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Founding Partner

August 4, 2025

Tasha Kama, Chair
Housing and Land Use Committee
Maui County Council
200 S. High Street
Wailuku, Hawai'i 96793

**SUBJECT: KAIAHALE 'O KAHILUHLU AFFORDABLE HOUSING RENTAL
PROJECT (HLU-1(1))**

Dear Chair Kama:

It came to my attention that the 202H Application HHFDC transmitted the Council was dated "March 2025." However, in May 2025 PBR HAWAII provided an updated 201H Application to HHFDC dated "May 2025." The changes in the May 2025 version of the 201H application were primarily to provide updated exhibits.

Transmitted with this letter are the revised Exhibits that were included in the May 2025 version of the 201H application:

- Exhibit 17 – Utility Letters
 - Revised to include Department of Water Supply (DWS) comments and HHFDC letter to DWS requesting Reservation of Water Availability
- Exhibit 30 – Emergency Proclamation Application
 - Revised to include the HHFDC Emergency Proclamation (EP) Certification letter (approval), rather than EP Application since HHFDC approved the EP Application

Sincerely,

PBR HAWAII

Tom Schnell, AICP
Vice President

cc: Questor Lau, EAH Housing
Stan S. Fujimoto, Hawai'i Housing Finance & Development Corporation

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Honolulu, Hawai'i 96813-3484
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printed on recycled paper

REVISED

EXHIBIT 30

HHFDC CERTIFICATION AS A
CERTIFIED AFFORDABLE HOUSING
PROJECT UNDER THE GOVERNOR'S
ELEVENTH PROCLAMATION
RELATING TO AFFORDABLE HOUSING
DATED FEBRUARY 4, 2025

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:
25:DEV/0038

March 25, 2025

Mr. Tom Schnell, AICP, Vice President
PBR Hawaii & Associates, Inc.
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813-3484

Dear Mr. Schnell:

Subject: Application for Certification to Proceed Under the Governor's Emergency
Proclamation Relating to Affordable Housing
Kaiahale 'o Kahiluhilu (Residential Component) at the Kahului Civic
Center Mixed-Use Complex
153 West Kaahumanu Avenue, Kahului, HI 96732
TMK No.: (2) 3-7-004: 003 (por.)

The Hawaii Housing Finance and Development Corporation ("HHFDC") acknowledges receipt of HKI Kahului Kaiahale LLC's ("Applicant") application dated February 12, 2025, as amended ("Application"), for 201H exemptions and certification of Kaiahale 'o Kahiluhilu ("Project"), being the residential component of the Kahului Civic Center Mixed-Use Complex, as a Certified Affordable Housing Project under the Governor's Eleventh Proclamation Relating to Affordable Housing dated February 4, 2025 ("Proclamation").

The Project will be a 303-unit affordable residential rental housing development, with a mixture of 1-, 2-, and 3-bedroom units and 298 parking spaces, at a portion of the 5.572-acre Kahului Civic Center Mixed-Use Complex at 153 West Kaahumanu Avenue, in Kahului, Maui, Hawaii, Tax Map Key No. (2) 3-7-004: 003 ("Property"). All of the residential units, except for two managers' units, will be affordable to families at 30-60% or below the U.S. Department of Housing and Urban Development area median income ("AMI") for the term(s) of the ground lease(s) from HHFDC. The Project will be built in two phases in two six-story buildings. Phase 1 will contain 197 units in a U-shaped building on the northwestern portion of the Property. Phase 2 will contain 106 units in an L-shaped building on the eastern portion of the Property.

Mr. Tom Schnell, AICP, Vice President

Re: Application for Certification to Proceed Under the Governor's Emergency Proclamation Relating to Affordable Housing for Kaiahale 'o Kahiluhilu (Residential Component) at the Kahului Civic Center Mixed-Use Complex

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The Property is owned by the State of Hawaii and set aside to HHFDC by Executive Order No. 4590 (dated July 29, 2019). After a request for proposals process, on September 14, 2023, the HHFDC Board of Directors approved EAH Inc., doing business as EAH Housing, and its proposal, to develop the master plan of the Property, and the leasehold development, ownership, and operation of the residential component. The State of Hawaii Department of Accounting and General Services (DAGS) will design, construct, own, and operate the Civic Center Component on a portion of the Property. The County of Maui ("County") also previously developed a new transit hub on a portion of the Property.

The applicant and developer is HKI Kahului Kaiahale LLC ("Applicant"), which is wholly owned by Hui Kauhale, Inc., a Hawaii nonprofit corporation. Hui Kauhale, Inc. is an affiliate of EAH Inc., focused specifically on EAH Inc.'s projects in Hawaii. The Applicant is an affiliate of Hui Kauhale, Inc., formed for the sole purpose of developing the Project.

Notice for the *Kahului Civic Center Mixed-Use Complex Final Environmental Assessment Finding of No Significant Impact* (FEA) for the Kahului Civic Center Mixed-Use Complex was published in the Environmental Review Program's (ERP's) bulletin, *The Environmental Notice*, on May 8, 2022. On December 2, 2024, HHFDC issued a determination that the FEA satisfies Chapter 343, Hawaii Revised Statutes, for the Residential and Civic Center Components. Notice of HHFDC's determination was published in ERP's bulletin on December 23, 2024.

On January 10, 2025, HHFDC executed a Development Agreement with the Applicant for development of the Project ("Development Agreement"). The Development Agreement requires all of the units in the Project (except two managers' units) to remain affordable to families at 30-60% of the AMI for the term(s) of the ground lease(s), and the Applicant to pay all mechanics and laborers employed on the Project minimum prevailing wages for the corresponding work classifications as determined by the Director of Labor and Industrial Relations pursuant to Chapter 104, Hawaii Revised Statutes ("HRS").

The Proclamation provides that affordable housing projects may apply for consideration to proceed under the Proclamation through certification by HHFDC.

HHFDC has reviewed the Application and has determined that the Project qualifies under the definition of a "Certified affordable housing project", as defined in the Proclamation, as noted below:

Mr. Tom Schnell, AICP, Vice President

Re: Application for Certification to Proceed Under the Governor's Emergency
Proclamation Relating to Affordable Housing for Kaiahale 'o Kahiluhilu
(Residential Component) at the Kahului Civic Center Mixed-Use Complex

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1. The Proclamation is applicable to the Project under the first option of the application section of the Proclamation:
 - a. State affordable housing projects or county affordable housing projects may proceed under this Proclamation.
2. The Project is a "housing" project per the fourth option under the definition of "housing" as stated in the Proclamation:
 - a. Development, redevelopment, or adaptive reuse that results in new income restricted residential units.
3. The Project is an "affordable housing project" per the first option under the definition of "affordable housing project" as stated in the Proclamation:
 - a. A housing project that has entered into an agreement with HHFDC pursuant to chapter 201H, HRS.
4. The Project is a "State affordable housing project" under the definition in the Proclamation:
 - a. An affordable housing project in which the land is owned by the state or county and either the project is subject to an affordability restriction whether through a development agreement or funding appropriation.
5. The Project meets the requirement that at least 60% of the total units will be offered for sale or rent to applicants who earn 0% to 140% of the AMI.
6. The Project has entered into an agreement to follow the applicable wage and hour requirements for the duration of the Project until it is completed.

The Application requests to utilize the following suspensions of laws under the Proclamation in order to reduce the cost of providing affordable housing:

1. Section 46-1.5, HRS, General Powers and Limitation of the Counties, and related county code(s), as it applies to the authority to impose impact fees relating to wastewater connection and park dedication for state affordable housing projects, subject to the approval of the county planning director;
2. Section 46-142.5, HRS, School Impact Districts; New Building Permit Requirements, as it applies to state affordable housing projects;
3. Section 46-143, HRS, Impact Fee Calculation, as it applies to the imposition of impact fees relating to wastewater connection and park dedication for state affordable housing projects;
4. Section 46-146, HRS, Time of Assessment and Collection of Impact Fees, as it applies to impact fees relating to wastewater connection and park dedication for state affordable housing projects; and

Mr. Tom Schnell, AICP, Vice President

Re: Application for Certification to Proceed Under the Governor's Emergency Proclamation Relating to Affordable Housing for Kaiahale 'o Kahiluhilu (Residential Component) at the Kahului Civic Center Mixed-Use Complex

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5. Sections 302A-1601 to 1612, HRS, School Impact Fees for new affordable housing developments within a designated school impact district undertaken by state affordable housing projects.

The Applicant has indicated that approval for the Project to utilize the requested suspensions of laws will benefit the State by the construction of 301 affordable homes and two non-revenue (staff) homes (303 total homes constructed) to address Hawaii's affordable housing shortage. The cost savings resulting from the HRS suspensions will be directly applied to the overall development budget of the Project, helping to maintain financial feasibility while delivering 303 total units (including managers' units). The savings are critical to close the financial gap that exists in developing affordable housing in the current high-cost construction environment in Hawaii. The cost savings resulting from the HRS suspensions will specifically offset construction hard costs that continue to escalate due to inflation, supply chain challenges, tariffs, and labor constraints in Hawaii's construction market. By reducing the overall per-unit development costs, the cost savings resulting from the HRS suspensions directly contribute to maintaining affordability levels that serve the targeted income populations while ensuring the Project remains financially viable for development and operation.

The Application is hereby APPROVED, and the Project is hereby CERTIFIED to receive emergency relief from the laws noted above as a "certified affordable housing project" under the Proclamation, and may PROCEED under the Proclamation, SUBJECT TO:

1. The certifications and assurances made by the Applicant as part of the Application;
2. The suspensions of law contained in the Proclamation which are herein approved to be utilized by the Project benefit the Project as described in the Application and may not be sold, transferred, or otherwise used for the benefit of any other project at any other location;
3. Notwithstanding the suspensions of law contained in the Proclamation which are herein approved to be utilized by the Project, the Project shall still meet all other applicable requirements of law including but not limited to requirements of health and safety;
4. The Project shall follow the applicable wage and hour requirements;
5. The Project shall provide status updates to HHFDC no less than once every six (6) months until the completion of the Project and shall cooperate with HHFDC regarding HHFDC's reasonable collection of statistical data about the Project as required for HHFDC's reporting purposes; and

Mr. Tom Schnell, AICP, Vice President

Re: Application for Certification to Proceed Under the Governor's Emergency
Proclamation Relating to Affordable Housing for Kaiahale 'o Kahiluhilu
(Residential Component) at the Kahului Civic Center Mixed-Use Complex

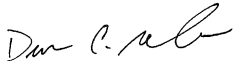
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6. Pursuant to the Proclamation, certification of the Project will be valid from the date of certification until the earlier of three (3) years or substantial commencement of the Project.

Should there be any questions or comments regarding this matter, please contact Stan S. Fujimoto, Project Manager, at 587-0541.

Sincerely,



Dean C. Minakami
Executive Director

Attachment: Proclamation

cc: Kenyon Tam, Hawaii School Facilities Authority, Administrative Services
Officer, letter only

OFFICE OF THE GOVERNOR

STATE OF HAWAII

ELEVENTH PROCLAMATION RELATING TO AFFORDABLE HOUSING

By the authority vested in me by the Constitution and laws of the State of Hawai'i, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine, designate, and proclaim as follows:

WHEREAS, pursuant to Chapter 127A, Hawaii Revised Statutes (HRS), emergency powers are conferred on the Governor of the State of Hawai'i to respond to disasters or emergencies, to maintain the strength, resources, and economic life of the community, and to protect the public health, safety, and welfare; and

WHEREAS, the need for an immediate and profound solution to Hawaii's affordable housing shortage necessitates the advancement of affordable housing projects in a way that will ensure the production of affordable housing units immediately and going forward; and

WHEREAS, the increasing costs of construction material, labor, and regulatory compliance has significantly impacted the financial viability of affordable housing projects, compelling a reevaluation of funding strategies and resource allocation to ensure these projects continue to develop in the face of escalating expenses; and

WHEREAS, the Hawaii Housing Finance and Development Corporation ("HHFDC") is statutorily authorized to grant exemptions to statutes, ordinances, charter provisions, and rules of any government agency relating to planning, zoning, construction standards for subdivisions, development and improvement of land, and the construction of dwelling units thereon; and

WHEREAS, due to the automatic adoption of the unamended state building codes pursuant to section 107-24 Hawaii Revised Statutes (HRS), the counties are now required to adopt unamended state building codes as interim building codes; and

WHEREAS, the counties may not be prepared to amend the unamended state building codes or to make necessary amendments to the unamended building codes prior to the deadline established in statute; and

WHEREAS, it is necessary for the counties to retain the authority to update their respective building codes and to provide them with sufficient time to amend their building codes to address local conditions; and

WHEREAS, it would slow down ongoing affordable housing projects if, in the middle of the projects, they have to conform to the unamended state building codes without prior notice and without amendments to the state building codes that reflect changes needed to adjust the codes to local conditions; and

WHEREAS, on July 17, 2023, I issued a Proclamation relating to housing that declared an emergency created by the lack of housing for the people of Hawai'i; and

WHEREAS, on September 15, 2023, I issued the Proclamation relating to affordable housing that clarified that the emergency related to the lack of affordable housing for the people of Hawai'i; and

WHEREAS, on October 24, 2023, I issued the Second Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Second Proclamation Relating to Affordable Housing; and

WHEREAS, on December 22, 2023, I issued the Third Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Third Proclamation Relating to Affordable Housing; and

WHEREAS, on January 18, 2024, I issued the Fourth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Fourth Proclamation Relating to Affordable Housing; and

WHEREAS, on February 20, 2024, I issued the Fifth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Fifth Proclamation Relating to Affordable Housing; and

WHEREAS, on April 19, 2024, I issued the Sixth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Sixth Proclamation Relating to Affordable Housing; and

WHEREAS, on June 18, 2024, I issued the Seventh Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Seventh Proclamation Relating to Affordable Housing; and

WHEREAS, on August 15, 2024, I issued the Eighth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Eighth Proclamation Relating to Affordable Housing; and

WHEREAS, on October 10, 2024, I issued the Ninth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Ninth Proclamation Relating to Affordable Housing; and

WHEREAS, on December 6, 2024, I issued the Tenth Proclamation relating to affordable housing that clarified the terms of the Proclamation and that included Rules Relating to the Implementation of the Tenth Proclamation Relating to Affordable

Housing (“Emergency Rules”); and

WHEREAS, the current threat to the health, safety, and welfare of the people of the State of Hawai‘i caused by the lack of affordable housing continues to constitute an emergency under section 127A-14, HRS, and warrants preemptive and protective actions; and

NOW, THEREFORE, I, JOSH GREEN, M.D., Governor of the State of Hawai‘i, hereby determine and proclaim that an emergency or disaster contemplated by section 127A-14, HRS, has occurred in the State of Hawai‘i, and in order to promote and protect the public health, safety, and welfare of the people of the State of Hawai‘i, and to prepare for and maintain the flexibility to take proactive, preventative, and mitigative measures to minimize the adverse impact that the present emergency may cause on the State and to promote the speedy and safe construction of housing and infrastructure which will minimize the adverse impact that the present emergency may cause on the State, and to work cooperatively and in conjunction with federal and county agencies, do hereby invoke the following measures under the Hawaii Revised Statutes:

I. Emergency Proclamation Execution

Pursuant to sections 127A-12(b)(9) and 127A-12(b)(19), HRS, in order to provide emergency relief consistent with the intent of this Proclamation, I hereby direct HHFDC to take appropriate action to support and carry out the intent and purposes of this Proclamation. Without limiting the generality of the foregoing, they may coordinate with and convene stakeholders, including but not limited to applicable state and county agencies, legislators, non-profit and for-profit developers, non-profit housing advocates, the labor and trade industries, and community members, boards, and commissions in order to accelerate permitting processes; eliminate duplication; explore innovative approaches to increase the development of affordable housing, while maintaining health and safety; share best practices; create working groups to advise on the development of affordable housing; coordinate priority housing projects; encourage housing development; and encourage transit-oriented development, among other things.

This Proclamation shall not apply to the area affected by the Lahaina wildfire as shown in the attached map.

II. Affordable Housing Projects

A. Definitions

1. “Housing,” for purposes of this Proclamation, shall include:
 - a. Conversion of existing residential units to affordable or subsidized units;
 - b. Development, redevelopment, or adaptive reuse that results in new residential units offered for sale as owner-occupied units;

- c. Development, redevelopment, or adaptive reuse that results in new residential units offered for rental to Hawai'i residents for which the unit will be the renter's principal residence;
 - d. Development, redevelopment, or adaptive reuse that results in new income restricted residential units;
 - e. Renovations, rehabilitation, or repair of existing affordable or subsidized units;
 - f. Renovations, rehabilitation, or repair of existing units that will be offered for sale as owner-occupied units;
 - g. Renovations, rehabilitation, or repair of existing units that will be offered for rental to Hawai'i residents for which the unit will be the renter's principal residence;
 - h. Housing projects may include mixed-use/mixed income projects; or
 - i. Infrastructure that will primarily provide services to housing.
2. "Owner-occupied" means a residential unit that, simultaneous to such ownership, serves as the owner's principal residence for a period of not less than five years; provided that the individual shall retain complete possessory control of the premises of the residential unit during this period unless the possessory control is broken as a result of (1) serious illness of any of the owner-occupants; (2) unforeseeable job or military transfer; (3) unforeseeable change in marital status, or change in parental status; or (4) any other unforeseeable occurrence. An individual shall not be deemed to have complete possessory control of the premises if the individual rents, leases, or assigns the premises for any period of time to any other person in whose name legal title is not held; except that an owner shall be deemed to have complete possessory control even when the owner conveys or transfers the unit into a trust for estate planning purposes and continues in the use of the premises as the owner's principal residence during this period.
 3. "Principal residence" is used as defined by the State of Hawai'i Department of Taxation.
 4. An "affordable housing project" is:
 - a. A housing project that has entered into an agreement with HHFDC pursuant to chapter 201H, HRS;
 - b. A housing project that has executed a declaration of restrictive covenants under Revised Ordinances of Honolulu chapter 32 ("Bill 7 projects");

- c. A housing project that involves the county pursuant to section 46-15.1, HRS, or which is subject to any county ordinance or funding appropriation that has an income restriction requirement otherwise applicable by law; or
 - d. A housing project which desires to utilize the exemption from Section 46-4, HRS, County Zoning, and which intends to apply to HHFDC for Low Income Housing Tax Credits (LIHTC) and enters into an agreement with HHFDC under the LIHTC program at a later date. Certification under this Proclamation shall be subject to the receipt of a LIHTC award from HHFDC.
5. "Certified affordable housing project" is a housing project that HHFDC has certified is:
- a. An affordable housing project;
 - b. At least 60% of the total units will be offered for sale or rent to applicants who earn 0% to 140% of the area median income ("AMI") as determined by the United States Department of Housing and Urban Development; and
 - c. Has entered into an agreement to pay all mechanics and laborers employed on the project minimum prevailing wages for the corresponding work classifications as determined by the Director of the Department of Labor and Industrial Relations pursuant to Chapter 104, HRS, subject to the project labor agreement in place, or otherwise required to pay prevailing wages for the duration of the project until it is completed.
6. "State affordable housing project" or a "county affordable housing project" is an affordable housing project in which the land is owned by the state or county and either the project is subject to an affordability restriction whether through a development agreement or funding appropriation, or the housing units are owned or have the potential to be owned by right of first refusal by one of the following state housing agencies: Hawaii Public Housing Authority, Hawaii Housing Finance and Development Corporation, or Hawaii Community Development Authority, or any county or county agency.

B. Application of this Proclamation

- 1. State affordable housing projects or county affordable housing projects may proceed under this Proclamation.
- 2. State or county agencies with responsibility for the administration, regulation, production, or infrastructure to support housing may proceed under this Proclamation for purposes of recruitment of personnel and procurement.

3. All other affordable housing projects may apply for consideration to proceed under this Proclamation through certification by HHFDC.
4. Certification as an affordable housing project will be valid from the date of certification until the earlier of three years or substantial commencement of the project.

III. Path Forward

Pursuant to sections 127A-12(b)(1) and (4), HRS, I call on the state and county agencies to cooperate and to forge paths forward to address the affordable housing crisis. The State and the counties should be engaging in discussions regarding mutual aid agreements and what assistance can be provided to speed up the processes that impede the creation of housing across the state.

Pursuant to sections 127A-12(b)(4), (9), (11), (16), and (19), HRS, I direct all state agencies to make the review, planning, approval, and processing of permits related to affordable housing a priority.

IV. Suspension of Laws

Section 127A-13(a)(3), HRS, **Additional Powers in an Emergency Period**, to the extent necessary to expedite the construction, repair, renovation, and occupancy of affordable housing and infrastructure projects intended to provide emergency relief under this Proclamation, I hereby suspend the following statutes and regulations:

Section 26-35(a)(4), HRS, **Administrative supervision of boards and commissions**.

Section 37-41, HRS, **Appropriations to Revert to State Treasury; Exceptions**.

Section 37-74(d), HRS, **Program Execution**, except for sections 37-74(d)(2) and 37-74(d)(3), and any such transfers or changes considered to be authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements.

Section 40-66, HRS, **Appropriations Lapse**.

Section 46-1.5, HRS, **General Powers and Limitation of the Counties**, and related county code(s), as it applies to the authority to impose impact fees relating to wastewater connection and park dedication for certified affordable housing projects or state or county affordable housing projects, subject to the approval of the county planning director; to the authority to issue agreements, contracts, and leases related to state or county affordable housing projects; and, to the extent necessary to allow for the development of adaptive reuse projects without natural light or natural ventilation that are inconsistent with current building codes, subject to the approval of the county building official.

Section 46-4, HRS, **County Zoning**, and related county code(s), to the extent necessary to allow the construction of multi-family residential affordable housing units on any lot that is zoned for commercial or mixed commercial use, subject to the approval of the county planning director.

Section 46-142.5, HRS, **School Impact Districts; New Building Permit Requirements**, as it applies to certified affordable housing projects or state or county affordable housing projects.

Section 46-143, HRS, **Impact Fee Calculation**, as it applies to the imposition of impact fees relating to wastewater connection and park dedication for certified affordable housing projects or state or county affordable housing projects.

Section 46-146, HRS, **Time of Assessment and Collection of Impact Fees**, as it applies to impact fees relating to wastewater connection and park dedication for certified affordable housing projects or state or county affordable housing projects.

Chapter 76, HRS, **Civil Service Law**, to the extent necessary to allow for qualified personnel or contractors to be hired that would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, or approvals, pursuant to the attached emergency rules.

Chapter 89, HRS, **Collective Bargaining in Public Employment**, to the extent necessary to allow for personnel or contractors to be hired that would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, or approvals.

Chapter 89C, HRS, **Public Officers and Employees Excluded from Collective Bargaining**, to the extent necessary to allow for personnel or contractors to be hired that would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or the processing of development related permits, licenses, or approvals.

Section 103-2, HRS, **General Fund**.

Chapter 103D, HRS, **Hawaii Public Procurement Code**, to the extent that the department or agency has determined that it is not practicable or advantageous to procure the services required via traditional procurement methods and the procurement promotes the construction, development, redevelopment, repair, renovation, and occupancy of housing. The suspension is for the solicitation process only and is subject to the attached emergency rules.

Section 104-2(i)(3), HRS, **Applicability; wages, hours, and other requirements**.

Section 107-24(c), HRS, **Authority and duties of the council**, to the extent necessary to suspend the ability of the State Building Code Council to amend or update

the Hawai'i state building codes to allow for consistency and stability in the construction of housing. Counties may still update county building codes.

Section 107-27(a), HRS, **Design of state buildings**, to the extent necessary to suspend the requirement for state building designs to comply with the Hawai'i state building codes.

Section 107-28, HRS, **County authority to amend and adopt the Hawai'i state building codes without council approval**, to the extent necessary to suspend the two-year default deadline for counties to adopt state building codes: Counties may still update county building codes.

Section 107-31, HRS, **State building code; compliance**.

Section 127A-30, HRS, **Rental or sale of essential commodities during a state of emergency; prohibition against price increases**, because the automatic, statewide invocation of this provision is not needed for this emergency. The invocation and suspension of section 127A-30, HRS, contained in any other proclamation are not affected by this Proclamation.

Section 201H-36(a)(5)(A), HRS, **Exemption from general excise taxes**.

Section 201H-38(a)(3), HRS, **Housing development; Exemption from statutes, ordinances, charter provisions, and rules**, that require approval of the legislative body of the county in which the housing project is situated. This exemption shall be applicable to only state or county affordable housing projects that receive approval of HHFDC.

Chapter 237, HRS, **General Excise Tax Law**, for Department of Hawaiian Home Lands (DHHL) projects for newly constructed, or moderately or substantially rehabilitated, housing for beneficiaries.

Sections 302A-1601 to 1612, HRS, **School Impact Fees** for DHHL or its contracted developers on DHHL owned land and new affordable housing developments within a designated school impact district undertaken by certified affordable housing projects or state or county affordable housing projects.

Sections 601-1.5, 708-817, 708-818, 708-820(1)(c), 708-830.5(1)(d), 708-840(1)(c) and (d), HRS, to the extent these sections contain provisions for the suspension, tolling, extension, or granting of relief from deadlines, time schedules, or filing requirements in civil, criminal, or administrative matters before the courts of the state or to the extent that these sections contain provisions for criminal penalties that are automatically heightened by reasons of any declared disaster or emergency.

Pursuant to section 127A-25, HRS, I hereby adopt the Rules Implementing the Eleventh Proclamation Relating to Affordable Housing attached hereto. These rules shall have the force and effect of law.

V. State Cooperation

Pursuant to section 127A-12(b), HRS, I hereby direct all state agencies and officers to cooperate with and extend services, materials, and facilities as may be required to assist in all efforts to address the objectives of this Proclamation.

VI. Severability

If any provision of this Proclamation is rendered or declared illegal for any reason, or shall be invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other persons or circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.


VII. Enforcement

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor, Director of Emergency Management, or their designee issues an express order to a non-judicial public officer, no provision of this Proclamation, or any rule or regulation hereunder, shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

I FURTHER DECLARE that this Proclamation is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawai'i, the counties of this State, or any State or County agencies, departments, entities, officers, employees, or any other person.

I FURTHER DECLARE that the disaster emergency relief period shall commence immediately and continue through April 5, 2025, unless terminated or superseded by a separate proclamation, whichever shall occur first.

Done at the State Capitol, this 4th day of
February, 2025



Josh Green, M.D.
Governor of Hawai'i

APPROVED:

Anne E. Lopez

Anne E. Lopez
Attorney General
State of Hawai'i

**Map of the Area Affected by the Lahaina Wildfire Excluded
Under the Eleventh Proclamation Relating to Affordable Housing**



**Rules Relating to the Implementation of the
Eleventh Proclamation Relating to Affordable Housing**

§ 1 Purpose and Authority

§ 2 Definitions

§ 3 Applicability of Proclamation and

§ 4 Rules Application of Suspended Laws

A. Chapter 76, HRS, Officers and Employees

B. Chapter 103D, HRS, Hawaii Public Procurement Code

C. Section 201H-38(a)(3), HRS, Housing development; exemption from statutes, ordinances, charter provisions, and rules.

§ 1 Purpose and Authority

These rules are intended to expedite the construction, development, and redevelopment of affordable housing under the Eleventh Proclamation Relating to Affordable Housing ("Proclamation").

These rules are adopted pursuant to sections 127A-11, 12, 13, and 25, Hawaii Revised Statutes (HRS), to respond to the affordable housing emergency declared by the Governor and have the force and effect of law.

§ 2 Definitions

"Agency" means any department, office, board, or commission of the state or county government that is part of the executive branch of that government.

§ 3 Applicability of Proclamation and Rules

Certified affordable housing projects not subject to the state or county regulations suspended under the Proclamation shall still meet minimum requirements for health and safety, including applicable floodplain management powers and duties necessary for National Flood Insurance Program participation.

§ 4 Application of Suspended Laws

A. Chapter 76, HRS, Officers and Employees

1. Recruitment and hiring of employees under the Proclamation shall follow, to the extent possible, the principles set forth in section 76-1, HRS.

No person shall be discriminated against in examination, appointment, reinstatement, reemployment, promotion, transfer, demotion, or removal, with respect to any position when the work may be efficiently performed by the person without hazard or danger to the health and safety of the person or others;

2. All positions established under the Proclamation may be exempt from civil service and may be converted to civil service positions at the discretion of the appointing authority. Exempt positions and appointments converted to civil service shall comply with Department of Human Resources Development Policy and Procedure 1000.002 except that all employees converted shall be treated as if they had occupied the position for a minimum of one (1) year. It is the appointing authority's discretion to use an existing established civil service or exempt position or to establish a new position to hire under the Proclamation.
3. Prior to hiring any employee under the Proclamation, the appointing agency shall determine that:
 - a. The employee would be directly involved in the construction, development, or redevelopment of housing, the filling of public housing vacancies, the processing of housing vouchers, or in the processing of development-related permits, licenses, or approvals; and
 - b. It would be impractical or untimely to hire the employee under the civil service system under chapter 76, HRS.
4. The appointing agency shall ensure that all employees hired under the Proclamation meet the following:
 - a. Persons seeking employment meet the requirements necessary for the safe and efficient performance of the duties of the position for which they are being hired;
 - b. Each employee is able to perform their duties satisfactorily; and
 - c. Each employee is qualified to perform the duties and functions of the position that they are being hired into.

B. Chapter 103D, HRS, Hawaii Public Procurement Code

Prior to utilizing the suspension of chapter 103D, HRS, the department has determined that it is not practicable or advantageous to procure the services required via traditional procurement methods. This suspension is for the solicitation process only. Pursuant to section 103D-310(c), HRS, and section 3-122-112, Hawaii

Administrative Rules, the procuring officer shall verify compliance (i.e., vendor is required to provide proof of compliance and may use the Hawaii Compliance Express) for all contracts awarded. Copies of the compliance and the award posting are required to be documented in the procurement/contract file.

The award is required to be posted on the Hawaii Awards and Notices Data System (HANDS) pursuant to Procurement Circular PC2019-05 within seven days after award.

- C. Section 201H-38(a)(3), HRS, Housing development; exemption from statutes, ordinances, charter provisions, and rules.

Section 201H-38(a)(3), HRS, is suspended to allow the county in which a state affordable housing project or county affordable housing project is to be situated to approve the project, with or without modifications, without requiring the county council to approve, approve with modification, or disapprove the project by resolution. Instead, the county may approve, approve with modification, or disapprove the project through action of the county planning director within forty-five days of the receipt of HHFDC approval. If on the forty-sixth day a project is not disapproved, it shall be deemed approved by the county planning director.

REVISED

EXHIBIT 17

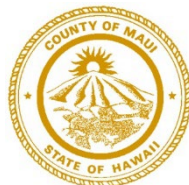
UTILITY LETTERS

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director

JOHN STUFFLEBEAN, P.E.
Director

JAMES A. LANDGRAF
Deputy Director



DEPARTMENT OF WATER SUPPLY
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
<http://www.mauicounty.gov/water>

April 30, 2025

PBR Hawaii & Associates, Inc.
Attn: Tom Schnell, VP
1001 Bishop Street
Suite 650
Honolulu, HI 96813

Re: Kaiahale 'O Kahiluhilu Affordable Housing Application for Chapter 201H, HRS Exemptions Pursuant to §201H-38, HRS and Approval Pursuant to the Office of the Governor, State of Hawaii, Eleventh Proclamation Relating to Affordable Housing (Dated February 4, 2025, or as Amended Under Future Proclamations) (201H/EP Application) – 153 West Ka'ahumanu Avenue, Maui. TMK: (2)3-7-004:003 (Por)

Dear Mr. Schnell,

Thank you for the opportunity to comment on the proposed Kaiahale 'O Kahiluhilu Affordable Housing and Civic Center project application.

Source and Infrastructure

The project is served by our Central Maui water system. Based on the Water Systems Standards (2002, State of Hawai'i), the projected water demand for the 303 multi-family units would be 169,680 gallons per day (gpd).

The three-year demand projection for the Central Maui system is currently between 98% and 100% of the system's maximum reliable capacity. Given this condition, requests for water service that exceed 1,200 gpd are considered a "large quantity of water" and are subject to the limitations described in §16-201-04 of the County of Maui Administrative Rules. However, §16-201-03(g)(1) exempts projects comprised of 100 percent residential workforce housing units, as defined in section 2.96.020, Maui County Code, evidenced by an executed, recorded, and valid residential workforce housing agreement between the developer and the County. At this point, there is not sufficient remaining capacity on the Central Maui water system to serve this project.

"By Water All Things Find Life"

There are several Department of Water Supply (DWS) waterlines in proximity to the proposed project:

- A 12-inch cover level (CL) water line runs east to west along Ka'ahumanu Avenue, approximately 50 feet from the property line, which could serve as a primary source for water connections.
- An 8-inch CL water line runs north to south along Kane Street, located about 85 feet from the property line, which may also provide a viable connection point.
- At the intersection of Vevau Street and School Street, approximately 70 feet from the property, there are two additional water lines: a 6-inch ductile iron (DI) line along School Street and an 8-inch (DI) line along Vevau Street.
- Additionally, a 12-inch CL line runs along Lono Avenue.

Should the project be served by DWS in the future, approved backflow prevention devices will be required if not already installed on-site. At such time, the applicant should contact the DWS Engineering division for information regarding infrastructure and system improvements.

Requested Exemptions

The applicant has requested the following exemptions related to water supply and infrastructure:

B. Exemptions from Title 14, MCC, Public Services

1. An exemption from Chapter 14.07, MCC, Water System Development Fees is requested to exempt the Project from water availability and service restrictions.

While DWS supports affordable housing, we already exempt 100% affordable housing from source requirements, which leaves DWS to expedite development and often use progressively more expensive sources of water to accommodate these projects in timely fashion. Exempting projects from all fees would place the full burden of source, storage, and transmission on the Department, which is contrary to the principles of fiscal soundness and independence, as well as developer-funded infrastructure concurrency.

2. An exemption from Chapter 14.12, MCC, Water Availability, is requested to exempt the Project from the water availability policy.

DWS already exempts 100% affordable projects from Water Availability requirements.

C. Exemptions from Title 16, MCC, Buildings and Construction

1. An exemption from Chapter 16.04D, MCC, Fire Code, is requested to exempt the Project from plan review, permit, and inspection fees required by the Fire Code.

DWS cannot support any deviation from code that would render a housing project less safe than it would be with adherence to code. We defer to the fire department on this matter, but we will not accept liability for system inadequacies that are approved over and above our recommendation.

Conservation

The Department recommends the following Best Management Practices (BMPs) to conserve water for the future development of the project:

Indoor

- Utilize EPA WaterSense-labeled plumbing fixtures.
- Install dual flush toilets with high-efficiency models that use 1.28 gallons per flush or less.
- Install bathroom sink faucets with fixtures that do not exceed 1 gallon per minute at 60 psi.

Outdoor

- Dust Control: Consider using non-potable water for dust control as an alternative source during construction.
- Use Smart Approved WaterMark irrigation products, such as evapotranspiration irrigation controllers, drip irrigation, and water-saving spray heads.
- After plants are established, avoid excessive growth by refraining from fertilizing and pruning. Schedule watering in the early morning or evening to minimize evaporation and limit the use of turf.
- Incorporate native Hawaiian climate-adapted plants for landscaping, as they conserve water and protect the watershed from degradation due to invasive species.
- We recommend adopting landscape irrigation conservation BMPs endorsed by the Landscape Industry Council of Hawai'i.

Should you have any questions regarding the source capacity and infrastructure requirements, please contact the DWS Engineering Division at (808) 270-7835. For other inquiries related to this letter, please reach out to staff planner Geovanna Torres, Ed.D. at (808) 463-3104 or via email at Geovanna.Torres@co.maui.hi.us.

Sincerely,

John Stufflebean, P.E.
DWS Director
GT

S:\PLANNING\PERMIT_Review\Planning\Affordable-Workforce Hsng\2_3_7_004_003 Kaiahale O
Kahiluhilu

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



DEAN MINAKAMI
EXECUTIVE DIRECTOR

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM
HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION
677 QUEEN STREET, SUITE 300
Honolulu, Hawaii 96813
FAX: (808) 587-0600

IN REPLY REFER TO:
25:DEV/0050

May 12, 2025

Mr. John Stufflebean, P.E., Director
Department of Water Supply
County of Maui
200 South High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Stufflebean:

Subject: Request For Reservation of Water Availability for the Kahului Civic Center Mixed-Use Complex – 153 West Kaahumanu Avenue, Kahului, Maui, TMK No. (2) 3-7-004:003 (Por.)

The Hawaii Housing Finance and Development Corporation (HHFDC) requests a reservation of water for the Kahului Civic Center Mixed-Use Complex at 153 West Kaahumanu Avenue, Kahului, Maui, TMK No. (2) 3-7-004: 003 (Por.) in the approximate amount of 172,400 gallons per day (gpd), average daily demand, as follows:

Residential Component	170,000 gpd
Civic Center Component	<u>2,400</u> gpd
Total	172,400 gpd

The State of Hawaii is the fee simple owner of the 5.572-acre property at 153 West Kaahumanu Avenue, Kahului, TMK No. (2) 3-7-004: 003 (Property). The Property was set aside to HHFDC by Executive Order No. 4590 for development of a mixed-use project consisting of multi-family affordable rental housing (Residential Component), office space/civic center (Civic Center Component), parking, new Maui bus hub (Transit Center), and other incidental uses purposes.

On December 24, 2018, HHFDC, the State Department of Accounting and General Services (DAGS), and the County of Maui (County) executed a Memorandum of Understanding (MOU) providing for the accommodation of the Transit Center at the Property under a 65-year ground lease from HHFDC, HHFDC administration of \$2.5 million in Capital Improvement Program funds for design and construction of the Transit Center, the issuance of a 65-year ground lease to DAGS for

Mr. John Stufflebean, P.E., Director

Re: Request For Reservation of Water Availability for the Kahului Civic Center Mixed-Use Complex – 153 West Kaahumanu Avenue, Kahului, Maui, TMK No. (2) 3-7-004:003 (Por.)

May 12, 2025

Page 2

the development and operation of the Civic Center Component, the County providing a 65-year ground lease of its Wailuku property at 70 South High Street to DAGS for use with the adjacent State Office Building, and HHFDC procuring a developer through a request for proposals (RFP) process for the leasehold development and operation of the Residential Component. At the time of the MOU, the Transit Center was required to vacate its previous location at the adjacent Queen Kaahumanu Center. A copy of the MOU is enclosed.

Construction for the Transit Center at the Property was completed in 2024, and on February 28, 2024, HHFDC executed a 65-year Ground Lease to the County for the Transit Center.

The Civic Center Component consists of a four-story building with a mezzanine, 79' in height, and approximately 156' x 174' in size. In total, the building is 72,600 square feet (sf), which includes 50,497 sf of office space for State agencies, 9,213 sf for the McKinley Community School for Adults classrooms, and 12,890 sf for Hawaii State Public Library System innovation center. There is also a separate 190-stall parking structure 5-stories, 69' tall, and approximately 84' x 280' in size. A copy of the latest plans for the Civic Center Component (4/15/25) is enclosed.

After an RFP process, on January 10, 2025, HHFDC executed a Development Agreement with HKI Kahului Kaiahale LLC (Developer), an affiliate of EAH, Inc., dba EAH Housing, for the master plan of the Residential and Civic Center Components and the leasehold development and operation of the Residential Component.

The Residential Component includes 301 affordable rental and two managers' units (a mixture of 1-, 2-, and 3-bedroom units), 298 parking spaces, and 374,018 sf over two phases in two buildings. Phase 1 will contain 197 rental units in a U-shaped building, approximately 219' x 258' in size, and 239,994 sf. Phase 2 will contain 106 rental units in an L-shaped building, approximately 147' x 258' in size, and 134,024 sf. The buildings will be six stories (five levels over one level of surface parking), and about 74' in height. All of the units, except the managers' units will be affordable at 30 – 60% or below the U.S. Department of Housing and Urban Development area median income. The Developer is calling the Residential Component, Kaiahale 'o Kahiluhilu. Because of its file size, a copy of the permit set of the construction drawings (2/28/25) for both phases of the Residential Component will be shared via MS OneDrive.

In December 2024, the Developer submitted an application for a Special Management Area Use Permit with the County Planning Department for the Residential and Civic Center Components.

In February 2025, HHFDC received an application for certain exemptions from statutes, ordinances, and rules for the Residential Component pursuant to Section 201H-38, Hawaii Revised Statutes. On March 31, 2025, the Developer forwarded application and project materials to review agencies, including the Department of Water Supply (DWS). HHFDC received a copy of DWS review

Mr. John Stufflebean, P.E., Director

Re: Request For Reservation of Water Availability for the Kahului Civic Center Mixed-Use
Complex – 153 West Kaahumanu Avenue, Kahului, Maui, TMK No. (2) 3-7-004:003 (Por.)

May 12, 2025

Page 3

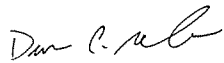
comments dated April 30, 2025, which included the comment that, “At this point, there is not sufficient remaining capacity on the Central Maui water system to serve this project” (DWS Letter). A copy of the DWS letter is enclosed.

HHFDC respectfully requests a reservation of water for the Kahului Civic Center Mixed-Use Complex as described herein.

Thank you for your favorable consideration of this request.

Should there be any questions or comments regarding this matter, please contact Randy Chu, Development Branch Chief, at (808) 587-0527, or randy.n.t.chu@hawaii.gov.

Sincerely,



Dean C. Minakami
Executive Director

Enclosures: 1. HHFDC-DAGS-County MOU (12/24/18)
 2. Plans for the Civic Center Component (4/15/25)
 3. DWS Letter (4/30/25)
 4. Permit Set of Plans for Phases 1 and 2 of the Residential Component (2/28/25)
 will be shared via MS OneDrive

- A hold currently exists on this permit.

Permit Details () | Tab Elements () | Main Menu ()

Type: DWS Request

Status: In Review

Project Name:

Applied Date: 07/09/2024

Issue Date:

District: Kahului-Wailuku

Assigned To: Kongsil, Piyalerg

Expire Date:

Finalized Date:

Description:

^ (-multi-collapse)

Summary | Locations | Fees | Attachments | Contacts | Sub-Records | Holds 1 | More Info

More Info () | First Tab () | Permit Details () | Main Menu ()

More Info

DWS Request Info

Permit Type Requested

☐ Discretionary Permit Review

☒ Water Service Requests

☐ Temp Construction Meter

If you are applying for a Water Service Request, please make a selection

New

Top () | Main Menu ()

GENERAL INFORMATION

Name of Project

Kahului Civic Center Mixed-Use Complex

Physical Address of Project

153 W Kaahumanu Ave, Kahului, HI 96732

Name of Land Owner

State of HI, Hawaii Housing Finance and Dev Corp.

WATER SERVICE REQUEST - NEW METER, METER SIZE CHANGE, OR TEMPORARY CONSTRUCTION METER

New Meter Size

4 inch

How Many Meters Are Needed for this Project?

2

New Meter to be used for what purpose?

Other (provide info in detail description)

Detail description of use

4" Compound Meter - Potable Water Service (Residential Units/Facilities and Proposed Civic Center/Parking) Detector Check (DC) Meter - Fire Water Service Facilities Breakdown: 303 multi-family units (1, 2, and 3 bedroom) - Two (2) Six-Story Buildings Residential Buildings Include: Parking lot, fitness centers, laundry facilities, admin. office, bicycle storage, recreation decks and community spaces Civic Center Includes: Parking Structure and Future Five-Story Civic Center consisting of DAGS Office/Adult School-45,000 sf, Library-16,000 sf and Retail-5,000 sf

Are There Existing Meters Serving the Property?

Yes

If there are existing meters and backflow devices, provide information at the bottom of this page.

Are there Extg Structures within the Property?

Yes

Number of Ext'g Dwellings

0

Number of Ext'g Non-Dwellings

2

Active Building Permit Numbers for New Structures

NA

DISCRETIONARY PERMITS

Proposed Use

NA

Applicant

NA

Are There Existing Meters Serving the Property?

If there are existing meters and backflow devices, provide information at the bottom of this page.

Total Number of Units (single family)

Total Number of Unts (multi family)

Commercial Building Area (square feet)

Number of Students

Buildout Estimate

Existing Meter(s) & Backflow(s) Information							
Type	Size	Account #	Transponder #	Meter #	Next Test Due ...	Is MH Cove...	Is it a DCD
Meter	2"						

From: [Toby Hanzawa](#)
To: [Questor Lau](#)
Cc: [Guy Fukushima](#); [Sheryl Nojima](#)
Subject: Department of Water Supply (DWS) Request
Date: Thursday, March 6, 2025 1:18:16 PM

ADVISORY: This email is from an external sender. Thank you.

Questor,

Per our discussion, I have been following up with the County's Department of Water Supply (DWS) regarding the DWS Request submitted in July of last year and have not received a response to date. We will continue to follow up with them until a response is received.

Thank you,

Toby Hanzawa, PE, LEED AP
Gray•Hong•Nojima & Associates, Inc.
201 Merchant St, Suite 1900 -- Honolulu HI 96813
(808) 521-0306 ext 108 | (808) 531-8018 fax
thanzawa@grayhongnojima.com
www.grayhongnojima.com

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Toby Hanzawa

From: Scott Rollins <Scott.Rollins@co.maui.hi.us>
Sent: Thursday, July 25, 2024 5:38 PM
To: Toby Hanzawa
Subject: Re: Kahului Civic Center Mixed-Use Complex

TMK (2) 3-7-004:003 Kahului Civic Center Mixed-Use Complex WWMR2024-00122

Aloha Toby,

Per your request we have examined the existing wastewater collection and treatment systems in the Kahului area and their ability to adequately convey and treat projected flows from the subject project. We offer the following preliminary review of your project as related to our infrastructure:

1. The estimated wastewater flows for the project included in your submittal appear reasonable for the described project (90,450 gpd average daily flow). We did not receive a project construction time line so the comments below reflect the current situation only.
2. Analysis of the area showed that treatment capacity currently exists at the Wailuku/Kahului Wastewater Reclamation Facility (Plant capacity 7.90 mgd, normal average daily flow is 5.6 mgd. We have allocated about 7.1 mgd of the total capacity to other projects/properties.)
3. Given the estimated project discharge volume, it appears that the current gravity collection system (15," 18", and 24" trunk lines within Vevau Street, Kahului and Maui Mall areas have adequate capacity for this single project.
4. The flows also affect the Kahului Wastewater Pump Station. This facility currently has adequate capacity to serve this project without any system modifications.
5. The proposed connection through the transit hub is acceptable. If the properties have a separate ownership we will require you to provide a letter agreeing to your using this lateral and to also obtain an easement for the private line across this adjacent project. The Transit Hub property service manhole will service your property.
6. Assessment fees are not required in the area at this time but that could change if the County constructs capacity upgrades to accommodate future projects.
7. Note that non-contact, cooling water, and condensate cannot drain to the wastewater system.
8. The civic center or housing within the project may be required to install pretreatment devices (e.g. grease interceptor, lint trap etc.) if a community type kitchen or laundry is proposed.
9. Note that capacity cannot be guaranteed until building permits are issued. There is always a possibility that adequate capacity may not be available if construction is delayed, a significant number of other projects are developed, or regulatory conditions change.

Please contact our office ((808) 270-7417) should you have any additional questions.

Scott

Scott R. Rollins, CE-VI
County of Maui
Wastewater Reclamation Division

>>> Toby Hanzawa <thanzawa@grayhongnojima.com> Tuesday, July 09, 2024 11:47 AM >>>
Scott,

I spoke with you previously regarding an affordable housing development project that we are working on. The project is comprised of approximately 300 units located at TMK: (2) 3-7-004: 003. The project site is owned by the State, Hawaii Housing Finance & Development Corporation (HHFDC) and is being developed by EAH Housing. The site is also adjacent to a Department of Accounting and General Services (DAGS) project which will include the development of a civic center and parking. Sewer service will also be required for the DAGS project as well.

A preliminary engineering report (G70, dated May 2021) and an EA/FONSI (G70, dated May 2022) was completed for the site and stated that capacity should not be an issue. We are currently in the preliminary stages of the project and want to confirm that the county's wastewater system can adequately convey project flows. We would also like to confirm the project's connection to an existing lateral provided under the neighboring Kahului Transit Hub project. Please find attached a project figure and additional information below regarding the unit counts and facility breakdown.

OVERALL PROJECTED DEVELOPMENT (including the future Civic Center Complex):

Average Daily Flow: 90,450 gpd

Design Peak Flow: 498,478 gpd

Facilities Breakdown:

Summary of Wastewater Flows for the Residential Development

Type of Use	# Units or Footprint	Conversion to Capita	Capita	Wastewater Flow Contribution	Avg Wastewater Flow (GPD)
Residential (Apartment)	303 units	2.5 persons/unit	758 persons	255 GPD/unit	77,265
Residential Office	1,800 SF	1 employee/200 SF	9 employees	20 GPD/employee	180
Laundry Facilities	26 machines	-	-	300 GPD/machine	7,800
				Total Average Daily Flow:	85,245

Residential Unit Breakdown:

1 Bedroom = 106

2 Bedroom = 177

3 Bedroom = 20

Total = 303

Summary of Anticipated Wastewater Flows for the Future Civic Center Complex

Type of Use	# Units or Footprint	Conversion to Capita	Capita	Wastewater Flow Contribution	Avg Wastewater Flow (GPD)
-------------	----------------------	----------------------	--------	------------------------------	---------------------------

DAGS Office / Adult School	45,000 SF	1 employee/200 SF	225 employees	20 GPD/employee	4,500
Library	16,000 SF	1 employee/500 SF	32 employees	15 GPD/employee	480
Retail	5,000 SF	1 employee/350 SF	15 employees	15 GPD/employee	225
Total Average Daily Flow:					5,205

We would like confirmation asap as we would like to include the confirmation in a Preliminary Engineering Report we are preparing for the project which will be submitted in the next few weeks. We appreciate in advance your assistance with this project. If you have any questions or require any additional information please feel free to email or call.

Thank you,

Toby Hanzawa, PE, LEED AP

Gray•Hong•Nojima & Associates, Inc.

201 Merchant St, Suite 1900 -- Honolulu HI 96813

(808) 521-0306 ext 108 | (808) 531-8018 fax

thanzawa@grayhongnojima.com

www.grayhongnojima.com

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Albino Prieto

From: Ivan Akamine <Ivan.Akamine@hawaiiantel.com>
Sent: Friday, March 7, 2025 10:18 AM
To: Jason Chung
Cc: Albino Prieto
Subject: RE: Kahului Civic Center - will serve commitments

Hi Albino/Jason,

HT will be able to provide service for this project.

Mahalo,

*Ivan Akamine
Network OSP Engineer – Maui
Hawaiian Telcom*



From: Jason Chung <jason@inatsukaeng.com>
Sent: Friday, March 7, 2025 9:49 AM
To: Ivan Akamine <Ivan.Akamine@hawaiiantel.com>
Cc: albino <albino@inatsukaeng.com>
Subject: RE: Kahului Civic Center - will serve commitments

Hi Ivan,

Following up on the below from Albino. Can you confirm that HT will be able to service this Kahului Civic Center Residential project?

Thanks,
Jason

INATSIKA ENGINEERING LLC

1003 Bishop Street, Suite 1960
Honolulu, HI 96813
O 808 469 3200
M 808 462 0717
jason@inatsukaeng.com

From: Albino Prieto <albino@inatsukaeng.com>
Sent: Thursday, March 6, 2025 11:20 AM
To: alex.idica@hawaiianelectric.com; Yonamine, Connie E <Connie.Yonamine@charter.com>; Braycen Lorenzo <braycen.lorenzo@hawaiiantel.com>; Ivan Akamine <ivan.akamine@hawaiiantel.com>; donna.apana@hawaiianelectric.com
Cc: Jason Chung <jason@inatsukaeng.com>; Yasui, Kellee A <Kellee.Yasui@charter.com>; fred.romero@hawaiiantel.com; Questor Lau <Questor.Lau@eahhousing.org>
Subject: Kahului Civic Center - will serve commitments
Importance: High

Team
Appreciate the effort you have put in on the project as we move closer to submitting for permit.
Confirming MECo, HT, and Charter will have no issues providing MECo, HT, and Charter electrical services for the project in its entirety. Request confirmation if otherwise no later than tomorrow morning (Friday 7 Mar 25) as we need to advise developer by noon tomorrow.

Once you've had a chance to review and consider, please contact us should you have any questions/comments to discuss.
Best Regards. Albino

INATSIKA ENGINEERING LLC

1003 Bishop Street, Suite 1960
Honolulu, HI 96813
P 808 469 3200
M 808 351 9555
albino@inatsukaeng.com

Albino Prieto

From: Albino Prieto
Sent: Wednesday, July 31, 2024 3:31 PM
To: HT-Plan Reviews
Cc: Janice Y.K. Li
Subject: Kahului Civic Center Residential - request for engineering services
Attachments: red3640-23-047.E.D.O.240731 KCCR utilco dwgs.pdf

Importance: High

Madame/Sir

We are in the schematic design process for a new multi-family affordable housing complex at 153 West Kaahumanu Avenue, Kahului, Maui (TMK (2) 3-7-004: 003 (portion)).

The project will consist of two six story buildings (phase 1 and phase 2)

1. Building will be standalone.
2. Each building will have:
 - Ground floor amenities/common spaces.
 - Floors 2 thru 6 will be residential units.
 - Two elevators
3. Phase one will have 197 units with a mix of 1-, 2- and 3-bedroom units.
4. Phase 2 will have 106 units.

Our client will be submitting a preliminary engineering report to the developer 9 Aug 24. Report will summarize:

- Existing infrastructure.
- Proposed improvements required to service the project.

Attached are schematic drawings for the subject project. Transmitting these preliminary drawings to request a Hawaiian Tel point of contact to discuss project requirements, point of connection for Hawaiian Tel services to progress the design, and more immediate to develop a brief for the preliminary engineering report.

Apologize for the push. If additional information is required to effect this request, most immediate again is the brief for the preliminary engineering report by say 8 Aug 24, please let me know.

Once you've had a chance to review and consider, please contact me should you have any questions/comments to discuss.

Best Regards. Albino

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Honolulu, HI 96813
P 808 469 3200
M 808 351 9555
albino@inatsukaeng.com

Albino Prieto

From: Yonamine, Connie E <Connie.Yonamine@charter.com>
Sent: Thursday, March 6, 2025 11:32 AM
To: Albino Prieto; alex.idica@hawaiianelectric.com; Braycen Lorenzo; Ivan Akamine; donna.apana@hawaiianelectric.com
Cc: Jason Chung; Yasui, Kellee A; fred.romero@hawaiiantel.com; Questor Lau
Subject: RE: [EXTERNAL] Kahului Civic Center - will serve commitments

Hello Albino,
This is our confirmation for your upcoming project.

Respectfully,



Connie Yonamine | Construction Coordinator III | O-808.442.4831
158 Ma’a St | Kahului HI 96732

From: Albino Prieto <albino@inatsukaeng.com>
Sent: Thursday, March 6, 2025 11:20 AM
To: alex.idica@hawaiianelectric.com; Yonamine, Connie E <Connie.Yonamine@charter.com>; Braycen Lorenzo <braycen.lorenzo@hawaiiantel.com>; Ivan Akamine <ivan.akamine@hawaiiantel.com>; donna.apana@hawaiianelectric.com
Cc: Jason Chung <jason@inatsukaeng.com>; Yasui, Kellee A <Kellee.Yasui@charter.com>; fred.romero@hawaiiantel.com; Questor Lau <Questor.Lau@eahhousing.org>
Subject: [EXTERNAL] Kahului Civic Center - will serve commitments
Importance: High

CAUTION: The e-mail below is from an external source. Please exercise caution before opening attachments, clicking links, or following guidance.

Team
Appreciate the effort you have put in on the project as we move closer to submitting for permit.
Confirming MECo, HT, and Charter will have no issues providing MECo, HT, and Charter electrical services for the project in its entirety. Request confirmation if otherwise no later than tomorrow morning (Friday 7 Mar 25) as we need to advise developer by noon tomorrow.

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Best Regards. Albino

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Albino Prieto

From: Idica, Alex <alex.idica@hawaiianelectric.com>
Sent: Friday, March 7, 2025 9:48 AM
To: Albino Prieto; Yonamine, Connie E; Braycen Lorenzo; Ivan Akamine
Cc: Jason Chung; Yasui, Kellee A; fred.romero@hawaiiantel.com; Questor Lau
Subject: RE: Kahului Civic Center - will serve commitments

Hi Albino,

Confirming there are electrical facilities available to provide service to this project. I can’t confirm at this time that there won’t be any issues.

Mahalo,

ALEX IDICA
Designer III, T&D Engineering
O: 808.872.3203
alex.idica@hawaiianelectric.com

Hawaiian Electric
PO Box 398, Kahului, HI 96733



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Albino Prieto

From: Apana, Donna M. <donna.apana@hawaiianelectric.com>
Sent: Monday, August 12, 2024 4:05 PM
To: Albino Prieto
Cc: Okazaki, Ray
Subject: RE: Kahului Civic Center Residential

Albino,

- I don't have any comments on the report.*
- I ran a very rough estimate based on the information you provided with no additional in-house reviews and arrived at \$[REDACTED]. Please note this is a very loose number and should not be stated anywhere until we respond with a formal letter.*

DONNA 'ĀPANA

Design Planner, T&D Engineering

O: 808.872.3278

donna.apana@hawaiianelectric.com

Hawaiian Electric

PO Box 398, Kahului, HI 96733



From: Albino Prieto <albino@inatsukaeng.com>
Sent: Sunday, August 11, 2024 6:00 PM
To: Apana, Donna M. <donna.apana@hawaiianelectric.com>; Braycen Lorenzo <braycen.lorenzo@hawaiiantel.com>; Yonamine, Connie E <Connie.Yonamine@charter.com>
Cc: Okazaki, Ray <ray.okazaki@hawaiianelectric.com>
Subject: Kahului Civic Center Residential
Importance: High

[This email is coming from an EXTERNAL source. Please use caution when opening attachments or links in suspicious email.]

Donna, Braycen, Connie

Appreciate your efforts on assisting me to develop a draft preliminary engineering report – thank you! Attached is the report based on my understanding of our conversations.

Requesting your assistance once again. Sorry to keep asking, but.....

- Please review the attached report and advise or mark up and return marked up copy with any corrections, omissions, etc.,
- Also, although not requested formally by the client, may I have an **opinion of range of cost** so developer may include in their budget.

Requesting report comments and costs no later than Tuesday 13 August to effect a final report Wednesday 14 August to submit to client.

Once you've had a chance to review and consider, please contact me should you have any questions/comments to discuss. Much appreciative of your help.
Best Regards. Albino

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albino@inatsukaeng.com

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Albino Prieto

From: Albino Prieto
Sent: Sunday, August 11, 2024 6:00 PM
To: donna.apana@hawaiianelectric.com; Braycen Lorenzo; Yonamine, Connie E
Cc: Okazaki, Ray
Subject: Kahului Civic Center Residential
Attachments: 4130-24-001.E.D.O.240811 RES sketches.pdf; 4130-24-001.E.D.O.240811 PER - KCCR elec util review.pdf

Importance: High

Donna, Braycen, Connie

Appreciate your efforts on assisting me to develop a draft preliminary engineering report – thank you! Attached is the report based on my understanding of our conversations.

Requesting your assistance once again. Sorry to keep asking, but.....

- Please review the attached report and advise or mark up and return marked up copy with any corrections, omissions, etc.,
- Also, although not requested formally by the client, may I have an **opinion of range of cost** so developer may include in their budget.

Requesting report comments and costs no later than Tuesday 13 August to effect a final report Wednesday 14 August to submit to client.

Once you've had a chance to review and consider, please contact me should you have any questions/comments to discuss. Much appreciative of your help.

Best Regards. Albino

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P 808 469 3200
M 808 351 9555
albino@inatsukaeng.com



BASIC PROJECT INFORMATION

Requestor Type CONSULTANT [ARCHITECT, ENGINEER] (1)

PROJECT ADDRESS

Street Number 153
Street Name WEST KAAHUMANU AVENUE
Project Unit
Project City KAHULUI
Project State HI
ZIP Code 96732
Tax Map Key 237004003

PROPERTY AND EQUIPMENT ACCESSIBILITY

Project Validation Property Accessible YES
Project Validation Pets NO
Property Accessible Locked Gate NO
Property Accessible Contact Person QUESTOR LAU
Property Accessible Contact Phone 8087915500
Property Accessible Special Instructions SERVICE REQUEST BEING SUBMITTED TO BEGIN DIALOGUE WITH MECO RE MECO EXISTING INFRASTRUCTURE AND REQUIREMENTS TO SERVE PROJECT TO COMPLETE A PRELIMINARY ENGINEERING REPORT. PROJECT IS IN THE DESIGN PHASE.

CUSTOMER INFORMATION

Customer Name QUESTOR LAU
Phone Number 8087915500
Email Address QUESTOR.LAU@EAHHOUSING.ORG
Customer Company EAH HOUSING

OTHER STAKEHOLDERS

PROJECT DETAILS

Project Name KAHULUI CIVIC CENTER RESIDENTIAL - PHASE 1 AND 2
Commercial/Multi-Family or Single Family COMMERCIAL/MULTI-FAMILY
Overhead or Underground UNDERGROUND
Project Description AN AFFORDABLE HOUSING PROJECT CONSISTING OF TWO (PHASE 1 AND PHASE 2) 6-STORY BUILDINGS WITH 1-, 2- AND 3-BEDROOM APARTMENTS ON FLOORS 2 - 6 WITH GROUND FLOOR COMMON AREAS, GROUND LEVEL PARKING. PHASE 1 197 UNITS (PHASE 2 106 UNITS). ALL ELECTRIC WITH ELEVATOR AND STANDBY POWER ENGINE GENERATOR AND FIRE PUMP.
Project Type ADD NEW (PERMANENT) SERVICE

METER NUMBERS

No Meter NO EXISTING METER

NEW SERVICE

Number of Meters	5
Has Renewables	NO

MONTHLY BILLING

Monthly Bill Payer	QUESTOR LAU
Monthly Bill Payer	QUESTOR LAU

PER METER LOAD INFORMATION

Monthly Bill Payer	QUESTOR LAU
Load Type	APARTMENT
Building Permit Number	TO BE DETERMINED
Amps	CT METER
Voltage	3PH, 120/208V, 4W (F)
Total Connected kVA	7775
Total Demand kVA	2052
Total Generation kVA	225
Total sq. ft.	286635
AC sq. ft.	10280
Number of Floors	6
Number of Units	302
Common Area sq. ft.	63870
Parking Area sq. ft.	113780
Uses Master Meter	YES
Is there large equipment being served other than normal building loads (receptacles, lights, and AC)?	YES
Equipment Type	ELEVATORS
Rating (HP/KW)	25HP
Number of Units	4
Total Load (Rating x # of Units)	100HP
Equipment Type	FIRE PUMPS
Rating (HP/KW)	20HP
Number of Units	2
Total Load (Rating x # of Units)	40HP
Equipment Type	AIR CONDITIONING COMMON AREAS
Rating (HP/KW)	62KW
Number of Units	1
Total Load (Rating x # of Units)	62KW

SUBMITTALS

Site Plans	VIEW
Meter Elevation	VIEW
Single-Line Diagram	VIEW
Other Submittals	VIEW
Comments	

HLU Committee

From: Tom Schnell <tschnell@pbrhawaii.com>
Sent: Monday, August 4, 2025 11:56 PM
To: HLU Committee; Tasha A. Kama
Cc: Carla M. Nakata
Subject: HLU-1(1), Relating to Kaiahale 'o Kahiluhilu Affordable Housing Rental Project
Attachments: 2025-08-04 Letter to Chair Kama - Updated Exhibits.pdf; Exhibit 30 -HHFDC Certification Under the EP Proclamation REVISED (NEW).pdf; Exhibit 17 Utility Letters REVISED.pdf

Dear Chair Kama:

It came to my attention that the 202H Application HHFDC transmitted the Council was dated "March 2025." However, in May 2025 PBR HAWAII provided an updated 201H Application to HHFDC dated "May 2025." The changes in the May 2025 version of the 201H application were primarily to provide updated exhibits.

Transmitted with this email are the revised Exhibits that were included in the May 2025 version of the 201H application:

- Exhibit 17 – Utility Letters
 - Revised to include Department of Water Supply (DWS) comments and HHFDC letter to DWS requesting Reservation of Water Availability
- Exhibit 30 – Emergency Proclamation Application
 - Revised to include the HHFDC Emergency Proclamation (EP) Certification letter (approval), rather than EP Application since HHFDC approved the EP Application

Tom Schnell, AICP
Vice President



PBR HAWAII

Phone: 808-521-5631

Mobile: 808 561-7978

Email:

tschnell@pbrhawaii.com