



STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWE LAULĀ
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

OCT 14 2024

PM-3052.4

Mary Alice Evans
Director
Office of Planning and Sustainable Development
Environmental Review Program
Department of Business, Economic Development and Tourism
235 S. Beretania Street, Suite 702
Honolulu, Hawaii 96813

Dear Mary Alice Evans:

Subject: Hawaii Revised Statutes Chapter 343
Final Environmental Assessment and
Finding of No Significant Impact (FEA-FONSI)
Rehabilitation of Chamber Level Waterproofing System and Related
Improvements (aka "Hawaii Capitol Pools Improvements Project")
D.A.G.S. Job No. 12-10-0864

Honolulu, Oahu, Hawaii
TMK: (1) 2-1-024: 015

The State of Hawaii Department of Accounting and General Services (DAGS) is transmitting the subject Final Environmental Assessment and Finding of No Significant Impact (FEA-FONSI) for the subject project. The FEA-FONSI has been prepared pursuant to Chapter 343, Hawaii Revised Statutes, and Chapter 11-200.1, Hawaii Administrative Rules.

We respectfully request that the DEA-AFONSI be published in the next available issue of *The Environmental Notice*. Materials required for the publication are being provided via the Environmental Review Program's online form.

Should you have any questions, please contact Brad Leveen of our Public Works Division at (808) 586-0473 or by email at brad.leeven@hawaii.gov.

Very truly yours,

A handwritten signature in cursive script that reads "Joseph M. Earing".

for GORDON S. WOOD
Public Works Administrator

From: webmaster@hawaii.gov
To: [DBEDT OPSD Environmental Review Program](#)
Subject: New online submission for The Environmental Notice
Date: Wednesday, October 16, 2024 12:38:22 PM

Action Name

Hawai'i State Capitol Pools Improvements

Type of Document/Determination

Final environmental assessment and finding of no significant impact (FEA-FONSI)

HRS §343-5(a) Trigger(s)

- (1) Propose the use of state or county lands or the use of state or county funds
- (4) Propose any use within any historic site as designated in the National Register or Hawai'i Register

Judicial district

Honolulu, O'ahu

Tax Map Key(s) (TMK(s))

(1) 2-1-024: 015

Action type

Agency

Other required permits and approvals

HRS 6E Historic Preservation Review (DLNR-SHPD); Major Special District Permit (City); Building Permit (City)

Proposing/determining agency

Department of Accounting and General Services

Agency contact name

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[Map It](#)

Is there a consultant for this action?

Yes

Consultant

HHF Planners

Consultant contact name

Gail Renard

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Action summary

The State of Hawaii Department of Accounting and General Services proposes to construct improvements at the Hawaii State Capitol Building. The action includes replacement of the original water-filled reflecting pools with plazas constructed of glass pavers suspended on pedestals to emulate the water's surface, an expanded concrete perimeter walkway, modernization of architectural lighting, and other improvements and repairs. The pool basins would be reduced in area from about 78,000 SF to about 55,000 SF. The physical changes to the pool basins (e.g., pavers, pedestals, concrete walkway) would be reversible. The project is needed to address chronic repair and maintenance problems caused by the water-filled pools, such as corrosion, leakage, and persistent algae/odor. The project is intended to resolve these issues while maintaining the symbolic value and original design intent of the reflecting pools, and would enhance the public's ability to interact with and experience the Capitol.

Reasons supporting determination

Refer to Section 5 of FEA-FONSI, Determination

Attached documents (signed agency letter & EA/EIS)

- [Capitol-Pools-FEA-Oct-2024.pdf](#)
- [Capitol-Pools-FEA-FONSI-Agency-Submittal-Letter.pdf](#)

Shapefile

- The location map for this Final EA is the same as the location map for the associated Draft EA.

Action location map

- [CapitolPoolsEA.zip](#)

Authorized individual

Gail Renard

Authorization

- The above named authorized individual hereby certifies that he/she has the authority to make this submission.



Hawai'i Capitol Pools Improvement Project

Final Environmental Assessment – Finding of No Significant Impact

OCTOBER 2024

Prepared For



State of Hawai'i
Department of Accounting
and General Services



Prepared By



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Hawai'i Capitol Pools Improvement Project

Final Environmental Assessment – Finding of No Significant Impact

OCTOBER 2024

Prepared For



State of Hawai'i
Department of Accounting
and General Services



Prepared By



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Project Summary

PROJECT NAME	Hawai'i Capitol Pools Improvement Project
PROPOSED ACTION	Structural repairs to the Capitol pools, replacement of the waterproofing layer between the pools and the office spaces and parking garage below, drainage improvements, replacement of the water element with a waterless solution, and the restoration of the Capitol's architectural lighting. Other structural and mechanical repairs to the Capitol are also proposed that would reinforce its original design intent and values.
LOCATION	415 South Beretania Street, Honolulu, O'ahu, Hawai'i
TAX MAP KEY (TMK) PARCELS	(1) 2-1-024: 015
PROJECT AREA	Approximately 2 acres (existing pool areas)
LANDOWNER	State of Hawai'i, Department of Land and Natural Resources <i>(Placed under the control and management of the Department of Accounting and General Services by Executive Order 4236, dated August 26, 2008)</i>
PROPOSING AGENCY/DETERMINING AGENCY	State of Hawai'i, Department of Accounting and General Services
STATE LAND USE DISTRICT	Urban
COUNTY DEVELOPMENT PLAN (DP) DESIGNATION	Institutional
ZONING	B-2 Community Business District
SPECIAL MANAGEMENT AREA (SMA)	Not within the SMA
FLOOD ZONE DESIGNATION	Zone X; Low or Moderate Risk of Flooding.
EXISTING USE	The Capitol is currently used as the seat of the State of Hawai'i's Executive and Legislative branches of government and the uses at the site are typical to this type of use. The Capitol provides meeting and office spaces for the state government. Due to its nature as a public forum, ancillary uses by the public, such as for public gatherings, tours, and passive recreation, frequently occur on the site.
PERMITS AND APPROVALS REQUIRED	HRS 6E Historic Preservation Review (DLNR-SHPD) Major Special District Permit (City) Building Permit (City)
CHAPTER 343 HRS DETERMINATION	Finding of No Significant Impact (FONSI)
APPROVING AGENCY CONTACT	Department of Accounting and General Services Brad Leveen, Project Manager 1151 Punchbowl Street, Rm 427 Honolulu, HI 96813, brad.leeven@hawaii.gov , 808.586.0473
CONSULTANT CONTACT	Gail Renard, LEED AP, Associate Principal HHF Planners 733 Bishop Street, Suite 2590 Honolulu, Hawai'i 96813, comments@hhf.com , 808.457.3167

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Appendix

A Avian Impacts Study (AECOS, Inc.)

Abbreviations and Acronyms

Acronym	Definition
ADA	Americans with Disabilities Act
BMP	Best management practice(s)
BWS	Board of Water Supply
CDP	census-designated place
CZM	Coastal Zone Management
DAGS	State of Hawai'i Department of Accounting and General Services
DEA-AFNSI	Draft Environmental Assessment – Anticipated Finding of No significant Impacts
DLNR	State of Hawai'i Department of Land and Natural Resources
DP	Development Plan
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
HAR	Hawai'i Administrative Rules
HCHD	Hawai'i Capitol Historic District
HCSD	Hawai'i Capitol Special District
HFD	Honolulu Fire Department
HP SFP	Historic Preservation State Functional Plan
HPD	Honolulu Police Department
HRS	Hawai'i Revised Statutes
HVAC	heating, ventilation, and air conditioning
LUD	Land Use District
LUO	Land Use Ordinance
NHPA	National Historic Preservation Act
NPS	National Park Service
NRHP	National Register of Historic Places
OGP	O'ahu General Plan

Acronym	Definition
OHPC	O'ahu Historic Preservation Commission
PUC DP	Primary Urban Center Development Plan
ROH	Revised Ordinances of Honolulu
ROI	region of influence
SCP	Sustainable Communities Plan
SDP Major	Major Special Design District Permit
SEPA	State Environmental Policy Act
SFCA	State Foundation on Culture and the Arts
SHPO	State Historic Preservation Officer
SIHP	State Inventory of Historic Properties
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

1 Purpose of and Need for the Proposed Action

1.1 PURPOSE OF THE ENVIRONMENTAL ASSESSMENT

This Environmental Assessment (EA) is prepared in accordance with Chapter 343 Hawai'i Revised Statutes (HRS), as amended, and Title 11, Chapter 200.1, Hawai'i Administrative Rules (HAR), Environmental Impacts Statement Rules. An EA is required for this project pursuant to HRS Chapter 343 §§ 343-5(a)(1) and (4), due to the expenditure of State funds, because the Proposed Action is located on State-owned lands, and due to the Hawai'i State Capitol building's designation as a contributing structure to the Hawai'i Capital Historic District, which is listed on the National and State Registers of Historic Places.

This EA analyzes the potential environmental and socioeconomic consequences of the Proposed Action. The intent of the EA is to provide sufficient analysis for determining either that the Proposed Action 1) would have a significant effect on the environment and requires the preparation of an Environmental Impact Statement or 2) would not have a significant effect and a Finding of No Significant Impact (FONSI) should be issued pursuant to Chapter 343 HRS.

1.2 INTRODUCTION

The Department of Accounting and General Services (DAGS) (Proposing Agency), an executive department of the State of Hawai'i, proposes to undertake improvements and modifications to the Hawai'i State Capitol building in Downtown Honolulu, O'ahu, Hawai'i. Figure 1-1 presents a location map of the State Capitol building within Honolulu. The proposed improvements and modifications ("Proposed Action") are needed to resolve persistent issues presented by the Capitol reflecting pools, including algae growth, leakages into office and operational spaces, and damage to its structural, mechanical, and electrical components. The Proposed Action is intended to resolve these issues while reinforcing the important symbolic value and original design intent of the reflecting pools and ~~to~~ would enhance the public's ability to interact with and experience the State Capitol building.

1.3 BACKGROUND

The State Capitol building was constructed in 1969 following Hawai'i's admission as the 50th U.S. state to replace the former statehouse, located within 'Iolani Palace, as the seat of the state government. Both the executive and legislative branches of the state government are seated within the chambers of the State Capitol building, with the Judiciary seated in nearby Ali'i'ōlani Hale.

Constructed in a localized version of the Bauhaus-style of architecture, called Hawaiian International Architecture, the State Capitol building was designed as a partnership between two firms, John Carl Warnecke & Associates and Belt, Lemmon, & Lo (an architect/engineering association that included the architectural firm Lemmon, Freeth, Haines and Jones, now known as AHL, Inc). In 1978, the State Capitol building and various other structures were nominated and subsequently listed on the National Register of Historic Places (NRHP) as the Hawai'i Capital Historic District (HCHD). The State Capitol building is a significant contributing property to the quality and historic character of the HCHD (see Figure 1-1 for HCHD boundaries). Figure 1-2 presents various images of the State Capitol building from 1968 to the present day.

The State Capitol building is unique among U.S. state capitol buildings in its use of architectural elements to reflect Hawai'i's landscapes, natural features, and heritage. From the exterior of the

structure, this is most exemplified by the two reflecting pools, representing the ocean, the conical shape of the legislative chambers, representing the volcanoes of the state rising from the sea, the perimeter columns representing palm trees and the eight main Hawaiian Islands, and the open-air rotunda, representing the open society. The Capitol reflecting pools are a unique architectural feature of the State Capitol building and reference the relationship between Hawai'i and the ocean. The pools are a significant contributing element to the character of the State Capitol building itself and, as a result, of the HCHD. The reflecting pools are shallow rectangular shaped pools, each approximately 39,000 square feet in area and approximately 15 inches deep.

1.4 LOCATION AND SURROUNDING ENVIRONMENT

The State Capitol building is located in the heart of urban Honolulu on a roughly eight-acre parcel. The property is bounded to the north by South Beretania Street, to the west by Richards Street, to the south by the Hotel Street Pedestrian Mall, and to the east by Punchbowl Street. Figure 1-3 presents the State Capitol building's Tax Map Key parcel and plat. Nearby significant landmarks include: 'Iolani Palace, the Main Branch of the Hawai'i State Public Library System, Honolulu Hale, The Queen's Medical Center, Washington Place, the Cathedral of St. Andrew, and No. 1 Capitol District, which houses the Hawai'i State Art Museum (i.e., "Capitol Modern"). In addition to being included within the HCHD, the State Capitol building is also within the City and County of Honolulu's Hawai'i Capital Special District (HCSD).¹ The boundaries of both the HCHD and HCSD and are shown in Figure 1-1. The surrounding environment of urban Honolulu is typical of a developed urban center and has been highly modified from its natural condition.

Downtown Honolulu is adjacent to Honolulu Harbor, the largest and most significant commercial harbor in the Hawaiian Islands. The State Capitol building and adjacent properties are distinct from other structures in their urban setting with respect to the inclusion of large grassy lawns and significant landscaping incorporated into their design, providing the largest publicly accessible greenspace in an otherwise largely urban context.

1.5 PURPOSE OF AND NEED FOR THE PROPOSED ACTION

The purpose of the Proposed Action is to replace the chamber-level waterproofing and convert the Capitol reflecting pools into a waterless feature that can be sustainably maintained, while also upholding the original intent of the water-filled design (i.e., representing the ocean surrounding the Hawaiian Islands). In addition, the proposed improvements are intended to reinforce and reinvigorate the State Capitol building's role as the "people's house," providing the public with a new means of engaging with and experiencing the State Capitol building.

The Proposed Action is needed to address chronic repair and maintenance problems associated with the water-filled reflecting pools, including corrosion to the superstructure and mechanical and electrical components of the State Capitol building, leakages into the parking garage and office spaces below the pools, and persistent algae growth within the pools and associated odor.

Since its completion in 1969, the Capitol reflecting pools have presented significant and persistent maintenance issues for the State of Hawai'i. In addition to their symbolic value, the pools initially had a functional use: pumping cool brackish groundwater from three onsite wells through the State Capitol

¹ One of eight Special Design Districts established by the City to "...guide development to protect and/or enhance the physical and visual aspects of an area for the benefit of the community as a whole." Honolulu Land Use Ordinance Sec. 21-9.20.

building's heating, ventilation, and air conditioning (HVAC) chillers and condensers to cool air circulated throughout the building. The water was then discharged into the pools where it would evaporate or discharge into the City's storm drain system. Currently, only one well is functioning.

Corrosion. The corrosive nature of the high salinity groundwater originally supplied to the HVAC system and pools by the on-site wells led to significant deterioration of the HVAC system. The high salinity well water quickly began to corrode the HVAC chiller condensers and piping/valve systems, leading to repair and replacement costs. As a result, this functional use of the Capitol reflecting pools was abandoned and the HVAC cooling system changed from well-water to a cooling tower in 1981. The brackish water also accelerates the deterioration of exposed concrete and steel infrastructure in the vicinity of the pools, resulting in regular leakages into the structure below.

Algae. By the early 1970s, the reflecting pools were already experiencing many problems with algae growth and debris accumulation. The high-salinity well water contained high levels of particulate matter that contribute to algae growth. Warm well water from the HVAC system and the warming of the large shallow pools by solar radiation also contributed to algae growth. The pool filters were not capable of keeping up with the volume of algae and debris and would frequently clog and fail.

Various solutions were attempted to reduce the algae, such as adding fish to consume the algae (1970s) and adding ozone and enzyme systems (1990s). By the 2000s, State Capitol maintenance staff resorted to hand-vacuuming algae from the pools and discharging the debris into the City's sewer system.

Repair History. The following is a representative list of repairs throughout the life of the reflecting pools to address various problems and their corresponding outcomes.

- 1979 – Repaired pool leaks into parking garage near or under the Beretania St. walkway plaza and modify/repair the column upright electrical junction boxes in the pools (DAGS Job No. 02-10-8824). Outcome: Multiple leaks still occur under the Beretania Street walkway plaza area.
- 1981 – Changed air conditioning HVAC system from well-water cooled to cooling tower-cooled (DAGS Job No. 02-10-2504). Outcome: Onsite well water used to maintain pool water elevations and offset loss of water to evaporation.
- 1982 – Replaced majority of the piping valves in the pool water recirculating systems (system circulates water from the pools via pool drains and pump systems through filters and ejects it back into the pools via the in-pool spray fountains) (DAGS Job No. 02-10-2619). Outcome: The pool water recirculating systems only worked sporadically from the mid-1970s on because the filter systems would quickly get plugged up from algae and debris. The recirculating systems were subsequently removed in the early 1990s and the drains and fountains capped.
- 1988 – Repaired Senate and House chamber “volcano” wall tiles and various spall repairs as many tiles were beginning to fall off due to delamination or spalling (as a result of being directly exposed to the high salinity pool water). Outcome: Delamination and spalling continued in other areas of the wall tiles due to brackish water exposure.

Non-brackish water solutions. DAGS has considered abandoning the Capitol reflecting pools' brackish water supply system and converting the pools to a closed, recirculating municipal freshwater system. However, the City and County of Honolulu (C&C) Board of Water Supply (BWS) informed DAGS that it would not provide potable water for the pools due to their significant evaporative loss—on the order of approximately 25,000 gallons of water lost to evaporation per day (equivalent to daily potable water consumption of about 69 Urban Honolulu households (USGS Water Use Data for Hawai'i CY 2015)). Due to the significant volume of make-up water the pools would require, it is unlikely that BWS would allow

replenishment of the pool water from the municipal potable water system. Voluntary measures to reduce water consumption have been in place since the November 2021 fuel spill at the U.S. Navy's Red Hill Bulk Fuel Storage Facility caused BWS to disengage its Hālawā Shaft, which supplied the majority of Honolulu's water. Notable public water features, such as the fountains at Honolulu Hale and the BWS headquarters, were terminated to conserve water following the spill. These measures, and a general reduction in water usage by O'ahu businesses and residents have, to date, averted the need for mandatory water restrictions. Additionally, it is unlikely that the use of potable water would fully resolve the maintenance and public health issues presented by the pools, as algae growth would still be anticipated. Additionally, due to evaporation losses, the pools would become increasingly brackish due to the concentration of trace dissolved solids in the water, requiring occasional complete replacement of the water volume with more fresh water.

Although there are other local and national examples of shallow reflecting pools (e.g., Tamarind Park/Bishop Square and Neal Blaisdell Center in Honolulu, and the Lincoln Memorial in Washington, D.C.), none are located above occupied spaces. While the State could invest monies for pool repair and maintenance on an ongoing and interminable basis, the pools' operational and maintenance history indicates this course of action is not feasible or practical.

1.6 PROJECT OBJECTIVES

In developing a solution to the pools' chronic maintenance problems that recognizes their intended symbolism and supports the cultural and historic importance of the State Capitol building, DAGS arrived at the following project objectives:

1. Provides long-term, lower maintenance pool basin conditions that reliably prevent damage to the State Capitol building's interior and exterior components
2. Honors the original design intent of the pool spaces' representation of ocean waters surrounding the Hawaiian Islands (as one of several linked architectural design components symbolizing various natural aspects of Hawai'i)
3. Conserves groundwater resources
4. Introduces features (e.g., art and illumination) and accessibility to the basins that were previously filled with brackish water to foster the State Capitol building's role as the "people's house" and reinforce its original intent to reflect Hawai'i and its people
5. Elevates the role of art in capturing the pools' symbolism, including in the selection of appropriate materials
6. Uses technologies, materials, and designs proven in other applications
7. Allows for a return to water-filled pools if future technologies ensure reliable operations

The Proposed Action described in Chapter 2 fulfills the project purpose, need, and objectives.

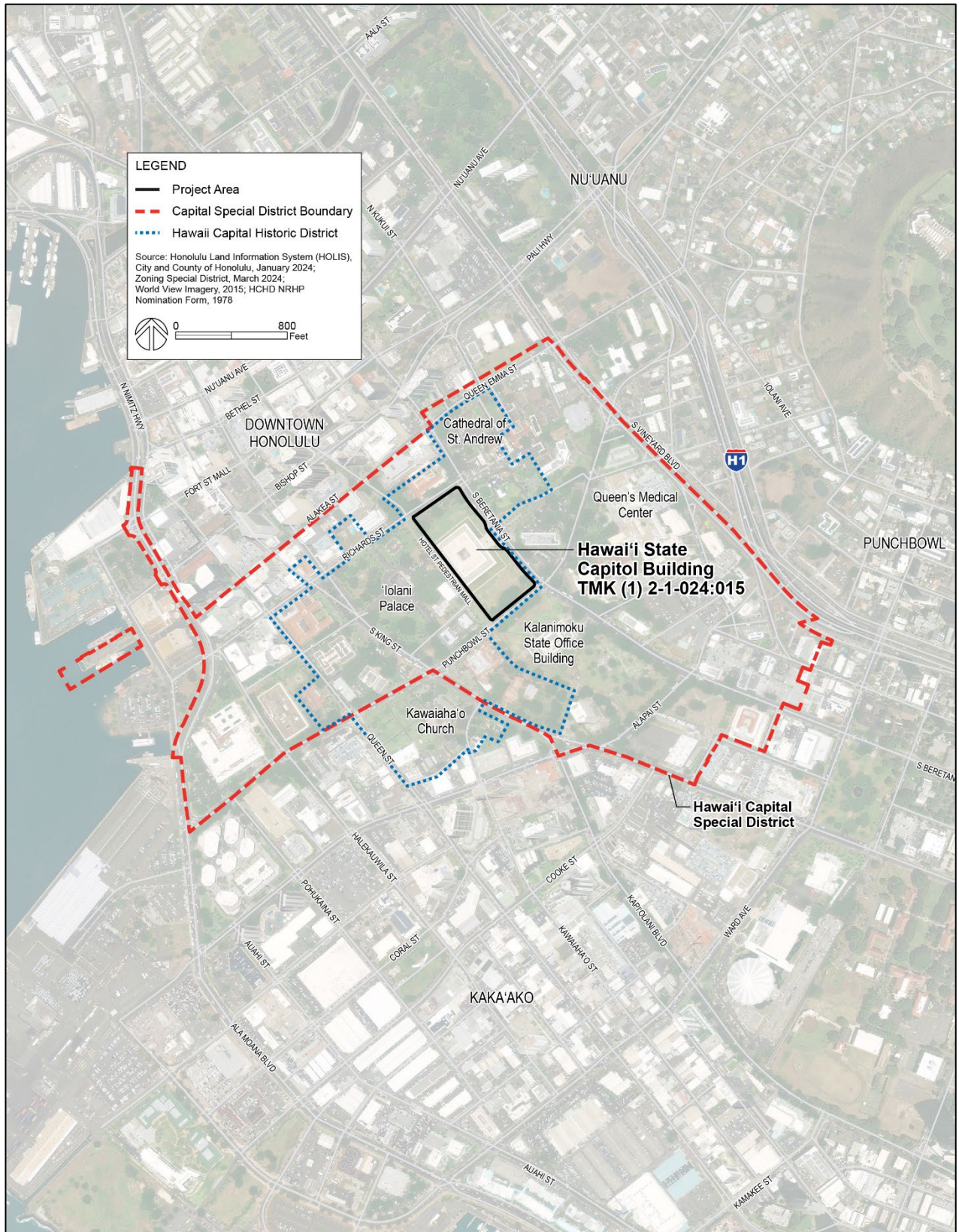


FIGURE 1-1 LOCATION MAP



Photo 1: Hawai'i State Capitol Building at night, circa 1969. (Courtesy of AHL)

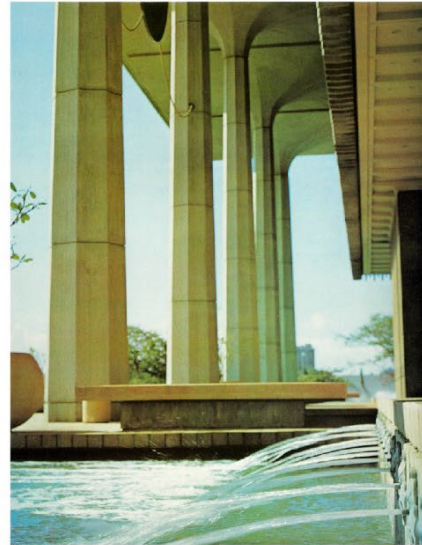


Photo 2: View of Capitol reflecting pools and columns, circa 1969. (Courtesy of AHL)



Photo 3: Capitol reflecting pools during an algae bloom. (AHL, 2015)



Photo 4: Example of leak within Capitol office hallway. (AHL, 2015)



Photo 5: Example of structural damage from corrosion to Capitol column. (AHL, 2015)

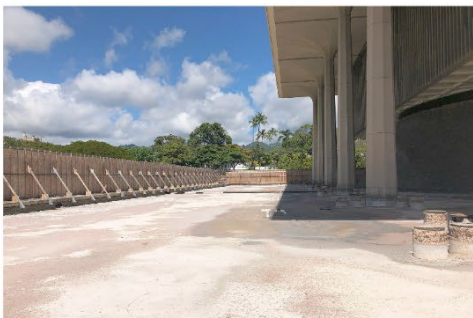


Photo 6: Existing condition of the Ewa Capitol pool, looking mauka. Repairs to basin surface not started. (HHF Planners, 2024)



Photo 7: Existing condition of the Diamond Head Capitol pool, looking mauka. Repairs to basin surface completed. (HHF Planners, 2024)

FIGURE 1-2 SITE PHOTOS OF THE STATE CAPITOL (1969 TO 2024)



FIGURE 1-3 PLAT MAP OF TAX MAP KEY (1) 2-1-024: 015

2 Proposed Action and Alternatives

2.1 PROPOSED ACTION

The State of Hawai'i DAGS proposes to conduct various improvements to the State Capitol building to resolve persistent issues presented by its water-filled reflecting pools and reinforce its original design intent and values. The State Capitol building's symbolic elements are an abstraction of the elements they symbolize. For example, while the columns symbolize palm trees, they are not constructed of palm fiber. The walls of the two legislative chambers symbolize volcanoes but are not literal volcanoes. Similarly, the proposed pool treatment would symbolize the ocean without using water. This represents a long-term strategy for assuring that the water symbol will have the enduring architectural permanence of the other symbolic elements. The structure of the pool would also be preserved so the reflecting pools could be restored to hold water again in the future.

2.1.1 Background

The State Capitol Pools Art Advisory Committee²—in search of the best solution to honor the design concept of representing ocean waters surrounding the Hawaiian Islands while addressing the chronic maintenance problems—considered a range of concepts. The committee determined the best solution to honor the pools' original design intent was a waterless artistic representation of the ocean. The committee then reviewed various artistic medium to identify the option that best represented the ocean and also reviewed various depictions of water in public art installations. (Alternative concepts and medium considered by the Art Advisory Committee are described in Section 2.2.) After a thorough review of examples and proposals, the Art Advisory Committee recommended a waterless alternative using laminated glass pavers, painted with enamel, and mounted on pedestals as the solution that best meets project purpose, need, objectives, and screening factors.

2.1.2 Artist's Vision and Intention

The artist selected to design the glass installation, Mr. Solomon Enos, is a Honolulu-based Native Hawaiian artist and the artist-in-residence at Capitol Modern, the Hawai'i State Art Museum. Mr. Enos notes that the unique architecture of the Hawai'i State Capitol building makes the structure itself a kind of art installation—in addition to its role as the seat of government for the State of Hawai'i. The design of the State Capitol building, thought to be considerably bold at the time of its completion in the late 1960's, still holds this artistic quality today.

As a reflection of Hawai'i and its unique role in the wider Pacific region and globally, the intention behind the design of the Hawai'i State Capitol Pools project is to support the perpetuation of a local and universal theme of community and connectivity. Beginning with Tadashi Sato's tiled installation at the heart of the building within the Capitol Rotunda, and further influenced by the pillars and volcanoes that form the bulk of the edifice, the design for the Capitol Pools project is intended to extend these expressions and elevate the symbolic value of the Capitol Pools.

The proposed glass installation design is intended to embrace and respond to the building's architectural elements and echo the effect of sunlight through water that originates in the Sato mosaic's

² The State Capitol Pools Art Advisory Committee was formed in July 2023 by the Hawai'i State Foundation on Culture and the Arts at the request of DAGS to provide input on proposed alternatives to replace the reflecting pools.

representation of cool depths of water. Glass embodies many of water's qualities, especially in terms of transparency and reflectivity, and has the ability to permanently affix artwork representing the many colors and tones found in Hawaii's ocean waters. Although a different medium than the original brackish water, the glass pavers, through reflection and the artwork installed, would abstractly represent ocean waters through its resulting visual effect. The design includes recurring rings that resonate toward and away from each pillar (i.e., the pillars act as islands). The design includes reflective rings resonating from each pillar (i.e., similar to the way islands reflect ocean waves). In addition, many subdivisions within the design work represent the multitude of near shore waters from across the Hawaiian archipelago, as well as the many seas and islands that make up the Pacific Ocean.

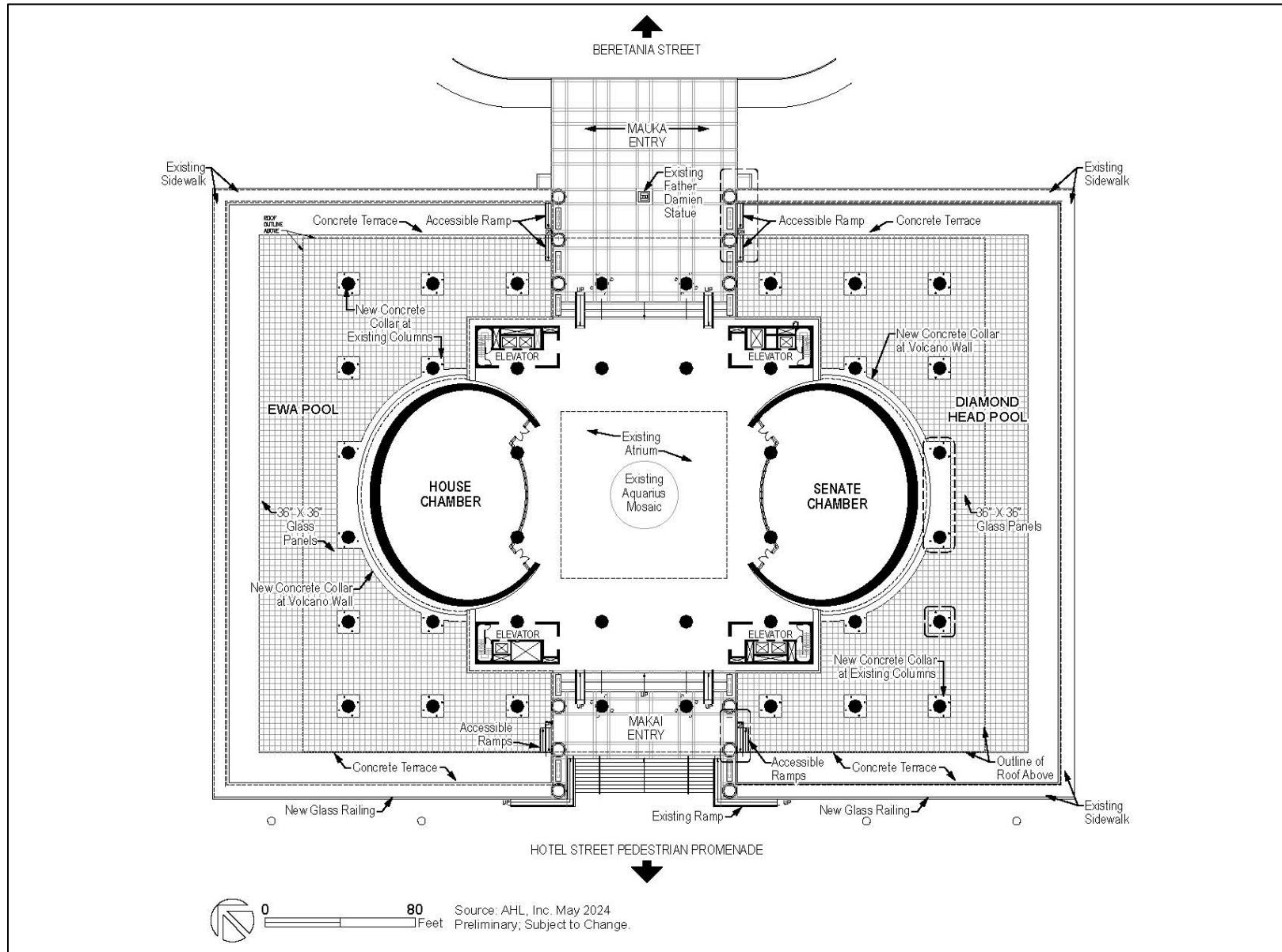
The colors that make up *Moananuiākea* (the Pacific Ocean) form the basis of the proposed color palette for this work. The inspiration came from the artist's voyages across the Pacific, from the Marshall Islands and Sāmoa, to the Tuamotus and Aotearoa, and also including *Papahānaumokuākea* (i.e., the Northwestern Hawaiian Islands). Mr. Enos' travels across the Pacific awakened him to a deep sense of scale and time, as well as an awareness of how much more there is to the islands of Hawai'i than we are currently aware. The vision for this major installation as a unifying image aspires to bring together the myriad design elements from the Capitol's creation, but also all of Hawai'i as well.

2.1.3 Components

Laminated exterior glass pavers are a mature technology in use in public plazas and walkways around the world. For example, the installation at Honolulu's Capitol Modern (replacing swimming pool water with a laminated glass surface) has been in place ~~for several years since 2012 and provides confidence in the proposed technology and use. Furthermore, the specific glass technology proposed for this project is undergoing rigorous laboratory testing to ensure strength, durability and quality~~ (DAGS would maintain backup tiles for quick replacement should unanticipated damage occur). Figure 2-1 provides a preliminary plan of the proposed Capitol reflecting pools improvements. The Proposed Action includes completion of the pool basin waterproofing, installation of an artistic glass surface over the empty pool basins, restoration of the State Capitol building's architectural lighting, and structural and mechanical repairs.

The project also includes construction of an expanded concrete terrace around the perimeter of both pools and new concrete "collars" around the existing "volcano" walls of the House and Senate chambers and existing concrete columns. The addition of these concrete terrace and collar features would reduce the overall surface area of the pool features from approximately 78,000 square feet to 55,000 square feet.

The proposed artistic glass surface would consist of approximately 6,100 three-foot- by three-foot-square, non-slip laminated glass panels (or "pavers") installed on a grid of pedestals spaced on three-foot centers (at the corners of each glass paver). The pedestals (approximately six inches high) would be installed on a layer of rigid geo-foam insulation placed on the underlying concrete surface of the pool basins (see Figure 2-2 for a conceptual cross-section of the pedestal-glass assembly).



0 80 Feet Source: AHL, Inc. May 2024 Preliminary, Subject to Change.

FIGURE 2-1 PROPOSED PLAN

The final elevation of the glass pavers would be approximately eight inches lower than the elevation of the new perimeter terrace and collar elements and 16 inches lower than the existing (restored) perimeter sidewalk, or roughly the same elevation as the pools' previous water surface. The glass paver-on-pedestal configuration would enable stormwater to pass through narrow gaps between the pavers and sheet-flow to drains in the pool basin below, and allow for an efficient return to water-filled pools if feasible and desirable in the future (i.e., are easily uninstalled). Maintenance would consist of occasional surface cleaning, similar to the glass paver installation at the Capitol Modern waterless pool. Algae growth under the pavers is expected to be minimal. If needed, the pavers could be lifted and the underlying basin cleaned (compared with substantial annual maintenance cost associated with maintaining the brackish pools).

The proposed improvements that would replace water in the pool basins are designed to be fully reversible and removable (e.g., glass pavers, supporting pedestals, rigid insulation, and concrete terraces). No project components would permanently alter the existing State Capitol building structure. For example, the proposed concrete terrace would be separated from the existing building structural elements by a removable vertical wall and rigid insulation elevated above the waterproofing on the pool basin.

New Americans with Disabilities Act (ADA)-compliant ramps would connect the State Capitol building entry level to the new glass surface and the new terraces, widened, perimeter walkways. A safety railing along the south (makai) Hotel Street Pedestrian Mall frontage of the pools would also be installed due to the elevation difference along that frontage (see Figure 2-1). The guardrails would match the existing State Capitol entry plaza railing material and be ADA compliant.

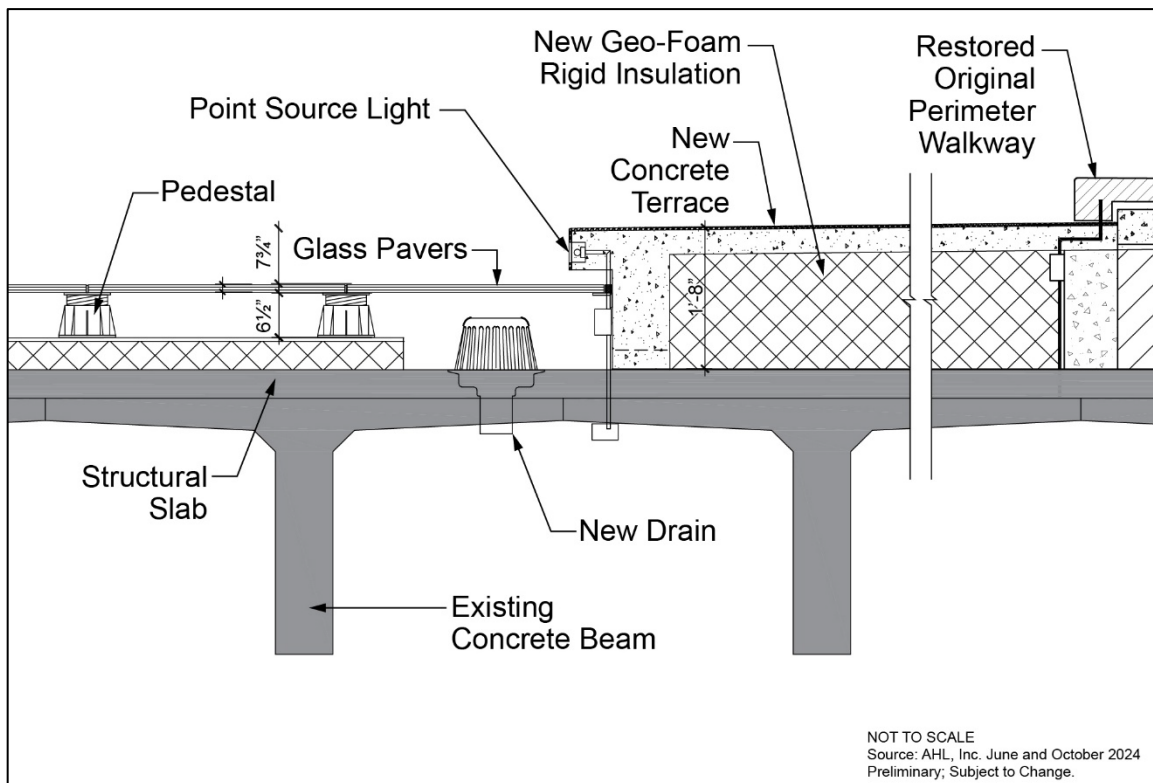


FIGURE 2-2 PEDESTAL-GLASS PAVER ASSEMBLY CONCEPTUAL CROSS-SECTION

The current reflecting pool drainage system supports pool water overflow only (the originally designed pool recirculation drains have long since failed and have been abandoned). New pool basin drains and piping would be installed to drain stormwater runoff from the suspended glass paver surface above (runoff would flow between the paver joints to the underlying basins). These drainage improvements would drain rainfall from New stormwater drain lines and appurtenances would be installed to connect the pools basin drainage pipes to the municipal storm drain system. The extent and dimensions of trenching work would be determined during detailed design and/or construction, but is estimated to range between two- to four-feet wide and from four- to eight-feet deep and located on the mauka and makai sides of the Capitol (Hotel Street and Beretania Street sides). Incidental work may include demolition and restoration of existing site improvements (e.g., sidewalks, pavements, curbs, landscaping, etc.) that may be affected by the new drain lines. The Proposed Action also includes installation of a new BWS-approved backflow preventor on the mauka side of the State Capitol building near the existing flagpole. Potential locations of ground disturbance include: 1) trenching on the *mauka* side of the State Capitol building along the grassy areas to connect the proposed drain line to the existing catchment basin on South Beretania Street and 2) trenching along the *makai* side of the State Capitol building to connect the proposed drain line to the existing drainage system along the landscaped areas of Hotel Street. All ground disturbance would occur on previously disturbed land. One or two additional sump structures with pumps would also be installed in the underground parking garage to collect storm drainage and pump it to the new drainage system.

2.1.4 Project Benefits

The glass pavers would serve as a major public art installation that would incorporate colors and textures from the different waters of Hawai'i and is intended to become a source of civic pride. The restoration of architectural lighting would enable the State Capitol building to become illuminated with various colors, highlighting its architectural components. Lighting elements may include white or colored projections onto the structure of the State Capitol building and onto the glass paver surface. The restoration of the architectural lighting would enable the State Capitol building to highlight specific events or issues in a similar manner to nearby Honolulu Hale and Aloha Tower, or to numerous other iconic structures around the world. The restored architectural lighting would enhance the State Capitol building's image as a public gathering space while also improving security. Additional options being considered include interactive lighting elements (e.g., on specific occasions and when scheduled by DAGS/SFCA, visitors would be able to passively trigger a lighting feature when passing through an invisible infrared beam. The interactive lighting would be downward-facing, shielded, and compliant with Dark Skies criteria to protect seabirds that may overfly the site.).

Through the waterless solution, the Proposed Action would create new pedestrian-friendly venues on the Diamond Head and 'Ewa areas adjacent to the State Capitol building. The new venues would include ADA-accessible pathways, a partially covered hardscape, and adjacent existing lawns. They would expand the open design of the Capitol and invite public engagement.

A State Capitol Pools public engagement program will be designed to provide broadly accessible community programs and activities that promote and encourage the excellence and diversity of the arts and culture of Hawai'i. Public programs play an important role in fulfilling and enhancing the State Capitol building's symbolic value as a modern and functional place of democracy in an open society. These programs will require planning, coordination, and management funded through public and private entities.

A Public Programs Coordinator, supported by the State Foundation on Culture and the Arts and its Friends of the Hawaii State Art Museum, LLC will provide temporary assistance to develop and promote

programs, community events and seek partnerships and sponsors for approximately two to three events per month beginning in calendar year 2027.

A set of guidelines will be developed and organizations interested in using the space will be able to submit an application to DAGS for a “Special Use Permit” similar to the process currently in place for public use of the State Capitol Rotunda. As an important civic space related to the Capitol's function and purpose, events would be limited to those with cultural, educational, and historic value, subject to approval by the DAGS Comptroller.

In addition to reducing maintenance and repair costs due to corrosion and leakage, discontinuing the use of groundwater to replenish water that continually evaporates from the approximately two-acre pool surfaces also supports project objectives.

2.1.5 Best Management Practices

Best management practices (BMPs) would include typical construction period measures such as dust screens, protection of stormwater inlets, and compliance with noise and air quality regulations. In addition, BMPs to prevent risks to night-flying seabirds include minimizing night-time construction and ensuring that all outdoor lighting is shielded. Additional BMPs may include a stabilized construction entrance and exit, perimeter controls (i.e., silt fences or silt socks), preservation of existing vegetation, and good housekeeping practices.

2.2 ALTERNATIVES CONSIDERED

2.2.1 Screening Factors

A set of screening factors were used to identify reasonable alternatives to the Proposed Action that should be carried through the EA analysis. Potential alternatives were evaluated against the following screening factors, along with the project’s purpose, need and objectives:

- A. Maintains the original symbolic intent and architectural design character of the reflecting pools
- B. Technically feasible
- C. Financially and practically efficient to maintain
- D. Enhances the State Capitol building’s role in Hawai’i’s civic and cultural life
- E. Employs a waterless solution
- F. Ease of removal in the event the a water feature can be reasonably restored and maintained in the future
- G. Uses materials appropriate to the desired artistic vision and symbolism of the transformed spaces
- H. Minimizes potential hazards to visitors/general public

Several potential action alternatives to the Proposed Action were evaluated against the screening factors. The alternatives considered include:

Alternative	Description
No action	Return to existing water filled pools
Alternate materials	Ceramic tile or concrete deck (waterless)
Alternative use/function	Gravel fill; Rock Garden; agricultural uses (waterless); photovoltaic panels
Smaller, water-filled pools	Reduced water volume using brackish water supply

Alternative	Description
Alternate water system	Reduced water volume using treated brackish water supply

Based on the reasonable alternative screening factors, only the Proposed Action (i.e., waterless glass pavers) is carried forward for further analysis within this EA. The following alternatives were evaluated, but not carried forward for detailed analysis in this EA as they did not meet the purpose and need for the project and satisfy the reasonable alternative screening factors presented above.

2.2.2 Alternate Materials

Alternate materials were also considered to provide a waterless solution to the reflecting pools. In each of these alternatives, the material could be installed directly onto the concrete surface of the pool basins, or be similarly installed as the Preferred Alternative on a series of pedestals. Ultimately, a laminated glass paver solution was deemed preferable to these alternate materials due to its superior aesthetic qualities, durability, ease of maintenance, and safety. These advantages outweigh those of other materials, ensuring a long-lasting, visually impactful, and cost-effective solution for the art installation representing the ocean.

Table 2-1 describes the alternate materials considered and reasons for their dismissal from consideration. Alternate medium considered included porcelain tile, ceramic tile, glass mosaic, painted mural, stone mosaic, concrete deck, stainless steel/metal, sculptural installations, and wood panels.

Table 2-1 Alternate Materials/Media Considered

Alternate Material/Medium	Description / Reason for Dismissal
Decorative tile (Porcelain, Ceramic, Glass)	This alternative would install decorative tiles directly onto the concrete surface of the pool basins, or be similarly installed as the Preferred Alternative on a series of pedestals. The ceramic-tiled bottom surface of the pools could be flat, sloped, or tiered either toward or away from the “volcano” walls of the House and Senate Chambers, with tiles of varying shades of blue arranged in sequence to suggest the varying colors of the ocean surrounding the Hawaiian islands. While beautiful, tile installations are labor-intensive and difficult to replace or repair if damaged. Fails to meet Screening Factors C and F.
Painted Mural	While capable of vibrant ocean depictions, painted murals often lack the depth and dynamic visual quality that laminated glass can achieve. Murals are also subject to fading over time due to ultraviolet exposure, which can diminish their aesthetic appeal. These require regular touch-ups and protective coatings to maintain their appearance, especially in high-traffic or outdoor areas. Fails to meet Screening Factor C and G.
Stone Mosaic	Heavy stone elements can be hazardous if they become loose or are improperly installed. Although 3D sculptures can be visually striking, they often do not capture the fluid, expansive nature of the ocean as effectively as a large, glass panel installation. Fails to meet Screening Factor C and G.
Concrete Deck	This alternative consists of various proposals to replace the Capitol reflecting pools with a concrete solution to provide an open, flat surface that could take multiple forms, such as: allowing for its use as a public plaza, installation of public art, or other public activities. Filling the Capitol reflecting pools with concrete would require a

Alternate Material/Medium	Description / Reason for Dismissal
	significant volume of concrete and contribute a significant amount of additional weight to the State Capitol building's foundations, which may not be technically feasible. Another option would be to construct a frame from which pre-cast or cast in place concrete deck pavers could be suspended. This would give the appearance of a solid concrete form while limiting weight and cost of materials. The concrete deck could be patterned or colored to emulate water. However, the concrete deck would be difficult and costly to remove, limiting the ability to restore the water-filled pools in the future if it becomes technically feasible to do so. Furthermore, the material would not achieve the project's design intent or adopted artistic vision. Fails to meet Screening Factors F and G.
Stainless Steel/Metal	While durable, metals can corrode if not properly treated, especially in salty, coastal air. They also require regular maintenance to prevent tarnish and rust. Sharp edges or protruding elements can pose a risk of injury to the public. Fails to meet Screening Factors C and H.
Sculptural Installations	Although 3D sculptures can be visually striking, they often do not capture the fluid, expansive nature of the ocean as effectively as a large, glass panel installation. Fails to meet Screening Factor G.
Wood Panels	Wood is prone to warping, rot, and insect damage over time, particularly in humid or coastal environments. Fails to meet Screening Factor C.

For the reasons cited in Table 2-1, these alternatives were dismissed from further analysis.

2.2.3 Alternate Use or Function

In addition to alternate materials or media, alternate uses of the pool areas were considered, such as creating a landscape setting, active agriculture, and installing photovoltaic panels for power generation. These alternatives and the reasons for their dismissal are described below.

2.2.3.1 Gravel Fill/Rock Garden

This alternative consists of filling the Capitol reflecting pools with basalt stone gravel to create a rock garden. This proposal would further the symbolic intent of the legislative chambers of the State Capitol building, representing a lava field. Reasonable public benefits provided by a rock garden could include new recreational areas or walking trails around the State Capitol building. Similar to the above-discussed concrete deck alternative, filling the Capitol reflecting pools entirely with gravel would require a significant volume of gravel and contribute significant weight to the State Capitol building's foundation. A gravel solution would likely require the installation of concrete decking, upon which a thin gravel layer could be added.

This Alternative does not meet the screening factors for the Proposed Action. This alternative, while expanding on one of the original design and symbolic intents of the Capitol—symbolizing the volcanic origins of the Hawaiian Islands—would not meet the original design and symbolic intent of the pools themselves in representing the Pacific Ocean (failing to meet Screening Factor A). Finally, the gravel and concrete decking would be difficult and costly to remove, limiting the ability to restore the water-filled pools in the future if it becomes technically feasible to do so (failing to meet Screening Factor F). For these reasons, this alternative was dismissed from further analysis.

2.2.3.2 Landscaped Gardens

Under this alternative, the Capitol reflecting pools would be filled with soil to create a vegetated garden or park space. A garden at the State Capitol building could feature native or threatened/endangered endemic species. Reasonable public benefits provided by a garden could include new recreational areas, walking trails around the State Capitol building, educational benefits, and providing new habitat for threatened/endangered species.

This Alternative does not meet the screening factors for the Proposed Action. This alternative would require significant and continuous maintenance to keep the garden space in good condition (i.e., Screening Factor C). A garden or park space would also not be consistent with the original design and symbolic intent of the pools in representing the Pacific Ocean (i.e., Screening Factor A). This alternative would also require the installation of a new irrigation system that currently does not exist. The new irrigation lines would contribute to a significant increase in water consumption and may contribute to future leaks (failing to meet Screening Factors C and E). Finally, this alternative would limit the ability to restore the pools in the future if it becomes technically feasible to refill the pools with water, as the alternative would include the filling of the pools with a significant quantity of rock, soil, and other materials. If threatened or endangered species were to be planted in the pool basins, removal of these species may be impossible (failing to meet Screening Factor F). For these reasons, this alternative was dismissed from further analysis.

2.2.3.3 Agricultural Use

Under this alternative, the Capitol reflecting pools would be filled in a manner similar to what is presented in the Landscaped Gardens alternative; however, it would specifically aim to create active agricultural use on the premises of the State Capitol building. This alternative could take multiple forms, such as an orchid nursery or a *lo'i* (taro patch). This alternative would have a number of public benefits, such as highlighting Hawai'i's unique tropical agricultural products, providing the public with a unique educational opportunity, and the production of various food products.

This alternative does not meet the screening factors for the Proposed Action. It would require significant and continuous maintenance to keep crops in good health (failing to meet Screening Factor C). The agricultural use would also be inconsistent with the original design and symbolic intent of the pools in representing the Pacific Ocean (i.e., Screening Factor A). This alternative would require the installation of new irrigation systems that currently do not exist. The new irrigation lines would contribute to a significant increase in water consumption and may contribute to future leaks (failing to meet Screening Factor E). Finally, this alternative would limit the ability to restore the pools in the future if it becomes technically feasible to refill and maintain the pools with water, as the alternative would include the filling of the pools with a significant quantity of rock, soil, and other materials (failing to meet Screening Factor F). For these reasons, this alternative was dismissed from further analysis.

2.2.3.4 Photovoltaic Panels

In 2008, the State of Hawai'i set an ambitious goal of being the first state in the nation to generate 100-percent of its electricity via renewable sources by the year 2045 with the Hawai'i Clean Energy Initiative. This alternative provides for the conversion of the Capitol reflecting pools into solar energy production facility by installing photovoltaic panels within the pool basins. Such an installation would enable the State Capitol building to produce some of the electricity it utilizes on-site and would contribute to the State's goal of reducing its over-reliance on non-renewable sources of electricity. The facility would also be a public showing of the State's commitment to achieve the goal of the Clean Energy Initiative.

The installation of photovoltaic panels at the State Capitol building is technically feasible, however it would be impractical to do so within the pool basins. The basins are situated almost completely beneath the State Capitol building's roofline, which would block the sun for most of the panels throughout the day. Additionally, photovoltaic panels installed at grade-level would present several significant maintenance issues (failing to meet Screening Factors B and C). The photovoltaic panels are also out of character with the historic quality of the State Capitol building and do not meet the original design or symbolic intent of the pools (failing to meet Screening Factor A). For these reasons, this alternative was dismissed from further analysis.

2.2.4 Smaller, Water-filled Pools

This alternative retains the Capitol reflecting pools' water feature; however, with a reduced surface area or depth. The reduced water volume of the pools may enable the pools to be successfully and sustainably maintained by increasing water turnover rates. The depth of the pools would be reduced from 15 inches to 6 inches by adding a foam infill, concrete base, and ceramic tile finish.

This alternative would maintain the design and symbolic intent of the Capitol reflecting pools (Screening Factor A). However, even at a reduced scale, water-filled pools will likely continue to present major maintenance issues (failing to meet Screening Factor C). The continued use of the pools as water-filled basins would need to utilize the supply of brackish water from the on-site wells. This will inevitably contribute to corrosion of the State Capitol building's structural, mechanical, and electrical systems, including the structure's columns, rebar, waterproofing, and other building elements (failing to meet Screening Factor C). As a result, future leakage into the occupied spaces below the pools could be expected at some point in the future, resulting in the same chronic maintenance issues experienced over the State Capitol building's >50-year history. This alternative would also require substantial water use due to evaporation (failing to meet project objectives). Continued use of the brackish water well would deplete precious groundwater resources and the use of non-brackish (potable) water would be contrary to current BWS guidance encouraging the reduction of water consumption.

2.2.5 Alternate Water System

Under this alternative, the water features at the State Capitol building would be converted to a closed system where the brackish water from the existing source well is treated and filtered to saltwater swimming pool standards to ensure good water quality and minimize maintenance of the pool surfaces. This alternative would incorporate features similar to the Smaller Water-Filled Pools and Ceramic Tile alternatives (e.g., foam infill to reduce the final water depth, ceramic tile finish), and also install new water filtration, chemical treatment, and piping and pump systems. Although alternative is intended to reduce maintenance requirements by reducing the particle load and contaminant levels in the pool water, it would not meet Screening Factor E (waterless solution), would still require high levels of maintenance to maintain precise water quality (fails to meet project objectives and Screening Factor C), and would still be subject to substantial water loss due to evaporation (fails to meet project objectives). Continued use of the brackish water well would deplete precious groundwater resources and the use of non-brackish (potable) water would be contrary to current BWS guidance encouraging the reduction of water consumption. Future leakage into the occupied spaces below the pools could be expected at some point in the future, resulting in the same chronic maintenance issues experienced over the State Capitol building's >50-year history. Algae growth in the pools would also be expected under this alternative, requiring ongoing labor-intensive maintenance, and contributing to odors and unpleasant appearance—detracting from the pools' intended symbolism. Therefore, this alternative was dismissed from further consideration.

2.2.6 No Action Alternative

Under the No Action Alternative, the Proposed Action would not take place. The waterproofing of the pool basins would be completed and the pools would be refilled with water from the brackish water source. Additionally, the architectural lighting of the State Capitol building would not be restored. The No Action Alternative does not meet the screening factors or project purpose and need. Refilling the pools from the increasingly saline, on-site brackish water well is not technically feasible without the persistent maintenance issues and damage to the structural, mechanical, and electrical integrity of the State Capitol building. The State cannot reasonably maintain the water-filled pools as evidenced by the chronic issues experienced over the past several decades. Algae growth, and the accompanying odor, corrosion, and leakages would continue to be a persistent issue for the State Capitol building under the No Action Alternative.

The No Action Alternative would not meet the purpose of or need for the Proposed Action and fails to satisfy Screening Factors B, C, and D. However, it is carried through the EA analysis to analyze the consequences of not undertaking the Proposed Action and to establish a comparative baseline for analysis.

3 Affected Environment and Environmental Consequences

3.1 INTRODUCTION

This chapter describes existing conditions, potential impacts, and proposed mitigation measures, focusing on environmental resources with the greatest potential to be impacted by the Proposed Action. The following resource areas are not analyzed in detail in this EA because the project's potential impacts are considered to be negligible or non-existent, as described below.

Topography and Soils. Because the Proposed Action does not involve any significant new ground disturbance or changes in existing elevations and soil conditions at the surrounding State Capitol grounds, no impacts to topography or soils are anticipated. Best management practices relating to erosion control would be implemented to mitigate any potential impacts resulting from ground disturbing activities.

Water Resources and Quality. By eliminating the use of the existing onsite brackish water wells to constantly refill the pool water lost to evaporation (as would be the case in the No Action Alternative), the Proposed Action would have negligible to beneficial impacts to groundwater resources by eliminating groundwater use and related evaporation of about 25,000 gallons of water per day. Construction BMPs would avoid or minimize the transport of pollutants via stormwater to receiving surface or marine water resources.

Utilities and Infrastructure. During the construction period there may be temporary, minor interruptions to onsite utility services during project work on water, electrical, and stormwater drainage systems. These interruptions would be appropriately managed with advance notifications and scheduling during building closure hours when possible. The Proposed Action would not increase impervious surfaces on the State Capitol grounds and would improve existing on-site stormwater management facilities. The BWS indicated its support for the Proposed Action (i.e., the replacement of the water element with a waterless solution) in its pre-assessment consultation and Draft EA comments (see Chapter 7). The Proposed Action would not require new water or electrical power sources or offsite transmission facilities, or increase wastewater generation or demand. The Proposed Action would not impact existing electrical easements within the project area.

Visual Resources. While the Proposed Action would change the appearance of the reflecting pools from a generally dark body of water reflecting its surroundings when viewed in close proximity to the pool basins, the proposed replacement with an art glass installation would not obstruct or alter any significant views of natural landmarks from public spaces, important view corridors, or panoramic views identified in adopted or proposed county or state planning documents.

Roadways, Access, and Traffic Conditions. Public access to the Capitol Rotunda and Queen Lili'uokalani statue in the adjacent Hotel Street Pedestrian Mall would be maintained throughout the construction period. There may be some temporary road or lane closures on surrounding streets to transport construction equipment and supplies, but the construction contractor would be required to provide adequate public notice and obtain applicable government approvals. After completion, there would be no change to State Capitol access or roadways resulting from the Proposed Action. Although the new art glass installation may increase visitors to the State Capitol building, it is anticipated that the level of activity would be similar to well-attended events that now occur at the site and managed appropriately.

Noise. There would be temporary construction period noise associated with installation of new drainage infrastructure, replacing walkways, and installation of the new art glass pavers. After completion, noise levels would correspond with the level of activity present at the State Capitol grounds entry level: e.g., generally quiet when activity is low and louder during presentations, performances, and protests. Noise-generating activities would be temporary and intermittent, and reflect the nature of the State Capitol building as representing the voices of Hawai'i's citizens.

Public Services and Facilities. During the construction period, public services and facilities in the vicinity of the State Capitol would be maintained (e.g., police and fire protection, the Hawai'i State Library, State Archives, Honolulu Hale, and the State Capitol itself). Access to the State Capitol building and adjacent public sidewalks (including the Hotel Street Pedestrian Mall) would be maintained during the construction period. After project completion, impacts to public services or facilities are expected to be minimal. The accessibility of the proposed glass paver installation is similar to the current ease of access to the State Capitol Rotunda and grounds surrounding the State Capitol building. Appropriate measures would be implemented to deter vandalism, loitering, and mis-use of the open pavilion-like art glass installation during the operational period. The Honolulu Police Department (HPD) and Honolulu Fire Department (HFD) were included in the pre-assessment and Draft EA consultations for this EA; HPD stated that it had no concerns and HFD provided no response.

Land Use. The Proposed Action would have no impact on existing and surrounding land uses. The project area is fully contained within the State Capitol building footprint and immediate vicinity within the Capitol grounds and would not change the function of the facility as the legislative seat of State government. While the Proposed Action would result in public accessibility within the pool basins themselves, this accessibility would not affect land uses either within the State Capitol grounds or surrounding facilities.

3.2 CLIMATE AND AIR QUALITY

3.2.1 Climate

3.2.1.1 Existing Conditions

Urban Honolulu experiences a hot and semi-arid climate (BSh) per the Koppen Climate Classification System, due to the rain shadow effect of the Ko'olau Mountains. The city's climate is moderated by the Pacific Ocean and strong, regular northeasterly trade winds. As a result, temperatures in Urban Honolulu are relatively consistent throughout the year, typically between 75-90°F. Temperatures can occasionally drop into the mid- to low-60 degrees during winter months.

Honolulu experiences a wet and dry season, running from November to April and May to October, respectively. Average annual rainfall at the Daniel K. Inouye International Airport is roughly 16.5 inches per year. Rainfall in the dry season months can be as low as 0.5 inches per month, while wet season months can reach a high of 2.36 inches per month. Monthly average rainfall can be augmented by passing tropical cyclones. Average relative humidity is consistent throughout the year between 65-73%. (Climate data for Urban Honolulu was accessed from the National Oceanic and Atmospheric Administration online weather data portal.)

3.2.1.2 Potential Impacts and Mitigation

The No Action Alternative would have no impact on climate conditions. The Proposed Action would have no effect on immediate climate conditions; therefore, no mitigation is required. The glass panels which

would comprise the Proposed Action will be designed to reflect heat and minimize glare. The Proposed Action has no relation to climate change broadly within the Hawaiian Islands.

3.2.2 Air Quality

3.2.2.1 Existing Conditions

Urban Honolulu enjoys some of the best air quality, for a city of its size, in the nation. This is due in large part to the prevailing trade winds, which swiftly blow air pollutants offshore. However, the city still experiences air pollution from human and natural sources. Human activities are the most significant source of air pollution in Honolulu. These activities include the construction of new structures, automobile and truck activity, agriculture, industrial uses, accidental fires, and power generation. Natural sources of air pollution may include wildfires and volcanic gas emissions.

Per the State Department of Health's 2023 Air Monitoring Network Plan, the State of Hawai'i is in attainment with all National Ambient Air Quality Standards. Honolulu is not sited within an air quality maintenance or non-attainment area.

3.2.2.2 Potential Impacts and Mitigation

The No Action Alternative would not impact long-term air quality because it does not involve new air emissions. However, there would be minor construction period impacts related to construction equipment and vehicles and ground disturbance for subsurface drainage improvements. The Proposed Action would not have a long-term adverse effect on air quality at the project site or within Urban Honolulu more broadly. The Proposed Action would not result in a permanent increase in pollutant emissions. Any emissions that do occur would be limited to the construction-related vehicles and equipment and cease upon completion of the project. Air quality impacts would be minimal and best management practices would be implemented to reduce impacts resulting from fugitive dust (e.g., dust control, low-emission engines, traffic management to avoid peak traffic periods, waste management plan, monitor weather conditions).

3.3 NATURAL HAZARDS

3.3.1 Flooding, Sea Level Rise, and Drainage

3.3.1.1 Existing Conditions

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the entirety of the project site is within Zone X, low to moderate flood risk, and determined to be outside the 0.2% annual chance floodplain (see Figure 3-1). No base flood elevations or depths are shown for this zone. The project site is not adjacent to any streams.

The Hawai'i Sea Level Rise Viewer Map from the Pacific Islands Ocean Observing System indicates that the project area will not be subject to coastal inundation resultant from 3.2 feet of sea level rise. The project site is approximately 0.44 miles from the nearest coastline at an elevation of 20 feet above sea level, and is not subject to coastal flooding (USGS, 2024).

The project site comprises a developed area with the State Capitol building complex and adjoining ancillary paved surfaces. The State Capitol building includes below grade offices and a parking structure. The project area is flanked on its southeast and northwest sides by two large grassy lawns. The project site (i.e., reflecting pool basins) experiences mild to moderate ponding of rainwater on the grass lawns during typical rainfall events. Heavy rainfall events have historically resulted in water intrusion into the subsurface offices and parking structure from leaks in the pool basins.

3.3.1.2 Potential Impacts and Mitigation

The No Action Alternative would not change the existing conditions of the project site with respect to flooding hazards. The No Action Alternative would still require the waterproofing of the Capitol reflecting pools and eventual refilling with water. The water-filled pools would not result in any changes to the flooding hazards at the project site.

The Proposed Action would not increase the risk to human health or property damage due to flooding hazards. The Proposed Action is limited to the existing developed footprint of the State Capitol building and does not increase the amount of impermeable surfaces present on the project site (i.e., the existing Capitol reflecting pools are an impermeable surface). The Proposed Action consists of the installation of a new waterproof lining into the reflecting pools basin, a permeable glass surface, and includes improvements to the State Capitol building's subsurface drainage system. Rainwater will be able to drain through between the glass panels and sheet flow across the underlying surface of the basins toward drainage points, which will route the rainwater to the City and County of Honolulu storm drainage system. The Proposed Action will improve the drainage characteristics of the project site.

3.3.2 Tsunami and Earthquakes

3.3.2.1 Existing Conditions

The project site is not vulnerable to tsunami inundation. Tsunami are sea waves that result from large-scale seafloor displacements, commonly caused by earthquakes or landslides adjacent to or under the ocean. Earthquakes may result in large segments of land to collapse, displacing an equally large volume of water. The displaced water will travel outward in a series of waves, each of which extends from the surface of the ocean to the seafloor where the earthquake originated.

The City and County of Honolulu has mapped the Tsunami Evacuation Zone and the Extreme Tsunami Evacuation Zone. According to Map 19, Inset 2 (Airport to Waikiki), the project site is located within the Safe Zone. The O'ahu Tsunami Evacuation maps only consider distantly generated tsunami. A locally generated tsunami may result in inundation of portions of the Safe Zone with minimal warning.

The Hawaiian Islands are seismically active, though the majority of that activity is concentrated on Hawai'i Island and Maui. Moderate-to-large earthquakes can still occur across the island chain, however, and the hazard decreases with increasing distance from Hawai'i Island. Seismic risks to O'ahu and urban Honolulu are considered significant, due to the region's high population density and infrastructure exposure. The 2021 U.S. National Seismic Hazard Model for the State of Hawai'i indicates that Urban Honolulu and the Ko'olaupoko region have a 50-75% chance of experiencing an earthquake which results in minor damage due to shaking within the next 100 years (Petersen, *et al.*, 2021). Earthquakes on O'ahu may result in destruction of or damage to critical infrastructure, slope failures, or a locally sourced tsunami.

3.3.2.2 Potential Impacts and Mitigation

The No Action Alternative would not alter the risk of tsunami inundation or earthquake damage, as it would not result in a change in facility location or elevation. The Proposed Action would not alter the risk to human health or property damage due to tsunami or earthquake hazards from existing conditions. To mitigate potential damage from earthquakes, the Proposed Action would be constructed in compliance with the Uniform Building Code and other State and county standards.

3.3.3 Hurricanes and High Winds

3.3.3.1 Existing Conditions

Hurricanes are large storms which produce three significant life-threatening hazards: high winds, storm surge, and heavy rains. Each of these hazards individually can present a serious risk to life and property. Taken together, they can result in widespread destruction, particularly to coastal communities such as Honolulu. Hurricane season in Hawai'i generally runs from June through November each year. While the Hawaiian Islands are infrequently directly hit by hurricanes (i.e., the storms rarely make landfall in Hawai'i), these storms can have significant, indirect impacts to the State, such as the generation of high winds or intense surf. These hazards may result in damage to properties along the shoreline and considerable erosion of the shoreline in some instances.

3.3.3.2 Potential Impacts and Mitigation

Neither the No Action Alternative or the Proposed Action would alter the risk to human health or property damage due to hurricanes and high wind hazards from existing conditions. The project site is not on the shoreline and is not anticipated to be subject to coastal inundation resulting from storm surges. To mitigate potential damage from hurricanes and high winds, the Proposed Action would be constructed in compliance with the Uniform Building Code and other applicable state and county standards.

3.3.4 Wildfire

3.3.4.1 Existing Conditions

Wildfire is an increasing risk on O'ahu as development encroaches further into wildlands. Wildfire risk is amplified during periods of prolonged drought or high winds. Most wildfires on O'ahu are the result of human activity, such as via downed power lines, accidents, or intentional arson. The 2020 City and County of Honolulu Multi-hazard Pre-disaster Mitigation Plan assesses the risk from wildfires for different communities on O'ahu. The Proposed Action is located within a low-risk area, though the immediate upland areas of Punchbowl Crater and Nu'uuanu Valley are rated as moderate to high-risk areas.

Despite the seemingly low risk, the wildfire hazard should not be dismissed. The 2023 Maui Wildfires demonstrated that wildfires in upland areas can rapidly grow out of control when fueled by high winds and result in significant loss of life and damage to property in downslope urbanized areas.

3.3.4.2 Potential Impacts and Mitigation

Neither No Action Alternative or the Proposed Action would significantly alter the risk to human health or property damage due to wildfires because they would not contribute to the most common causes of wildfire (e.g., downed power lines, accidents, arson, etc.). No mitigation measures are proposed to be implemented as part of the Proposed Action.

3.4 BIOLOGICAL RESOURCES

3.4.1 Affected Environment

The project area comprises a component of an existing structure located in a highly developed urban context. The approximately 78,000-square-foot reflecting pools represents about half (52 percent) of the 149,000-sq. ft. State Capitol building footprint.

3.4.1.1 Flora

The State Capitol building is surrounded to the northwest and southeast by open landscaped turfgrass areas. Ornamental canopy trees such as Fiji Fan Palm (*Pritchardia pacifica*), Monkeypod (*Albizia saman*), Trumpet tree (*Tabebuia rosea*), Coconut (*Cocos nucifera*), Royal Poinciana (*Delonix regia*), Kukui (*Aleurites moluccanus*), and False Kamani (*Terminalia catappa*) are found along the perimeters of the Capitol grounds. None of the vegetation species on the State Capitol grounds are state- or federally-listed protected species.

3.4.1.2 Fauna

Avifauna

A survey was conducted in April 2024 by AECOS, Inc. to document avian species at the project area and to evaluate potential impacts of the proposed action on birds (see Appendix A for the report, including methods and detailed results). A total of 16 bird species, representing 13 separate families, were recorded during the survey. One recorded species, White Tern (*Gygis alba*) is an indigenous breeding species. The O'ahu population of this species is listed as threatened by the State of Hawai'i; it is not listed under federal statutes. The remaining 15 species are non-native introductions that have become naturalized in Hawai'i. Avian diversity and densities were in keeping with the location of the site and the vegetation surrounding it. Three species—White Tern, Rose-ringed Parakeet (*Psittacula kramera*), and Common Myna (*Acridotheres tristis*)—accounted for over 50 percent of the birds recorded. The most frequently recorded species was White Tern, which made up 22 percent of the birds recorded.

In the main Hawaiian Islands, the majority of the White Tern population is restricted to central urban and suburban Honolulu, with a known nesting and breeding range extending from Aloha Tower to Niu Valley (VanderWerf & Downs, 2018 in AECOS, Inc., 2024). The project area is within the known nesting area of the White Tern.

No other seabird or suitable seabird habitat was found within the project area. However, protected night-flying Hawaiian seabirds may overfly or otherwise use the area. They include Wedge-tailed Shearwater (*Ardenna pacifica*), Hawaiian Petrel (*Pterodroma sandwichensis*), Newell's Shearwater (*Puffinus newelli*), and Band-rumped Storm-Petrel (*Hydrobates castro*). Downtown Honolulu, in which the State Capitol is situated, is a vibrant urban center and a significant source of light pollution from unshielded light sources lighting up the night sky. This pollution can disorient seabirds who are attracted by the lights.

Neither waterbirds nor their suitable habitat (e.g., freshwater marshes, ponds, streams) were observed within the project area.

The Pueo or Hawaiian Short-eared Owl (*Asio flammeus sandwichensis*) is state listed as Endangered on O'ahu and state recognized as Endemic. There is no suitable habitat for the pueo at or near the project area, including nesting habitat.

Mammals

Other fauna expected to be found on the State Capitol grounds include mammals that typically inhabit urban areas of Honolulu, e.g., feral cats (*Felis catus*), rats (*Rattus sp*), house mouse (*Mus musculus*), and Indian mongoose (*Herpestes a. auropunctatus*).

According to the State of Hawai'i Department of Land and Natural Resources Division of Forestry and Wildlife, the State listed 'ōpe'ape'a or Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) could potentially occur at or in the vicinity of the project and may roost in nearby trees (memorandum dated May 22, 2024; included in Chapter 7).

3.4.1.3 Critical Habitat

The project area contains no federally-delineated Critical Habitat.

3.4.2 Potential Impacts and Mitigation

3.4.2.1 No Action Alternative

The No Action Alternative would have insignificant impacts on flora or fauna species. This alternative does not involve removing or altering existing vegetation in the project area vicinity. Returning brackish water to the reflecting pool basins would likely present challenges in controlling algal growth within the pool water; however, this is not likely to present hazards to protected fauna species that may potentially occur in the project vicinity such as the Hawaiian Hoary Bat or seabirds. Prior to the drainage of the pools, ducks (likely common feral mallards [*Anas platyphynchos*]) reportedly used the pools as habitat. This situation may return under the No Action Alternative.

3.4.2.2 Preferred Alternative

The Preferred Alternative would have insignificant impacts on flora or fauna species. No existing vegetation (including landscape vegetation) is anticipated to be removed or affected during construction; if any landscape vegetation is removed, it would be restored to pre-construction conditions.

Nighttime construction would be minimized and any exterior construction lighting would be shielded and dark-sky compliant, in accordance with HRS 201-8.5 (Night sky protection strategy) to avoid or minimize risks to protected night-flying seabirds that may traverse the project area.

The proposed three-foot by three-foot glass pavers would include dense, anti-slip surface coating, which would largely reduce the reflectivity of the glass pavers. The new computer-controlled lighting system (replacing the existing non-functioning lights) would include point-source lights that illuminate the columns, the underside of the State Capitol building roof, and the inside of the fins surrounding the perimeter of the roof. Downward-facing safety lighting would also be installed along railings and directed at the glass art pavers. Because ~~all the new~~ lighting features would be dark-sky compliant in accordance with HRS 201-8.5 (Night sky protection strategy), where applicable, there would be minimal waste or spill light into the sky that could disorient protected seabirds (as noted in Section 3.4.1.2, there is a significant amount of existing light pollution in the surrounding downtown areas that would not be diminished by the proposed Capitol lighting protocols). The computer-controlled lighting system would be able to ~~dim or~~ turn off or dim exterior lighting features to whatever level is required to protect Hawaiian seabirds if deemed necessary during the seabird fledging season (September 15 to December 15). Employment of the exterior lighting (including the proposed interactive lighting elements directed onto the glass pavers) would be discretionary and would be avoided if deemed a threat to protected bird species. (Note that the original State Capitol building lighting was not designed to be dark-sky

compliant and was manually controlled, so the Preferred Alternative would reduce risks to overflying seabirds when compared with the original Capitol lighting.)

None of the protected seabirds, including the White Tern, are expected to nest within the State Capitol pool basins after project completion; White Tern nests in trees and the other protected seabirds nest in the mountains or in littoral vegetation along the coastlines.

Although the Hawaiian Hoary Bat could potentially occur at or in the vicinity of the project, the project includes no tree removal, tree trimming, or installation of barbed wire, and would not adversely impact bat birthing or pup rearing, or present a hazard to bats in flight.

Therefore, the Preferred Alternative is not expected to adversely affect protected flora or fauna species.

3.5 HISTORIC, ARCHAEOLOGICAL, AND CULTURAL RESOURCES

3.5.1 Existing Conditions

3.5.1.1 Architectural Resources

The State Capitol building is a significant architectural feature of Honolulu and Hawai'i more generally. Whereas most state capitols were designed to emulate or evoke the U.S. Capitol in Washington, D.C. or feature a Colonial design, Hawai'i's State Capitol building was constructed in a modernist style, heavily influenced by the German Bauhaus movement. Typical Bauhaus design emphasizes large and open spaces, simple forms, and dull colors. The Hawaiian International style builds upon these principles while also rooting the design in Hawaiian natural features and cultural phenomenon. The State Capitol building is the principal example of this style of architecture. Other notable examples include the nearby Kalanimoku State Office Building and the Neal S. Blaisdell Center.

At the State Capitol building, many naturalistic forms are incorporated into the design of the building. The large columns which line the perimeter of the structure are evocative of palm trees, the legislative chambers allude to the volcanoes which form the State, and the reflecting pools represent the Pacific Ocean. The open-air rotunda represents the openness of society. The style also incorporates natural forms and materials to contrast against the artificial form of the structure. Wood from the Koa tree is used for accenting, doorways, and as furnishings. The chandeliers of the Senate and House legislative chambers are made of white chambered nautilus shells and gold-plated globes respectively, which represent the moon and the sun.

Historic Designations

The State Capitol building was listed on the National Register of Historic Places in 1978 as a contributing resource in the Hawaii Capitol Historic District (HCHD). The State Capitol building would also qualify to be listed on the National and Hawaii Register of Historic Places individually.

Properties and districts are eligible for listing on the National Register of Historic Places based on one of the following criteria:

- A. "Event," the property makes a contribution to the major pattern of American history.
- B. "Person," the property is associated with significant people of the American past.
- C. "Design/Construction," the property has distinctive characteristics, by virtue of its architecture and construction, including having great artistic value or being the work of a master.
- D. "Information Potential," the property has yielded, or may be likely to yield information important to prehistory or history.

The HCHD likely could be eligible for listing on the National Register of Historic Places under all four criteria, but is listed primarily due its significance in association with events that have made a significant contribution to the broad patterns of American history (Criterion A) and because of its association with numerous historic figures (Criterion B). The HCHD was added to the National Register of Historic Places in 1978. The HCHD includes 'Iolani Palace and its grounds and the Capitol and its grounds, and other notable structures, such as Ali'iōlani Hale, Kawaiaha'o Church and grounds, Honolulu Hale, and Washington Place, among others. Figure 3-2 identifies the historic structures within the HCHD. The nomination form for the HCHD identifies three major characteristics which define the HCHD as a unique urban area within Honolulu. These characteristics are: 1) open space to building mass ratio, 2) visual access, and 3) architectural character among listed structures, offering a wide array of distinct architectural styles, including Classical Revival, Romansque, Spanish Mission, Italian Mediterranean, Colonial Rustic, and French Baroque, among others.

The State Capitol is also within the Hawaii Capitol Special District, which provides for the protection, preservation and enhancement of buildings and landmarks within the district which represent or reflect elements of the State's civic, aesthetic, cultural, social, economic, political and architectural heritage.

The site is also listed in the State's inventory of historic places with SIHP number 50-80-14-01321.

3.5.1.2 Archaeological Resources

The State Capitol Building is located in urban Honolulu, an area that has been populated for much of, if not all of, Hawai'i's human history. Subsequently, any work within urban Honolulu is understood to have the potential to impact archaeological resources, including structural remnants, cultural artefacts, and human remains.

Prior to the construction of the State Capitol building, the parcel it is sited upon was developed with several other structures, including a large territorial-era government office building and the Schuman Carriage Building, and a portion of Miller Street. Figure 3-3 shows an oblique view of downtown Honolulu, looking *mauka* (toward the mountains), with 'Iolani Palace and the future site of the State Capitol building visible in the background. Figure 3-4 similarly shows downtown, albeit looking *makai* (toward the sea).

The Schuman Carriage Building, presented in Figure 3-5, previously occupied the corner of South Beretania and Richards Streets. This structure was demolished for the construction of the State Capitol building. The construction of the State Capitol building required the demolition of these structures and extensive excavation of the site for the subterranean offices and parking garage.

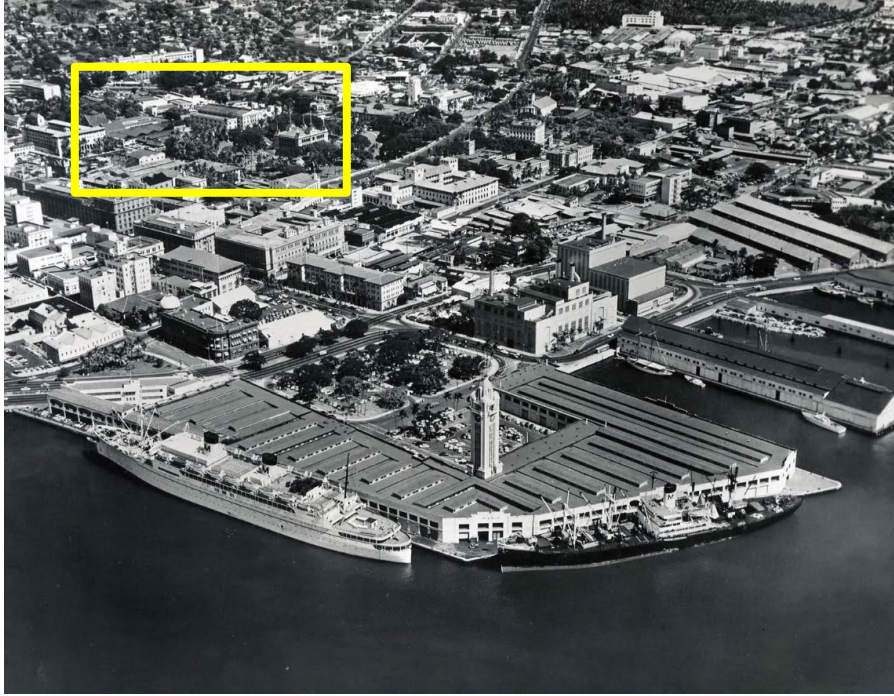


FIGURE 3-3 OBLIQUE VIEW OF DOWNTOWN HONOLULU, LOOKING MAUKA. AUGMENTED TO CLARIFY LOCATION DISCUSSED. CIRCA 1957.

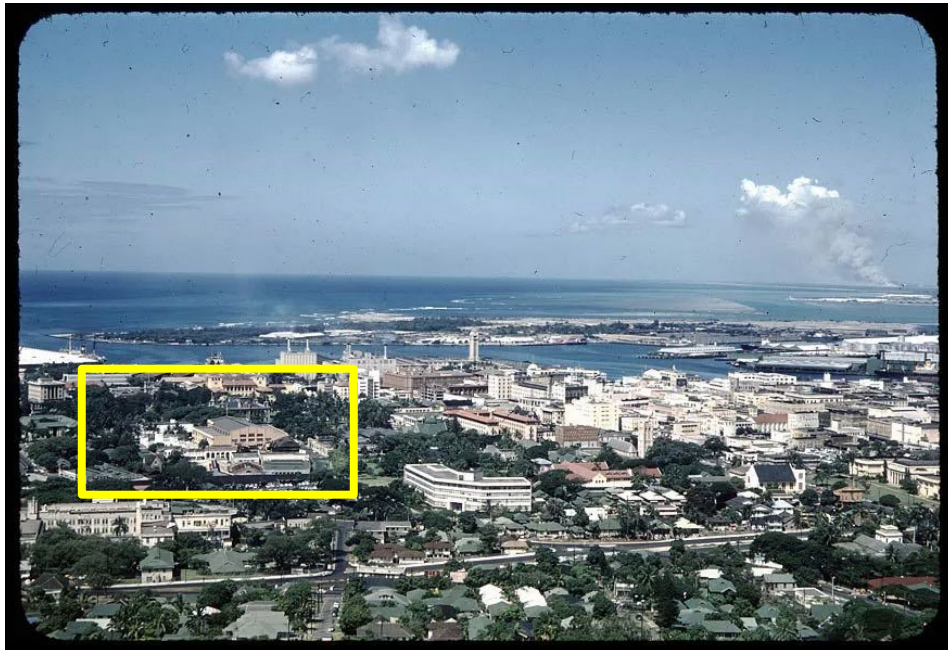


FIGURE 3-4 OBLIQUE VIEW OF DOWNTOWN HONOLULU, LOOKING MAKAI, AUGMENTED TO CLARIFY LOCATION DISCUSSED. CIRCA 1956.



FIGURE 3-5 SCHUMAN CARRIAGE BUILDING PRIOR TO ITS DEMOLITION FOR THE CONSTRUCTION OF THE STATE CAPITOL BUILDING LOOKING TO THE SOUTH FROM THE INTERSECTION OF SOUTH BERETANIA AND RICHARDS STREETS. CIRCA 1950.

The construction of the State Capitol building heavily disturbed the underlying land. Any archaeological resources present on the site from any period prior to 1969, when the State Capitol building was constructed, were likely disturbed and/or removed during construction.

3.5.1.3 Cultural Resources

The Capitol is in a culturally significant area of Honolulu, being situated in an area with rich cultural heritage and historical landmarks. Being the historic center of government activities throughout the Kingdom, Territorial, and now Statehood periods of Hawai'i's history, the surrounding area has a rich history of civic engagement, including protests, marches, and other demonstrations. Figures 3-6 through 3-9 demonstrate a few examples of past demonstrations at the State Capitol building or in its surroundings. The site is proximate to 'Iolani Palace, the historic residence of the Hawaiian monarchy, and other notable sites that are integral to the State's cultural landscape. The Capitol itself, as a mid-20th century modernist structure, has become an important part of this cultural and historical milieu.

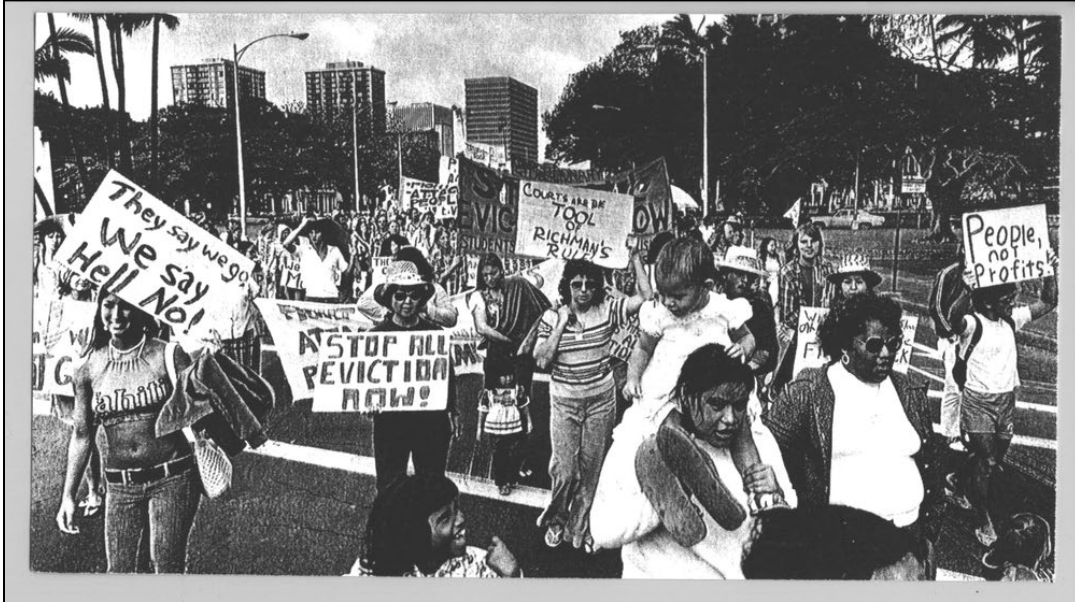


FIGURE 3-6 PROTESTS AT THE STATE CAPITOL BUILDING, N.D.



FIGURE 3-7 DEMONSTRATION AT THE STATE CAPITOL BUILDING, 1972.

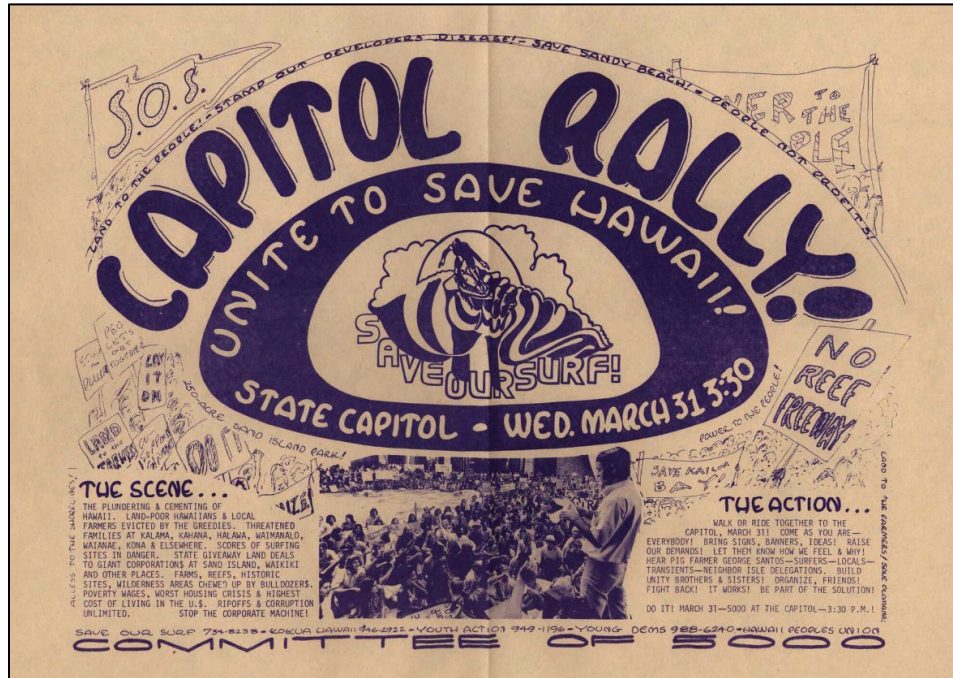


FIGURE 3-8 CAPITOL RALLY POSTER FROM THE COMMITTEE OF 5000, CIRCA 1971.



FIGURE 3-9 NATIVE HAWAIIAN AND OTHER MEMBERS OF THE PUBLIC GATHER AT THE STATE CAPITOL BUILDING ON THE OPENING DAY OF THE 2020 LEGISLATIVE SESSION PROTESTING THE PROPOSED CONSTRUCTION OF A TELESCOPE AT THE SUMMIT OF MAUNA KEA. (KAI KAHELE, 2020)

The project area was once the center of where Hawaiian monarchs made their homes. As such, the area is of great significance to the Native Hawaiian people. As noted, it is adjacent to 'Iolani Palace and a statue of Queen Lili'uokalani stands within the Hotel Street Pedestrian Mall facing the State Capitol building. It's been a political gathering place for decades. In addition to being a *wahi kapu* (sacred place) for its association with the Kingdom of Hawaii and Hawaiian monarchs, it is also a space valued for its tradition of civic engagement, which has occurred at this site since the monarchy period.

3.5.1.4 Ka Pa'akai Analysis

The 1995 Hawai'i Supreme Court decision, *Public Access Shoreline Hawaii vs. Hawaii County Planning Commission*, established that the State of Hawai'i has an "obligation to protect the reasonable exercise of customary and traditionally exercised rights of Hawaiians to the extent feasible."³ This obligation was further clarified in the 2000 Hawai'i Supreme Court case *Ka Pa'akai O Ka 'Āina vs. Land Use Commission* by the establishment of a framework to "help ensure the enforcement of traditional and customary Native Hawaiian rights while reasonably accommodating competition private development interests" by the Court.

The Court provided in *Ka Pa'akai* a framework to ensure that the State's obligation to protect and preserve traditional and customary Native Hawaiian rights pursuant to Hawai'i Constitution Article XII, Section 7, is fulfilled. The Court mandated that administrative agencies must, at a minimum, make specific findings of fact and conclusions of law as to the following:

1. The identification of valued cultural, historical, or natural resources in the project area, including the extent to which traditional and customary Native Hawaiian rights are exercised in the project area;
2. The extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the Proposed Action; and,
3. The feasible action, if any, to be taken to reasonably protect Native Hawaiian rights if they are found to exist.

The section below discusses Item 1, the identification of valued cultural, historical, or natural resources. Items 2 and 3 are discussed in Section 3.6.3, Potential Impacts and Mitigation.

Identification of Valued Cultural, Historical or Natural Resources:

Numerous cultural resources were identified in the region surrounding the project site mostly consisting of the former homes of *ali'i* (ruler, chief) as well as other significant sites associated with the Kingdom of Hawai'i. The State Capitol building itself is also identified as a valued cultural and historical resource.

3.5.2 Potential Impacts and Mitigation

3.5.2.1 No Action Alternative

The No Action Alternative would not change the existing conditions of the project site with respect to historic, architectural, archaeological, or cultural resources. The No Action Alternative would see the Proposing Agency restore the Capitol reflecting pools to their previous, water-filled condition.

³ Article XII, Section 7 of the Hawai'i State Constitution, *Ka Pa'akai O Ka 'Āina v. Land Use Commission*, 94 Haw. 31 [2000] (*Ka Pa'akai*), Act 50 HSL 2000.

Architectural Resources

The No Action Alternative would not result in any change to the architectural characteristics of the State Capitol Building. The Capitol reflecting pools would be waterproofed and refilled with water provided by the on-site wells. The No Action Alternative would, therefore, have a positive impact to architectural resources by restoring the structure to its original design, form, and symbolic intent.

However, this positive impact to architectural resources would likely not be long lasting. The brackish water provided by the on-site wells would, over time, degrade the integrity of the waterproofing and contribute to continued corrosion of the structure of the State Capitol building. The No Action Alternative would necessitate frequent draining of the Capitol reflecting pools for repair and maintenance work.

Archaeological Resources

The No Action Alternative would not alter archaeological resources which may occur on the site of the State Capitol building. Notwithstanding any possible future ground-disturbing activities, under this alternative existing site conditions relative to archaeological resources would persist indefinitely.

Cultural Resources

The No Action Alternative would not alter cultural resources or public engagement with the State Capitol building. Under this alternative, access to the facility would not be altered from the existing conditions. The rotunda of the State Capitol building would remain publicly accessible for gatherings, demonstrations, and protests.

Ka Pa'akai Analysis

The No Action Alternative would not alter or impact the reasonable exercise of customary or traditional exercised rights of Native Hawaiians at the State Capitol building. The State Capitol building and its grounds would remain as a space in which culturally significant events and exercises could continue to occur.

3.5.2.2 Proposed Action

The Proposed Action would result in modifications to the basins of the Capitol reflecting pools, including a reduction in overall size, installation of new waterproofing, and the installation of a horizontal glass surface across the entirety of the basin area. Additionally, the base of each of the perimeter columns of the State Capitol building would be modified to include new, computer-controlled architectural lighting elements. Impacts to historic and cultural resources anticipated to result from the implementation of the Proposed Action are discussed below.

Architectural Resources

The Proposed Action is anticipated to adversely affect architectural elements of the State Capitol building, namely the Capitol reflecting pools.

The principal impact to the architectural character of the State Capitol building would result from the conversion of the Capitol reflecting pools to the proposed waterless design. The reflecting pools are a unique architectural element to the State Capitol building, both among the other historic structures in the HCHD and among U.S. state capitols more generally. The original symbolic value of the reflecting pools was as a representation of the Pacific Ocean. The transition from a natural material, i.e., water, to a man-made material, in the form of glass, is a departure from the original architectural value. The Proposed Action would also reduce the overall surface area of the Capitol reflecting pools, from the original 78,000 square feet to roughly 55,000 square feet, or a reduction of roughly 29 percent. The

proposed concrete pavement and terraces that would reduce the pool basin surface area would be fully reversible/removable. No project components would permanently alter the existing State Capitol building structure. Alterations to the base of the columns to incorporate the new architectural lighting elements are not considered to be significant because the original design of the State Capitol building featured similar architectural lighting elements to those in the Proposed Action, albeit with different design and technical characteristics.

HRS Chapter 6E Consultation

The Proposed Action would result in an “effect, with proposed mitigation commitments” on historic properties based on the removal and replacement of a defining architectural element of the Capitol and HCHD. The Proposing Agency will consult with the SHPD under its review requirements pursuant to HRS Chapter 6E, relating to historic preservation.

~~The proposed mitigation to offset the adverse effect on historic properties is to install a waterless representation of water within the Capitol reflecting pools, with~~ In addition to maintaining the ability for the water-filled pools to be restored in the future if it becomes technically and financially feasible, mitigation measures will be developed in coordination with SHPD during the HRS 6E consultation process. (i.e., the Proposed Action). ~~SHPD’s concurrence on the appropriateness of this mitigation commitment will be determined in consultation with SHPD.~~ With the implementation of agreed-upon mitigation measures, the Proposed Action would have less than significant impacts on historic properties.

Additionally, the United States National Park Service (NPS) NRHP and the O’ahu Historic Preservation Commission (OHPC) were also included in the early consultation distribution list. No response from either NRHP or OHPC was received. These parties ~~will be~~ were also included in the DEA public review.

Archaeological Resources

The Proposed Action is not anticipated to impact any archaeological resources which may be present within the project area. The Proposed Action would only involve structural repairs and modifications to the structure of the Capitol and limited ground disturbing activities are proposed to occur in previously disturbed land. The parcel upon which the Capitol is sited is a previously and highly disturbed area with significant excavation occurring during the construction of the Capitol for the below grade offices and parking facility. Consultation with SHPD will determine the preferred method of mitigating impacts to any potential archaeological resources.

If ground disturbing activities reveal a potential historic property, all construction-related operations in the immediate vicinity of the find will cease, and the find protected, until such time as consultation with SHPD can be conducted to determine if the find is of historic significance. If SHPD determines the finding is of historic significance, further consultation with SHPD and other applicable parties will be conducted to determine the preferred treatment of the finding.

Cultural Resources

The Proposed Action is anticipated to have a positive impact to the State Capitol building with respect to cultural resources. The Proposed Action would result in the development of a major public work of art being installed in the basins of the Capitol reflecting pools. This new work of art would be accessible to the public and function as a plaza-like space for gatherings, demonstrations, and other activities. The Proposed Action would open this previously inaccessible portion of the State Capitol building grounds to the public and provide a new means by which they may experience and interact with the structure and institution.

Ka Pa'akai Analysis

As discussed in Section 3.5.1.4, the Ka Pa'akai Analysis requires analysis on the extent of effect or impairment caused by the Proposed Action and feasible actions to protect Native Hawaiian rights.

Extent of Effect or Impairment by Proposed Action:

Of the identified cultural resources and traditional and customary practices that occur in the surrounding project area, the potential that the Proposed Action would newly affect or impair these resources is low, as construction would maintain access to areas used for protests or other cultural events.

Feasible Action to Protect Native Hawaiian Rights:

The recommended feasible action is to minimize any disruption of access to the Capitol or significant cultural sites. Construction staging should be minimized on the 'Iolani Palace side of the Capitol so as to not impede access to the palace grounds. Additionally, access to the Queen's statue and Capitol rotunda should always be maintained and allowed. Proper protective measures should be implemented around the Queen's statue as to avoid any damage to the statue and to minimize extensive dust from accumulating on the statue or any other treatment that Hawaiians may find offensive, which may include covering the statue. There should be protocols for regularly cleaning the statue as needed in a respectful manner.

The Proposed Action would have a positive impact to the reasonable exercise of customary or traditional exercised rights of Native Hawaiians at the State Capitol building. The Proposed Action would provide new space at the State Capitol building on which culturally significant events and exercises could continue to occur. Due to the nature of the work, potential impacts are moderate and primarily associated with potential temporary disruptions of access.

3.5.2.3 Summary of Impacts and Mitigation

Assuring that the installation of the waterless solution is reversible reduces the long-term impact of the Proposed Action on architectural features the State Capitol building. The Proposed Action would also have a beneficial impact on the architectural resources of the State Capitol building by reinstating exterior lighting that would highlight the building's architectural elements. Due to previous ground disturbance, the Proposed Action is unlikely to adversely impact archaeological resources. Cultural and Ka Pa'akai rights would not be impacted by the implementation of the Proposed Action.

Remaining effects on the architecture will be mitigated by to-be-agreed-upon stipulations that address these effects. Therefore, the Proposed Action would result in insignificant impacts to historic, archaeological, or cultural resources.

3.6 SOCIOECONOMIC CHARACTERISTICS

3.6.1 Existing Conditions

The project area is in the heart of Urban Honolulu, adjacent to the city's central business district and the historic Chinatown neighborhood. The State Capitol building is also proximate to the rapidly growing neighborhood of Kaka'ako and the Thomas Square Special District. Honolulu is the social, political, economic, and cultural center of the State, and the State Capitol building is the nexus that connects these various elements together. Honolulu is the most densely populated and developed region of the State and is dominated by office, commercial, residential, light industrial, and institutional uses.

The project area is within the Urban Honolulu census-designated place (CDP) which includes all the areas between Salt Lake in the west and Kahala in the east and the adjoining valleys up to the ridgeline of the Ko'olau Mountains. The 2020 U.S. Census reports that the Urban Honolulu CDP had a population of around 351,000 people, up from 337,000 in 2010. The population value for the Urban Honolulu CDP only accounts for residents within the CDP boundary and does not include visitors to the State or individuals who commute into the CDP from elsewhere on O'ahu on a daily basis. Considering that the CDP includes Waikiki and the central business district of Honolulu, the day-to-day amount of people present in the CDP far exceeds the official population.

The 2020 U.S. Census indicates that, of those who reside within the CDP boundaries, the majority are between the ages of 18 and 65 (at roughly 62%), followed by those over the age of 65 (at roughly 21%), and finally individuals under the age of 18 (at roughly 17%). When compared to Honolulu County as a whole, the Urban Honolulu CDP has fewer residents under the age of 18 and more residents over 65. The racial composition of the Urban Honolulu CDP is shown in Table 3-1 below. Urban Honolulu has a larger percentage of individuals identifying as only Asian (52.3%) compared to the rest of Honolulu County (42.6%). Of all other racial categories in the Census, Urban Honolulu has a lower percentage when compared to the rest of Honolulu County.

Table 3-1 2020 Census: Racial Characteristics of Urban Honolulu CDP

Race and Hispanic Origin	Urban Honolulu CDP	Honolulu County
White alone	17.2%	21.2%
Black, African American	1.8%	2.8%
American Indian, Alaskan Native	0.2%	0.3%
Asian alone	52.3%	42.6%
Native Hawaiian and Other Pacific Islander	8.5%	9.9%
Two or More Races	18.7%	23.2%
Hispanic or Latino	7.3%	10.3%
White alone, not Hispanic or Latino	15.9%	17.5%

Source: U.S. Census Bureau, Quick Facts, 2023

Median household income in the Urban Honolulu CDP was \$82,772 (in 2022 dollars) compared to \$99,816 for Honolulu County. This lower household income can be potentially attributed to smaller household sizes in Urban Honolulu compared to the rest of Honolulu County, with 2.52 and 2.93 persons per household, respectively. ~~Less individuals~~ in Urban Honolulu ~~are less likely to~~ have high school diplomas or higher than Honolulu County, 90.5% compared to 92.7%, but Urban Honolulu residents are more likely to hold a Bachelor's degree or higher, 39.2% compared to 36.6%. Urban Honolulu has a higher poverty-rate than the rest of Honolulu County, 11.3% compared to 9.3%.

3.6.2 Public Safety

The Proposed Action would result in the development of 55,000 square feet of new, publicly accessible space at the State Capitol building. One of the goals of the Proposed Action is to energize this space as an area where Hawai'i residents and visitors alike can gather and interact with the State Capitol building in ways previously not available. Efforts would be taken to ensure that the Capitol reflecting pools become a safe and enjoyable space for the public, legislators, and Capitol staff.

The State Capitol building is a sensitive space and passive and active security measures are necessary to protect the public safety and the integrity of the site. Security measures are aimed at preventing vandalism of the structure, any disruption to legislative or government proceedings, and to ensure that

visitors to and occupants of the State Capitol building are safe. These measures include both passive and active efforts. Passive security measures include surveillance cameras and lighting. The use of the space by the public would also serve as a form of passive security. Active security measures include security guards patrolling and monitoring the site. The combination of passive and active security measures will serve to deter unlawful activities and protect public safety.

3.6.3 Potential Impacts and Mitigation

The No Action Alternative would have insignificant impacts on socioeconomic conditions in the State or County, as it would not contribute to population changes or to significant economic benefits. The Proposed Action will not substantively impact existing socioeconomic conditions in Urban Honolulu. The Proposed Action may spark greater interest from the public and attract new residents to the Urban Honolulu CDP, but the degree to which this may occur is difficult to quantify. The Proposed Action would result in the State Capitol building becoming a more prominent tourist attraction, which may have ancillary effects to pre-existing companies and businesses which cater to tourists in the surrounding region. This may stimulate the local economy through increased dollars spent on tours of the State Capitol building, tourist memorabilia, or other commercial enterprises. These effects are anticipated to be marginal, and it is not the primary purpose of the Proposed Action to provide economic stimulus to these industries. The Proposed Action would have no significant effect on the socioeconomic characteristics of Urban Honolulu.

With respect to public safety, the Proposed Action may have an insignificant or negligible adverse effect. The Proposed Action would transform the State Capitol building into a more prominent attraction for Hawai'i's residents and visitors. This could potentially result in the Proposed Action becoming an attractive nuisance. However, the replacement of water in the pools with a glass art installation would not substantively change the State Capitol building's risk of vandalism or terrorism, because accessibility to the structure by individuals on foot or in vehicles would be essentially the same in both scenarios. When they were previously filled with water, the pools did not prevent vandalism or access to the building's walls, as unauthorized individuals regularly walked in the pools and trash was frequently thrown into the pools.

Ongoing passive and active security measures, such as surveillance cameras, lighting, and patrolling security personnel would continue to be implemented and expanded as needed. Community activities are planned to be facilitated by the State Foundation on Culture and the Arts (SFCA) to help "activate" the new plazas which would mitigate potential on attractive nuisances effects. It is likely that, with greater public interest and access to the pool basins—resulting in more "eyes on the street" that deter loitering—the Capitol may experience a higher level of safety. As described in Section 2.1.4, organized programs and events are anticipated to be held multiple times a month, managed by SFCA and selected community partners. These regularly structured events would foster the sense of community ownership of the new plazas, reducing the potential for attractive nuisances to occur. Coupled with Capitol building security and HPD presence, the Proposed Action would have no significant effect on public safety.

3.7 SECONDARY AND CUMULATIVE IMPACTS

"Secondary impacts" or "indirect impacts" are effects caused by the proposed action later in time or farther removed in distance, but still reasonably foreseeable. An indirect impact may include a growth-inducing effect and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air, water, and other natural systems, including ecosystems (HAR 11-200.1-2).

The Proposed Action is not likely to have secondary impacts on the environmental resources addressed in this EA. As a passive art installation, it may increase visits and activity at the State Capitol building, but would not substantially increase demand on public services, utilities and infrastructure, or transportation systems. It would not increase the State or County's population and is not expected to meaningfully increase tourism-related visitors to the State or County, which could result in secondary impacts (e.g., air quality, economics, transportation systems, infrastructure).

"Cumulative impacts" are impacts on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes the other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (HAR 11-200.1-2). The region of influence (ROI) for cumulative impacts is the Hawai'i Capital Special District (see Figure 4-3). Known past, present, and reasonably foreseeable projects within the HCSD are listed in Table 3-2.

Table 3-2 Projects Considered in the Evaluation of Secondary and Cumulative Impacts

Project (Owner)	Location	Description and Timeframe
Emergency Operations Center (City)	710 South King Street (approx. 1,800 feet southeast of State Capitol)	Construction of a four-level, 27,600-square-foot facility to support the City's Department of Emergency Management and the Office of Climate Change, Sustainability and Resiliency. Implementation timeframe unknown, but unlikely to overlap with the Proposed Action.
Queen's Medical Center Emergency Department Expansion and Renovation (The Queen's Health System)	1301 Punchbowl Street (approx. 1,000 feet northeast of State Capitol)	Expansion and modernization of the existing QMC Emergency Department at its Punchbowl Street campus. Construction is underway and expected to be completed prior to commencement of the Proposed Action in 2025.
BWS Beretania Complex Redevelopment (BWS)	630 South Beretania Street (approx. 1,300 feet east of State Capitol)	Redevelopment of a portion of the BWS complex on Beretania Street consisting of its three buildings and open parking into a new BWS office building, parking structure, and privately developed housing facilities via a ground lease with a selected developer. Implementation timeframe unknown, but would not likely overlap with the Proposed Action.

The Proposed Action is not likely to overlap temporally with the projects listed in Table 3-2, and therefore, unlikely to result in significant cumulative impacts on construction period air quality, noise, or biological resources when combined with past, present, and reasonably foreseeable future actions. During the operational period, the Proposed Action's effects on cultural resources would be mitigated to insignificant levels through implementation of mitigation measures developed in coordination with SHPD during the HRS 6E consultation process ~~the use of an alternate material representing the waters of the Pacific Ocean~~. Cumulative impacts to cultural resources from past, present, and future actions within the ROI would be less than significant because the Proposed Action is not expected to adversely impact archaeological resources or cultural practices. Agreed-upon mitigation for the Proposed Action's adverse effect on historic architectural resources would result in less than significant impacts to historic

properties. The Proposed Action is unlikely to have adverse impacts on archaeological resources and mitigation developed in consultation with SHPD would be implemented in the event of any inadvertent discoveries. If reasonably foreseeable projects located within the HCSD have adverse impacts on cultural or historic resources, they would also implement appropriate agreed upon mitigation. Therefore, when combined with other reasonably foreseeable projects within the HCSD, the Proposed Action is unlikely to result in significant cumulative impacts.

4 Relationship to Land Use Plans, Policies, and Controls

This chapter discusses the Proposed Action's conformance with relevant State and county land use plans, policies, and controls. The State plans and policies include: State Land Use Districts (HRS Chapter 205), the Hawai'i State Plan (HRS Chapter 266), the State Environmental Policy (HRS Chapter 344), and the State Coastal Zone Management Program (HRS Chapter 205A). Relevant county-level plans and policies include: the O'ahu General Plan (Revised Charter of Honolulu § 6-1508), the Primary Urban Center Development Plan (PUC DP) (ROH Chapter 24), the HCSD (LUO Section 21-9.30), and county zoning (LUO Section 21-3.110).

4.1 STATE OF HAWAI'I

4.1.1 Hawai'i State Environmental Policy Act, HRS Chapter 344

HRS Chapter 344, the State Environmental Policy Act (SEPA), establishes state policies and guidelines to encourage productive and enjoyable harmony between the state's populace and the environment, promote efforts to prevent or eliminate damage to the environment, and to enrich the understanding of ecological systems and natural resources that are important to the people of Hawai'i. SEPA provides environmental guidelines relating to 10 policy areas in HRS Chapter 344-4, being: 1) population; 2) land, water, mineral, visual, air, and other natural resources; 3) flora and fauna; 4) parks, recreation, and open space; 5) economic development; 6) transportation; 7) energy; 8) community life and housing; 9) education and culture; and, 10) citizen participation. Items 2, 4, and 9 are the most applicable to the Proposed Action.

The Proposed Action closely aligns with these policy areas. The Proposed Action would transition the Capitol reflecting pools to a water-less design, reducing the State Capitol building's water consumption considerably and avoiding the overuse of freshwater resources (Item 2). Implementation of the Proposed Action would also prevent continued corrosion of the structure and mechanical and electrical systems of the State Capitol building, reducing the maintenance costs of the facility and preserving the integrity of the property (Item 4). Finally, as an artistic expression of the State's unique identity, the Proposed Action would foster the culture and arts in Hawai'i and enhance the symbolic value of the pools as a representation of the Pacific Ocean (Item 9). Therefore, the Proposed Action is consistent with the guidelines established in SEPA.

4.1.2 State Land Use Districts

Pursuant to HRS Chapter 205 and HAR Chapter 15-15, the State Land Use Commission is empowered to classify all lands in the State into one of four land use districts: urban, rural, agricultural, and conservation. The entirety of the project site is located within the State Urban Land Use District (LUD) and all other abutting parcels are also within the State Urban LUD. HRS § 205-2(b) provides that within the State Urban LUD the activities and uses shall include those provided by ordinances or regulations of the county within which the State Urban LUD is situated.

The Proposed Action will occur within the jurisdiction of the City and County of Honolulu and therefore the controlling land use regulations are those enumerated within the C&C's Land Use Ordinance (LUO). Compliance with the provisions of the LUO, and other county-level land use policies, is discussed below in Section 4.2. Subject to its consistency with the LUO, the Proposed Action is in compliance with the provisions of HRS Chapter 205 and HAR Chapter 15-15.

4.1.3 Hawai'i State Plan

The Hawai'i State Planning Act, HRS Chapter 226, was enacted in 1978 to "improve the planning process in this state, to increase the effectiveness of government and provide actions, to improve coordination among different agencies and levels of government, to provide for wise use of Hawai'i's resources and to guide the future development of the state." The Act sets forth the Hawai'i State Plan, which is a long-range comprehensive plan that includes an overall theme, goals, objective, policies, priority guidelines, and implementation mechanisms.

The Hawai'i State Plan is divided into three parts:

1. *Part I, Overall Theme, Goals, Objectives, and Policies.* Part I lists the state plan's overall theme and goals. Objectives and policies focus on general topic areas including population, economy, physical environment, facility systems, and socio-cultural advancement.
2. *Part II, Planning Coordination and Implementation.* Part II establishes a statewide planning system to enable for the coordination of, and to serve as a guide to, all major state and county activities and to implement the overall theme, goals, objectives, policies, and priority guidelines. The planning system implements the State Plan through the development of functional plans and county general plans.

Functional plans are developed by the state agency responsible for a given functional area, which includes agriculture, conservation lands, education, energy, higher education, health, historic preservation, housing, recreation, tourism, and transportation.

3. *Part III, Priority Guidelines.* Part III established the overall priority guidelines to be used to address areas of statewide concern. This part lays out the overall direction for the state, as follows: *"The state shall strive to improve the quality of life for Hawai'i's present and future population through the pursuit of desirable course of action in five major areas of statewide concern which merit priority attention: economic development, population growth and land resource management, affordable housing, crime and criminal justice, and quality education."*

4.1.3.1 Historic Preservation State Functional Plan (1991)

The Historic Preservation State Functional Plan (HP SFP) sets forth the policies, programs, and projects for implementing the State Plans' historic preservation related objectives, policies, and priority guidelines. The HP SFP identifies three issue areas to be addressed by the plan: 1) the preservation of historic properties; 2) the collection and preservation of historic records, artifacts, and oral histories; and, 3) the provision of public information and education on the ethnic and cultural heritages and histories of Hawai'i. Analysis of the HP SFP focus on Issue Areas 1 and 3.

With respect to Issue Area 1, the fundamental objectives are to identify, protect, manage, and treat historic properties in such a way that respects and maintains the historic integrity of the historic property. The HP SFP recognizes that the majority of historic properties are currently identified and added to the State Inventory of Historic Properties (SIHP) via a reactive process (i.e., compliance with law) rather than a proactive and directed process by SHPD. The HP SFP suggests that the preparation of regional syntheses could help to predict the types of sites that may qualify to be registered on the SIHP and help to direct future expansion of the SIHP. With its nomination as part of the HCHD, the State Capitol building has been identified as a historic property. The HCHD is listed on the SRHP as SIHP No. 80-14-1307 and on the NRHP as NRHP No. 78001020.

The HP SFP acknowledges that the primary method of protecting historic properties is through the review of land alteration projects. This review process is codified as HRS Chapter 6E. As discussed in

Section 3.5.2.2, consultation with SHPD in compliance with HRS Chapter 6E to assess the preferred treatment of the State Capitol building as a historic property is required. With respect to management and treatment, the HP SFP recognizes that preservation is not limited exclusively to the individual historic property but also to the surrounding structures and district. Adverse impacts to historic properties can result from actions taken on neighboring parcels. Alterations to the State Capitol building must be cognizant of potential impacts to the whole of the HCHD.

Issue Area 3 recognizes that historic preservation is a means to explore and understand the ethnic and cultural heritages and histories of Hawai'i and her people. Historic preservation is an active effort to make the past accessible to the public and to foster civic pride and connection.

The Proposed Action is consistent with and in support of the objectives and policies of the HP SFP and these two Issue Areas. HRS 6E Consultation with SHPD regarding the Proposed Action will identify, protect, manage, and treat the State Capitol building individually and the HCHD holistically from adverse effect and erosion of historic value. Further, the Proposed Action would result in the creation of a new, public space in which visitors and residents of Hawai'i alike could engage with the State Capitol building and its history in a way previously not available while still respecting the historic and symbolic value of the State Capitol reflecting pools.

4.1.4 Hawai'i Coastal Zone Management Program, HRS Chapter 205A

Codified as HRS Chapter 205A, the Hawai'i Coastal Zone Management (CZM) Program sets out the objectives and policies to preserve, protect, and where possible, restore the natural resources of the coastal zone of Hawai'i. All lands in the State and the area extending seaward from the shoreline are classified as valuable coastal resources within the State's CZM area. Since all lands within the State fall under the purview of the CZM Program, this EA must assess the Proposed Action's consistency with the ten objectives of HRS Chapter 205A and their supporting policies.

4.1.4.1 CZM Objectives

The ten CZM Objectives are established in HRS Chapter 205A § 205A-2(b). The Proposed Action's consistency with the CZM Objectives is discussed below.

(1) Recreational Resources

(A) Provide coastal recreational opportunities accessible to the public

Discussion: The Project Area is not sited on the coast and will not impact coastal resources or coastal recreational opportunities which are accessible to the public. The Proposed Action is consistent with this CZM objective.

(2) Historic Resources

(A) Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Discussion: The Project Area includes a historic property that is significant to Hawaiian and American history and culture (the State Capitol building). The Proposed Action would protect the State Capitol building by eliminating persistent corrosion to the structure by implementing a waterless reflecting pool design. Mitigation strategies to limit adverse effects to the historic property will be assessed during the HRS Chapter 6E consultation process with SHPD. Subject to the implementation of mitigation measures approved by SHPD, the Proposed Action would be consistent with this CZM objective.

(3) Scenic and Open Space Resources

(A) Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Discussion: The Project Area is not sited on the coast and will not impact coastal scenic or open space resources. The Proposed Action is consistent with this CZM objective.

(4) Coastal Ecosystems

(A) Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.

Discussion: The Project Area is not sited on the coast and will not impact reefs, beaches, and coastal dunes. The Proposed Action will involve the restoration of the State Capitol building's architectural lighting, which may potentially have adverse effects on protected avian species. To determine the extent of the potential effects, an impact study was conducted by AECOS Inc. to assess the Proposed Actions impact to avian species, which is incorporated into this EA as Appendix A. The architectural lighting elements would consist of a new computer-controlled point-source lighting elements which would illuminate the columns and underside of the State Capitol building as well as the inside of the perimeter fins surrounding the exterior of the structure. Additional lighting would include downward facing lighting to illuminate the reflecting pools, illuminated railings, and terrace lighting. All lighting elements would be dark-sky compliant, where applicable, with minimal waste light or spill, limiting potential impacts to avian species. Risks can be further reduced or eliminated by not conducting night-time construction at the project site and ensuring that all installed outdoor lighting is adequately shielded. Therefore, the Proposed Action is not anticipated to have an adverse effect on avian species or coastal ecosystems and is consistent with this CZM objective.

(5) Economic Uses

(A) Provide public or private facilities and improvements important to the State's economy in suitable locations.

Discussion: The Proposed Action would not have direct economic uses, however its implementation may have secondary beneficial impacts to the State's economy. Implementation of the Proposed Action could further elevate the State Capitol building's status as a tourist attraction. However, as the State Capitol building serves as the seat of government for the State, improvements to and investments in the maintenance of the facility have important impacts to the economic health of the State. The Proposed Action simplifies the maintenance necessary at the State Capitol building, freeing some State monies for other projects and initiatives. The Proposed Action is consistent with this CZM objective.

(6) Coastal Hazards

(A) Reduce hazard to life and property from coastal hazards.

Discussion: The Project Area is not sited on the coast, in the tsunami evacuation zone, or a special flood hazard zone and is not anticipated to be susceptible to coastal hazards. The Proposed Action is consistent with this CZM objective.

(7) Managing Development

(A) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Discussion: The Project Area is not sited on the coast and would not impact the management of coastal resources and hazards. As part of the HRS Chapter 343 environmental review process, the Proposed Action underwent pre-assessment early consultation. Early consultation allows for agencies and organizations to assist with the identification of potential issue areas and helps to direct EA analysis. The publication of the Draft EA also allowed for public participation in the planning process. The Proposed Action is consistent with this CZM objective.

(8) Public participation

(A) Stimulate public awareness, education, and participation in coastal management.

Discussion: The Proposed Action, as an artistic representation of the ocean, will indirectly stimulate public awareness of coastal management and conservation. The Proposed Action is consistent with this CZM objective.

(9) Beach and Coastal Dune Protection

(A) Protect beaches and coastal dunes for:

(i) Public Use and Recreation;

(ii) The benefit of coastal ecosystems;

(iii) Use as natural buffers against coastal hazards; and,

(B) Coordinate and fund beach management and protection.

Discussion: The Proposed Action does not involve any beach or dune areas and would not impact the protection of coastal resources or ecosystems. The Proposed Action is consistent with this CZM objective.

(10) Marine and Coastal Resources

(A) Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Discussion: The Proposed Action, as an artistic display of the ocean, would spur public awareness and discussion around measures to protect, use, and develop marine and coastal resources in a sustainable manner.

4.1.4.2 CZM Policies

The ten CZM Policies are established in HRS Chapter 205A § 205A-2(c). The Proposed Action's consistency with the applicable CZM Policies is discussed below.

(1) Recreational Resources

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Proposed Action will not impact coastal recreational resources. The Proposed Action is consistent with this CZM Policy.

(2) Historic Resources

(A) Identify and analyze significant archaeological resources;

(B) Maximize information retention through preservation of remains and artifacts or salvage operations; and,

(C) Support state goals for protection, restoration, interpretation, and display of historic resources

Discussion: The Proposed Action supports Policy (2)(C) by restoring the State Capitol building's historic architectural lighting system and by protecting the structure of the State Capitol building from further deterioration due to water-related corrosion. The Proposed Action would also provide a new interpretation of the historic and character-defining reflecting pools while still retaining the original symbolic value of the reflecting pools. The Proposed Action is consistent with this CZM Policy.

(3) Scenic and Open Space

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast and will not impact coastal scenic and open space resources. The Proposed Action is consistent with this CZM Policy.

(4) Coastal Ecosystems

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast and will not impact coastal ecosystems. The Proposed Action is consistent with this CZM policy.

(5) Economic Uses

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast and will not impact coastal economic activity. The Proposed Action is consistent with this CZM Policy.

(6) Coastal Hazards

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast, is not within the tsunami evacuation zones, and is not located within a special flood hazard area. The Proposed Action is not at risk due to coastal hazards. The Proposed Action is consistent with this CZM Policy.

(7) Managing Development

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast and no new coastal development is proposed as part of the project. The Proposed Action is consistent with this CZM Policy.

(8) Public Participation

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast and the public participation policies relate specifically to public involvement, education, and consultation relating to coastal issues. The Proposed Action will not impact coastal resources and, therefore, public participation relating to these topics is not necessary for the Proposed Action. The Proposed Action is consistent with this CZM Policy.

(9) Beach Protection

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast or any natural beaches. The nearest beach to the project area is on Sand Island and is artificial in nature. The Proposed Action would not result in the development of any shoreline hardening structures, would not involve the grading of coastal dunes, and is sited sufficiently inland from the shore such that coastal hazards are not anticipated to impact it. The Proposed Action is consistent with this CZM Policy.

(10) Marine and Coastal Resources

(D) Promote research, study, and understanding of ocean and coastal processes, impacts of climate change and sea level rise, marine life, and other ocean resources to acquire and inventory information necessary to understand how coastal development activities relate to and impact ocean and coastal resources.

Discussion: None of the policies for this objective are applicable to the Proposed Action. The Project Area is not sited on the coast and will not impact any marine or coastal resources. The Proposed Action, as an artistic representation of the ocean, may indirectly promote research, study, and understanding of ocean and coastal processes, and the impacts of climate change and sea level rise; however, this is not its primary function. The Proposed Action is consistent with this CZM Policy.

4.2 CITY AND COUNTY OF HONOLULU

The planning regime for the City and County of Honolulu (C&C) can broadly be split into three tiers. In the first tier, the O'ahu General Plan (OGP) establishes the policy guidance for O'ahu as a whole. The OGP informs all subsequent plans and implementing regulations, which are required to be consistent with the OGP.

In the next tier are the eight regional plans, divided among two Development Plans (DPs) and six Sustainable Communities Plans (SCPs). These plans relate to specific areas of O'ahu, such as the Primary Urban Center DP (for Urban Honolulu) or Ko'olaupoko SCP (for the southern half of windward O'ahu). These plans aim to fulfill three key goals, 1) conceptually describe the pattern of land use desired for the region; 2) provide guidance for functional infrastructure planning; and, 3) identify areas within the DP or SCP boundary that might benefit from more detailed planning.

The third tier relates to the specific mechanisms and regulations which implement the two higher tiers. These include the implementing ordinances and regulations (such as the LUO, the Subdivision Rules and Regulations, and the City's Capital Improvement Program), public facilities and infrastructure functional plans, and special area plans that give specific guidance for specific portions of the DP or SCP area.

4.2.1 O'ahu General Plan

The OGP was adopted by the City Council of Honolulu on December 1, 2021, as Resolution No. 21-023, CD1, and signed by the Mayor of Honolulu on January 14, 2022. The OGP is intended to guide the land use and development decisions and to influence actions within 11 Key Areas across the whole of O'ahu. These 11 Key Areas frame the C&C's expression of public policy concerning the needs of the populace and the functions of government. The 11 Key Areas are: 1) Population, 2) Balanced Economy, 3) The Natural Environment and Resource Stewardship, 4) Housing and Communities, 5) Transportation and Utilities, 6) Energy Systems, 7) Physical Development and Urban Design, 8) Public Safety and Community Resilience, 9) Health and Education, 10) Culture and Recreation, and 11) Government Operations and Fiscal Management.

Objectives and policies relating to the 11 Key Areas are provided in the OGP. The Proposed Action's consistency with the relevant objectives and policies of the OGP is discussed below.

4.2.1.1 OGP Key Areas

(I) Population

Discussion: None of the objectives or policies for this Key Area are applicable to the Proposed Action. The Project Area will not impact anticipated population growth or housing demand. The Proposed Action is consistent with this OGP Key Area.

(II) Balanced Economy

(B) To maintain a successful visitor industry that creates living wage employment, enhances quality of life, and actively supports our unique sense of place, natural beauty, Native Hawaiian Culture, and multi-cultural heritage.

Policy 2: Respect and emphasize the value that Native Hawaiian culture, its cultural practitioners, and other established ethnic traditions bring to enrich the visitor experience and appreciation for island heritage, culture, and values.

Policy 3: Guide the development and operation of visitor accommodations and attractions in a manner that avoids unsustainable increases in the cost of providing public services and infrastructure, and that respects existing lifestyles, cultural practices, and natural, cultural, and historic resources.

Discussion: The Proposed Action would result in an enhancement to the State Capitol building's ancillary function as a visitor attraction. The implementation of the Proposed Action would result in a respectful reimagining of the historic State Capitol reflecting pools and would emphasize Native Hawaiian culture and heritage, as well as the multi-cultural heritage of O'ahu, in its design. The Proposed Action is consistent with this OGP Key Area.

(III) Natural Environment and Resource Stewardship

(A) To protect and preserve the natural environment.

Policy 8: Protect plants, birds, and other animals that are unique to the State of Hawai'i and O'ahu, and protect their habitats.

Policy 10: Increase public awareness, appreciation, and protection of O'ahu's land, air, and water resources.

Discussion: An avian survey and avian impacts report was completed by AECOS, Inc., incorporated into this EA as Appendix A, for the Proposed Action to assess the presence of protected species in the project area and surroundings and any impacts. Only one State-listed species, the White Tern (*Gygis alba*) was identified in the study area. Protected Seabirds may overfly the study area or otherwise use the area and could become disoriented by exterior lighting and may collide with man-made structures or the ground. The Proposed Action features exterior architectural lighting elements. All lighting elements are dark-sky compliant (where applicable), point-sourced, and highly controlled, limiting waste light or spill light into the sky. The architectural lighting can be dimmed or turned off during the Seabird fledging period, which runs from September 15 to December 15 each year.

The Proposed Action, as an artistic representation of the ocean, will indirectly increase public awareness, appreciation, and protection of the ocean water surrounding O'ahu.

The Proposed Action is consistent with this OGP Key Area.

(IV) Housing and Communities

Discussion: None of the objectives or policies for this Key Area are applicable to the Proposed Action. The Project Area will not impact housing opportunities or choices and land or housing speculation. The Proposed Action is consistent with this OGP Key Area.

(V) Transportation and Utilities

(B) Provide an adequate supply of water and environmentally sound systems of waste disposal for O'ahu's existing population and for future generations, and support a one water approach that uses and manages freshwater, wastewater, and stormwater resources in an integrated manner.

Policy 5: Pursue strategies and programs to reduce the per capita consumption of water and the per capita production of waste.

Policy 8: Support initiatives that educate the community about the importance of conserving resources and reducing waste streams through reduction, reuse, and recycling.

Discussion: The Capitol reflecting pools are supplied water via on-site wells. The water provided by these wells is brackish, which contributes to the corrosion of the State Capitol building's systems and structure. The Proposed Action would be a waterless design, which would indirectly promote and support initiatives to reduce resource consumption. The Proposed Action is consistent with the OGP Key Area.

(VI) Energy Systems

Discussion: None of the objectives or policies for this Key Area are applicable to the Proposed Action. The Project Area will not impact energy production, supply, or management. The Proposed Action is consistent with this OGP Key Area.

(VII) Physical Development and Urban Design

(A) To coordinate changes in the physical environment of O'ahu to ensure that all new developments are timely, well-designed, and appropriate for the areas in which they will be located.

Policy 10: Discourage uses which are major sources of noise, air, and light pollution.

Policy 13: Promote opportunities for the community to participate meaningfully in planning and development processes, including new forms of communication and social media.

(F) To create and maintain attractive, meaningful, and stimulating environments throughout O'ahu.

Policy 1: Encourage distinctive community identities for both new and existing communities and neighborhoods.

Policy 2: Require the consideration of urban design principles in all development projects.

Policy 7: Design public structures to meet high aesthetic and functional standards and to complement the physical character of the communities they will serve.

Discussion: The Proposed Action includes the modernization of the State Capitol building's architectural lighting. The proposed lighting system is designed to be dark-sky compliant, where applicable, and would be point-sourced and highly controlled. The new lighting system would illuminate important architectural elements, including the State Capitol building columns and underside, legislative chambers, side panels, and reflecting pools. The highly controlled nature of the lighting system would limit light waste and spill light, avoiding or reducing light pollution impacts to the surrounding community and environment. The Proposed Action, by virtue of this EA and subsequent public meetings required for City permit approval, promotes the meaningful participation of the community in the planning process.

The Proposed Action would encourage the distinct identity of the HCSD and urban Honolulu more generally. It would create a unique architectural feature that would enhance the State Capitol building's role within the public, civic, and cultural life of urban Honolulu. Finally, as a project relating to the preeminent public structure in the State, the Proposed Action is cognizant of the high aesthetic and functional standards required for a structure of such importance as the State Capitol building. The

Proposed Action is designed to complement and enhance the physical character of the State Capitol building and the HCSD in a way that also respects its historic integrity. The Proposed Action is consistent with this OGP Key Area.

(VIII) Public Safety and Community Resilience

(A) To prevent and control crime and maintain public order.

Policy 1: Provide a safe environment for residents and visitors on O'ahu.

Discussion: The Proposed Action would involve the creation of a new public space. The redesigned Capitol reflecting pools are anticipated to become a new attraction, bringing visitors and residents alike to see and interact with the State Capitol building. The Proposed Action is designed to create a safe space for visitors, including ADA-compliant ramps and fixtures, a non-slip glass surface, and a well illuminated public space. These features create a safe environment for visitors to the State Capitol building. The Proposed Action is consistent with this OGP Key Area.

(IX) Health and Education

Discussion: The State Capitol Pools public engagement program (Section 2.1.4) includes "broadly accessible community programs and activities that promote and encourage the excellence and diversity of the arts and culture of Hawai'i." These programs would benefit the general public and therefore support the education component of the OGP. The health and wellness component would also be supported by the aforesaid program that seeks to reinvigorate public spaces within the State Capitol building. In summary, the Proposed Action is consistent with this OGP Key Area.

(X) Culture and Recreation

(A) To foster the multiethnic culture of Hawai'i and respect the host culture of the Native Hawaiian people.

Policy 5: Preserve the identities of the historical communities of O'ahu.

(B) To protect, preserve and enhance O'ahu's cultural, historic, architectural, and archaeological resources.

Policy 2: Identify and, to the extent possible, preserve and restore buildings, sites, and areas of social, cultural, historic, architectural, and archaeological significance.

Policy 4: Promote the interpretive and educational use of cultural, historic, architectural, and archaeological sites, buildings, and artifacts.

Policy 5: Seek public and private funds, and encourage public participation and support, to protect, preserve and enhance social, cultural, historic, architectural, and archaeological resources.

(C) To foster the visual and performing arts.

Policy 2: Encourage creative expression and access to the arts by all segments of the population.

Discussion: The Proposed Action proposes significant alterations to the State Capitol building, a historic structure within the historic HCSD. The proposed alterations would preserve the symbolic value and original design intent of the Capitol reflecting pools and preserve the identity of the HCSD as a center of government on O'ahu.

The Proposed Action would remove the water-filled reflecting pools and replace them with a waterless design solution. This replacement would enable for the preservation and restoration of State Capitol building, including by limiting corrosion to the structure of the State Capitol building. However, the

Proposed Action includes the ability to return the pool basins to water-filled features if they become technically and financially feasible to maintain.

The Proposed Action would promote the interpretive and educational use of the State Capitol building as an important social, cultural, historic, and architectural resource to the Hawai'i residents and visitors. The Proposed Action would result in the installation of an interpretive work of art within the basins of the Capitol reflecting pools which will be evocative of the Pacific Ocean, so as to maintain the original design intent and symbolic value of the reflecting pools.

This EA and subsequent permit application will encourage public participation in the Proposed Action. This public participation will drive public support for the protection, preservation, and enhancement of the State Capitol building.

The Proposed Action would encourage access to the arts by all segments of the population. The proposed changes to the Capitol reflecting pools will create a publicly accessible art installation. The Proposed Action is consistent with this OGP Key Area.

(XI) Government Operations and Fiscal Management

Discussion: None of the objectives or policies for this Key Area are applicable to the Proposed Action. The Proposed Action is consistent with this OGP Key Area.

4.2.2 Primary Urban Center Development Plan

The C&C Development Plan (DP) programs provides a relatively detailed framework for the implementation of the OGP objectives and policies for the growth and development of O'ahu at a more regional level. The island is divided into eight regions, each with a DP or a Sustainable Communities Plan (SCP). 'Ewa and the Primary Urban Center both have DPs, as they are both seen as regions where growth (i.e., development) should be promoted. The other six regions, Ko'olaupoko, Ko'olauloa, Central O'ahu, Wai'anae, North Shore, and East Honolulu, are provided SCPs. SCPs differ from DPs in that they envision the regions to be more stable, focusing on modest growth and preserving the rural character of the region.

The Proposed Action lies within the Primary Urban Center Development Plan (PUC DP) area that stretches from Kāhala in the east to Pearl City in the west. The current PUC DP was adopted in 2004 via Ordinance No. 04-14 and is, as of the date of this EA, currently undergoing revisions. Consistency with the PUC DP is assessed based on the 2004 version and may be revised in later versions of this EA, should the new version of the DP be adopted by the City Council. The PUC DP area is critically important to success and growth of O'ahu, as it the heart of Hawai'i's economic, political, and cultural life. Figures 4-1 and 4-2 show the land use classifications for the 2004 PUC DP and the proposed update to the PUC DP, respectively.

The 2004 PUC DP envisions the City of Honolulu in the year 2025, or the City of Honolulu as it is today. It details a city where cultural, natural, and scenic resources are protected and enhanced, where livable neighborhoods are interspersed with business districts, parks, and walkable streets, where there are numerous housing options for all incomes and ages, and with a balanced transportation system. In short, the PUC DP envisions the city as the leading city of the Pacific region.

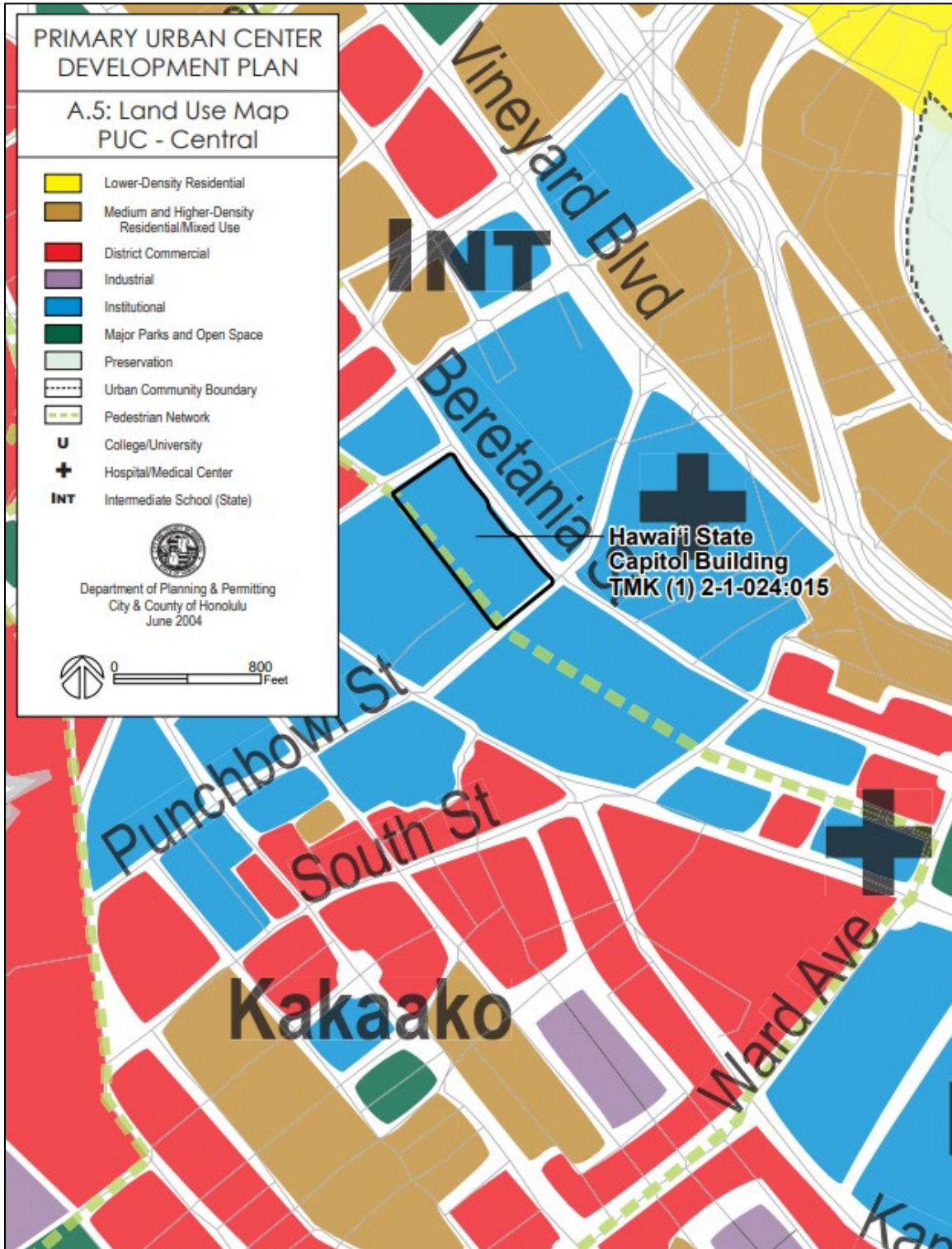


FIGURE 4-1 2004 PUC DP LAND USE MAP

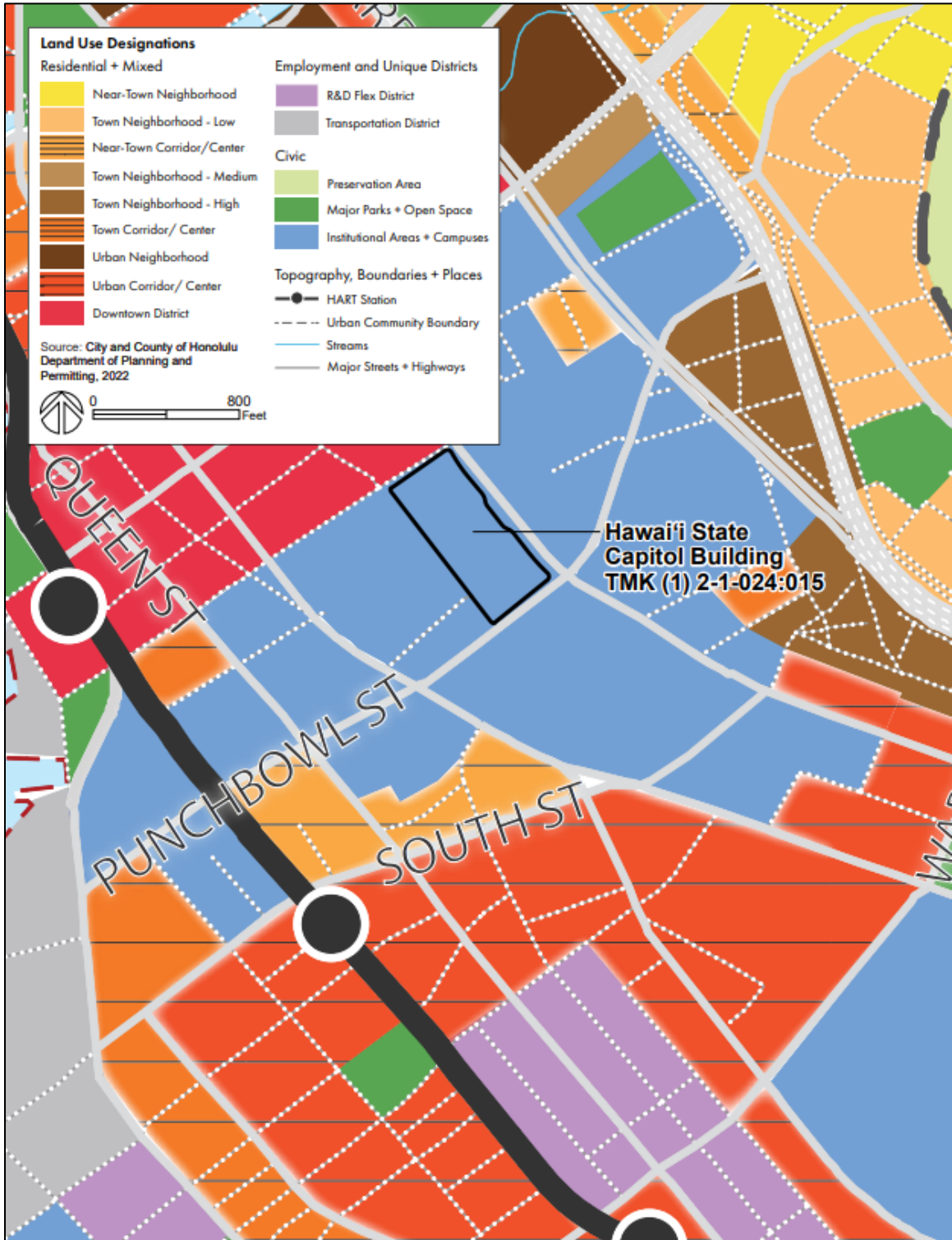


FIGURE 4-2 2024 PROPOSED UPDATE TO THE PUC DP LAND USE MAP

Discussion: The land use map from the 2004 PUC DP is shown in Figure 4-1 and the land use map from the proposed 2024 PUC DP update is shown in Figure 4-2. Both maps show the project area as designated for Institutional uses. The Proposed Act is consistent with this land use designation. The Proposed Action makes no changes the principal use of the State Capitol building for government functions. The Proposed Action would create a public art installation that functions in a manner similar to a public plaza.

The Proposed Action complies with the following policies of the PUC DP:

Section 3.1.2 Land Use and Transportation (Policies)

- Preserve historic and cultural sites.

Section 3.4.2 The Pacific's Leading City (Policies)

- Support attractions that are of interest to both residents and visitors in the Ala Moana/Kaka'ako/Downtown Corridor.
- Provide usable open space.

4.2.3 Land Use Ordinance

The Land Use Ordinance (LUO), Chapter 21, Revised Ordinances of Honolulu (ROH) is the zoning ordinance for the C&C. The LUO regulates land uses in a manner that encourages an orderly development of Honolulu in accordance with the adopted land use policies, including the OGP and the DPs and SCPs. The LUO also implements the various Special Districts across O'ahu, such as the Punchbowl Special District or the Transit-oriented Development Special Districts. These Special Districts include additional land use regulations, development and/or design standards, and certain actions may require additional permitting to proceed. The LUO is administered and enforced by the C&C Department of Planning and Permitting.

4.2.3.1 Zoning

The LUO prescribes permitted uses and development standards for the various zoning districts on O'ahu. The Proposed Action occurs on a parcel within the B-2 Community Business District (see Figure 4-3). The permitted uses are enumerated on LUO Table 21-3, pursuant to LUO § 21-3.110-1(a). The State Capitol building is the seat of government for the State of Hawai'i and is categorized as a "Public Use" under LUO regulations. Public Uses are permitted in all zoning districts, including the B-2 Community Business District. The Proposed Action is subsumed into the Public Use designation and is therefore a permitted use.

Development standards imposed by the LUO include such things as minimum lot area, maximum building area, or height setbacks, among other categories. All structures, unless granted a waiver, zoning adjustment, or variance by the Director of the DPP, are required to comply with the development standards of the zoning district they are located within. The development standards for the B-2 Community Business District are enumerated on LUO Table 21-3.4, pursuant to LUO § 21-3.110-1(b). The Proposed Action fits within the existing footprint of the State Capitol building and does not change the State Capitol building's compliance with B-2 Community Business District development standards.

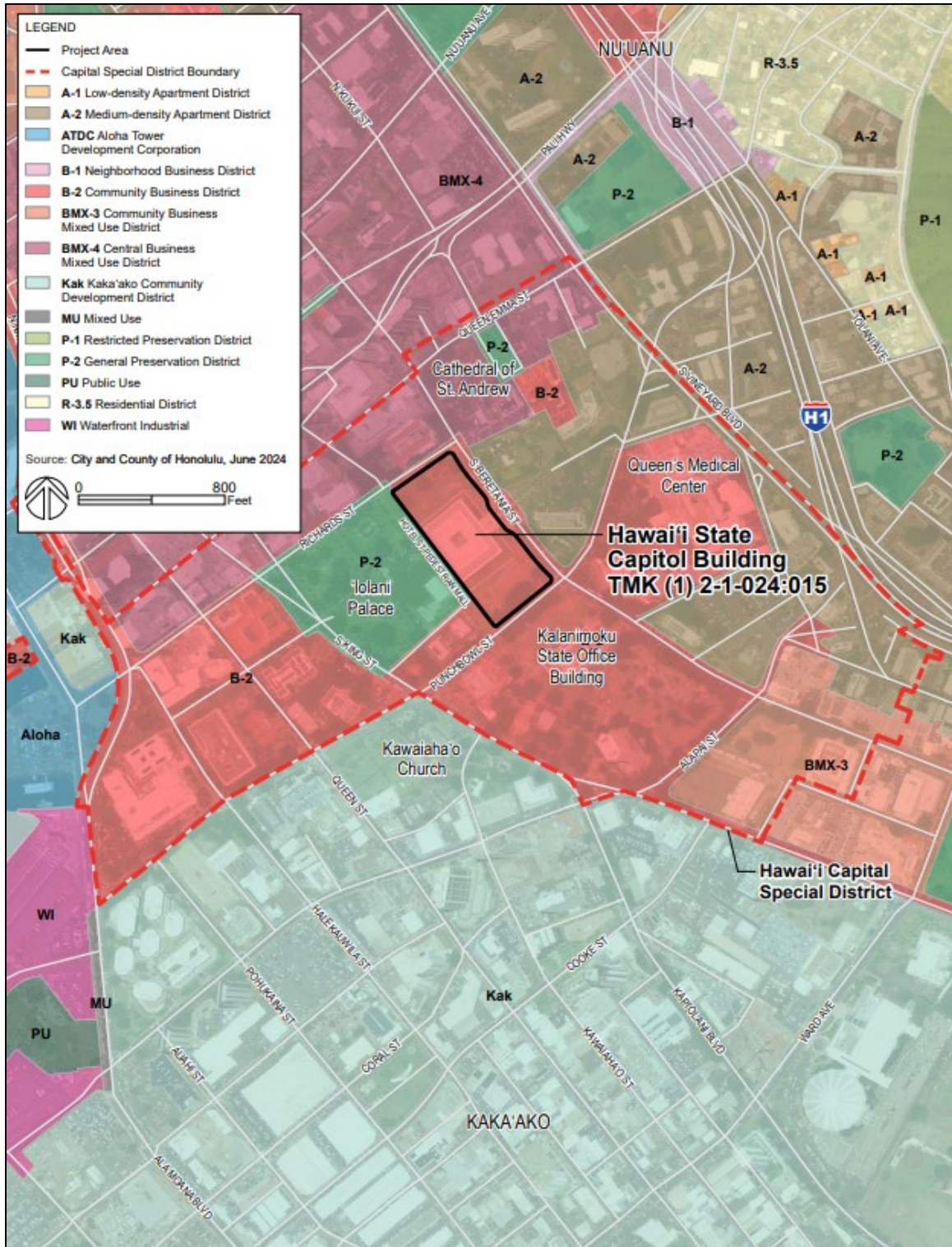


FIGURE 4-3 CITY AND COUNTY ZONING

4.2.3.2 Hawai'i Capital Special District

Article 9 of the LUO provides the regulations relating to the various Special Districts on O'ahu. The purpose of a Special District is to provide a means by which certain areas in the community in need of restoration, preservation, redevelopment or rejuvenation may be designated as Special Districts to guide development to protect and/or enhance the physical and visual aspects of an area for the benefit of the community as a whole. Certain Special Districts may contain design objectives so that new development or renovations to existing developments can be compatible with the rest of the Special District.

The State Capitol building is sited within the Hawai'i Capital Special District (HCSD), which is established by LUO § 21-9.30. This LUO section provides a list of prominent views and historic places, modified development standards, design controls, and additional permitting requirements for certain activities or uses of a property within the HCSD boundary. The boundaries of the HCSD and its precincts are shown on LUO Exhibit 21-9.1. The State Capitol building is fully located within the HCSD, specifically within the Historic Precinct, and it and its grounds are identified as historic and worthy of preservation in LUO § 21-9.30-3(b)(23).

LUO Table 21-9.1 describes project classifications (activities and uses), whether a permit is required for that activity or use, and any special conditions further imposed. LUO Table 21-9.1 identifies "Major modification, alteration, addition or repair to historic structures" as a distinct activity category which requires a Major Special Design District Permit (SDP Major). The State Capitol building is listed as a historic structure within the LUO and the Proposed Action meets the definition of a major alteration to a historic structure. The Proposed Action, therefore, will require SDP Major approval from DPP.

The Proposed Action's general consistency with the objectives and design guidelines of the HCSD is discussed below. A more detailed analysis of this consistency will be addressed in the upcoming application for the SDP Major Permit.

Consistency with LUO § 21-9.30-1, which provides the objectives of the HCSD, is discussed below.

(a) To provide safeguards for the preservation and enhancement of building and landmarks within the HCSD which represent or reflect elements of the state's civic, aesthetic, cultural, social, economic, political, and architectural heritage, and encourage new development which is compatible with and complements those buildings and sites.

Discussion: The Proposed Action would enhance the State Capitol building's standing as an important landmark of the HCSD with respect to the seven heritage areas identified in Objective (a). The Proposed Action would elevate the State Capitol building as a civic and political space, providing new opportunities for the public to express themselves and engage with state legislators and other government officials. The new plazas would provide a new opportunity for the public to gather and have demonstrations.

The Proposed Action would elevate the aesthetic and architectural heritage of the State Capitol building. The Proposed Action honors the original symbolic value of the Capitol reflecting pools as a representation of the Pacific Ocean. The Proposed Action would result in a public work of art that would maintain this symbolic value in a manner that is appropriate for a structure as important as the State Capitol building. The restoration of the lighting element would restore the original architectural vision of the structure and improve its aesthetic quality over its existing, unilluminated condition.

The State Capitol Pools public engagement program (Section 2.1.4) includes "broadly accessible community programs and activities that promote and encourage the excellence and diversity of the arts

and culture of Hawai'i." This effort will bring new civic life to the "peoples house" enhancing the State Capitol building as new civic hub.

The Proposed Action would enhance the representation of the economic heritage of the State Capitol building. The symbolic value of the Capitol reflecting pools as a representation of the Pacific Ocean alludes to the deep relationship between the State and the ocean. Hawai'i's economy is heavily influenced by the Pacific Ocean, whether it be through the state's fishing or tourism industries, history as a trading port, or through the presence of the U.S. Navy in nearby Pearl Harbor. The Proposed Action would result in a new public work of art that would continue to allude to this economic relationship between the State and the ocean.

(b) To preserve and enhance the park-like setting of the HCSD, including its view from the Punchbowl lookout.

Discussion: The Proposed Action would result in the creation of two new plazas on either side of the State Capitol building. These new plazas would provide a new public art and gathering resource for visitors to the State Capitol building, Capitol staff, and members of the public from adjacent neighborhoods. The creation of these new plazas enhances the park-like quality of the HCSD through the provision of the new plazas.

The State Capitol building is visible from the Punchbowl lookout. The Proposed Action would improve the appearance of the structure from this vantage point by removing the existing safety barricades around the pool basins. The most significant improvement to the appearance of the structure from the Punchbowl lookout would be through the restoration of the architectural lighting element. Currently, the State Capitol building is not illuminated. The Proposed Action would restore the lighting element, illuminating the columns, volcanic legislative chambers, and sides of the State Capitol building. As a result, the structure will again become more visible from Punchbowl during evening hours when the lighting is activated (as contemplated in its original design).

LUO § 21-9.30-4(b) provides 10 design guidelines for projects within the HCSD's historic precinct. The design guidelines relating to color and surfacing, texture, and landscape treatment were determined to be most relevant to the Proposed Action are discussed below. A more in-depth analysis of the Proposed Action's consistency with all the design guidelines will be provided in the subsequent SDP Major Permit application.

(4) Color and Surface

(A) Colors and surfaces in the precinct are characterized by being absorptive rather than reflective. The use of shiny metal or reflective surfaces, including paints and smooth or plastic-like surfaces should be avoided. Colors and surfaces which predominate include warm white walls, earth tones, natural colors of stone, coral and cast concrete. Concrete, stone, terra cotta, plaster and wood should be principal finish materials.

(B) If the use of metal surfaces is required, they should be used with black or dark earth-toned matte finishes. Copper and brass may be acceptable metal surfaces. Glass surfaces, where used, should be recessed and clear, or of light earth-toned tints.

Discussion: The Proposed Action would implement painted glass pavers that are treated with a non-slip surface element as the principal construction material. The glass pavers will feature an array of ceramic paint colors to mimic water of varying shades and depths. The treatment of the glass pavers with non-slip nodules will defuse light and mitigate reflectivity. These treatments are intended to give the glass surface a more matte appearance, limiting the reflectivity of the glass surface and mitigating any excess glare. Of note, the vertical elevation of the proposed glass pavers (set at roughly the same elevation of

the existing reflecting pools' previous water surface) is below the perimeter sidewalks and are therefore, not visible from the adjacent public streets and walkways. The Proposed Action does not include vertical glass surfaces or metal surfaces as described in 4(B) above. It also does not include changes to the exterior surfaces of the Capitol building.

(5) Texture

(A) Characteristic textures include those of stucco, tile, concrete, cut coral, cut stone, cast iron, grass and foliage. Development should employ surface qualities which are sympathetic to historic uses of material.

Discussion: The Proposed Action would implement textured concrete techniques for the perimeter walkway elements around the Capitol reflecting pools. The intent of the textured concrete would be to mirror similar walkways and concrete areas within the HCSD. The glass pavers would be textured with an array of glass nubs, which serve a dual function of providing a non-slip surface and diffusing light, giving the glass pavers a more matte appearance. The Proposed Action is consistent with this design guideline.

(10) Landscape Treatment

(A) Large open spaces, lawns and canopy-type shade trees, fountains and sculptures shall be compatible with the grounds of Iolani Palace and the Capitol building.

(B) In small open areas, combinations of ground covers, shrub masses, flowering trees and palms may be used either to introduce rich foliage patterns, for screening purposes, or to provide contrast to large, open lawn areas.

(C) Small-scale landscape features such as courtyards, resting places, entrances and intimate gardens are encouraged and should be compatible with, and secondary to, the larger park-like landscape.

Discussion: The State Capitol building is, in terms of landscaping, largely characterized by its large grassy lawns on its 'Ewa and Diamond Head sides. Trees, including palm trees and monkeypod trees, occur in the far edges of the property, such as along Punchbowl or Richards Streets. Two linear stands of Fijian Fan Palms (*Pritchardia pacifica*) occur in front of the structure of the State Capitol building, between itself and South Beretania Street. Large concrete planters also occur on the premises, including four within the Capitol Rotunda that are planted with kukui trees. The Proposed Action does not include new landscaping.

The Proposed Action would result in the transition of the Capitol reflecting pools from a water-filled body to an artificial glass plaza. For the purposes of zoning, water features such as pools can be considered landscape elements. Therefore, the Proposed Action would result in a reduction in the State Capitol building's contribution to the landscaping of the HCSD. However, the project site remains consistent with the intent of this design guideline.

5 Determination

To determine whether a proposed action may have a significant impact on the environment, the approving agency needs to consider all phases of the action, the expected impacts and the proposed mitigation measures. The agency's review and evaluation of the action would result in a determination that either: 1) the action may have a significant effect on the environment, and issuance of an Environmental Impact Statement Preparation Notice is required; or 2) the action is not likely to have a significant effect and notice of a Finding of No Significant Impact (FONSI) should be issued.

Based on the findings presented in the Draft Environmental Assessment and comments received, the Proposed Action will not result in a significant impact on the environment, and a FONSI determination has been made.

The determination was based on review and analysis of the significance criteria specified in Section 11-200.1-13, HAR. An action shall be determined to have a significant effect on the environment if it meets any of the following criteria.

1. Irrevocably commit a natural, cultural, or historic resource.

The project would not irrevocably commit natural, cultural or historic resources. There are no sensitive natural resources, species, or habitats within the project area and BMPs would be implemented to minimize potential impacts to seabirds that may transit over the site. The Proposed Action would not affect the public's access to the State Capitol for cultural events or practices. The project would result in an adverse effect on historic properties based on replacement of the reflecting pool water with glass pavers. Consultation under HRS 6E will be conducted with SHPD and mitigation commitments acceptable to SHPD will be implemented to mitigate the adverse effects to historic properties. Furthermore, the Proposed Action (installing glass pavers supported by pedestals) would not irrevocably commit a historic resource, as the pavers, and pedestals, and concrete pavement and terraces could be fully removed and water restored to the pool basins in the future.

See Section 3.5 of the EA for further discussion of historic, archaeological, and cultural resources.

2. Curtail the range of beneficial uses of the environment

The Proposed Action will not change land uses at the State Capitol or reduce any beneficial uses of the environment related to natural, cultural, or socio-economic conditions.

3. Conflict with the State's environmental policies or long-term environmental goals established by law.

The Proposed Action does not conflict with the long-term environmental policies, goals and guidelines specified in HRS Chapter 344. The analysis of the individual resource areas presented in this EA demonstrates consistency with the State's policy to conserve natural resources and enhance residents' quality of life. Consistency with the policies and guidelines specified in Chapter 344, HRS is demonstrated in Section 4.1.1.

4. Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and state.

The Proposed Action would not adversely affect economic welfare, social welfare, or cultural practices of the community and state. Installation of the proposed improvements would have a temporary benefit to the State's economy. During the construction and operational period, access to the Capitol rotunda

and adjacent Hotel Street Pedestrian Mall would be maintained, allowing for the continuation of cultural events and practices. The project would have a positive effect on the community's social welfare, as it will reduce overall maintenance of the pool basins, introduce an art installation that represents the many facets of the surrounding Pacific Ocean, and highlight the State Capitol as the "people's house," reminding Hawai'i's citizens of their role in their governance.

5. Have a substantial adverse effect on public health.

The construction and operation of the Proposed Action would not have adverse environmental or health impacts because it would not increase public health risks such as air emissions or hazardous wastes.

6. Involve adverse secondary impacts, such as population changes or effects on public facilities.

The Proposed Action would not result in adverse secondary impacts such as population changes or effects on public facilities. Because it is limited to changing the interior of the reflecting pool basins, the Proposed Action would not cause population change or adverse effects on other public facilities.

7. Involve a substantial degradation of environmental quality.

During construction and operations, the Proposed Action would be conducted in accordance with all applicable environmental rules and regulations. No degradation of environmental quality is anticipated.

8. Be individually limited but cumulatively have substantial adverse effect upon the environment or involves a commitment for larger actions.

As discussed in Section 3.7, the Proposed Action is not expected to result in cumulative adverse effects. It does not involve a commitment for larger action because the project is limited to addressing historical problems with maintaining brackish water in the reflecting pools.

9. Have a substantial adverse effect on a rare, threatened, or endangered species, or its habitat.

The project area is an existing urbanized area that has been previously disturbed for development. There are no rare, threatened, or endangered species or habitats on or near the project area. The Proposed Action would not have a substantial protected species or their habitats because, as described in Section 3.4, BMPs would allow it to avoid or minimize risks to protected species.

10. Have a substantial adverse effect on air or water quality or ambient noise levels.

The Proposed Action would not substantially affect air or water quality or ambient noise levels, as the new glass art installation would be used in a similar manner as the other open areas in and around the State Capitol building. During the construction period, there will be short-term noise impacts on nearby facilities such as the Hawai'i State Library, State Archives, and 'Iolani Palace. However, the construction contractor would comply with applicable Hawai'i Department of Health rules for noise and air emissions. Construction activities will be restricted to the construction hours specified by the Department of Health noise permit. There would be limited ground disturbance during construction; however, the contractor will implement best management practices to minimize excessive dust and air quality impacts.

11. Have a substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a floodplain, tsunami zone, sea level rise exposure area, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.

The Project Area is not in a floodplain, tsunami zone, sea level rise exposure, or erosion prone area.

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

The Proposed Action would not introduce any elements that would impede scenic or important vistas or view planes identified in any county or state plans or studies.

13. Require substantial energy consumption or emit substantial greenhouse gases.

The proposed activities in the Project Area will not require substantial energy consumption or emit substantial greenhouse gases. After completion, the art installation would be passive, not requiring mechanical pumping of water into the pool basins as was needed with the original pool design.

6 References

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7 Agencies and Organizations Consulted

7.1 PRE-ASSESSMENT CONSULTATION

Pre-assessment consultation, as required under HRS Chapter 343, was conducted prior to the initiation of the Environmental Assessment. A pre-assessment consultation letter was sent via email on April 11, 2024 to the government agencies and stakeholders listed below. The letter included a map of the project area, background information about the State Capitol and its historic significance, a description of the need for the project, and a description of the proposed action. Comments were requested by May 13, 2024.

7.2 PARTIES CONSULTED

7.2.1 Pre-Assessment Consultation

Agencies and stakeholders consulted during the preparation of the Draft EA are listed in Table 7-1 (129 agencies and stakeholders). The parties that provided formal responses during the pre-assessment consultation period are identified in the table with a check mark (✓) (11 sets of comments received). Written comments and responses are summarized in Table 7-2. Written comments received by June 18, 2024 are reproduced at the end of this chapter.

Table 7-1 Summary of Pre-Assessment Comments Received

Agency/Stakeholder	Comments Received
Federal	
U.S. Fish and Wildlife Service	✓
U.S. National Park Service - National Register of Historic Places	
State	
Department of Land and Natural Resources - Land Division	✓
DLNR – Division of Forestry and Wildlife	✓
DLNR - SHPD	
Office of Hawaiian Affairs	
Department of Business, Economic Development and Tourism	
Department of Law Enforcement (Sheriff Division)	
Office of Planning and Sustainable Development - Statewide Sustainability	
Department of Accounting and General Services	
Hawaii State Foundation on Culture and the Arts	
Washington Place	
DAGS - Central Services	
City and County of Honolulu	
Department of Planning and Permitting	✓
Oahu Historic Preservation Commission	
Neighborhood Board Commission	
Neighborhood Board No. 13 (Downtown/Chinatown)	

Agency/Stakeholder	Comments Received
Honolulu Police Department	✓
Honolulu Fire Department	
Honolulu Office of Climate Change, Sustainability, and Resiliency	
Mayor's Office of Culture and the Arts	
Elected Officials	
Office of Senator Brian Schatz	
Office of Senator Mazie Hirono	
Office of Representative Jill Tokuda	
Office of Representative Ed Case	
Office of Governor Josh Green	
Office of Lt. Governor Sylvia Luke	
Office of the Speaker of the House of Representatives Scott Saiki	
Office of the President of the Senate Ron Kouchi	
Office of State Senator Karl Rhoads	✓
Representative Micah Aiu	
Representative David Alcos III	
Representative Terez Amato	
Senator Henry J.C. Aquino	
Senator Brenton Awa	
Representative Della Au Belatti	
Senator Stanley Chang	
Representative Cory M. Chun	
Representative Elle Cochran	
Senator Lynn DeCoite	
Senator Donovan M. Dela Cruz	
Senator Brandon J.C. Elefante	
Representative Luke Evslin	
Senator Kurt Fevella	
Senator Carol Fukunaga	
Senator Mike Gabbard	✓
Representative Sonny Ganaden	
Representative Diamond Garcia	
Representative Andrew Takuya Garrett	
Representative Cedric Asuega Gates	
Representative Mark J. Hashem	
Senator Troy N. Hashimoto	
Representative Daniel Holt	
Representative Natalia Hussey-Burdick	
Representative Linda Ichiyama	
Senator Les Ihara, Jr.	
Representative Greggor Ilagan	

Agency/Stakeholder	Comments Received
Senator Lorraine R. Inouye	
Representative Kirstin Kahaloa	
Senator Dru Mamo Kanuha	
Representative Jeanne Kapela	
Senator Jarrett Keohokalole	
Senator Michelle Kidani	
Representative Darius Kila	
Senator Donna Mercado Kim	
Representative Lisa Kitagawa	
Representative Bertrand Kobayashi	
Representative Sam Satoru Kong	
Representative Trish La Chica	
Representative Rachele F. Lamosao	
Senator Chris Lee	
Representative Nicole E. Lowen	
Representative Lisa Marten	
Representative Rose Martinez	
Representative Scot Z. Matayoshi	
Representative Lauren Matsumoto	
Senator Angus L.K. McKelvey	
Representative Tyson K. Miyake	
Representative May Besario Mizuno	
Representative Dee Morikawa	
Senator Sharon Y. Moriwaki	
Representative Nadine K. Nakamura	
Representative Mark M. Nakashima	
Representative Scott Y. Nishimoto	
Representative Richard H.K. Onishi	
Representative Amy A. Perruso	
Representative Elijah Pierick	
Representative Mahina Poepoe	
Representative Sean Quinlan	
Senator Herbert M. Richards III	
Senator Joy A. San Buenaventura	
Representative Jackson D. Sayama	
Senator Maile S.L. Shimabukuro	
Representative Kanani Souza	
Representative Gregg Takayama	
Representative Jenna Takenouchi	
Representative Adrian K. Tam	
Representative David A. Tarnas	
Representative Chris Todd	
Senator Glenn Wakai	

Agency/Stakeholder	Comments Received
Representative Gene Ward	
Representative Justin H. Woodson	
Representative Kyle T. Yamashita	
Office of Mayor Rick Blangiardi	
Office of Councilmember Tyler Dos Santos-Tam	
Office of Mayor Mitch Roth	
Office of Mayor Richard Bissen	
Office of Mayor Derek Kawakami	
Utilities	
Honolulu Board of Water Supply	✓
Hawaiian Electric Company	
Adjacent Properties	
The Cathedral of St. Andrew	
Friends of Iolani Palace	
State Department of Health - Compliance Assistance Office	
Hawaii State Public Library System	
Education	
University of Hawaii at Manoa - School of Architecture	
Non-Governmental Organizations	
American Institute of Architects - Honolulu	✓
American Society of Landscape Architects - Hawaii Chapter	
Association of Hawaiian Civic Clubs	
Conservation Council for Hawaii	
Docomomo/US-HI	✓
Hawaii Architectural Foundation	
Hawaii Audubon Society	
Hawaii Wildlife Center	
Hawaiian Civic Club of Honolulu	
Hawaiian Historical Society	
Historic Hawaii Foundation	✓
Hui Manu-o-Ku	
Pacific Rim Conservation	
Sierra Club - Hawaii	
Washington Place Foundation	

Table 7-2 Pre-Assessment Consultation Comments and Responses

<i>Comment Date</i>	<i>Agency/ Stakeholder</i>	<i>Comment</i>	<i>Response</i>
April 12, 2024	United States Fish and Wildlife Service	Provided instructions for using the IPAC online portal to obtain a list of species that may be affected in the project area and conservation measures that should be included within the EA.	A list of impacted species was generated using the IPAC online portal. Mitigation measures are discussed in <i>Section 3.4.2.2, Preferred Alternative</i> .
April 12, 2024	Hawai'i State Senator Mike Gabbard	Thank you for sharing the pre-assessment consultation material. No further comment.	N/A
June 18, 2024	Hawai'i State Senator Karl Rhoads	Expressed concerns about removing the water feature and provided the Lincoln Memorial Reflecting Pool in Washington, D.C., as an example of a large-scale pool that has overcome similar difficulties. Further, expressed concerns that without the water feature, houseless persons may begin to utilize the space.	Discussion regarding the similarities and differences between the Capitol reflecting pools and other large-scale pools is discussed in <i>Section 1.5, Purpose and Need for the Proposed Action</i> . Discussion regarding security and public safety concerns can be found in <i>Section 3.6.2, Public Safety</i> .
May 14, 2024	State Department of Land and Natural Resources: Engineering Division	The owner of the property is responsible for researching the Flood Hazard Zone designation for the property and confirming project compliance with local flood ordinances where applicable. The applicant should include water demands and infrastructure required to meet project needs in the Draft EA. The applicant must provide water demands and calculation to the Engineering Division so that it can be included in the State Water Projects Plan Update projections.	The project area is located within Flood Zone X. The local flood hazard ordinance is identified as Chapter 21A, Revised Ordinances of Honolulu (ROH). The Proposed Action's compliance with the provisions of Chapter 21A, ROH, is discussed in <i>Section 3.3.1, Flooding, Sea Level Rise, and Drainage</i> . N/A; the Proposed Action would decrease groundwater demand.
May 14, 2024	State Department of Land and Natural Resources: Office of Conservation and Coastal Lands	Not in the State Conservation Land Use District. No additional comments.	N/A

Comment Date	Agency/ Stakeholder	Comment	Response
May 22, 2024	State Department of Land and Natural Resources: Division of Forestry and Wildlife	<p>Notes that artificial lighting can adversely impact seabirds. Recommends shielding all lights if nighttime work is required. Nighttime work should be avoided during the seabird fledging season, from September 15 to December 15. If nighttime work is required during the fledging period, recommends that a qualified biologist be present to monitor and assess risks and impacts to seabirds.</p> <p>Notes that permanent lighting also poses a risk to seabirds and that the lighting should be minimized or eliminated to protect seabird flyways and preserve the night sky.</p> <p>Three state-listed endangered species, the Hawaiian Hoary Bat, Hawaiian Short-eared Owl, and the White Tern, could potentially occur in the project vicinity and makes recommendations to mitigate impacts to these species.</p> <p>Notes that the importing of soils or other plant materials from off O’ahu should be avoided so as to not inadvertently introduce fungi, pathogens, or invasive insects to O’ahu, such as Rapid ‘Ōhi’a Death or Coconut Rhinoceros Beetle.</p> <p>Nonnative predators, such as cats, mongoose, and rat, should be removed from the project area.</p>	<p>The Proposed Action’s relation to protected species and seabirds is discussed in <i>Section 3.4.1.2, Fauna</i>. The Proposed Action’s lighting element and potential impacts to seabirds is discussed in <i>Section 3.4.2.2, Preferred Alternative</i>. and will be dark-sky compliant.</p> <p>No soils or plant materials are proposed to be imported to O’ahu as part of the Proposed Action.</p> <p>Nonnative predator control is not proposed.</p>
May 14, 2024	City and County of Honolulu: Board of Water Supply	Supports the proposal to remove the Capitol reflecting pools with a waterless solution. Notes that the water supply is sufficient for the Proposed Action, but notes that the shut-down of the Hālawa Shaft pumping station may reduce availability of water. A final decision on the availability of water will be assessed during building permit review.	The Proposed Action is not anticipated to require water from BWS potable water sources or its distribution system.
April 24, 2024	City and County of Honolulu: Honolulu Police Department	No comments at this time.	N/A

Comment Date	Agency/ Stakeholder	Comment	Response
May 13, 2024	City and County of Honolulu: Department of Planning and Permitting	Notes that the project area is within the Hawai'i Capital Historic District, a federally-listed historic district. Recommends consultation with the U.S. National Park Service, State Historic Preservation Division, and the O'ahu Historic Preservation Commission. Further notes the project area is within the Hawai'i Capital Special District and that the Draft EA should discuss compliance with the objectives and standards of the Land Use Ordinance, Chapter 21, ROH, § 21-9.30. Indicates that a Major Special District Permit may be required for the Proposed Action.	The Proposed Action's consultation with relevant historic preservation organizations, including those identified in the comment, may be found in <i>Section 3.5.2.2, HRS Chapter 6E Consultation</i> . The Proposed Action's compliance with the standards of the Hawai'i Capital Special District will be discussed in a subsequent application for a Major Special District Permit.
May 13, 2024	Historic Hawai'i Foundation	Expresses concern that the Proposed Action includes a presumption that the replacement of the water element with a waterless solution. Recommends that the Alternatives Analysis be expanded to include: an analysis of alternate repairs considered, attempted, and /or rejected; an alternative to retain the Capitol reflecting pools as a water feature, including engineering analysis of solution to repair the seal of the pools; and, the inclusion of selection criteria that provided the parameters for removing water and replacing it.	An alternatives analysis, which discusses the requested information, is included in <i>Section 2.2, Alternatives Considered</i> .
April 19, 2024	American Institute of Architects, Honolulu Chapter	No comments at this time.	N/A
April 17, 2024	Docomomo Hawai'i	No comments at this time.	N/A

7.2.2 Draft EA Comments

A Draft EA and Anticipated Finding of No Significant Impact (DEA-AFNSI) for the Proposed Action was prepared, and notice published in the August 8, 2024 edition of OPSD ERP's publication, The Environmental Notice. This initiated a 30-day public comment period, which ran from August 8, 2024 to September 9, 2024. During this time, the DEA-AFNSI was available for public viewing and download from the ERP website.

Notification of the DEA-AFNSI, including the ERP's URL link, was mailed via USPS on August 6, 2024 or emailed on August 8, 2024 to the agencies and stakeholders listed in Table 7-3 (129 agencies and stakeholders). Printed copies of the Draft EA were also provided to the Hawai'i State Library (Hawai'i Documents Center) for public viewing. During the Draft EA comment period, comments were received from 11 stakeholders representing government agencies, organizations, and community stakeholders (including four individuals who were not directly notified by USPS or email).

Table 7-4 summarizes the comments received during the Draft EA comment period and corresponding responses (nine substantive comments). Copies of all comment and responses letters are appended at the end of this chapter.

Table 7-3 Summary of Draft EA Comments Received

Agency/Stakeholder Notified of DEA Availability	Comments Received
Federal	
U.S. Fish and Wildlife Service	✓
U.S. National Park Service - National Register of Historic Places	
State	
Department of Land and Natural Resources - Land Division	✓
DLNR – Division of Forestry and Wildlife	
DLNR - SHPD	
Office of Hawaiian Affairs	
Department of Business, Economic Development and Tourism	
Department of Law Enforcement (Sheriff Division)	
Office of Planning and Sustainable Development - Statewide Sustainability	
Department of Accounting and General Services	
Hawaii State Foundation on Culture and the Arts	
Washington Place	
DAGS - Central Services	
City and County of Honolulu	
Department of Planning and Permitting	
Oahu Historic Preservation Commission	
Neighborhood Board Commission	
Neighborhood Board No. 13 (Downtown/Chinatown)	
Honolulu Police Department	✓
Honolulu Fire Department	
Honolulu Office of Climate Change, Sustainability, and Resiliency	
Mayor's Office of Culture and the Arts	

Agency/Stakeholder Notified of DEA Availability	Comments Received
Elected Officials	
Office of Senator Brian Schatz	
Office of Senator Mazie Hirono	
Office of Representative Jill Tokuda	
Office of Representative Ed Case	
Office of Governor Josh Green	
Office of Lt. Governor Sylvia Luke	
Office of the Speaker of the House of Representatives Scott Saiki	
Office of the President of the Senate Ron Kouchi	
Office of State Senator Karl Rhoads	
Representative Micah Aiu	
Representative David Alcos III	
Representative Terez Amato	
Senator Henry J.C. Aquino	
Senator Brenton Awa	
Representative Della Au Belatti	
Senator Stanley Chang	
Representative Cory M. Chun	
Representative Elle Cochran	
Senator Lynn DeCoite	
Senator Cross Makani Crabbe	
Senator Donovan M. Dela Cruz	
Senator Brandon J.C. Elefante	
Representative Luke Evslin	
Senator Kurt Fevella	
Senator Carol Fukunaga	
Senator Mike Gabbard	
Representative Sonny Ganaden	
Representative Diamond Garcia	
Representative Andrew Takuya Garrett	
Representative Cedric Asuega Gates	
Representative Mark J. Hashem	
Senator Troy N. Hashimoto	
Representative Daniel Holt	
Representative Natalia Hussey-Burdick	
Representative Linda Ichiyama	
Senator Les Ihara, Jr.	
Representative Greggor Ilagan	
Senator Lorraine R. Inouye	
Representative Kirstin Kahaloa	
Senator Dru Mamo Kanuha	

Agency/Stakeholder Notified of DEA Availability	Comments Received
Representative Jeanne Kapela	
Senator Jarrett Keohokalole	
Senator Michelle Kidani	
Representative Darius Kila	
Senator Donna Mercado Kim	
Representative Lisa Kitagawa	
Representative Bertrand Kobayashi	
Representative Sam Satoru Kong	
Representative Trish La Chica	
Representative Rachele F. Lamosao	
Senator Chris Lee	
Representative Nicole E. Lowen	
Representative Lisa Marten	
Representative Rose Martinez	
Representative Scot Z. Matayoshi	
Representative Lauren Matsumoto	
Senator Angus L.K. McKelvey	
Representative Tyson K. Miyake	
Representative May Besario Mizuno	
Representative Dee Morikawa	
Senator Sharon Y. Moriwaki	
Representative Nadine K. Nakamura	
Representative Mark M. Nakashima	
Representative Scott Y. Nishimoto	
Representative Richard H.K. Onishi	
Representative Amy A. Perruso	
Representative Elijah Pierick	
Representative Mahina Poepoe	
Representative Sean Quinlan	
Senator Herbert M. Richards III	
Senator Joy A. San Buenaventura	
Representative Jackson D. Sayama	
Representative Kanani Souza	
Representative Gregg Takayama	
Representative Jenna Takenouchi	
Representative Adrian K. Tam	
Representative David A. Tarnas	
Representative Chris Todd	
Senator Glenn Wakai	
Representative Gene Ward	
Representative Justin H. Woodson	
Representative Kyle T. Yamashita	

Agency/Stakeholder Notified of DEA Availability	Comments Received
Office of Mayor Rick Blangiardi	
Office of Councilmember Tyler Dos Santos-Tam	
Office of Mayor Mitch Roth	
Office of Mayor Richard Bissen	
Office of Mayor Derek Kawakami	
Utilities	
Honolulu Board of Water Supply	✓
Hawaiian Electric Company	✓
Adjacent Properties	
The Cathedral of St. Andrew	
Friends of Iolani Palace	
State Department of Health - Compliance Assistance Office	
Hawaii State Public Library System	
Education	
University of Hawaii at Manoa - School of Architecture	✓
Non-Governmental Organizations	
American Institute of Architects - Honolulu	
American Society of Landscape Architects - Hawaii Chapter	
Association of Hawaiian Civic Clubs	
Conservation Council for Hawaii	
Docomomo/US-HI	
Hawai'i Architectural Foundation	
Hawai'i Audubon Society	
Hawai'i Wildlife Center	
Hawaiian Civic Club of Honolulu	
Hawaiian Historical Society	
Historic Hawai'i Foundation	✓
Hui Manu-o-Ku	
Pacific Rim Conservation	
Sierra Club – Hawai'i	
Washington Place Foundation	

Table 7-4 Summary of Draft EA Comments and Responses

<i>Comment Date</i>	<i>Agency/ Stakeholder</i>	<i>Comment ID</i>	<i>Comment</i>	<i>Response</i>
9/10/24 (late)	United States Fish and Wildlife Service	1	Hawaiian seabirds may traverse the project area at night during the breeding, nesting, and fledging seasons (March 1 to December 15). Restoration of the architectural lighting could result in disorientation, fallout, and injury or mortality of seabirds due to the attraction of seabirds to lights. USFWS suggests that to avoid impacts to protected seabirds, the lights used in illuminating the Capitol should not be brighter than existing exterior lights on surrounding buildings, pathways, or streets.	<p>Draft EA Section 3.4.1.2 describes the potential for Hawaiian seabirds to overfly the project area. The project's lighting is being designed with the goal of compliance with dark-sky regulations. As noted in Draft EA Section 3.4.2.2, The computer-controlled lighting system would be able to dim or turn off exterior lighting features if deemed necessary during the seabird fledging season (September 15 to December 15). Therefore, in the opinion of the project's avian biologist, the Draft EA concludes that the Proposed Action is not expected to adversely affect protected fauna species. Section 3.4.2.2 in the Final EA will be revised as follows to clarify:</p> <p>"Because all the <u>new</u> lighting features would be dark-sky compliant in accordance with HRS 201-8.5 (Night sky protection strategy), <u>where applicable</u>, there would be minimal waste or spill light into the sky that could disorient protected seabirds <u>(as noted in Section 3.4.1.2, there is a significant amount of existing light pollution in the surrounding downtown areas that would not be diminished by the proposed Capitol lighting protocols)</u>. The computer-controlled lighting system would be able to dim or turn off <u>or dim</u> exterior lighting features <u>to whatever level is required to protect Hawaiian seabirds</u> if deemed necessary during the seabird fledging season (September 15 to December 15). <u>Employment of the exterior lighting (including the proposed interactive lighting elements directed onto the glass pavers) would be discretionary and would be avoided if deemed a threat to protected bird species.</u> (Note that the original State Capitol building lighting was not designed to be dark-sky compliant and was manually controlled, <u>so the Preferred Alternative would reduce risks to overflying seabirds when compared with the original Capitol lighting.</u>)"</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
9/10/24 (late)	DLNR – Engineering Division and Office of Conservation and Coastal Lands	2	No comments	n/a
8/27/24	Honolulu Police Department	3	No concerns	n/a
8/23/24	Honolulu Board of Water Supply	4	Supports the proposal to replace the Capitol pool water element with a waterless solution. Standard comments on water availability, water conservation, water facility charges, cross-connection control and backflow requirements, construction coordination, and fire protection.	Comments are acknowledged.
8/30/24	HECO	5	No objections, requests continued access to any HECO easements and facilities located on the property for maintenance, should easements or facilities exist.	The following will be added to Sec. 3.1 (Utilities and Infrastructure) in the Final EA: " <u>The Proposed Action would not impact existing electrical easements within the project area.</u> "
9/9/24	Historic Hawai'i Foundation	6	Historic Hawai'i Foundation is deeply concerned about the expansion of the maintenance project into one that significantly changes the character of this iconic design. We consider the statements about the purported benefits to be useful when evaluating alternatives in selecting a preferred solution to the maintenance issue, but in and of themselves, these criteria are not fundamentally the purpose of the project.	<p>HAR 11-200.1 defines "project" as "a discrete, planned undertaking that is site and time specific, has a specific goal or purpose, and has potential impact to the environment." The DEA does not define the proposed action as a "maintenance project." Rather, the action is described as improvements and modifications to the State Capitol building that are needed to resolve persistent issues presented by the reflecting pools (DEA Section 1.2).</p> <p>HAR 11-200.1 does not limit or prescribe the project proponent's definition of its proposed project's goal or purpose. Therefore, DAGS has identified the purpose of the Capitol Pools Improvements project as described in DEA Section 1.5: replacing the pools' waterproofing, converting the pools into a waterless feature, upholding the original intent of the water-filled design, and reinforcing the State Capitol building's role as the "people's house" through access to the pool basin spaces. Creating a publicly accessible space was seen as a collateral community benefit made possible by the decision to reversibly replace the water with a hardened surface, and not the primary driver of the project.</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
				As discussed in DEA Sections 1.5 and 2.2, DAGS has carefully evaluated alternatives, as documented in the EA, and found that a waterless solution that respects the character defining features of the State Capitol is the most reasonable course of action.
		7	We recommend including alternatives that address the maintenance, repair and operations issues, and not to screen out viable alternatives merely because they include water or do not expand event venue space.	<p data-bbox="1291 414 1879 641">See response to Comment 6. The rationale for not considering non-brackish water solutions (i.e., potable water) is described in DEA Section 1.5, page 1-3). Please note that the EA carries a water-filled pool alternative through the environmental analysis (No Action Alternative, described in Section 2.2.6). However, this alternative fails to meet the project's purpose, need, and several screening factors and is not being pursued.</p> <p data-bbox="1291 673 1879 1396">Furthermore, the EA discusses, in some detail, the reasons why water-based solutions are not being pursued as a long-term solution to the chronic maintenance problems associated with water-filled pools (DEA Sections 2.2.4 and 2.2.5). To clarify the rationale, Section 2.2.4 will be revised as follows in the Final EA: "This alternative would maintain the design and symbolic intent of the Capitol reflecting pools (Screening Factor A). However, even at a reduced scale, water-filled pools will likely continue to present major maintenance issues (failing to meet Screening Factor C). The continued use of the pools as water-filled basins would need to utilize the supply of brackish water from the on-site wells. This will inevitably contribute to corrosion of the State Capitol building's structural, mechanical, and electrical systems, <u>including the structure's columns, rebar, waterproofing, and other building elements</u> (failing to meet Screening Factor C). <u>As a result, future leakage into the occupied spaces below the pools could be expected at some point in the future, resulting in the same chronic maintenance issues experienced over the State Capitol building's >50-year history.</u> This alternative would also require substantial water use due to evaporation (failing to meet project objectives). <u>Continued use of the brackish water well would deplete precious groundwater resources and the use of non-brackish (potable) water would be</u></p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
				<p>contrary to current BWS guidance encouraging the <u>reduction of water consumption.</u>"</p> <p>The following will be added to Section 2.2.5 in the Final EA: <u>"Continued use of the brackish water well would deplete precious groundwater resources and the use of non-brackish (potable) water would be contrary to current BWS guidance encouraging the reduction of water consumption. Future leakage into the occupied spaces below the pools could be expected at some point in the future, resulting in the same chronic maintenance issues experienced over the State Capitol building's >50-year history. Algae growth in the pools would also be expected under this alternative, requiring ongoing labor-intensive maintenance, and contributing to odors and unpleasant appearance— detracting from the pools' intended symbolism."</u></p> <p>Please note that the potential for public access to the pool basins that would result from the project is not a primary goal, but is considered a secondary benefit.</p>
		8	<p>Significant changes and additions to the architectural character, beauty and symbolism of the Capitol building and grounds are far beyond the scope of a maintenance project and merit serious discussion and public input.</p>	<p>See response to Comment 6 regarding the project's purpose (i.e., not a "maintenance" project).</p> <p>Public participation has been ongoing through the project's DEA pre-assessment consultation process and DEA public review periods (DEA Chapter 7). In addition, an Art Advisory Committee was formed by SFCA that included members of various subject matter groups to address the pools' symbolism. SHPD has been informally consulted along the way and there has been regular public news media coverage.</p>
		9	<p>Historic Hawai'i Foundation finds that several of the proposed project components would cause irreversible alterations to the character-defining features of the historic property and would cause a significant impact to the environment.</p>	<p>The proposed improvements that would replace water in the pools (i.e., supporting pedestals, glass pavers, concrete pavement and terraces) would be reversible, similar to the situation at The Capitol Modern pool. Please note that the project owner is coordinating project design with SHPD, who has been briefed at several points in the design development process.</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
				The following description will be added to Section 2.1.3 in the Final EA to clarify the reversibility of the relevant components: <u>"The proposed improvements that would replace water in the pool basins are designed to be fully reversible and removable (e.g., glass pavers, supporting pedestals, rigid insulation, and concrete terraces). No project components would permanently alter the existing State Capitol building structure. For example, the proposed concrete terrace would be separated from the existing building structural elements by a removable vertical wall and rigid insulation elevated above the waterproofing on the pool basin."</u>
10			HHF finds that the reduction of the scale of the water representation to be an irreversible effect to the character-defining pools feature.	See response to Comment 9; the reduction in pool scale represented by the proposed concrete terrace is reversible, as the components are fully reversible/removable.
11			B. Creation of New Pedestrian-Friendly Venues. The project proposes to add new venues, including hardscape and pathways. The purpose and need for this expanded publicly accessible outdoor space is neither explained or justified.	See responses to Comments 6 and 7.
12			HHF considers the conversion of a passive water feature into a waterless hardscape activity venue to be an irreversible effect to the character-defining feature.	See response to Comment 9; the hardscape features are fully reversible/removable. Activities or public events that may occur on the new glass surface would require approval by DAGS Comptroller and could be disapproved or discontinued as appropriate.
13			It is unclear if the pavers are free-standing or will be supported by a bracketing system.	DEA Section 2.1.3 describes how the glass pavers would be supported (i.e., by a grid of pedestals).
14			It is unclear if the visual effect will be one of a painted floor or if it will credibly imitate the look and feel of water.	The reflecting pools were intended to represent the ocean. Just as the concrete columns represent coconut trees and the water was a literal representation of the ocean, the glass pavers would abstractly represent the ocean. To clarify, the following will be added to Section 2.1.2 of the Final EA: <u>"Glass embodies many of water's qualities, especially in terms of transparency and reflectivity, and has the ability to permanently affix artwork representing the many colors and tones observed in the ocean waters</u>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
				<p><u>surrounding the Hawaiian Islands. Although a different medium than the original water, the glass pavers, through reflection and the artwork installed, would abstractly represent ocean water through its resulting visual effect."</u></p>
		15	<p>The assertion of "mature technology" needs greater explanation and justification, including examples of similar installations using the paver size and support technology.</p>	<p>The glass pool at the No. 1 Capitol District Building (Hawaii State Art Museum) is a good example of successfully using a glass paver in a similar reversible encapsulation project. Glass has been used throughout history. In the proposed action, glass would serve as the substrate with artwork printed and embedded into it. The Capitol Modern's example (completed in 2012) provides a relevant example, as its components are similar (glass pavers supported by a grid of pedestals), it is in close proximity to the State Capitol and subject to similar environmental conditions, and is open to the public walking on the installation.</p>
				<p>The 1st paragraph, 2nd sentence of Section 2.1.3 will be revised as follows to clarify this point: "For example, the installation at Honolulu's Capitol Modern (replacing swimming pool water with a laminated glass surface) has been in place <u>for several years since 2012 and provides confidence in the proposed technology and use.</u> Furthermore, the specific glass technology proposed for this project is undergoing rigorous testing to ensure durability and quality (DAGS would maintain backup tiles for quick replacement should unanticipated damage occur)."</p>
		16	<p>HHF is aware of several examples of unique glass paving installations which have failed and are now either covered up (Campo Volantin Footbridge in Bilbao, Spain) or replaced (Santiago Calatrava's Ponte della Costituzione Bridge in Venice, Italy) due to safety concerns.</p>	<p>As noted in the response to Comment 15, the most relevant glass paving example is the waterless pool at the Capitol Modern--located across Richards Street from the project site--which has similar multi-layer glass art pavers installed over a former water-filled pool basin, which are regularly walked on by numerous people. The examples mentioned in the comment are impossible to compare with the Proposed Action due to lack of information provided on materials, intended usage, cause of failure, etc. Please note that the glass technology proposed for the State Capitol pools is undergoing rigorous laboratory and real world testing to ensure it will withstand expected conditions.</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
		17	HHF considers the conversion of the water feature to a glass surface to be an irreversible effect to the character-defining feature.	See response to Comment 9; the proposed improvements are reversible.
		18	HHF considers the potential damage to the mauka and makai entrance plazas to be an irreversible effect to a character-defining feature.	See response to Comment 9; the proposed improvements are reversible.
		19	We are also deeply concerned that this project component is contrary to the assertion that the proposed action is a “waterless” feature, since extensive engineering is needed to address draining, including the gutter and outflow drains, trenching, pipes and back flow preventer equipment	The proposed drainage improvements are intended to address existing stormwater drainage issues and compliance with current regulatory requirements. They involve relatively minor changes to the State Capitol's existing storm drainage system.
		20	It is reasonable to anticipate standing water in the basin, which will need to be sloped to flow to the newly installed drains, then to newly installed pipes, and then to the municipal storm drainage system to flow to the newly installed drains, then to newly installed pipes, and then to the municipal storm drainage system.	As noted in DEA Section 2.1.3 (page 2-4), the glass paver-on-pedestal configuration would enable stormwater to pass through narrow gaps between the pavers. In other words, glass paver joints will allow rain water to pass through to the waterproofed basin below which will be plumbed to drain the municipal stormwater system; the glass paver system surface will not need to be sloped.
		21	It is unclear how algae and condensation will be address, if regular cleaning is needed and where access points will occur (do the pavers lift up or are they fixed in place?), and if the so-called “waterless” solution is actually easier to maintain than the pools would be were an improved circulation system installed.	The area under the glass pavers will vent air and moisture. The glass paver installation at the No.1 Capitol District Building (Capitol Modern) serves as a relevant example: the algae growth after 12 years poses no impact on the installation or public enjoyment of the space. A comparable situation can be expected with the proposed State Capitol glass paver installation due to similar technology and environments. If the area below the glass requires cleaning, the pavers could be lifted and the pool basin surface washed or vacuumed. The public embarrassment of the smell and the unattractive “algae moat” that previously characterized the water-filled pools would not be an issue with the art glass pool. Maintenance would consist of occasional surface cleaning. The Capitol Modern pool is generally maintenance-free, with minimal algae growth below the

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
				<p>glass pavers and no offensive odors. Experience with both the State Capitol water-filled pools and the Capitol Modern glass "water" pools indicates that the proposed action is expected to require much less manpower-intensive maintenance than water-filled pools.</p> <p>Section 2.1.3 will be revised to include the following in the Final EA: "<u>Maintenance would consist of occasional surface cleaning, similar to the glass paver installation at the Capitol Modern waterless pool. Algae growth under the pavers is expected to be minimal. If needed, the pavers could be lifted and the underlying basin cleaned (compared with substantial annual maintenance cost associated with maintaining the brackish pools).</u>"</p>
		22	<p>HHF is concerned that an existing drainage system has been abandoned. We question why a replacement system, with associated detrimental impact to the site, is proposed rather than to repair the original system and connections to the City's storm drainage system.</p>	<p>The current reflecting pool drainage system supports pool water overflow (at top of pool basin) and recirculation. The original overflow and recirculation drains for the former water-filled pools have long been abandoned; if basins needed dewatering when they were filled, the water in the pools would be pumped out. The improvements will address stormwater passing through the glass paver joints, with the stormwater ultimately being discharged via new connections into the City's storm drainage system.</p> <p>To clarify, the following revision will be made to Section 2.1.3 in the Final EA (in the discussion of stormwater drainage improvements): "<u>The current reflecting pool drainage system supports pool water overflow only (the originally designed pool recirculation drains have long since failed and have been abandoned). New pool basin drains and piping would be installed to drain stormwater runoff from the suspended glass paver surface above (runoff would flow between the paver joints to the underlying basins). These drainage improvements would drain rainfall from New stormwater drain lines and appurtenances would be installed to connect the pool's basin drainage pipes to the municipal storm drain system.</u>"</p>
		23	<p>HHF has additional questions regarding the possible reworking of the original circulation</p>	<p>See response to Comment 5. The rationale for not considering non-brackish water solutions (i.e., potable</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
			system, converted to potable water could not be reworked in a manner to address the maintenance issues without imposing new detrimental effects.	water) is described in DEA Section 1.5, page 1-3). The referenced DEA section also describes the significant volume of water estimated as lost to evaporation each day, whether potable or non-potable.
		24	HHF is deeply concerned that the changes to the character-defining features and symbolism of the Capitol building and grounds is presenting a myriad of additional logistical and cost issues.	<p>1. As a public facility, the State Capitol is designed for public events. Any additional programming relating to the pools as an event space would be addressed and managed by the SFCA.</p> <p>2. Operational costs of maintaining the pools and managing public events are very different. The public benefit of engaging people in the space will far surpass any expense difference from any attempt to maintain the pools.</p> <p>3. Water-filled pools would likely have higher lifecycle costs than the proposed glass paver installation and management due to their expected daily, labor-intensive maintenance. Events are periodically held on the State Capitol grounds and it is unlikely that holding any events (likely with fewer attendees) on the glass pavers would be significantly more costly than if they were held on the lawn areas surrounding the Capitol.</p>
		25	The primary role of the Capitol building is the housing of the legislature, the executive administration and required support functions. The design is intended to display the openness of these governmental functions. The addition of event spaces, while open to the public, are not an essential component of this "House of the People".	<p>The Draft EA does not describe the addition of event spaces as "an "essential component" of the "people's house," but rather states that the project, indirectly, will reinforce and reinvigorate that function. The State Capitol building also serves as a public space for public events and rallies related to Hawaii's governance. The State Capitol Rotunda is routinely used for public and civic events. Utilizing the proposed glass surface as public event space is an added benefit provided by the new surface; it is not likely to detract from the other roles served by the building or diminish the display of the openness of those governmental functions. See also the response to Comment 6.</p> <p>The following will be added to Section 2.1.4 in the Final EA (discussion of the public engagement program): "<u>As an important civic space related to the Capitol's function and purpose, events would be limited to those with cultural, educational, and historic value, subject to approval by the DAGS Comptroller.</u>"</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
		26	HHF is concerned that the conversion of the reflecting pools to event venues introduces safety measures that further alter the character-defining feature of the symbolic water feature (e.g., ADA ramps & handrails, safety railing along Hotel Street frontage).	The proposed ADA ramp handrails and safety railing along the Hotel Street frontage would be removable and reversible, and not permanently alter the character-defining water feature. Safety railings/fencing around the pools' perimeter would be needed to protect public safety if water were added back into the pools; these safety features may be more extensive than what is being proposed. ADA access is an important feature in public facilities and SHPD has encouraged its inclusion in the project design.
		27	<p>With the current design, physical access to the Chamber's columns and walls is limited with a standoff distance due to the presence of the pools; unauthorized personnel do not have access to the building systems or walls.</p> <ul style="list-style-type: none"> The passive protection to the building provides a deterrence to vandalism. If the pools are removed and anyone can walk up to the building walls, we anticipate issues related to vandalism or graffiti. With the current design, the only points of access to the physical building are the mauka and makai entry walks. Best practices for anti-terrorism and force protection emphasize standoff distances, limiting both contact via vehicle and pedestrians to vulnerable locations. Allowing unfettered reach to the exterior of the Chamber walls and under the overhanging lanai areas is contrary to security standards. 	<p>According to the State Capitol's management agency, the water-filled pools did not prevent vandalism or access to the building's walls, as unauthorized individuals regularly walked in the pools and trash was frequently thrown into the pools.</p> <p>Shallow reflecting pools are not considered antiterrorism features for force protection; they would not serve as a protective moat. Standard antiterrorism guidance addresses building materials, standoff distances to a controlled physical perimeter with intervening clear zones, building equipment, parking locations (including underground), potential for concealment, etc. The presence or absence of water in the pool basins would not substantively change the State Capitol building's risk of vandalism or terrorism, because accessibility to the structure by individuals on foot or in vehicles would be essentially the same in both scenarios.</p> <p>It is likely that, with greater public interest and activity in the area, the Capitol may experience a higher level of safety. The addition of private security has reduced vandalism overall in the Civic Center in the post-COVID era.</p> <p>The discussion of public safety impacts in Section 3.6.3 will be revised as follows: "With respect to public safety, the Proposed Action may have an insignificant or negligible adverse effect. The Proposed Action would transform the State Capitol building into a more prominent attraction for Hawai'i's residents and visitors. This could potentially result</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
				<p>in the Proposed Action becoming an attractive nuisance. <u>However, the replacement of water in the pools with a glass art installation would not substantively change the State Capitol building's risk of vandalism or terrorism, because accessibility to the structure by individuals on foot or in vehicles would be essentially the same in both scenarios. When they were previously filled with water, the pools did not prevent vandalism or access to the building's walls, as unauthorized individuals regularly walked in the pools and trash was frequently thrown into the pools.</u></p>
				<p>Ongoing passive and active security measures, such as surveillance cameras, lighting, and patrolling security personnel would continue to be implemented and expanded as needed. Community activities are planned to be facilitated by the State Foundation on Culture and the Arts (SFCA) to help “activate” the new plazas which would mitigate potential on attractive nuisance effects. <u>It is likely that, with greater public interest and access to the pool basins—resulting in more “eyes on the street” that deter loitering—the Capitol may experience a higher level of safety.</u> As described in Section 2.1.4, organized programs and events are anticipated to be held multiple times a month, managed by SFCA and selected community partners. These regularly structured events would foster the sense of community ownership of the new plazas, reducing the potential for attractive nuisances to occur. Coupled with Capitol building security and HPD presence, the Proposed Action would have no significant effect on public safety.”</p>
		28	<p>The comparison of a close match to the proposed glass support system is not explained or demonstrated. Additional information is needed to assess how closely the proposed system imitates water.</p>	<p>See response to Comment 15; the Capitol Modern waterless pool is the best and closest example of an existing, successful laminated glass paver-on-pedestal installation.</p>
				<p>See response to Comment 14; the resulting visual effect would abstractly represent the ocean.</p>
		29	<p>Therefore, it is inexplicable and unwarranted to have an Anticipated Finding of No Significant Impact (AFONSI); the effect is both significant and permanent, and the</p>	<p>See response to Comment 9. The proposed improvements would be reversible, including the new concrete pavement and terraces; therefore, the Proposed Action would not “irrevocably commit a natural, cultural, or historic resource”</p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
			<p>resource affected is unique and highly significant.</p> <p>HHF objects to the proposed finding and thinks it cannot be sustained under the statute and criteria.</p>	<p>and would result in less than significant impacts to historic properties. The DEA states that the Proposed Action would result in an "effect, with proposed mitigation commitments" on historic properties. DAGS has been informally consulting with SHPD throughout the project development and design process and will consult with SHPD under HRS 6E. Appropriate mitigation will be developed in consultation with SHPD during HRS 6E consultation and implemented by the project proponent.</p> <p>To clarify these points, the following will be added to Section 3.5.2.2 of the Final EA (Architectural Resources): <u>"The proposed concrete pavement and terraces that would reduce the pool basin surface area would be fully reversible/removable. No project components would permanently alter the existing State Capitol building structure."</u></p> <p>The following paragraph in Section 3.5.2.2 (HRS Chapter 6E Consultation) will be revised in the Final EA as follows: <u>"The proposed mitigation to offset the adverse effect on historic properties is to install a waterless representation of water within the Capitol reflecting pools, with In addition to maintaining the ability for the water-filled pools to be restored in the future if it becomes technically and financially feasible, mitigation measures will be developed in coordination with SHPD during the HRS 6E consultation process (i.e., the Proposed Action). SHPD's concurrence on the appropriateness of this mitigation commitment will be determined in consultation with SHPD. With the implementation of agreed-upon mitigation measures, the Proposed Action would have less than significant impacts on historic properties."</u></p> <p>Chapter 5 Anticipated Determination, Criterion 1 will be revised in the Final EA as follows: "Furthermore, the Proposed Action (installing glass pavers supported by pedestals) would not irrevocably commit a historic resource, as the pavers, and pedestals, <u>and concrete pavement and</u></p>

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
8/8/24	William Chapman/ University of Hawai'i School of Architecture	30	Expresses understanding of the difficulty in maintaining the Capitol Reflecting Pools, however notes that the conversion will alter the historic character of the State Capitol through the introduction of a new design element. Points to the Lincoln Center and its fountain as an example of a structure from a similar era and style that manages to maintain its water feature. Notes that the glass surface will result in a "very hot and stark environment" that would compromise the historic nature of the structure.	<p>terraces could be fully removed and water restored to the pool basins in the future."</p> <p>Draft EA Section 3.5.2.2 acknowledges that the Proposed Action would have adverse effects on architectural elements of the historic structure. Draft EA Section 1.5 includes a detailed discussion why--despite taking many approaches to addressing chronic maintenance problems--the project proponent is pursuing a waterless solution. Comparing other reflecting pools from a similar era is unlikely to add value to the decision-making process, as the State Capitol has unique features that have presented maintenance challenges over several decades (e.g., brackish water source, occupied spaces below, large surface area). In addition, DAGS's maintenance, engineering, and design teams have many decades of actual experience in considering and attempting solutions to address these specific pools' many maintenance problems (see Draft EA Section 1.5). Please note that the proposed improvements are designed to be fully reversible in the event a water feature can be reasonably restored and maintained in the future (see response to Comment 9).</p> <p>It is acknowledged that sections of the pool basins are exposed to direct sunlight during the daytime. However, please note that much of the area is fully shaded during those same hours (e.g., under the roofline and on the sides of the building opposite the sun's direction).</p>
8/8/24	John (first name only)	31	Opposes project and expresses concern over project cost, maintenance (mildew and crack repairs). Suggests turning the facility into a grass and garden area.	The Draft EA addresses alternatives such as those listed in the comment (Draft EA Sections 2.2.3.1 and 2.2.3.2). See response to Comment 21 regarding maintenance. Individual pavers can be replaced when needed; they are also being rigorously tested to ensure endurance.

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
8/9/24		32	Suggests transforming into a garden or nature area that could be utilized as a memorial to the 2023 Maui Wildfires. Also objects to SHPD being the sole authority on what is best for the future of the people and sustainability of the area.	The Draft EA addresses alternatives such as those listed in the comment (Draft EA Sections 2.2.3.1 and 2.2.3.2). Please note that memorials require approval by the State Legislature and are generally inconsistent with the intent of the Capitol District. Note that the proposed glass artwork design was transported to Maui for residents to participate. The artwork is intended to represent the ocean surrounding the entire Hawaiian Island chain, and not limited to a specific location. The objection to SHPD's role is outside the scope of this EA.
8/20/24	Tom Cook	33	Expresses support of the Proposed Action. Suggests limiting the architectural lighting element to the colors the US. or State of Hawai'i flags.	Colors used in the restored lighting systems would need approval by DAGS Comptroller. This issue is outside the scope of this EA.
9/4/24	Hale Takazawa	34	Objects to Proposed Action and suggests an ecological restoration approach using the brackish water source previously used to fill the pools. Suggests creating wetlands representing traditional Hawaiian water management practices and incorporating wastewater treatment systems—using the site for workforce development and educational opportunities.	While the suggestions are laudable and intriguing ideas, the project objectives preclude transformation of the pools into vegetated areas, as they would be inconsistent with the character-defining features of the historic property and the symbolic intent of the pools (see DEA Section 1.6). Pumping brackish water from the onsite well source (which is pumped water, not emerging from a spring) and introducing wetland vegetation are inconsistent with the project objectives, as the brackish water would again cause deterioration to the building's structural elements and circulation systems, and damage to occupied spaces below. The comment implies that wetlands or biofiltration would reduce maintenance burdens of water-filled pools. The comment does not demonstrate how wetlands/biofiltration would prevent the persistent algae growth associated with brackish water in the pools or reduce maintenance efforts. It is more likely that introducing the suggested new systems within the pools (e.g., wastewater handling, plants, other wetland components) would greatly increase efforts needed by Capitol maintenance staff. The Proposed Action balances the conservation of resources with respect for the original design intent of the historic property. We encourage the pursuit of the valuable ideas in the comment at a more appropriate site/facility.

Comment Date	Agency/ Stakeholder	Comment ID	Comment	Response
9/9/24	Willa Trimble	35	Objects to a waterless solution and proposes restoring the brackish water springs.	The rationale for the Proposed Action is well documented in the DEA (see DEA Sections 1.5 and 1.6). Please note that the water source is a well (originally three wells) from which brackish water was pumped; it is not a spring, as indicated in the comment. The project proponent maintains that conserving precious groundwater resources while introducing an art glass installation that represents the many facets of the Pacific Ocean balances important values of our State (i.e., environmental stewardship and historic preservation). As described in DEA Section 1.5 and shown in Figure 1-2, the problems associated with using brackish water in the pools (e.g., persistent algae growth, odors, leaks, unsightly water appearance) poorly represented the magnificent Pacific Ocean. Returning brackish water to the pools would reintroduce the same problems. The Proposed Action would resolve those problems and also retain the ability to restore water back into the pools if it becomes feasible and manageable in the future (see Section 2.1.3).

Pre-Assessment Consultation Comments

Geoffry Spangler

From: Browning, Joy <joy_browning@fws.gov>
Sent: Friday, April 12, 2024 11:07
To: comments@hhf.com
Subject: Draft EA Pre-Assessment Consultation Hawai'i Capitol Pools Improvement Project
Attachments: IPaC Info Letter_Species List Instructions_PIFWO_20Apr2022_Final.pdf

[This message was sent from an outside source.]

Dear Mr. Spangler,

Our office received your letter requesting the US Fish and Wildlife Service's input on the proposed Hawai'i Capitol Pools Improvement Project on O'ahu. Below are instructions for the IPaC online portal to obtain a list of species that may be affected in the project location and conservation measures which should be included in the EA.

The Pacific Island Fish and Wildlife Office (PIFWO) is transitioning to the use of the Information for Planning and Consultation (IPaC) online portal, <https://ipac.ecosphere.fws.gov/>, for federal action agencies and non-federal agencies or individuals to obtain official species lists, including threatened and endangered species and designated critical habitat in your project area. Using IPaC expedites the process for species list distribution and takes minimal time. Therefore, the IPaC list would fulfill your request for a species list. Please find step by step instructions attached to use IPaC for future projects, and feel free to share with additional project partners.

For recommended avoidance and minimization measures, you can visit the following webpage <https://www.fws.gov/office/pacific-islands-fish-and-wildlife/library>

Aloha,

Joy Hiromasa Browning

Fish and Wildlife Biologist
Pacific Islands Fish and Wildlife Office
U.S. Fish and Wildlife Service
300 Ala Moana Blvd., Rm 3-122
Honolulu, Hawaii 96850

Telephone: (808) 210-6137
Email: joy_browning@fws.gov





United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

Subject: IPaC generated official species list for the Pacific Islands Fish and Wildlife Office

Dear Action Agency or Applicant:

The Pacific Islands Fish and Wildlife Office (PIFWO) is transitioning to the Information for Planning and Consultation (IPaC) online portal, <https://ipac.ecosphere.fws.gov/> for federal action agencies and non-federal agencies or individuals to obtain official species lists, including threatened and endangered species, designated critical habitat, and avoidance and minimization measures to consider in your general project design. IPaC has been used by continental USFWS offices to provide official species lists and avoidance and minimization guidance since 2017. Using IPaC expedites the process for species list distribution. Obtaining a species list in IPaC is relatively straightforward and takes minimal time to complete. Step by step instructions are included below.

Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of your species list should be verified after 90 days. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change the species list. Verification can be completed by visiting the IPaC website at regular intervals during project planning and implementation. An updated list may be requested through the IPaC system by completing the same process used to obtain the initial species list.

We hope this process provides efficiencies to our partners in obtaining a species list. For federal action agencies, it also opens additional IPaC functionality that the PIFWO office is still working on, such as the use of Determination Keys for informal section 7 programmatic consultations. We will let our agency partners know when that functionality becomes available.

If you have questions about a species list obtained through the IPaC system or need assistance in completing an IPaC species list request, please contact the Service at 808-792-9400 or via email at pifwo_admin@fws.gov. We appreciate your efforts to conserve listed species across the Pacific Islands.

INTERIOR REGION 9
COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

*PARTIAL

INTERIOR REGION 12
PACIFIC ISLANDS


AMERICAN SĀMOA, GUAM, HAWAI'I, NORTHERN
MARIANA ISLANDS

Instructions for Action Agencies and partners to obtain an official species list in IPaC

- Navigate to <https://ipac.ecosphere.fws.gov/>
- You can get an unofficial species list without logging in. However, if you want an official species list you will need to log in first using your Login.gov account. If you don't have an IPaC account, they are easy to create.

Log in ×

LOGIN.GOV LOGIN
You can use your Login.gov profile as your IPaC account. You will need to allow IPaC to read your [basic profile information](#).

LOG IN WITH  LOGIN.GOV

IPAC LOGIN
> [Why do I need an IPaC account?](#)

Select Log in with Login.gov and sign in using your email and password.

Email address

Password Show password

Sign in

[Create an account](#)

[Sign in with your government employee ID](#)

If you have a PIV or CAC card, you can sign in using that method as well.

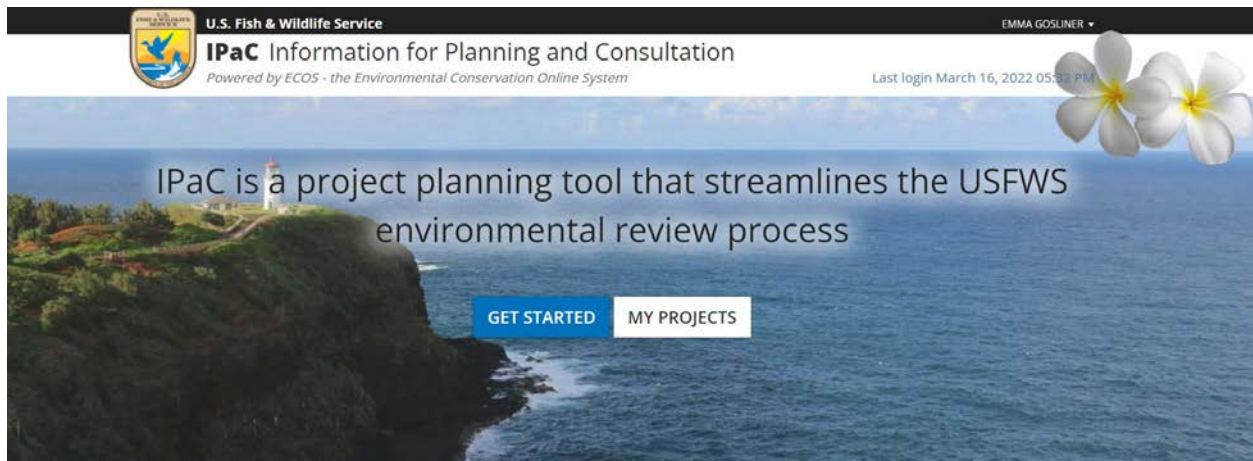
Sign in with your PIV or CAC

Make sure **you have a Login.gov account** and **you've set up PIV/CAC** as a two-factor authentication method.

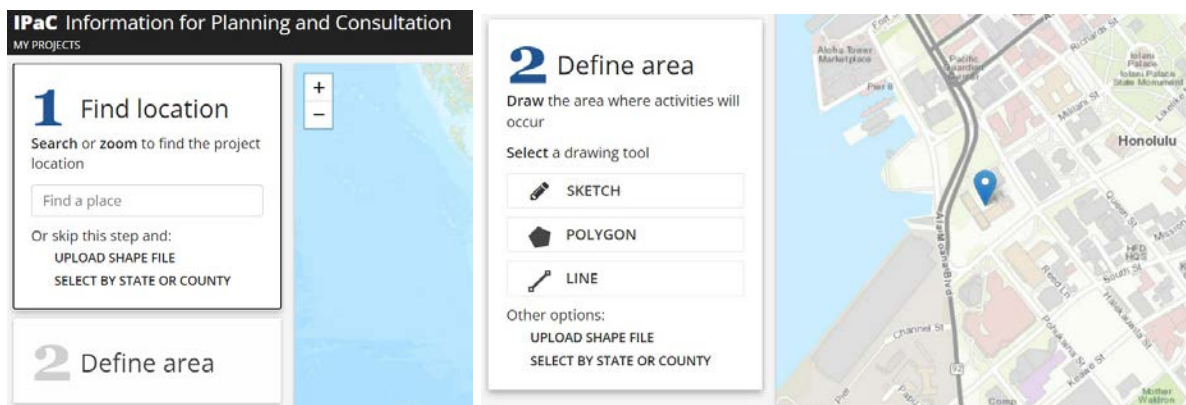
[Insert your PIV/CAC](#)

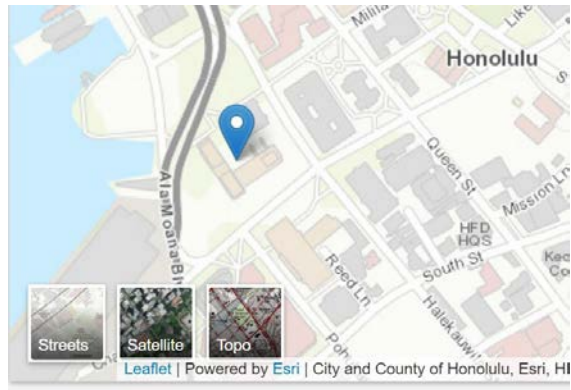
[Cancel](#)

- Once you log in, select “Get Started”.

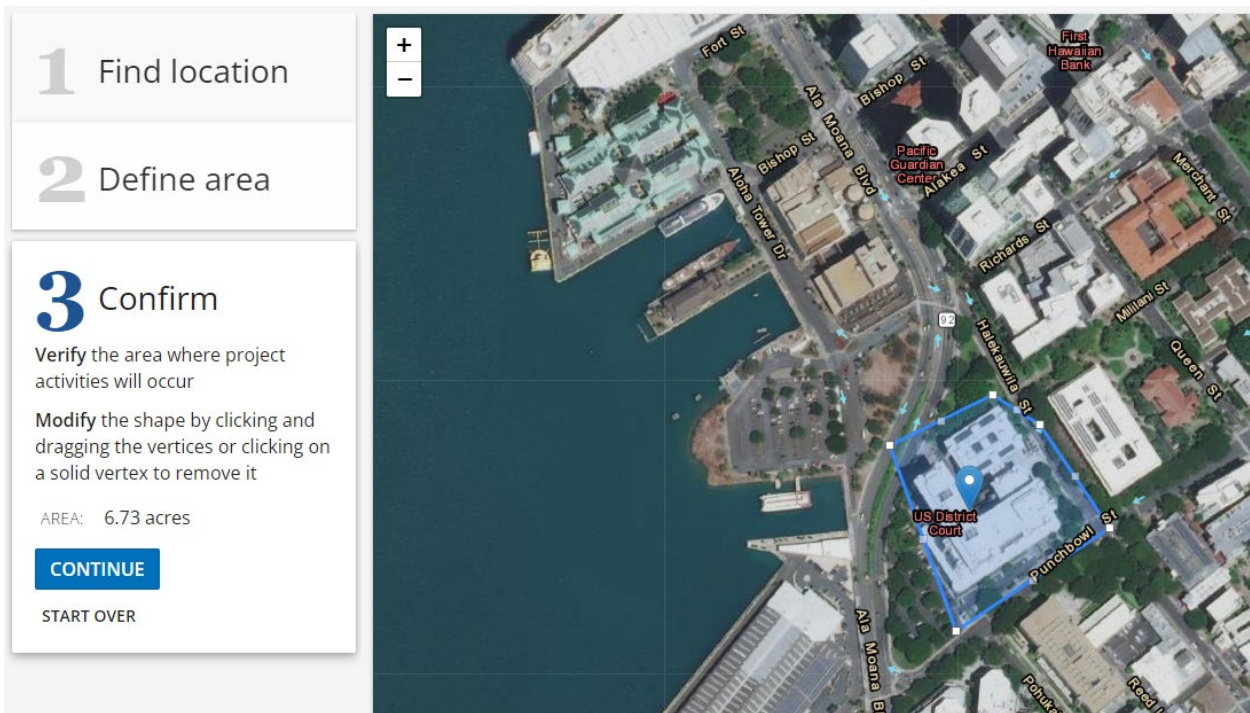


- Define the action area: Identify the location of the proposed action by uploading an existing shapefile or by entering an address or coordinates of the action area. Once identified on the map, you can manually draw the action area using the drawing tools.





To help identify your action area you can choose between multiple base maps available.



Press continue when you have finished drawing or uploading the action area location.

- The species information on the page that follows is not official. However, it identifies the project County, local Fish and Wildlife Field Office, species covered under NOAA Fisheries as well as Migratory Bird Treaty Act species. The list can be viewed in Thumbnail or List format.
- Once the species list populates you will see images of the species that may occur on, near, or transgress across your project. Click on SPECIES GUIDELINES on your top right to see Avoidance and Minimization measures to incorporate into your General Project Design Guidelines.

Explore location
 LOCAL OFFICE: PACIFIC ISLANDS FISH AND WILDL. OFC

LOCATION: Honolulu County, Hawaii
 CHANGE LOCATION

Resources

- ENDANGERED SPECIES 20
- MIGRATORY BIRDS 5
- FACILITIES
- WETLANDS !

PRINT RESOURCE LIST

What's next?
 Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.
 DEFINE PROJECT

Endangered species

Listed species (1) and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries (2)).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).


Additional information on endangered species data is provided [below](#).

The following species are potentially affected by activities in this location:

THUMBNAILS LIST SPECIES GUIDELINES

Mammals

Endangered



Hawaiian Hoary Bat
Lasiurus cinereus semotus
 Wherever found

- Continue with the following steps to comply with the requirements of ESA section 7 to obtain an **official species list**.
- Select Define Project

Define project

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

Project name

Project description
 Describe the location, size, scope, and timing of this project.

OPTIONAL

SAVE CANCEL


What's next?
 Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.
 DEFINE PROJECT

Enter the Project Name and a brief description of the project (a description is not mandatory, but recommended for future coordination with the Service). Click SAVE at bottom of page.

- At the bottom of the What's next box on the right, click Request Species List

Test Project

Testing



LOCATION Honolulu County, Hawaii

CREATED March 17, 2022

1 MEMBER 2 DOCUMENTS

What's next?

ESA REVIEW
Review this project's effects on listed species pursuant to the Endangered Species Act (ESA), as part of the overall regulatory review.

[START REVIEW](#)

SPECIES LIST
Requesting an official species list is now part of IPaC's ESA Review.

[REQUEST SPECIES LIST](#)

Local office

Pacific Islands Fish And Wildlife Office

- on the following screen, click Yes, Request Species List

Endangered Species Act Review

[← BACK](#)
[EXIT REVIEW](#)

1 Request an official species list

2 Evaluate determination keys
No Dkeys for project

3 Analyze project (optional)

4 Download documentation

Step 1: Request an official species list

An official species list is a letter from the local U.S. Fish and Wildlife Service field office that assists in the evaluation of potential impacts of your project. It includes a list of species that should be considered under [Section 7](#) of the Endangered Species Act, a project tracking number, and other pertinent information from the field office.

Does this project require an official species list?

Federal agencies are required to "request of the Secretary of Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action" ([Section 7](#) of the Endangered Species Act).

This requirement applies to projects that are **conducted, permitted, funded, or licensed** by any Federal agency.

YES, REQUEST A SPECIES LIST
SKIP / DOES NOT APPLY

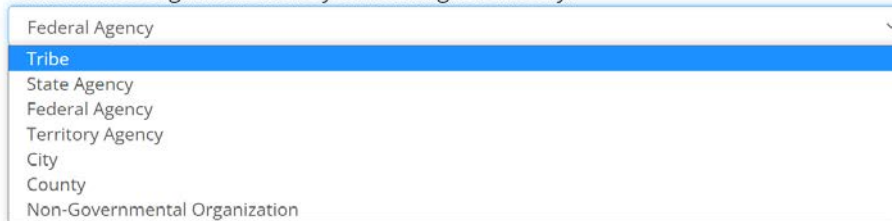
- Fill out the contact information for yourself or your agency. Contractors, state partners, and any other project proponents may request a species list and should be covered using the dropdown menus.

Tell us about the project and your organization or agency

Is this project being conducted, permitted, funded, or licensed by a Federal agency?

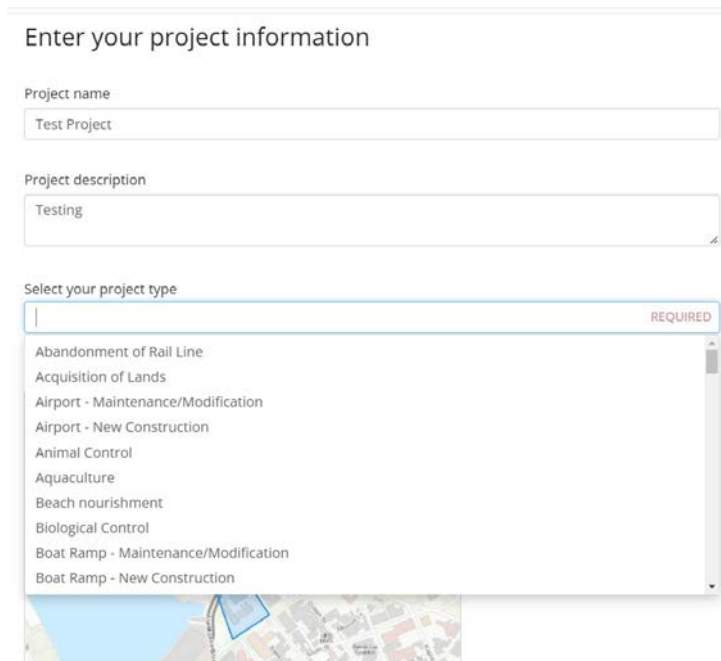
- Yes
 No

What kind of organization are you working for directly?



A pull-down menu with a white background and a blue border. The menu is open, showing a list of organization types. The top item is 'Federal Agency' with a small downward arrow. Below it, 'Tribe' is highlighted with a blue background. Other items include 'State Agency', 'Federal Agency', 'Territory Agency', 'City', 'County', and 'Non-Governmental Organization'.

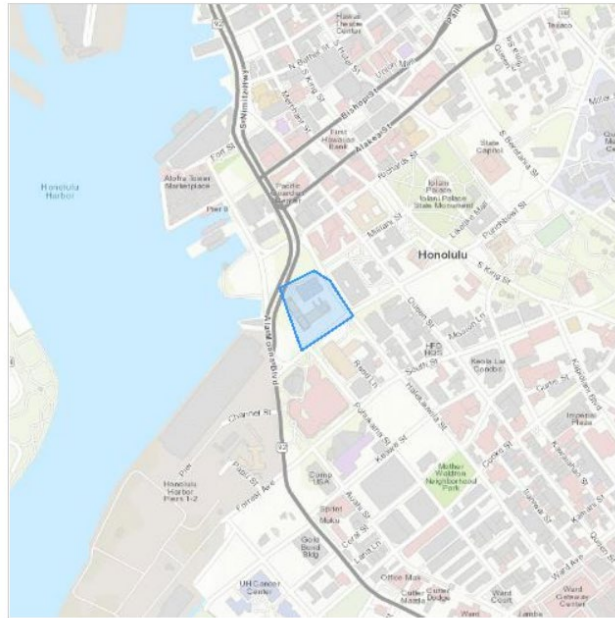
- From the pull-down menu for Classify Type of Project, select the project type that best fits the proposed action.



A form titled "Enter your project information" with a light gray border. It contains three main sections: "Project name" with a text input field containing "Test Project"; "Project description" with a text area containing "Testing"; and "Select your project type" with a dropdown menu. The dropdown menu is open, showing a list of project types: "Abandonment of Rail Line", "Acquisition of Lands", "Airport - Maintenance/Modification", "Airport - New Construction", "Animal Control", "Aquaculture", "Beach nourishment", "Biological Control", "Boat Ramp - Maintenance/Modification", and "Boat Ramp - New Construction". The word "REQUIRED" is in red text at the top right of the dropdown. Below the dropdown is a small map showing a street grid and a blue highlighted area.

- Once all required sections are filled out, press **SUBMIT OFFICIAL SPECIES LIST REQUEST**

Location



[SUBMIT OFFICIAL SPECIES LIST REQUEST](#)

- An Official Species List should be generated and available for download in a couple of seconds.
- If you need additional information on a species, click on their name that is hot-linked to their species information page. A brief overview of the species' status, description and critical habitat will appear as well as a link to their ECOS species profile.

A screenshot of a web interface. On the left is a sidebar with a 'Resources' section containing 'ENDANGERED SPECIES 20', 'MIGRATORY BIRDS 5', 'FACILITIES', and 'WETLANDS'. Below this is a 'What's next?' section with a 'DEFINE PROJECT' button. The main content area shows a species profile for 'Liiwi (Drepanis coccinea)'. It features a photograph of a bright red bird with a long, curved beak. Below the photo, the 'STATUS' is listed as 'Threatened; A species likely to become endangered within the foreseeable future throughout all or a significant portion of its range.' The 'DESCRIPTION' states: 'The liwi is an Hawaiian forest bird in the endemic honeycreeper subfamily of the Fringillidae (finch family). liwi are medium-sized forest birds (total body length is approximately 14 centimeters (cm) (5.5 inches (in)) with bright scarlet feathers, black wings and tail, and a small white patch on the inner secondary flight feathers. The bill is long, deeply'. To the right of the main content is a vertical sidebar with a photo of a bird being held, labeled 'Endangered' and 'Hawaii Akepa (Drepanis coccinea) wherever found'.

Geoffry Spangler

From: Sen. Mike Gabbard <sengabbard@capitol.hawaii.gov>
Sent: Friday, April 12, 2024 14:38
To: comments@hhf.com
Cc: Meg Turner
Subject: Re: Early Consultation – Hawaii Capitol Pools Improvements EA

[This message was sent from an outside source.]

Aloha e Gail,

Mahalo for sharing the pre-assessment consultation packet with me. Have a good weekend.

Best wishes to you and your 'ohana,



Senator Mike Gabbard

Chair, Agriculture and Environment Committee

Hawai'i State Capitol, Room 201

Honolulu, Hawai'i 96813

Ph: 808-586-6830

[P.S. Click HERE to check out my Senate webpage](#)

A'ohē hana nui ke alu 'ia. "No task is too big when done together by all."



From: comments@hhf.com <comments@hhf.com>
Sent: Thursday, April 11, 2024 3:27 PM
To: comments@hhf.com <comments@hhf.com>
Subject: Early Consultation – Hawaii Capitol Pools Improvements EA

Some people who received this message don't often get email from comments@hhf.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Participant:

On behalf of the State of Hawaii Department of Accounting and General Services, HHF Planners is preparing an environmental assessment (EA) for the Hawaii Capitol Pools Improvement Project in compliance with Hawai'i Revised Statutes Chapter 343. We are currently conducting pre-assessment consultation to solicit input for the upcoming EA. Your feedback will help to inform and direct the EA analysis. Please see the attached Pre-Assessment Consultation Packet, which includes a brief description of the project, figures, and a list of the parties consulted. Should you have any questions or concerns, or if you would like to be removed from the list of parties to receive the Draft Environmental Assessment, please contact Geoffry Spangler, whose contact information is provided in the packet.

Thank you for your attention to this important project.

Mahalo,

HHF Planners

From: [Sen. Karl Rhoads](#)
To: comments@hhf.com
Subject: RE: Early Consultation – Hawaii Capitol Pools Improvements EA
Date: Tuesday, June 18, 2024 11:54:05 AM

[This message was sent from an outside source.]

HHF Planners,

Thanks for the opportunity to comment. I realize I am a month late and that you may not consider my concerns as a result. I think we should keep the reflecting pool to honor the original vision of the building. I refuse to believe we cannot find a fix for the problems we have had with the pools over the years. There are certainly much larger pools in public places where similar difficulties have been overcome. The pool in front of the Lincoln Memorial is an example.

Besides honoring the original vision, there are practical reasons for keeping water in the pools. The homeless will find their way into every nook and cranny if there is no water there. I believe we can do much better in dealing with our homeless, but for the moment, they frequent the area.

Aloha, Karl Rhoads

From: comments@hhf.com <comments@hhf.com>
Sent: Thursday, April 11, 2024 3:28 PM
To: comments@hhf.com
Subject: Early Consultation – Hawaii Capitol Pools Improvements EA

Some people who received this message don't often get email from comments@hhf.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Participant:

On behalf of the State of Hawaii Department of Accounting and General Services, HHF Planners is preparing an environmental assessment (EA) for the Hawaii Capitol Pools Improvement Project in compliance with Hawai'i Revised Statutes Chapter 343. We are currently conducting pre-assessment consultation to solicit input for the upcoming EA. Your feedback will help to inform and direct the EA analysis. Please see the attached Pre-Assessment Consultation Packet, which includes a brief description of the project, figures, and a list of the parties consulted. Should you have any questions or concerns, or if you would like to be removed from the list of parties to receive the Draft Environmental Assessment, please contact Geoffry Spangler, whose contact information is provided in the packet.

Thank you for your attention to this important project.

Mahalo,

HHF Planners

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

May 14, 2024

LD 0422

HHF Planners
ATTN: Hawaii State Capitol Reflecting Pools EA
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813

Via email: comments@hhf.com

Dear Sir:

**SUBJECT: Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project, 415 South Beretania Street,
Honolulu District, Island of Oahu, Hawaii, TMK: (1) 2-1-024: 015**

Thank you for the opportunity to review and comment on the subject project. The Land Division of the Department of Land and Natural Resources (DLNR) distributed copies of your request to DLNR's various divisions for their review and comment.

Enclosed are comments received from our Engineering Division and the Office of Conservation and Coastal Lands. Should you have any questions, please feel free to contact Timothy Chee via email at timothy.chee@hawaii.gov. Thank you.

Sincerely,

Russell Tsuji

Russell Y. Tsuji
Land Administrator

Attachments
cc: Central Files

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

April 12, 2024

LD 0422

MEMORANDUM

FROM: ☒:

DLNR Agencies:

- Div. of Aquatic Resources (via email: kendall.l.tucker@hawaii.gov)
- Div. of Boating & Ocean Recreation (via email: richard.t.howard@hawaii.gov)
- Engineering Division** (via email: DLNR.Engr@hawaii.gov)
- Div. of Forestry & Wildlife (via email: Rubyrosa.T.Terrago@hawaii.gov)
- Div. of State Parks (curt.a.cottrell@hawaii.gov)
- Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
- Office of Conservation & Coastal Lands (via email: Sharleen.k.kuba@hawaii.gov)
- Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)
- Aha Moku (via email: leimana.k.damate@hawaii.gov)

TO: FROM:
SUBJECT:

Russell Tsuji
Russell Y. Tsuji, Land Administrator
Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project
415 South Beretania Street

LOCATION: **Honolulu District, Island of Oahu, Hawaii**
TMK: (1) 2-1-024: 015

APPLICANT: **HHF PLANNERS**

Transmitted for your review and comment is information on the above-referenced project. Please submit any comments to timothy.chee@hawaii.gov at the Land Division by the internal deadline of **May 10, 2024**. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Timothy Chee at the above email address. Thank you.

BRIEF COMMENTS:

Attachments
Cc: Central Files

- We have no objections.
- We have no comments.
- We have no additional comments.
- Comments are included/attached.

Signed: *MSC*
 Print Name: Carty S. Chang, Chief Engineer
 Division: Engineering Division
 Date: May 7, 2024

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/Russell Y. Tsuji

**Ref: Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project**

Location: 415 South Beretania Street, Honolulu District, Island of Oahu, Hawaii

TMK(s): (1) 2-1-024: 015

Applicant: HFF PLANNERS

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high-risk areas). State projects are required to comply with 44CFR regulations as stipulated in Section 60.12. Be advised that 44CFR, 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 to research the Flood Hazard Zone designation for the project. Flood Hazard Zones are designated on FEMA's Flood Insurance Rate Maps (FIRM). The official FIRMs can be accessed through FEMA's Map Service Center (msc.fema.gov). Our Flood Hazard Assessment Tool (FHAT) (fhat.hawaii.gov) could also be used to research flood hazard information.

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- o Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- o Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- o Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7139.
- o Kauai: County of Kauai, Department of Public Works (808) 241-4896.

The applicant should include water demands and infrastructure required to meet project needs. Please note that all State projects requiring water service from their local Department/Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.

The applicant is required to provide water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update projections.

Signed: 
CARTY S. CHANG, CHIEF ENGINEER

Date: May 7, 2024

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

May 14, 2024

LD 0422

HHF Planners
ATTN: Hawaii State Capitol Reflecting Pools EA
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813

Via email: comments@hhf.com

Dear Sir:

**SUBJECT: Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project, 415 South Beretania Street,
Honolulu District, Island of Oahu, Hawaii, TMK: (1) 2-1-024: 015**

Thank you for the opportunity to review and comment on the subject project. The Land Division of the Department of Land and Natural Resources (DLNR) distributed copies of your request to DLNR's various divisions for their review and comment.

Enclosed are comments received from our Engineering Division and the Office of Conservation and Coastal Lands. Should you have any questions, please feel free to contact Timothy Chee via email at timothy.chee@hawaii.gov. Thank you.

Sincerely,

Russell Tsuji

Russell Y. Tsuji
Land Administrator

Attachments
cc: Central Files

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



2024 APR 16 PM 1:23



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2024 APR 15 P 4:04

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

P.O. BOX 621
HONOLULU, HAWAII 96809

April 12, 2024

LD 0422

MEMORANDUM

TO: **DLNR Agencies:**
 Div. of Aquatic Resources (via email: kendall.l.tucker@hawaii.gov)
 Div. of Boating & Ocean Recreation (via email: richard.t.howard@hawaii.gov)
 Engineering Division (via email: DLNR.Engr@hawaii.gov)
 Div. of Forestry & Wildlife (via email: Rubyrosa.T.Terrago@hawaii.gov)
 Div. of State Parks (curt.a.cottrell@hawaii.gov)
 Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
 Office of Conservation & Coastal Lands (via email: Sharleen.k.kuba@hawaii.gov)
 Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)
 Aha Moku (via email: leimana.k.damate@hawaii.gov)

FROM: **Russell Y. Tsuji, Land Administrator** *Russell Tsuji*

SUBJECT: **Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project
415 South Beretania Street**

LOCATION: **Honolulu District, Island of Oahu, Hawaii
TMK: (1) 2-1-024: 015**

APPLICANT: **HHF PLANNERS**

Transmitted for your review and comment is information on the above-referenced project. Please submit any comments to timothy.chee@hawaii.gov at the Land Division by the internal deadline of **May 10, 2024**. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Timothy Chee at the above email address. Thank you.

BRIEF COMMENTS:

*Not in the Conservation
District*

- We have no objections.
- We have no comments. *
- We have no additional comments.
- Comments are included/attached

Signed: *[Signature]*

Print Name: K. Tiger Mills

Division: DLNR - DCLL

Date: 4/16/2024

Attachments
Cc: Central Files

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

May 23, 2024

LD 0422

HHF Planners
ATTN: Hawaii State Capitol Reflecting Pools EA
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813

Via email: comments@hhf.com

**SUBJECT: Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project, 415 South Beretania Street,
Honolulu District, Island of Oahu, Hawaii, TMK: (1) 2-1-024: 015**

Thank you for the opportunity to review and comment on the subject. In addition to previous comments sent to you from the Department of Land and Natural Resources (DLNR), enclosed are also comments received from the Division of Forestry and Wildlife.

Should you have any questions, please feel free to contact Timothy Chee at timothy.chee@hawaii.gov. Thank you.

Sincerely,

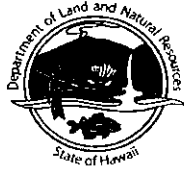
Russell Tsuji

Russell Y. Tsuji
Land Administrator

Attachments
cc: Central Files

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

April 12, 2024

LD 0422

MEMORANDUM

FROM: **DLNR Agencies:**
X Div. of Aquatic Resources (via email: kendall.l.tucker@hawaii.gov)
X Div. of Boating & Ocean Recreation (via email: richard.t.howard@hawaii.gov)
X Engineering Division (via email: DLNR.Engr@hawaii.gov)
X Div. of Forestry & Wildlife (via email: Rubyrosa.T.Terrago@hawaii.gov)
X Div. of State Parks (curt.a.cottrell@hawaii.gov)
X Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
X Office of Conservation & Coastal Lands (via email: Sharleen.k.kuba@hawaii.gov)
X Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)
X Aha Moku (via email: leimana.k.damate@hawaii.gov)

TO: **Russell Y. Tsuji, Land Administrator** *Russell Tsuji*

SUBJECT: **Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project
415 South Beretania Street**

LOCATION: **Honolulu District, Island of Oahu, Hawaii
TMK: (1) 2-1-024: 015**

APPLICANT: **HHF PLANNERS**

Transmitted for your review and comment is information on the above-referenced project. Please submit any comments to timothy.chee@hawaii.gov at the Land Division by the internal deadline of **May 10, 2024**. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Timothy Chee at the above email address. Thank you.

BRIEF COMMENTS:

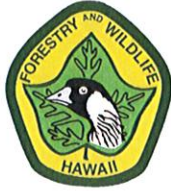
- We have no objections.
- We have no comments.
- We have no additional comments.
- Comments are included/attached.

Signed: *Lindsey Nietmann*
Print Name: Lindsey Nietmann, Acting Wildlife Prog. Mgr.
Division: Forestry and Wildlife
Date: May 23, 2024

Attachments
Cc: Central Files

JOSH GREEN, M.D.
GOVERNOR | KE KIA ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

May 22, 2024

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Log no.4517

MEMORANDUM

TO: RUSSELL Y. TSUJI, Administrator
Land Division

FROM: LINDSEY NIETMANN, Acting Wildlife Program Manager
Division of Forestry and Wildlife

**SUBJECT: Draft Environmental Assessment Pre-Assessment Consultation,
Hawai'i Capitol Pools Improvement Project; 415 South Beretania
Street, Honolulu, O'ahu, Hawai'i.**

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) has received your pre-assessment consultation request regarding the Draft Environmental Assessment for the Hawai'i Capitol Pools Improvement Project. The proposed project site is located on approximately 8 acres within the Hawai'i Capitol Historic District at 415 South Beretania Street in Honolulu, O'ahu, TMK: (1) 2-1-024: 015. The proposed improvements to the Capitol include structural repairs to the Capitol reflecting pools, replacement of the waterproofing layer between the pools and the office spaces and parking garage below, replacement of the water element with a waterless solution, and the restoration of the Capitol's architectural lighting. DOFAW provides the following comments regarding the potential for the proposed work to affect listed species in the vicinity of the project area.

Artificial lighting can adversely impact seabirds that may pass through the area at night by causing them to become disoriented. This disorientation can result in their collision with manmade structures or the grounding of birds. For nighttime work that might be required, DOFAW recommends that all lights used be fully shielded to minimize the attraction of seabirds. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season, from September 15 through December 15, when young seabirds make their maiden voyage to sea.

If nighttime construction is required during the seabird fledging season (September 15 to December 15), we recommend that a qualified biologist be present at the project site to monitor and assess the risk of seabirds being attracted or grounded due to the lighting. If seabirds are seen circling around the area, lights should then be turned off. If a downed seabird is detected, please follow DOFAW's recommended response protocol by visiting <https://dlnr.hawaii.gov/wildlife/seabird-fallout-season/>.

Permanent lighting also poses a risk of seabird attraction, and as such should be minimized or eliminated to protect seabird flyways and preserve the night sky. For illustrations and guidance related to seabird-friendly light styles that also protect seabirds and the dark starry skies of Hawai'i please visit <https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf>.

The State listed 'ōpe'ape'a or Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) could potentially occur at or in the vicinity of the project and may roost in nearby trees. Any required site clearing should be timed to avoid disturbance to bats during their birthing and pup rearing season (June 1 through September 15). During this period woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed. Barbed wire should also be avoided for any construction because bats can become ensnared and killed by such fencing material during flight.

The State endangered pueo or Hawaiian Short-eared owl (*Asio flammeus sandwichensis*) could potentially occur in the project vicinity. Pueo are most active during dawn and dusk twilights. Remove and exclude non-native mammals such as mongoose, cats, dogs, and ungulates from the nesting area. Minimize habitat alterations and disturbance during pueo breeding season. Pueo nest on the ground and active nests have been found year-round. Before any potentially disturbing activity like clearing vegetation, especially ground-based disturbance, DOFAW recommends a qualified biologist conduct surveys during crepuscular hours and walk line transects through the area to detect any active pueo nests. If a pueo nest is discovered, notify DOFAW staff, minimize time spent at the nest, and establish a minimum buffer distance of 100 meters from the nest until chicks are capable of flight.

The State threatened manu-o-Kū or White Tern (*Gygis alba*) is known to nest in the vicinity of the proposed project. If tree trimming or removal is planned, DOFAW strongly recommends a qualified biologist survey for the presence of White Terns prior to any action that could disturb the trees. White Tern pairs typically lay their single egg on a tree branch with no nest. Eggs and chicks can be dislodged by construction equipment or workers that contact trees in which White Terns are nesting. As such, a tree protection program should be in place for any mature trees with nesting or roosting White Terns. For more information regarding detailed Best Management Practices when conducting tree care activities with manu-o-Kū present, please visit https://www.whiteterns.org/uploads/8/6/3/2/86323044/mok_tree_care_guidelines_190622.pdf. If a nest is discovered, please notify DOFAW staff for assistance.

DOFAW recommends using native plant species for landscaping that are appropriate for the area, i.e., plants for which climate conditions are suitable for them to thrive, plants that historically occurred there, etc. Please do not plant invasive species. DOFAW also recommends referring to www.plantpono.org for guidance on the selection and evaluation of landscaping plants and to determine the potential invasiveness of plants proposed for use in the project.

Avoid importing to O'ahu soil or other plant material from off-island. Soil and plant material may contain fungi (e.g., Rapid 'Ōhi'a Death) and other pathogens that could harm our native species and ecosystems. We recommend consulting the Hawai'i

Interagency Biosecurity Plan at <http://dlnr.hawaii.gov/hisc/plans/hibp/> in planning, design, and construction of the project.

DOFAW recommends minimizing the movement of plant or soil material between worksites. Soil and plant material may contain detrimental fungal pathogens (e.g., Rapid 'Ōhi'a Death), vertebrate and invertebrate pests (e.g., Little Fire Ants, Coconut Rhinoceros Beetles, etc.), or invasive plant parts (e.g., Miconia, Pampas Grass, etc.) that could harm our native species and ecosystems. We recommend consulting the O'ahu Invasive Species Committee (OISC) at (808) 266-7994 to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread. All equipment, materials, and personnel should be cleaned of excess soil and debris to minimize the risk of spreading invasive species.

The invasive Coconut Rhinoceros Beetle (CRB) or *Oryctes rhinoceros* is found on the islands of O'ahu, Hawai'i Island, Maui and Kaua'i. On July 1, 2022, the Hawai'i Department of Agriculture (HDOA) approved Plant Quarantine Interim Rule 22-1. This rule restricts the movement of CRB-host material within or to and from the island of O'ahu, which is defined as the Quarantine Area. Regulated material (host material or host plants) is considered a risk for potential CRB infestation. Host material for the beetle specifically includes (a) entire dead trees, (b) mulch, compost, trimmings, fruit and vegetative scraps, and (c) decaying stumps. CRB host plants include the live palm plants in the following genera: *Washingtonia*, *Livistona*, and *Pritchardia* (all commonly known as fan palms), *Cocos* (coconut palms), *Phoenix* (date palms), and *Roystonea* (royal palms). When such material or these specific plants are moved there is a risk of spreading CRB because they may contain CRB in any life stage. For more information regarding CRB, please visit <https://dlnr.hawaii.gov/hisc/info/invasive-species-profiles/coconut-rhinoceros-beetle/>.

We recommend that Best Management Practices are employed during and after construction to contain any soils and sediment with the purpose of preventing damage to near-shore waters and marine ecosystems.

DOFAW is concerned about impacts to vulnerable birds from nonnative predators such as cats, rodents, and mongooses. We recommend taking action to minimize predator presence; remove cats, place bait stations for rodents and mongoose, and provide covered trash receptacles.

Cats prey on native birds, including State-listed endangered waterbirds, seabirds, and forest birds. Predation is instinctive and means that even well-fed cats will hunt and kill wildlife. Therefore, DOFAW recommends no feeding of feral cats should occur on the premises.

We appreciate your efforts to work with our office for the conservation of our native species. These comments are general guidelines and should not be considered comprehensive for this site or project. It is the responsibility of the applicant to do their own due diligence to avoid any negative environmental impacts. Should the scope of the project change significantly, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible. If

you have any questions, please contact Kate Cullison, Protected Species Habitat Conservation Planning Coordinator via email at katherine.cullison@hawaii.gov.

Sincerely,

Lindsey Niemann

LINDSEY NIEMANN
Acting Wildlife Program Manager

BOARD OF WATER SUPPLY
KA 'OIHANA WAI
CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96843
Phone: (808) 748-5000 • www.boardofwatersupply.com

RICK BLANGIARDI
MAYOR
MEIA

ERNEST Y. W. LAU; P.E.
MANAGER AND CHIEF ENGINEER
MANAKIA A ME KAHU WILIKI

ERWIN KAWATA
DEPUTY MANAGER
HOPE MANAKIA



NĀ'ĀLEHU ANTHONY, Chair
KAPUA SPROAT, Vice Chair
BRYAN P. ANDAYA
JONATHAN KANESHIRO
EDWIN H. SNIFFEN, Ex-Officio
GENE C. ALBANO, P.E., Ex-Officio

May 14, 2024

Mr. Geoffry Spangler
HHF Planners
ATTN: Hawai'i State Capitol Reflecting Pools EA
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813

Dear Mr. Spangler:

Subject: Your Letter Dated April 11, 2024 Requesting Comments on the Environmental Assessment Pre-Consultation for the Hawai'i Capitol Pools Improvement Project at 415 South Beretania Street Tax Map Key: 2-1-024: 015

Thank you for your letter regarding the proposed reflecting pools renovation project.

The Board of Water Supply (BWS) supports the proposal to replace the existing Capitol pool water element with a waterless solution.

The existing water system is currently adequate to accommodate the proposed development. However, please be advised that the existing Honolulu water system capacity has been reduced due to the shut-down of the Hālawā Shaft pumping station as a proactive measure to prevent fuel contamination from the Navy's Red Hill Bulk Storage Tank fuel releases. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval, pending evaluation of the water system conditions at that time on a first-come, first-served basis. The BWS reserves the right to change any position or information stated herein up until the final approval of the building permit application.

We continue to request 10% voluntary water conservation of all customers until new sources are completed and require water conservation measures in all new developments. If water consumption significantly increases, progressively restrictive conservation measures may be required to avoid low water pressures and disruptions of water service.

Mr. Geoffry Spangler
May 14, 2024
Page 2

Presently, there is no moratorium on the issuance of new and additional water services. Water distributed via the BWS water systems remains safe for consumption. The BWS is closely monitoring water usage and will keep the public informed with the latest findings. Please visit our website at www.boardofwatersupply.com and www.protectoahuwater.org for the latest updates and water conservation tips.

When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission, and daily storage.

Water conservation measures are required for all proposed developments. These measures include utilization of nonpotable water for irrigation using rain catchment, drought tolerant plants, xeriscape landscaping, efficient irrigation systems, such as a drip system and moisture sensors, and the use of Water Sense labeled ultra-low flow water fixtures and toilets.

The construction drawings should be submitted for our approval and the construction schedule should be coordinated to minimize impact to the water system.

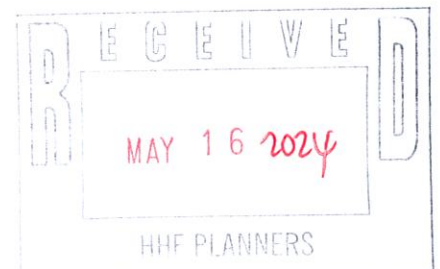
The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

If you have any questions, please contact Barry Usagawa, Water Resources Division at (808) 748-5900.

Very truly yours,

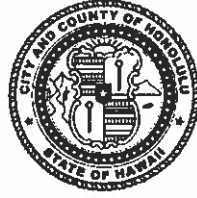


ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer



HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honoluluupd.org



RICK BLANGIARDI
MAYOR
MEIA

ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **EO-SH**

April 24, 2024

SENT VIA EMAIL

Mr. Geoffry Spangler
comments@hhf.com

Dear Mr. Spangler:

This is in response to your agency's letter dated April 11, 2024, requesting input on the pre-assessment consultation for improvements at the Hawai'i State Capitol Building located at 415 South Beretania Street.

The Honolulu Police Department has reviewed the information provided and there are no concerns at this time.

If there are any questions, please call Major Paul Okamoto of District 1 (Central Honolulu) at (808) 723-3327.

Sincerely,

A handwritten signature in black ink that reads "Glenn Hayashi". The signature is written in a cursive style.

GLENN HAYASHI
Assistant Chief of Police
Support Services Bureau

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041 • WEBSITE: honolulu.gov/dpp

RICK BLANGIARDI
MAYOR
MEJA



DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

May 13, 2024

2024/ELOG-717 (JD)

SENT VIA EMAIL

Mr. Geoffrey Spangler
HHF Planners
comments@hhf.com

Dear Mr. Spangler:

SUBJECT: Pre-Consultation – Environmental Assessment (EA)
Hawaii'i State Capitol (HSC) Pools Improvement Project
415 South Beretania Street – Hawaii'i Capital
Tax Map Key 2-1-024: 015

This is in response to your letter, received on April 19, 2024, requesting comments regarding the upcoming preparation of an EA. We understand that the proposed action consists of improvements to the HSC Building located at Tax Map Key 2-1-024: 015. The primary components of the Project include structural repairs to the HSC pools, replacement of the water element with a waterless solution, and restoration of the HSC's architectural lighting. Additionally, you state that other structural and mechanical repairs are proposed. Our comments are listed below:

- The Project site is located within the Hawaii'i Capital Historic District, which is a nationally registered historic district. As such, the EA should include discussions or correspondence with the United States National Park Service, the State of Hawaii'i Department of Land and Resources, the Historic Preservation Division, and the City's Historic Preservation Commission.
- The Project site is located within the Historic Precinct of the Hawaii'i Capital Special District and is subject to the objectives and development standards enumerated in the Revised Ordinances of Honolulu (ROH) Section 21-9.30. As such, the EA should include a general discussion of compliance with the Hawaii'i Capital Special District objectives and standards.

Mr. Geoffry Spangler
May 13, 2024
Page 2

- Based on the information provided, the Project is likely that a Special District Major Permit will be required. Pursuant to ROH Chapter 21, Table 21-9.1, a Special District Major Permit is required for major modifications, alterations, additions, and/or repairs to historic structures. The EA should disclose this as a required permit.

Thank you for the opportunity to comment on this proposal. Should you have any questions, please contact Jordan Dildy, of our Urban Design Branch, at (808) 768-8027 or via email at jdildy@honolulu.gov.

Very truly yours,


Dawn Takeuchi Apuna
Director

Geoffry Spangler

From: Kiersten Faulkner <Kiersten@historichawaii.org>
Sent: Monday, May 13, 2024 14:07
To: comments@hhf.com
Cc: Virginia Murison; Jessica Puff (jessica.puff@hawaii.gov)
Subject: Historic Hawaii Foundation Comments re Early Consultation – Hawaii Capitol Pools Improvements EA
Attachments: HHF Comments_DAGS_DEA Pre Consultation_Hawaii Capitol Pools_05.13.2024.pdf

[This message was sent from an outside source.]

Aloha,

Please see attached comments from Historic Hawai'i Foundation on the pre-assessment consultation for an environmental assessment (EA) for the Hawaii Capitol Pools Improvement Project.

Please let me know if you have any trouble with the file or have any questions.

Thank you,
Kiersten Faulkner

Kiersten Faulkner
Executive Director
Historic Hawai'i Foundation
680 Iwilei Rd. Ste. 690
Honolulu, HI 96817
808-523-2900
kiersten@historichawaii.org
www.historichawaii.org

From: comments@hhf.com <comments@hhf.com>
Sent: Thursday, April 11, 2024 3:28 PM
To: comments@hhf.com
Subject: Early Consultation – Hawaii Capitol Pools Improvements EA

Dear Participant:

On behalf of the State of Hawaii Department of Accounting and General Services, HHF Planners is preparing an environmental assessment (EA) for the Hawaii Capitol Pools Improvement Project in compliance with Hawai'i Revised Statutes Chapter 343. We are currently conducting pre-assessment consultation to solicit input for the upcoming EA. Your feedback will help to inform and direct the EA analysis. Please see the attached Pre-Assessment Consultation Packet, which includes a brief description of the project, figures, and a list of the parties consulted. Should you have any questions or concerns, or if you would like to be removed from the list of parties to receive the Draft Environmental Assessment, please contact Geoffry Spangler, whose contact information is provided in the packet.

Thank you for your attention to this important project.

Mahalo,

HHF Planners



680 Iwilei Road Suite 690, Honolulu HI 96817 • (808) 523-2900 • preservation@historichawaii.org • www.historichawaii.org

May 13, 2024

Geoffry Spangler
HHF Planners
ATTN: Hawai'i State Capitol Reflecting Pools EA
733 Bishop Street, Suite 2590
Honolulu, HI 96813

Email: comments@hhf.com

**Re: Draft Environmental Assessment Pre-Assessment Consultation
Hawai'i Capitol Pools Improvement Project
Tax Map Key: (1) 2-1-024: 015**

Dear Mr. Spangler,

Historic Hawai'i Foundation received notice and request for comments from HHF Planners on behalf of the State of Hawai'i Department of Accounting and General Services (DAGS) as it prepares an Environmental Assessment (EA) for the proposed Hawai'i Capitol Pools Improvement Project under Chapter 343 of the Hawai'i Revised Statutes (HRS). Historic Hawai'i Foundation received the notice of April 11, 2024 with a request for pre-assessment consultation, with a brief description of the scope of work.

Historic Hawai'i Foundation (HHF) is a statewide nonprofit organization established in 1974 to encourage the preservation of sites, buildings, structures, objects and districts that are significant to the history of Hawai'i. HHF is an organization with a demonstrated interest in the undertaking and a concern for the effects on historic properties.

HHF accepts the invitation to participate in the pre-assessment consultation for the Hawai'i Capitol Pools Improvement Project and efforts to avoid, minimize and mitigate adverse effects on historic properties.

Context

Site: The site is located at the center of the Hawai'i Capital Historic District, a nationally registered historic district, and the Capitol is a contributing property to the character and quality of this historic district. Additionally, the site is located within the City and County of Honolulu's Hawai'i Capital Special District, as described in Revised Ordinances of Honolulu (ROH) Chapter 21 § 21-9.30.

Historic and Architectural Resources: The Capitol is unique among U.S. State Capitols in its use of architectural elements to reflect Hawai'i's landscapes, natural features, and heritage. From the exterior of the structure, this is most exemplified by the two reflecting pools, representing the ocean, the conical shape of the legislative chambers, representing the volcanoes of the state rising from the sea, the perimeter columns representing palm trees and the eight main Hawaiian Islands, and the open-air rotunda, representing the open society.

Significance: The Capitol reflecting pools are a significant, unique architectural feature of the Capitol, and reference the relationship of Hawai'i and the ocean. The pools are a significant contributing element to the character of the Capitol itself and, as a result, of the surrounding historic district (Hawai'i Capital Historic District Nomination Form, U.S. National Park Service, 1978).

Project Need and Scope

Need: The Capitol reflecting pools are supplied with water via on-site wells which draw water from a shallow aquifer. Over the decades, the water drawn from these wells has become increasing saline (i.e., brackish), which is contributing to corrosion of the water basins, and the pipes and mechanical systems which maintain the pools.

Undertaking: The proposed improvements to the Capitol include structural repairs to the Capitol pools, replacement of the waterproofing layer between the pools and the office spaces and parking garage below, replacement of the water element with a waterless solution, and the restoration of the Capitol's architectural lighting. Other structural and mechanical repairs to the Capitol are also proposed that would reinforce its original design intent and values.

Historic Hawai'i Foundation Comments

Historic Hawai'i Foundation is concerned that the description of the project includes a presumption of "replacement of the water element with a waterless solution." This is not necessarily the preferred alternative, but should be one of several considered in an Alternative Analysis. While a waterless solution should be assessed, an alternative based on repair and correction to the pools, while continuing to be used as water features, also needs to be evaluated.

HHF strongly recommends that the following elements be contained in the Alternatives Analysis and addressed in the Environmental Assessment:

- Documented analysis of alternate repairs considered, attempted and/or rejected to address the identified issues.
- Alternative to retain the pools as a water feature, to include engineering analysis of solutions to seal the pools. This alternative should include an analysis of changing the water source by abandoning the on-site wells and deteriorating aquifer, and converting to a closed recirculating fresh water system, thus resolving brackish water issues.
- If a waterless solution is pursued, the framework of selection criteria to provide the parameters for removing the water and replacing it with something else. These criteria need to include how each potential

option would address drainage, maintenance and waterproofing issues, as well as aesthetic representation of the signature ocean symbolism inherent in the design of the Capitol.

The careful consideration of the alternatives to the treatment of such a significant character-defining feature of the Hawai'i State Capitol is a critical component of the EA.

Thank you for the opportunity to comment. Historic Hawai'i Foundation looks forward to continuing consultation.

Very truly yours,

A handwritten signature in cursive script that reads "Kiersten Faulkner".

Kiersten Faulkner, FAICP

Executive Director

Geoffry Spangler

From: Julia Fink <julia@aiahonolulu.org>
Sent: Friday, April 19, 2024 15:21
To: comments@hhf.com
Subject: RE: Early Consultation – Hawaii Capitol Pools Improvements EA

[This message was sent from an outside source.]

Aloha,

The AIA would like to acknowledge receipt of the pre-assessment packet. We have no comment at this time. We look forward to more information when the draft EA is released.

Mahalo,

Julia Fink
Executive Vice President
**The American Institute of Architects, Honolulu Chapter (AIA Honolulu)
and the Center for Architecture**
828 Fort Street Mall, Suite 100, Honolulu, HI 96813

T: (808) 628 7244
E: julia@aiahonolulu.org
W: www.aiahonolulu.org

From: comments@hhf.com <comments@hhf.com>
Sent: Thursday, April 11, 2024 3:28 PM
To: comments@hhf.com
Subject: Early Consultation – Hawaii Capitol Pools Improvements EA

Dear Participant:

On behalf of the State of Hawaii Department of Accounting and General Services, HHF Planners is preparing an environmental assessment (EA) for the Hawaii Capitol Pools Improvement Project in compliance with Hawai'i Revised Statutes Chapter 343. We are currently conducting pre-assessment consultation to solicit input for the upcoming EA. Your feedback will help to inform and direct the EA analysis. Please see the attached Pre-Assessment Consultation Packet, which includes a brief description of the project, figures, and a list of the parties consulted. Should you have any questions or concerns, or if you would like to be removed from the list of parties to receive the Draft Environmental Assessment, please contact Geoffry Spangler, whose contact information is provided in the packet.

Thank you for your attention to this important project.

Mahalo,

HHF Planners

Geoffry Spangler

From: Docomomo Hawai'i <docomomohawaii@gmail.com>
Sent: Tuesday, April 16, 2024 17:34
To: comments@hhf.com
Subject: Re: FW: Early Consultation – Hawaii Capitol Pools Improvements EA

[This message was sent from an outside source.]

Thank you! We appreciate being a part of the consultation process!



docomomohawaii@gmail.com

[facebook](#) . [instagram](#) . [website](#)

On Thu, Apr 11, 2024 at 3:51 PM comments@hhf.com <comments@hhf.com> wrote:

Dear Participant:

On behalf of the State of Hawaii Department of Accounting and General Services, HHF Planners is preparing an environmental assessment (EA) for the Hawaii Capitol Pools Improvement Project in compliance with Hawai'i Revised Statutes Chapter 343. We are currently conducting pre-assessment consultation to solicit input for the upcoming EA. Your feedback will help to inform and direct the EA analysis. Please see the attached Pre-Assessment Consultation Packet, which includes a brief description of the project, figures, and a list of the parties consulted. Should you have any questions or concerns, or if you would like to be removed from the list of parties to receive the Draft Environmental Assessment, please contact Geoffry Spangler, whose contact information is provided in the packet.

Thank you for your attention to this important project.

Mahalo,

HHF Planners

Draft EA Comments



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

In Reply Refer To:
2024-0136275-S7-001

September 10, 2024

Ms. Gail Renard
Associate Principal
HHF Planners
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813

Subject: Technical Assistance on the Draft Environmental Assessment and Anticipated Findings of No Significant Impact for the Proposed Hawai'i Capitol Pools Improvement Project, O'ahu

Dear Ms. Renard:

The U.S. Fish and Wildlife Service (Service) Pacific Islands Fish and Wildlife Office received your letter dated August 8, 2024, requesting comments on the Draft Environmental Assessment and Anticipated Findings of No Significant Impact (DEA-AFNSI) for the Hawai'i Capitol Pools Improvement Project in Honolulu, Hawai'i. The Service responded to HHF's Draft Environmental Assessment Pre-Assessment Consultation request for comments on April 12, 2024. While the DEA-AFNSI incorporated some of our comments, additional comments are provided based on our review of additional details in your request.

The State of Hawai'i Department of Accounting and General Services proposes to construct improvements at the Hawai'i State Capitol Building. The action would replace the original water-filled reflecting pools with plazas constructed of glass pavers suspended on pedestals to emulate the water's surface, an expanded concrete perimeter walkway, modernization of architectural lighting, and other improvements and repairs. The area of the pool basins would be reduced from 78,000 to 55,000 square feet. The project is needed to address chronic repair and maintenance problems associated with the water-filled pools (e.g., corrosion, leakage, and persistent algae/odor). The project is intended to resolve these issues while maintaining the important symbolic value and original design intent of the reflecting pools, and to enhance the public's ability to interact with and experience the Capitol.

We recognize that the proposed improvements are necessary and are also intended to maintain the symbolic value and original design intended of the reflecting pools. And although the area

PACIFIC REGION 1

IDAHO, OREGON*, WASHINGTON,
AMERICAN SĀMOA, GUAM, HAWAI'I, NORTHERN MARIANA ISLANDS

*PARTIAL

already consists of nighttime lighting, the increase of the current nighttime lighting that is reflected onto the glass paver surfaces could potentially increase the amount of nighttime lighting reflected upwards.

This response is in accordance with section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). Our data indicate that the federally endangered Hawaiian petrel (*Pterodroma sandwichensis*), threatened Newell's shearwater (*Puffinus newelli*), and endangered Hawai'i Distinct Population Segment of the band-rumped storm-petrel (*Hydrobates castro*) (hereafter Hawaiian seabirds) may transit within the vicinity of your proposed project. We recommend you incorporate the following comments into your final Environmental Assessment.

Hawaiian Seabirds

Hawaiian seabirds may traverse the project area at night during the breeding, nesting and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable to light attraction.

The restoration of the State Capitol's architectural lighting includes the use of white or colored lights projected onto the structure and onto the glass paver surface. While the State Capitol and surrounding area currently have existing lights that are kept on at night, illuminating the State Capitol is likely to increase nighttime lighting during the seabird fallout season.

To avoid and minimize potential project impacts to listed seabirds, we recommend you incorporate this additional measure into your project description:

- Lights used in illuminating the State Capitol will not be brighter than existing exterior lights on surrounding buildings, pathways, or streets.

We appreciate your efforts to conserve protected species. If you have questions regarding this response, please contact Joy Browning, Fish and Wildlife Biologist (phone: 808-792-9400, email Joy_Browning@fws.gov). When referring to this project, please include this reference number: 2024-0136275-S7-001.

Sincerely,

**JINY
KIM** Digitally signed
by JINY KIM
Date:
2024.09.10
11:57:52 -10'00'

Island Team Manager
O'ahu, Kaua'i, Northwestern Hawaiian
Islands, and American Samoa

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

September 10, 2024

LD 0125

HHF Planners
Attn: Gail Renard, Associate Principal
733 Bishop Street, Suite 2590
Honolulu, HI 96813

Via email: comments@hhf.com

**SUBJECT: Hawai'i Capitol Pools Improvement Project, 415 South Beretania Street,
Honolulu, O'ahu, Hawai'i, TMK: (1 2-1-024: 015**

Thank you for the opportunity to review and comment on the subject project. The Land Division of the Department of Land and Natural Resources (DLNR) distributed copies of your request to DLNR's various divisions for their review and comment.

Enclosed are comments received from our Engineering Division and Office of Conservation and Coastal Lands. Should you have any questions, please feel free to contact Timothy Chee via email at timothy.chee@hawaii.gov. Thank you.

Sincerely,

Russell Tsuji

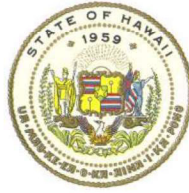
Russell Y. Tsuji
Land Administrator

Attachments

cc: Central Files

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

August 8, 2024

LD 0125

MEMORANDUM

FROM: ~~TO:~~

DLNR Agencies:

- Div. of Aquatic Resources (via email: kendall.l.tucker@hawaii.gov)
- Div. of Boating & Ocean Recreation (via email: richard.t.howard@hawaii.gov)
- Engineering Division** (via email: DLNR.Engr@hawaii.gov)
- Div. of Forestry & Wildlife (via email: Rubyrosa.T.Terrago@hawaii.gov)
- Div. of State Parks (curt.a.cottrell@hawaii.gov)
- Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
- Office of Conservation & Coastal Lands (via email: Sharleen.k.kuba@hawaii.gov)
- Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)
- Aha Moku (via email: leimana.k.damate@hawaii.gov)

TO: ~~FROM:~~

Russell Y. Tsuji, Land Administrator

Russell Tsuji

SUBJECT:

Hawai'i Capitol Pools Improvement Project

LOCATION:

415 South Beretania Street, Honolulu, O'ahu, Hawai'i

APPLICANT:

TMK: (1 2-1-024: 015

Department of Accounting and General Services

Transmitted for your review and comment is information on the above-referenced project. Please submit any comments to timothy.chee@hawaii.gov at the Land Division by the internal deadline of **September 5, 2024**. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Timothy Chee at the above email address. Thank you.

BRIEF COMMENTS:

- We have no objections.
- We have no comments.
- We have no additional comments.
- Comments are included/attached.

Signed:

Print Name:

Carty S. Chang, Chief Engineer

Division:

Engineering Division

Date:

Aug 19, 2024

Attachments
Cc: Central Files

HHF PLANNERS

places for people

August 8, 2024

Dear Participant:

Name of Project: **Hawai'i Capitol Pools Improvement Project**
Location: **415 South Beretania Street, Honolulu, O'ahu, Hawai'i**
Tax Map Key: **(1) 2-1-024: 015**



On behalf of the State of Hawai'i Department of Accounting and General Services (DAGS), we are informing you of the availability the Draft Environmental Assessment and Anticipated Findings of No Significant Impact (DEA-AFNSI) for improvements at the Hawai'i State Capitol Building (Capitol), located at the above-captioned property.

DAGS proposes the improvements to the Capitol, focused principally on resolving the persistent issues presented by the reflecting pools (e.g., algae growth, leakage, and structural damage), while maintaining the original symbolic intent of these features. Compliance with HRS Chapter 343 is required pursuant to HRS Chapter 343 §§ 343-5(a)(1) and (4), due to the expenditure of state funds, the use of state-owned lands, and the Capitol's designation as a contributing property to the Hawai'i Capital Historic District, which is listed on the Federal and State Registers of Historic Places.

Notice of the DEA-AFNSI will appear in the August 8, 2024 edition of *The Environmental Notice*, published by the Office of Planning and Sustainable Development's Environmental Review Program (ERP); this begins a 30-day public period that ends on September 9, 2024. The DEA-AFNSI can be viewed or downloaded from the ERP website beginning on August 8, 2024, using the URL below. Hard copies of the DEA-AFNSI will also be available for public review at the Hawai'i State Library and the Hawai'i Documents Center (located within the Hawai'i State Library).

https://files.hawaii.gov/dbedt/erp/Doc_Library/2024-08-08-OA-DEA-Hawaii-Capitol-Pools-Improvement-Project.pdf

Please send comments to the Consultant. **Comments must be emailed or postmarked by September 9, 2024** for inclusion in the Final EA.

Consultant: HHF Planners
Address: 733 Bishop Street, Suite 2590
Honolulu, HI 96813
Contact: Gail Renard, Associate Principal Phone: (808) 457-3167
Email: comments@hhf.com

Please contact me at the phone number or email address above if you would like additional information about the Proposed Action. Thank you for your participation in the environmental review process.

Sincerely,

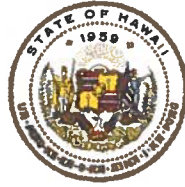
A handwritten signature in black ink, appearing to read 'Gail Renard', written in a cursive style.

HHF PLANNERS
Gail Renard
Associate Principal

cc (via email): State of Hawai'i Department of Accounting and General Services
AHL, Inc.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'AINA

RECEIVED
LAND DIVISION



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'AINA

2024 AUG 20 AM 10:35



DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII
STATE OF HAWAII | KA MOKU'AINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'AINA
LAND DIVISION

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2024 AUG 19 A 9:16

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

P.O. BOX 621
HONOLULU, HAWAII 96809

August 8, 2024

LD 0125

MEMORANDUM

TO:

DLNR Agencies:

- X Div. of Aquatic Resources (via email: kendall.l.tucker@hawaii.gov)
- X Div. of Boating & Ocean Recreation (via email: richard.t.howard@hawaii.gov)
- X Engineering Division (via email: DLNR.Engr@hawaii.gov)
- X Div. of Forestry & Wildlife (via email: Rubyrosa.T.Terrago@hawaii.gov)
- X Div. of State Parks (curt.a.cottrell@hawaii.gov)
- X Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
- X Office of Conservation & Coastal Lands (via email: Sharleen.k.kuba@hawaii.gov)
- X Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)
- X Aha Moku (via email: leimana.k.damate@hawaii.gov)

FROM:

Russell Y. Tsuji, Land Administrator

Russell Tsuji

SUBJECT:

Hawai'i Capitol Pools Improvement Project

LOCATION:

415 South Beretania Street, Honolulu, O'ahu, Hawai'i

TMK: (1 2-1-024: 015

APPLICANT:

Department of Accounting and General Services

Transmitted for your review and comment is information on the above-referenced project. Please submit any comments to timothy.chee@hawaii.gov at the Land Division by the internal deadline of **September 5, 2024**. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Timothy Chee at the above email address. Thank you.

BRIEF COMMENTS:

*Not in the
Conservation
District*

- () We have no objections.
- (x) We have no comments. *
- () We have no additional comments.
- () Comments are included/attached.

Signed:

Print Name:

Division:

Date:

[Signature]
K. Tye Mills
DLNR - Oahu
8/19/2024

Attachments

Cc: Central Files

HHF PLANNERS

places for people

August 8, 2024

Dear Participant:

Name of Project: **Hawai'i Capitol Pools Improvement Project**
Location: **415 South Beretania Street, Honolulu, O'ahu, Hawai'i**
Tax Map Key: **(1) 2-1-024: 015**



On behalf of the State of Hawai'i Department of Accounting and General Services (DAGS), we are informing you of the availability the Draft Environmental Assessment and Anticipated Findings of No Significant Impact (DEA-AFNSI) for improvements at the Hawai'i State Capitol Building (Capitol), located at the above-captioned property.

DAGS proposes the improvements to the Capitol, focused principally on resolving the persistent issues presented by the reflecting pools (e.g., algae growth, leakage, and structural damage), while maintaining the original symbolic intent of these features. Compliance with HRS Chapter 343 is required pursuant to HRS Chapter 343 §§ 343-5(a)(1) and (4), due to the expenditure of state funds, the use of state-owned lands, and the Capitol's designation as a contributing property to the Hawai'i Capital Historic District, which is listed on the Federal and State Registers of Historic Places.

Notice of the DEA-AFNSI will appear in the August 8, 2024 edition of *The Environmental Notice*, published by the Office of Planning and Sustainable Development's Environmental Review Program (ERP); this begins a 30-day public period that ends on September 9, 2024. The DEA-AFNSI can be viewed or downloaded from the ERP website beginning on August 8, 2024, using the URL below. Hard copies of the DEA-AFNSI will also be available for public review at the Hawai'i State Library and the Hawai'i Documents Center (located within the Hawai'i State Library).

https://files.hawaii.gov/dbedt/erp/Doc_Library/2024-08-08-OA-DEA-Hawaii-Capitol-Pools-Improvement-Project.pdf

Please send comments to the Consultant. **Comments must be emailed or postmarked by September 9, 2024** for inclusion in the Final EA.

Consultant: **HHF Planners**
Address: **733 Bishop Street, Suite 2590
Honolulu, HI 96813**
Contact: **Gail Renard, Associate Principal** Phone: **(808) 457-3167**
Email: **comments@hhf.com**

Please contact me at the phone number or email address above if you would like additional information about the Proposed Action. Thank you for your participation in the environmental review process.

Sincerely,

HHF PLANNERS
Gail Renard
Associate Principal

cc (via email): **State of Hawai'i Department of Accounting and General Services
AHL, Inc.**









REQUEST FOR COMMENTS-LD0125-HAWAII CAPITOL POOLS PROJECT

Final Audit Report

2024-08-08

Created:	2024-08-08 (Hawaii-Aleutian Standard Time)
By:	Timothy Chee (timothy.chee@hawaii.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAo-MGBJbYFDe1PvAqAcWm1W1ynN-KnYp_
Number of Documents:	2
Document page count:	2
Number of supporting files:	0
Supporting files page count:	0

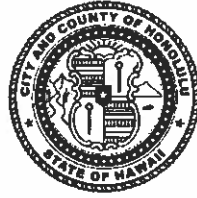
"REQUEST FOR COMMENTS-LD0125-HAWAII CAPITOL POOLS PROJECT" History

-  Document created by Timothy Chee (timothy.chee@hawaii.gov)
2024-08-08 - 12:31:58 PM HST- IP address: 162.221.246.37
-  Document emailed to Kevin Moore (kevin.e.moore@hawaii.gov) for approval
2024-08-08 - 4:15:01 PM HST
-  Email viewed by Kevin Moore (kevin.e.moore@hawaii.gov)
2024-08-08 - 4:36:59 PM HST- IP address: 104.47.64.254
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2024-08-08 - 4:37:01 PM HST- IP address: 162.221.246.37
-  Document approved by Kevin Moore (kevin.e.moore@hawaii.gov)
Approval Date: 2024-08-08 - 4:37:25 PM HST - Time Source: server- IP address: 162.221.246.37
-  Document emailed to Kevin Moore (kevin.e.moore@hawaii.gov) for approval
2024-08-08 - 4:37:27 PM HST
-  Email viewed by Kevin Moore (kevin.e.moore@hawaii.gov)
2024-08-08 - 4:37:53 PM HST- IP address: 104.47.64.254
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2024-08-08 - 4:37:55 PM HST- IP address: 162.221.246.37

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honoluluupd.org

RICK BLANGIARDI
MAYOR
MEIA



ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **EO-SH**

August 27, 2024

SENT VIA EMAIL

Ms. Gail Renard
comments@hhf.com

Dear Ms. Renard:

This is in response to your correspondence dated August 6, 2024, requesting comments for the Hawai'i Capitol Pools Improvement Project.

Based on the information provided, the Honolulu Police Department does not have any concerns at this time.

If there are any questions, please call Major Paul Okamoto of our District 1 (Central Honolulu) at (808) 723-3327.

Sincerely,


GLENN HAYASHI
Assistant Chief of Police
Support Services Bureau

BOARD OF WATER SUPPLY
KA 'OIHANA WAI
CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96843
Phone: (808) 748-5000 • www.boardofwatersupply.com

RICK BLANGIARDI
MAYOR
MEIA

ERNEST Y. W. LAU, P.E.
MANAGER AND CHIEF ENGINEER
MANAKIA A ME KAHU WILIKI

ERWIN KAWATA
DEPUTY MANAGER
HOPE MANAKIA



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GENE C. ALBANO, P.E., Ex-Officio

August 23, 2024

Ms. Gail Renard
HHF Planners
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813

Dear Ms. Renard:

Subject: Your Letter Dated August 8, 2024 Requesting Comments on the Draft Environmental Assessment for the Hawai'i Capitol Pools Improvements Project at 415 South Beretania Street – Tax Map Key: 2-1-024: 015

Thank you for your letter regarding the proposed reflecting pools replacement project.

The Board of Water Supply (BWS) supports the proposal to replace the existing Capitol pool water element with a waterless solution.

The existing water system is currently adequate to accommodate the proposed development. However, please be advised that the existing Honolulu water system capacity has been reduced due to the shut-down of the Hālawā Shaft pumping station as a proactive measure to prevent fuel contamination from the Navy's Red Hill Bulk Storage Tank fuel releases. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval, pending evaluation of the water system conditions at that time on a first-come, first-served basis. The BWS reserves the right to change any position or information stated herein up until the final approval of the building permit application.

We continue to request 10% voluntary water conservation of all customers until new sources are completed and require water conservation measures in all new developments. If water consumption significantly increases, progressively restrictive conservation measures may be required to avoid low water pressures and disruptions of water service.

Ms. Gail Renard
August 23, 2024
Page 2

Presently, there is no moratorium on the issuance of new and additional water services. Water distributed via the BWS water systems remains safe for consumption. The BWS is closely monitoring water usage and will keep the public informed with the latest findings. Please visit our website at www.boardofwatersupply.com and www.protectoahewater.org for the latest updates and water conservation tips.

When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission, and daily storage.

Water conservation measures are required for all proposed developments. These measures include utilization of nonpotable water for irrigation using rain catchment, drought tolerant plants, xeriscape landscaping, efficient irrigation systems, such as a drip system and moisture sensors, and the use of Water Sense labeled ultra-low flow water fixtures and toilets.

The proposed project is subject to BWS Cross-Connection Control and Backflow Prevention requirements prior to the issuance of the Building Permit Applications.

The construction drawings should be submitted for our approval, and the construction schedule should be coordinated to minimize impact to the water system.

The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

If you have any questions, please contact Barry Usagawa, Water Resources Division at (808) 748-5900.

Very truly yours,



ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

By

Geoffry Spangler

From: Liu, Rouen <rouen.liu@hawaiianelectric.com>
Sent: Friday, August 30, 2024 17:57
To: comments@hhf.com
Cc: Kuwaye, Kristen
Subject: Draft EA - AFONSI - Hawaii Capitol Pools Improvement

[This message was sent from an outside source.]

Dear Ms. Renard,

Thank you for the opportunity to comment on the subject project. Hawaiian Electric Company has no objection to the project. Should Hawaiian Electric have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities. We appreciate your efforts to keep us apprised of the subject project in the planning process. As the proposed Hawaii Capitol Pools project comes to fruition, please continue to keep us informed.

Please contact me at 808-772-2135 should there be any questions.

Rouen Liu (WA3 – PTA)
Permits Engineer
Hawaiian Electric Company
PO Box 2750
Honolulu Hawaii 96840-0001

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680 Iwilei Road Suite 690, Honolulu HI 96817 • (808) 523-2900 • preservation@historichawaii.org • www.historichawaii.org

September 9, 2024

Gail Renard, Associate Principal
HHF Planners
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813

Email: comments@hhf.com

Copy to Brad Leveen (brad.leeven@hawaii.gov)

**Re: Draft Environmental Assessment (DEA)
Hawai'i State Capitol Building
Rehabilitation of Chambers Level Water Proofing System and Related Improvements
(DAGS Job No. 12-10-0864)
415 South Beretania Street, Honolulu, O'ahu, Hawai'i
TMK: (1) 2-1-024: 015**

Dear Ms. Renard:

Thank you for referring the above mentioned project to Historic Hawai'i Foundation (HHF) under Chapter 343 of the Hawai'i Revised Statutes. Historic Hawai'i Foundation received notice and request for comments from HHF Planners on behalf of State of Hawai'i, Department of Accounting and General Services (DAGS) on the Draft Environmental Assessment (DEA) for the proposed improvements to the Hawai'i State Capitol Building.

Interests of Historic Hawai'i Foundation

Historic Hawai'i Foundation is a statewide non-profit organization established in 1974 to encourage the preservation of sites, buildings, structures, objects and districts that are significant to the history of Hawai'i. As an organization that is concerned with the effect of the project on historic properties, Historic Hawai'i Foundation is providing these comments in accordance with Hawai'i Revised Statutes (HRS) Chapter 343. Previously, Historic Hawai'i Foundation provided comments in response to the Environmental Impact Assessment Preparation Notice (HHF Letter dated May 13, 2024).

By way of email to DAGS project manager Brad Leveen (August 29, 2024), Historic Hawai'i Foundation also affirmed that the organization will participate in the consultation process for review and resolution of effects in accordance with HRS 6E (Historic Preservation) and its implementing rules at HAR §13-275-1 (purpose, applicability and participants) paragraph (c)(2): Participants in the historic preservation review process

[include]...those “organizations and individuals that are concerned with the effect of a project on historic properties.” We also note the applicability of §13-275-2: “consultation process means notifying interested organizations and individuals that a project could affect historic properties of interest to them; seeking their views on the identification, significance evaluations, and mitigation treatment of those properties; and considering their views in a good faith and appropriate manner during the review process.”

Condition and Project Need

The Capitol reflecting pools are supplied with water via on-site wells which draw water from a shallow aquifer. Over the decades, the water drawn from these wells has become increasing saline (i.e., brackish), which is contributing to corrosion of the water basins, and the pipes and mechanical systems which maintain the pools.

DAGS proposes the improvements to the Capitol, **focused principally on resolving the persistent issues presented by the reflecting pools (e.g., algae growth, leakage, and structural damage)**, while maintaining the original symbolic intent of these features. (emphasis added)

HHF appreciates the need to repair damage and prevent further leakage from the historic reflecting pools.

BACKGROUND AND SURROUNDING ENVIRONMENT

Site: The site is located at the center of the Hawai‘i Capital Historic District, a nationally-significant historic district listed in the National Register of Historic Places. The Hawai‘i State Capitol is a contributing property to the character and quality of this historic district. Additionally, the property is located within the City and County of Honolulu’s Hawai‘i Capital Special District, Revised Ordinances of Honolulu (ROH) Chapter 21 §21-9.30.

Historic and Architectural Resources: The Capitol is unique among U.S. State Capitols in its use of architectural elements to reflect Hawai‘i’s landscapes, natural features, and heritage. From the exterior of the structure, this is most exemplified by the two reflecting pools, representing the ocean, the conical shape of the legislative chambers, representing the volcanoes of the state rising from the sea, the perimeter columns representing palm trees and the eight main Hawaiian Islands, and the open-air rotunda, representing the open society.

“The Hawaii State Capitol building is the single most dominant work of public architecture in the State of Hawaii. When the State Capitol building was conceived, it was not meant to be just another modern structure. The building was intended to reflect Hawaii and its people.

“To quote from an address given by Governor John A. Burns, ‘The open sea, the open sky, the open doorway, open arms and open hearts - these are the symbols of our Hawaiian heritage. In this great State Capitol there are no doors at the grand entrances which open toward the mountains and toward the sea. There is no roof or dome to separate its vast inner court from the heavens and from the same eternal stars which guided the first voyagers to the Primeval beauty of these shores.’” (Hawai‘i Capital Historic District Nomination Form, U.S. National Park Service, 1978)

Significance: The Capitol reflecting pools are a significant, unique architectural feature of the Capitol, and reference the relationship of Hawai'i and the ocean. The pools are a significant contributing element to the character of the Capitol itself and, as a result, of the surrounding historic district (see Hawai'i Capital Historic District Nomination Form, U.S. National Park Service, 1978).

PURPOSE OF AND NEED FOR THE PROPOSED ACTION

Presented as a maintenance project, the Proposed Action is needed to address **chronic repair and maintenance** problems associated with the water-filled reflecting pools.

“The proposed improvements and modifications (“Proposed Action”) are needed to resolve persistent issues presented by the Capitol reflecting pools, including algae growth, leakages into office and operational spaces, and damage to its structural, mechanical, and electrical components. The Proposed Action is intended to resolve these issues while reinforcing the important symbolic value and original design intent of the reflecting pools.” (see DEA Section 1.2 Introduction)

Historic Hawai'i Foundation agrees with the statement of need.

However, the Statement of purpose goes on the state that:

“The purpose of the Proposed Action is to replace the chamber-level waterproofing and **convert the Capitol reflecting pools into a waterless feature** that can be sustainably maintained, while also upholding the original intent of the water-filled design (i.e., representing the ocean surrounding the Hawaiian Islands).” (Section 1.5 Purpose)

“In addition, the proposed improvements are intended to reinforce and reinvigorate the State Capitol building’s role as the ‘people’s house,’ providing the public with a **new means of engaging with and experiencing the State Capitol building.**’ (Section 1.5 Purpose)

HHF is deeply concerned about the expansion of the maintenance project into one that significantly changes the character of this iconic design. We consider the statements about the purported benefits to be useful when evaluating alternatives in selecting a preferred solution to the maintenance issue, but in and of themselves, these criteria are not fundamentally the purpose of the project.

We recommend including alternatives that address the maintenance, repair and operations issues, and not to screen out viable alternatives merely because they include water or do not expand event venue space.

HHF SPECIFIC COMMENTS

Alterations to Character Defining Features of the Capitol and Grounds

The following significant changes and additions to the architectural character, beauty and symbolism of the Capitol building and grounds are far beyond the scope of a maintenance project and merit serious discussion and public input.

Historic Hawai'i Foundation finds that several of the proposed project components would cause irreversible alterations to the character-defining features of the historic property and would cause a significant impact to the environment.

A. New Concrete Terraces Around the Perimeter of the Pools

To reduce the apparent water representation from 78,000 square feet to 55,000 square feet and provide accessible outdoor venue for public events, the project includes new concrete terraces. The need to reduce the size and scale of the water representation is not explained, nor is the need for the concrete collars explained.

“The project also includes construction of an expanded concrete terrace around the perimeter of both pools and new concrete “collars” around the existing “volcano” walls of the House and Senate chambers and existing concrete columns. The addition of these concrete terrace and collar features would **reduce the overall surface area of the pool features** from approximately 78,000 square feet to 55,000 square feet.” (Section 2.1.3 Components)

HHF finds that the reduction of the scale of the water representation to be an irreversible effect to the character-defining pools feature.

B. Creation of New Pedestrian-Friendly Venues

The project proposes to add new venues, including hardscape and pathways. The purpose and need for this expanded publicly accessible outdoor space is neither explained or justified.

“Through the waterless solution, the Proposed Action would create new pedestrian-friendly venues on the Diamond Head and 'Ewa areas adjacent to the State Capitol building. The new venues would include ADA-accessible pathways, a partially covered hardscape, and adjacent existing lawns. They would expand the open design of the Capitol and invite public engagement.” (Section 2.1.4 Project Benefits)

HHF considers the conversion of a passive water feature into a waterless hardscape activity venue to be an irreversible effect to the character-defining feature.

C. Replacement of Water with Painted Glass “Pavers”

The glass surface is also intended to be a part of the accessible outdoor venue. The material and installation techniques indicate that the new surface will be painted glass squares installed on a grid with supports at each corner. It is unclear if the pavers are free-standing or will be supported by a bracketing system. It is unclear if the visual effect will be one of a painted floor or if it will credibly imitate the look and feel of water.

“Laminated exterior glass pavers are a mature technology in use in public plazas and walkways around the world.... The proposed artistic glass surface would consist of approximately 6,100 three-foot- by three-foot square, non-slip laminated glass panels (or “pavers”) installed on a grid of pedestals spaced on three foot centers (at the corners of each glass paver).” (Section 2.1.3 Components)

The assertion of “mature technology” needs greater explanation and justification, including examples of similar installations using the paver size and support technology. HHF is aware of several examples of unique glass paving installations which have failed and are now either covered up (Campo Volantin Footbridge in Bilbao, Spain) or replaced (Santiago Calatrava's Ponte della Costituzione Bridge in Venice, Italy) due to safety concerns.

HHF considers the conversion of the water feature to a glass surface to be an irreversible effect to the character-defining feature.

D. New Drainage System

The proposed action describes that new stormwater drain lines and appurtenances would be installed to connect the pool drainage pipes to the municipal storm drain system, including extensive trenching along the mauka and makai sides of the Capitol grounds, stating “Incidental work may include demolition and replacement of existing site improvements (e.g., sidewalks, pavements, curbs, landscaping, etc.)”. In addition, the action includes the prominent placement of a visibly intrusive back flow preventer adjacent to the signature flagpole.

HHF considers the potential damage to the mauka and makai entrance plazas to be an irreversible effect to a character-defining feature.

We are also deeply concerned that this project component is contrary to the assertion that the proposed action is a “waterless” feature, since extensive engineering is needed to address draining, including the gutter and outflow drains, trenching, pipes and back flow preventer equipment.

The area under the glass pavers will evidently continue to receive and retain water (presumably from rain) that will need to be managed. It is reasonable to anticipate standing water in the basin, which will need to be sloped to flow to the newly installed drains, then to newly installed pipes, and then to the municipal storm drainage system. It is unclear how algae and condensation will be address, if regular cleaning is needed and where the access points will occur (do the pavers lift up or are they fixed in place?), and if the so-called “waterless” solution is actually easier to maintain than the pools would be were an improved circulation system installed.

“The pools initially had a functional use: pumping cool brackish groundwater from three onsite wells through the State Capitol building’s heating, ventilation, and air conditioning (HVAC) chillers and condensers to cool air circulated throughout the building. The water was then discharged into the pools where it would evaporate or discharge into the City’s storm drain system.The recirculating systems were subsequently removed in the early 1990s and the drains and fountains capped. (Section 1.5 Repair History)

HHF is concerned that an existing drainage system has been abandoned. We question why a replacement system, with associated detrimental impact to the site, is proposed rather than to repair the original system and connections to the City’s storm drainage system.

HHF has additional questions regarding the possible reworking of the original circulation system, converted to potable water, could not be reworked in a manner to address the maintenance issues without imposing new detrimental effects.

E. Creation of an Events Program and Coordinator

The DEA “benefits” section describes the need for the creation of a program for planning and managing of the public events intended to use these new spaces.

“A State Capitol Pools public engagement program will be designed to provide broadly accessible community programs and activities that promote and encourage the excellence and diversity of the arts and culture of Hawai‘i. Public programs play an important role in fulfilling and enhancing the State Capitol building’s symbolic value as a modern and functional place of democracy in an open society. **These programs will require planning, coordination, and management funded through public and private entities.**

“A Public Programs Coordinator, supported by the State Foundation on Culture and the Arts and its Friends of the Hawaii State Art Museum, LLC will provide temporary assistance to develop and promote programs, community events and seek partnerships and sponsors for approximately two to three events per month beginning in calendar year 2027.

“A set of guidelines will be developed and organizations interested in using the space will be able to submit an application to DAGS for a “Special Use Permit” similar to the process currently in place for public use of the State Capitol Rotunda.” (Section 2.1.4 Project Benefits)

HHF is deeply concerned that the changes to the character-defining features and symbolism of the Capitol building and grounds is presenting a myriad of additional logistical and cost issues.

The primary role of the Capitol building is the housing of the legislature, the executive administration and required support functions. The design is intended to display the openness of these governmental functions. The addition of event spaces, while open to the public, are not an essential component of this “House of the People”.

Continuing in the words of Governor Burns: “It is by means of the striking architecture of this new structure that Hawaii cries out to the nations of the Pacific and of the world, this message: We are a free people.....we are an open society.....we welcome all visitors to our island home. We invite all to watch our legislative deliberations; to study our administrative affairs” (Gov. Burns’ address as cited in Hawai‘i Capital Historic District Nomination Form, U.S. National Park Service, 1978)

F. 8” Drops at Added Terraces and Glass Pavers

HHF has additional concerns about the practicality, functionality and safety of the project additions:

- In a public setting, a single step drop in pavement is highly vulnerable to a fall accident. (Reference Figure 2-2 on Page 2-4 of the EA). This change in level occurs at the full perimeter of the existing sidewalks and the new added terraces.

- Additionally, the plan shows an added glass railing the full length of the makai walkway due to the introduction of pedestrian access at the top of the wall (Reference Figure 2-1 of the EA)
- ADA ramps to each level alongside the entrances will require handrails which will add to the visual clutter at these open floating walkways.

HHF is concerned that the conversion of the reflecting pools to event venues introduces safety measures that further alter the character-defining feature of the symbolic water feature.

G. Unsecured access to the walls of the building

With the current design, physical access to the Chamber’s columns and walls is limited with a standoff distance due to the presence of the pools; unauthorized personnel do not have access to the building systems or walls.

- The passive protection to the building provides a deterrence to vandalism. If the pools are removed and anyone can walk up to the building walls, we anticipate issues related to vandalism or graffiti.
- With the current design, the only points of access to the physical building are the mauka and makai entry walks. Best practices for anti-terrorism and force protection emphasize standoff distances, limiting both contact via vehicle and pedestrians to vulnerable locations. Allowing unfettered reach to the exterior of the Chamber walls and under the overhanging lanai areas is contrary to security standards.

H. Technology of the glass installation

- The comparison of a close match to the proposed glass support system is not explained or demonstrated. Additional information is needed to assess how closely the proposed system imitates water.

HISTORIC HAWAI‘I FOUNDATION CONCLUSIONS AND RECOMMENDATIONS

In developing a solution to the pools’ chronic maintenance problems that recognizes their intended symbolism and supports the cultural and historic importance of the State Capitol building, DAGS arrived at seven project objectives (1.6 Project Objectives).

Of the stated objectives, HHF supports and agrees with five. HHF agrees that these are important considerations and appropriate for the repair and maintenance goals associated with the historic pools:

1. Provides long-term, lower maintenance pool basin conditions that reliably prevent damage to the State Capitol building’s interior and exterior components;
2. Honors the original design intent of the pool spaces’ representation of ocean waters surrounding the Hawaiian Islands (as one of several linked architectural design components symbolizing various natural aspects of Hawai‘i);
3. Conserves groundwater resources;
6. Uses technologies, materials, and designs proven in other applications; and
7. Allows for a return to water-filled pools if future technologies ensure reliable operations.

However, two of the objectives go far beyond “a solution to the pools’ chronic maintenance problems”:

4. Introduces features (e.g., art and illumination) and accessibility to the basins that were previously filled with brackish water to foster the State Capitol building’s role as the “people’s house” and reinforce its original intent to reflect Hawai‘i and its people; and

5. Elevates the role of art in capturing the pools’ symbolism, including in the selection of appropriate Materials.

While these two outcomes may be desirable and present arguments for selecting the glass paver solution over something less aesthetically pleasing or symbolic (e.g. filling the pools with concrete, stones or landscaping), they are mischaracterized as “project objectives.” These considerations should not be equivalent in weighing other solutions, including a true maintenance and repair project that retains the water in the pools.

Historic Hawai‘i Foundation finds that multiple components of the proposed action have an irrevocable impact on the environment and are not reversible. Considered together, these proposed alterations would comprise a significant effect to the landmark State Capitol building and grounds.

HRS 343 for Findings of Significance (emphasis added):

§11-200.1-13 Significance criteria.

(a) In considering the significance of potential environmental effects, agencies shall consider and evaluate the sum of effects of the proposed action on the quality of the environment.

(b) 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.** In most instances, an action shall be determined to have a significant effect on the environment if it may:

(1) **Irrevocably commit** a natural, cultural, or **historic resource**;

DAGS acknowledges that:

“The Proposed Action is anticipated to adversely affect architectural elements of the State Capitol building, namely the Capitol reflecting pools. **The principal impact to the architectural character of the State Capitol building would result from the conversion of the Capitol reflecting pools to the proposed waterless design.** The reflecting pools are a unique architectural element to the State Capitol building, both among the other historic structures in the HCHD and among U.S. state capitols more generally. The original symbolic value of the reflecting pools was as a representation of the Pacific Ocean.

The transition from a natural material, i.e., water, to a man-made material, in the form of glass, is a departure from the original architectural value. The Proposed Action would also reduce the overall surface area of the Capitol reflecting pools, from the original 78,000 square feet to roughly 55,000 square feet, or a reduction of roughly 29 percent.” (Section 3.5.2 Potential Impacts).

Therefore, it is inexplicable and unwarranted to have an Anticipated Finding of No Significant Impact (AFONSI); the effect is both significant and permanent, and the resource affected is unique and highly significant.

HHF objects to the proposed finding and thinks it cannot be sustained under the statute and criteria.

Very truly yours,



Kiersten Faulkner, FAICP

Executive Director



UNIVERSITY
of HAWAII®
MĀNOA

School of Architecture
Office of the Dean

August 8, 2024

HHF Planners
733 Bishop Street, Suite 2590
Honolulu, HI 96813
Attn: Gail Renard, Associate Principal
Phone: (808) 457-3167
Email: comments@hhf.com

To Whom It May Concern:

I have read the proposal to replace the pools at the Capitol with glass floors. I understand how difficult maintenance has been. However, I believe this will alter the historic character of the Capitol and introduce a new design element. Surely there must be a way to retain a water feature that doesn't leak. I think of other buildings of this era and style, such as Lincoln Center in New York. It manages to retain a fountain in its plaza. I wish we could further examine ways to provide this very soothing and appropriate type of landscape feature in the rehabilitation work. The proposal will lead to a very hot and stark environment and compromise a significant historic site and architectural treasure.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "William R. Chapman".

William R. Chapman
Dean, UH Mānoa, School of Architecture
Director, UH Mānoa, Historic Preservation Program

From: hawaiibooks@hotmail.com
To: comments@hhf.com
Subject: Re: State Capitol Building Rehab of Chambers Level Water Proofing System and Related Improvements
Date: Friday, August 9, 2024 10:46:33 AM

[This message was sent from an outside source.]

Aloha,

I'll like to also suggest turning the garden or nature area as a remembrance area to all the people and family affected by the 2023 Maui Fires.

As for any issues with historic matters on the ponds shpd shouldn't have a dictatorship authority on what's best for the future of the people and sustainability of the area... period.

Mahalo

From: hawaiibooks@hotmail.com <hawaiibooks@hotmail.com>
Sent: Thursday, August 8, 2024 4:33 PM
To: comments@hhf.com <comments@hhf.com>
Subject: State Capitol Building Rehab of Chambers Level Water Proofing System and Related Improvements

Aloha,

I am against the proposed project to install glass decor where the pools are located. The glass decor would be very costly by the tax payers and a maintenance nightmare. How will meldeu under the glass be removed? Crack repair?

This area should be converted in to a grass and garden area where people or staff can enjoy outdoors and could be a healing nature walk. People can grow vegetables, flowers and native Hawaiian plants. This area should be sustainable and not be a burden on the taxpayers funds.

Thank you for your consideration,
John

Geoffry Spangler

From: Cook, Tom <cookt@stifel.com>
Sent: Tuesday, August 20, 2024 10:44
To: brad.leeven@hawaii.gov
Cc: comments@hhf.com
Subject: Comment on Hawaii Capitol Pools Improvement Project D.A.G.S. Job No. 12-10-0864

[This message was sent from an outside source.]

Hello Mr. Leveen,

I find the proposed “waterless alternative using laminated glass pavers, painted with enamel, and mounted on pedestals” an appealing plan. I hope it endures as a representation of the ocean surrounding the symbolic island.

One item I would suggest: please set a standard for the use of the restored architectural lighting. The lighting should be limited to white or a celebration the colors of the United States Flag, and therefore, the State of Hawaii flag or perhaps, a subtle blue representing the reflection of the ocean, no higher than one quarter of the external columns.

Specifically excluded should be the colors or symbols of foreign nations, labor unions, armed forces, political parties, religious celebrations, and special interest groups.

While this is seems strict, democratic ideals should represented in a government building. Additionally, the Capitol’s Hawaiian International style should support “Hawaiian natural features and cultural phenomenon”, described well in (3.5.1.1).

A recent example of the misuse of lighting was Honolulu Hale lit in the colors of the Ukrainian flag. While currently acceptable, the support of Ukraine could be abhorrent in as few as five years.

United States democracy and Hawaiian natural features and culture should be everlasting, symbolized by our beautiful Capitol building.

Mahalo in advance for your consideration.

Sincerely,

Tom Cook
Manoa

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From: [Hale Takazawa](#)
To: comments@hhf.com
Subject: Comments for: Hawai'i State Capitol Pools Improvements
Date: Wednesday, September 4, 2024 9:30:37 AM
Attachments: [Response to Draft EA Hawai'i State Capitol Pools Improvements \(1\).pdf](#)

[This message was sent from an outside source.]

Dear HHF, please find enclosed our comments to the Draft EA. I think more vetting with the community may be needed as this \$10M solution may become highly contested. It might be that this project could become a showcase of Hawaii's attention to resilience at a level unseen in other state governments.

thank you!
best regards, Hale

--

Hale Takazawa, Architect

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[linkedin](#)

twitter and instagram: @HTaArch

*“Objective judgment, now at this very moment.
Unselfish action, now at this very moment.
Willing acceptance—now at this very moment—of all external events.
That’s all you need.”*
—**Marcus Aurelius**

04SEP2024

RE: Response to: comments@hhf.com

On July 31, 2024, the State of Hawaii issued a Draft Environmental Assessment (DEA) for the Hawaii Capitol Pools Improvement Project, proposing to replace the iconic reflecting pools with a waterless design. With public comments due by September 9, 2024, it's crucial to critically assess whether this plan aligns with Hawaii's cultural and ecological values—or if a more regenerative approach could better serve the Capitol and its community. A link to the Draft EA is at:

https://files.hawaii.gov/dbedt/erp/Doc_Library/2024-08-08-OA-DEA-Hawaii-Capitol-Pools-Improvement-Project.pdf

Restoring the Capitol: A Call for Regeneration, Not Removal

The Hawaii State Capitol, with its unique architectural elements that mirror Hawaii's natural environment, stands as a symbol of the state's identity. At its heart are the reflecting pools, representing the Pacific Ocean surrounding the Hawaiian Islands. However, the current proposal to replace these iconic water features with a glass paver installation under the guise of solving maintenance issues is a solution that sacrifices the spirit of the original design. The Draft Environmental Assessment (DEA) for the Hawaii Capitol Pools Improvement Project misses an opportunity to engage in a regenerative approach that not only preserves but revitalizes both the Capitol's symbolic and ecological roles.

A Misguided Solution

The DEA proposes to replace the existing water-filled reflecting pools with plazas constructed of glass pavers suspended on pedestals. The rationale behind this change includes persistent maintenance issues such as corrosion, leakage, and algae growth, which have plagued the pools since their construction. While these problems are indeed significant, the proposed solution—a waterless design—fails to address the root of the issue and overlooks a broader, more holistic approach that aligns with both Hawaii's natural systems and cultural heritage.

The DEA's approach reflects a narrow perspective, focused solely on mitigating immediate issues rather than considering the potential for ecological restoration and cultural revitalization. The decision to remove water from the equation entirely is a step away from the very essence of



what the pools represent: Hawaii's intrinsic connection to the ocean. This move not only strips the Capitol of an essential symbolic element but also misses an opportunity to reconnect the building to the natural hydrology of the area.

The Case for Restoring the Brackish Water Springs

The original design of the Capitol included the use of brackish water springs, which were capped over the years due to the very maintenance issues the DEA now seeks to address. However, instead of discarding this natural element, we should be asking how we can restore and enhance it. The springs offer a unique opportunity to reconnect the Capitol with its natural environment and create a living, breathing system that aligns with the principles of ecological restoration.

Restoring the brackish water springs could serve multiple purposes. First, it would reinstate the pools as a dynamic water feature that symbolizes Hawaii's relationship with the ocean. But beyond symbolism, the springs could be integrated into a modern, sustainable water management system. By employing natural filtration systems—such as constructed wetlands or biofiltration—the water could be purified and cycled back into the pools, reducing the maintenance burdens while enhancing the ecological function of the site.

This approach aligns with the "One Water" concept, a holistic view of water management that recognizes the interconnectedness of water systems, from the mountains to the sea. By treating the Capitol's water feature as part of a broader ecosystem rather than an isolated architectural element, we can create a solution that is both practical and regenerative.

A Vision for Regeneration

Rather than simply replacing the pools with a static glass installation, the Capitol could become a showcase for innovative, regenerative design. Imagine a space where the brackish water springs flow through a series of natural filtration systems, supporting a lush landscape of native Hawaiian plants. These plants, in turn, provide habitat for local wildlife, creating a small but significant urban oasis in the heart of Honolulu. The pools could still retain their reflective quality, but now they would reflect a living, evolving ecosystem rather than a static representation of water.

This vision is not just about aesthetics; it's about resilience. As climate change brings rising sea levels and more extreme weather events, the Capitol's infrastructure must be adaptable. Natural water systems are inherently more resilient than engineered ones, capable of adapting to changes in water flow and quality. By restoring the springs and integrating them into a



regenerative water system, the Capitol can become a model for how modern buildings can work in harmony with natural processes rather than against them.

Cultural, Technical and Educational Opportunities

The restoration of the brackish water springs also offers rich cultural and educational opportunities. Water has always held a central place in Hawaiian culture, from the ancient ahupua'a system of land management to the deep spiritual significance of freshwater sources. By restoring the springs, the Capitol could honor these traditions and serve as a living reminder of Hawaii's cultural heritage.

Educational programs could be developed around the restoration project, teaching visitors about traditional Hawaiian water management practices and the importance of ecological restoration. Interactive elements could be incorporated into the design, allowing people to learn about the filtration process, the native plants used in the system, and the wildlife supported by the habitat. This would transform the Capitol from a mere seat of government into a place of learning and connection.

The use of decentralized water for uses like emergency sprinkler systems, desalination demonstration of local potable water systems, and grey-water systems can lead to a fully self-sufficient capitol building. More advanced water systems such as thermal cooling, thermal mass for passive cooling, and localized wastewater treatment systems can all be employed at the capitol which will result in a net-positive building. Workforce development training including monitoring, engineering, maintenance, and development of these systems will make the State of Hawaii a leader in global solutions for the environment, resilience and climate justice.

Sustainability vs. Regeneration

The current DEA reflects a mindset that is all too common in modern environmental planning: sustainability as the goal. While sustainability is certainly better than the alternative, it is ultimately about maintaining the status quo. In contrast, a regenerative approach—one that seeks to restore and enhance natural systems—goes beyond sustainability. It recognizes that in many cases, simply sustaining current conditions is not enough. We must actively work to repair the damage done by past actions and create systems that are more resilient and more in tune with the natural world.

The proposal to replace the reflecting pools with a glass installation is a sustainable solution in the sense that it reduces maintenance burdens and water use. But it is not regenerative. It does not seek to restore the natural systems that once existed on the site, nor does it enhance the



ecological or cultural value of the Capitol grounds. In contrast, restoring the brackish water springs and integrating them into a living water system would be a regenerative approach, one that enhances both the natural and cultural environment.

A Call to Action

The Hawaii State Capitol is more than just a building; it is a symbol of the state's identity and values. As such, any changes to its design should be carefully considered, not just for their practical implications but for their symbolic and ecological impacts as well. The current DEA misses the mark by proposing a solution that, while practical in the short term, fails to capture the potential for regeneration and restoration that this site offers.

We call on the project planners to reconsider the proposed design and explore alternatives that embrace the Capitol's connection to the natural world. By restoring the brackish water springs and integrating them into a regenerative water system, we can create a Capitol that is not only functional but also a living symbol of Hawaii's commitment to environmental stewardship and cultural preservation. This approach would not only solve the maintenance issues but would also create a space that is truly reflective of Hawaii's unique natural and cultural heritage.

It is time to move beyond sustainability and embrace regeneration. The Hawaii State Capitol can—and should—lead the way.



From: [Willa Trimble](#)
To: comments@hhf.com
Subject: Hawaii Capitol Pools Improvement Project
Date: Monday, September 9, 2024 3:39:14 PM

[This message was sent from an outside source.]

Aloha HHF,

I am a local architect and an Architectural Walking Tour Docent for the local chapter of the AIA. Twice a month we lead tours through the capitol building and it has been such a shame to have had the construction fencing around the pools these past few years.

But this proposal is even worse. Replacing actual water with a waterless facsimile is truly sad. The capitol building is a powerful symbol of our identity and values, it is how we represent ourselves to the world. Hawaii has the opportunity to showcase a modern, sustainable water management system while remaining true to the original design intent and maintaining the historic character.

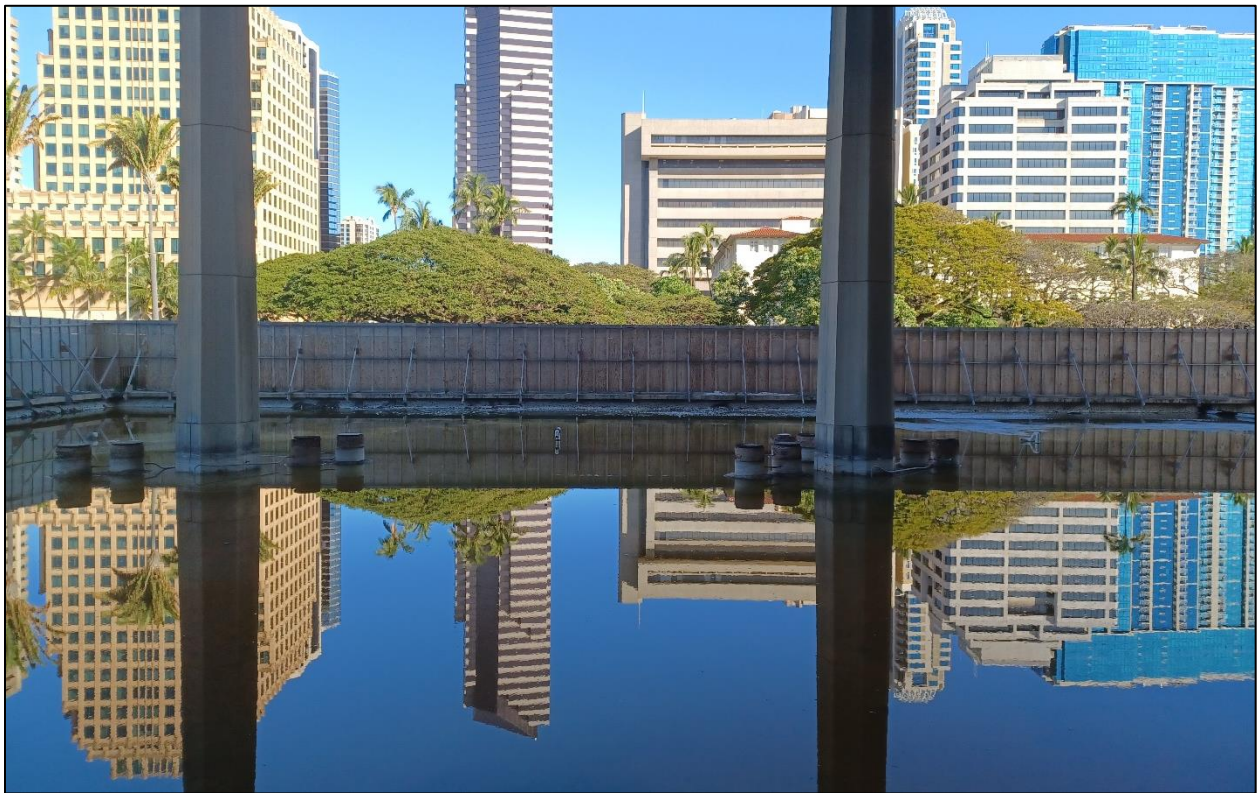
Please, restore the brackish water springs! Work on a regenerative solution that truly reflects our values.

Thank you,
Willa Trimble

Appendix A

Avian Impacts Study

Potential impacts on birds from redesign of the Hawai'i State Capitol reflecting pools and exterior lighting system, Honolulu, O'ahu



AECOS Inc.
45-939 Kamehameha Highway
Suite 104
Kane'ohe, Hawai'i 96744

June 26, 2024

Potential impacts on birds from redesign of the Hawai'i State Capitol reflecting pools and exterior lighting system, Honolulu, O'ahu

June 26, 2024

AECOS No. 1821

Dr. Patricia K. Myer and Reginald E. David

AECOS Inc.

45-939 Kamehameha Highway, Suite 104

Kāne'ohe, Hawai'i 96744

Phone: (808) 234-7770

Fax: (808) 234-7775

Email: patricia@aecos.com

Introduction

The State of Hawai'i proposes to replace the State Capitol reflecting pools with a waterless feature (the "Project").¹ This feature will be a painted glass mosaic on top of the floor of the former (emptied) pools and installing a new computer-controlled lighting system to replace the broken lights currently in place.

AECOS Inc. has been contracted by HHF Planners to conduct an avian survey at the State Capitol building in Honolulu, O'ahu (Figure 1) and assess potential impacts that the proposed waterless glass "pools" and lighting system will have on birds.

Methods

Avian Survey

AECOS biologists Reginald E. David and Patricia K. Myer characterized the avian assemblage at the Project site in the morning hours of April 16, 2024, the most active time of day for birds. Two eight-minute point-count stations were established, one near the west corner and one near the south corner of the building. Visual observations were aided by Leica 8x42 binoculars. Weather

¹ This report was prepared for HHF and is intended to become part of the public record by incorporation into an EA.

conditions were good for avian observations, with no rain, slight wind (~0-5 mph), and clear skies—cloud cover was around 5%. The avian phylogenetic order and nomenclature used in this report follows the AOU *Check-List of North and Middle American Birds 2023* (Chesser et al., 2023).

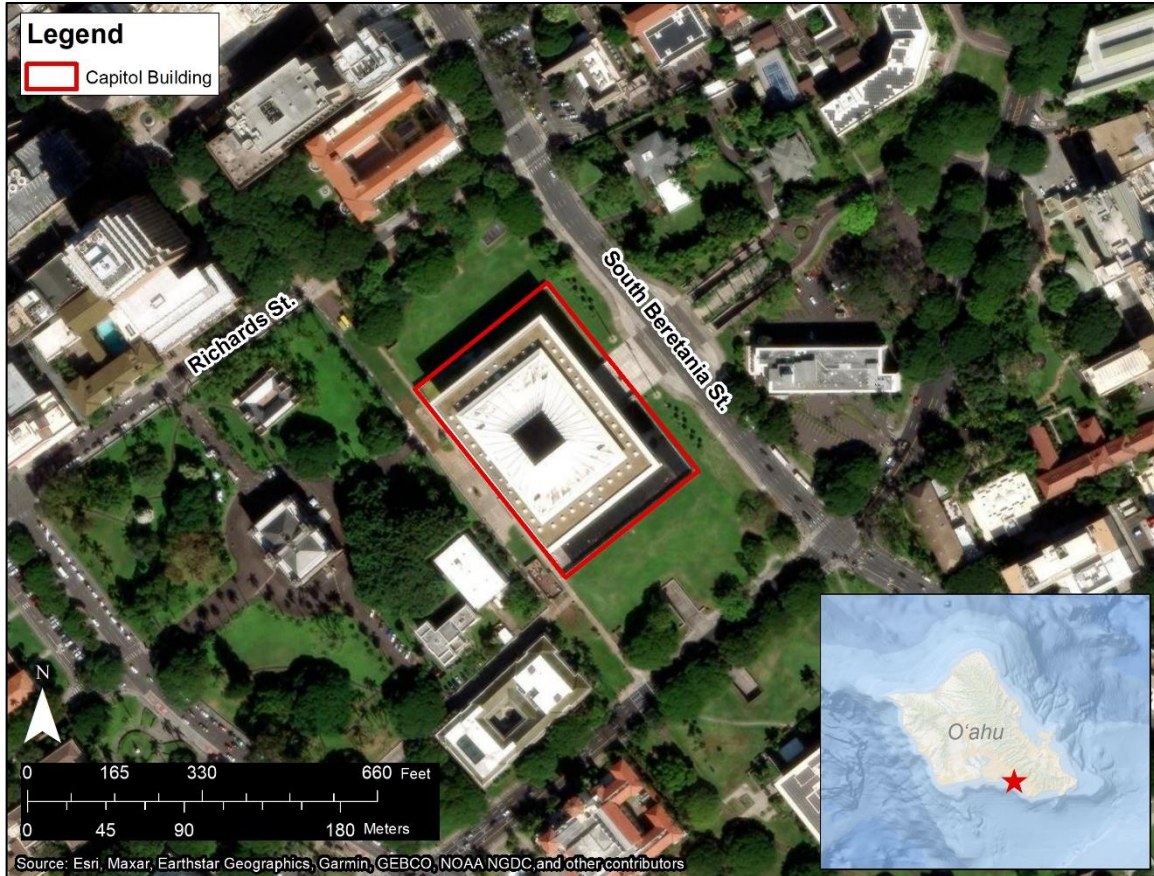


Figure 1. Project location, the State Capitol Building in Honolulu, O'ahu.

Results

Avian Fauna

A total of 16 bird species, representing 13 separate families, were recorded during the survey (Table 1). One recorded species, White Tern (*Gygis alba*), is an indigenous breeding species. The O'ahu population of this species is listed as threatened by the State of Hawai'i. It is not listed under federal statutes. The remaining 15 species are non-native introductions that have become naturalized in Hawai'i.

Table 1. Avian species detected at Hawai‘i State Capitol reflecting pools in April 2024.

Common Name	Species	ORDER FAMILY	Status	RA
GALLIFORMES				
PHASIANIDAE - Pheasants & Partridges				
Phasianinae - Pheasants & Allies				
Red Junglefowl (Domestic)	<i>Gallus gallus</i>		A	0.5
COLUMBIFORMES				
COLUMBIDAE - Pigeons & Doves				
Rock Pigeon	<i>Columba livia</i>		A	6.5
Spotted Dove	<i>Streptopelia chinensis</i>		A	1.0
Zebra Dove	<i>Geopelia striata</i>		A	7.5
LARIDAE - Gulls, Terns & Skimmers				
Sterninae - Terns				
White Tern	<i>Gygis alba</i>		IR SL	20.0
PELECANIFORMES				
ARDEIDAE - Herons, Bitterns & Allies				
Cattle Egret	<i>Bubulcus ibis</i>		A	0.5
PSITTACIFORMES				
PSITTACULIDAE - Lories, Lovebirds, and Indomalayan and Papua-Australasian Parrots				
Psittaculineae - Indomalayan and Papua-Australasian Parrots				
Rose-ringed Parakeet	<i>Psittacula krameri</i>		A	11.5
PASSERIFORMES				
PYCNONOTIDAE - Bulbuls				
Red-vented Bulbul	<i>Pycnonotus cafer</i>		A	8.5
Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>		A	0.5
ZOSTEROPIDAE - White-eyes				
Warbling White-eye	<i>Zosterops japonicus</i>		A	1.5
STURNIDAE - Starlings				
Common Myna	<i>Acridotheres tristis</i>		A	15.0
ESTRILDIDAE - Estrildid Finches				
Common Waxbill	<i>Estrilda astrild</i>		A	3.0

Table 1 (continued).

Common Name	Species	ORDER FAMILY	Status	RA
		PASSERIDAE - Old World Sparrows		
House Sparrow	<i>Passer domesticus</i>		A	10.0
		FRINGILLIDAE - Fringilline and Carduline Finches & Allies Carduelinae - Carduline Finches and Hawaiian Honeycreepers		
House Finch	<i>Haemorhous mexicanus</i>		A	3.5
		CARDINALIDAE - Cardinals & Allies		
Northern Cardinal	<i>Cardinalis cardinalis</i>		A	0.5
		THRAUPIDAE - Tanagers Thraupinae - Core Tanagers		
Red-crested Cardinal	<i>Paroaria coronata</i>		A	1.5

Legend to Table 1.

Status:

- A= Alien, introduced by humans, non-native
- IR= Indigenous resident, native but not unique to Hawai‘i, found elsewhere naturally
- SL= Listed as threatened by the State of Hawai‘i

RA= Relative abundance the number of birds counted divided by count station (n~2)

Avian diversity and densities were in keeping with the location of the site and the vegetation surrounding it. Three species—White Tern, Rose-ringed Parakeet (*Psittacula krameri*), and Common Myna (*Acridotheres tristis*)—accounted for 51% of the birds recorded. The most frequently recorded species was White Tern, which made up 22% of the birds recorded.

Discussion and Recommendations

Recommendations are partly based on U.S. Fish and Wildlife Service Animal Avoidance and Minimization Measures (USFWS-PIFWO, 2023). Implementation of recommendations (provided herein as bulleted items) by the Project contractor will minimize impacts to protected species to the maximum extent practicable.

Avian Resources

Nearly all (15 of 16) of the avian species detected during this survey are non-native introduced species naturalized in the Hawaiian Islands. White Tern or *Manu o Kū*, is an indigenous seabird listed as threatened under State of Hawai'i endangered species statute, HRS 195D (HDLNR, 2015).

Seabirds

In the main Hawaiian Islands, the majority of the White Tern population is restricted to central urban and suburban Honolulu, with a known nesting and breeding range extending from Aloha Tower to Niu Valley (VanderWerf & Downs, 2018). The Project is within the known nesting area of the White Tern population, and multiple White Tern were observed during the avian survey. The U.S. Fish and Wildlife Service (USFWS) recommends trees to be surveyed for nesting White Tern, especially during the breeding season (January to June); however, no tree removal or trimming is planned for this Project.

No other seabird or suitable seabird habitat was found within the Project area. However, protected night-flying Hawaiian seabirds may overfly or otherwise use the parcel. Protected seabirds in Hawai'i include Wedge-tailed Shearwater (*Ardenna pacifica*), Hawaiian Petrel (*Pterodroma sandwichensis*), Newell's Shearwater (*Puffinus newelli*), and Band-rumped Storm-Petrel (*Hydrobates castro*). In the summer and fall, night-flying seabirds (especially fledglings) transiting to the sea from inland can become disoriented by exterior lighting. If disoriented, seabirds may collide with man-made structures or the ground. If not killed outright, dazed or injured birds are targets of opportunity for feral mammals (Podolsky et al., 1998; Ainley et al., 2001; Day et al., 2003). The primary cause of mortality in these seabird species is predation by alien mammalian species at the nesting colonies (USFWS, 1983; Ainley et al., 2001). Collision with man-made structures is considered the second-most significant cause of mortality of these seabirds in Hawai'i. Three of the night-flying Hawaiian seabird species (Hawaiian Petrel, Newell's Shearwater, and Band-rumped Storm-Petrel) nest at high elevations in the mountains, precluding nesting disturbance at the Project site.

- The Project can minimize or avoid risks to protected night-flying seabirds by not conducting night-time construction at the site during the seabird fledging period, September 15 through December 15, and ensuring that all installed outdoor lighting is shielded (dark sky compliant; see HDLNR-DOFAW, 2016).

None of the above-mentioned species are expected to nest within the State Capitol pools; White Tern nests in trees and the other protected seabirds nest in the mountains (Hawaiian Petrel, Newell's Shearwater, and Band-rumped Storm-Petrel) or in littoral vegetation along coastlines (Wedge-tailed Shearwater; USFWS-PIFWO, 2023).

Waterbirds

Neither waterbirds nor suitable habitat (e.g., freshwater marshes, ponds, streams) were observed within the Project area. However, the pools can temporarily flood after rain events, and were seen in this condition during the survey, with a couple of inches of water within the pools (cover photo and Figure 2). The Project aims to make these features completely without standing water.

Raptors

The Hawaiian Short-eared Owl or *Pueo* (*Asio flammeus sandwichensis*) is state listed as Endangered on O'ahu and state recognized as Endemic. There is no suitable habitat on or close to the State Capitol Building to support the species.



Figure 2. State Capitol Pool flooded with water from recent rainfall. The pool is very shallow, as is apparent by the cone in the bottom right corner.

Previously Observed Birds

Prior to the drainage of the pools, ducks utilized the pools as habitat, according to the building manager (Young, 2024). These ducks were likely common feral mallards (*Anas platyrhynchos*). In addition to the ducks, the most common birds seen by workers at the State Capitol include Rock Pigeon (*Columba livia*), White Tern, Rose-ringed Parakeet, and Common Myna. These species were all observed during our April 2024 survey (Table 1).

Avian Impacts

Waterless Design

The waterless solution for the State Capitol Pools involves placing an abstractly painted glass mosaic on top of the pool floor. The design will reference the current mosaic in the center of the State Capitol Rotunda (Figure 3). This glass floor will be composed of 3x3 ft glass panels that will have dense, opaque anti-slip ridges. The glass panes will not be entirely reflective due to these ridges, so glare will be largely reduced.

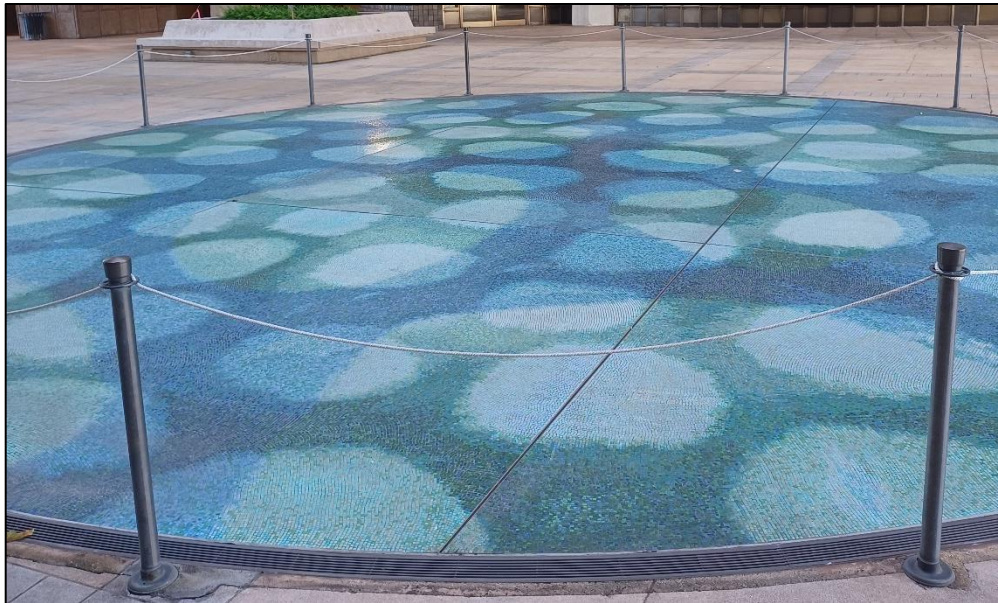


Figure 3. Tadashi Sato's mosaic in the State Capitol Rotunda, which will be referenced in the mosaic glass design within the pools.

Lighting Schemes

A new computer-controlled lighting system is proposed to replace the non-functioning lights currently in place. This new system includes point-source lights that illuminate the columns and the underside of the State Capitol Building roof. The inside of the fins surrounding the perimeter of the roof will also be illuminated. Other lighting features include illuminated railings that point toward the ground and downward-facing terrace lights pointed at the glass mosaic.

These features are designed to be dark-sky compliant (HRS §201-8.5; HDLNR-DOFAW, 2016). This means there will be minimal waste light or spill light into the sky, which could disorient protected seabirds, as stated in the *seabirds* section above.

Provided that the installed lights are dark-sky compliant, they would not be expected to adversely affect seabirds. The computer-controlled lighting system will be dimmable, and any lighting feature will be able to be dimmed or turned off if deemed necessary during the seabird fledging season which runs from September 15 to December 15 of each year.

Other Resources of Potential Concern

Critical Habitat

Federally delineated Critical Habitat is not present in the Project area (USFWS, n.d.).

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