

DOCKET NO. A25-811
Ho‘onani Development LLC

Motion to Designate the Land Use Commission
as Accepting Authority for the Environmental
Impact Statement

STAFF REPORT

ACTION MEETING

November 19, 2025



Daniel E. Orodenker, Executive Officer

Submitted: November 14, 2025

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1. EXPLANATION OF PROCEEDING

The Motion to Designate the Land Use Commission (“LUC” or “Commission”) as Accepting Authority for the Environmental Impact Statement (“EIS”) hearing is brought forth by the Petitioner an opportunity to request that the Commission determine, through its judgment and expertise that an EIS is likely to be required; and authorize Petitioner to prepare an Environmental Impact Statement Preparation Notice (“EISPN”).

The process of asking to go straight to an EIS streamlines the permitting process by eliminating the need for the Petitioner to first complete an Environmental Assessment, and then an EIS.

AUTHORITY

Hawai‘i Administrative Rules (“HAR”) §15-15-70 Motions.

Any party may make motions before, during, or after the close of a hearing.

HAR §15-15-50 Form and Contents of Petition.

The form of the petition for boundary amendment shall conform to the requirements of subchapters 5 and 6.

HAR §11-200.1-14 Environmental Impact Statement Rules.

Establishes a system of environmental review at the state and county levels that shall ensure that environmental concerns are given appropriate consideration in decision-making along with economic and technical considerations. The purpose of this chapter is to provide agencies and people with procedures, specifications regarding the contents of exemption notices, environmental assessments, and environmental impact statements, and criteria and definitions of statewide application.

HAR §11-200.1-13(b) Significance criteria

In determining whether an action may have a significant effect on the environment, the agency shall consider every phase of a proposed action, the expected impacts, and the proposed mitigation measures.

HAR §15-15-82 Issuance of decisions and orders.

For orders determining the acceptability of environmental compliance documents pursuant to chapter 343, HRS, the chair or presiding officer shall sign for the commission.

HAR §11-200.1-14(d)(2) and Hawai‘i Revised Statute (“HRS”) §343-5(e)

Applicability and requirements.

Allows an approving agency to determine, through its judgment and experience,

that an EIS is warranted and direct an applicant to go directly to preparing an EISPN rather than an Environmental Assessment.

2. BACKGROUND INFORMATION

The proceeding before the Land Use Commission (“LUC”) is to hear Petitioner’s Motion to Designate the LUC As Accepting Authority for the Environmental Impact Statement (“EIS”) Under HRS Chapter 343 and for Authority to Prepare an Environmental Impact Statement Preparation Notice (“EISPN”).

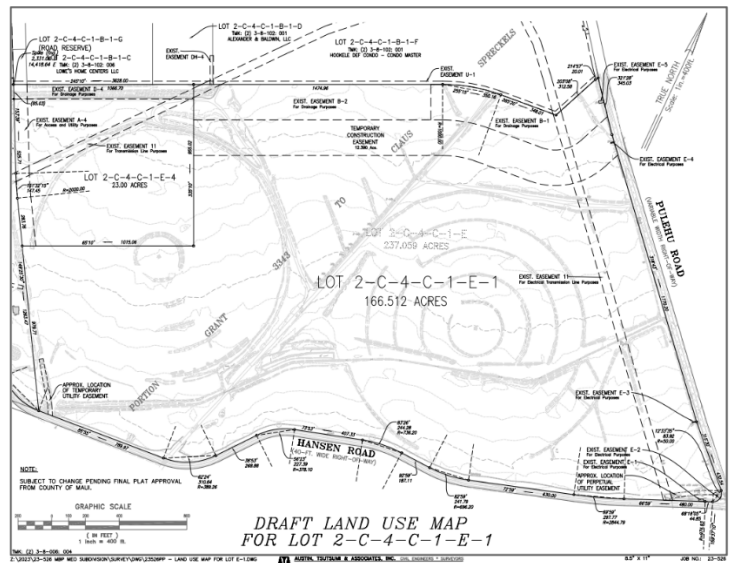
Chronological History:

Initial DBA Filing

On August 20, 2025, Ho‘onani Development LLC (“Petitioner” or “Ho‘onani”) filed their [Petition for Land Use District Boundary Amendment](#) (“DBA”). The DBA is to Amend the Agricultural Land Use District Boundary into the Urban Land Use District for Approximately 166.512 acres of land situated at Pu‘unēnē, Wailukū, Island and County of Maui, State of Hawai‘i, Tax Map Key: (2) 3-8-006- 004-0005

The proposed Project is expected to include 1,600 multi-family residential units along with retail, office, dining, open spaces, hospitality, and light industrial, along with all necessary infrastructure (DBA Filing, 4).

Petition Area (Exhibit 3, of [2025 DBA Petition](#))



DBA Filing Deemed Incomplete

On August 26, 2025, LUC Staff [Deemed the DBA Filing Incomplete](#) pursuant to HAR §15-15-50.

The LUC Deemed Incomplete Letter included constructive comments regarding what the Petition needs to be deemed complete pursuant to HAR §15-15-50.

Comments included:
§15-15-50(b), HAR: the Petition cannot be deemed complete until an approved environmental impact statement for the Project is accepted by the LUC or another accepting authority and is incorporated as part of the Petition.

2025 Motion for the LUC to be the Accepting Authority

On August 28, 2025, Petitioner filed their [Motion to Designate the LUC as Accepting Authority](#) for the EIS Under HRS Chapter 343, and to determine an EIS is likely to be required; and for Authority to Prepare an EISPN.

On September 8, 2025, The State Office of Planning and Sustainable Development (“OPSD”) filed their [Statement of No Opposition](#) to the Petitioners Motion.

On September 10, 2025, The County of Maui filed the County’s formal [Withdrawal Notice](#) of EISPN.

PRP Motion to Intervene

On September 15, 2025, the LUC Received the Pacific Resource Partnership (“PRP”) [Notice of Intent to Intervene](#).

Based on its stated intent to intervene, a potential intervener at this early stage is provided with all filings as they are made by any of the existing parties (Petitioner, County, and OPSD). Once the district boundary amendment petition is deemed complete. Any potential interveners can make a formal request to the Commission to intervene as a recognized party. The Commission will then hear that request and determine whether to allow intervention by a party and on what specific issues. That hearing to allow intervention would take place prior to any hearings on the district boundary amendment petition. (HAR §15-15-52).

3. OPSD POSITION

On September 8, 2025, OPSD filed their [Statement of No Opposition](#) to the Petitioners Motion.

4. COUNTY OF MAUI POSITION

On September 10, 2025, The County of Maui (“COM” or “County”) filed the County’s formal [Withdrawal Notice](#) of EISPN.

The letter indicates that the County withdrew the EISPN concluding that the LUC is the more appropriate agency to be the accepting authority for the proposed project’s EIS as it will be involved to a greater extent in decision making processes relating to the action.

5. STAFF ANALYSIS

The proposed Project is to create approximately 1,600 multi-family residential units along with retail, office, dining, open spaces, hospitality, and light industrial on approximately 165.512 acres of currently vacant land.

Pursuant to HAR §11-200.1-13 - significance criteria;

- (1) Irrevocably commit a natural, cultural, or historic resource;
- (2) Curtail the range of beneficial uses of the environment;
- (3) Conflict with the State's environmental policies or long-term environmental goals established by law;
- (4) Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State;
- (5) Have a substantial adverse effect on public health;
- (6) Involve adverse secondary impacts, such as population changes or effects on public facilities;
- (7) Involve a substantial degradation of environmental quality;
- (8) Be individually limited but cumulatively have substantial adverse effect upon the environment or involves a commitment for larger actions;
- (9) Have a substantial adverse effect on a rare, threatened, or endangered species, or its habitat;
- (10) Have a substantial adverse effect on air or water quality or ambient noise levels;
- (11) Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;
- (12) Have a substantial adverse effect on scenic vistas and view planes, during day or night, identified in county or state plans or studies; or
- (13) Require substantial energy consumption or emit substantial greenhouse gases.

The proposed Project could curtail the range of beneficial uses of the environment, and involve secondary impacts, such as population changes or effects on public facilities ([Motion, pg.4](#)).

Staff Recommendation

Staff recommends granting the Petitioners Motion for an Order to:

- 1) To designate the Commission as the Accepting Authority for Environmental Impact Statement (“EIS”) under HRS Chapter 343; and
- 2) to determine, through its judgment and expertise, that an EIS is likely to be required; and
- 3) to authorize Petitioner to prepare an Environmental Impact Statement Preparation Notice; and
- 4) to allow the Chair or presiding officer to sign the Order for the Commission