

* * * * *
*
* E I S N E W S L E T T E R *
*
* * * * *

July 11, 1973

I-10

Persons interested in obtaining additional information should contact this Office at 550 Halekawiila Street, Tani Office Building, Room 301, Honolulu, Hawaii 96813 or call 548-6915.

BACKGROUND INFORMATIONAL NOTES

In the Newsletter of May 24, 1973 (No. I-7), we indicated that we would be summarizing EPA's manual, "Review of Federal Actions Impacting the Environment". The manual provided instructions on procedures for processing an EIS prepared in compliance to the National Environmental Policy Act of 1969 (Public Law 91-190) or more commonly referred to as NEPA.

The summary of the EPA manual will be presented in four parts. The first, which is provided basically for your background information is a reproduction of the Policy Act as provided below.

Public Law 91-190
91st Congress, S. 1075
January 1, 1970

AN ACT

To establish a national policy for the environment to provide for the establishment of a Council on Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Policy Act of 1969".

PURPOSE

Sec. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may--

(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

(2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;

(3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

(4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

(6) enhance the quality of renewable sources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 102. The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall--

(A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision-making which may have an impact on man's environment;

(B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;

(C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on--

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and

(v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(E) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(F) make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(H) assist the Council on Environmental Quality established by title II of this Act.

Sec. 103. All agencies of the Federal government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

Sec. 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

Sec. 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

UPDATE

On June 27, 28 and 29, 1973, the Office of Environmental Quality Control and the Department of Personnel Services co-sponsored an EIS Workshop that was held at the Coral Ballroom of the Hilton Hawaiian Village.

The success of the Workshop was due in large part to all those participating, and this Office commends them on their excellent representation and participation.

State environmental impact statements now required by the Governor's Executive Order received considerable controversial, commendable and critical remarks throughout the Workshop. However, more importantly, the training program provided those participating with direct insights on the review and preparation process for impact statements.

Overviewing the system were two panels, State and Federal, that discussed the goals, problems and procedures for the EIS systems. Dr. Doak Cox of the University's Environmental Center and a participant of the State panel had this to say in regards to the problems of the process: "The most fundamental problems associated with EISs... is the subjective nature of the value comparisons that must be involved in them." Further discussion of the legislative aspects (by Senator Kenneth Brown and State Representative Jean King), legal standpoint (Attorney Boyce Brown), and private developers point of view were discussed resulting in a meaningful interchange of thoughts and ideas.

Proceedings for the Workshop are currently being compiled by OEQC and DPS. Tentative completion date for these "Workshop Proceedings" is the middle of August. Those persons who did not participate in the Workshop, but are interested in obtaining a copy of the Proceedings may contact the Office of Environmental Quality Control for availability of the publication.

Temporary Commission

Watch this space for progress of the Temporary Commission on Environmental Planning.

The TCEP is now considering environmental policy recommendations for the State of Hawaii in the areas of:

- Conservation
- Population
- Economic Activities
- Land Use
- Transportation
- Human Resources
- Community Environment

Draft recommendations will be presented to the public in mid-August and meetings will be held in September to gain community review. The revised proposals will be presented to the Governor and the Legislature on November 1, 1973. In following issues of this Newsletter, you will find preliminary recommendations of the Commission in the seven categories listed above.

ANNOUNCEMENT

The Department of Health has scheduled a public information meeting for Friday, July 27, 1973, beginning at 7:00 P.M. in the Board Room, third floor, Kinau Hale (Department of Health Building), 1250 Punchbowl Street, Honolulu, to discuss and clarify the revised Public Health Regulation, Chapter 38, including specific requirements and procedures for obtaining approval of any proposed sewage treatment and disposal system. These regulations have been adopted in anticipation of rigid effluent limitations for point resources to be established by the United States Environmental Protection Agency in accordance with the Federal Water Pollution Control Act Amendment of 1972, Public Law 92-500. They have also been made consistent with public health regulations Chapter 37, "Water Pollution Control", and 37-A, "Water Quality Standards".

ANTICIPATED EIS

Honolulu District Court (relocation), Kahaluu Flood Control Project, Kaneohe Civic Center (site selection), Maintenance of Harbors (dredging).

EIS REGISTER

Final Environmental Impact Statements

Project Name - Expanding or
Initiating Agency

Location

Description

Suspense
Date

1. Beach Erosion Control
Improvements - U. S. Army
Corps of Engineers
Waikiki,
Cahu
The plan of improvement provides for the construction of three new groins, placement of approximately 46,000 cubic yards of sand, and the demolition of the Waikiki Natatorium.
Currently being processed by OEQC.
2. Nawiliwili Small Boat
Harbor - U. S. Army
Corps of Engineers
Nawiliwili
Kauai
The project consists of construction of a breakwater and revetted dike, a stub breakwater, and navigation channels. Local interests will provide for the incremental development of the harbor interior, berthing facilities, and necessary shoreside facilities.
Currently being processed by OEQC.
3. Waimea Civic Center -
Department of Accounting
and General Services
South
Kohala,
Hawaii
The proposed civic center will be a joint venture between the State and County. The construction for the civic center will occur in three phases:
I. (1974) Office Building - Health and Cooperative Extension
II. (1975) District Court Building
Police Building
III. (1976) State Office Building
County Office Building
Fire Station
Heliport
Currently being processed by OEQC.
4. Alii Drive Realignment,
Section from Alii Highway
at Keauhou to Kailua-Kona -
Department of Public Works,
County of Hawaii
Kona,
Hawaii
The proposed realignment area for the existing Alii Drive begins in the vicinity of the Kona Lani Subdivision and continues in a southeasterly direction for approximately 3.4 miles, terminating at the existing realigned portion of Alii Highway at Keauhou. The proposed highway serves a two-fold purpose: first, it replaces existing Alii
Currently being processed by OEQC.

Drive, and second, it serves as yet another link in the scenic corridor which will terminate at the Honaunau City of Refuge with a possible future connection to the Volcanoe National Park.

Non-Impact Statement

- 1. Leilehua High School, Paved Parking and Fencing - Department of Accounting and General Services
 Wahiaua, Hawaii
 The project will consist of paving an area presently used for parking. Also, included in the project is the installation of a chain link fence and the grading of adjustment walls along the property line.
 8/6/73

- 2. Harvesting of Bluegum Eucalyptus - Department of Land and Natural Resources
 Kakaiaua, Hawaii
 The proposed project will have a ten-year cut cutting cycle. Each year, 1/10 of the total stand area will be harvested and allowed to regenerate a new coppice stand. Purpose of project is to produce wood chips for export to Japan. The State will sell the standing trees to Capitol Chip Company, a private firm, who will harvest, chip and export the chips.
 8/6/73

- 3. Kuhio Highway, Slope Stabilization at Kapaia, Retaining Wall - Department of Transportation
 Lihue, Kauai
 The project consists of backfilling and re-grading the eroded areas of an existing roadway embankment slope, constructing a system of minor erosion control, and grassing slope.
 8/8/73

- 4. Demolition and Fill at Continental Airlines Lease Property - Department of Transportation
 Honolulu, Oahu
 The project proposes to demolish and remove all structures and fill the entire property with acceptable material at the Continental Airlines Lease Property at Honolulu International Airport.
 8/8/73

EIS NEWSLETTER
(I-10)

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

REQUEST FOR DRAFT EIS

Send to: _____

Contact: _____ Phone No.: _____

Request a copy of the following:

- 1. _____
- 2. _____
- 3. _____

Date: _____

Return to: Office of Environmental Quality Control
550 Halekauwila Street
Room 301
Honolulu, Hawaii 96813