

The Environmental Notice

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



BENJAMIN J. CAYETANO
GOVERNOR

OFFICE OF
ENVIRONMENTAL
QUALITY CONTROL

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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"*

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FEBRUARY 23, 1996

Onomea Garden's New Plans

The County of Hawaii Planning Department submitted to OEQC a draft environmental assessment for the Hawaii Tropical Botanical Garden at Onomea, South Hilo, Hawaii. The proposed master plan and improvements are within the state land use conservation district, with portions in the special management area. Immediate improvements include: a new garden entrance; wooden walkways; rain and rest shelters; two employee parking areas; landscaping; and informational and directional signage. Future plans include: fencing; landscaping; wooden suspension bridge; greenhouses; restroom; pedestrian overpass; and, "no-trespassing" and directional signage.

Previous environmental determinations at the Hawaii Tropical Botanical Garden include 1991 and 1994 negative

declaration determinations by the County of Hawaii Planning Department and the State Department of Land and Natural Resources, respectively.

Some major issues which will be likely discussed as the environmental review process continues include: whether the State will assert title to the old Government road which traverses the garden; shoreline access especially in light of the Hawaii Supreme Court decision in the case of *Public Access Shoreline Hawaii and Angel Pilago vs. Hawaii County Planning Commission*; the ecological effects of exotic plant and animal species; and the ecological effects of a stream diversion on aquatic life, especially with respect to diadromous fishes (e.g., 'o'opu). For more information, please see page 12. The deadline for comments is March 11, 1996.

Developers Rebut OEQC

Two recent front page articles have generated responses from project developers. The letters are reprinted in our Letter of Notice section on page 23.

The first letter, from an attorney representing a Hawaii Kai Developer, complains about the Office of Environmental Quality Control's handling of the "EIR" featured on the front page of the February 8, 1996 issue of the Notice.

Second, the State Department of Transportation provides a different view on the Dillingham Airport expansion. The airport expansion was highlighted in our December 23, 1995 issue.

The Letter of Notice page is designed to provide a forum for comments, corrections and criticism relating to any item published in the Environmental Notice. We are pleased with the response from the public so far. Keep the letters coming!

Royal Kunia Development

The Halekua Development Corp. is seeking approval from the City and County of Honolulu to build 581 homes on a 157-acre site which was previously planned for a golf course. The project is located in Kunia and is an extension of the Royal Kunia development. Also planned within the site is a 10-acre park, and open space area.

According to the 1989 FEIS for the Royal Kunia Development, the golf course was designed as a buffer zone between residential areas and the Navy's Waikale Branch Naval Magazine munitions storage facilities. The draft EA for the latest development scheme states, "the residential project should not be affected by the Navy's facility since an appropriate open space buffer zone would be maintained between the eastern end of the project site and Navy facilities in Waikale Gulch." For more details on the draft EA please see page 5.

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 EA 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 when necessary to clearly establish the regulatory building setback (usually 40 feet inland from the shoreline). The public may participate in the process to help assure accurate regulatory 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

FEBRUARY 23, 1996

Draft Environmental Assessment

(1) Kahawainui Stream Flood Control Repair Project

District: Koolauloa
TMK: 5-5-05:22; 5-5-08:61; 5-5-09:03, 07, 23
Applicant: City and County of Honolulu
Department of Public Works
650 South King Street
Honolulu, Hawaii 96813
Contact: Tyler Sugihara (523-4932)

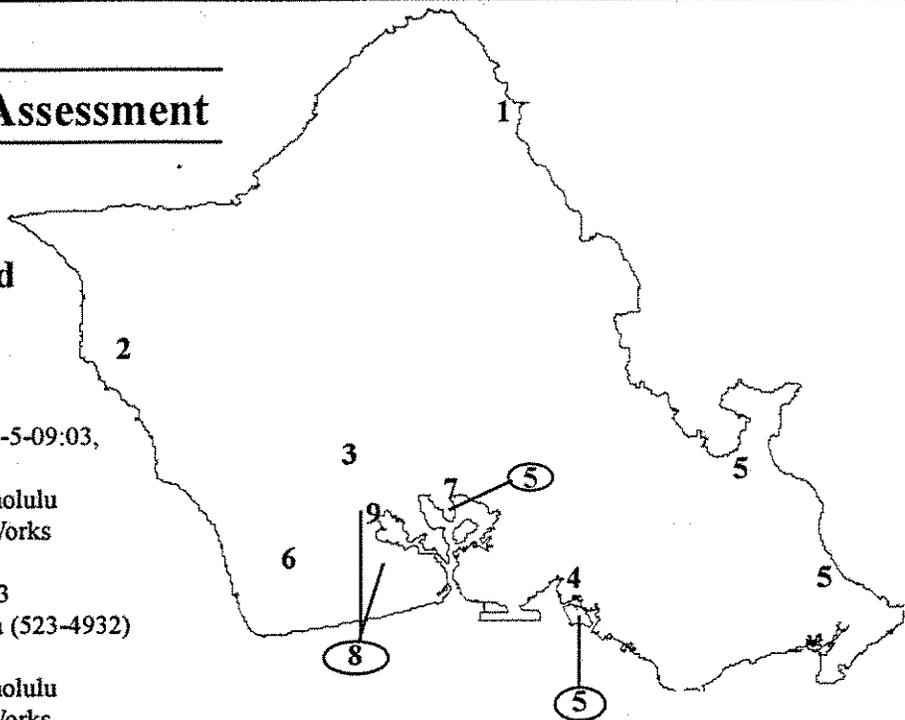
Accepting Authority: City and County of Honolulu
Department of Public Works
650 South King Street
Honolulu, Hawaii 96813
Contact: Tyler Sugihara (523-4932)

Consultant: U.S. Army Corps of Engineers
Building 230
Fort Shafter, Hawaii 96858-5440
Contact: Jim Pennaz (438-8599)

Public Comment

Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The City and County of Honolulu, Department of Public Works and the U.S. Army Corps of Engineers propose to repair and modify portions of the Kahawainui Flood Control Project which were damaged in March 1991. The proposed project will restore the damaged levee and floodwall areas, modify the side slope of the stream bank, and armor the damaged areas with Articulated Block Mat (ABM) to prevent future damages to the project. The project is expected to cost \$738,000 and will be funded by the City and County of Honolulu and the U.S. Army Corps of Engineers.



(2) Makaha Retirement Community Commercial Project

District: Waianae
TMK: 8-4-02:62
Applicant: HRT, Ltd.
3660 Waialae Avenue, 4th Floor
Honolulu, Hawaii 96816
Contact: Bill Dornbush (734-5279)

Accepting Authority: City and County of Honolulu
Planning Department
650 South King Street
Honolulu, Hawaii 96813
Contact: Cheryl Soon (523-4713)

Consultant: William E. Wanket, Inc.
Kapolei Building, Suite 320
1001 Kamokila Boulevard
Kapolei, Hawaii 96707
Contact: William Wanket (674-3517)

Public Comment

Deadline: March 25, 1996
Status: DEA First Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

The proposed Makaha Retirement Community Commercial project would involve about 14.975 acres of land situated in the Makaha community of the Waianae district. The purpose of this project is to allow the construction of a commercial complex consisting of a medical facility and convenience retail shopping space to serve the area's existing residents, surrounding communities, and future residents of the planned Makaha retirement community.

This project would consist of developing a commercial complex with a maximum total floor area of 70,000 square feet. This complex would have a medical facility with a maximum of 40,000 square feet, and convenience retail shopping with a maximum of 30,000 square feet. The medical facilities constructed would allow for providing a variety of services such as purchasing prescription drugs, clinics and facilities for in/out patient services, and offices for physicians. This facility also has the potential to provide long-term care services such as skilled nursing or intermediate care. The convenience retail facility would allow for various small scale retail shops providing daily goods and services.

(3) Royal Kunia Phase II, Increment 3

District: Ewa
TMK: 9-4-02:por. 1
Applicant: Halekua Development Corporation
2024 North King Street
Honolulu, Hawaii 96819
Contact: Al Chee (848-2330)

Accepting Authority: City and County of Honolulu
Planning Department
650 South King Street
Honolulu, Hawaii 96813
Contact: Cheryl Soon (523-4713)

Consultant: William E. Wanket, Inc.
Kapolei Building, Suite 320
1001 Kamokila Boulevard
Kapolei, Hawaii 96707
Contact: William Wanket (674-3517)

Public Comment
Deadline: March 25, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, consultant and OEQC.

The proposed Royal Kunia, Phase II, Increment 3 residential project consists of a residential development on approximately 156.8 acres of land situated in Hoaeae and Waikele of Central Oahu. The purpose of this project and DP Amendment request is to allow the construction of remaining undeveloped residential units previously approved for Royal Kunia, Phase II (Increments 1 and 2) on the proposed Increment 3 site. As a result, there would be no increase in the total number of previously approved residential units for Phase II. This Increment 3 site is currently designated Preservation on the Central Oahu DP Land Use Map and was planned for a golf course within the Royal Kunia Phase II development.

Of the total 2,000 units approved under earlier DP Amendments for Phase II, only 1,419 units are currently planned to be built after completion of further detailed site planning and engineering. Consequently, the remaining allotted 581 units are proposed to be developed as single-family residential homes on the Increment 3 project site to utilize the remaining approved capacity. Hence, this project entails spreading out already approved residential units over a larger area within Royal Kunia which would allow the applicant to better meet the changing market conditions and buyer preferences.

Final Environmental Assessments/Negative Declarations

(4) KUMU Radio Transmission Tower

District: Honolulu
TMK: 1-2-13 Portion of FAP No. I-HI-1(82),
Keehi Interchange
Applicant: Radio KUMU
441 North Nimitz Highway
Honolulu, Hawaii 96819
Contact: Jeff Coelho (531-4511)

Accepting Authority: Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Ann Shiigi (587-2022)

Oahu Notices

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Public Challenge

Deadline: March 25, 1996
Status: FEA/Negative Declaration issued, project may proceed.

Radio KUMU is proposing to install a radio transmission tower to transmit signals on property within the highway right-of-way. The project is located at Interstate Highway, FAP No. I-H1-1(82), Keehi Interchange.

(5) Oahu Dewatering Facilities for Storm Drain Equipment

District: Various
TMK: 1-5-41:5; 9-6-01:10; 4-5-30:36; 4-1-09:270
Applicant: City and County of Honolulu, Department of Public Works
650 South King Street, 15th Floor
Honolulu, Hawaii 96813
Contact: Alex Ho (523-4150)

Accepting Authority: City and County of Honolulu, Department of Public Works
650 South King Street, 15th Floor
Honolulu, Hawaii 96813
Contact: Alex Ho (523-4150)

Consultant: R.M. Towill Corporation
420 Waiakamilo Road, #411
Honolulu, Hawaii 96817
Contact: Richard Wakida (842-1133)

Public Challenge

Deadline: March 25, 1996
Status: FEA/Negative Declaration issued, project may proceed.

The City and County of Honolulu's Department of Public Works, Road Maintenance Division is responsible for cleaning the municipal storm drain system. The storm drain system consists of drainage channels/ditches, catch basins, manholes, inlet boxes, drain pipes, and roadway gutters. The dewatering facilities will be located at the:

1. Sand Island Wastewater Treatment Plant (WWTP)
2. Pearl City WWTP
3. Kaneohe WWTP
4. Waimanalo WWTP

The objective of the dewatering facilities is to provide a system that will allow washwater to separate from debris removed from the storm drain system.

The vacuum trucks will remove debris from storm drain systems and then unload the waste in the settling basins. From the settling basins the washwater flows to the drying beds which also contains an earthen filter. After passing the earthen filter, the washwater becomes filtrate. The filtrate flows to a final pretreatment unit before discharge into the municipal sewer system.

The solids are transported to the nearest municipal landfill.

Draft Environmental Impact Statements

(6) 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)

Accepting Authority: City and County of Honolulu
Planning Department
650 South King Street
Honolulu, Hawaii 96813
Contact: Lynn Wong (523-4485)

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

Public Comment

Deadline: March 8, 1996
Status: DEIS Third Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, the 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 16-year period. Approximately 30 percent of the new homes will be affordable to families earning below 120 percent of the 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.



(7) Manana and Pearl City Junction Development

District: Ewa
TMK: 9-7-24:06 por.; 9-7-24:41; 9-7-23:01
Applicant: City and County of Honolulu
Department of Housing and Community Development
650 South King Street, 5th Floor
Honolulu, Hawaii 96813
Contact: Ray Sakai (527-5321)

Accepting Authority: City and County of Honolulu
Planning Department
650 South King Street, 8th Floor
Honolulu, Hawaii 96813
Contact: Cheryl Soon (523-4711)

Consultant: PKF Hawaii
1100 Alakea Street, Suite 2100
Honolulu, Hawaii 96813
Contact: Robin Yoshimura (521-1021)

Public Comment

Deadline: March 26, 1996
Status: DEIS Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, the consultant and OEQC.

The project area consists of two parcels totaling approximately 109 acres of land mauka of Kamehameha Highway in the vicinity of Waimano Home Road/Kamehameha Highway intersection and a makai parcel owned by the City known as "Pearl City Junction" is approximately 14 acres. The project sites are surrounded by well-established residential and commercial urban areas with a high level of existing services. Commercial uses are primarily retail and service oriented.

The mauka site is flat to gently sloping with the exception of a small portion to the south side adjacent to Acacia Road. For the most part, views from the site are primarily toward Pearl Harbor. The mauka parcel of approximately 109 acres is zoned F-1, Military and Federal, and is currently developed with 38 military warehouses and 10 open storage areas. The Pearl City Junction parcel makai of Kamehameha Highway is also zoned F-1 and used for warehousing by the Navy and City. All warehouses range in size from 20,000 to 50,000 square feet, however, their use was largely discontinued during the past ten years.

To establish a viable mechanism to incorporate citizen involvement into the planning process for Manana, the "Pearl City Task Force" (PCTF) was organized by City Council Resolution 94-327. The PCTF and various community groups met over an 8-month period developing the plan which evolved to provide opportunities for commercial retail and office employment, medical facilities, public and quasi-public facilities, and recreational areas. As a community based plan, negative social impacts often associated with new development will be mitigated.

The land use concept includes a mix of commercial retail and office uses, public service facilities, open spaces with recreational improvements, all within walking distance of one another and from residential areas adjoining the property. No residential development is planned. In support of the development, infrastructure facilities to be expanded or improved include access and circulation roadways; bike routes and pedestrian paths, drainage system and water and wastewater systems.

Oahu Notices

FEBRUARY 23, 1996

Final Environmental Impact Statements

(8) Ewa Development Projects - Off-site Water System

District: Ewa
TMK: 9-1-01, 05, 07, 10, 12, 17 to 21, 25 & 28; 9-4-02; 9-4-137
Applicant: City and County of Honolulu
Department of Housing and Community Development
650 South King Street
Honolulu, Hawaii 96813
Contact: Gail Kaito (527-5780)

Accepting Authority: City and County of Honolulu, Planning Department
650 South King Street
Honolulu, Hawaii 96813
Contact: Cheryl Soon (523-4713)

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

Status: Currently being reviewed by the City and County of Honolulu, Planning Department.

The proposed project is a planned Source Well, Storage Reservoir, and Transmission system to be located approximately 4.5 acres (northwest) of Interstate H-1 Highway. The existing water supply, sources, storage, and distribution system are inadequate to serve the proposed projects of the DHCD and the BWS projected future service areas. The planned projects are for the DHCD planned projects and the BWS future service areas to the year 2015.

U.S. Army Corps of Engineers

(9) Ewa by Gentry-East Drainage

District: Ewa
Applicant: Norman H. Dyer
Gentry Homes, Ltd.
P.O. Box 295
Honolulu, Hawaii 96809

Responsible Agency: District Engineer
U.S. Army Corps of Engineers
Building 230
Fort Shafter, Hawaii 96858

Consultant: Fred J. Rodriguez
P.O. Box 536
Honolulu, Hawaii 96809

Public Comment Deadline: March 1, 1996

The applicant proposes to construct a drainage channel, detention basin and a outlet structure into West Loch, Pearl Harbor. The channel will be grass-lined, approximately 4,400 feet long, located immediately downstream of the retention basin spillway. Approximately 140 linear feet of the channel will be lined with concrete to reduce erosion. Near the West Loch outlet, 18" thick grouted riprap lining will be used to protect approximately 60 linear feet of the channel and an area 30 feet into West Loch.

The purpose of the project is to provide stormwater runoff detention and drainage from the proposed Gentry East Development.

Draft Environmental Assessments

(1) Lower Main-Mill Street Intersection Improvements

District: Wailuku
TMK: 3-4-39:por. 51, por. 82
Applicant: County of Maui
Department of Public Works and Waste Management
200 South High Street
Wailuku, Hawaii 96793
Contact: Charles Jencks (243-7845)

Accepting Authority: County of Maui
Department of Public Works and Waste Management
200 South High Street
Wailuku, Hawaii 96793
Contact: Charles Jencks (243-7845)

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

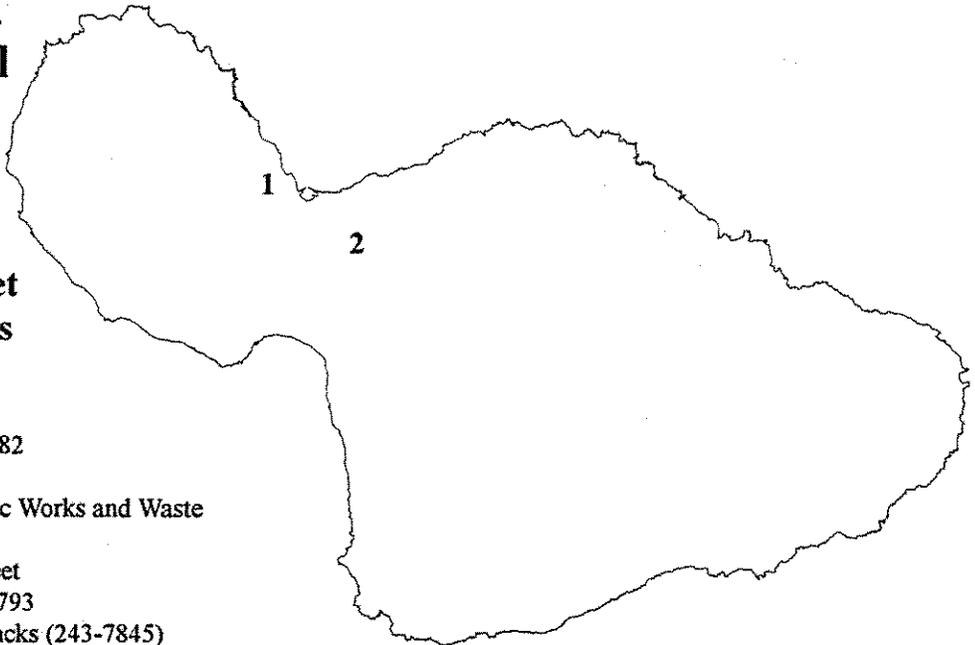
Public Comment

Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The proposed project consists of a new traffic signal, additional laneage improvements, and curb, gutter, and sidewalk improvements at the Lower Main-Mill Street intersection in Wailuku, Maui, Hawaii.

The traffic signal would replace the existing stop control. The Mill Street approach will be realigned to as close to 90 degrees as possible in order to improve sight distance.

The westbound approach on Lower Main Street involves a lengthening of the separate right turn lane. A through lane and a two-way center left turn lane are also proposed. The east bound approach on Lower Main Street



would have a left turn lane, a through lane, and a right turn lane. Past the intersection, the right turn lane merges with the through lane. On the Mill Street approach, separate right-turn and left-turn lanes are retained.

New pavement is proposed on the eastern boundary of Lower Main Street. Curb, gutter and sidewalk improvements, as well as wheel chair ramps and driveways to abutting properties, are proposed.

Draft Environmental Impact Statements

(2) Central Maui Expansion of Sanitary Landfill Project

District: Wailuku
TMK: 3-8-03:4
Applicant: County of Maui, Department of Public Works and Waste Management
Solid Waste Division
200 South High Street
Wailuku, Hawaii 96793
Contact: Charles Jencks (243-7845)

Maui Notices

FEBRUARY 23, 1996

Accepting Authority:

County of Maui, Department of Public Works and Waste Management
Solid Waste Division
200 South High Street
Wailuku, Hawaii 96793
Contact: Charles Jencks (243-7845)

Consultant:

Masa Fujioka & Associates
99-1205 Halawa Valley Street, Suite 302
Aiea, Hawaii 96701-3281
Contact: Jennifer Kleveno (484-5366)

Public Comment

Deadline:

March 8, 1996

Status:

DEIS Third Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The County of Maui has determined that the existing Central Maui Sanitary Landfill is reaching its capacity and that an additional solid waste disposal site is needed. Instead of searching for a new landfill location, the County proposes to expand the existing Central Maui Sanitary Landfill. The proposed project includes Phases IV, V and VI. Phases IV and V are currently being used by a quarry operation and Phases VI is currently occupied by sugar cane but is scheduled for quarry operations in the future. Expanding the landfill into areas where the quarry operation is completed eliminates the

need for large-scale excavation, and is a good use of quarried areas.

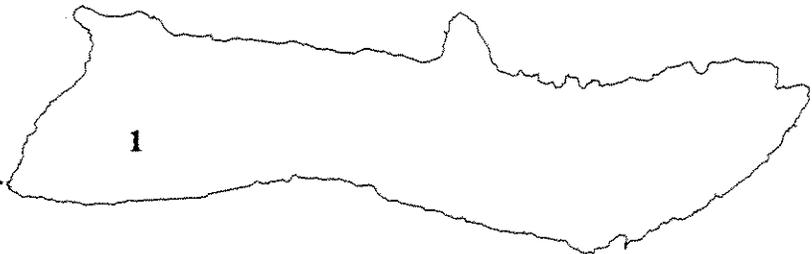
This site is centrally located with respect to the major population centers of Maui, yet it is also in a rural, agricultural district. This combination of a central yet rural location and compatible physical characteristics makes the site operationally and environmentally well-suited for the expansion of the landfill.

The project will have both beneficial and adverse environmental impacts. The primary beneficial impacts are the continuation of a centrally located landfill site that will eliminate the difficulties of locating a new site, and the accommodation of the County's solid waste disposal needs through at least the year 2016. The landfill will also protect the public health by preventing the existing landfills from exceeding their design capacity.

Potential adverse impacts include contamination of groundwater and surface water resources and windblown litter, and effects on traffic, noise, air quality, historic and archeological features, scenic resources, and flora and fauna. Impacts to these resources and mitigation measures to eliminate or minimize adverse impacts are thoroughly discussed in the draft EIS. Overall assessment of the impacts indicates that the benefits of the project significantly surpass the adverse impacts.

Molokai Notices

Final Environmental Assessments/Negative Declarations



(1) Maunaloa Town Center

District:

Molokai

TMK:

5-1-2:por. 26, 27

Applicant:

Molokai Ranch, Ltd.
55 Merchant Street, Suite 2000
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)

Molokai Notices

FEBRUARY 23, 1996

Public Challenge

Deadline: March 25, 1996
Status: FEA/Negative Declaration issued, project may proceed.

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.

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 Mokiio 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

FEBRUARY 23, 1996

Draft Environmental Assessments

(1) Hawaii Tropical Botanical Garden

District: South Hilo
TMK: 2-7-10:2, 6, & 10; 2-7-10:22
Applicant: Hawaii Tropical Botanical Garden
101 Aupuni Street, Suite 1014A
Hilo, Hawaii 96720
Contact: Sandra Pechter Schutte (969-7331)

Accepting Authority: County of Hawaii
Planning Department for Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Virginia Goldstein (961-8288)

Consultant: Sandra Pechter Schutte (969-7331)
101 Aupuni Street, Suite 1014A
Hilo, Hawaii 96720

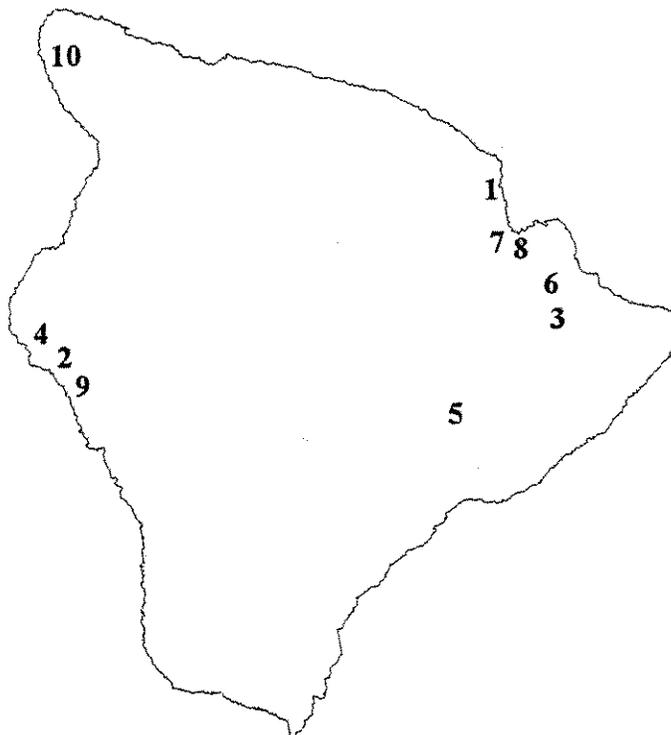
Public Comment

Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, the consultant, and OEQC.

The applicant proposes a Master Plan to be established to make certain immediate and future improvements to the Hawaii Tropical Botanical Garden which covers approximately 38.5 acres. The proposed improvements are within the State Land Use Conservation District, with portions of the improvements in the Special Management Area (SMA).

Immediate improvements include the following:

1. A new garden entrance along the Old Mamalahoa Highway, with wrought iron locked gate, fencing and bulletin boards, covered rain shelter, utility shed and related improvements.
2. Construction of two new wooden walkways at the entrance and at the Vista trail.
3. A covered rain shelter at the bottom of the new entrance trail and at the Vista lookout.
4. Four covered rest shelters located at various points.
5. Two parking areas to be established for employees.



6. No trespassing signs to be located at various points in the Garden.
7. Informational and directional signs.
8. Landscaping.

Future Master Plan improvements include:

1. Fencing, landscaping, a gated wooden suspension bridge, three research greenhouses, an additional restroom facility, a pedestrian overpass, and no trespassing and directional signs.

(2) Holualoa and Horseshoe Bend Drainage Way Improvement Project

District: North Kona
TMK: 7-6-24-25 & 77 and 7-6-21-16 through 19
Applicant: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720

Accepting Authority: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720

Hawaii Notices

FEBRUARY 23, 1996

Consultant: Project Planners Hawaii
76-117 Kamehamalu Street
Kailua-Kona, Hawaii 96740
Contact: Gregg Kashiwa (329-9724)

Public Comment

Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The County of Hawaii through the Department of Public Works proposes to build a portion of the drainage improvements as set forth in the North Kona Flood Control Plan located and being in Holualoa, North Kona, Hawaii. The proposed improvements will consist of concrete lined drainage channels that are fenced on both sides. They are designed to accept flood waters and the confluence of the Holualoa and Horseshoe Bend streams at a 100 year flood. Approximately 4,000 feet of lined channels are proposed. These improvements are further described in a Conditional Letter of Map Revision (CLOMR) issued by the Federal Emergency Management Agency (FEMA), U.S. Government, dated March 24, 1995, to Mayor Stephen Yamashiro of the County of Hawaii.

The proposed project will begin at its makai end at the Kupuna Street bridge which connects Kilohana Subdivision to Kalani Makai and Alii Kai Subdivisions. It will move mauka under both Kuakini and Queen Kaahumanu Highways up to the abandoned railroad right-of-way which lies at approximately the 800 foot elevation point. The improvements will be constructed on lands owned by the County of Hawaii and Gamrex, Inc. All costs for the proposed project will be paid by Gamrex, Inc. as a condition of its rezoning ordinance.

(3) Puna Emergency Access Road

District: Puna
TMK: 1-6-13:81; 1-6-45:073; 1-6-65:109
Applicant: County of Hawaii
Office of the Mayor
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Norman Oleson (961-8565)

Accepting Authority: County of Hawaii
Office of the Mayor
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Norman Oleson (961-8565)
Consultant: Ron Terry, Ph.D. (982-5831)
HCR 9575
Keaau, Hawaii 96749

Public Comment

Deadline: March 25, 1996
Status: DEA First Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The County of Hawaii proposes to fund construction improvements and assume maintenance and liability for an emergency access road that would connect State Highway 11 to State Highway 130, passing through the Hawaiian Acres and Ainaloa subdivisions. The route begins at Old Volcano Trail (a County road) and 8 Road near Kurtistown in Hawaiian Acres; then proceeds along 8 Road to F Road; along F Road to 9 Road; southeast along 9 Road to parcel 1-6-45:073 (the connector lot); northeast 0.3 miles across the connector lot to Ainaloa Blvd.; and then along Ainaloa Blvd. to its junction with Highway 130. The County will assume ownership and responsibility for the entire right-of-way associated with each road.

The primary purpose of the project is to provide a paved road connecting Highway 130 and Highway 11 in order to improve Police Department, Fire Department, and ambulance services. It would also provide a bypass in case of accidents or Civil Defense emergencies that closed Highway 130 between Ainaloa and Keaau. Especially useful would be the ability of Hawaiian Acres residents who are prevented by flooding along the subdivision roads that connect to Highway 11 to exit via Ainaloa Blvd. The road would also be open for public travel and would serve residents for travel within and between the Hawaiian Acres and Ainaloa Subdivisions.

Because the proposed project crosses essentially perpendicular to the gradient of an extensive field of pahoehoe lava flows known as the 'Ai La'au Flows, many lava tubes are crossed. These include several named tubes with impressive diameters and lengths, including Kazumura, Keala and U'ilani Caves.

Hawaii Notices

FEBRUARY 23, 1996

(4) Queen Kaahumanu Highway Widening

District: North Kona
TMK: Not Applicable - Highway Right-of-Way
Applicant: Department of Transportation
600 Kapiolani Boulevard, Suite 304
Honolulu, Hawaii 96813
Contact: Ronald Tsuzuki (587-1830)

Accepting Authority: Department of Transportation
600 Kapiolani Boulevard, Suite 304
Honolulu, Hawaii 96813
Contact: Ronald Tsuzuki (587-1830)

Consultant: R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawaii 96817
Contact: Chester Koga (842-1133)

Public Comment

Deadline: March 18, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the consultant and OEQC.

The Department of Transportation, Highways Division, is proposing the widening of the Queen Kaahumanu Highway (SR 19) from its current 2-lanes to 4-lanes to meet current demand and fulfill future demand upon the highway infrastructure of the North Kona region of the island of Hawaii. The proposed widening will entail the construction of two additional travel lanes and the creation of a median, dividing the two travelways. In addition to accommodating vehicular traffic, the widening will provide improved shoulders for bicyclists. The construction of the improvements are scheduled to start during the summer of 1998. The approximate costs of this project is \$42.9 million. Approximately 80 percent of the costs will be borne by the Federal government.

Opened in 1970, the Queen Kaahumanu Highway is the main State highway serving this area and is surrounded by commercial, agriculture, resort, and residential land uses. The rapid growth in the area has resulted in a significant increase of vehicular traffic using the highway. This study evaluates alternative means of meeting this increase in traffic volume between Keahole Airport and Kailua to the year 2010.

The project limits are between Keahole Airport and Henry Street in Kailua. Along this approximately 7 miles of highway, the following intersections will be impacted: Palani Road, Kaiwi Road, Makalapua Boulevard, Honokohau Harbor, Kaloko industrial area, Kaiminani Road, and the Keahole Access Road.

A major impact of this project is the acquisition of additional right-of-way for the highway widening. The highway right-of-way between Palani Road and the Honokohau Harbor access will be increased from its current 80-150 feet to a constant 300 feet to conform with the remaining highway right-of-way. The widening will not entail the dislocation of any residences or businesses. Approximately 500 feet of the Mamalahoa Trail located within the highway right-of-way will be removed.

(5) Volcano Art Center Direct Lease of State Land

District: Puna
TMK: 1-9-05:09
Applicant: Volcano Art Center
P.O. Box 104
Hawaii National Park, Hawaii 96718
Contact: Michael Moore (967-8222)

Accepting Authority: Department of Land and Natural Resources
P.O. Box 936
Hilo, Hawaii 96721-0936
Contact: Sam Lee (933-4245)

Consultant: Menezes Tsukazaki Yeh & Moore
100 Pauahi Street, Suite 204
Hilo, Hawaii 96720
Contact: Michael Moore (961-0055)

Public Comment

Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, the consultant and OEQC.

The Volcano Art Center (VAC) is a non-profit educational organization that sponsors and promotes activities in visual, literary and performing arts. Due to Federal government restrictions VAC is unable to secure a long-term lease at their present location within the Kilauea Military Camp premises. The subject parcel was chosen as a relocation site for a long-term lease.

Final Environmental Assessments/Negative Declarations

(6) Keaau By-Pass Road

District: Puna
TMK: 3-1-6-03:3,5,15,20,26,68 and 73
Applicant: Department of Transportation, Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Nelson Sagum (587-1834)

Accepting Authority: Department of Transportation, Highways Division
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Nelson Sagum (587-1834)

Consultant: GK & Associates
294 Awakea Road
Kailua, Hawaii 96734
Contact: George Krasnick (262-2120)

Public Challenge
Deadline: March 25, 1996
Status: FEA/Negative Declaration issued, project may proceed.

The Department of Transportation (DOT), State of Hawaii, proposes to design and construct a four-lane bypass road routing Keaau-Pahoa Road (State Highway 130) around the town of Keaau on the island of Hawaii. Keaau-Pahoa Road is a two-lane roadway providing access to lower Puna. At its northerly end, Keaau-Pahoa Road passes through Keaau to its juncture with the Hawaii Belt Road (Mamalahoa Highway/Volcano Road, State Highway 11). Puna's population has grown rapidly since 1970 with many of its workers commuting to Hilo. Traffic has grown concomitantly, with passage through Keaau now a significant bottleneck. The proposed bypass, in conjunction with other recent and planned improvements, is intended to alleviate this situation.

DOT examined six (6) alternatives for this project, including the selected alignment, Alternative 1. Alternatives

2 and 3, alternate makai routes, had serious social and environmental impacts and may be opposed by various community groups. Alternative 4, the mauka alternative, would not significantly reduce traffic congestion in the center of Keaau and would conflict with current plans for a new elementary school. Alternative 5, a proposal to widen the existing Keaau-Pahoa Road, is constrained by development adjacent to the highway. Alternative 6, the no-action alternative, failed to satisfactorily address major project objections including the reduction/elimination of traffic congestion in Keaau.

Alternative 1, approximately 2.2 miles in length, best satisfies project objectives; it will begin on Keaau-Pahoa Road, in the vicinity of the former plantation manager's house (Banyan Inn), proceed between 8-1/2 Mile Camp and the Milo Street neighborhood, and return to Mamalahoa Highway at Keaau Road.

Alternative 1 would improve the level-of-service from the present peak hour LOS E to LOS C or better through the design year of 2013. Benefits would include improved public safety and more efficient delivery of goods and services, including emergency services, to Puna residents. Evacuation of residents in the event of natural disaster may become easier after bypass construction.

(7) 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: Hilo Land Manager (933-4245)

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

Public Challenge
Deadline: March 25, 1996

Hawaii Notices

FEBRUARY 23, 1996

Status: FEA/Negative Declaration issued, project may proceed.

Hawaii Electric Light Company, Inc. (HELCO) has an existing 69KV power transmission line that traverses the subject State parcel. GTE Hawaiian Telephone Company Incorporated (GTE HTC) 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 HTC.

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 HTC may need to install additional guys/anchors but no poles. GTE HTC 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 HTC 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, HTC 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.

(8) 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: Hilo Land Manager (933-4245)

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

Public Challenge Deadline: March 25, 1996

Status: FEA/Negative Declaration issued, project may proceed.

GTE Hawaiian Telephone Company Incorporated (GTE HTC) is proposing to attach their fiber optic cable to an 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 will be required. 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 Environmental Impact Statements

(9) 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
Contact: Ron Terry (982-5831)

Status: Accepted by the Governor on December 27, 1995.

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 Kamoia 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.

(10) Kohala Water Transmission System

District: North and South Kohala

TMK: 5-2-05 & 06; 5-3-03 & 04; 5-4-03; 5-5-02; 5-6-01; 5-9-03; 6-1-01; 6-2-01; 6-8-01

Applicant: County of Hawaii, Department of Water Supply
22 Aupuni Street
Hilo, Hawaii 96720
Contact: Quirino Antonio (969-1421)

Accepting Authority: Governor, State of Hawaii
c/o Office of Environmental Quality Control
220 South King Street, Suite 400
Honolulu, Hawaii 96813

Consultant: Megumi Kon, Inc.
22 Kapaa Street
Hilo, Hawaii 96720
Contact: Megumi Kon (935-4364)

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

The proposed project would recover 20 mgd of potable basal ground water from the Hawi-Makapala section of North Kohala and transmit it to the South Kohala coastal area. The project would also upgrade the existing North Kohala county water systems to all ground water supply. The Department of Water Supply plans to construct the project in two phases of 10 mgd capacity each. Phase I would include six supply wells at three sites, a pumped water transmission pipeline running mainly on Pratt Road, interconnection of the proposed improvements with the existing County water systems, and two-3 mg collection reservoirs in North Kohala. Also included in Phase I would be a 36-inch diameter gravity-flow transmission pipeline located within the existing Akoni Pule, Kawaihae, and Queen Kaahumanu highways. The pipeline would run from the collection reservoirs to a 1-MG pressure-breaker reservoir in Makiloa, then to three 1-MG terminal reservoirs in Kawaihae, Kaunaoa, and Lalamilo in South Kohala. If utility company power is not ready, temporary on-site diesel-driven generators would be used at the three Phase I sites to power the supply well pumps. They will be used until utility company power becomes available. Phase II would consist of six wells at four sites and one-6 mg collection reservoir in North Kohala, and one-1 MG terminal reservoir in Lalamilo.

Kauai Notices

FEBRUARY 23, 1996

Draft Environmental Assessments

(1) Kauai Community Correctional Center New 80-Bed Minimum Security Compound

District: Kawaihau
TMK: 3-9-05:13
Applicant: Department of Accounting and General Services
1151 Punchbowl Street, Room 427
Honolulu, Hawaii 96813
Contact: Eric Nishimoto (586-0468)

Accepting Authority: Department of Accounting and General Services
1151 Punchbowl Street, Room 427
Honolulu, Hawaii 96813
Contact: Eric Nishimoto (586-0468)

Consultant: Pacific Architects, Inc.
2020 South King Street
Honolulu, Hawaii 96826
Contact: Gary Lee (949-1601)

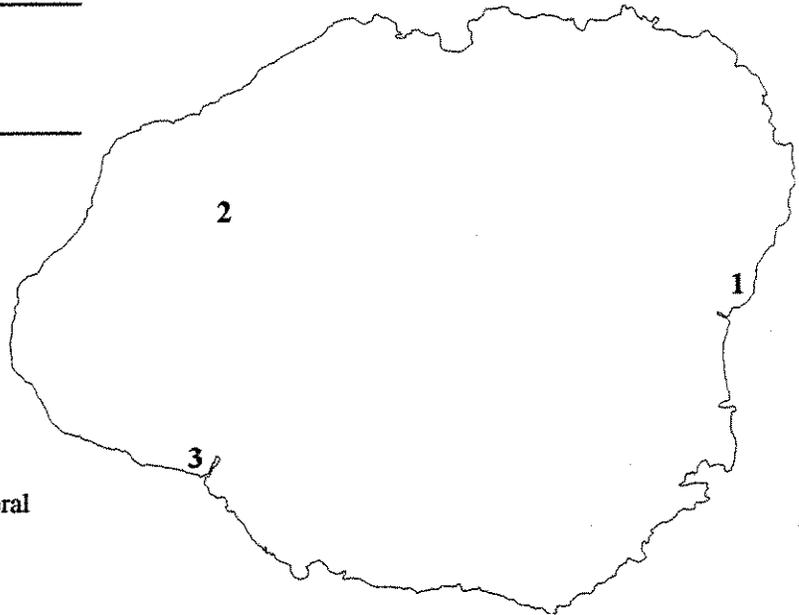
Public Comment

Deadline: March 25, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

It is the intent of the State of Hawaii, Department of Public Safety to construct a new 80-Bed Minimum Security Compound at the site of the existing Kauai Community Correctional Center at 5350 Kuhio Highway in Wailua, Kauai, Hawaii.

This project will be a single story male housing facility which includes a dining/kitchen facility, site utilities, security fencing and a laundry addition. The proposed facilities are being designed to house community-based sentenced and work furlough programs, minimum security inmates.

The proposed action is not anticipated to generate any significant adverse impacts on the environment.



(2) Kokee Field Station and Mid-Elevation Nursery

District: Waimea
TMK: 1-4-01
Applicant: Department of Land and Natural Resources, Division of Forestry and Wildlife
3060 Eiwa Street, Room 306
Lihue, Hawaii 96766
Contact: Edwin Petteys (241-3433)

Accepting Authority: Department of Land and Natural Resources, Division of Forestry and Wildlife
1151 Punchbowl Street
Honolulu, Hawaii 96813

Public Comment

Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority and OEQC.

The Kauai District of the Division of Forestry and Wildlife has management responsibilities over thousands of acres of forest reserves, natural areas, and game management areas in the uplands of western and northern Kauai. The District's operational capabilities are often inefficient due to

the lack of support facilities in the area. The District feels that having a facility in the area would greatly facilitate several key program areas, and is planning a field station and mid-elevation plant nursery. The facility would address our outplanting and plant sanctuary programs by the establishment of a mid-elevation plant nursery. Our field operations would have storage for tools, equipment, and wildfire fighting material, as well as eventual lodging. Our increasing volunteer program would be able to offer a centralized location, as well as lodging.

At the present there is no other mid-elevation nursery facility on the island, and this is a widely recognized need. Having the facility will greatly increase field operations efficiency, as travel times and response times will be lessened. There will be cost savings as well. Volunteers will enjoy similar benefits.

Plans are to take a phased approach to establish a field station and mid-elevation threatened and endangered plant nursery at Pohakuwaawaa, within Kokee State Park. A 1.5 acre site has been selected at 4,080 feet elevation within Kokee State Park. It is conveyed through an assignment of a memorandum of understanding by the Division of State Parks to the Division of Forestry and Wildlife. The proposed site is situated next to Kokee State Park's main access road at a previously used U.S. Army World War II communications facility. The parcel has long been abandoned and overgrown with weed, shrubs and grasses. A 1,000 square foot, one-story concrete building remains, that has repairable walls and roof. With renovations, the building could be put into serviceable condition as a water catchment as well as for secure storage, staff use, and sanitary facilities.

The nursery portion of the site would be used to propagate and harden plant species for eventual outplanting in sites and sanctuaries nearby.

(3) Waimea Theater Rehabilitation Project

District: Lihue
TMK: 1-6-09:08
Applicant: County of Kauai, Office of Economic Development
4280 B Rice Street
Lihue, Hawaii 96766
Contact: Gerald Dela Cruz (241-6390)

Accepting Authority: County of Kauai Housing Agency
4493 Hardy Street
Lihue, Hawaii 96766
Contact: Gary Mackler (241-6865)

Public Comment Deadline: March 11, 1996
Status: DEA Second Notice, pending public comment. Address comments to the applicant with copies to the accepting authority and OEQC.

The County of Kauai proposes to acquire a 16,146 sq. ft. commercial property and building improvements thereon, zoned general commercial, for the purpose of rehabilitating the Waimea Theater. The purpose of the commercial rehabilitation is to provide stimulus for economic revitalization in the Waimea area, to restore a landmark building, and to provide a meeting and gathering place for the community and visitors. The renovation will follow building guidelines necessary to keep the historic character of the Theater and Waimea town commercial core. The project will utilize \$455,000 in Community Development Block Funds for acquisition.

Shoreline Notices

FEBRUARY 23, 1996

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: February 23, 1996 Number: 96-004

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 Parcel F (Kaena Point State Park), at Keawaula, Waianae, Oahu (Farrington Hwy.)
Applicant: R.M. Towill Corporation
For State of Hawaii
Tax Map Key: 8-1-1:Por. 08
Date Received: 2/8/96

Location: Lot 24 (map 5) of Ld Ct Consolidation 31, Mikiola, Kaneohe, Koolaupoko, Oahu (44-225 Mikiola Drive)
Applicant: ControlPoint Surveying, Inc.
For Edward Yamashiro
Tax Map Key: 4-4-18:84
Date Received: 2/7/96

Location: Lot 108, Ld Ct App 979 at Kahaluu, Koolaupoko, Oahu (4729 Lihikai Drive)
Applicant: Walter P. Thompson, Inc.
For Ralph Schrader
Tax Map Key: 4-7-10:48
Date Received: 2/5/96

Location: Lot 1, L'ae Kiki Subdiv. at Kukuiula, Koloa, Kauai (Lawai Road)
Applicant: Wagner Engineering Services, Inc.
For Patrick McGowan
Tax Map Key: 2-6-12:6
Date Received: 1/25/96

Location: Lot 4-B being por. of Lot 4 of the North Kahaluu Beach Subdiv.; and R.P. 6856, LCAw 7713, Ap 6 to Kamamalu, Kahaluu, North Kona, Hawaii (78-6610 Alii Drive)
Applicant: Wes Thomas Associates
For Dale L. & Veronica Clemens
Tax Map Key: 7-8-14:51
Date Received: 1/25/96

Location: Por. of Lot 422-A (map 49) of Ld Ct App 1683, at Kaluakoi and Ioli, Molokai (Near Kolo Landing)
Applicant: ControlPoint Surveying, Inc.
For Molokai Ranch
Tax Map Key: 5-1-2:4
Date Received: 2/6/96

Shoreline Certifications and Rejections

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 51, Ld Ct App 609 (map 1) Mokuleia Beach Tract, Mokuleia, Waialua, Oahu (Crozier Drive)
Applicant: R.M. Towill, Corporation
For Jeffery K. & Mark K. Alameida
Tax Map Key: 6-8-15:14
Date Certified: 2/12/96

Shoreline Notices

FEBRUARY 23, 1996

Location: Lot 1576, Ld Ct App 242 (map 216), Ewa, Oahu (91-045 Parish Drive)
Applicant: Engineers Surveyors Hawaii, Inc.
For Daniel M. & Sandra P. Thompson
Tax Map Key: 9-1-07:14
Date Certified: 2/12/96

Environmental Council Notices

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

Hawaiian Islands Humpback Whale National Marine Sanctuary

In order to assure that local concerns are addressed in the ongoing development and management of the Hawaiian Islands Humpback Whale National Marine Sanctuary, the National Oceanic and Atmospheric Administration's (NOAA) Sanctuaries and Reserves Division (SRD) is forming a Sanctuary Advisory Council (SAC). The purpose of the SAC is to provide advice and recommendations to the Sanctuary Manager and SRD relating to Sanctuary management issues and opportunities.

The Office of State Planning is inviting individuals and organizations to fill 15 non-government positions in the SAC.

Please call Dick Poirier at the Office of State Planning at 587-2841 for an application form. The completed application must be returned by February 29, 1996.

Humpback Whale Research

Dr. Jim Darling of British Columbia, Canada has applied for authorization from the National Marine Fisheries Service to take up to 200 humpback whales (*Megaptera novaeangliae*) over a 2-year period by harassment and biopsy darting off west Maui, Hawaii. The objective of this research is to determine the sex and behavior patterns of individual humpback whales that interact with singers.

Written data or views, or requests for a public hearing should be submitted to the Director, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Written comments must be received on or before February 26, 1996.

For further information, contact Jeannie Drevanak, Permits Division, (301) 713-2289.

Pacific Area News

FEBRUARY 23, 1996

Johnston Atoll Chemical Agent Disposal System

The Johnston Atoll Chemical Agent Disposal System (JACADS) was designed and constructed on Johnston Island in the Pacific to dispose of the Army's stocks of chemical agents and munitions currently stored on the island. A Resource Conservation and Recovery Act (RCRA) Part B permit was issued by the United States Environmental Protection Agency (USEPA) Region IX in August 1985.

In order to continue munitions destruction operations and to correct errors the U.S. Army has incorporated the following Class I Modifications to the JACADS RCRA Permit:

- The installation of temporary filter bank air locks.
- The clarification of inspection frequencies on the level switches for the Pollution Abatement System quench towers and demister vessels.
- The processing of Deactivation Furnace System kicker chute waste residue at the bulk solid waste feed rate.

• The relocation of the Continuous Emission Monitor probe downstream of the current position.

• These Class I Modifications will allow the Continuation of the facility operations and correct errors in the JACADS RCRA Permit.

Any comments or questions on these modifications can be addressed at the following locations:

U.S. Environmental Protection Agency
Region IX, H-3-3
75 Hawthorne Street
San Francisco, California 94105
Point of Contact: Mr. John McCarroll
Telephone: (415) 744-2053

Program Manager for Chemical Demilitarization
SFAE-CD-ME (Mr. William Stayer)
Building E-4517
Aberdeen Proving Ground, Maryland 21010-5401
Telephone: (410) 671-2007

Letters of Notice

Hawaii Kai Development

Kenneth R. Kupchak, counsel for Maunalua Associates, Inc., recently wrote to the Environmental Council about the 2/8/96 front page article on the proposed Hawaii Kai development. The following is the text of his letter:

We were disappointed with the lack of cooperation received from OEQC. Furthermore, OEQC's refusal to provide notice of the above environmental matters is, to say the least, disturbing.

As early as October 1995 Corporation Counsel and ourselves approached OEQC in an attempt to seek its assistance in spreading notice and information regarding settlement concepts that may involve the most intricate series of land use disputes in recent memory. We went to great pains to explain the process and asked to work with OEQC and the Attorney General's office with an eye towards insuring the public's comprehensive understanding of the court ordered

process, including potential environmental impacts. We explained the philosophy of the court order and offered to work with the State, if it was at variance with the process to see if we could jointly bridge any gaps.

Aside from the front page editorial in the February 8, 1996 Bulletin, issued four months later, no response has ever been received. This is so even though on several occasions further inquiries were made by ourselves and by Corporation Counsel as to whether a response would be forthcoming or whether the State had any positions or problems with the positions taken.

Even prior to receiving this briefing on the process or even prior to attempting to contact either the City or ourselves (we had scheduled a meeting with your director, but he cancelled the meeting), the Director of OEQC presented testimony to the City Council in opposition to the process on behalf of OEQC and himself. Once a public official states a personal preference on an issue, it would seem only right that he remain strictly neutral in exercising his duties.

Letters of Notice

FEBRUARY 23, 1996

Now it appears that OEQC may have taken positions, without the advice of the Attorney General or your Council, even though we requested the involvement of the Attorney General from day one. This may well be a tactic to delay and obfuscate the ability of the parties to settle their litigation.

Apparently OEQC, as noted in its Bulletin, believes that the EIR, which is to be prepared pursuant to court order, may not conform with some as yet unstated content requirements? It is the intent of the process to provide substantially the same information and process as would an EIS. The court has so ordered. We are at a loss as to what technical problems may be disturbing OEQC. We have tried unsuccessfully for months to discover any shortcomings?

It seems that OEQC is sending a significant and harmful message to landowners and interested investors. A message that is contrary to the Governor's posture that the State will facilitate government reviews. In light of our present economy, OEQC's actions are untimely and unfortunate.

There are very hard issues involved, including whether the city government may be obligated to pay hundreds of millions of dollars at a time when it can ill-afford to do so if this matter is not resolved. Advising the public of their opportunity to become involved in the balancing of these issues is something that we expected OEQC to want to facilitate.

We had also hoped that OEQC would have had some respect for not only the City, but also the state and federal courts.

Most recently OEQC refused to permit an announcement, in the normal form (identify TMK's, contact persons and a neutrally worded summary which was provided by the City) to be sent to its Bulletin's audience as required by the court order. There is no rational justification for this refusal.

We do note that the Director in the past has taken action as a member of City Council, which resulted in two of the eight suits in question. As noted, he continues to publicly oppose these efforts. Perhaps he should recuse himself from consideration of these issues.

We have been invited by OEQC to respond to its front page editorial against the process. We hereby do so and request that this response receive equal placement in your next Bulletin.

Editor's response to Kupchak Letter

The OEQC's mission is to promote the public's right to participate in the environmental planning process in accordance with the law. In pursuit of this goal, we made our bulletin more inclusive and easier to use. In the public interest, we regularly provide notice for projects even when the law does not require it. But we will not be party to the author's plan to avoid following state law.

As noted in the front-page article in our February 8th issue, Mr. Kupchak and the City attorneys believe that their project for more than 1,700 homes, a hotel, commercial space and a golf course is exempt from environmental review. We believe that HRS Chapter 343 (Hawaii Environmental Protection Act) requires that a bona fide Environmental Impact Statement be prepared for the project.

City attorneys have acknowledged that since they claim state law does not apply to their project, they have no basis to require OEQC to do anything for them. So why is Mr. Kupchak disturbed? Would he like to avoid state-mandated environmental review yet appear to be in compliance with the law?

The OEQC has been in regular contact with the State Attorney General's office on this question. It may be that the applicability of the state law in this case can only be resolved in court.

*Until then, our advice to the City and developer attorneys is simple. **Just follow the law.** A real Environmental Impact Statement must conform to a clear system of agency consultation and public review. The rights and responsibilities of all parties are clear. The type and depth of information that must be disclosed in the document is well established. The public has the right to challenge a flawed document in court.*

The Director and staff of OEQC will gladly assist the proponents of the Hawaii Kai development to follow the Hawaii Environmental Protection Act. We process such controversial projects on a regular basis. However, we have neither the time nor the inclination to help the author avoid his responsibility under the law.

Letters of Notice

FEBRUARY 23, 1996

Dillingham Airport: DOT Responds

The State Department of Transportation has responded to the December 23, 1996 front page article on the Dillingham Airport. The following is the text of DOT's letter:

The short summary of the Dillingham airfield expansion in the subject OEQC Bulletin is inaccurate and misleading. It seems that the author misinterpreted the facts and made incorrect assumptions about the airport planning process.

- Airport planning of the facilities is based on a forecast aviation demand, and, therefore planned and phased to meet that forecast aviation demand.
- The facilities, by themselves, will not cause an increase in air traffic, but are planned to meet existing and forecast deficiencies due to existing and forecast demand.
- In addition, the facilities will not be constructed until the actual aviation demand reaches at least three-fourths (3/4) of the required demand and finances are available for its construction.
- The final Master Plan for Dillingham Airfield assumed that only Dillingham Airfield and Honolulu International Airport were available for use by the civil general aviation sector.
- If Barbers Point Naval Air Station is converted to general aviation use, Dillingham Airfield will not be expanded beyond the Phase I improvements. The 40 acres of land acquisition for the separate parachute drop zone has been dropped from consideration in Phase I.

The following are some inconsistencies in the summary which should be clarified.

- The final plan includes only one new parallel runway, and allocates a space for an air museum. The museum itself would be completed by another organization which would need to obtain the necessary permits and approvals.

- The noise impacts due to the increase in the forecast aviation demand would be created with or without the improvements. These impacts are being studied in a FAR Part 150 Noise Compatibility Program. Although it is usually correct that increased air traffic increases the noise exposure, there is no basis to assume that the beaches and communities would be significantly adversely impacted by the increase in the forecast aviation demand. In addition, the larger waves make more noise than the aircraft overflight in most cases.

- The environmental assessment (EA) and negative declaration is only covering the Phase I improvements and as stated in the EA, additional environmental documents will be completed as necessary for the Phase 2 and 3 improvements.

We anticipate that you will publish comments on the Dillingham EA. Please correct your summary as well.

Editor's Note: The OEQC concluded that the proposed improvement to the existing runway's pavement strength and surface, addition of a full-length parallel taxiway, and addition of extended safety areas and paved blast pads at both ends of the existing runway constituted a new runway. Thus, in addition to a completely new runway, we summarized that the final plan includes two new runways.



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<http://www.hawaii.gov/health/sdohpg07.htm>

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