April 16, 2020

Mr. Keith Kurahashi
R.M. Towill Corporation
2024 North King Street, Suite 200
Honolulu, Hawaii 96819

Dear Mr. Kurahashi:

SUBJECT: Request for Determination – Chapter 343 Requirements
Kapolei Parkway Mixed-Use
91-0 Kapolei Parkway, Kapolei, Hawaii 96707
Tax Map Key: (1) 9-1-160: Portion of 018
[Lots 6 (6.015 acres) and 7 (4.232 acres)]

This responds to your letter received on March 12, 2020, requesting a determination on whether the subject Project would be exempt from Hawaii Revised Statutes (HRS) Chapter 343 requirements under the newly signed rules for the state Environmental Impact Statement (EIS) process, established by the Office of Environmental Quality Control and the State Environmental Council, known as the Final Proposed Hawaii Administrative Rules (HAR) Chapter 11.200.1 EIS Rules.

It is our understanding that the Applicant proposes to construct 405 dwelling units at the subject property, consisting of 21 units designated for households earning 30% of the Area Median Income (AMI) or below and 383 units designated for households earning 60% of the AMI or below. An additional unit will be used for an onsite resident manager. The Project is eligible for processing of affordable housing exemptions by the City and County of Honolulu under Chapter 201 H, HRS.

Under HAR, Chapter 11-200.1-15(c)(10), new construction of affordable housing, where affordable housing is defined by the controlling law applicable for the state or county proposing agency or approving agency, are eligible for exemption from the preparation of an Environmental Assessment if they meet the following:

(a) Has the use of state or county lands or funds or is within Waikiki as the sole trigger for compliance with Chapter 343, HRS.

The sole trigger for this Project is the use of state funding, including Rental Housing Revolving Fund, Hula Mae Multi-Family Tax-exempt Bond program funds, and Low-income Housing Tax Credits.
(b) As proposed conforms with the existing state urban land use classification.

The Project site is located on land classified as Urban by the State.

(c) As proposed is consistent with the existing county zoning classification that allows housing; and

The Project site is zoned "BMX-3 Community Business Mixed Use District" by the City. BMX-3 District allows housing and multi-family dwellings as a permitted use. The proposed construction of 405 multi-family dwelling units, one commercial unit and two preschools is consistent with these designations.

(d) As proposed does not require variances for shoreline setbacks or siting in an environmentally sensitive area, as stated in section 11-200.1-13(b)(11), (e.g., a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters).

i. The Project would not require variances for shoreline setbacks or siting in an environmentally sensitive area. The proposed Project is not located along coastal areas.

ii. The Project site is located in FEMA Flood Zone D. Flood Zone D indicates unstudied areas where flood hazards are undetermined, but flooding is possible. The Applicant will adhere to the standards set forth in the Revised Ordinances of Honolulu, Chapter 21A, Flood Hazard Areas, as necessary.

iii. The Project site is not located within the Tsunami Evacuation Zone or the Extreme Tsunami Evacuation Zone.

Considering the above, we are pleased to inform you that after reviewing the traffic study, archeological study, and environmental site assessments, we concur with your determination. We agree that the proposed Project is an exempt class of action according to HAR, Chapter 11-200.1-15(c)(10) based on the submitted Project information.

Should you have any further questions on this matter, please contact Mr. Seiji Ogawa by telephone at 768-4294 or by email at seiji.ogawa@hnl.gov.

Sincerely,

Sandra S. Pfund
Director