that during certain phases of construction exceedances of the applicable Class A and C noise limits may occur at the corresponding property boundaries. The Applicant will seek a noise permit from the DOH as needed. Due to the temporary nature of construction noise, no long-term impacts are anticipated. Reasonable efforts will be made to minimize the impact of noise resulting from construction activities. The following is a list of best management practices and noise mitigation measures that are planned:

- Construction equipment will be well-maintained and vehicles using internal combustion engines equipped with mufflers will be routinely checked to ensure they are in good working order;
- A noise/dust fence will be constructed along the western boundary of the Project facing residential houses; and
- A noise complaint hotline and email will be made available to address any noise-related issues.

Implementing the listed measures will aid in reducing offsite construction noise impacts predicted by the model.

Prior to construction, the Applicant will coordinate with the DOH to ensure that noise concerns are addressed. The Applicant will seek a noise permit from DOH during certain phases of construction such as excavation. Noise levels will be typical of standard construction activities, will cease with the completion of proposed construction activities, and will only occur during normal working hours (per the conditions of the DOH Construction Noise Permit). Construction-related noise will terminate when construction is complete.

Noise levels resulting from Project operation were remodeled due to changes in the facility equipment and site design. The results of the updated operational sound modeling are included in *Appendix D*. Operational sound sources in the revised Project design will primarily consist of the collector substation main power transformer, the BESS HVAC fans, the step-up transformers at the BESS yard, and the inverters and step-up transformers located at each inverter skid. Operational sound levels were modeled and evaluated at the property boundaries adjacent to the Class A and C zoning districts (see *Appendix D*). Modeled sound levels from Project operation were evaluated against the State of Hawai'i noise regulations. As with the original design, the operational sound levels of the revised Project design were found to comply with the 45 dBA nighttime limit and 55 dBA daytime limit at the property

boundary adjacent to the Class A zoning district and with the 70 dBA daytime and nighttime limit at the property boundary adjacent to the Class C zoning district. Overall, the Applicant anticipates that sound emissions associated with Project operations will remain at a low level, consistent to other solar energy facilities of similar size and design, and the Project is in substantial compliance with the acoustic assessment representations made to the Commission in obtaining the PH2 Development Approval and CUP.

3.3 Visual Impacts

Due to the changes in the Project site plan layout and equipment design, the Project's Visual Impact Assessment was updated to assess whether these changes would result in different visual impacts than those disclosed in the original CUP application. The updated Visual Impact Assessment is included in *Appendix E*. The analysis uses the same selected viewpoints within the viewshed assessment area as were used in the original analysis and includes updated simulations of the updated proposed conditions view from each selected viewpoint and analyzed potential visual impacts from each viewpoint.

Simulations were created from each of the eleven viewpoint locations using the Project's updated proposed layout and a 3D modelling program. The Project's fence line will be setback a minimum of 250 feet from the Maui Meadows property boundaries. Existing vegetation between the Project fence line (with the exception of the 5-foot vegetation management zone along the fence line) and the Maui Meadows property boundaries will be left in place, to the extent practicable, to help screen the Project and reduce visual impacts from the adjacent homes. The photo simulations developed for each viewpoint are included in *Appendix E*. The revised simulations show that the Project's updated layout and equipment do not change the results of the original Visual Impact Assessment. As noted previously, it is anticipated that views of the Project from communities along the coast will be screened by terrain, existing vegetation, and structures associated with urban development. Roadways and rural residential development located east of the Project will have elevated views looking downslope towards the Project. Views will vary from completely screened to partially screened to unobstructed. Portions of the Project will be seen in the context of existing development along the coast and will appear as a co-dominant feature in the landscape setting. The Project will not block views of the ocean, Lānaʻi, or the West Maui Mountains from upcountry/elevated/eastern viewpoints. The Project will be visible to varying degrees from the easternmost edge of Maui Meadows; however, it will not obstruct or impede views of Haleakalā or other scenic resources. After decommissioning, the Project site will be returned to substantially the same condition as existed prior to Project development. Considering all features, the Project is expected to have minimal or no significant impact on Maui County's scenic and visual resources and the Project design updates are in substantial compliance with the visual impact representations made to the Commission in obtaining the PH2 Development Approval and CUP.

3.4 Glint and Glare

Although solar panels are designed to absorb light and the Project will use PV panels that have an anti-reflection coating, there is a potential the Project panels could produce glare[1]. As the Project's solar panel layout, orientation, and tilt have changed, Tetra Tech completed an updated glare analysis to evaluate the potential for glare associated with the Project using the Sandia Laboratories Solar Glare Hazard Analysis Tool (SGHAT) software through an online tool (GlareGauge) developed by Sandia National Laboratories and hosted by ForgeSolar. The results of this analysis are provided in the Glare Analysis Report in *Appendix F* and summarized below.

The Project layout was modeled using GlareGauge to evaluate the potential extent of glare the Project may cause to receptors at 22 observation points (OPs) representing proximal residential and public interest areas surrounding the Project, as well as four proximal 2-mile final approach flight paths and one air traffic control tower (ATCT) associated with Kahului Airport (OGG). Based on the SGHAT results, none of the final approach flight paths or the ATCT are predicted to experience glare as a result of the Project. The modeled OPs located in the Maui Meadows neighborhood to the west will experience no green or yellow glare because the SGHAT's predicted glare would occur from approximately 6:00 AM to 6:30 AM, which is during a time where glare would be blocked by the terrain to the east of the Project. These glare prediction for the updated design are the same as what was predicted for the original design.

Sun Yat Sen Park (OP 21) is predicted to experience 7,513 annual minutes (2.9% of annual daylight minutes) of accumulated instances of green glare from April to May and from August to September from approximately 5:00 PM to 6:00 PM. The Kula Highway Pullout (OP 22) is predicted to experience 1,733 annual minutes (0.7% of annual daylight minutes) of accumulated instances of green glare from March, May to July, and September from approximately 5:00 PM to 6:00 PM. This is a slight increase of annual predicted glare minutes at OP 21 and OP 22 as compared to the original Project design (2,632 annual minutes for OP 21 and 1,179 annual minutes for OP 22). This slight increase of annual predicted glare minutes for the updated Project design represents a 2.1% increase in annual daylight hours compared to the original design, which is a minimal change and is in substantial compliance with the representations of glare impacts made to the Commission. Given the low relative intensity of green glare and minimal occurrences predicted throughout the year, the predicted glare experienced at OP 21 and OP 22 is considered insignificant and unharmful to the receptors. As the analysis did not predict glare at any of the receptors modeled at OGG, the Project is anticipated to have "no effect" on jurisdictional air navigation facilities.

[1] Based on the ForgeSolar definitions of glint and glare and the stationary nature of the Project's PV panels related to the sun, the potential reflectance from the Project is limited to glare and therefore only glare is discussed in this section.

3.5 Electric and Magnetic Fields

Electric and magnetic fields (EMF) are produced through the generation, transmission, and use of electric power (NIEHS 2002). Electric fields and magnetic fields are different phenomena caused by distinct aspects of electrical equipment and should be defined and evaluated separately. In response to community concerns regarding EMF, the Applicant directed Tetra Tech to review the potential sources of EMF from Project infrastructure and assess whether these sources will produce levels of EMF that could affect adjacent properties. The findings from this assessment were included in the Project's CUP application. Given the updates to the Project site layout and equipment, Tetra Tech updated the EMF assessment which can found in *Appendix G*. Tetra Tech concluded that the total level of EMF from the Paeahu Solar Project's revised design will be zero at the eastern edge of the Maui Meadows subdivision. For more information, see *Appendix G*.

3.6 Heat Island Effect

The University Corporation for Atmospheric Research (UCAR) based in Boulder, Colorado describes formation of heat islands as occurring when "vegetation is replaced by asphalt and concrete for roads, buildings, and other structures necessary to accommodate growing populations" (UCAR 2011). All urbanized areas form a heat island due to the replacement of natural vegetation with asphalt and concrete for roads, buildings, and other structures. Some studies have observed the creation of a "heat island effect" over a large utility-scale solar project (Barron-Gafford et al. 2016). Members of the Maui Meadows community have expressed concern regarding the potential for the Project to induce a heat island effect. A memorandum discussing the concerns for heat island effect in context to the Project was provided in the original CUP application. Given the updates to the Project site layout and equipment, Tetra Tech updated the heat island assessment, which can be found in *Appendix H*. As the total area of the surface of the solar panels has slightly decreased to approximately 30 acres (vs. 38.5 acres in the original design), the conclusions from the original heat island assessment remain the same. The construction and operation of the Project will not significantly change the natural diurnal flow of air back and forth across Maui Meadows. Even if the solar panels slightly warm the underlying soil beneath the solar panels more than the natural ground during the day, this radiative heating effect will be small and will be offset by the cooling effect of the daytime upslope and nighttime downslope winds, which would overwhelm any small heat island beneath the solar panels. This would result in cool air crossing the Maui Meadows area both in the daytime and in evening, as it does now. The area of the Project is simply too small (less than 0.3%) in relation to the area of the western slope of Haleakalā to have a significant impact on the natural upslope and downslope air movement in the Wailea area. Therefore, the Project will not create a heat island affect that would impact the existing heat island microclimate of the Maui Meadows neighborhood. For more information, see *Appendix H*.

4.0 COMPLIANCE WITH APPLICABLE PLANS, POLICIES AND RULES

The Project was determined by Maui County Planning Department and Planning Commission to be in conformance with the goals, objectives, and policies of the Hawaii State Planning Act, the Countywide Policy Plan, the Maui Island Plan, and the applicable Maui County Community Plans: Makawao-Pukalani-Kula Community Plan and the Kihei-Makena Community Plan. As the Project design updates do not change the conclusion regarding potential impacts, there are no changes with the Project's conformance with these plans.

With regard to Maui County Code (MCC) Chapter 19.510.070 which governs the application and procedures of special use permits, the Project will continue to meet the County Special Use approval criteria under MCC Section 19.510.070(B) as the Project design updates do not change the proposed use or the impacts to agricultural lands and do not change the evaluation of potential impacts.

FIGURE

APPENDICES