

The Environmental Notice

A SEMI-MONTHLY BULLETIN OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

DECEMBER 8, 1995

Hāmākua Ditch Project Meeting

A public informational meeting for the Lower Hamakua Ditch Watershed project has been scheduled for Thursday, December 14, 1995 at 6:30 PM in the Honoka'a School Cafeteria. At the meeting, the Natural Resources Conservation Service will discuss the Watershed Plan and Environmental Impact Statement.

This project will replace, renovate and rehabilitate intakes, flumes, tunnels and open ditches along the 26 mile ditch. The proposers claim the project will allow continued delivery of agricultural water to support the transformation of former sugar lands into diversified agriculture farms.

Critics doubt the need for irrigation on the rainy Hamakua coast because diversified crops use less water than sugar.

The project will also take into consideration the return of excess waters to the streams to enhance Waipi'o Valley's

environment and could return the Hi'ilawe and Hakalaoa Falls to their original state.

For more information please call Wayne Subica, District Conservationist at (808) 961-5502.

DLNR requires EIS for two Homes in Kahana Valley

The Department of Land and Natural Resources, Division of State Parks has determined that the proposed Beirne and Martinez single family homes at the mouth of Kahana Valley will have a significant impact on the environment. According to the Department, "The two nearby dwellings are both located in an environmentally sensitive floodway, in a tsunami zone along the Kahana Stream estuary."

A full EIS must be prepared before the two homes can be built. See pages 7 and 8 for the EIS Preparation Notices.

Rules Hearings Completed

OEQC recently completed a state-wide series of public hearings to receive comment on the draft EIS rules. Thoughtful testimony was received and dozens of letters are currently under review.

Many speakers raised the need for Social and Cultural Impact Statements as part of an EIS.

"Including a Cultural Impact Statement, Cultural Assessment, and Cultural Resource Management Plan as part of the EIS would be a step towards protecting the land, restoring balance and sustainability, and facilitating the resurgence of the Hawaiian culture," said Karen Eoff for the Protect Kohanaiki 'Ohana.

Many citizens also praised new language that clarifies the need to address secondary and cumulative impacts in an environmental study. Both praise and

criticism was directed to the new provision that narrows the exemption loophole for "county initiated" amendments to county general plans.

The business and land owner representatives claimed the new rules go beyond the authority of the law and add additional time and money to the development process.

The proposed rules "Increase the overall cost of preparing EIS reports. Again, furthering the perception that the cost of doing business and providing services in Hawaii does not appear to be a major concern with the public sector," said Howard Nakamura, President of the Hawaii Resort Developers Conference.

The environmental council will meet soon to consider all the public comments and adopt the new rules in final form. Call OEQC for more information.



BENJAMIN J. CAYETANO
GOVERNOR

OFFICE OF
ENVIRONMENTAL
QUALITY CONTROL

GARY GILL
DIRECTOR

The Environmental Notice
reviews the environmental impacts of
projects proposed in Hawaii

Other Resources
available at OEQC . . .

- *Guidebook for Hawaii's Environmental Review Process*
- *Environmental Impact Study Resource Library*
- *Environmental Education Database*
- *Environmental Council Annual Reports*
- *Rules and Policies*
- *"How to Plant a Native Hawaiian Garden"*

OEQC

220 SOUTH KING STREET
CENTRAL PACIFIC PLAZA,
SUITE 400
HONOLULU, HI 96813

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Definitions

Your guide to the Environmental Review Process

Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with HRS §343. If the lead government agency anticipates that the project will have no significant environmental impact, then a Draft EA is written and public notice is published in this bulletin. The public has 30 days to comment on the Draft EA from the date of the first notice.

Final Environmental Assessment and Negative Declaration

If, after the lead agency reviews the public comments, it feels that the project will have no significant effect on the environment, then it will prepare a Final EA and issue a Negative Declaration. The Final EA must respond to all public comments. An Environmental Impact Statement will not be required and the project may now be implemented. The public has 30 days from the first notice of a Negative Declaration in this Bulletin to sue in court to require the preparation of an EIS.

EIS Prep Notice

If the lead agency decides that a project may have a significant environmental impact, it must prepare an Environmental Impact Statement (EIS) prior to implementing the project. The first step in preparing an EIS is publishing an EIS Preparation Notice (Prep Notice) in this Bulletin. Agencies, groups or individuals have 30 days from the first publication of an EIS Prep Notice to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The draft EIS must respond to these comments.

Draft EIS

If a project is likely to have a significant environmental impact, the lead agency or private applicant must prepare a

Draft Environmental Impact Statement (Draft EIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Secondary and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this Bulletin to comment on a Draft EIS.

Final EIS

After considering public comments filed during the Draft EIS stage, the agency or applicant must prepare a Final Environmental Impact Statement (Final EIS). The Final EIS must respond to all comments from the draft stage. If deeper analysis was required, it must be included in this document. If the project is from a private applicant, the lead agency is authorized to accept the FEIS. If the project is public, the Governor or Mayor is the accepting authority. Only after the EIS is accepted, may the project be implemented.

EIS Acceptance Notice

If the accepting authority accepts a Final Environmental Impact Statement, a separate EIS Acceptance Notice will be published in this Bulletin. The public has 60 days from the date of first notice of acceptance to sue in court to challenge the acceptance of an EIS.

NEPA

National Environmental Policy Act (NEPA) is the law that requires federal projects to prepare an EIS. It is similar to Hawaii's law. Some projects require both a state and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this Bulletin to help keep the public informed of important actions.

Special Management Area Permits

The Special Management Area (SMA) is along the coastlines of all our islands. Most development in this area requires a Special Management Permit (SMP). The Counties regulate development

of this area. On Oahu, the County law requires an Environmental Assessment be prepared to accompany a permit application. This Bulletin posts notice of these SMP applications to encourage public input.

Shoreline Certifications

State law requires that Hawaii shorelines be surveyed and certified to clearly establish a building setback (usually 40 feet inland from the shoreline). The public may participate in the process to help assure accurate legal boundaries. Private land owners often petition to have their shoreline certified prior to construction. This Bulletin publishes notice of both shoreline certification applications and of final certifications or rejections.

Environmental Council

The Environmental Council is a fifteen-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are published in this Bulletin and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This Bulletin will publish an agency's draft exemption list for public comment prior to Council decision making.

Conservation District Permits

Use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources (BLNR). Members of the public may intervene in the permit process. Notice of these permit applications is published in this Bulletin.

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Oahu Notices

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Draft Environmental Assessments

(1) Continental Surf Hotel PCS Transmitter/Receiver Facility

District: Honolulu
TMK: 2-6-24:16
Applicant: Western PCS II Corporation
99-860 Iwaena Street
Aiea, Hawaii 96701
Contact: Jeff Dale (487-0061)

Accepting Authority: City and County of Honolulu, Department of Land Utilization
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Dana Teramoto (523-4648)

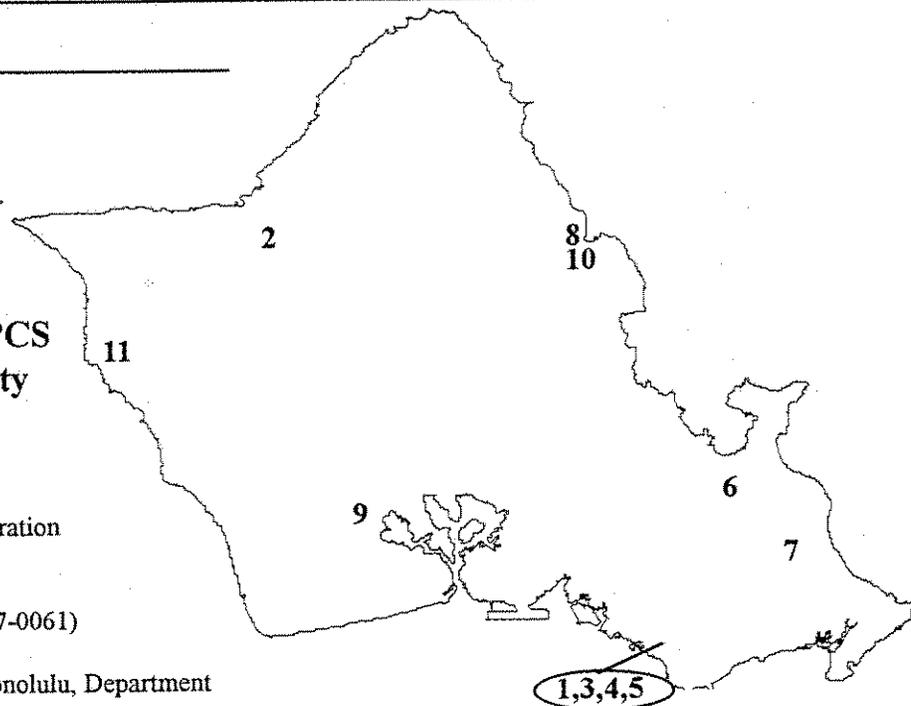
Consultant: Analytical Planning Consultants, Inc.
84 North King Street
Honolulu, Hawaii 96817
Contact: Donald Clegg (536-5695)

Public Comment

Deadline: January 8, 1996
Status: DEA First Notice, pending public comment. Address comments to the applicant with copies to accepting authority, consultant, and OEQC.

The applicant, Western PCS II Corporation, proposes to install nine antenna panels and two equipment cabinets atop the Continental Surf Hotel. The panels are 5 feet long by 6 inches wide by 2 inches thick and will extend above the existing penthouse roof line by approximately 3 feet. The cabinets are 5 feet high by 5 feet wide by 18 inches deep.

The subject property is zoned Apartment Precinct. The proposed PCS transmitter/receiver facility is classified as a Utility Installation, Type B, under the City's Land Use Ordinance (LUO). Utility Installations, Type B, are not permitted on the above-zoned property. Therefore, a use variance is required for the proposal. A use variance is for a type of use which is not otherwise permitted in the zoning district.



(2) Kamehameha Highway Helemano/Waialua Junction Alternate Route

District: Waialua
TMK: 6-2-07; 6-4-01
Applicant: Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Herbert Tao (587-2124)

Accepting Authority: Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Herbert Tao (587-2124)

Consultant: Environmental Communications
P.O. Box 536
Honolulu, Hawaii 96809
Contact: Fred Rodriguez (528-4661)

Public Comment

Deadline: December 23, 1995
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The proposed project consists of new connection plan for the Haleiwa ByPass Road System. The bypass road portion is complete and in operation. The portion of Kamehameha Highway into Haleiwa was re-aligned to form the stem of a T-intersection.

Under the proposed project, traffic from the Wahiawa direction will be able to enter directly into Haleiwa Town, on Kamehameha Highway, without having to make a left turn on the Bypass Road.

An Environmental Impact Statement was published in 1981 for this project and has been subsequently re-evaluated and revised in 1987.

This study addresses the new connection system and addresses the environmental impacts associated with the system. Economic impacts are reviewed on the basis of the concerns by the merchants in Haleiwa Town.

(3) Outrigger Malia Hotel Telecommunication Site

District: Honolulu
TMK: 2-6-19:21
Applicant: PCS PrimeCo, L.P.
Pauahi Tower, Suite 710
1001 Bishop Street
Honolulu, Hawaii 96813
Contact: Calvert Chun (525-6513)

Accepting Authority: City and County of Honolulu
Department of Land Utilization
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Joan Takano (527-5038)

Public Comment
Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority and OEQC.

The applicant, PCS Primeco, L.P., proposes to construct an equipment enclosure and install nine cellular phone antennae and cabling conduit on the roof of the existing 17-story Outrigger Malia Hotel. The 9-foot x 4.5-foot x 10-foot high equipment enclosure will be built on the interior side of

the existing concrete parapet wall, and will not be visible from street level. The 2-inch x 6-inch x 5-foot high antennae will be surface-mounted flush with the exterior edge of the existing parapet wall, and will not project above the top of the building. The cabling conduit, encased in a steel tube, will run along the top of the rooftop tennis court wall, on the makai side. The equipment room cabling conduit and antennae will be painted the same color as the hotel.

The project is considered a utility installation which is not a principal permitted use in the Waikiki Special District and requires a zoning variance.

(4) Waikiki Shore Apartments PCS Transmitter/Receiver Facility and Accessories

District: Honolulu
TMK: 2-6-04:12
Applicant: Western PCS II Corporation
99-860 Iwaena Street
Aiea, Hawaii 96701
Contact: Jeff Dale (487-0061)

Accepting Authority: City and County of Honolulu, Department of Land Utilization
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Dana Teramoto (523-4648)

Consultant: Analytical Planning Consultants, Inc.
84 North King Street
Honolulu, Hawaii 96817
Contact: Donald Clegg (536-5695)

Public Comment
Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to accepting authority, consultant, and OEQC.

The applicant, Western PCS II Corporation, proposes to install nine antenna panels and two equipment cabinets atop the Waikiki Shore Apartments. The panels will extend not more than four feet above the existing penthouse roof line.

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The subject property is zoned Resort Hotel Precinct. The proposed PCS transmitter/receiver facility is classified as a Utility Installation, Type B, under the City's Land Use Ordinance (LUO). Utility Installations, Type B, are not permitted on the above-zoned property. Therefore, a use variance is required for the proposal. A use variance is for a type of use which is not otherwise permitted in the zoning district.

The project is considered a utility installation which is not a principal permitted use in the Waikiki Special District and requires a zoning variance. The applicant is also requesting an exemption from a Waikiki Special District Permit.

Final Environmental Assessments/Negative Declarations

(5) Wailana at Waikiki Hotel Telecommunication Site

District: Honolulu
TMK: 2-6-12:02
Applicant: Western PCS II Corporation
99-860 Iwaena Street
Aiea, Hawaii 96701
Contact: Jeff Dale (487-0061)

Accepting Authority: City and County of Honolulu
Department of Land Utilization
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Joan Takano (527-5038)

Consultant: Analytical Planning Consultant, Inc.
84 North King Street
Honolulu, Hawaii 96817
Contact: Donald Clegg (536-5695)

Public Comment
Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant, and OEQC.

The applicant proposes to construct two equipment cabinets and install nine cellular phone antennae on the roof of the existing 300-foot high Wailana at Waikiki Hotel (1860 Ala Moana). The 5-foot high x 5-foot wide x 1.5-foot deep equipment cabinets will be mounted next to the cooling structure walls, and will not be visible from street level. The 2-inch x 6-inch x 5-foot high antennae will be surface-mounted on the structure surrounding the cooling fan on the roof, and will not extend above the existing cooling structure roof line. The cabinets and antennae will be painted the same color as the hotel.

(6) Castle High School Eight-Classroom Building

District: Koolaupoko
TMK: 4-5-34:8
Applicant: Department of Accounting and General Services
1151 Punchbowl Street, Room 430
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Accepting Authority: Department of Accounting and General Services
1151 Punchbowl Street, Room 430
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Public Challenge
Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

This project is to construct a new two-story, reinforced concrete/masonry eight-classroom building of approximately 12,690 square feet. The project will consist of five general classrooms, three science classrooms (physics, chemistry, biology), one faculty center and eight restrooms. Also included in this project are any site improvements and utility easements that may result from this work.

(7) Waimanalo Residence Lots, Unit 9

District: Koolaupoko
TMK: 4-1-08:3 & Por. 9; 4-1-10:32; 4-1-37:68 & 69
Applicant: Department of Hawaiian Home Lands
335 Merchant Street
Honolulu, Hawaii 96814
Contact: Richard Fujita (586-3815)
Accepting Authority: Department of Hawaiian Home Lands
335 Merchant Street
Honolulu, Hawaii 96814
Contact: Richard Fujita (586-3815)
Consultant: Akinaka & Associates, Ltd.
250 North Beretania Street, Suite 300
Honolulu, Hawaii 96817-4716
Contact: Henry Morita (536-7721)
Public Challenge
Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

The State Department of Hawaiian Home Lands (DHHL) proposes to subdivide and develop approximately 7 acres of land in Waimanalo, Oahu for residential lots. There will be 53 single family houselots of minimum 5,000 square feet for native Hawaiian families. This subdivision is part of the Master Plan for Waimanalo adopted by the Department of Hawaiian Home Lands.

DHHL will provide infrastructure such as roads, sidewalks, utilities (including overhead electricity) and drainage systems. Road system will connect to the existing Waimanalo Unit 8 roads. Drainage flows will be directed to the Waimanalo Drainage Channel and sewer lines will connect to the Waimanalo Sewage Treatment Plant collection system.

EIS Preparation Notices

(8) Beirne Single Family Residence

District: Koolauloa
TMK: 5-2-02:por. 1
Applicant: Danielle Ululani Beirne (237-8856)
P. O. Box 653
Kaneohe, Hawaii 96744
Accepting Authority: Department of Land and Natural Resources
Division of State Parks
1151 Punchbowl Street, Room 310
Honolulu, Hawaii 96813
Contact: William Gorst (587-0294)
Public Comment
Deadline: January 8, 1996
Status: EISPN First Notice, pending public comment. Address comments to the applicant with copies to the accepting authority and OEQC.

The environmental assessment documents the anticipated impacts of establishing a single family residence between the estuary and Kamehameha Highway in Kahana Valley State Park. The house would replace an existing dwelling in the same general location. The Kahana Valley resident was given permission to remain in their existing house lot location, provided existing regulatory requirements were overcome on a timely basis and the resident paid any added costs and met other special conditions. Another residential house lot is available for the applicant in the expanded Trout Farm Road village complex.

(9) East Kapolei Project

District: Ewa
TMK: 9-1-17:por. 4; 9-1-18:por. 1; 9-2-04:por. 5; 9-2-02:por 1; and 9-1-10:por 2
Applicant: Schuler Homes, Inc.
828 Fort Street Mall, 4th Floor
Honolulu, Hawaii 96813
Contact: Michael Angotti (521-5661)

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**Accepting
Authority:**

City and County of Honolulu, Planning
Department
650 South King Street
Honolulu, Hawaii 96813

Consultant:

Helber Hastert & Fee, Planners
733 Bishop Street, Suite 2590
Honolulu, Hawaii 96813
Contact: Leslie Kurisaki (545-2055)

Public Comment

Deadline: December 23, 1995
Status: EISPN Second Notice, pending public
comment. Address comments to the
applicant with copies to the accepting
authority, consultant and OEQC.

The applicant, Schuler Homes, Inc., is seeking an amendment to the City and County of Honolulu's Ewa Development Plan Land Use Map for the proposed East Kapolei project. The amendment request proposes the redesignation of approximately 742 acres from Agriculture to Low Density Apartment, Parks and Recreation, Public and Quasi-Public and Commercial. In addition, proposed text changes to the Ewa Development Plan Special Provisions are being requested.

The East Kapolei "project area" is located in the Ewa-Kapolei area south of the H-1 Freeway and west of Fort Weaver Road, adjacent to the proposed North-South Road corridor. The site is bisected by Farrington Highway. The project area also includes offsite reservoir and drainage detention sites.

The project will provide approximately 8,000 residential units to be developed over a 15-year period. Approximately 30 percent of the new homes will be affordable to families earning below 120 percent of median income.

In addition to residential uses, the preliminary concept plan also includes two elementary school sites, a portion of an intermediate school site; two neighborhood parks, a community park, a greenbelt network and neighborhood-serving commercial shopping areas.



(10) Martinez Single Family Residence

District: Koolauloa
TMK: 5-2-02: por. 1
Applicant: Dansette Puanani Martinez (237-8464)
52-210 Kamehameha Highway
Hauula, Hawaii 96717

**Accepting
Authority:**

Department of Land and Natural Resources
Division of State Parks
1151 Punchbowl Street, Room 310
Honolulu, Hawaii 96813
Contact: William Gorst (587-0294)

Public Comment

Deadline: January 8, 1996
Status: EISPN First Notice, pending public
comment. Address comments to the
applicant with copies to the accepting
authority and OEQC.

The environmental assessment documents the anticipated impacts of establishing a single family residence between the estuary and Kamehameha Highway in Kahana Valley State Park. The house would replace an existing dwelling in the same general location. The Kahana Valley resident was given permission to remain in their existing house lot location provided existing regulatory requirements were overcome on a timely basis and the resident paid any added costs and meet other special conditions. Another residential house lot is available for the applicant in the expanded Trout Farm Road village complex.

Special Management Area



(11) Makaha 7-Eleven Store (Draft Environmental Assessment)

District:

TMK: 8-5-18:18

Applicant: 7-Eleven Hawaii, Inc.
1755 Nuuanu Avenue
Honolulu, Hawaii 96817
Contact: Chuck Jones (526-1711)

Accepting Authority:

City & County of Honolulu
Department of Land Utilization
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
Contact: Dana Teramoto (523-4648)

Consultant:

Yamasato, Fujiwara, Aoki & Associates,
Inc.
1100 Ward Avenue, Suite 760
Honolulu, Hawaii 96814
Contact: Myrtle Kimura (531-8825)

Public Comment

Deadline: December 23, 1995

Status: SMA/DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

The applicant, 7-Eleven Hawaii, Inc., proposes to demolish an existing 7-Eleven retail convenience store and construct a new 7-Eleven store and parking lot. The new 2,544 square foot store will be configured differently on the property.

Maui Notices

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Draft Environmental Assessments

(1) Panaewa Street Demolition of Existing Structures

District: Lahaina
TMK: 4-6-9:46
Applicant: Koyama Enterprises, Inc.
2119 Main Street
Wailuku, Hawaii 96793
Contact: Lee Ohigashi (244-7614)

Accepting Authority: County of Maui, Planning Department
250 South High Street
Wailuku, Hawaii 96793
Contact: Daren Suzuki (243-7735)

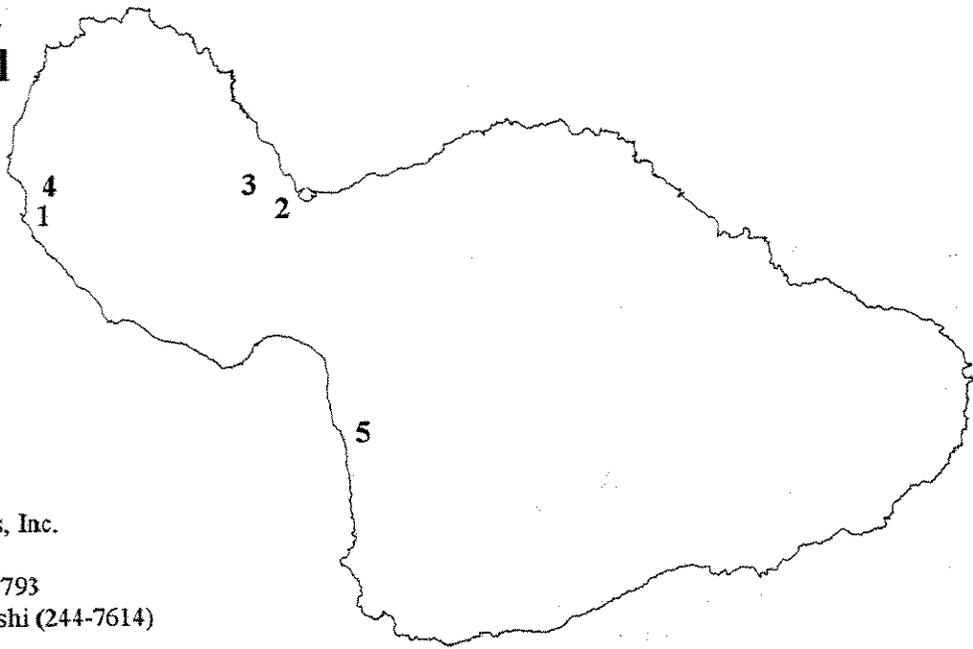
Consultant: Wayne Arakaki (242-5868)
P.O. Box 884
Wailuku, Hawaii 96793

Public Comment

Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant, and OEQC.

The owners are proposing to demolish and remove old dilapidated structures on the property, and clear the vegetation. The property will then be fenced off.

The proposed project is located on the northeastern corner of Luakini Street and Panaewa Street in Lahaina.



Final Environmental Assessments/Negative Declarations

(2) Baldwin High School New Gymnasium

District: Wailuku
TMK: 3-8-07:04 and 47
Applicant: Department of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Accepting Authority: Department of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Public Challenge

Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

This project is to construct a new gymnasium of approximately 19,987 square feet. The new structure will be of reinforced concrete/masonry construction. Also included in this project are any site improvements and utility easements that may result because of this work.

(3) Maui Waena Intermediate School Six-Classroom Building

District: Wailuku
TMK: 3-8-07:por 2
Applicant: Department of Accounting & General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Accepting Authority: Department of Accounting & General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Public Challenge
Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

This project is to construct a six-classroom, two-story concrete/masonry building of approximately 6,200 square feet. The project will consist of five general classrooms, one science classroom, and one faculty center. Also included in this project are any site improvements and utility easements that may result from this work.

(4) Princess Nahienaena Elementary School Cafetorium/Multipurpose Room

District: Lahaina
TMK: 4-6-18:por. 13
Applicant: Department of Accounting & General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Accepting Authority: Department of Accounting & General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Allen Yamanoha (586-0483)

Public Challenge
Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

This project is to design and construct a new reinforced concrete/masonry cafetorium/multipurpose room approximately 4,000 square feet with serving kitchen. Also included are any site improvements, connection to public utilities and any easement which may be required as a result of this work.

(5) South Kihei Road Improvements - Phase II, Waimahaihai Street to Welakahao Road

District: Kihei
TMK: 3-9-02
Applicant: Department of Public Works & Waste Management
County of Maui
200 South High Street
Wailuku, Hawaii 96793
Contact: Joe Kruegar (243-7434)

Accepting Authority: Department of Public Works & Waste Management
County of Maui
200 South High Street
Wailuku, Hawaii 96793
Contact: Joe Kruegar (243-7434)

Consultant: Norman Saito Engineering Consultants, Inc.
2158 Main Street, Suite 203
Wailuku, Hawaii 96793
Contact: Conrad Stephenson (242-7400)

Public Challenge
Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

Maui Notices

DECEMBER 8, 1995

The County of Maui, Department of Public Works is proposing road improvements and a drainage system for South Kihei Road from Waimahaihai Street to Welakahao Road. The improvements include road widening, turn lanes for all intersections, a bicycle lane on each side, curb, gutter and sidewalk, and a drainage system for the road. The project is designed to relieve traffic congestion and increase safety for all who use the road. The drainage system shall eliminate the flooding which occurs during the infrequent but sometimes heavy downpours.

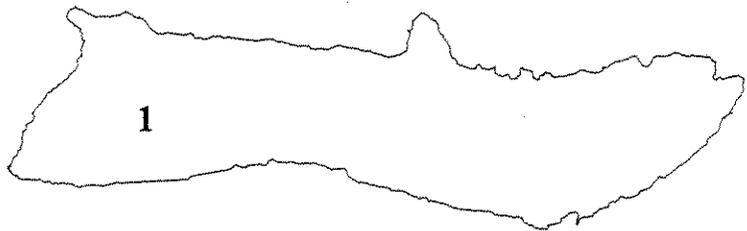
The short term construction impacts should not be significant. Erosion control measures shall be implemented to keep soil loss to a minimum. Construction dewatering, where

necessary, shall be routed to the county reservoir dedicated to stormwater detention and shall be in compliance with all federal, state, and county regulations. There are no known historical or archaeological features and no rare or threatened species of flora and fauna within the project boundary. The area shall be sprinkled during construction to minimize dust. A traffic control plan shall be in effect.

The short term effects of the project shall be mitigated as described above. The long term effects shall include benefits such as smoother traffic flow, increased safety for both pedestrians and bicyclists, and improved drainage in the area. There are no adverse long term effects to the environmental quality of the area anticipated.

Molokai Notices

Draft Environmental Assessments



(1) Maunaloa Town Center

District: Molokai
TMK: 5-1-2:por. 26, 27
Applicant: Molokai Ranch, Ltd.
Four Waterfront Plaza, Suite 400, Box 96
500 Ala Moana Boulevard
Honolulu, Hawaii 96813
Contact: David Nakamura (531-0158)

Accepting Authority: County of Maui, Planning Department
250 South High Street
Wailuku, Hawaii 96793
Contact: Clayton Yoshida (243-7735)

Consultant: Munekiyo & Arakawa, Inc.
1823 Wells Street, Suite 3
Wailuku, Hawaii 96793
Contact: Milton Arakawa (244-2015)

Public Comment

Deadline: December 23, 1995
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, consultant, and OEQC.

Molokai Ranch, Ltd. proposes improvements to refurbish and redevelop the business district of Maunaloa Town in Maunaloa, Molokai, Hawaii. The project involves a total of approximately 29.2 acres.

The intent is to 1) obtain zoning appropriate to the existing non-conforming uses of certain commercial buildings presently in use in Maunaloa Town; and 2) obtain additional zoned lands to provide for a business district which enables residents to have essential services, as well as provide economic opportunities and related employment. A mixture of retail, commercial, restaurant, lodge, park, and light industrial uses are proposed. This involves renovating existing structures as well as construction of new buildings, as appropriate.

A new Maunaloa Museum and Cultural Park is proposed near the town entrance along Maunaloa Highway. It is intended that the cultural park would contain historical artifacts and materials from Maunaloa's past. These may include rehabilitated plantation houses as well as information on past ranching activities. It is envisioned that the 5.57 acre park would contain a museum office, a restaurant, and a village square where outdoor recreational, musical or cultural events could be held.

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Across Maunaloa Highway, the Outfitters Center office is proposed to remain as a venue for booking various recreational activities such as the wildlife park tour and trail rides. A new lodge facility is proposed to provide visitor accommodations. The lodge is anticipated to contain 60 suites in a single-story site arrangement which emphasizes open space.

To the east of the Outfitters Center across Mokia Street, Molokai Ranch and its subsidiary, Cooke Land Company, occupy recently renovated office space. There are a variety of commercial, light industrial, and retail uses envisioned on this 6.36 acre block. Two-story office/retail structures may be implemented on the block with the remainder of the structures being one story buildings. A movie theater is proposed to be located on the northeast corner of the block where a previous facility was once located. Construction of a gas station/country store is also anticipated on the southern portion of the block.

To the east of the cultural park, the existing post office is proposed to be renovated and expanded to include a town hall and library. The two adjacent structures containing retail and restaurant uses are envisioned to be refurbished.

Further east, there are three existing dwellings, two of which are currently utilized for non-conforming retail use and the third as a police substation. Low intensity single-story retail uses are proposed on both sides of the roadway. It is envisioned that this area would form an enclave of local artists such as painters, lei makers, and leather toolers. These retail uses on the eastern end of the town center comprise approximately 3.25 acres of land.

South of the post office across Maunaloa Road, the existing grocery store is expected to be renovated. The existing building on the northeast corner of this block is presently in retail use housing a beauty salon and a laundromat. It is envisioned that an additional entertainment use, such as pool hall, may also be incorporated here.

A mixed use area is proposed within the area north of the Maunaloa Museum and Cultural Park. This approximately 2.97-acre area is planned for single-story commercial uses as well as two-story structures containing apartments on the second level and retail use on the ground level.

Hawaii Notices

DECEMBER 8, 1995

Draft Environmental Assessments

(1) Causey Single Family Residence with Related Improvements

District: South Kona
TMK: 8-9-5:4
Applicant: The Charter Locker
74-426 Kealakehe Parkway, #6
Kailua-Kona, Hawaii 96740
Contact: G. Terry Causey (326-2553)

Accepting Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Don Horiuchi (537-0377)

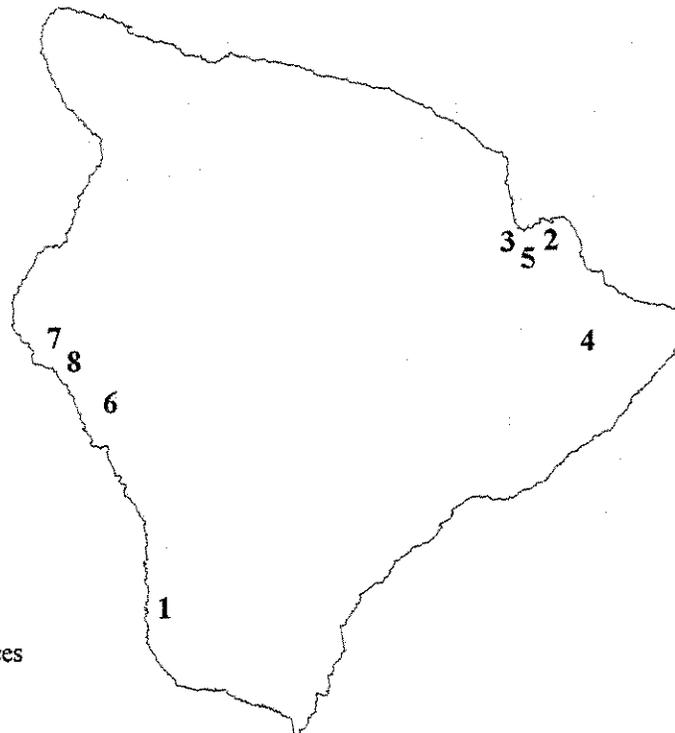
Consultant: Sidney Fuke and Associates
100 Pauahi Street, Suite 212
Hilo, Hawaii 96720
Contact: Sidney Fuke (969-1522)

Public Comment
Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

The applicant proposes to construct a single family residence on a 7,971 square feet Kuleana parcel located in the South Kona district in the vicinity of Honomalino Bay. The parcel is located more than 200 feet from the shoreline.

The dwelling, at an estimated cost of \$150,000.00, will consist of a two-story, two bedroom house. Related improvements will include water catchment tanks, a private wastewater system, and landscaping.

No commercial activity or rental will occur with the proposed use.



Significant resources (shoreline use and access, archaeological, and scenic) are not expected to be impeded or impacted by the project. No rare, threatened or endangered species of flora or fauna were observed on or in the area of the parcel. An archaeological inventory survey of the site did not indicate any features that would be adversely impacted by the project that could otherwise not be mitigated.

No secondary impacts are also expected.

(2) Hawaii Army National Guard Limited Army Aviation Support Facility (LAASF) Addition/Alteration at Hilo Airport

District: South Hilo
TMK: 3-2-1:12
Applicant: Department of Defense, Hawaii Army National Guard
3949 Diamond Head Road
Honolulu, Hawaii 96816-4495
Contact: LTC Orland Peterson (656-2716)

Accepting Authority: Department of Defense, Hawaii Army National Guard
3949 Diamond Head Road
Honolulu, Hawaii 96816-4495

Contact: LTC Orland Peterson (656-2716)
Public Comment
Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to OEQC.

Addition/alterations to existing Armory at the Limited Army Aviation Support Facility (LAASF) on the Hilo International Airport. The proposed improvements would provide the recently established Medical Detachment with space for administration, maintenance, training, and storage. The establishment of the Medical Detachment was the subject of an environmental assessment dated April 1994. The new complex (22,179 sq. ft.) will serve as an armory and hangar for the UH-60 Blackhawk helicopters with a medical mission. Four helicopters, UH-60A, are assigned to the Combat Enhanced Capability Aviation Team (CECAT) medical transport unit. The helicopters will need extensive retrofitting to function as air ambulances providing in-flight care. Existing facilities have been adequate on a temporary basis but the renovations are now needed. Hangar space is needed for working on the UH-60s. An armory and ready room for standby crews will be collocated with the hangar. Ramp modifications are also called for.

(3) Kukuau 2nd Request for Utility Easement

District: South Hilo
TMK: 2-5-06:142
Applicant: GTE Hawaiian Telephone Company
Incorporated
P. O. Box 2200
Honolulu, Hawaii 96841
Contact: Gordon Yadao (546-3000)

Accepting Authority: Department of Land and Natural Resources
P. O. Box 936
Hilo, Hawaii 96721
Contact: Mike Laureta (933-4245)

Consultant: AT&T Network Systems
99-935 Lalawai Drive
Aiea, Hawaii 96701
Contact: Sandy Padaken (486-5707)

Public Comment
Deadline: January 8, 1996

Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant, and OEQC.

This environmental assessment was previously published in the 9/23/95 and 10/8/95 Environmental Notice. The summary has been revised.

Hawaii Electric Light Company, Inc. (HELCO) has an existing 69KV power transmission line that traverses subject State parcel. GTE Hawaiian Telephone Company Incorporated (GTE HTCO) is proposing to attach their fiber optic cable to the existing pole line, and is requesting a perpetual, non-exclusive, twenty-five (25) foot wide easement on behalf of HELCO and GTE HTCO.

The fiber optic cables will be attached to the existing HELCO power transmission pole line that crosses subject state land. HELCO recently upgraded this pole line by replacing poles, cable, anchors/guy wires and other equipment. GTE HTCO may need to install additional guys/anchors but no poles. GTE HTCO has requested an easement that will be twenty-five (25) feet wide with a length of approximately four hundred (400) feet. Installation of the fiber optic cables will be by the applicant, GTE HTCO and will be completed in one phase and secured. Any equipment that is used for the distribution of power will be maintained by HELCO. Both GTE HTCO and HELCO will be jointly responsible for the upkeep and maintenance of the poles, anchors and guys. The easement is between Sunrise Estates and Pacific Plantations, crossing Alenaio Stream in roughly a westerly direction from Parcel 142 going mauka.

(4) Pahoia Swimming Pool

District: Puna
TMK: 1-5-001:003 (por.) and 1-5-002:018 (por.)
Applicant: County of Hawaii, Department of Parks and Recreation
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Glen Miyao (961-8311)

Accepting Authority: Mayor, County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Norman Oleson (961-8565)

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Consultant: Ron Terry (982-5831)
HCR 9575
Keaau, Hawaii 96749

Public Comment

Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to applicant with copies to the accepting authority, consultant and OEQC.

The project is to build a 50-meter pool and related facilities for the school children and general public of Lower Puna. Pahoa High School is the only public high school in the County of Hawaii without convenient access to a swimming pool. Nearly 2,400 K-12 students at nearby schools would have access to the pool. In addition, the pool would have scheduled public swimming and other water activities. The pool facility would complement recreational activities available at the Pahoa Neighborhood Facility and Ballfield. The estimated cost for the pool and related improvements is approximately \$3,000,000, with funding from General Obligation Bonds.

The 3.0 acre project site is currently vacant land behind the existing recreational center. No damage to native flora, fauna or ecosystems would result, and the area contains no historic sites.

A public meeting is scheduled for December 16, 1995 at 12:00 noon at the Pahoa Neighborhood facility. Please contact the County at the telephone numbers above to confirm this meeting.

(5) Waiakea Request for Utility Easement

District: South Hilo
TMK: 2-4-01:12, 40 and 122
Applicant: GTE Hawaiian Telephone Company
Incorporated
P. O. Box 2200
Honolulu, Hawaii 96841
Contact: Gordon Yadao (546-3000)

Accepting Authority: Department of Land and Natural Resources
P. O. Box 936
Hilo, Hawaii 96721
Contact: Mike Laureta (933-4245)

Consultant: AT&T Network Systems
99-935 Lalawai Drive
Aiea, Hawaii 96701
Contact: Sandy Padaken (486-5707)

Public Comment

Deadline: January 8, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant, and OEQC.

This environmental assessment was previously published in the 9/23/95 and 10/8/95 Environmental Notice. The summary has been revised.

GTE Hawaiian Telephone Company Incorporated (GTE HTC) is proposing to attach their fiber optic cable to the existing Hawaii Electric Light Company, Inc. (HELCO) power transmission pole line. The fiber optic cable will improve the telephone network on the island of Hawaii. HELCO has a perpetual non-exclusive easement for road and utility purposes for its existing pole line under Land Patent Grant No. S-15,588.

GTE HTC will attach the fiber optic cable to the existing HELCO power transmission pole line except for the addition of a new line extension of 514 feet just below Sunrise Estates. GTE HTC may need to install anchors/guy wires to the existing poles and the new line extension will require the installation of a single pole and aerial crossing of approximately 514 feet. There will be no major changes to the rest of the pole line that would affect State land. GTE HTC will utilize the existing maintenance roadway. Three easements total approximately 4,255 feet in various lengths, with a width of 50 feet from the property boundary west of Komohana Drive. The easement for the new line extension will be 514 feet long and 10 feet wide and will take the cable from the HELCO pole line over to the established road right of way within Sunrise Estate subdivision. Except for the new line extension these easements will overlay the right of ways that have already been granted to HELCO. HELCO recently upgraded this pole line by replacing poles, cable, anchors/guy wires and other equipment. Installation will be by the applicant, GTE HTC. The project will be completed in one phase and secured. Maintenance of the telecommunications equipment will be by GTE HTC.

Final Environment Assessments/ Negative Declarations

(6) Konawaena School Offsite Highway Improvement

District: South Kona
TMK: 3-8-1-02, 3-8-1-04, and 3-8-1-05
Applicant: County of Hawaii, Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Galen Kuba (961-8327)

Accepting Authority: County of Hawaii, Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Galen Kuba (961-8327)
Consultant: Okahara and Associates, Inc.
200 Kohola Street
Hilo, Hawaii 96720
Contact: Masahiro Nishida (961-5527)

Public Challenge

Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

The proposed action is to widen the pavement and designate turning lanes within Mamalahoa Highway and Konawaena School Road, and to install a traffic signal light at the intersection.

Approximately 1260 feet of Mamalahoa Highway and approximately 220 feet of Konawaena School Road would be widened and repaved. The new pavement would be painted with new stripes and arrows to designate turning lanes. Appurtenances to be constructed or reconstructed would include two traffic islands, curbs, gutters, sidewalks, storm drains, private driveway entrances and rock walls or rock retaining walls that border the State right-of-way.

Most of the proposed widened pavement would be within the currently existing State right-of-way. This would be accomplished by a more efficient use of existing road shoulders and condemnation of some private land. Condemnation of a strip of private land 3 to 12 feet wide along the east (mauka) side of Mamalahoa Highway and on both sides of Konawaena School Road would enlarge the public right-of-way to contain the rock walls that now sit within private property bordering the streets. The rock walls would be rebuilt following regrading and repaving of the streets.

EIS Preparation Notices

(7) Kaloko Town Center

District: North Kona
TMK: 7-3-09: por. 17
Applicant: Tokyo Green Hawaii, Inc.
c/o Pacific Land Services, Inc.
810 Richards Street, Suite 900
Honolulu, Hawaii 96813
Contact: Ned Dewey (534-1141)

Accepting Authority: State Land Use Commission
335 Merchant Street, Room 104
Honolulu, Hawaii 96813
Contact: Esther Ueda (587-3822)

Consultant: Kimura International, Inc.
1600 Kapiolani Boulevard, Suite 622
Honolulu, Hawaii 96814
Contact: Glenn Kimura (944-8848)

Public Comment

Deadline: December 23, 1995
Status: EISPN Second Notice, pending public comment.

The proposed project seeks a State Land Use Commission boundary amendment from Conservation to Urban District for approximately 223.96 acres of land to allow the development of a mixture of land uses in a master planned community. The project site is situated immediately mauka of Queen Kaahumanu Highway and bordered by Hina Lani Drive and the existing Kaloko Industrial Subdivision to the south and privately owned industrial and commercial zoned land to the north. The property is contiguous to urban designated lands on three sides; the existing Kaloko Light

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Industrial Subdivision to the south, land to the east previously amended from Agriculture to Urban for golf course use, and land to the north amended from Conservation to Urban for light industrial and commercial use. The property is classified "Urban Expansion" under the Hawaii County General Plan and zoned "Open" under the County's zoning code.

The vacant and undeveloped project site is characterized by uniformly sloping a'a and pahoehoe lava flows with little or no topsoil material. Existing vegetation include fountain grass, patches of koa-haole shrubs, Christmas berry, a few 'ohi'a trees and maiapilo.

Of the total site, approximately 36 acres are allocated for commercial/retail use, approximately 20 acres for office/commercial/retail use, approximately 48 acres and 480 units for multi-family apartment use, approximately 80 acres and 370 units for residential use and approximately 13 acres for a school/park. Access to the project would be via Hina Lani Drive and a new intersection off Queen Kaahumanu Highway located approximately 2,000 feet to the north of the existing Hina Lani Drive intersection.

Final Environmental Impact Statements

(8) Keolonahihi State Historical Park

District: North Kona
TMK: 7-7-4:12, 51 and 52
Applicant: Department of Land and Natural Resources
Division of State Parks
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Ralston Nagata (587-0290)

Accepting Authority: Governor, State of Hawaii
c/o Office of Environmental Quality Control
220 South King Street, 4th Floor
Honolulu, Hawaii 96813

Consultant: Ron Terry & Roy Takemoto
HCR 1 Box 9575
Keaau, Hawaii 96749

Status: Currently being reviewed by the Office of Environmental Quality Control.

The State Department of Land and Natural Resources, Division of State Parks, has proposed a State Historical Park for three adjacent parcels of State land at Kamao Point in Kona, containing 12.05 acres.

A Draft Management Plan, which was the culmination of several years of consultation between State Parks and the community, serves as the basic park plan. The site has great historical significance among other reasons because of its use by at least five generations of highest ranking ali'i in the Hawaii Island dynastic line. A unique feature of the site is its association with several generations of chiefesses.

Archaeological sites include house sites, heiau, bathing ponds, a possible sports or games area, and many other features.

Facility development is planned to be minimal, consisting of the following:

- A 1600 square foot interpretive center
- Several viewing platforms
- Self-contained restroom units
- A 15,000 square foot parking lot

Facilities will be developed only on areas that have already been significantly disturbed by 20th century activities such as bulldozing.

Planned activities include landscaping, stabilization, restoration (with limited reconstruction), and interpretation activities. The site will also support native Hawaiian cultural activities and events.

The EIS assesses on-site and off-site impacts to aquatic biology, cultural resources, native flora, traffic and other areas. The EIS also addresses several specific alternatives to the proposed plan. Notice of the availability of the Draft EIS was given in the May 23, 1995 OEQC Bulletin.

Draft Environmental Assessments

(1) Anahola 288' 0.5 MG Storage Tank

District: Kawaihau
TMK: 4-8-03:23 por. 11
Applicant: Department of Hawaiian Home Lands
335 Merchant Street
Honolulu, Hawaii 96813
Contact: Richard Fujita (586-3816)

Accepting Authority: Department of Hawaiian Home Lands
335 Merchant Street
Honolulu, Hawaii 96813
Contact: Richard Fujita (586-3816)

Consultant: Akinaka & Associates, Ltd.
250 N. Beretania Street, Suite 300
Honolulu, Hawaii 96817
Contact: Henry Morita (536-7721)

Public Comment

Deadline: December 23, 1995
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The project is located in the Anahola District of Kauai approximately 14 miles north of Lihue. The project site is mauka of the Anahola town within agricultural areas. The storage tank will be constructed partially in the existing Department of Water, Anahola Tank site. The tank site is approximately 1.4 acres and is completely graded, grassed, and fenced. Ground elevation is 270 feet at the storage tank.

The proposed project consists of constructing a reinforced concrete water storage tank and appurtenant support facilities. The tank will have a volume of 0.5 million gallons (MG), a height of 20 feet and a 70 foot diameter. Spillway elevation will be set at 288 feet. The tank will be integrated into the Kauai Department of Water Anahola Water System.



Support facilities will include an asphalt paved access road, water piping, chlorination equipment and control systems. Sitework will include demolition of an abandoned aerial steel water tank (0.10 MG), grading and grassing.

The preliminary construction cost estimate for this project is approximately \$980,000. Funding for this proposed project may be provided by the Department of Hawaiian Home Lands, State of Hawaii, contingent on availability of C.I.P. funds.

(2) Futrell Seawall/Retaining Wall

District: Koloa
TMK: 2-6-03:9
Applicant: Louis and Blanche Futrell
73-4301 Laui Street
Kailua-Kona, Hawaii 96740
Contact: Loyd Potter (325-5033)

Accepting Authority: County of Kauai, Planning Department
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
Contact: Myles Hironaka (241-6677)

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Consultant: Reid & Associates, Inc.
75-166 Kalani Street, Suite 201
Kailua-Kona, Hawaii 96740
Contact: Kent Merrill (329-8266)

Public Comment

Deadline: December 23, 1995
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

The proposed action involves the construction of a six-foot high reinforced concrete seawall situated within the 20-foot shoreline setback area of the property. The wall will be placed inland of the certified shoreline and extend a distance of 130 feet along the certified shoreline. The wall is to replace the coral rubble/soil and rock on the property that was eroded away by Hurricane Iniki. This project is located at 4484 Lawai Beach Road in Koloa.

Final Environmental Assessments/Negative Declarations

(3) Kaunualii Highway Improvements at Koloa Road Intersection

District: Koloa
TMK: 2-5-04
Applicant: Department of Transportation, Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Herbert Tao (587-2124)

Accepting Authority: Department of Transportation, Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Herbert Tao (587-2124)

Consultant: Kwock Associates, Inc.
1953 South Beretania, PH B
Honolulu, Hawaii 96826
Contact: Edison Kwock (973-9010)

Public Challenge

Deadline: January 8, 1996
Status: FEA/Negative Declaration issued, project may proceed.

The project is located in the Koloa District along Kaunualii Highway, State Highway Route 50, near the town of Lawai and adjacent to Lawai Stream. The State of Hawaii, Department of Transportation, Highways Division, is proposing to widen the existing Kaunualii Highway and Koloa Road/Kua Road intersection by constructing left turn lanes, acceleration lanes and deceleration lanes. The proposed improvements are planned to provide relief to the existing traffic congestion and to provide a safer intersection. Traffic signals will be installed at the Koloa Road/Kua Road intersection and highway lighting will be installed along Kaunualii Highway. The bridge over Lawai Stream, located about 200 feet from the intersection, will be widened approximately forty-four (44) feet to accommodate the proposed left and right turn lanes at the intersection. To accommodate the proposed widening additional lands will be required on the south (makai) side of the highway. Roadway improvements will extend about one thousand feet along Kaunualii Highway on each side of the Koloa Road intersection.

Shoreline Notices

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Shoreline Certification Applications

Department of Land and Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, Hawaii 96813
Telephone: 587-0414

Pursuant to Section 13-222-12, Hawaii Administrative Rules entitled "Shoreline Certification," the following shoreline certification applications are available for inspection.

Date: December 8, 1995 Number: 95-023

NOTICE OF APPLICATION: Application available for inspection at District Land Offices on the islands of Kauai, Hawaii and Maui and at Room 220, Kalanimoku Building, 1151 Punchbowl Street, Honolulu, Oahu.

All comments to the application for shoreline certification shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Oahu and postmarked no later than fourteen (14) calendar days from the date of the public notice of the application.

Location: Por. of Lot 1 of Bechert Estate Subdiv. and a por. of Grant 1166 to D. Baldwin, J.F. Pogue and S.E. Bishop (4401 Lower Honoapiilani Rd)
Applicant: Valera, Inc.
For Hololani Apartment Owners Association
Tax Map Key: 4-3-10:09
Date Received: 11/20/95

Location: Waianae-Kai U.S. Military Reservation Tract 9 of Executive Order 3452 at Waianae-Kai, Waianae, Oahu (85-175 Farrington Highway)
Applicant: R.M. Towill Corporation
For Richard Yamasaki
Tax Map Key: 8-5-17:5
Date Received: 11/15/95

Shoreline Certifications

Pursuant to Section 13-222-26, Hawaii Administrative Rules entitled "Shoreline Certification," the following shorelines have been certified.

A person may appeal a shoreline certification or rejection thereof to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Oahu, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of shoreline certification or rejection.

Location: Lot 92-A, Pupukea-Paumalu Beach Lots, Pupukea (59-073 Hoalua Street)
Applicant: ControlPoint Surveying, Inc.
For Ben Reinhold
Tax Map Key: 5-9-01:28
Date Certified: 11/29/95

Location: Lot 228 of Ld. Ct. App. 828, Waialae-Iki, Honolulu (5000 Kahala Avenue)
Applicant: H. Au & Associates
For Kahala Mandarin Oriental,
Hawaii
Tax Map Key: 3-5-23:39
Date Certified: 11/29/95

Environmental Council Notices

DECEMBER 8, 1995

Public Notice: Environmental Council Mailing List

To further increase public involvement and to implement the provisions of Section 92-7(c), Hawaii Revised Statutes, the Environmental Council requests that persons interested in receiving notification of its meetings call 586-4185 to be placed on a meeting notification mailing list. Requests to be placed on the mailing list may also be sent to:

Environmental Council, State of Hawaii
220 South King Street, Suite 400
Honolulu, Hawaii 96813
KENNETH K. FUKUNAGA
Chairperson, Environmental Council

Coastal Zone Area News

Draft Shoreline Hardening Policy

The State of Hawaii proposes to adopt a shoreline hardening policy. The state would like to receive public comments on the following draft policy statement:

I. Definition of Problem

Coastal property owners bear tremendous risks. Their property is vulnerable to tsunamis, storm surges, floods and hurricanes. In addition, owners along the shoreline bear the risk that their property may erode. Under common law, a riparian land owner "loses title to lands that are submerged through the process of erosion." R.R. Powell 5A Powell on Real Property § 66.01 [2] (1994). The Hawaii Supreme Court has held that "registered ocean front property is subject to the same burdens and incidents as unregistered land, including erosion....[T]he precise location of the high water mark on the ground is subject to change and may always be altered by erosion." County of Hawaii v. Sotomura, 55 Haw. 176, 180 (1973). Because the land seaward of the upper reaches of the wash of the waves -- including the beach -- is a public trust resource (Application of Sanborn, 57 Haw. 585, 562), the state, as trustee, can restrain those activities that damage the resource. Orion Corp. v. State 747 P.2d 1062 (Wash. 1987); U.S. v. State Water Resources Control Board, 227 Cal. Rptr 161 (Cal. App. 1 Dist 1986); State Dept. of Environmental Protection v. Jersey Central P & C Co. 308 A.2d 671 (N.J. Super L. 1973). A private property owner does not have the right to impair public trust resources.

Tide gauges maintained by the National Oceanic and Atmospheric Administration demonstrate that our islands are experiencing a relative rise in sea level due to both global sea-level rise and local geologic factors (Fletcher, 1992). In many places, the rise in water causes natural beach retreat that

leads to coastal land erosion. Erosion is a natural process whereby the coastal environment responds to sea-level rise by shifting landward. Shoreline movement may occur slowly at an average annual rate, or it may occur episodically associated with storms at unpredictable times and rates. Erosion is only a problem needing mitigation where near-shore development interferes with the natural process.

Armoring the shoreline with seawalls or revetments often stops the erosion of coastal land mauka of the structure. However, where beaches are undergoing long-term retreat, shoreline hardening eventually leads to beach narrowing, followed by beach loss (Hall, 1964; Birkemeier, 1981; Fischer, 1986; Hanson and Kraus, 1986; Komar and McDougal, 1988; Kraus, 1988; Tait and Griggs, 1990 and others). A hardened structure tends to shift the focus of erosion from the land to the beach fronting the wall. Seawalls and revetments are not a cure for the cause of erosion, but rather a defensive mechanism to mitigate land loss without regard for resulting impacts to adjacent environments such as the beach or the laterally adjacent shoreline (Raynor, 1953; U.S. Army Corps of Engineers, 1964; Walton and Sensabaugh, 1983; Tait and Griggs, 1990). Shoreline hardening not only leads to beach loss where beaches are undergoing long-term retreat, but it may also exacerbate the erosion problem (McDougal, Sturtevant and Komar, 1987). Shoreline hardening devices may trap dune and upper beach sand that formerly aided the process of beach recovery following storms and during erosive seasons (Terich, 1975; Wood, 1988; Kraus, 1988; Komar and McDougal, 1988).

Studies of historical vegetation line movement in Hawaii indicate that many coasts are experiencing long-term retreat (Hwang, 1981; Sea Engineering, 1988; Makai Ocean Engineering and Sea Engineering, 1992) and that many of these coasts have been hardened as a result of the need to stop land loss. The trend of hardening has led to beach narrowing

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and beach loss on all islands (Hwang and Fletcher, 1992), especially on the islands of Oahu and Maui, where the combination of sea-level rise and extensive coastal development has resulted in significant beach loss (Hwang and Fletcher, 1992; Mullane and Fletcher, 1995).

II. General Policy

Hardening of the shoreline should be avoided. In addition, development near the shoreline should be avoided in order to:

- prevent the inevitable need to harden the shoreline and resulting loss of public beaches, lateral shoreline access, open space and view corridors;
- mitigate threats to inhabited structures from coastal hazards; and
- avoid the need for future public expenditures in responding to damage caused by hurricanes and other coastal hazards;

III. Response to applications for seawalls, groins and revetments.

All decision makers should discourage the construction of seawalls, revetments or other shoreline hardening devices that have the potential to lead to beach loss.

As an alternative to a hardened structure, applicants should consider the applicability of coastal dune enhancement, beach replenishment, sand recycling and other "soft" approaches to mitigating coastal erosion. Applicants should also evaluate the potential for moving dwellings and other structures away from the shoreline as a means of mitigating the effects of erosion. Finally, any application should include the information requested in the attached letter from the OEQC.

If after a thorough analysis of an application, the decision maker finds by clear and convincing evidence that the impact on public trust resources would be negligible, alternatives to hardening would be impractical, substantial hardship to the applicant is real, and these compelling reasons dictate that a hardened structure should be approved, any approval that is granted should be conditioned on the applicant monitoring shoreline response to the structure for thirty years. Monitoring should be conducted using standard coastal surveying techniques to document short-term and long-term changes in the beach profile both on the subaerial beach and offshore. In order to ensure that planning authorities retain the ability to protect our beaches and because future events may require the removal of seawalls, revetments or groins, all variances and permits should either have an

expiration date (subject to renewal), or be revocable upon a finding of environmental impact. In other words, the variance or permit should not confer a vested right to keep the structure in perpetuity.

In general, a variance should be viewed as an extraordinary exception which should be granted sparingly. The reasons to justify approval must be substantial, serious and compelling. R.R. Powell 6 Powell on Real Property § 79c.16[1] (1995).

IV. Response to existing illegal seawalls, revetments and groins.

In assessing whether to remove existing seawalls, revetments and other shoreline hardening devices that have been constructed without proper review and approval, decision makers should consider:

- (1) the impact the structure is having on shoreline processes and access;
- (2) the impact of removal of the structure on the beach;
- (3) the immediate impact of removal of the structure on nearby dwellings; and
- (4) alternatives to the structure which can mitigate erosion impacts.

Removal should be encouraged where removal will lead to restoration or improvement of beach resources.

V. Long term: response to development near the shoreline.

So long as construction is allowed too close to the shoreline, landowners will attempt to protect their structures with seawalls and revetments. A long-term solution will require that land use decision makers use whatever discretionary authority they may have to push new development and redevelopment mauka. When state land use classifications are changed, CDUAs and SMA applications approved, zoning amended or subdivisions approved, conditions should be attached that restrict an applicant's (re)development proposals to the area as far landward on the lot as feasible.

Counties should also consider developing guidelines and procedures for creating coastal overlay districts with enhanced opportunities for funding and implementing a combined beach-land preservation management system with long-term planning as the central tenet.

If sea-level continues to rise, strategic retreat from the coastline is ultimately the least expensive response to erosion.

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* * * * *

Any Environmental Assessment prepared in conjunction with an application to construct a seawall, revetment or similar structure should be accompanied by appropriate justification and detailed studies including, but are limited to, the following:

1. A Historical Shoreline Analysis of coastal erosion and accretion rates. This should include a description of all movements of the neighboring shoreline over at least the past 30 years. This analysis should be based, at least in part, on

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aerial photographs available through government agencies and private vendors. The analysis should provide a detailed history of erosion and accretion patterns using all available evidence.

2. A description of the nature of the affected shoreline, whether sandy, rocky, mud flats or any other configuration. The history and characteristics of adjoining sand dunes and reefs should be included.

3. Site maps that clearly show the current certified shoreline, previous certified shorelines, the private property line and the location of the proposed structure. Any nearby public access right-of-way should also be depicted.

4. Beach profiles that extend off shore at appropriate intervals along the beach indicating the width and slope of both the submerged and dry portions of the beach.

5. An analysis of any existing nearby walls or revetments and their cumulative impacts on the shoreline.

6. A description of structures and improvements (such as homes or swimming pools) on the subject property, their distance from the property line and shoreline, and how they may be affected by the construction of the proposed hardening project.

7. A wave and storm frequency analysis for the area in question. This should include any relevant coastal processes such as longshore currents and seasonal wave patterns.

8. An analysis that predicts the location of future shorelines with and without the proposed wall at least 30 years into the future or over the expected life of the hardening project.

9. Photos of the site that illustrate past and present conditions and locate the proposed structure.

10. All alternatives to shoreline hardening should be thoroughly researched and analyzed. These alternatives should include beach replenishment, dune-scaping, retreat from the shoreline by moving existing structures inland, and a no action alternative.

The inclusion of this information will help make an Environmental Assessment complete and meet the requirements of Chapter 343, HRS. Only after thorough study and analysis should any permit for shoreline hardening be considered.

Please send your comments by December 23, 1995 to:

Gary Gill, Director
Office of Environmental Quality Control
220 South King Street, Fourth Floor
Honolulu, Hawaii 96813

Outer Space Notices

International Space Station

Lead Agency: National Aeronautics and Space Administration
Washington, D.C. 20546

Contact: David F. Ruszczyk
Space Station Program Office
Mail Code OF
NASA Lyndon B. Johnson Space Center
Houston, Texas 77058
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Public Comment

Deadline: January 5, 1996 (Send comments to David Ruszczyk at above address.)

The Draft Tier 2 Environmental Impact Statement (EIS) for the International Space Station (ISS) has been

prepared by the National Aeronautics and Space Administration (NASA) and follows NASA's Record of Decision on the Final Tier 1 EIS for the Space Station Freedom. The Tier 2 EIS provides an updated evaluation of the environmental impacts associated with the alternatives considered: the Proposed Action and the No-Action alternative. The Proposed Action is to continue U.S. participation in the assembly and operation of ISS. The No-Action alternative would cancel NASA's participation in the Space Station Program. ISS is an international cooperative venture between NASA, the Canadian Space Agency, the European Space Agency, the Science and Technology Agency of Japan, the Russian Space Agency, and the Italian Space Agency. The purpose of the NASA action would be to further develop human presence in space; to meet scientific, technological, and commercial research needs; and to foster international cooperation.

Letter of Notice

DECEMBER 8, 1995

Infusing Kanaka Maoli Values into the EIS

Malia Akutagawa, a student at the University of Hawaii and a native of the island of Molokai, has written a comment letter on the EIS Rules changes. Reprinted are excerpts:

The recent Hawaii Supreme Court Case, Public Access Shoreline Hawaii v. Hawaii County Planning Comm'n, No. 15460, 1995 WL 5158-98 (Hawai'i)(hereinafter called "PASH") reaffirms the State's obligation through its agencies and all levels of government to apply Hawaiian customary Law, religious, cultural, subsistence, and resource values.

PASH gave standing before a contested case proceeding to Hawaiians as a distinct group with interests separable from the general public and mandated that all state and county agencies must consider Hawaiian law, custom, and usage before approving a proposed action. This decision finds its genesis in the several sources of law that Hawaii is obligated to apply; namely, HRS, section 1-1 which declares that our common law is based *inter alia* on the laws "established by Hawaiian usage", HRS, Section 7-1 on gathering and access rights, and Article 12, Section 7 of the Hawaii

Constitution (1978) "protect[s] all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians ..."

Hawaii is a unique state in that it is the only island state. With finite natural resources, Hawaiians knew best how to live in these islands. In addition to the state having a legal obligation to apply customary Hawaiian law to its decision-making (whether it be judicial or at other levels of government), it is also practical to get feedback from Hawaiians as to the impacts of a given action on Hawaiian religious, cultural, and subsistence lifestyle values because Hawaiians knew best how to malama 'aina. Given the uniqueness of Hawaii's natural systems and indigenous people, the laws governing resource management in Hawaii must be infused with an environmental ethic based in Kanaka Maoli values.

So much is overlooked when HEPA and the administrative rules seem identical to the environmental rules of any other state and do not take into account resource, cultural, and religious values of Hawaiians. One way in which the EIS rules can be improved is to define what is a "cultural resource" (Section 11-200-2). This will give applicants and agencies some guidance when evaluating the significance of a given action.



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