Contents

9. Response to Comments[1]

The presentation and summary of comments and responses is a key element of the Final EIS. The Final EIS presents wholly new text specific to the process steps since release of the Draft EIS and a summary of comments received during the public comment period (along with agency responses to substantive comments).

9.1 DRAFT EIS COMMENT PERIOD

The Draft EIS was completed on December 20, 2024, and made available to the public through the website on that date along with publication of the Notice of Availability in the Federal Register and The Environmental Notice in January 2025. This initiated a 45-day public review period extending to February 24, 2025. Two public hearings were held: an in-person hearing on January 23, 2025, and a virtual public hearing on January 28, 2025. There were a variety of methods available for individuals to submit comments on the Draft EIS: email, online form, printed form, and verbally at public hearings. All substantive comments received on the Draft EIS have been summarized and responded to in this Final EIS.

9.2 COMMENTS AND RESPONSES

This section provides responses to substantive comments received during the 45-day comment period following publication of the Draft EIS, which ended on February 24, 2025. Appendix 9 provides the individual detailed transcription of all comments and communications received, while substantive comments are summarized below along with FHWA and HDOT responses. In total, over 200 comments were received from 85 submissions.

Where applicable, individual comments have been consolidated and aggregated together for ease of reading and to reduce redundancy. Comments are organized by key Final EIS chapters and technical impact assessment areas.

The FHWA and HDOT thank all the participants who provided comments and input at the public hearings and during the public comment period. The list of commenters is presented below. For any comments that were consolidated, the people or organizations that contributed individually are shown at the end of the comment (in parentheses). To cross reference a commenter's specific transcript from Appendix 9 against the comments presented below, the transcript log number is provided along with the name. For example, in Comment 1, the relevant direct transcript text from Kathy Kihune can be found by referencing Submission Number 34 in the main comment table in Appendix 9.

[1] This section is new text for the Final EIS and was not included in the Draft EIS. For ease of reading, the new text is not double underlined.

9.2.1 List of Speakers

Agencies and Elected Officials

1. Tamara Paltin, County Council, County of Maui
2. Viktorily A Sirova, U.S. Department of the Interior
3. Hawaii State Department of Health, Clean Air Branch
4. Jeremy Morgan, U.S. Army Corps of Engineers
5. Brian J Neilson, Hawaii DLNR-Aquatic Resources
6. Dina U. Lau, Hawaii DLNR-Engineering Division
7. Ciara W.K. Kahahane, Hawaii DLNR-Water Resource Management
8. Michael Cain, Hawaii DLNR-Coastal Lands
9. Russell Y. Tsuji, DLNR-Land Division
10. Roy Ikeda, Hawaii Department of Education
11. Robert Schmidt, Maui County Department of Environmental Management
12. Karen Comcowich, Maui County Long Range Planning Division
13. Francisco Dóñez, U.S. Environmental Protection Agency
14. Chelsie Javar-Salas, U.S. Fish and Wildlife Service

Organizations

1. Maui Bicycle League (Saman Dias, Chair)
2. Ulupono Initiative (Kathleen Rooney)
3. Valley Isle Sports Shooters Club (Raymond Ishii, President)
4. The Nature Conservancy (Kim Falinksi)
5. EarthJustice (Mahesh Cleveland)

In-Person Public Hearing, January 18, 2025

1. Anonymous 1
2. Anonymous 2
3. Anonymous 3
4. Anonymous 4
5. Kathy Kihune
6. Brandon Hazlet
7. Michele Lincoln
8. Linda Nahina Magallanes
9. Kellee Emmerich
10. Brad Emmerich
11. Raymond Ishii
12. David McPherson
13. Jason Wolford
14. Van Fischer
15. Nick Nielson
16. Malihini Keahi
17. Ms. Keele
18. Victoria Kaluna- Palafox
19. Linda Nahina Magallanes

20. Mr. Kaluna- Palafox
21. Ms. Felice

Virtual Public Hearing, January 23, 2025

1. Nancy Haley
2. Cesar Martin del Campo
3. Saman Dias
4. Karen Comcowich
5. Teje Roy
6. Jason Potts

Submitted Comments by Email, Mail, Phone, Online Form

1. Lee Chamberlain
2. Thorne Abbot
3. Carter Barto
4. Janice and James Revells
5. Victoria Kaluna- Palafox
6. Kevin Bridges
7. Darrell Tanaka
8. Benny Martin
9. Robert Santos
10. Tara King
11. C-T Folding
12. Kai Kalani
13. Raymond Ishii
14. Robert Cole
15. Dan Dennison
16. Donna Clayton
17. Constatine Mittendorf
18. Jerome Kellner
19. Richard Gailey
20. Van Fischer
21. Anna Nalaniewalu Vinuya-Palakiko
22. Jason
23. Trevor White
24. Dave Veldman
25. Allen Surbida
26. John Rafael
27. David Kingdon
28. Michele McLean
29. Cesar Martin del Campo
30. Jonathan Verona
31. Daniel Ornelas
32. Elaine Baker
33. Julie Durham

34. Dr. Marion Ceruti
35. Dennis Eyler
36. Julie Durham
37. Andrew Viloria

9.2.2 Comments and Responses by Draft EIS Chapter

Unless noted for a specific comment response, the comments and responses presented below did not result in changes to Draft EIS technical chapters. The responses indicate when a comment has contributed to the refinement of the Selected Alternative as presented in this Final EIS.

Purpose and Need, EIS Process, and General Comments

Comment 1: Thank you for making the time to bring many stakeholders together from Olowalu and Ukumehame. It has been very informative and positive hearing the available/potential routes to mitigate sea level rise along with environmental concerns. (Kathy Kihune 34)

Response 1: Thank you for your comment and your interest in the Project.

Comment 2: We fully support HDOT's efforts of adaptive realignment of this critical highway inland. Previously the County approved a subdivision in the Ukumehame section for highway relocation and creation of a linear coastal park. County council also authorized purchase of the land to relocate the highway inland, uphill and out of the tsunami inundation zone. This may be a prudent route to use for the relocated highway. (Thorne Abbott 2)

Response 2: Consistent with this comment, the Selected Alignment through Ukumehame utilizes County land as created through the Ukumehame subdivision and other purchases to the extent practicable. The County’s purchase was intended to serve both as a future relocation of the highway and additional coastal park area.

Comment 3: The Honoapi‘ilani Highway Improvements Project presents a historic opportunity for HDOT to create a best-in-class model for adapting to sea level rise and coastal hazards, while at the same time incorporating sensible bicycle and pedestrian-friendly measures that would ultimately reduce car traffic, while promoting public health and mobility for Hawai‘i’s residents. (Mahesh Cleveland, EarthJustice 81)

Response 3: Thank you for your comment and your interest in the Project.

Comment 4: As part of HDOT's broader goal to repair the coastal highway network from Māʻalaea to north of Lāhainā, the Honoapiʻilani Highway Improvements Project will bring much-needed service dependability and resilience. This project also offers a rare chance to incorporate the West Maui Greenway as a crucial component of this reconstruction. The August 2023 wildfires has forced our community to rethink present and future disaster recovery and infrastructure planning. Conversion of the former highway into a cycling and pedestrian path, as well as an evacuation route, will shape a legacy of sustainable infrastructure that will benefit West Maui for many years to come. (Tamara Paltin, County Council, County of Maui 42)

Response 4: The West Maui Greenway project remains an independent initiative not led by HDOT. In the project area the West Maui Greenway is anticipated to eventually be integrated along the right-of-way of the existing Honoapiʻilani Highway which is anticipated to be relinquished to the Maui County one the Project is complete. In addition, based on comments received on the Draft EIS, the Selected Alternative as presented in this Final EIS will include a separated shared-use pathway along the makai edge of the new highway right-of-way, providing more multi-modal opportunities with the eventual and independent implementation of the West Maui Greenway.

Comment 5: I'm a West Maui resident and I drive the Honoapiʻilani Highway multiple times a week for commuting to and from work. I fully support this project because I see the wave impacts that are happening along the highway. (Karen Comcowich 46)

Response 5: Thank you for your comment and your interest in the Project.

Comment 6: I firmly believe and strongly support the proposed 6.5-mile mauka relocation of the Honoapiʻilani Highway. Honoapiʻilani Highway serves as critical infrastructure for residents, businesses, and visitors alike and the proposed project enhances safety and emergency preparedness, supports economic vitality, improves quality of life, and is responsive to environmental considerations and safety concerns. I urge HDOT and County of Maui to act swiftly to approve, fund, and complete this project. The benefits of an inland, four-lane Honoapiʻilani Highway far outweigh the costs, and its timely completion is essential for the safety, economic stability, and overall well-being of our community. Please do everything possible to make this happen. This is so very important for the island, the community, and the planet. Realignment will mitigate against risks posed by rising sea levels and wildfires. This project is a pivotal step in West Maui's recovery, resilience, and sustainability and this critical realignment will safeguard a vital transportation corridor that serves as a lifeline for West Maui residents, workers, and visitors. (Carter Barto 3 and 7; Robert Cole 16; Dan Dennison 17; Donna Clayton 18; Constantine Mittendorf 19; Jerome Kellnor 20; Saman Dias 24; David Veldman 27; Cesar Martin del Campo 32; Tamara Paltin, County Council, County of Maui 42)

Response 6: As stated in Chapter 2, Alternatives of the Draft EIS, based on current demand, the proposed highway would be constructed with two lanes but with sufficient right-of-way to accommodate a full four-lanes if and when demand indicates that need and if funding is available. Should HDOT pursue completion of a four-lane configuration in the future, a supplemental NEPA/HEPA environmental assessment would be undertaken.

Comment 7: Has there been any thought about putting passing lanes on the highway, not the whole but there should be a location where the roadway can be widened for a passing zone. (Karen Comcowich 46, Teje Roy 47, Raymond Ishii 54, Ms. Keele 60)

Response 7: As stated in Chapter 2, Alternatives of the Draft EIS, based on current demand, the proposed highway would be constructed with two lanes but with sufficient right-of-way to accommodate a full four-lanes if and when demand indicates that need and if funding is available. The initial project construction would clear, grade and provide infrastructure (bridges and culverts) and be ready to accommodate four lanes. Should HDOT pursue completion of a four-lane configuration in the future, a supplemental NEPA/HEPA environmental assessment would be undertaken. Based on comments made during the Draft EIS public comment period and at the public hearings, the HDOT will evaluate in the design build process the potential for including a passing lane segment as part of the initial build-out.

Comment 8: Please expand the highway from two lanes to four to allow better flow of traffic for those that commute to the west side for work. Impatient motorists stuck behind those driving below the speed limit routinely drive aggressively through this section in order to pass clusters of slower drivers. Building two lanes in either direction will allow these motorists to safely pass slower drivers and reduce congestion through Lāhainā. (Carter Barto 3, Daniel Ornelas 49)

Response 8: As stated in in Chapter 2, Alternatives of the Draft EIS, based on current demand, the proposed highway would be constructed with two lanes but with sufficient right-of-way to accommodate a full four-lanes if and when demand indicates that need and if funding is available. Should HDOT pursue completion of a four-lane configuration in the future, a supplemental NEPA/HEPA environmental assessment would be undertaken. In addition, HDOT will evaluate in the design build process the potential for including a passing lane segment as part of the initial build-out.

Comment 9: My biggest comment is to speed up the construction timeline. The proposed construction timeline is way too long; this needs to be done now! The federal government just provided $2 billion for Lāhainā housing needs so that should free up state and local money to get this project started and finished sooner. The vulnerability threat to west side is only getting worse with time and needs to be fixed sooner rather than later. Get this extremely critical project finished sooner. (Kevin Bridges 6)

Response 9: The Project remains a high priority for HDOT and the approvals and construction implementation schedule are intended to expedite project delivery. The Final EIS/ROD must be completed in summer 2025 as a condition of project funding. HDOT will then move into the final design and construction phases of the Project and will use a design-build approach, where one contractor designs and builds the project, reducing schedule and getting this important project built faster. Construction is expected to start in 2027 and could potentially be complete and operational by 2030.

Comment 10: If you look up old satellite images from 1950 and compare them to now the land looks exactly the same, so what is the purpose of this? Is the land disappearing or is this a ploy to get Olowalu Town eventually passed? We don't want a new highway that will increase taxes and bring in more millionaires. And I think the more road you make the more people come. It's already hard enough to survive and the majority of kanaka have already been forced out due to the high cost of living. Only a few of the original families remain in Olowalu. So you take up more land. You open up the highway and then you infringe on people in Olowalu. (Jason Potts 25, Malihini Keahi 59)

Response 10: As described in Chapter 1, Introduction, Purpose and Need, of this Final EIS, the Project’s primary purpose is to provide a reliable transportation facility in West Maui and improve Honoapi‘ilani Highway’s resilience by reducing its vulnerability to coastal hazards. Specifically, the Project is intended to address existing coastal erosion and flooding vulnerabilities as well as future coastal erosion and flooding. The Project does not include land use actions or modifications to the existing zoning that would facilitate additional development in the surrounding area. Regarding the Olowalu Town Master Plan Project, on December 7, 2015, the State Land Use Commission denied the acceptance of the Final EIS and the project was discontinued. There are currently no filed applications or permits to indicate that the Olowalu Town Master Plan Project would be pursued again. In addition, should the Olowalu Town Master Plan Project (or a project of similar scope or nature) be proposed, it would likely be subject to approvals, potentially involving environmental review and associated public engagement requirements.

Comment 11: I'm from Ukumehame, we are the first ones that you guys are going to plow through come into our kuleana. That's like taking a part of our livelihood. You cannot just come and plow through all our cultural sites or our wetlands or the river and life. Fix the old highway and you will save a lot more money by just fixing it. (Mr. Kaluna Palafox 63)

Response 11: The Project seeks to create a new highway alignment that is less vulnerable to coastal erosion and flooding that has undermined the reliability of the existing highway for decades. HDOT and the FHWA considered a “No Build” Alternative that would leave the highway in place or make other improvements (such as coastal armoring) that could protect the existing road alignment from the ocean. However, these solutions weren’t found to fix the problem of the ocean flooding the road. The road needs to be moved mauka to keep ocean waters off the road, and coastal armoring was found to worsen coastal erosion, which would in turn further degrade the Olowalu reef. The Preferred Alternative, as described in the Draft EIS and the Selected Alternative, as presented in this Final EIS—include revisions that are based on public comments about specific elements of the Project. Refinements to the alignment provide a balanced approach that achieves the Project’s stated purpose and need combined with the best opportunity to avoid, minimize, or mitigate impacts to the community and the environment. Generally, the No Build Alternative, or fixing the old highway as suggested in the comment, does not address the Project’s purpose and need of having a reliable transportation link connecting West Maui and Central Maui. This assessment is based on the existing and predicted levels of coastal erosion and flooding inundation. Any parcels that may be affected by right-of-way requirements for the new highway alignment—including kuleana parcels—are evaluated for the need of full or partial acquisition. Property acquisition would adhere to the appropriate procedures for fair compensation as set forth in the Uniform Relocation Act, as applicable (see Chapter 3.4 of the Final EIS). With regard to wetlands and water bodies, the alignment would be on viaduct over the low-lying

inundation areas adjacent to the Ukumehame Firing Range and wetlands in the Ukumehame area. Spanning these important ecological features preserves wetlands and wildlife habitat to the greatest extent practicable. Bridges and culverts would allow for continued water flow while crossing the new highway.

Comment 12: The 2007 Act 214 directed HDOT to incorporate cane haul roads into emergency evacuation planning. Yet over 100 lives were lost in the August 2023 Lāhainā fire—many of which could have been prevented had these evacuation routes been open and accessible. The Honoapi'ilani Highway realignment must correct this tragic failure by formally incorporating cane haul roads as emergency evacuation routes. HDOT must negotiate with the Owner of Record for right-of-way access and develop permanent emergency routes as part of this highway realignment. Failure to integrate emergency evacuation routes now would be a continuation of HDOT's past neglect and put West Maui residents at continued risk. (Saman Dias 51)

Response 12: The objective of Act 214 is to provide alternative routes if the highway is closed. The Project's new highway alignment, in combination with connections to the existing highway that will become a local roadway, generally supports the objectives of Act 214. There is no continuous north-south cane haul road network parallel to the existing highway and only a handful of mauka-makai cane haul roads in the project area. The existing roadway from Olowalu center towards the petroglyphs is being preserved. In the project area, subdivision streets are the primary mauka-to-makai travel ways including North Street and Luawai Street in Olowalu and Ehehene Steet and Pōhaku 'Aeko Street in Ukumehame. The proposed highway realignment will have two signalized intersections that will provide access to the existing highway from the realigned highway.

Comment 13: According to the plans as presented in the Draft EIS, the intent of HDOT is to leave the existing road and shoreline hardening structures in place, and to transfer ownership and maintenance responsibilities to Maui County to become a local access road. OCCL would like to see an assessment of the cost and long-term impact to the shoreline of removal of the existing road and all affiliated protective structures. (Michael Cain, Hawaii DLNR – Conservation and Coastal Lands 72)

Response 13: There are no known plans that would suggest the existing road, or its affiliated protective structures would be removed in their entirety in the future and such conditions are not proposed as part of the Project. Accordingly, an assessment of the cost and long-term impact to the shoreline of removal of the existing road and all affiliated protective structures would be outside the purview of this environmental review. The existing road would continue to provide important local access to homes, businesses, beach areas and parks so it is not anticipated to be removed in its entirety. The ability to plan for the future of the existing roadway to serve a new public use of local access and providing right-of-way to implement the West Maui Greenway but without the burden of ensuring the ability to carry more than 20,000 vehicles per day will enable the roadway to be managed with more flexibility in accommodating less shoreline hardening or other measures. The Draft EIS indicated that The Nature Conservancy is currently evaluating such opportunities along the old highway. The Draft EIS and this Final EIS indicate that once jurisdiction is transferred, there may be conditions in the future where the old highway is not a continuous link throughout the corridor.

Comment 14: Portions of the old road are in the Limited Subzone of the Conservation District. Per HAR §15-5-12, the objective of the Limited Subzone is to "limit uses where natural conditions suggest constraints on human activities." Footnote 5 on page 2-12 of the Draft EIS states the following: "As part of the relinquishment process, HDOT and the FHWA must concur that the land is not needed for federal-aid highway purposes in the foreseeable future, that the new roadway segment and its traffic operations would not be adversely affected by relinquishments, and that the lands are not suitable to restore, preserve, or improve the scenic beauty of the new roadway." The lands which are currently occupied by the existing highway are suitable for restoration. Naturalization of the shoreline would improve public access, return public trust land to the public, and benefit reef health at the Olowalu reef by enabling the land to naturally filter freshwater runoff. Restoration may provide a more substantial storm and wave buffer for the areas of the realigned highway which will remain in the SLR-XA. Finally, the scenic beauty of the realigned road will be improved if the existing road is removed and restored to a natural beach profile. (Michael Cain, Hawaii DLNR – Conservation and Coastal Lands 72)

Response 14: The relinquishment of the existing highway would not adversely affect the new roadway segment. The existing highway would continue to provide important local access to homes, businesses, beach areas and parks so it is not anticipated to be removed in its entirety. Once the Project is constructed and operational, the existing highway would not be the primary transportation link between West Maui and Central Maui, and the volume of traffic on the roadway would be substantially reduced. The reduction in traffic volume would allow the County to pursue multiple uses, such as the Maui Greenway, and consider non-hardening measures that are more conducive to naturalizing the shoreline. The Draft EIS and this Final EIS indicate that The Nature Conservancy is currently evaluating such opportunities along the old highway, and that once jurisdiction is transferred, there may be conditions in the future where the old highway is not a continuous link throughout the corridor.

Comment 15: HDOT should disclose and analyze any reasonably foreseeable growth-inducing effects from the Honoapiʻilani Project. For example, to the extent that any plans to develop Olowalu Town are still in the works and would be dependent on implementing the Honoapiʻilani Highway Improvements Project, HDOT must address these effects. (Mahesh Cleveland, EarthJustice 81)

Response 15: As established in the Draft EIS, the Honoapiʻilani Highway Improvements Project is not expected to have a growth inducing effect locally or in the larger region. The purpose of the Project is to ensure a reliable and resilient transportation link connecting West Maui with Central Maui. There is no change in up or downstream capacity of the highway and there are no actions included in the Project that would generate new travel demand (that is, no changes in land use, zoning, or development regulations). Specifically, as a limited-access road there would be no new driveways or access points connected directly to the realigned highway, and there is no change in overall development opportunities created by the roadway. Regarding the Olowalu Town Master Plan Project, on December 7, 2015, the State Land Use Commission denied the acceptance of the Final EIS and the project was discontinued. There are currently no filed applications or permits to indicate that the Olowalu Town Master Plan Project would be pursued again. In addition, should the Olowalu Town Master Plan Project (or a project of similar scope or nature) be proposed, it would likely be subject to approvals, potentially involving environmental review and associated public engagement requirements.

Comment 16: EPA did not identify significant concerns to be addressed in the final EIS. We acknowledge and recognize our colleagues in the state for continuing the NEPA process to analyze and deliver this project following the devastating wildfire impacts to Lāhainā just north of the proposed project area. We note that many of our scoping comments were adopted in the development of the Draft EIS, and that our November 1, 2024, comments on the Administrative Draft EIS regarding aquatic resources and community engagement were fully addressed in the Draft EIS. (Francisco Dóñez, USEPA 83)

Response 16: Thank you for your comment and your interest in the Project.

Alternatives

Comment 17: Build Alternative 1 would be the best alternative as it provides the shortest distance and will provide outstanding views. However, the Preferred Alternative would adequately address the ocean flooding issue and stand a better chance of not being delayed with nuisance lawsuits. I had asked about cutting down the trees through Olowalu -- the tunnel trees. I was told they cannot. You protect the trees but you're not protecting the cultural significance of Olowalu. If you cut the trees down, you got one road there, use the old cane haul road instead of going up. Alternative 1 is preferred and you can remove the trees. (Kevin Bridges 6, Linda Nahina Magallanes 40 and 62)

Response 17: As presented in the Draft EIS and this Final EIS, the various alternatives were evaluated based on the full range of technical environmental analyses conducted as well as roadway design considerations. In addition to the loss of monkeypod trees Build Alternative 1 in Olowalu would have resulted in further potentially adverse effects related to the proximity to existing residences and the intersection of Olowalu village center and the existing highway. All the alternatives are approximately the same length, so alignment length alone was not a primary factor in the comparative impact evaluation. As described in the Draft EIS, the Preferred Alternative is based on Build Alternative 1 in Ukumehame and Build Alternative 2 in Olowalu and is considered the best opportunity to achieve the Project's purpose and need while minimizing and avoiding environmental impacts.

Comment 18: I oppose all builds except maybe Build Alternative 1 as long as it doesn't demolish my wife's 2nd great grandmother's foundation located in the bushes right next to the old water tower/general store. I'm completely against Build Alternative 4, which is going right through the side of Pu'u Kilea and exactly where the oldest petroglyphs are located. Build Alternatives 3 and 4 worry me because they go by the petroglyphs and recently the petroglyphs have been getting vandalized. Specifically, in Olowalu, what is going to be done with the existing highway? I say no to the new highway and please fix what is already there. (Jason Potts 25 and 48, Teje Roy 47)

Response 18: The various alternatives (including a No Build Alternative that would keep the highway in its present location) were evaluated based on the technical environmental analyses conducted as part of the Draft EIS and this Final EIS. Overall, the No Build Alternative did not meet the Project's purpose and need because it leaves the existing highway vulnerable to coastal erosion and flooding and remains a less reliable transportation link to West Maui. However, the existing highway would continue to serve the community as a local road; it would carry far less traffic but still provide access

to the Olowalu village center, homes, and business, as well as the beaches and parks in Ukumehame and Olowalu.

Build Alternative 1 does pass through this area adjacent to the general store and water tower and could disturb the foundation mentioned in the comment. As detailed in Chapter 5, Preferred Alternative, of the Draft EIS, Build Alternative 1 in Olowalu was not selected as the Preferred Alternative based on several factors, including the complexity of the overlapping or proximity of the new alignment with the existing highway and its close proximity to the village center itself. Further, Build Alternative 4 was not identified as the Preferred Alternative because it has several environmental constraints associated with the mauka alignment. This included its proximity to the petroglyphs, which were identified as a likely adverse effect on land use, visual quality, and archeological and historic resources—including a noise impact at the location of the petroglyph. As described in Chapter 5 of the Draft EIS, the Preferred Alternative is based on Build Alternative 2 in Olowalu, which is considered the best opportunity to achieve the Project's purpose and need while minimizing and avoiding environmental impacts.

Comment 19: I am deeply concerned about the proposed highway realignment options, especially Build Alternative 4, which would run directly through many of our homes in the subdivision. If you put the road up higher, what about the heiau on the top? That heiau is still going strong. There's also Pu'u Kilea, which is where our Kupunas are buried. While we appreciate the environmental decision to move the highway away from the coastline, I strongly encourage consideration of Build Alternatives 2 and 3 for our section of the realignment, as they seem to pose less of a threat to the homes and families already established in the area. Please create the highway furthest away from infringing on local people. Please create a highway that encourages safety and more efficient transportation but discourages further development that does not enhance nor empower local people. (Benny Martin 9, Anonymous 2 37, Linda Nahina Magallanes 62)

Response 19: In both Ukumehame and Olowalu, Build Alternative 4 was intended to represent the most mauka of alignments (that is, the most separation from the coast and inundation flood zones). The evaluation of this alignment showed that the distance from the coastline resulted in substantially more potential adverse effects on private property and other environmental considerations compared with Build Alternatives 1 and 2. As identified in Chapter 5 of the Draft EIS, the Preferred Alternative was selected based on Build Alternative 1 in Ukumehame and Build Alternative 2 in Olowalu. Build Alternative 4 was not identified as part of the Preferred Alternative, and the Preferred Alternative would not result in potential adverse effects to the referenced heiau. The Preferred Alternative avoids and minimizes effects on existing residences as well as cultural resources and other environmental considerations. The alignment does not create new development opportunities within the project area.

Comment 20: In Olowalu, use the mauka/northern section of Build Alternative 1 until it crosses Build Alternative 2 and then pick up that option. Basically, use the uphill section of Build Alternatives 1 and 2 - a mauka hybrid - don't use the makai section of either. (Brandon Hazlet 35)

Response 20: This comment generally reflects the proposed refinements to the Selected Alternative made in consideration of public comments and refined design analysis.

Comment 21: In Ukumehame, my request is that the highway go as low as possible through County land rather than through the resident or the residential areas or the agricultural areas and private property. It makes sense to me that the State would put the highway there on the County property at the bottom of Ukumehame development, although people have moved in there and put up homesteads despite “no trespassing” signs. I'm concerned about road noise the closer it comes to where people are living and since we can basically hear the highway now and hope that they would do something to try and mitigate the noise. (Kellee Emmerich 52, Brad Emmerich 53)

Response 21: In Ukumehame, the most mauka alignment (Build Alternative 4) was not identified as the Preferred Alternative for many of the environmental constraints noted in the comment, including a high number of private property takings. The Preferred Alternative is primarily on State and County lands, with a more makai alignment than Build Alternative 4 but mauka of Build Alternative 2/3 and the existing highway to avoid the inundation and flood zones to the extent possible. As detailed in Chapter 3.4 of the Draft EIS and this Final EIS, property acquisitions and displacement of existing residences must follow the rigorous procedures of the federal Uniform Relocation Act. As presented in Chapter 3.16 of the Draft EIS and this Final EIS, there are no impacts from increased noise levels generated by the Preferred Alternative and no abatement is warranted.

Comment 22: Has the design team thought about putting guardrails up? This would save our County and State dollars in not having to clean up cars and guardrails would eliminate anybody really driving into State-covered land or places that they should not be trespassing. (David McPherson 55, Ms. Keele 60)

Response 22: Guard rails will be included along both sides of the new highway.

Comment 23: Can there be a separate biking, walking, golf cart lane, with its own divider along the side? So many bikers are on Honoapi‘ilani Highway they deserve their own "green lane." How will cycling be addressed along the realignment and across the viaduct and bridge structures? It is really important that we incorporate safe bicycling and pedestrian crossing into the new highway. State law (Act 131 and the Complete Streets Policy) mandates that new highways must be bike-friendly and accommodate pedestrians. The Navahine Settlement requires HDOT to “implement policies and procedures to ensure that Complete Streets improvements remain part of the project throughout the planning and development process.” Hawai‘i’s Complete Streets statute requires HDOT to “adopt a complete streets policy that seeks to reasonably accommodate convenient access and mobility for all users of the public highways,” including “pedestrians, bicyclists, transit users, motorists, and persons of all ages and abilities.” The mandate applies specifically to “new construction, reconstruction, and maintenance” of highways such as the Honoapi‘ilani Improvements Project. The Project, as proposed in the Draft EIS, lacks any Complete Streets improvements for pedestrians, bicyclists, and transit users. (C-T Folding 12, Anonymous 1 33, Saman Dias 45 and 51, Karen Comcowich 46, Mahesh Cleveland, EarthJustice 81)

Response 23: The preliminary design consideration did not include a separate pathway for non-motorized users, and all alternatives would incorporate a standard width shared-use shoulder lane that would accommodate bicyclists. This was intended to provide a direct route to and from the Pali and Lāhainā (including the viaducts and bridges) as a complement and interconnect with the primary

bike route served by implementing the West Maui Greenway, which is proposed to be alongside the existing highway. Plans for the West Maui Greenway indicate the greenway is intended to provide a more substantial and integrated shared-use pathway that would be closer to the coastline and away from the main highway. However, based on these and other comments generated during the public review period for the Draft EIS, the Selected Alternative has been refined to incorporate a separated travel way for nonmotorized traffic (golf carts would not be allowed). As described in Chapter 2 of this Final EIS, the pathway would be constructed along the makai edge of the new highway alignment. At Luawai Street in Olowalu and Ehehene Street in Ukumehame, traffic signals would allow bicyclists and pedestrians to safely cross the new roadway.

Comment 24: HDOT should also include a shaded, protected bike and pedestrian pathway through the center of the realigned highway to comply with the Navahine Settlement and Complete Streets mandate and ensure this $160.8 million project contributes to decarbonizing the state transportation system. This pathway should provide for integration and linkages with the West Maui Greenway, in consultation with stakeholders. (Mahesh Cleveland, EarthJustice 81)

Response 24: Based on this and other comments submitted during the public review period for the Draft EIS, the Selected Alternative has been refined to incorporate a separated travel way for nonmotorized traffic within the new alignment. However, the provision of a shaded shared-use path through the center of the new alignment would introduce new safety concerns particularly the increase of potential conflicts between pedestrians/cyclists and motorists (especially at intersections). In addition, this would require the addition of fixed objects within the median to protect bicyclists and pedestrians (guardrails and crash cushions). The user experience would be compromised in this environment particularly if a future four lane configuration were implemented. Furthermore, the center median of the new alignment is anticipated to be vegetated to provide for the management of stormwater runoff. Based on preliminary conceptual design, the appropriate location for a new bicycle/pedestrian facility would be along the makai edge of the realigned roadway right-of-way. Given the limitations of the geometry of the roadway—that is, the need to restrict the area of disturbance mauka and makai of the new alignment to avoid cultural resources and other environmental constraints—and the arid nature of the surrounding open landscape, providing shading for this segment of a shared-use path would not be feasible.

Comment 25: Can I see the details of the work to be done including their staging area? (Robert Santos 10)

Response 25: As set forth in the Draft EIS, the proposed alignments are anticipated to largely use delineated right-of-way for staging areas during construction. Further, the key phases and construction activities are summarized in this Final EIS, including the environmental commitments to minimize and avoid potential construction-related impacts. The design-build contractor would make final decisions about specific staging areas, and their decisions would incorporate the environmental commitments identified in the combined Final EIS and ROD.

Comment 26: I really hope you are going to rebuild Weinberg Court between Prison Street and Dickenson Street. (Tara King 11)

Response 26: While redeveloping Lāhainā after the devastating wildfire is critically important, it is beyond the scope of this transportation project. Weinberg Court is substantially outside the study area for the Project's Draft and Final EIS.

Comment 27: You are not going to build a highway up north because we don't have the funding. Right? But we need another way out of Lāhainā. If you were here during the fire you would understand. We only got the bypass through Lāhainā and Keawe. And that got all messed up and then we asked, "Why couldn't you do the road Mauka and take it to Honokowai?" No more money, but now we are talking about money. So why don't you work on that part? (Ms. Felice 64, Malihini Keahi 59)

Response 27: As noted in the comment, there is no current funding for work on the bypass north of Lāhainā. The Project was started well before the devastating 2023 wildfire that destroyed Lāhainā and resulted in significant human loss and suffering as well as difficult economic impacts. The Project would generally support the efforts to rebuild Lāhainā by providing a reliable transportation facility in West Maui and improving Honoapiʻilani Highway's resilience by reducing its vulnerability to coastal hazards. Planning for the Project began with pre-Notice of Intent Scoping, where HDOT and FHWA held two early scoping meetings in February 2022. The EIS scoping period was initiated in November 2022. These activities informed HDOT and FHWA's approach to future public engagement and community input was used to hone the Project's Purpose and Need Statement and to understand potential concerns that should be considered in the analyses. At the time of the wildfire, the Draft EIS technical evaluations were largely complete and being reviewed and refined. The goal was to publish the Draft EIS toward the end of 2023. After the wildfire, HDOT and the FHWA reviewed each technical evaluation to acknowledge and identify whether changes in the analyses would be appropriate based on the wildfire's effects. While there was extensive public participation before the wildfire, HDOT and the FHWA understand that the community's focus has been on rebuilding efforts. However, the purpose and need for the Project remain, and the funding associated with the Project was committed prior to the wildfire.

Comment 28: The next question is when do we get an escape route, not just a road down from Ulupalakua lookup down exactly 2.2 miles to the road at Makena golf course? Thompson Road, aka "Oprah's road" might be a handshake deal for MFD, but what about the rest of us trying to get down the hill for another fire event? (Kai Kalani 13)

Response 28: This comment pertains to roadways that are substantially beyond the study area of the Honoapiʻilani Highway Improvements Project and are therefore beyond the scope of the Project's Draft and Final EIS.

Land Acquisition, Displacement, and Relocation

Comment 29: There is a critical issue regarding the classification and evaluation of Parcel 48002115, which has been flagged for full acquisition under Build Alternative 1. It is essential that the property's current and planned uses are accurately reflected in the Project's documentation. The current project documentation categorizes Parcel 48002115 as "not in use," which does not accurately reflect its status. Specifically, the parcel is actively utilized for grass farming operations, supported by established water connections and other agricultural infrastructure. Farming activities are currently underway, generating revenue and contributing to the agricultural economy of the area. Additionally, the lot is being developed with architectural plans for a residential structure to complement its agricultural use. Will someone be contacting us to understand the level of impact to our farming operation? (Cesar Martin del Campo 32, 44, and 86)

Response 29: During development of the Draft EIS in 2022 and 2023, property record searches along with field reconnaissance and review of Geographic Information Systems (GIS) mapping and data layers did not reveal the level of activity as described in the comment. HDOT recognizes that property ownership and use activities initiated by owners will change over time—especially in an area where subdivisions have occurred—and this information was updated accordingly in the Final EIS. Most importantly, any updated and current information will be integrated into the process of determining land value and fair compensation if the property must be acquired as part of the Project (see Chapter 3.4 of the Final EIS, which includes an explanation of how the Uniform Relocation Act establishes the protocol that must be followed in the acquisition process as well as HDOT's guidelines for right-of-way acquisition).

In Ukumehame, Build Alternative 1 has been determined to be the basis of the Preferred Alternative, so the alignment is directly through Parcel 48002115. This indicates that a full acquisition of the parcel would be required. Once final design has determined the requirements for property acquisition, a representative of HDOT Right-of-Way will contact the property owner to start the process. The Final EIS Chapter 3.4 has been revised to reflect this updated information.

Comment 30: Avoid impacts to kuleana parcels as much as possible. (Karen Comcowich 46)

Response 30: Chapter 3.4 of the Draft EIS and this Final EIS specifically identifies kuleana parcels and evaluates the effects of the Project on those parcels. The Preferred Alternative minimizes the potential impacts on the five affected kuleana parcels in both Olowalu and Ukumehame. HDOT must comply with the Hawaiʻi State Eminent Domain Law, which establishes the public purpose and acquisitions procedures for private property acquisition by the State of Hawaiʻi. In complying with the law, the individuals affected by land acquisition would have a transparent process to follow and a full understanding of their rights to just compensation.

Parklands and Recreational Resources/Beach Access

West Maui Greenway

Comment 31: We support the proposed 6.5-mile mauka relocation of the Honoapi‘ilani Highway, in conjunction with the Maui Greenway Project and respectfully urge HDOT and FHWA to incorporate the West Maui Greenway into the Honoapi‘ilani Highway realignment plan by repurposing the existing highway for Segments 6 and 7. I have seen the benefits that greenways bring to the communities where they were located. The West Maui Greenway, as part of the Hele Mai Maui Legacy Projects, presents a significant opportunity to foster sustainable, multimodal transportation that strengthens resilience and community connectivity in West Maui. It is essential to highlight a complementary opportunity to strengthen active transportation options and preserve the vision of the West Maui Greenway. This approach will maximize cost-efficiency, adhere to policy mandates, and support West Maui’s resilience, safety, and community connectivity goals. By repurposing this space for non-motorized transportation, we can build a legacy of active transportation choices and sustainable infrastructure that meets the needs of future generations and supports West Maui’s long-term recovery and growth. West Maui Greenway serves dual purposes—as a transportation corridor and evacuation route in case of future wildfires and other disasters. West Maui Greenway allows for compliance with the Navahine Settlement’s mandate to expand multimodal transportation, and integration of complete streets policy and Hawaii Bike Plan. Act 131 and the Complete Streets Policy: State law mandates that new highways must be bike-friendly and accommodate pedestrians. (Lee Chamberlain 1 and 87; Dan Dennison 17; Donna Clayton 18; Constantine Mittendorf 19; Jerome Kellnor 20; Saman Dias 24, 45, and 51; Dave Veldman 27; David Kingdon 30; Tamara Paltin, County Council, County of Maui 42; Julie Durham 75)

Response 31: Implementing the West Maui Greenway (by the County) along the existing highway is considered a future condition that is fully compatible with the Honoapi‘ilani Highway Improvements Project. The West Maui Greenway is not included in the Project because its ultimate design, funding, approvals and implementation would be a separate process led by Maui County. After the highway is realigned, jurisdiction of the existing Honoapi‘ilani Highway would be transferred to the County of Maui, and the roadway would continue to carry vehicular traffic that serves local traffic (business, residences, beaches, parks) but with less volume.

As set forth in Chapter 5 of this Final EIS, and based on public comments on the Draft EIS, the new Honoapi‘ilani Highway alignment will incorporate a separate and protected shared-use path along the makai side of the new right-of-way (including two locations for protected crosswalks of the new highway). This will add flexibility and provide for integration with the West Maui Greenway, should it be constructed in the future.

Comment 32: Will a separate bike path along the shoreline be built? (Anonymous 1 33)

Response 32: The Honoapi‘ilani Highway Improvements Project does not include development of the separate bike path along the shoreline. Maui County may implement plans for the West Maui Greenway and other potential shoreline recreational facilities sometime in the future.

Comment 33: This should also include prohibition or limitation of the use of 'e-bikes,' as many of those are capable of traveling at higher or even highway speeds, which could pose a danger to those employing muscle-powered sport and recreation. (David Kingdon 30)

Response 33: The prohibition or limitation of the use of “e-bikes” is beyond the scope of the Honoapi‘ilani Highway Improvements Project, and therefore this EIS.

Comment 34: The West Maui Greenway has secured significant financial support, including: RAISE Grant: $15 million awarded to the West Maui Greenway to support development and implementation efforts. Inclusion in STIP (MC28) ensures that the West Maui Greenway project is recognized as a priority for state and federal transportation funding allocations. This available funding underscores the importance of expediting the West Maui Greenway by integrating Segment 6 into the Honoapi‘ilani Highway Improvements Project, ensuring that the funds are utilized effectively and within the required timelines. (Lee Chamberlain 1)

Response 34: As set forth in the Draft EIS and this Final EIS, the Honoapi‘ilani Highway Improvements Project is fully compatible with the ultimate development of the West Maui Greenway (although, as indicated in the comment, it would be a separately funded project). With jurisdiction of the existing Honoapi‘ilani Highway being transferred to Maui County as part of the Project, planning elements of the West Maui Greenway that use the existing highway’s right-of-way (or adjacent areas) would be more easily integrated with County actions. Due to the funding identified above, separate approvals would be required related to the West Maui Greenway project, and the purpose and need for the West Maui Greenway project would be distinct from the purpose and need for the Honoapi‘ilani Highway Improvements Project.

Comment 35: Given that federal and other funding for the West Maui Greenway Plan is uncertain, HDOT should provide funding for the West Maui Greenway Plan Segments 6 and 7, which would be located on or along the portions of the existing highway that will be deeded to the County and have not yet been funded. (Mahesh Cleveland, EarthJustice 81)

Response 35: The Project’s primary purpose is to provide a reliable transportation facility in West Maui and improve the resilience of Honoapi‘ilani Highway by reducing its vulnerability to coastal hazards. Specifically, the Project is intended to address existing coastal erosion and flooding vulnerabilities as well as future coastal erosion and flooding caused by anticipated sea level rise. The Project provides a reliable transportation facility for vehicles, bicycles, and pedestrians. Funding for the West Maui Greenway Plan is outside of the scope of the Project and this Final EIS.

Ukumehame Firing Range

Comment 36: The County/State must keep the Ukumehame Firing Range where it is and provide easy access to the only range we have. This project is great but developers should make sure that the range entries are kept open and easily accessible. The highway should not cut through our only outdoor flat open firing range. It would make the inaccessibility of sport shooting that much more difficult for Hawaii citizens. The Ukumehame Firing Range is the only legal firing range on the island and is used by thousands of sportsmen practicing marksmanship and exercising their 2nd Amendment rights. It is also used by law enforcement and the military on a regular basis for firearms and riot control training. While supportive of moving the existing highway inland, there are a number of concerns. The routes appear to run makai of the firing lines, which we are grateful although a couple are uncomfortably close to the range. Another concern is the height of the viaduct, one or more of the routes has the entrance road to the range being under the viaduct. Will the viaduct be high enough to allow fire trucks and heavy equipment to drive under it? Due to the constant threat of brush fires on the Pali, and medical calls to the range, the more access Emergency Services has the better. (Raymond Ishii 15, Allen Surbida 28, John Rafael 29, Andrew Viloria 85)

Response 36: The Draft EIS and this Final EIS established and evaluated alternatives specifically with the understanding of the importance of the Ukumehame Firing Range to the community. As a public recreational resource, the firing range was further evaluated under the FHWA’s obligation pursuant to Section 4(f) of the USDOT Transportation Act. Preservation of the use of the facility contributed to the identification of the Preferred Alternative such that the crossing of the new highway alignment was more makai than the original Build Alternatives 1 and 4 evaluated in the Draft EIS. By placing the alignment on a viaduct over the HDOT detention basin, the elevation of the viaduct will provide for a minimum of 20 feet of clearance for the existing firing range driveway, allowing for enough clearance for most emergency vehicles and trucks that may need to enter the facility.

Comment 37: The proposed route does not show access to the Ukumehame Firing Range nor beach accesses for the general public. The four ranges are used almost daily by the numerous clubs and MPD. There is also a building used for firearm safety classes. Driving to Launiupoko and then returning toward Kahului to get to access the ranges and the beaches is ludicrous. (Janice and James Revells - 4)

Response 37: As with all alternatives evaluated in the Draft EIS, the Preferred Alternative would retain access to the Ukumehame Firing Range and County beach parks via the existing Honoapi‘ilani Highway. Trips to and from Central Maui would not have to loop as far away as Launiupoko but would use the new highway alignment’s intersection with Pōhaku ‘Aeko Street, which is located within a mile of the existing driveway. Placing the viaduct over the existing driveway ensures continued access and use of the firing range and also minimizes disturbance to sensitive ecological resources.

Comment 38: With the Project, to access the firing range and the Pāpalaua Wayside Park we would have to drive past the range via the Viaduct exit to the Ukumehame subdivision, then backtrack on the existing highway. The question I had was if the State is going to maintain that existing highway to a correct standard where you can actually drive on it. I was told that's going to be turned over to the County so now this is a County question. Because that section of road – if anybody's driven it -- is probably going to fall in the ocean pretty soon. So the question I have is that road going to be maintained? (Raymond Ishii 54)

Response 38: The routing as described is correct. For the existing highway it is noted that the Project would result in the transfer of jurisdiction from HDOT to Maui County as a local roadway. The existing highway would have substantially less traffic demand after the realigned highway is open, and the intent would be for the County to maintain the road in a manner that improves environmental sensitivity (that is, less hardened shoreline structures) and includes the West Maui Greenway and other planning initiatives. The Nature Conservancy and University of Hawaii are currently studying the coastal zone in Olowalu and Ukumehame (including the existing highway alignment) to identify nature-based solutions that strengthen coastal ecosystems and resilience. While, as noted, this section of the existing highway is vulnerable to coastal erosion, it also serves important County uses including the firing range, Ukumehame Beach, and Pāpalaua Wayside Park.

Comment 39: Would it be possible to install a turn lane before the viaduct begins on the Pali side to allow direct access to the range and beach parks, plus a merge lane on to the highway for Maalaea bound traffic? That will give access to both the range and the beach park without any bypass. (Raymond Ishii 15 and 54)

Response 39: The option of having an intersection at the Pali terminus of the Project to maintain access to the old highway was reviewed and evaluated by the conceptual design team. However, the option was determined infeasible due to the angle of departure of the new highway both horizontally and vertically—the new highway must rapidly ascend an existing berm for the detention pond that is makai of the firing range—and the limited space that results from these geometric constraints. In short, the limited geometry leads to the inability to provide a safe intersection in this area.

Comment 40: During construction, will we be allowed access to the range? Understandably while the viaduct is being constructed, the section under it will be blocked off. Will a temporary road be constructed to allow access under a completed section of the viaduct to ensure access to the public firing range? (Raymond Ishii 15 and 54, Jason Wolford 56)

Response 40: Because the viaduct would be constructed with piers on either side of the firing range driveway, the construction-related disruption to the driveway itself would be short-term. While the viaduct structures are being placed across the driveway from pier to pier, the driveway could be temporarily closed. The design-build contractor would be required to coordinate construction phasing and sequencing in this area with Maui County Parks and Recreation (the owner and operator of the firing range).

Comment 41: More and better parking is needed at the Ukumehame Firing Range to keep users from having to park their cars in the mud puddles. This is a great opportunity to upgrade the parking at Papalaua to do something about the drainage problem that has plagued the area for years. (Dr. Marion Ceruti 76)

Response 41: Under the Preferred Alternative, the viaduct construction would be makai of the firing range and its parking lots and therefore the Project does not include construction or proposed improvements to the existing parking lots. Similarly, the Preferred Alternative would not involve construction or permanent physical disturbance to Pāpalaua Wayside Park, as evaluated in Chapter 3.5, “Parklands and Recreational Facilities/Beach Access,” of the Draft EIS and this Final EIS.

Unhoused Persons along Beaches and Parks

Comment 42: The homeless situation is getting worse in Olowalu, they are slowly taking over the beach area at Mile Marker 14 and there is concern that there will be an increase of homeless in the area between the existing Honoapi‘ilani Highway and the realigned highway. How will the State/County address safety and cleanliness along the shoreline? Concerned there will be an increase in homeless in the area between the existing Honoapi‘ilani Highway and the Realigned Highway. We should make it into a state park and manage it to prevent it from being trashed. It is a popular tourist and local spot to take kids to the beach and snorkel and fish. In fact, make the area from Ukumehame Beach park all the way to Olowalu General Store a state beach park. It would be great if the Project included returning the shoreline of the original highway to a more natural state; with minimal shoreline hardening but I'm concerned that giving this responsibility to the County will just result in miles of homeless encampments like those on the old highway when the bypass went in. (Darrell Tanaka 8, Anonymous 1 33, Anonymous 4 39, Jonathan Verona 41)

Response 42: As stated in the Draft EIS and this Final EIS, encampments in the project area are an issue independent of the Honoapi‘ilani Highway Improvements Project. HDOT is coordinating with other State and County officials in the ongoing management of encampments. Also discussed in the Draft EIS Chapter 5 presentation of the Preferred Alternative: when the new highway alignment connects with the existing Lāhainā bypass, the old/existing highway would be reconnected with the old highway segment that currently dead-ends before the bypass. The isolated nature of the current configuration that contributed to this area’s density of homeless encampments would be improved with the Project.

Parkland designations are beyond the scope of the Project. However, it is noted that the shoreline is largely accessible along the length of the existing highway (as well as from the Olowalu Beach and the Olowalu Sugar Mill historic site public access and parking) and includes two County parks. This would primarily be in the realm of Maui County because the Project includes transferring the jurisdiction of the existing highway to the County. Further, the final design and potential implementation of the West Maui Greenway, in combination with County-owned recreational lands in Ukumehame, would also be under County jurisdiction.

Beach Access and Open Spaces

Comment 43: When you build the new highway, please ensure there is ample beach access for routes along the shoreline. Care should be taken to provide sufficient exits and roads in the makai direction for beach access, to include better parking, particularly at the Ukumehame beach park, on the mauka side of the existing road. HDOT has recently cut off several of our traditional beach accesses from the McGregor's point to Olowalu and we don't appreciate losing our ability to fish and gather. We see all our beaches being destroyed, being used as recreation. Will the County also be working concurrently to provide shoreline access for the 6-mile stretch? What access to Ukumehame Beach Park and Thousand Peaks will be provided? Will there be Parking? (Darrell Tanaka 14, Anonymous 1 33, Mr. Kaluna Palafox 63, Dr. Marion Ceruti 76)

Response 43: The new alignment of the Honoapiʻilani Highway would be mauka of the existing highway and would not provide direct access to beach areas. The roadway is proposed to be limited-access only at intersections, with existing mauka to makai cross-streets. There would be no parking or pull-off areas along the new alignment. Beach access would continue to be available from the existing Honoapiʻilani Highway, which would become a County roadway and is expected to be integrated with the future plans for the Maui County West Maui Greenway. Once under County jurisdiction, the management of parking, access to adjacent beaches, and access to/from the greenway can be integrated into corridor planning.

Comment 44: Maui has a dearth of mixed-use public spaces, other than perhaps beaches, where people can enjoy our beautiful corner of the planet. Beaches are not conducive for bicycles. Our island is a small place so maximizing green areas is essential to our quality of life. I urge you to design and approve plans that do so. (Tavor White 26)

Response 44: As analyzed in the Draft EIS and this Final EIS, the Honoapiʻilani Highway Improvements Project is compatible with the long-term planning by Maui County regarding open space planning and future implementation of the West Maui Greenway. Consistent with long-term planning initiatives such as the Pali to Puamana Parkway Master Plan, the Project has been part of a coordinated planning effort with Maui County regarding the use of County-owned land in Ukumehame with intended shared use for the relocated highway and open space uses makai of the new road. In addition, HDOT has coordinated with Maui County regarding continued use and access to the Ukumehame Firing Range. In Ukumehame and Olowalu, the Project has also been in a coordinated planning effort with the State of Hawaiʻi DLNR. This coordinated effort aims to establish the location of the new highway alignment, and subsequently adding to the protection of public lands, by extending the Natural Forest Reserve over much of the department-owned property in the project area exclusive of the new highway alignment.

Archaeological and Architectural Historic Resources

Comment 45: My family kuleana aina is in Olowalu Valley and Ukumehame Valley. It has been brought to my attention that our aina and iwi in Olowalu are in harm's way. I have attempted multiple times to have my ohana burials marked and chained off to help prevent future vandalism because it has happened in past. My request is for them to be on the burial protection list and marked so visitors will know that it's protected Native Hawaiian burial site. (Anna Nalaniewalu Vinuya-Palakiko 23)

Response 45: We understand the community's concerns with burials in the project area and have been in communication with descendants and the Maui Lanai Island Burial Council. As stated in the Executed Programmatic Agreement (Appendix 3.6 of this Final EIS), the Maui/Lānaʻi Island Burial Council (MLIBC) has the authority to determine treatment and jurisdiction over all requests to preserve or relocate previously identified Native Hawaiian burial sites. If a previously identified Native Hawaiian burial site will be affected by the project, HDOT, through its contractor, shall follow HAR § 13-300-33, *Request for council determination to preserve or relocate Native Hawaiian Burial sites*. With regard to burials in proximity to Pu'u Kilea, the Preferred Alternative would be makai of Pu'u Kilea and the Project would not result in physical disturbances to that area.

Comment 46: With this plan there is no acknowledgment of the ancient burials, heiau, reef, trees, water ways and uses, taro fields, and animals such as the Nene. There would have to be many steps taken to ensure all of which I addressed are acknowledged and cared for to the upmost respect as if it was your own families' burials and kuleana. Why is there still no attempts to protect our ancient sites like Ka'iwaloa Heiau, Petroglyphs, and the many burials we have in Olowalu? Protections in place for areas that have already been acknowledged to have ancient burials and Ka'iwaloa heiau. Research and surveyance of the land and water in and around Olowalu before construction using archaeologist, historians, and burial council –for our children and our grandchildren and our great-grandchildren. Reviewing land patents, LCA land commission awards, survey records, and acknowledging water and land right given to our people from our Ali'i. My suggestion is to consult with lineal descendants from each area the road goes thru to ensure pre-contact, iwi, and other cultural historical things are protected and preserved. This is a very significant conversation for us to have, we know that there's going to be Iwi where we're talking about. And so having a plan for that and follow state law, like if you find Iwi you stop. Be mindful of those kind of things because we know that's going to happen. (Jason Potts 25, Anna Nalaniewalu Vinuya-Palakiko 23, Michele Lincoln 36, Ms. Keele 60)

Response 46: Chapter 3.6 of the Draft EIS and this Final EIS summarizes the extensive survey and research conducted by the Project's archeologists and historians. The results of the analysis to date have allowed for a refinement of the alignment of the Preferred Alternative to avoid and minimize disturbance of identified archeological and architectural historic resources, such as heiaus. Chapter 3.7 of the Draft EIS and this Final EIS provides a contextual history of the cultural resources of the project area including the importance of land, water, animals. Chapter 3.10 also looks at the areas flora and fauna including endangered species. In coordination and continued dialogue with the community, there will be comprehensive testing for historic resources (Archaeological Inventory Survey or AIS) for the Selected Alternative, with testing protocol and mitigation requirements set forth in the Executed Programmatic Agreement as required by the National Historic Preservation Act and the Hawaiʻi Revised Statutes, Chapter 6E process. Consultation with descendants and other individuals and organizations with a demonstrated interest in the Project (referred to as "consulting parties") is

ongoing as part of the Federal Section 106 and Hawaii 6E processes and will continue as the Project moves into final design and construction.

Comment 47: I say NO to APE [Area of Potential Effect] and Build Alternative 1 because they both would disrupt the land of which my family lived and is buried upon and lacks respect to our people Kanaka Maoli because it offers no protection for our iwi and some of the only untouched aina left here in West Maui. And my family (Naho'oikaikas Olowalu) live right above the store. (Anna Nalaniewalu Vinuya-Palakiko 23, Malihini Keahi 59)

Response 47: For clarification, the APE line referenced in the comment is intended to show the extent of the Project's study area of possible project effects on historic architectural and archaeological properties (the APE is not a proposed roadway alignment). In the evaluation of all Draft EIS alternatives for Olowalu, Build Alternative 4 (which is closest to the APE boundary) and Build Alternative 1 were excluded from the Preferred Alternative because these alternatives would have the greatest potential for adverse effects on historic properties (though neither directly affect the Naho'oikaika property).

Comment 48: Prefer Build Alternative 1 and you can remove the trees. There are burials in the area where the preferred is located on the map. Very concerned about burials. (Linda Nahina Magallanes 40)

Response 48: As detailed in Chapter 5 of the Final EIS, the Selected Alternative has been refined and modified to minimize and avoid sensitive archeological resources. There will be comprehensive testing for historic resources (Archaeological Inventory Survey or AIS) with mitigation protocols established through federal and State commitments (Section 106 and Section 6E). As stated in the Executed Programmatic Agreement (Appendix 3.6 of this Final EIS), mitigation of effects on significant historic properties may include preservation per HAR § 13-275-8. Such mitigation may include avoidance and protection (conservation), stabilization, rehabilitation, restoration, reconstruction, interpretation, or appropriate cultural use of the significant historic property. With regard to burials, the Maui/Lānaʻi Island Burial Council (MLIBC) has the authority to determine treatment and jurisdiction over all requests to preserve or relocate previously identified Native Hawaiian burial sites. If a previously identified Native Hawaiian burial site will be affected by the project, HDOT, through its contractor, shall follow HAR § 13-300-33*, Request for council determination to preserve or relocate Native Hawaiian Burial sites*.

Comment 49: The only option that I would be in agreement with is Build Alternative 2. It is far enough away from both my family burials, kuleana land and foundation to provide more distance in hopes to give more protection from unwanted vandalism or desecration. It is far enough away to offer protection of archeological sites i.e., the Petroglyphs, Ka'iwaloa, Lanakila Church, and Japanese burials. (Anna Nalaniewalu Vinuya-Palakiko 23)

Response 49: This is the Selected Alternative through Olowalu as described by the comment.

Comment 50: Will any monies/resources be steered back to the communities of Ukumehame and Olowalu for preservation and education? (Anonymous 3 38)

Response 50: Preservation and education may be incorporated into mitigation strategies established in coordination with HDOT, the FHWA, the SHPD, and the community as required by the Federal Section 106 process and the Hawaiʻi Revised Statutes, Chapter 6E process. Potential mitigation measures are described in the Project's Programmatic Agreement, which was presented in draft form in the Draft EIS. The Executed Programmatic Agreement is included in this Final EIS (see Appendix 3.6). As described in the Executed Programmatic Agreement, the FHWA and HDOT, in consultation with the SHPD and Native Hawaiian Organizations, will continue consultation to determine if alternate mitigation under HAR § 13-275-8(2) is appropriate.

Comment 51: The Preferred Alternative is going through two of those large rock mounds from the old sugarcane company. I've been told there's possibly bones in that. So, what will be happen if you guys find bones during construction? (Jason Potts 48)

Response 51: For the entire Project, there are rigorous requirements in the testing for potential burials in the final design alignment and standing mitigation procedures if iwi (or unanticipated remains) are discovered during construction. As stated in the Executed Programmatic Agreement (Appendix 3.6 of this Final EIS), mitigation of effects on significant historic properties may include preservation per HAR § 13-275-8. Such mitigation may include avoidance and protection (conservation), stabilization, rehabilitation, restoration, reconstruction, interpretation, or appropriate cultural use of the significant historic property. With regard to burials, the Maui/Lānaʻi Island Burial Council (MLIBC) has the authority to determine treatment and jurisdiction over all requests to preserve or relocate previously identified Native Hawaiian burial sites. If a previously identified Native Hawaiian burial site will be affected by the project, HDOT, through its contractor, shall follow HAR § 13-300-33, *Request for council determination to preserve or relocate Native Hawaiian Burial sites*. A note specific to the push pile mounds identified in the comment: based on other public comments and the evaluation of design refinements, the Selected Alternative has been adjusted so the roadway avoids these push piles.

Cultural Resources

Comment 52: My concern is to not disturb the true function of Aina. That can never be repaired, unless we can better protect, what is. The Island is a cultural Entity, moving the Honoapiʻilani Highway is within everyone's responsibility to protect this sacred place. This area has been sacred for me all of my life. We need to speak, we need to share the history of Olowalu, not condemn it because we're going to have more people coming in. We get to know of our past, our history. For our children and our grandchildren and our great-grandchildren -- they'll never see that. It's going to be covered. Also, places need to be named correctly, for example Kapa'iki is not Olowalu. (Victoria Kaluna-Palafox 5, Richard Gailey 21, Malihini Keahi 59, Linda Nahina Magallanes 62).

Response 52: HDOT and the FHWA have worked to maintain an open dialogue with the community and to use this information to minimize disturbance to Aina and to cultural resources found within Ukumehame and Olowalu ahupuaʻa. The analyses contained within the Draft and Final EIS generally

use ahupuaʻa as a geographic unit for delineation rather than ʻili (a smaller area of land within a ahupuaʻa); however, in instances where further geographic refinement was warranted (*e.g.,* Chapter 3.7, Cultural Resources) ʻili are discussed.

Water Resources, Wetlands, and Floodplains

Comment 53: Developers have covered up wetlands pools or restricted water flow in Ukumehame and Olowalu. Before the time of the first development this area was all wet and now, within the last year or so water has been seeping under the road. Kane has found his way, therefore bringing the fishes back to where they were in time past. Are you going to run your highway with a big berm or are you using dry pipe? If it is dry pipe I am against dry pipe because the wetlands are important for us, especially at this time as we need to start concentrating on growing food for our people. And this is where it should be since Ukumehame and Olowalu is the largest open land in Lāhainā and good 'Aina to grow food. The degraded wetlands of Pāpalaua and Ukumehame are important for both flood water and sediment retention, and have historically been a crucial part of the Ukumehame watershed hydrologic system (Victoria Kaluna-Palafox 61, Kim Falinski, The Nature Conservancy 79)

Response 53: As evaluated in the Draft EIS and this Final EIS, the Project's alternatives were established to avoid and minimize wetland areas and to manage stormwater flow from the new highway with low-impact design standards and not hard infrastructure, such as piping storm flows for direct discharge to adjacent waters. As described in Chapter 5 of this Final EIS, the Selected Alternative incorporates many design features that would preserve and not substantially alter water flow from mauka sources towards the ocean. The alignment would be on viaduct over the low-lying inundation areas adjacent to the Ukumehame Firing Range and wetlands in the Ukumehame area. Spanning these important ecological features preserves wetlands and wildlife habitat to the greatest extent practicable. Bridges and culverts would allow for continued water flow while crossing the new highway. Based on low-impact design standards required by State and federal guidance, stormwater flowing off the new highway pavement would be collected and treated with infiltration basins located in multiple locations along the corridor.

Comment 54: We agree with the assessment of Ansari and Erickson documented in Section 3.9.3.1 of the prime wetland areas, and we ask you to also consider that iwi identified a broader buffer of wetlands in the regions (Maui Environmental Consultants, 2024) (Kim Falinski, The Nature Conservancy 79)

Response 54: Historical distributions and hydrology of water and wetlands, particularly prior to the plantations when in community use, are part of this dynamic landscape. As described in Chapter 5 of this Final EIS, the Selected Alternative has been designed to avoid and minimize adverse effects to waterbodies and wetlands and to not exacerbate historic alterations that have adversely affected wetlands. This is the underlying principle of State and federal protections and policies and the Project has incorporated a comprehensive array of best management practices pursuant to these regulations, most notably the Clean Water Act. As described in Chapter 3.9, Water Resources of the Final EIS, the parameters for wetlands to be considered Waters of the U.S. are defined in 40 CFR 120 and 33 CFR 328.3. The wetland delineations identified a total of 12 wetlands, all found in the Ukumehame area

around the Ukumehame Firing Range and totaling approximately 21.403 acres. Figure 3.9 1 identifies these 12 wetlands and their jurisdictional status.

Comment 55: We strongly advocate that the highway realignment include a viaduct to bypass the existing wetland areas. Wetland areas will likely expand in the future, and existing restoration planning would be adversely affected by the realignment without a viaduct. (Kim Falinski, The Nature Conservancy 79)

Response 55: As established in the Draft and Final EIS, the use of a viaduct over wetlands in the vicinity of the Ukumehame Firing Range is a key design commitment that will be required as part of final design and design-build contractor obligations.

Comment 56: To reduce sediments and increase groundwater infiltration, we commend efforts to reduce erosion during the Project, and advocate for watershed-scale efforts to reduce erosion in the project area more broadly as a strategy to protect the reef. (Kim Falinski, The Nature Conservancy 79)

Response 56: The collaborative efforts of the Honoapi‘ilani Highway Improvements Project with The Nature Conservancy and the State of Hawai‘i DLNR provide the basis for larger watershed-scale benefits. Chapter 5, Selected Alternative of this Final EIS contains environmental commitments related to water resources. As part of the Project, HDOT will ensure the Contractor adheres to HDOT Storm Water Post-Construction Best Management Practices Manual (February 2022). Site-specific stormwater BMPs would be implemented and/or installed at the staging and work areas by the Contractor to prevent water quality degradation associated with stormwater runoff.

Comment 57: The maintenance and preservation of sediment retention basins is one of the key methods to hold back sediment in the near-term, as outlined by the West Maui Community Plan, and is the primary intervention needed for Pāpalaua detention basin which serves as the primary retention basin for the Makiwa gulch intermittent stream. The basin has been shown to be a large contributor of fine sediments due to degraded upland conditions. The basin was installed in 1999, and has since filled with sediment above the original height of the standpipes, and has not received regular maintenance. It is at risk of overflow in every storm event, delivering sediment directly into coastal waters. For larger flows the basin is undersized. Additional retention capacity through maintenance and possible redesign is needed to prevent further ecosystem damage to the coral reef. The proposed Preferred Alternative in Ukumehame reduces the footprint of the basin. We recommend considering drainage plans upland of the proposed bypass to serve as additional areas for retention. In addition, we would hope that the Project would instigate a reconsideration of operations and maintenance of the existing basin, the redevelopment of culverts, and a re-design of the volume of the basin to make sure that it is the most efficient possible for protecting the downstream reef from sedimentation. (Kim Falinski, The Nature Conservancy 79)

Response 57: As detailed in Chapter 5 of the Draft EIS, the Preferred Alternative would not reduce the functional capacity of the HDOT detention basin makai of the Ukumehame Firing Range. As a point of clarification, this basin was built in 1970 and primarily drains the Papalaua Gulch. The Makiwa Gulch is located further west of the basin and likely drains through multiple small channels as part of

the coastal floodplain, including the Hanaula Gulch, though its direct flow has been altered by historic land use practices. Routine maintenance is performed by HDOT, including sediment removal and vegetation management. Inspection and maintenance protocols adhere to the 2022 HDOT Storm Water Permanent Best Management Practices Manual. In 2023, HDOT brought the basin into a state of good repair, re-establishing the capacity of the basin through restoration of the original bottom of basin elevations and exposing the outfall standpipes. HDOT will continue to monitor the sediment basin annually and remove built-up sediment material periodically to ensure that the basin remains effective. The areas that would be occupied by viaduct piers are small and may contribute to a marginal change to volume of water that could be detained at the basin. Use of the viaduct preserves wetlands in the area to the greatest extent practicable while providing for the structural integrity and safety of the viaduct.

Large-scale redesign of the existing detention basin would be based on a watershed-wide assessment and rethinking of water flows mauka of the firing range and the new highway. This is beyond the jurisdiction of HDOT and out of the scope of potential effects evaluated in this Final EIS. As noted in comments from The Nature Conservancy, such an effort would reasonably be part of the larger watershed initiative of the State of Hawai‘i DLNR. As owner of the detention basin, HDOT could be a stakeholder participant in such an effort.

Comment 58: Incorporate nature-based solutions and best management practices for stormwater, groundwater and surface flows that exceed County design standards are needed to protect ecosystem health, along with operations and maintenance plans that are practicable and have clear ownership models. In particular, we recommend that where possible, drainage swales that incorporate grasses and plants that can hold back sediment be used, or a similar nature-based alternative. If possible, the grading plans can include earthen berms to disperse water more broadly for infiltration. (Kim Falinski, The Nature Conservancy 79)

Response 58: Consistent with this comment, HDOT’s comprehensive approach to stormwater management for the Project is based on low-impact permanent best management practices (BMPs) to lessen effects to water quality caused by stormwater. For the Selected Alternative, there will be about an acre set aside (on average) at eight natural low points for stormwater management infrastructure to capture and detain roadway stormwater. BMPs will be required and, based on final design completed through the design build process after the ROD, they could include detention ponds to promote infiltration and treatment of discharge generated on-site using industry standard low-impact development practices, such as vegetated swales, vegetated buffers, and bioswales as appropriate (including use of the median, where applicable).

Comment 59: The Draft EIS refers to using 100-year storms for bridges and 50-year storms for culverts. It would be important to consider the effects of increased storm intensity, especially for culverts, and how this may impact overall sediment movement on the landscape. (Kim Falinski, The Nature Conservancy 79)

Response 59: The Project would be designed consistent with HDOT’s Design Criteria for Highway Drainage. In addition to requiring all bridges to be designed for 100-year storm events and all culverts

to be designed for 50-year storm events (unless they involve FEMA flood zones, where they will be designed for 100-year storm events), the design criteria also outlines how design discharges are determined, including the use of regression equations that are periodically updated based on observations made by the U.S. Geological Survey. These design standards are intended to ensure that bridges and culvert crossings that carry off-site flow across a highway corridor are not significantly altered by the highway, thereby minimizing impacts to these waterways by the highway development itself. Onsite drainage systems will be designed per HDOT’s drainage and permanent best management practices policies to ensure treatment of highway-generated runoff prior to discharge. Wherever possible, low-impact development based designs, such as infiltration ponds/systems, will be utilized to minimize impacts of stormwater runoff from the highway itself. These culverts will meet HDOT standards as well as effectively manage sediment transport, protect the environment, and ensure the safety and longevity of infrastructure.

Comment 60: The Project will cross two major streams—Ukumehame and Olowalu—but the Draft EIS does not adequately assess the potential impacts of the highway relocation on these streams. Ukumehame and Olowalu streams have been identified by the State of Hawai‘i Division of Aquatic Resources (DAR) as important for their aquatic species diversity, with over five species of native fish and invertebrates found in both streams. Both streams are home to endemic Hawaiian gobies, including the IUCN-listed Sicyopterus stimpsoni, and snails, which have been observed during the CWRM/DAR stream monitoring. As these species are amphidromous, they rely on healthy and continuous stream habitats for their life cycles. Therefore, we recommend that a more detailed analysis of impacts to the stream habitats be included in this EIS. (Brian Neilson, Hawaii DLNR-Aquatic Resources 69, Kim Falinski, The Nature Conservancy 79)

Response 60: As presented in Chapter 3.9 of the Draft EIS and this Final EIS, the Project would be required to provide a bridge spanning the Olowalu and Ukumehame streams, and design standards will be required that prohibit any bridge structures from being within the water course and outside the mean high-water level. Coordinating with State and federal agencies, environmental commitments will include construction best management practices and permanent low-impact stormwater treatment. Further, the Project’s pre-construction, construction, and completion will include water quality and sedimentation monitoring (including in-stream and near-shore locations). Overall, no adverse effects on aquatic resources are expected.

Comment 61: The EIS does not clearly specify the type of stream crossing to be used. The impact on water flow and habitat connectivity will differ significantly depending on whether a culvert, bridge, or viaduct is employed. It is important to note that culverts, over time, can develop undercuts and erosion, which can obstruct the migration of stream species and disrupt habitat continuity. These potential issues should be avoided. Minimizing long stretches of concretized stream and incorporating small pools and riffles with artificial materials would help to make sure larvae can make it upstream to their final habitat. There are also no clearly defined Best Management Practices (BMPs) for stream protection during construction. BMPs to assist o’opu migration may be different than those used to mitigate water quality impairment. (Brian Neilson, DLNR-Aquatic Resources 69, Kim Falinski, The Nature Conservancy 79)

Response 61: The DLNR – Division of Aquatic Resources is a Participating Agency and their input helped guide implementation of best practices to be required for the Project. Full span bridges would be used for the two major perennial streams (Olowalu and Ukumehame Streams) and there is no in-water work planned for the Project at these locations since the bridge embankments would be outside the Ordinary High-Water Mark. Therefore, the Project would not affect species within the Ukumehame and Olowalu streams. Table 3.10-12 of the Draft EIS Chapter 3.10, Flora and Fauna, identifies Avoidance and Minimization Measures that would be implemented as part of the Project. The USFWS has also prepared a Biological Opinion (see Appendix 3.10) with additional commitments identified. As described in Chapter 2, Alternatives and Chapter 5, Selected Alternative, the ultimate determination of culvert and bridge specifications for all crossings in addition to the two perennial streams, or the use of viaducts to span larger areas, is based on identification of the Selected Alternative, the length of the span required, environmental effects, constructability, and cost. These would be finalized during the development of final construction documents as part of the design-build process.

Comment 62: The Nature Conservancy has been working on a ridge to reef approach to protecting and restoring the sensitive environments adjacent to the 939-acre Olowalu reef tract that involve working with community and government partners to establish a vision for a restored coastal area and watershed. We have been excited about the opportunity presented by the highway realignment to collaborate to protect key ecosystem functions.

With regards to the Honoapi‘ilani Highway Improvements Project, The Nature Conservancy is focused on three areas: 1) Reducing sedimentation to the coral reef; 2) Implementing a suite of mauka-makai protective and restorative interventions that protect the reef, wetlands and streams, and 3) Visioning, with Hawai`i Department of Transportation, Highways Division (HDOT), County of Maui, partners, and community the future of this existing Honoapi‘ilani (makai) highway as a place where people and nature thrive.

The Nature Conservancy is also helping through the Olowalu: The Road to Resilience - Community Design for the Existing Highway and Surrounding Areas. The planned project provides opportunities to re-imagine the Olowalu-Ukumehame coastal corridor by incorporating park spaces, traditional biocultural practices, and nature-based solutions for coastal resiliency. This project aims to strengthen coastal ecosystems, reduce pressures on the Olowalu-Ukumehame reef system. Through research, analysis, and engagement with stakeholders and community, The Nature Conservancy and University of Hawai`i Community Design Center are leading a process culminating in a conceptual design for local and state stakeholders.

A primary threat to reef health comes not from the sea but from the mountains above: sediment is carried in surface water from mauka lands impacted by non-native feral ungulates, poor land use practices, and fire. These stressors contribute to habitat degradation and erosion. The DLNR Division of Forestry & Wildlife (DOFAW) is embarking on a three-year NOAA Transformational Habitat project, “Olowalu Mauka to Makai,” which will implement a full suite of ecosystem-based, mauka-to-makai conservation measures. With DOFAW, The Nature Conservancy will partner with Kipuka Olowalu and Coral Reef Alliance on projects including wetland restoration planning, sediment management, and community engagement, working to address threats and hazards throughout the Olowalu and Ukumehame ahupua`a. This project is inter-related with and impacted by the realignment project, so we look forward to continued communication and collaboration with you as our projects progress. (Kim Falinski, The Nature Conservancy 79)

Response 62: HDOT and the FHWA acknowledge The Nature Conservancy’s dedication to the collaborative efforts described in this comment. HDOT is aware of the Olowalu Mauka to Makai project and the Final EIS recognizes these efforts relative to the Project in the Final EIS Chapter 3.20, Cumulative Effects. The Project will involve the implementation of low impact BMPs that are anticipated to manage stormwater and limit additional sediment loading as a result of the Project. These BMPs could include detention ponds to promote infiltration and treatment of discharge generated on-site using industry standard low-impact development practices, such as vegetated swales, vegetated buffers, and bioswales as appropriate (including use of the median, where applicable). Permanent BMPs would be designed to treat stormwater generated by the impervious area of the new roadway as it collects at natural low points along the roadway as defined by the final roadway profile in accordance with the HDOT Storm Water Post-Construction BMPs Manual (February 2022). The design process outlined within the manual includes principles that mimic pre-development

hydrologic regimes. The design of permanent BMP measures will consider appropriate hydraulic capacity per HDOT design guidelines.

Comment 63: According to Table S-3, the Preferred Alternative is intended to reduce impacts to the wetland, and we would like to see a clearer depiction of how this route has been modified from Alternative 1 on the map. Furthermore, it would be appreciated if wetland and other waterbodies are delineated in the map to assess the impact to the area more accurately (Brian Neilson, DLNR-Aquatic Resources 69)

Response 63: As described in Chapter 5 of the Draft EIS, Alternative 1 was modified in the area where the alignment would connect with the existing highway, shifting to a more makai alignment. The modifications result in the alignment crossing the sediment basin rather than going mauka of the basin. Shifting Alternative 1 further makai in the vicinity of the basin and firing range allows for the avoidance of critical archaeological and cultural sites and reduces impacts to the firing range. The Selected Alternative does reduce impacts to wetland areas by elevating the alignment on a viaduct. The viaduct would cross over the wetland and other water features, reducing impacts to the greatest extent practicable when compared with a roadway on fill. There is no reduction in wetland area crossed by the viaduct (the discrepancy was a GIS layer error and has been corrected as part of this Final EIS).

Comment 64: Although 0-3/4 and U-4 did not achieve the highest overall score, from an environmental perspective, these alternatives perform well by minimizing impacts to the wetland and preserving the vulnerable lower stream reach habitat. This habitat is crucial for two of our endemic goby species, Eleotris sandwicensis and Stenogobius hawaiiensis, which are unable to migrate to the upper reaches. (Brian Neilson, DLNR-Aquatic Resources 69)

Response 64: As noted in the comment, there were instances where the mauka alternatives provided better environmental outcomes. However, on the balance of fulfilling purpose and need and minimizing adverse effects overall, the mauka alternatives were not identified for the Preferred Alternative. Generally, the mauka alternatives resulted in more adverse effects on a range of environmental factors including cultural resources, archaeology, and impacts on the community (such as noise, visual quality, and property acquisition). The potential adverse effects on water and aquatic biota resources would be avoided or minimized based on bridge designs crossing the perennial streams to fully stay out of surface waters and mean high water levels. Project construction would adhere to the HDOT Standard Specifications for Road and Bridge Construction (Section 209) Temporary Water Pollution, Dust, and Erosion Control. Construction BMPs that have been either preapproved or coordinated with regulatory agencies, which are included in an integrated storm water management approach. A “Summary of Clear Water Diversion and Isolation BMPs for Use in the State of Hawai‘i,” would be utilized to minimize the potential for water quality impacts to the streams. Additionally, the HDOT Construction Best Management Practices Field Manual (October 2021) would be used for land-based BMPs. Structures crossing streams would be designed to preserve water flow and the biological processes of the fauna living in them. Hardening the stream crossings would be avoided to the extent practicable.

Comment 65: We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the Project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. (Ciara Kahahane, Hawaii DLNR – Water Resource Management 71)

Response 65: Based on coordination with state and federal resource agencies, a comprehensive array of stormwater BMPs have been incorporated into the environmental commitments associated with the Project. These BMPs could include detention ponds to promote infiltration and treatment of discharge generated on-site using industry standard low-impact development practices, such as vegetated swales, vegetated buffers, and bioswales as appropriate (including use of the median, where applicable). Permanent BMPs would be designed to treat stormwater generated by the impervious area of the new roadway as it collects at natural low points along the roadway as defined by the final roadway profile. These set asides are conservatively sized for a maximum potential area of disturbance and the final locations and size of the infrastructure may vary depending on the treatment strategies as identified through final design as part of the design-build process, which is assumed to be fully within the right-of-way analyzed as part of this environmental review. HDOT has a comprehensive approach to the management of stormwater runoff associated with its highways as documented in HDOT’s Storm Water Post-Construction BMPs Manual, as amended in February 2022. This manual outlines HDOT’s policy to prioritize the utilization of low-impact development practices to address polluted runoff from highway surfaces. Additional BMPs included in An Integrated Storm Water Management Approach and a Summary of Clear Water Diversion and Isolation Best Management Practices for Use in the State of Hawai‘i, would be utilized to minimize the potential for water quality impacts to the streams. Additionally, the HDOT Construction Best Management Practices Field Manual (October 2021) would be used for land-based BMPs.

Comment 66: There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality. (Ciara Kahahane, Hawaii DLNR – Water Resource Management 71)

Response 66: Water quality monitoring would be performed in accordance with a Clean Water Act Section 401 Water Quality Certification that would be sought from the Hawai‘i Department of Health (HDOH) Clean Water Branch in a future phase of the Project. The HDOH Clean Water Branch issues this certificate and is most frequently required in tandem with a Section 404 permit request. To address permanent and temporary discharges associated with individual projects, the HDOH Clean Water Branch may issue a set of requirements that outline water quality protection measures that must be taken. Additional requirements, as set forth in a National Pollutant Discharge Elimination System General Permit to be sought in a future phase of the Project, would be adhered to including monitoring and inspection of erosion and sediment controls and pollution prevention practices throughout the entire construction process.

Comment 67: When fill quantities and impact areas within aquatic resources are finalized, please submit a Corps permit application so we can begin the review process for discharges of fill under Section 404 of the Clean Water Act. (Jeremy Morgan, US Army Corps of Engineers 68)

Response 67: Permitting will occur in the next phase of the Project, after the Final EIS/ROD is finalized.

Comment 68: We recommend culverts and bridges over streams be designed with the height and width to handle periodic massive surges of water from torrential rain events that are known to occur in the area and 100-year storms may become more frequent. Flooding has the potential to destroy aeʻo (Hawaiian stilt, Himantopus mexicanus knudseni) and nēnē (Hawaiian goose, Branta sandvicensis) nests that may be found in the project area. Additionally, ensuring culverts and bridges have the height and width to handle 100-year storm torrential rains may also minimize impacts to other trust resources protected under the Fish and Wildlife Coordination Act. (Chelsie Javar-Salas, USFWS 84)

Response 68: As set forth in the Draft EIS and this Final EIS (see Chapters 2 and 3.9), the Project would be designed consistent with HDOT's Design Criteria for Highway Drainage. Design flows are determined utilizing the National Oceanic and Atmospheric Administration (NOAA) Precipitation Frequency Data Server website. Stream crossings would be designed to preserve water flow and the biological processes of the fauna living in them. In addition to requiring all bridges to be designed for 100-year storm events and all culverts to be designed for 50-year storm events (unless they involve FEMA flood zones, where they will be designed for 100-year storm events), the design criteria also outlines how design discharges are determined, including the use of regression equations that are periodically updated based on observations made by the U.S. Geological Survey. These design standards are intended to ensure that bridges and culvert crossings that carry off-site flow across a highway corridor are not significantly altered by the highway, thereby minimizing impacts to these waterways and habitats by the highway development itself. Wherever possible, low impact development and nature-based designs, such as infiltration ponds/systems, will be utilized to minimize impacts of stormwater runoff from the highway itself. These designs will meet HDOT standards as well as effectively manage sediment transport, protect the environment, and ensure the safety and longevity of infrastructure.

Comment 69: For erosion control during construction, we recommend using materials (*e.g.,* biosock) that are at least 3 feet (ft) in diameter to reduce chances of runoff into the ocean during torrential rain. Sedimentation runoff onto the beach and into the ocean degrades sea turtle habitat and has the potential to bury sea turtle nests. This emphasizes the importance of incorporating our BMPs for Work In and Around Aquatic Environments to minimize project impacts. These BMPs may also help minimize impacts to other trust resources protected under the Fish and Wildlife Coordination Act. (Chelsie Javar-Salas, USFWS 84)

Response 69: HDOT employs the use of its Construction Best Management Practices Field Manual to govern the development of Site Specific BMP Plans during construction. The manual describes appropriate use and diameter width for Compost Filter Berm/Socks which include limitations on placement in areas where high volumes or velocities of flow are anticipated and recommends other methods/materials for sediment control in such situations. The USFWS BMPs for Work In and Around

Aquatic Environments have been agreed to and incorporated into the Project design (see Draft EIS Table 3.10-16).

Flora and Fauna, Endangered Species

Comment 70: The boards say "a grassy median" and that made me very uncomfortable. I want to make sure that we are talking about that as a native plant median and not a grassy of some sort. (Ms. Keele 60)

Response 70: An environmental commitment of the Project as specified in Chapter 5 of this Final EIS requires the use of native species for all revegetation and landscaping purposes. Species identified in the project area will be prioritized. Additional consideration will be given to native, fire-resistant vegetation. Turf grass is prohibited for revegetation and landscaping in accordance with the 2011 HDOT Highway Manual for Sustainable Landscape Maintenance.

Comment 71: Today in that culvert under Pōhaku ʻAeko Street there's water in there and there's fishes. There is life right where you're thinking of putting that highway. I ask you to bring your scientists, and check our 'Aina Ukumehame because it's coming alive again. There is fishes where you wouldn't think there is fishes. There are water pools in Ukumehame where there weren't water pools. (Victoria Kaluna-Palafox 61)

Response 71: Biologists performed surveys in the area throughout 2023 (Draft EIS Appendix 3.10 as well as additional field surveys conducted in March 2025 (Final EIS Appendix 3.10).While the culvert under Pōhaku ʻAeko Street was not included as part of these surveys (because it would not be affected by the Project), the surveys do acknowledge the local habitats in Ukumehame and names of fish species known to be in the Ukumehame and Olowalu streams were listed. They include ʻOʻopu and Āholehole. The biggest threats affecting fish include habitat degradation resulting from water diversion, stream channelization, dams, pollution, and the introduction of exotic species and parasites. For the Project, no streams will be diverted or channelized, and no in-water work is planned for bridges and stream crossings to avoid and minimize potential impacts on fish and other aquatic species. In coordination with state and federal natural resource agencies, environmental commitments to BMPs will be utilized to protect water resources and the area's native species from construction and operational impacts (see Final EIS Chapter 5). These include using native plants for revegetation which will help with soil retention. Water quality monitoring by trained local scientists will flag if any degradation is occurring so that mitigation can be implemented.

Comment 72: With this plan there is no acknowledgment of the ancient burials, heiau, reef, trees, water ways and uses, taro fields, and animals such as the Nene. It might be necessary to relocate the nēnēs in the area temporarily, for their safety. (Anna Nalaniewalu Vinuya-Palakiko 23, Dr. Marion Ceruti 76)

Response 72: The Final EIS incorporates a range of environmental commitments (see Chapter 5) that would be required to protect the nēnē during construction. These include but are not limited to high visibility signs to alert drivers to their presence, training for all on-site staff to recognize and protect nēnē, and protocol on what to do if nēnē or their nests are observed.

Comment 73: All surveys to detect for the presence of aeʻo nests and aeʻo exhibiting defensive nest protection behavior should be carried out by a qualified biologist with knowledge of the species' life history. If heavy rains result in ephemeral wetlands, ʻalae keʻokeʻo (Hawaiian coot, Fulica alai) should be surveyed for as well. (Chelsie Javar-Salas, USFWS 84)

Response 73: The Biological opinion from USFWS is found in Appendix 3.10 and the environmental commitments are summarized in Chapter 5 of this Final EIS. This refined protocol includes but is not limited to; qualified biologist would be on-call throughout the duration of construction to assist in monitoring, surveys, and in an advisory capacity; prior to the initial clearing and grubbing phase of the Project, a qualified biologist would be on-site to perform visual surveys for listed species and nests. Should individuals or nests be observed, then species specific buffers and protocol would apply; prior to the start of any construction activities, a qualified biologist would produce a handout on listed species that occur within the Action Area and present a mandatory Environmental Awareness Program to on-site personnel, including but not limited to contractors, contractor's employees, supervisors, inspectors, and all subcontractors. USFWS would be contacted to review the awareness program prior to administering to on-site personnel; the qualified on-call biologist would be present on-site once every three weeks, or as needed, to provide training to new on-site personnel; should work be halted for more than 72 hours, the on-call biologist shall be contacted to survey the area prior to resumption of work.

Comment 74: All surveys to detect for presence of nēnē nests and nēnē exhibiting defensive nest protection behavior should be carried out by a qualified biologist with knowledge of the species' life history. (Chelsie Javar-Salas, USFWS 84)

Response 74: See Response 69 (above); a qualified biologist would be on-call throughout the duration of construction to assist in monitoring, surveys, and in an advisory capacity; prior to the initial clearing and grubbing phase of the Project, a qualified biologist would be on-site to perform visual surveys for listed species and nests.

Comment 75: We recommend including all final biological survey and monitoring protocols in the final EIS under Appendix 3.10. We encourage your team to submit draft survey and monitoring protocols/standard operating procedures to our office for review and comments prior to finalization. We also encourage incorporating adaptive management into these procedures and triggers for modifying them. (Chelsie Javar-Salas, USFWS 84)

Response 75: Biological survey and monitoring protocols are finalized in the Section 7 Biological Opinion (BO) prepared by USFWS (Appendix 3.10).

Comment 76: The draft EIS states additional biological surveys will be performed by trained biologists in areas of "permanent BMPs." The Service recommends providing more details about this objective, including protocols and habitat features that support listed species in the draft EIS. (Chelsie Javar-Salas, USFWS 84)

Response 76: As set forth in Appendix 3.10, biological surveys were performed by qualified biologists in areas of "permanent BMPs" that were not included in previous surveys. This additional assessment evaluated and affirmed that the full range of environmental effects and environmental commitments first identified in the Draft EIS remain the basis of the BO from USFWS (Appendix 3.10 of this Final EIS)

Comment 77: We recommend that temporary signs be placed around the project area during construction to remind workers of the potential presence of aeʻo and nēnē and to drive slowly (10 miles per hour as stated in the Draft EIS). Additionally, permanent signs should be placed along the highway through the Ukumehame wetland area alerting drivers of the potential presence of aeʻo and nēnē and for reducing the speed limit through the area to minimize injury and mortality to listed birds from vehicle strikes. (Chelsie Javar-Salas, USFWS 84)

Response 77: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS).

Comment 78: Avoid placing staging areas in or directly adjacent to wetland habitat (jurisdictional and non jurisdictional) and streambanks identified by the consultants to avoid and minimize impacts to habitat that supports listed waterbirds and nēnē. (Chelsie Javar-Salas, USFWS 84)

Response 78: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS).

Comment 79: Any hazing that occurs to nēnē must follow the 4(d) rule. We recommend keeping a copy of the regulations at the on-site office for easy reference. A key section of the 4(d) rule follows: Before implementing any such intentional harassment activities during the nēnē breeding season (September through April), a qualified biologist knowledgeable about the nesting behavior of nēnē must survey in and around the area to determine whether a nest or goslings are present. If a nest is discovered, the Service must be notified within 72 hours and the following measures implemented to avoid disturbance of nests and broods: No disruptive activities may occur within a 100-ft (30-meter) buffer around all active nests and broods until the goslings have fledged; Brooding adults (i.e., adults with an active nest or goslings) or adults in molt may not be subject to intentional harassment at any time; and the landowner must arrange follow-up surveys of the property by qualified biologists to assess the status of birds present. (Chelsie Javar-Salas, USFWS 84)

Response 79: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS).

Comment 80: Hawaiian yellow-faced bees are known to occur in scattered populations along the western coastline of Mauna Kahālāwai (Maui Komohana or West Maui Mountains). Coastal populations of yellow-faced bees occur in habitat along rocky shorelines with naupaka (Scaevola taccada) and tree heliotrope (Heliotropium arboreum) with either landscaped vegetation, nonnative kiawe (Neltuma pallida), or bare rock inland. Bees are restricted to an extremely narrow corridor, typically 33 to 66 feet (10 to 20 meters) wide, and do not occur on barren sandy beaches or inland, or on landscaped native plants on hotel grounds. Documented nectar plants include naupaka, ʻilima (Sida fallax), ʻakoko (Euphorbia spp.), pua kala (Argemone glauca), naio (Myoporum sandwicense), and tree heliotrope. Threats to yellow-faced bees include habitat destruction and modification from land use change, nonnative plants, ungulates, and fire, along with predation by nonnative ants and wasps. Mahalo for including the Service's avoidance and minimization measures for coastal Hawaiian yellow-faced bees. (Chelsie Javar-Salas, USFWS 84)

Response 80: We appreciate the USFWS providing these measures and have included them as commitments as presented in Chapter 5 of this Final EIS.

Comment 81: Table 3.9.10 states that project effects on listed waterbirds and nēnē would be minimal due to the implementation of avoidance and minimization measures outlined in Appendix 3.10. The project may potentially impact aeʻo and nēnē. Therefore, we recommend that the cumulative impacts analysis in the draft EIS include an assessment for the construction phase and the normal operations phase. This should specifically address how the highway designs in the Ukumehame area will avoid car strikes and minimize impacts to aeʻo and nēnē. Additionally, we encourage your team to consider the anticipated increase in waterbird populations (aeʻo and ʻalae keʻokeʻo) and nēnē in the Ukumehame area following wetland restoration when conducting the cumulative impact analysis. Currently, neither Chapter 3.10 nor the Biological Resource Discussion in Appendix 3.10 includes an evaluation of the impacts to listed waterbirds and nēnē from the routine operations of the new highway after construction. (Chelsie Javar-Salas, USFWS 84)

Response 81: This comment is consistent with the assessments outlined in the Section 7 BA and the BO (Appendix 3.10 of this Final EIS). As described in Chapter 3, Affected Environment and Reasonably Foreseeable Effects of this Final EIS, on February 19, 2025, CEQ issued a memorandum, Implementation of the National Environmental Policy Act, which acknowledged that the Fiscal Responsibility Act of 2023 amended NEPA to clarify that EISs must analyze and disclose the "reasonably foreseeable environmental effects of the proposed agency action." CEQ encouraged Federal agencies to "analyze the reasonably foreseeable effects of the proposed action consistent with section 102 of NEPA, which does not employ the term 'cumulative effects;'[…and the agencies should consider] 'reasonably foreseeable' effects, regardless of whether or not those effects might be characterized as 'cumulative.'" Further, since the publication of the Draft EIS, the U.S. Supreme Court issued its decision in Seven County Infrastructure Coalition v. Eagle County, Colorado, which held the focus of NEPA is the project at hand, not other separate projects. 605 U.S. ____ (May 29, 2025). Accordingly, this Final EIS analyzes reasonably foreseeable effects that result from the proposed action. The Honoapiʻilani Highway Improvements Project considers reasonably foreseeable effects to have a rational link to the Project in terms of geographic and temporal proximity and must be sufficiently likely to occur.

Comment 82: The draft EIS states nighttime work is not anticipated; however, if it does become necessary, the DOT and FHWA will consult with the Service (see Appendix 3.9, page 4). Chapter 3.10, Table 3.10.9 states the project does not anticipate to impact seabirds, as standard Service seabird avoidance and minimization measures will be implemented. However, Table 3.10.5 mentions that nighttime work may occur, but not during the seabird fallout season. Please confirm whether nighttime work will occur during the seabird fallout season. If it is determined that nighttime work will occur during the seabird fallout season, we recommend contacting our office several months in advance for guidance to avoid adverse impacts to listed seabirds. Additionally, we recommend following the 2022 Maui Dark Skies Ordinance for all permanent lighting. For permanent lighting, limit these lights as human safely considerations allow, and include light frequencies and intensities that have the least impact on seabirds and sea turtles. There is also a growing body of peer-reviewed literature and seabird groups to help guide you with the most current animal friendly lighting. (Chelsie Javar-Salas, USFWS 84)

Response 82: Following completion of the Draft EIS, nighttime work commitments were made such that nighttime work is limited in scope and duration and would be specifically at the tie-in points to the existing roadways (at the Lāhainā Bypass to the north, at the Pali to the south) in order to prevent traffic delays. Nighttime work would not be allowed during the seabird fallout season. The 2022 Maui Dark Skies Ordinance for all permanent lighting has already been incorporated into the commitments described in this Final EIS (Chapter 5).

Comment 83: For revegetation efforts, we recommend using only native plants, in particular those documented in the biological survey: ‘ilima (Sida fallax), ‘iliahialo‘e (Santalum ellipticum), ‘a‘ali‘i (Dodonaea viscosa), hoary abutilon (Abutilon incanum), akulikuli (Sesuvium portulacastrum), milo (Thespesia populnea), and naupaka (Scaevola taccada). If possible, we recommend avoiding disturbance to endemic plant species such as ‘iliahialo‘e that currently occupy the project area. ‘Iliahialo‘e is an endemic plant species to the Hawaiian Islands. Limiting disturbance of non-listed endemic plants help to prevent their decline. (Chelsie Javar-Salas, USFWS 84)

Response 83: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS).

Comment 84: To minimize collisions for seabirds, we recommend flagging the tops of monopoles, cranes, and crane wires/cables and flagging fencing that extends above vegetation. (Chelsie Javar-Salas, USFWS 84)

Response 84: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS).

Comment 85: To avoid and minimize invasive species potential impacts to ESA listed species, we recommend incorporating our invasive species biosecurity protocols into your project planning. The proposed project will be transporting a substantial amount of materials (i.e., construction materials or aggregate, etc.), vehicles, machinery, equipment, and personnel between sites, which has the potential to unintentionally introduce invasive species to the project site. (Chelsie Javar-Salas, USFWS 84)

Response 85: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS).

Comment 86: Under Mammals, the Draft EIS states that ʻōpeʻapeʻa (Hawaiian hoary bat, Lasiurus cinereus semotus) have not been detected on Maui and cites Tomich 1986. Current data show that ʻōpeʻapeʻa do occur on Maui. The Draft EIS states that if scheduling becomes a serious issue and cutting down or pruning trees taller than 15 feet cannot be avoided during the bat breeding season (June 1 through September 15), FHWA will consult with the Service. We recommend FHWA consult with us several months in advance if scheduling is anticipated to prevent implementing the Service's avoidance and minimization measures for ʻōpeʻapeʻa or any other listed species that occurs or may occur in the project area. (Chelsie Javar-Salas, USFWS 84)

Response 86: Under Section 3.10.3.2 Mammals, the Draft EIS states that "There are records for this species on Maui, and their potential presence is assumed within the project area" and then cites Tomich 1986. This Final EIS states in Chapter 5, that if bat breeding season cannot be avoided for cutting down or pruning trees taller than 15 feet, the contractor would contact the USFWS five months in advance for guidance.

Comment 87: Please include Service avoidance and minimization measures for sea turtles (honu (green sea turtles, Chelonia mydas) and honu'ea (Hawksbill sea turtles, Eretmochelys imbricata)). Construction on, or in the vicinity of, beaches can result in sand and sediment compaction, sea turtle nest destruction, beach erosion, contaminant and nutrient runoff, and an increase in direct and ambient light pollution, which may disorient hatchlings or deter nesting females. Off-road vehicle traffic may result in direct impacts to sea turtles or nests, and contributes to habitat degradation through erosion and compaction. Avoidance and minimization measures include: No vehicle use on or modification of the beach/dune environment during the sea turtle nesting or hatching season (See nesting date ranges above); Do not remove native dune vegetation; Have a biologist familiar with sea turtles conduct a visual survey of the project site to ensure no basking sea turtles are present; If a basking sea turtle is found within the project area, cease all mechanical or construction activities within 100 feet until the animal voluntarily leaves the area; Cease all activities between the basking turtle and the ocean; Remove any project-related debris, trash, or equipment from the beach or dune if not actively being used; Do not stockpile project-related materials in the intertidal zone, reef flats, sandy beach and adjacent vegetated areas, or stream channels. To avoid and minimize project impacts to sea turtles from lighting we recommend: Avoiding nighttime work during the nesting and hatching season; Minimizing the use of temporary and permanent lighting on or near beaches and shield all project-related temporary and permanent lights so the light is not visible from any beach; If lights can't be fully shielded or if headlights must be used, fully enclose the light source with light filtering tape or filters; Incorporating design measures into the construction or operation of buildings adjacent to the beach to reduce ambient outdoor lighting such as tinting, reducing the height of exterior lighting to below 3 feet and pointed downward or away from the beach, and minimizing light intensity to the lowest level feasible and, when possible, include timers and motion sensors. We recommend keeping workers, staging areas, and temporary resting equipment on the mauka side of the old highway, away from the beach, especially during sea turtle nesting season and within the proposed green sea turtle critical habitat. (Chelsie Javar-Salas, USFWS 84)

Response 87: This comment is consistent with the environmental commitments incorporated into this Final EIS (see Chapter 5) and as presented in the USFWS BO (Appendix 3.10 of this Final EIS). As noted in Chapter 5, since completion of the Draft EIS, nighttime work commitments have been made such that nighttime work is limited in scope and duration and would be specifically at the tie-in points to the existing roadways (at the Lāhainā Bypass to the north, at the Pali to the south) in order to prevent traffic delays. Nighttime work would not be allowed during the sea turtle nesting/hatching season. According to shapefiles downloaded from USFWS Ecos, https://ecos.fws.gov/ecp/species/C00S#crithab, there is no USFWS PIFWO 07/19/2023 proposed critical habitat for Hawaiian green sea turtle (Chelonia mydas) overlapping the northern end of the project area. The closest proposed critical habitat for Chelonia mydas is located in Lāhainā, approximately 2.8 miles from the northern terminus of the Project.

Geology, Soils, and Natural Hazards

Comment 88: The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44 CFR), are in effect when development falls within a Special Flood Hazard Area (high-risk areas). Be advised that 44 CFR, Chapter 1, Subchapter B, Part 60 reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards. The owner of the project property and/or their representative is responsible for researching the Flood Hazard Zone designation for the project. Flood zones subject to NFIP requirements are identified on FEMA's Flood Insurance Rate Maps (FIRM). (Dina Lau, Hawaii DLNR – Engineering Division 70)

Response 88: These requirements are reflected in the initial analyses for the draft floodplain assessment presented in the Draft EIS and there has been no change of condition identified in this Final EIS for the Selected Alternative.

Climate Change and Sea Level Rise[2]

Comment 89: The sea level rise simulation indicates that certain sections of the preferred U1 route will be adjacent to or within the sea level rise exposure area, potentially increasing the risk of coastal hardening and erosion in the future. (Brian Neilson, DLNR-Aquatic Resources 69)

Response 89: To avoid the potential requirement for coastal hardening, the Selected Alternative would be placed on a viaduct above the inundation zone. Other than the piers and columns with a small footprint in these areas (and included in the modeling of potential effects), there would be open flow of water below the viaduct and no additional hardening would be required.

Comment 90: HDOT should disclose and consider alternatives that account for updated sea-level rise projections. HDOT's stated purpose and need for realigning the Honoapiʻilani Highway is "to address existing coastal erosion and flooding vulnerabilities as well as future coastal erosion and flooding caused by anticipated sea level rise." Indeed, around two-thirds of the highway span proposed for realignment "are considered exposed and potentially vulnerable to sea level rise." HDOT acknowledges that, among a variety of potential hazards to transportation infrastructure in West Maui, sea level rise is "the most urgent," while the associated risks of passive flooding, storm surges, and coastal erosion are already occurring and predicted to worsen. The alternatives considered in the Draft EIS are all based on the conservative assumption that ocean levels will rise by 3.2 feet by 2100. More recent estimates, however, predict that sea level may rise by closer to 4 feet and by as much as 6 feet by 2100. (Mahesh Cleveland, Earth Justice 81)

Response 90: Effective July 2019, the State of Hawaiʻi required all new projects undergoing environmental review under the Hawaiʻi Environmental Policy Act (also known as HRS, Chapter 343) to consider whether the Project is likely to have an adverse effect or be vulnerable to a sea level rise exposure area (SLR-XA), as defined by the 2017 Hawaiʻi Sea Level Rise Vulnerability and Adaptation

[2] Climate Change and Sea Level Rise is a chapter in the already published Draft EIS (December 2024) and is most specifically tied to Hawaii Revised Statutes (HRS) 255P. The Hawaiʻi Climate Change Mitigation and Adaptation Commission and the Hawaiʻi Department of Land and Natural Resources determination of Sea Level Rise Exposure Area (SLR-XA) inundation zones was used to evaluate alternatives.

Report. This accepted guidance is to use a 3.2-foot sea level rise as a planning target for 2100, with an additional consideration of a 6-foot target in that time frame. The impact evaluation was based on the best available information as the Draft EIS was initiated, and in coordination with the Hawai‘i Climate Change Mitigation and Adaptation Commission and the State of Hawai‘i DLNR. All alternatives were evaluated based on a 3.2-foot and 6-foot sea level rise scenario. Additional modeling was performed to provide a higher resolution site-specific inundation model to better define the hazards associated with passive and annual high-wave flooding for 3.2 feet of sea level rise. This methodology, as described in Appendix 3.13, Climate Change and Sea Level Rise Supplemental Information, of the Draft EIS is supported by the Intergovernmental Panel on Climate Change Fifth and Sixth Assessment Reports, the HDOT Climate Resilience Action Plan, and the Hawaii Sea Level Rise Vulnerability and Adaption Report.

The most mauka alternatives which mostly avoid inundation zones were found to have cultural resource impacts and other environmental adverse effects that resulted in these alternatives not being considered as the preferred alignment. Overall, the Project’s commitment to elevating the highway on a viaduct as a design requirement would effectively keep the roadway out of the vast majority of inundation.

Comment 91: The Draft EIS acknowledges the harm that climate change and sea level rise are “already causing to the existing highway,” but does not discuss how relinquishing the existing highway to the County will affect the environment. So long as the County keeps the existing highway in place and sea levels continue rising, the existing highway will increasingly serve as shoreline armoring that would harm beach and reef ecosystems, including monk seal habitat. HDOT should, at minimum, consider these harmful effects and measures to mitigate them. (Mahesh Cleveland, Earth Justice 81)

Response 91: As noted in the response to Comment 12, part of the rationale for transferring the old highway to Maui County is that once this portion of the roadway is not utilized as the primary transportation link between West Maui and Central Maui, the volume of traffic would be substantially reduced. This allows the County to pursue multiple uses of the old highway such as the West Maui Greenway as well as to consider long-term maintenance measures that are less reliant on shoreline hardening and more conducive to naturalizing the shoreline. The Draft and Final EIS indicated that The Nature Conservancy is evaluating such opportunities along the old highway as part of its “Road to Resilience” initiative. The Draft and Final EIS also acknowledge that once jurisdiction is transferred, there may be conditions in the future that would prevent the old highway from being a continuous link.

Traffic, Right-of-Way, Pedestrians/Bicycles

Comment 92: Please use roundabouts at intersections whenever possible (Michele McLean 31)

Response 92: Roundabouts serve important transportation management functions and were evaluated for potential application as part of the preliminary design for the Honoapi‘ilani Highway Improvements Project, although they have not been furthered as a design option. The project area has five intersections and for the Selected Alternative, two would be signalized to safely allow for pedestrian and bicycle crossings (which would generally not be appropriate for a free flowing roundabout). The other locations have limitations for the right-of-way necessary to implement a

roundabout with the anticipated design capacity and free flow speeds of the new highway alignment. If the use of a roundabout is proposed at a future date, it would require further operational and environmental assessment.

Comment 93: Will intersections have lighting, signals, emergency roadside phones etc.? (Anonymous 3 38)

Response 93: As established in the Draft EIS, Luawai Street in Olowalu would be a signalized intersection and, as detailed in this Final EIS and based on public comments and input, a second signalized intersection at Ehehene Street would part of the Project. Limited street lighting would be included at project intersections but not along the entire corridor. Consistent with HDOT policy, there would be no provision for emergency phones along the roadway given the prevalence and availability of cellular phones.

Comment 94: The use of left side acceleration lanes without sufficient length to allow entering traffic to get up to speed and the requiring those vehicles to merge right. In my experience left side merges and lane drops have proven to have higher crash rates. Having those entering left turns sit in the center of the roadway without any physical, lateral buffering space from traffic passing on both sides at higher speeds, would seem to be uncomfortable for the drivers and may result in sideswipe crashes. The Reduced Conflict Intersection (RCI) design concept eliminates those problems and provides the following benefits: conflict points involve traffic headed in on direction conflicting with another single traffic movement; the "threat" or priority traffic movement is always approaching from the left or from ahead, never from the right; no left turns are required into higher speed, higher volume traffic flows. In addition, RCIs provide two stage crossings of the heavy, high-speed traffic movements and two stage left turns onto the major roadways for any length vehicle. Vehicles of any length are not required to cross both directions of the major roadway while requiring a gap in both directions. Minnesota recently announced it is no longer building full movement intersections on rural divided highways without traffic signals or roundabouts. However, since there are many existing locations with left side merges on Maui, my concerns would be greatly lessened if the crash data shows that they perform safely on Maui. (Dennis Eyler 78)

Response 94: The preliminary alignment design has been based on state and federal design standards and reflects the limitations of right-of-way availability, as well as constraints related to sensitive cultural resources and other environmental considerations. For example, innovative reduced conflict intersection concepts noted in the comment would require additional right-of-way acquisition, including areas potentially containing sensitive cultural resources or other environmental concerns and as a result, would be difficult to implement as part of the Project or result in potentially adverse impacts.

Comment 95: Will the road be asphalt or concrete? (Anonymous 3 38)

Response 95: The roadway and shoulders will be constructed with concrete pavement. Side street tie-ins will be asphalt concrete pavement.

Comment 96: We recommend — similar to our past comments — that consideration be made to strengthening the multimodal and active transportation components within the project framework. This could include any number of more robust commitments, including: consider modifying the current cross-section design to be more amenable to active transportation elements such including a shared-use path; and, strengthen financial commitments to the active transportation infrastructure. While the West Maui Greenway represents a promising initiative, securing dedicated funding would ensure its implementation. Similar funding considerations could benefit the Olowalu project, creating a comprehensive active transportation network. (Kathleen Rooney, Ulupono Initiative 67 and 74)

Response 96: Based on this and several other comments, the Selected Alternative as presented in this Final EIS will include a separated shared-use pathway along the makai edge of the new highway right-of-way and will include signal-controlled bicycle and pedestrian crossings at Luawai Street in Olowalu and Ehehene Street in Ukumehame. This addition to the Selected Alternative is included in the revised cost estimates for the Project as summarized in Chapter 5, Selected Alternative. The West Maui Greenway is an independent project outside the jurisdiction of HDOT. Funding for the West Maui Greenway Plan is outside of the scope of the Project and this Final EIS.

Comment 97: The Hawaii State Department of Education is concerned about commute times and traffic patterns for its students, parents, and staff as there are many that have been displaced to different parts of the island due to the West Maui Wildfires. With the uncertainty that still lies ahead, the Department requests that your staff and consultants meet with the administrators of Lahainaluna High, Lāhainā Intermediate, and Nahienaena Elementary Schools to present traffic impacts leading to and from each of these campuses and specific timelines associated with the project. (Roy Ikeda, Hawaii Department of Education 77)

Response 97: HDOT understands the concerns related to commute times and traffic patterns around one of West Maui's most vital centers for community and educational purposes. HDOT will coordinate a meeting with the referenced parties to address uncertainties that the Hawaii Department of Education has about the Project's effect on traffic. There are no changes at these school sites as a result of the Project. As established in the Final EIS, the Project would not increase traffic and would decrease travel delays since current disrupters such as flooding and emergency roadway storm repairs would be reduced. During project construction, the existing highway would remain open and operational because the Selected Alternative is not on the existing alignment.

Comment 98: The Navahine Settlement mandates that “Level of Service is discontinued as a criterion for project prioritization,” which goes hand-in-hand with the requirement to instead assess each project’s greenhouse gas and vehicle miles traveled impacts. As the youth highlighted in Navahine, level of service, a metric assessing how quickly cars move along a roadway, “promotes projects that induce additional traffic and ultimately increase congestion over time and imposes blind spots and barriers against multimodal projects.” Any subsequent environmental review documents should avoid use of or reliance on level of service to evaluate the Honoapi‘ilani Highway Improvements Project. (Mahesh Cleveland, EarthJustice 81)

Response 98: As described in Chapter 1 of the Draft EIS, the Project’s primary purpose is to provide a reliable transportation facility in West Maui and improve Honoapi‘ilani Highway’s resilience by

reducing its vulnerability to coastal hazards. Overall, Level of Service is not a criteria for the prioritization of this project; rather it is based on the Statewide Coastal Highway Program Report and the Coastal Road Erosion Susceptibility Index ranking system. In Chapter 3.14 of the Draft EIS, Level of Service is provided to confirm that creating the new highway alignment achieves project goals but does not worsen operating conditions. Roadway segment level of service was determined using ranges of volume/capacity ratios based on guidance contained in the *Highway Capacity Manual, Seventh Edition: A Guide for Multimodal Mobility Analysis*. For the purposes of the transportation analysis, level of service is utilized to quantify the performance of the roadway or element being analyzed.

Air Quality

Comment 99: All project activities shall comply with Hawaii Administrative Rules (HAR), Chapter 11-59 and 11-60.1. If your proposed project: Requires an Air Pollution Control Permit you must obtain an air pollution control permit from the Clean Air Branch. If there is a potential to generate fugitive dust, you must reasonably control the generation of all airborne fugitive dust. (Marianne Rossio, P.E., State Department of Health, Clean Air Branch 66)

Response 99: As noted in this Final EIS (Chapter 5) project construction would be required to employ BMPs to control fugitive dust and any other air pollution control permit requirements would be obtained, as necessary.

Comment 100: If a project includes construction, demolition, or renovation activities that involve potential asbestos and lead containing materials, please contact the Indoor and Radiological Health Branch. (Marianne Rossio, P.E., State Department of Health, Clean Air Branch 66)

Response 100: The project would not be demolishing or renovating structures that might have asbestos and lead containing materials.

Comment 101: If the project involves increases in the population and number of vehicles in an area, this may lead to more air pollution via vehicle exhaust. Ensure drivers keep idling time to three minutes or less and consider support for alternative transportation options. (Marianne Rossio, P.E., State Department of Health, Clean Air Branch 66)

Response 101: The project does not have a development or land use component and is not expected to induce development so there is no anticipated incremental increase in population or vehicular traffic. The Selected Alternative will incorporate bicycle and pedestrian facilities and is fully compatible with the potential future implementation of the West Maui Greenway.

Comment 102: HDOT’s environmental review of the proposed Honoapi‘ilani Highway Improvements Project should contain analyses and mitigation measures to reduce greenhouse gas emissions, consistent with the Navahine Settlement and state law. (Mahesh Cleveland, EarthJustice 81)

Response 102: As described in Draft EIS, the Project does not generate additional traffic demand since the realignment creates a new and more reliable linkage between West Maui and Central Maui

and there would be no up or downstream changes in the transportation network or new anticipated growth or development as a result of the Project. A qualitative analysis was conducted according to agency guidance in place at the time of the Draft EIS. Compared to the No Build Alternative, the Project would not result in a material change in regional criteria air pollutant and emissions. No mitigation measures are proposed for any of the Build Alternatives because no violations of the National Ambient Air Quality Standards or State Ambient Air Quality Standards are anticipated.

Comment 103: The Navahine Settlement further requires HDOT to "develop and implement an objective, scientifically-based methodology to assess and report the total, long-term [greenhouse gas] emission and [vehicle miles traveled] impacts of each infrastructure project," specifically for use in "preparing environmental review documents for its transportation projects." Such analyses are not included in the Draft EIS. Given that HDOT must develop and implement this methodology by April 2025, any subsequent environmental review documents should disclose these Project impacts. (Mahesh Cleveland, EarthJustice 81)

Response 103: The Draft EIS was published in December 2024, before the development and implementation of the HDOT methodology applicable to new planning projects initiated after April 2025. Further, as noted in the Draft EIS, the Project is not expected to add travel demand or increase regional VMT so the emissions analysis would show little or no change.

Comment 104: HDOT should specifically consider and compare the greenhouse gas emissions and vehicle miles traveled impacts of (1) constructing the new highway while closing or keeping the existing highway open to motorist traffic, and (2) including or omitting bike and pedestrian facilities on the existing and new highways. (Mahesh Cleveland, EarthJustice 81)

Response 104: Given that the Project would not generate new trips, the Selected Alternative would not be anticipated to result a material change in regional criteria air pollutants or greenhouse gas emissions as compared to the No Build Alternative. Given the limited bicycle and pedestrian activity in the area presently, the incremental difference with or without the bicycle and pedestrian facilities would be minimal. However, for the purposes of presenting a conservative evaluation, such trips are not accounted for in the analysis.

Noise

Comment 105: We are concerned about the hours of construction and if there's going to be limits or if it's going to be a 24-hour operation. How will noise be addressed and recorded before and after construction. Will there be a decibel meter at our location now and that's compared to construction? (Nick Nielson 58)

Response 105: As presented in Chapter 3.16 of the Draft EIS and this Final EIS, the Hawaii Department of Health maintains community noise control standards (HAR §11 46) that also apply to construction noise. These specifications would be adhered to, and a noise permit would be obtained for construction activities performed during standard work hours (Monday through Friday 7:00 a.m. to 6:00 p.m. and Saturday 9:00 a.m. to 6:00 p.m.). Should night work be required (outside of sea turtle nesting/hatching periods and seabird fledgling periods), it would be limited and of short duration at

the connection points at the north and south ends of the corridor in order to limit daytime congestion. The distances of this anticipated night work would be far enough away from residences to have no adverse effect.

Infrastructure and Utilities

Comment 106: The proposed route also appears to pass through the existing Olowalu Convenience Center (OCC) at the Closed Olowalu Landfill. OCC is the only recycling and waste transfer station for the West Maui community. Please advise if the OCC will be affected, and if so, the plan to relocate the OCC to another location to allow the County of Maui to continue providing this service to the local community. Routing across any portion of the Olowalu Recycling and Refuse Center will result in a reduction of solid waste services for West Maui. (Shayne Agawa, Maui County Department of Environmental Management 80, Elaine Baker 50)

Response 106: As presented in Chapter 3.17 of the Draft, the Preferred Alternative (and all alternatives evaluated) would be anticipated to result in the displacement and relocation of the existing County of Maui recycling and transfer station. Based on information provided by the County, the location at the landfill was not considered a permanent solution and the County has long considered relocation options for this facility to move it closer to the Lāhainā urban center, where most users originate.

Hazardous Materials

Comment 107: When all the debris was moved to the Olowalu dump site after the Lāhainā fires, Mayor Bissen said that it would later be transported over to the Central Maui landfill. I'm wondering how this is going to impact plans for the highway? Was the movement of transport trucks back and forth to get to the Central Maui landfill been looked at in the EIS. And do you think your highway proposal would affect that in some way, environmentally? There's been concern about the current dump site possibly leeching into the coastal waters off of Olowalu and do you think your highway proposal would affect that in some way, environmentally? Routing across any portion of the closed Olowalu Landfill should be avoided so that buried waste is not exposed to the environment. (Nancy Haley 43, Elaine Baker 50)

Response 107: It is anticipated that the new roadway would begin construction after completion of removal operations and closure of the landfill. On October 27, 2023, the Board of Land and Natural Resource granted Maui County a land disposition to use the Olowalu Landfill to dispose of the Lāhainā wildfire ash and smaller particles. The debris would be wrapped in liners to prevent the migration of any waste materials and the landfill would again be capped and closed. Both the Temporary Debris Staging and Reduction site and the repurposed scale and weigh station are likely to be used for less than five years. The temporary uses related to disposal of debris from the Lāhainā wildfire is expected to stop prior to the development of the Project. Therefore, any affects to this facility or conflicts with the Lāhainā wildfire debris removal are unlikely.

The new roadway would have an intersection with turning lanes and to serve the landfill site thus if any future transfer activities were to be undertaken, there would be roadway access to all for the movement of trucks and vehicles. The Selected Alternative does not disturb any disposal areas of prior landfill so construction of the roadway would not increase potential for off-site contamination.

Evaluation of effects from the landfill would be part of the ongoing management of the closed landfill by the State of Hawaii.

Comment 108: A portion of the proposed "common" route appears to encroach onto landfilled waste along the toe of closed Olowalu Landfill. Constructing structures and roadways on landfilled waste should be avoided. Please advise if this project does plan to place the improved highway on top of landfilled waste at the Closed Olowalu Landfill. (Shayne Agawa, Maui County Department of Environmental Management 80)

Response 108: The Selected Alternative would be constructed in the area of the closed Olowalu Landfill but would remain makai of the toe of the slope over covered materials. The roadway realignment will not be located over landfilled waste and the alignment was developed in coordination with the Maui County Environmental Management Division.

Section 4(f) Evaluation

Comment 109: The Department [Department of Interior], through the National Park Service (NPS), concurs with a *de minimis* finding, that the project will have no adverse effects on any Section 4(f) properties within the project area. (Viktoriya Sirova 65)

Response 109: Thank you for your comment and your interest in the Project.

Preferred Alternative

Comment 110: As owner of Lot 19 CPR Unit C in the Olowalu Mauka subdivision, the proposed highway location [Preferred Alignment] just cuts a small corner of our property and we are relieved that it will not destroy our vision for our farm. (Van Fischer 22)

Response 110: Thank you for your comment and your interest in the Project.

Comment 111: We believe there are a number of reasons why a minor adjustment to a small section of the highway moving the route approximately 150-200 feet mauka will improve the safety and flow of traffic and help to avoid valuable natural resources. The current design does not cross Luawai Street at a right angle creating an unsafe intersection for vehicles entering the highway from both the subdivision above the new highway and out of the lower Olowalu village. If the highway is relocated 150-200 feet mauka the highway will cross Luawai Street at a right angle providing maximum sight distance for vehicles using the intersection and more stopping distance for vehicles approaching the intersection from the lower road. It also makes more sense to locate the detention basin next to this intersection as it can be used to collect the water that flows down Luawai Street in heavy rain events. (Van Fischer 22 and 57)

Response 111: These comments have been reviewed and incorporated into the refinements of the Selected Alternative to the extent practicable, most notably with a mauka shift of the roadway. Modifications to the Selected Alternative are summarized in Chapter 5, Selected Alternative, of this Final EIS.

Comment 112: I live in Kapāiki Village, most people know it as Olowalu Village. As we look at the alternate routes, I would like to see it go a little bit higher [mauka] away from the homes. We have a small little village and I would really like to see it would be pushed further away from our homes for the noise. (David McPherson 55)

Response 112: There have been several comments looking to move the Preferred Alternative further mauka from its alignment as presented in the Draft EIS. These comments have been reviewed and incorporated into the refinements of the Selected Alternative, and the result would be a more mauka alignment (up to approximately 200 feet of the original alignment). Modifications to the Selected Alternative are summarized in Chapter 5, Selected Alternative, of this Final EIS. In terms of noise, there was no impact on the homes in the Kapāiki Village area from the Preferred Alternative as analyzed in the Draft EIS. Based on the removal of the high volume of through traffic on the existing highway, the homes in this area would experience a decrease in noise levels over the No Build condition (see Chapter 3.16 of the Draft EIS and Final EIS).

Comment 113: The intersection with Luawai Street absolutely must be signalized with right turn lanes. (Van Fischer 22 and 57)

Response 113: As indicated in the Draft and Final EIS, this intersection is proposed to be fully signalized.

Comment 114: The topography along a section of the mauka lot line of lot 19 CPR Unit C has a very steep 10-12 foot tall cut bank that runs along that property line in the exact area where the proposed highway crosses that property corner. Due to the continued rise up the hill, building the highway in this spot will result in the sloped bank of the highway will be approximately 20 feet high or more. Simply moving the highway mauka 100 feet or so will eliminate this situation. (Van Fischer 22 and 57)

Response 114: These comments have been reviewed and incorporated into the refinements of the Selected Alternative to the extent practicable, most notably based on the mauka shift of the roadway as noted by the comments. Modifications to the Selected Alternative are summarized in Chapter 5, Selected Alternative, of this Final EIS.

Comment 115: The Mopua Stream is an open stream from the mauka property line of Lot 19 to the existing highway where a culvert crosses the highway into the ocean (it is an underground stream above Lot 19). The open section of this stream is teaming with life and well worth protecting. There also appears to be an underground stream channel that runs along the mauka property line of lots 19 and 20 and there is an existing abandoned pump house and moving water is visible in the bottom of the trench. Moving the highway mauka as we propose will protect this valuable water source as we do not know if it is coming from springs or other underground streams. Provisions should also be made for a culvert to be placed under the highway should State wish to re-establish all of Mopua Stream as an open channel in the future. (Van Fischer 22 and 57)

Response 115: These comments have been reviewed and incorporated into the refinements of the Selected Alternative to the extent practicable. Modifications to the Selected Alternative are

summarized in Chapter 5, Selected Alternative, of this Final EIS. During final design further geotechnical studies would be conducted related to the limits of disturbance. These studies would identify subsurface conditions (including potential underground streams) and potential design modifications would be evaluated based on those findings.

Comment 116: Another consideration in moving the Preferred Alternative, should be the protection of quality farming soil. The property above our mauka property line (Lot 19) is very rocky and not suitable for farming. All of lots 19 and 20 are comprised of good quality soil and it would be a shame to use any more of that land for the highway than absolutely necessary. (Van Fischer 22)

Response 116: The consideration of soils of concern to the property owner are accommodated in the overall request of a mauka shift that has been included in the refinements to the Selected Alternative. Modifications to the Selected Alternative are summarized in Chapter 5, Selected Alternative, of this Final EIS.

Comment 117: The route as proposed cuts directly through Lot 19 CPR Unit A and Lot 20 CPR Units A and B and includes a proposed detention basin in that area. As such, the State will need to acquire most if not all these parcels rendering the remainder unbuildable as home sites. The land just mauka of these parcels consists of an agricultural parcel that is designated as part of the subdivision Greenway Open Space. On these lots, there are two local families who are in contract to buy those to build their homes but can't build without a mauka alignment shift. If the State agrees to move the highway as suggested, the owners of Lot 20 Units A and B would be willing to donate an open space easement on one acre of the Lot 20 CPR Units A and B to offset a portion of the loss of the required greenway at no cost to the State. (Van Fischer 22 and 57)

Response 117: These comments have been reviewed and incorporated into the refinements of the Selected Alternative.

Comment 118: With the single viaduct with one moving lane in each direction, what happens when there's an accident on that elevated roadway? If the vehicles are stopped there and people need to get through, how are you going to get people off of the viaduct? (Jason Wolford 56)

Response 118: The viaduct will have 6-foot-wide shoulders, 11-foot-wide travel lanes (one in each direction) and a 4-foot wide median, providing a total roadway width of 38-feet plus a shared use path. This width is anticipated to be adequate to provide the passage of vehicles should an accident occur either by having vehicles pulling to the side (and passing vehicles utilizing the median space to pass) or in more severe cases the use of a single contraflow lane with the assistance of Maui Police Department.

Comment 119: The realignment of Honoapi‘ilani Highway out of the Sea-Level Rise Exposure Area (SLR-XA) is supported in the Maui County General Plan and more specifically by the West Maui Community Plan. (Karen Comcowich, Maui County Long Range Division 82)

Response 119: Thank you for your comment and your interest in the Project.

Comment 120: Multimodal transportation options and Complete Streets elements should be incorporated into the Honoapi‘ilani Highway Improvements. In addition, thoughtful consideration should be given to the road design to ensure the realigned highway retains and enhances the existing character and scenic resources found in Ukumehame and Olowalu. The inclusion of trees and landscaping appropriate to the microclimate is also important. The design of the Honoapi‘ilani Highway Improvements will need to incorporate multimodal and Complete Street design elements, while thoughtfully considering the existing character and scenic resources of the communities through which it passes. (Karen Comcowich, Maui County Long Range Division 82)

Response 120: The Selected Alternative, as documented in the Final EIS/ROD, includes an adjacent shared-use path as part of the highway realignment for bicycles and pedestrians, and two mauka-makai signalized crossings of the corridor that non-motorized vehicles can use. Revegetation for disturbed areas or for landscaping purposes would use native plants found within the project area or native, wildfire resistant plant species. Turf grass would be prohibited, and all landscaping and vegetation maintenance would adhere to the 2011 HDOT Highway Manual for Sustainable Landscape Maintenance. As the area is arid and wildfire risk is a major concern, during dry seasons, vegetation along the roadway would be kept low to avoid risk of fires. Trees along the new alignment are not proposed since there would be limited right-of-way and with limited access to irrigation in an arid area. In addition, trees within a median for this design speed would be a safety concern.

Comment 121: Designing the realigned portions of the highway to support transit, bike and pedestrian access would provide multiple benefits from resilience actions by increasing transportation options and making walking and bicycling safe and easy between and within communities. (Karen Comcowich, Maui County Long Range Division 82)

Response 121: The new highway alignment would likely be compatible with through travelling buses since the alignment would be controlled with no driveways or curbside uses which can disrupt through movements. Local bus service would be expected to leave the new alignment to serve the Olowalu Village via connector roads and the existing highway that would become a local road serving community uses. The Selected Alternative, as documented in the Final EIS/ROD, includes an adjacent shared-use path as part of the highway realignment for bicycles and pedestrians, and two mauka-makai signalized crossings of the corridor that non-motorized vehicles can use.

Comment 122: The West Maui Community Plan and Countywide Policy Plan support the inclusion of trees along public right of ways. The West Maui Community Plan specifies the use of native trees and landscaping that is appropriate to the microclimate. Trees and other appropriate landscaping should be included in the realigned Honoapi‘ilani Highway Improvements. (Karen Comcowich, Maui County Long Range Division 82)

Response 122: Appropriate landscaping will be included in the realigned Honoapi‘ilani Highway in accordance with the 2011 HDOT Highway Manual for Sustainable Landscape Maintenance. Native vegetation found in the project area will be used for revegetation efforts along with native, wildfire resistant species to reduce the risks associated with wildfires. During the dry season, the area immediately adjacent to the roadway will be mowed to keep vegetation low to prevent the risk of fuel buildup/wildfires. While certain native trees grow in the area, there is a constrained right-of-way to

incorporate tree planting and limited access for irrigation in an arid area. However, as part of avoidance and minimization measures for the endangered Hawaiian hoary bat, large trees would be preserved in place to the greatest extent practicable.

Comment 123: The Maui County General Plan, the Maui Island Plan and the West Maui Community Plan all support protecting and enhancing natural and cultural resources. This includes using Low Impact Development strategies and vegetated buffers around gulches and wetlands, giving consideration to how agriculture areas will be impacted, particularly where there is active subsistence farming or loʻi cultivation, and ensuring access to kuleana lands. It is noted that the project proponents have consulted with community members in development of the Environmental Impact Statement Preparation Notice, including the Aha Moku Council and Lineal Descendants. As final alignment and design for Honoapiʻilani Highway Improvements are refined, protecting, and enhancing natural and cultural resources should be a priority. Continued involvement and collaboration with community members as plans are refined is encouraged. (Karen Comcowich, Maui County Long Range Division 82)

Response 123: The alternatives considered potential impacts to natural and cultural resources, and the Selected Alternative provides the best balance to achieve the Project's purpose and need and minimize and avoid adverse effects. Consultation with descendants and other individuals and organizations with a demonstrated interest in the Project (referred to as "consulting parties") is ongoing as part of the National Historic Preservation Act Section 106 and the Hawaiʻi Revised Statutes, Chapter 6E processes. The Executed Programmatic Agreement (Appendix 3.6 of the Final EIS) provides the framework for commitments on resource evaluation and mitigation as well as continued consultation with interested participants.

Comment 124: The protection and enhancement of trails is encouraged throughout the Maui County General Plan. While it is not expected that the Honoapiʻilani Highway Improvements will develop additional trails, preservation of existing trails and options for new connections should be incorporated. (Karen Comcowich, Maui County Long Range Division 82)

Response 124: There are no existing public hiking trails that are along the proposed highway alignment. The trailhead for the West Lāhainā Pali trail is located along the existing highway about a half mile further south (towards Maalaea). The existing Olowalu subdivision shared-use path, which is largely built out by the private owners, will be disrupted by the Selected Alternative. As presented in this Final EIS, the continuity of the path would be tied into the pathway alongside the makai alignment of the Selected Alternative.

Comment 125: Undergrounding utilities is supported throughout the Maui County General Plan. This may be an opportunity to work with Maui Electric Company to underground utilities in the area where improvements are being implemented. (Karen Comcowich, Maui County Long Range Division 82)

Response 125: The Honoapiʻilani Highway project is compatible with this plan element in that the corridor is suitable to accommodate new utility systems, although no utility realignments are proposed. As described in Chapter 3.17 of the Draft and Final EIS, the new alignment would have no existing or

future driveways or access points to properties requiring local utility connections. Therefore, the existing system for local distribution would remain along the existing Honoapiʻilani Highway for local uses or from the Olowalu and Ukumehame subdivision utility lines which are already primarily below ground. Regional transmission lines parallel the highway but are considerably mauka of the developed areas up into the higher elevations and would require a major regional change to its routing if it were to be accommodated within the new highway alignment.

Comment 126: While it is evident that the Honoapiʻilani Highway Improvements have considered the impacts of the alignment on the character and scenic resources of the surrounding area, it will also be important to consider the character and scenic resources of the surrounding area in the design of the road and how it interacts with the surrounding communities. (Karen Comcowich, Maui County Long Range Division 82)

Response 126: The proposed new alignment will largely weave through the community outside the village center in Olowalu and the parks and beaches in Ukumehame. As the comment notes, the potential visual character of the Project is evaluated in Chapter 3.8 of the Draft and Final EIS. The visual impact assessment identifies recommended guidelines to best integrate the road design with the character and scenic resources of the community.

Comment 127: Although this is not part of the scope of this project the realignment will offer the possibility to achieve goals supported by the Maui County General Plan regarding protection and enhancement of shoreline resources, the development of Parks and Open Space, and alternative modes of transportation makai of the realigned highway. (Karen Comcowich, Maui County Long Range Division 82)

Response 127: Thank you for your comment and your interest in the Project.

Comment 128: We recommend including conceptual designs of the preferred alternative viaduct through the Ukumehame area, including identified wetland habitat (jurisdictional and non jurisdictional) in the area, architectural/design features aimed at reducing car strikes for nēnē and listed waterbirds (e.g., diversion poles and/or guardrails), and any land alterations to assist with stormwater management and highway runoff as described in Section 3.9.8 of [Draft EIS] Chapter 3. (Chelsie Javar-Salas, USFWS 84)

Response 128: Conceptual designs of the Preferred Alternative and viaduct were provided in the Section 7 BA for USFWS PIFWO review and use in development of the Biological Opinion (Appendix 3.10 of this Final EIS), as are the identified wetland habitat in the area, and preliminary typical section drawings of the proposed highway and stream crossings (with guardrails). Conceptual designs of the diversion poles to be affixed to the viaduct have not been developed, but dimensions and placement are described in the BA as extending approximately 6 feet (1.8 meters) above the 54-inch (137 centimeters) rail and spaced approximately 12 feet (3.7 meters) apart across the length of and on both sides of the viaduct. As described in Chapter 2, Alternatives of the Draft EIS, the ultimate determination of culvert and bridge specifications, or the use of viaducts to span larger areas, would be based on identification of the Preferred Alternative, the length of the span required, environmental

effects, constructability, and cost. This would be finalized during the development of final construction documents as part of the design-build process.

Comment 129: In section 5.1.1.3, the Draft EIS mentions guardrails would be placed on either side of the viaduct. We recommend clarifying whether the architectural design features aimed at reducing listed bird car strikes will be placed on one side or both sides of the highway. (Chelsie Javar-Salas, USFWS 84)

Response 129: The Final EIS specifies that diversion poles would be included on both sides of the viaduct. Guardrails would be placed on either side of the roadway and viaduct. Preliminary designs for the viaduct and roadway are included in typical section drawings in the BA.

Comment 130: We recommend providing more details about the swales (Appendix 3.10) to control stormwater, and other highway design features aimed at minimizing highway contaminant runoff into wetland habitat to reduce impacts to nēnē, ae'o, and other listed waterbirds that may use the wetland habitat in the project area. Specifically, clarify where the stormwater will be diverted to or be collected, and will these areas have the potential to attract nēnē and listed waterbirds. (Chelsie Javar-Salas, USFWS 84)

Response 130: The Selected Alternative would traverse the wetland area on the viaduct. Stormwater flow from the elevated viaduct would run along the parapet walls until the width of the water running along the wall reaches a threshold to enter a closed drainage system where it would flow through downspouts attached to the piers to a permanent BMP at ground level. Proposed locations of permanent BMPs are shown in the BA. The final design established as part of the design-build process would determine the design, size, and location of the permanent BMPs, including conceptual detention ponds to promote infiltration and treatment of discharge generated on-site, and incorporation of Low Impact Development strategies, such as vegetated swales in the median and on the outside edges of the pavement structure to the maximum extent practicable. Revegetation strategies outlined in the BA and in the Biological Opinion (Appendix 3.10 of this Final EIS) would prohibit the use of turf grass, and include native species found within the project area. Regular maintenance of the permanent BMPs would deter nēnē and listed waterbirds.

Comment 131: Additionally, the proposed grassy swales adjacent to the road may increase the risk for nēnē car strikes. We recommend you inquire with the Nēnē Recovery Action Group about the proposed grassy swales and for potential alternative options for the swales, as applicable. (Chelsie Javar-Salas, USFWS 84)

Response 131: The project team reached out to the Nēnē Recovery Action Group about best practices for proposed grassy swales and potential alternatives. No additional recommendations were provided.