

The Environmental Notice

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

AUGUST 23, 1996

1995 Annual Report is Here

In celebration of the 25th anniversary of the Office of Environmental Quality Control and the Environmental Council, we are happy to announce the completion of the 1995 annual report. The Report is a dramatic departure from previous years. It contains expert articles on pressing environmental issues ranging from native species to eco-tourism. Also in the report, State and County agencies have reported progress on their environmental goals.

Perhaps the most popular feature of the Report is the inclusion of 25 Hawaii environmental indicators. After extensive research and data collection, OEQC has charted and graphed information ranging from water quality to energy use. We include the total State funding for environmental programs and how fast we are using up landfill space across the state. We intend to continue to present these indicators each year to provide a handy report card on the environmental health of Hawaii. A limited number of copies of the report are available at OEQC. Call 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

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Renew Your Subscription to the Notice Today

Just in case you missed it, please look for the survey form at the back of the August 8th issue of the Environmental Notice. You must fill out the survey and return it to OEQC by September 11 or you will be dropped from our mailing list. Hundreds of surveys have been received already. Many of you took the time to add helpful comments as well. We appreciate hearing from you. If you appreciate receiving this bulletin twice each month make sure you get your survey back on time.

The Environmental Notice Lite

The first thing you should notice about this issue is that it has lost weight. This crash diet is due to two factors: 1) an unusually small number of new projects were filed with our office this cycle; and 2) we have removed the full description of previously published project notices and instead listed them by title only at the end of each island chapter.

Before today, second notices have

filled about one third of the bulletin's pages. This new format will require readers to refer back to the most recent bulletin issue if they want a summary of a pending project that was already published. This means a little more work for our readers and thousands of dollars worth of paper saved each year. Please let us know what you think of this new format.

Comments Count

The County of Kaua'i Planning Department has submitted a final environmental assessment for the construction of a pedestrian walkway at the Sheraton Kaua'i Hotel. In response to public comments and other project changes, Obayashi Corporation (the applicant), has modified the pedestrian walkway to reduce potential impacts to the shoreline area.

In the revised plan, the applicant proposes to realign the section of the walkway overlooking Poipu Beach further inland and outside of the 40-foot shoreline setback area. The Planning Department has also indicated that an EA will be prepared for related improvements (new beachfront wing, pool decks, lobby, lounge, gallery, etc.) at the hotel. Please see page 12.

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 FONSI (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 Finding of No Significant Impact (FONSI) formerly called 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 FONSI 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

AUGUST 23, 1996

Draft Environmental Assessments



(1) Burmeister Overpass Communications Site

District: Honolulu
TMK: NA
Applicant: Western PCS II
1100 Alakea Street
Honolulu, Hawaii 96813
Contact: Harvey Luke (522-1470)

Accepting Authority: Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Michael Amuro (587-2023)

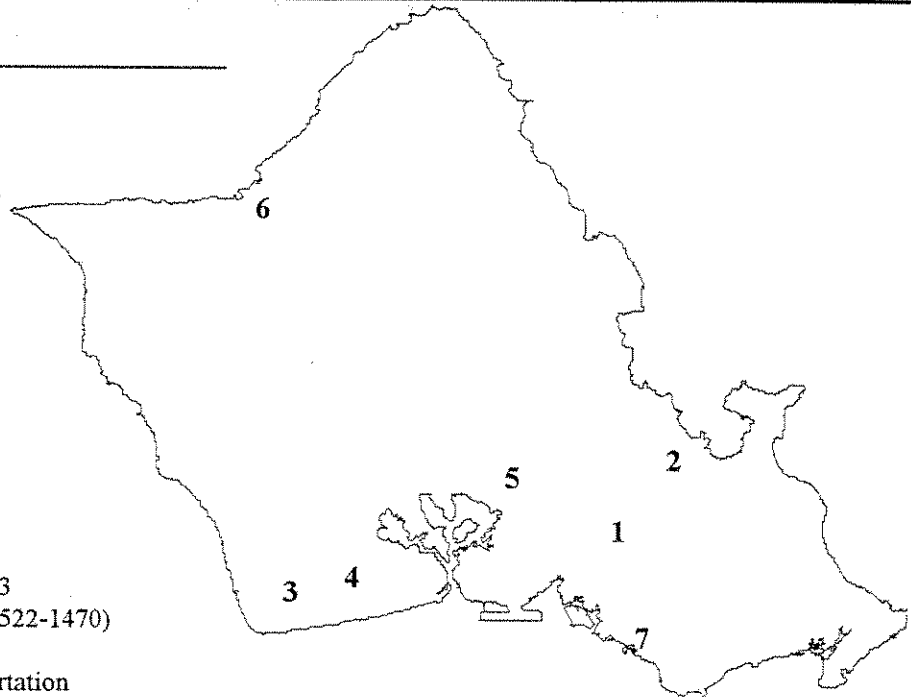
Consultant: Analytical Planning Consultants, Inc.
84 North King Street
Honolulu, Hawaii 96817
Contact: Donald Clegg (536-5695)

Public Comment Deadline: September 23, 1996
Status: DEA First Notice, pending public comment. Address comments to the applicant with copies to the accepting authority, the consultant and OEQC.

The applicants propose to locate a communications site for portable telephones and paging on the Burmeister Overpass on the Likelike Highway. The site is a co-location facility for six communications companies. Twelve antenna panels will be placed on each side of the overpass for a total of 24 antennas. Equipment cabinets will be located on land outside the right-of-way at either end of the bridge.

The radiation exclusion distances meet Federal Communication Commission (FCC) standards. The panels will not protrude above or below the bridge structure and will be painted to blend with the existing structure.

The communications systems utilizing the site serve a community function as public utilities by supplying needed portable communications for public use. In addition the systems will provide essential communications in the event of disaster.



(2) Kaneohe PCS Cell Site

District: Koolaupoko
TMK: 4-5-42:portion of 8
Applicant: DCR Communications, Inc.
2550 M Street, NW, Suite 200
Washington, D.C. 20037
Contact: Douglas Logan

Accepting Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Don Horiuchi (587-0381)

Consultant: Kusao & Kurahashi, Inc.
210 Ward Avenue, Suite 124
Honolulu, Hawaii 96814
Contact: Keith Kurahashi (538-6652)


Public Comment Deadline: September 23, 1996
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the accepting authority, the consultant and OEQC.

The applicant proposes to construct a public utility PCS communication system within approximately 625 square feet of this 9.051 acre lot adjacent to the Hawaiian Electric

Company (HECO) Koolau Substation in Kaneohe. The PCS communication system will consist of a 98' 5" monopole with four panel antennas, two equipment cabinets, conduits and cables and a 6' 0" high chain link fence, with a 3-foot wide personnel gate, surrounding the PCS Cell Site. The proposed monopole will be located at the southeast corner of the property.

The monopole and antennas will be of similar form and appearance as nearby utility poles and street lamps found on the adjacent HECO Substation and surrounding area. The transmitter equipment cabinets will be of similar form and appearance as other ground level structures housing utility equipment and machinery.

The subject site is within the General Subzone of the State Conservation District. The proposed transmitter/receiver facility is classified as a public utility PCS communication system which is a permitted use within this General Subzone Conservation District site.



(3) University of Hawaii West Oahu Campus Exchange of State Lands

District: Ewa
TMK: 9-1-17:72 and 9-1-75:44
Applicant: Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, Hawaii 96813
Contact: Roy Schaefer (587-0383)

Accepting Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, Hawaii 96813
Contact: Roy Schaefer (587-0383)

Public Comment
Deadline: September 23, 1996
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to OEQC.

The proposed action that triggered this Environmental Assessment is the use of State lands as outlined by Chapter 343 (Section 343-5 (1)) of the Hawaii Revised Statutes. The State lands being exchanged for the University of Hawaii West Oahu Campus project include a 182.8 acre East Kapolei parcel and a 58.811 acre parcel in the Kapolei Business Park.

The East Kapolei parcel consists of fallow sugar cane fields zoned Agricultural District, and the Kapolei Business Park lands consist of the Hawaii Raceway Park motor sports facility zoned Urban District.



(4) Varona Village Phase II

District: Ewa
TMK: 9-1-17:68 (por.), 69 (por.), and 75 (por.)
Applicant: City and County of Honolulu
Department of Housing and Community Development
650 South King Street, 5th Floor
Honolulu, Hawaii 96813
Contact: Avis Kamimura (523-4437)

Accepting Authority: City and County of Honolulu
Department of Housing and Community Development
650 South King Street, 5th Floor
Honolulu, Hawaii 96813
Contact: Avis Kamimura (523-4437)

Consultant: PBR Hawaii
1001 Bishop Street, Suite 650
Honolulu, Hawaii 96813
Contact: Vincent Shigekuni (521-5631)

Public Comment
Deadline: September 23, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

In the Spring of 1990, the Department of Housing and Community Development (DHCD) embarked on a project to provide home ownership opportunities for the tenants that reside in the Ewa Plantation villages of Renton, Tenney and Varona. This project has been referred to as the Ewa Villages Revitalization Project.

Much of the originally planned additions and improvements have been completed. The remaining area of Ewa Villages west of Kaloi Channel is around the existing Varona Village and the development of this area is referred to as the Varona Village Phase II project. As a logical completion of the Ewa Villages project, the master Plan represents compatible uses for an existing and growing urbanized area (the Ewa region).

Oahu Notices

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The Varona Village Phase II areas are divided into three areas referred to as Area E (approximately 25 acres), Varona Village Expansion Area (approximately 27 acres), and Makai Area (approximately 9 acres).

The Varona Village Expansion Area is located immediately north and west of the existing Varona Village. The Varona Village Expansion Area is bounded by the proposed North-South Road, the western boundary of Ewa Villages and the 75-foot wide 138kV Hawaiian Electric Company power line easement, and the OR&L railroad right-of-way. The boundaries of the Varona Village Expansion Area will not be accurately defined until the North-South Road alignment is finalized. Approximately 157 single-family units are planned to be developed in the Varona Village Expansion Area.

The Makai Area is located south of the existing Varona Village and is bounded by Renton Road, the recently channelized Kaloi Channel, and the OR&L railroad right-of-way. This area will be used for community-type facilities (such as a YMCA or YWCA) and/or residential use. If the Makai Area is developed entirely for residential use, similar to what is proposed for the Varona Village Expansion Area, it would yield approximately 52 single-family units (or 110 multi-family residential units).

Area E is located between the proposed North-South Road and the Ewa Villages Golf Course. The boundaries of Area E will not be accurately defined until the North-South Road alignment is finalized. With its golf course frontage, Area E is intended to be developed for approximately 252 market single-family and/or multi-family residential units.

Final Environmental Assessment/ Finding Of No Significant Impact (FONSI)



(5) Aiea Agricultural Land Use

District: Ewa
TMK: 9-8-11:01
Applicant: Warren Ho
50 South Beretania Street
Kukui Plaza Mall, C-203
Honolulu, Hawaii 96813

Accepting

Authority: Department of Land and Natural Resources
1151 Punchbowl Street, Room 220
Honolulu, Hawaii 96813
Contact: Lauren Tanaka (587-0385)

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

Public Challenge

Deadline: September 23, 1996

Status: FEA/FONSI issued, project may proceed.

The proposed project is for small-scale farming and pasturage of approximately ten horses or cows on an area of 2-4 acres. This activity will be for personal use and recreation following retirement.

The site is located in Aiea, Oahu, and is comprised of a narrow strip of vacant and undeveloped land situated between Aiea Heights and Pearlridge, above the Pearl Country Club Golf Course. The parcel contains 119.387 acres which extends about 1.5 miles from the H-1 freeway, up along Kalauao Stream to the Ewa Forest Reserve line. The upper portion of the project site is adjacent to Keaiwa Heiau State Recreational Area.

The proposed agricultural use of the land will involve farming of fruits and vegetables, cultivation of floral and ornamental plants, and pasturage of up to 10 horses or cows.

Final Environmental Impact Statements



(6) Waialua-Haleiwa Wastewater Facilities

District: Waialua
TMK: 6-9, 6-8, 6-7, 6-6, 6-2
Applicant: City and County of Honolulu
Department of Wastewater Management
650 South King Street, 3rd Floor
Honolulu, Hawaii 96813
Contact: Jared Lum (523-4654)

Accepting

Authority:

City and County of Honolulu
Planning Department
650 South King Street, 8th Floor
Honolulu, Hawaii 96813

Consultant:

Hydro Resources International
P.O. Box 4409
Arcata, California 95521
Contact: Dr. Robert Gearheart (707-826-3135)

Status:

FEIS currently being reviewed by the Planning Department, City and County of Honolulu.

The City proposes, for the Waialua-Haleiwa area, the use of a passive wastewater treatment system comprised of oxidation ponds, constructed wetlands, and slow sand filters with the effluent disposed of through water reclamation via irrigation. Two equally-sized treatment systems designed for 0.7 million gallons per day are proposed to treat the Waialua and Haleiwa service areas. Disinfection of the effluent will be done with ultraviolet light.

Each of the two systems would require approximately 35 acres for oxidation ponds and constructed wetlands. Included in this 35 acre site would be the slow sand filter, UV disinfection equipment, and a control building. The effluent would be used to irrigate agricultural and/or horticultural sites in the vicinity of the treatment site. Effluent disposal would require approximately 82 acres of irrigation area for each of the sites. Backup disposal would be supplied by use of rapid infiltration sites (one acre for each system) makai of the no-pass line. Each of the two sites would, therefore, have their own reclaimed water line, irrigation sites and rapid infiltration sites.

The project requires a supplement to the 1987 EIS entitled Waialua-Haleiwa Wastewater Facility Plan which was prepared by Belt Collins and Associates, Inc. That original EIS proposed treatment using a Sequencing Batch Reactor (SBR) and effluent disposal using infiltration wells (for the interim solution) and an ocean outfall (for the long term solution). This project will replace the treatment and disposal methods, but will generally leave the collection method and justification for the project intact.

Notice of Withdrawal



(7) Waikiki Public Auction for Three Beach Concessions

The Department of Land and Natural Resources (DLNR), Land Division has withdrawn the Draft Environmental Assessment for Three (3) Beach Concessions at Fort DeRussy and Duke Kahanamoku Beach, Waikiki, Oahu. DLNR is currently re-evaluating the project and may submit a new and possibly different DEA in the future. Public comments that were received during the review period will be considered in any future actions by DLNR.

Please contact Cecil Santos at 587-0408 or Sam Lemmo at 587-0377 should you have any questions on this matter.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

H & M Apartment Project, Waikiki, Phases I and II

Special Management Area (Draft Environmental Assessments)

Waialua Plantation Homes

Final Environmental Impact Statements Pending Acceptance

Kailua 272 Reservoir

Makaha 242 Reservoir No. 2



Maui Notices

AUGUST 23, 1996

Draft Environmental Assessments

(1) Maui Cattlemen's Association Livestock Export/Staging & Import/Quarantine Station

District: Wailuku
TMK: 3-8-08:por. 01
Applicant: Department of Agriculture
1428 South King Street
Honolulu, Hawaii

Accepting Authority: Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, Hawaii 96809

Consultant: U.S. Department of Agriculture
Natural Resource Conservation Service
210 Imi Kala Street, Suite 209
Wailuku, Hawaii 96793
Contact: Neil Fujiwara (244-3729)

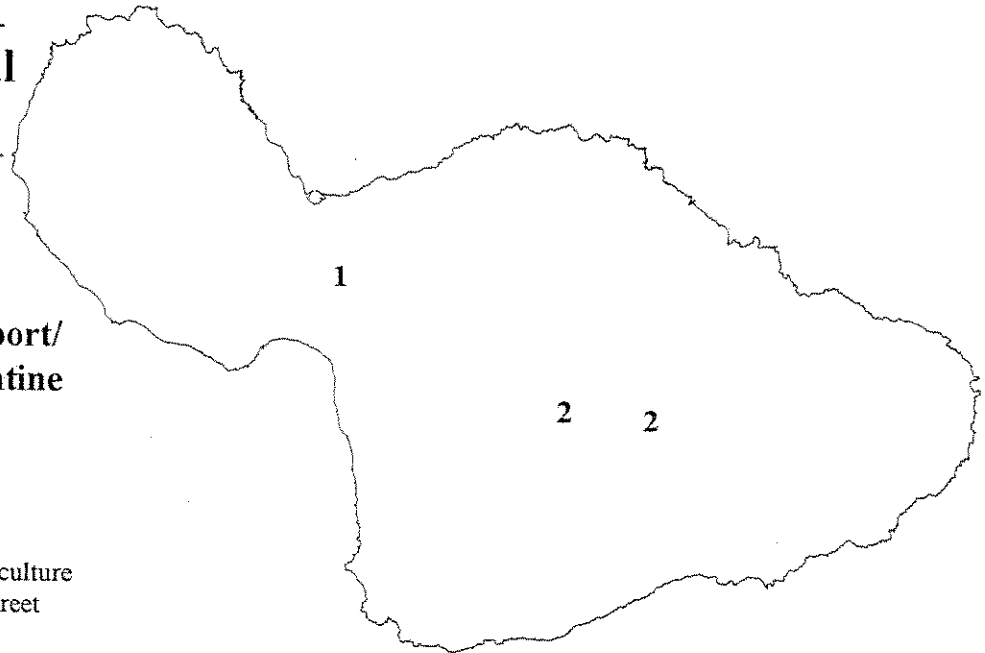
Public Comment

Deadline: September 23, 1996
Status: DEA First Notice, pending public comment.
Address comments to the applicant with copies to the accepting authority, the consultant and OEQC.

The subject facility will be used by the Maui Cattlemen's Association for a livestock export/staging and import/quarantine station. The facility will consist of holding areas for the livestock.

Cattle will be held either prior to shipping out at the pier or after arrival for quarantine purposes. The 5-acre area, previously used for agriculture but currently vacant, will hold up to 500 head of cattle at a time for a period of 5 days to 2 weeks. Two acres will be developed immediately into pens, roads and a parking lot. Waste management will be according to Department of Health requirements.

The project is located in Pulehunui, near the old Puunene Airport.



Final Environmental Assessment/ Finding Of No Significant Impact (FONSI)

(2) GTE Hawaiian Telephone Fiber Optic Ductline

District: Makawao
TMK: 2-2-7:01, 02, 05, 10, 11, 12 and 2-2-6:09
Applicant: GTE Hawaiian Telephone
P.O. Box 2200
Honolulu, Hawaii 96841
Contact: Calvin Choy (483-1963)

Accepting Authority: Department of Land and Natural Resources
Office of Conservation and Environmental Affairs
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Don Horiuchi (587-0377)

Consultant: Munekiyo & Arakawa, Inc.
1823 Wells Street, Suite 203
Wailuku, Hawaii 96793
Contact: Milton Arakawa (244-2015)

Public Challenge

Deadline: September 23, 1996

Status: FEA/FONSI issued, project may proceed.

GTE Hawaiian Telephone Company, Inc. proposes to install a fiber optic cable system connecting the GET micro-wave radio station near the summit of Haleakala to the Kula Central Office on Kula Highway. The system will consist of approximately 6.2 miles of underground conduit and fiber optic cable and approximately 0.4 mile of overhead fiber cable on the existing utility poles along Kula Highway. Approximately 3.6 miles of the system traverses the State Conservation District.

The proposed ductline will be constructed of two PVC conduits (one to contain the fiber optic cables and the other to remain empty for maintenance purposes) measuring approximately 1.5 inches in diameter. The conduit is intended to be placed approximately 2-3 feet below grade. Trench excavation, ductline installation and backfill are anticipated to occur simultaneously. Once the ductline is installed, at grade "pull boxes" measuring 3 feet by 5 feet and 3 feet deep will be strategically placed approximately 1,500 feet apart throughout the alignment for installation and maintenance of the conduit system and fiber optic cables.

The fiber optic installation activities will be concentrated at the locations of the pullboxes. Air compressors will be utilized to assist in the fiber optic cable installation to minimize cable/ductline friction.

An alignment corridor varying between 50 feet to 100 feet wide is proposed for the installation of the underground ductline. A wide corridor will allow installation flexibility of the ductline to avoid topographical, vegetal and other environmental constraints (e.g., endangered plant species, large lava beds, trees, large shrubs, and archaeological sites) that may be encountered along the proposed 6.2 mile ductline alignment.

Construction materials and equipment will be trucked to the eastern-most portion of the alignment on existing roadways near the summit of Haleakala. Construction will then proceed to progressively lower elevations until reaching Kula Highway. All equipment and construction materials are anticipated to be brought in by trucks, track-mounted mechanical equipment, or by helicopter, if necessary, and remain within the project corridor until the completion of the project.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

East Maui Watershed Fence Project
Haiku Well Pump Station
Iao Treatment Facility and Pipeline
Ichikawa Three Lot Subdivision



Hawaii Notices

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Final Environmental Assessment/ Finding Of No Significant Impact (FONSI)

(1) Pahala Deep Well No. 2 Exploratory Stand-By Well Drilling

District: Kau
TMK: 3-9-6-05:16
Applicant: County of Hawaii
Department of Water Supply
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Ken Ikemori (961-3723)

Accepting Authority: County of Hawaii
Department of Water Supply
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Ken Ikemori (961-3723)

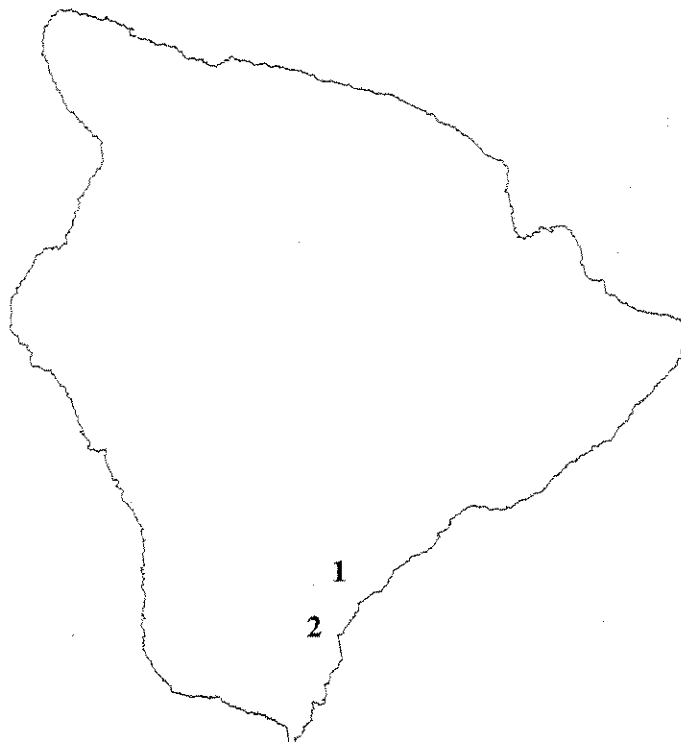
Consultant: Waimea Water Services, Inc.
P.O. Box 326
Kamuela, Hawaii 96743
Contact: John Stubbart (885-5941)

Public Challenge

Deadline: September 23, 1996
Status: FEA/FONSI issued, project may proceed.

The Department of Water Supply (DWS), County of Hawaii proposes to drill an exploratory stand-by deep well in Pahala in the Kau District of the Big Island of Hawaii. If the exploratory well proves to be productive, it will be out-fitted to a stand-by production well to provide backup to the existing Pahala Well (State Well #1229-01) northwest of the town of Pahala and to explore the high level groundwater.

The well will be located near the existing well and 0.5 mgd tank. The ground elevation will be 1112 feet and the well will be drilled 975' to elevation 137 feet. The groundwater stands at about elevation 383 feet. The well diameter will be 22" with a 16" casing. Access to the site will be above the tank on an access previously used for servicing the existing well. Some macnut trees will need to be removed for drilling operations.



The few negative impacts which have been identified in this Final Environmental Assessment should be adequately minimized by the suggested mitigative measures. In accordance with Chapter 343, Hawaii Revised Statutes, it has been determined that this project will not have significant environmental effects and an Environmental Impact Statement is not required. This constitutes a Finding of No Significant Impact.

(2) Waiubata Dairy, Inc.

District: Kau
TMK: 9-5-15:3
Applicant: Waiubata Dairy, Inc.
P.O. Box 55
Papaikou, Hawaii 96781
Contact: Alfred Galimba (696-2828)

Accepting Authority: Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809
Contact: Gary Martin (587-0421)

Consultant: Michele Galimba (964-5775)
P.O. Box 379
Naalehu, Hawaii 96772

Public Challenge

Deadline: September 23, 1996

Status: FEA/FONSI issued, project may proceed.

The applicant anticipates that the construction of the proposed dairy will generate much needed employment and revenues for the Kau district, the Big Island and the state.

The dairy facility would like to be located on approximately 2,000 acres of state-owned land at Kau that was once cultivated with sugar cane. At full capacity, the dairy will produce 70,000 pounds of milk a day, and contribute approximately \$5.6 million annually to the local economy.

The dairy will begin with a herd of 500 head and incrementally grow to a herd of 1,000 head or more.

Note: This filing of FONSI should not be construed as obligating the Board of Land and Natural Resources to disposing of the subject land for the above described purpose.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Nanawale Ballfield

Draft Environmental Impact Statements

Hapuna Beach State Recreation Area Expansion

Kauai Notices

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Final Environmental Assessment/Finding Of No Significant Impact (FONSI)

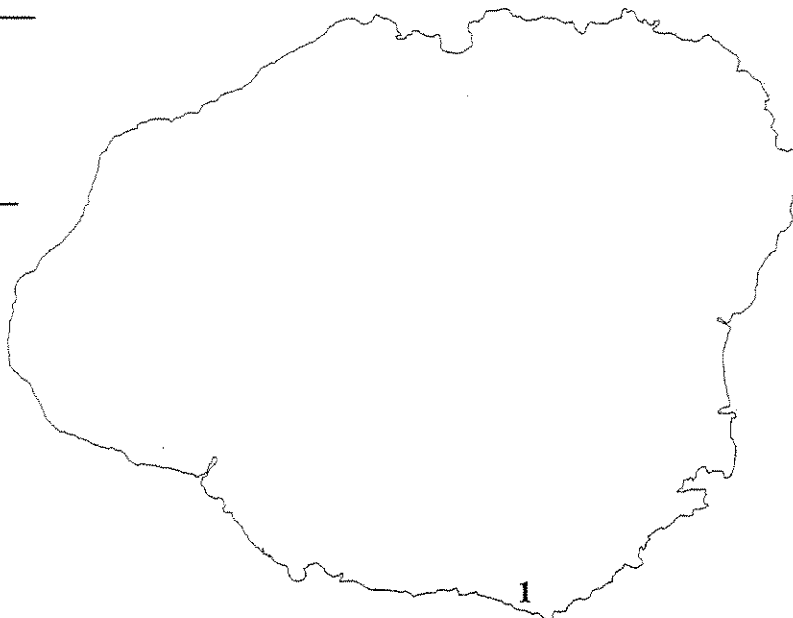
(1) Sheraton Kauai Hotel Shoreline Walkway

District: Koloa
TMK: 2-08-16:3
Applicant: Obayashi Corporation
725 Kapiolani Boulevard, 4th Floor
Honolulu, Hawaii 96813

**Accepting
Authority:** County of Kauai, Planning Department
4444 Rice Street, Suite 473
Lihue, Hawaii 96746
Contact: George Kalisik (241-6677)

Consultant: Belles, Graham, Proudfoot, and Wilson
4334 Rice Street, Suite 202
Lihue, Hawaii 96746
Contact: Michael Belles (245-4705)

Public Challenge
Deadline: September 23, 1996
Status: FEA/FONSI issued, project may proceed.



The FONSI does not indicate the Planning Department's position on the project relative to the County of Kauai Special Management Area Rules and Regulations, the County Shoreline Setback Rules and Regulations or Chapter 205A of the Hawai'i Revised Statutes. The requirements of these rules and regulations will be considered by the Planning Department during the permit review process.

The project consists of repair and replacement of a 1,100 foot long, six foot wide concrete pedestrian walkway, and new construction of an additional 600 feet of walkway within the 40 foot Shoreline Setback Area, makai of the Sheraton Kauai Hotel in Poipu. The previously existing walkway was damaged by Hurricane Iniki, and the new section is proposed to be located along a previously existing defined grass path. The project also includes landscape related improvements including plantings, furniture, an irrigation system, lighting, and luau torches.

The applicant has revised the project to relocate that portion of the concrete walkway located on the sandy section of the site to mauka of the forty-foot shoreline setback area.

Shoreline Notices

AUGUST 23, 1996

Shoreline Certification Applications

Department of Land and Natural Resources
Land Division
1151 Punchbowl Street, Room 220
Honolulu, Hawaii 96813
Telephone: 587-0432

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

Date: August 23, 1996 Number: 96-016

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

All comments to an application for shoreline certification shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawaii and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Location: Duke Kahanamoku Beach, Waikiki, Oahu
(Property address not provided)
Applicant: Land Division, Department of Land and Natural Resources
For State of Hawaii
Tax Map Key: 2-3-37: por. 21
Date Received: July 24, 1996
Case No.: OA-589

Location: Lot 687, Map 104, LC App. 578 at Kuliouou, Oahu (272 Paiko Drive)
Applicant: Michael Berueda for BM Surveying and Mapping
For Roy Kajiuye
Tax Map Key: 3-8-01: 11
Date Received: August 1, 1996
Case No.: OA-590

Location: Lot 268, LC App. 1095 at Malaekahana, Oahu (Property address not provided)
Applicant: James Thompson for Walter P. Thompson, Inc.
For Dr. Michael Dimitrion
Date Received: August 6, 1996
Tax Map Key: 5-6-01: 26
Case No.: OA-591

Location: Waikiki Beach fronting Fort DeRussy and Reef Hotel at Waikiki, Oahu
Applicant: Land Division, Department of Land and Natural Resources
For State of Hawaii
Tax Map Key: 2-6-04 and 05
Date Received: July 24, 1996
Case No.: OA-592

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 1062, LC App. 677 at Kaneohe, Koolaupoko, Oahu (610 Kaimalino Place, Kailua, Hawaii)
Applicant: Lester Shimabukuro for Towill, Shigeoka & Associates, Inc.
For Karen Cross & David White
Tax Map Key: 4-4-39: 24
Date Certified: August 13, 1996
Case No.: OA-581

Shoreline Notices

AUGUST 23, 1996

Location: Lot 2, Wainiha Hui Land at Halelea, Kauai
(Alamo'o Road)
Applicant: Ronald Wagner for Wagner Engineering
Services, Inc.
For Antoinette Brumbaugh
Tax Map Key: 5-8-08: 28
Date Certified: August 13, 1996
Case No.: KA-119

Location: A Portion of Makuleia Bay at Honolua,
Lahaina, Maui (Makuleia Bay, Slaughter-
house Beach)
Applicant: Norman Saito for Norman Saito Engineer-
ing Consultants, Inc.
For Warren Suzuki, Maui Land & Pine-
apple Company
Tax Map Key: 4-2-04: por. 32
Date Certified: August 13, 1996
Case No.: MA-172

Location: R.P. 5443, LC Aw. 6650 to Ua at Pukoo,
Molokai (Mile 16 Kam V Highway)
Applicant: Dennis Hashimoto for DJNS Surveying &
Mapping, Inc.
For Jay and Vance Killen
Tax Map Key: 5-7-07: 08
Date Certified: August 13, 1996
Case No.: MO-047

Location: Lots 5-B and 5-B-1 Being Portions of R.P.
7531, LC Aw. 8559, Apana 33 to W.C.
Lunalilo at Kaalaea, Koolaupoko, Oahu
Applicant: Michael Berueda for BM Surveying and
Mapping
For James D. Schufeldt
Tax Map Key: 4-7-41: 17
Date Rejected: August 5, 1996
Case No.: OA-588

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. Written requests to be placed on the mailing list may be sent to:

Chairperson
Environmental Council
220 South King Street
Suite 400
Honolulu, Hawaii 96813.

Pollution Control Permits

AUGUST 23, 1996

Department of Health Permits

The following is a list of some pollution control permits currently being reviewed by the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu.

Branch & Permit Type	Applicant & Permit Number	Project Location	Pertinent Dates	Proposed Use
Clean Water Branch (586-4309), NPDES Permit	Citizens Utilities Company, Permit Number HI 0000353	Port Allen Generating Station, Port Allen, Eleele, Kauai	Comment Deadline: Sept. 3, 1996	To discharge cooling water and storm water to Port Allen Bay and Hanapepe Bay.
Safe Drinking Water Branch (586-4258), Underground Injection Control (UIC) Permit	Budget Rent-a-Car	Kalewa Street, Oahu	NA	Abandonment of injection well.
SDWB (586-4258), UIC Permit	County of Hawaii	Leilani Street, Hawaii	NA	Drywell drainage improvements.
SDWB (586-4258), UIC Permit	U.S. Department of Navy	Barbers Point Naval Air Station, Oahu	NA	Registration of existing drainage drywells.
SDWB (586-4258), UIC Permit	Kealakekua Ranch, Ltd.	Kealakekua Ranch Center, Hawaii	NA	Renewal of permit for drywells.
SDWB (586-4258), UIC Permit	Suisan Company, Ltd.	Suisan Food Processing Plant, Hawaii	NA	Registration of existing drainage drywells.
Office of Solid Waste Management (586-6420), Used Oil Permit	Unitek Solvent Services, Inc., Permit Number UO-0056-96	Lihue, Kauai TMK 3-3-02:17	Date Received: July 8, 1996	Used oil collector facility - Change of owner.
OSWM (586-6420), Used Oil Permit	Unitek Solvent Services, Inc., Permit Number UO-0057-96	Kahului, Maui TMK 3-7-11:17	Date Received: July 8, 1996	Used oil collector facility - Change of owner.
Clean Air Branch (586-4200), Covered Source Permit	Texaco Refining and Marketing, Inc., Permit Number 0220-01-C	Barbers Point Sales Terminal, Campbell Industrial Park, Oahu	NA	Petroleum storage tanks and load rack.
CAB (586-4200), Covered Source Permit	Texaco Refining and Marketing, Inc., Permit Number 0307-01-C	1099 Kalaniana'ole Street, Hilo, Hawaii	NA	Petroleum storage tanks.
CAB (586-4200), Noncovered Source Permit	Grove Farm Rock Company, Permit Number 0299-01-NT	New Mahaulepu Quarry, Kauai	NA	140 TPY portable rock processing plant.
CAB (586-4200), Noncovered Source Permit	Island Coffee Company	Numila Yard, Eleele, Kauai	NA	Coffee dryers.

Federal Notices

AUGUST 23, 1996

Ni'ihau Plant Given Endangered Status

In a final rule (see, Federal Register, August 7, 1996, Volume 61, Number 153, pages 41020-41024) the U.S. Fish and Wildlife Service (FWS) determined that the plant *Pritchardia aylmer-robinsonii* (wahane), endemic to the island of Ni'ihau, is endangered. The species and its habitat have been affected and are currently threatened by cattle, pigs, and sheep. Due to the small number of existing individuals and their very narrow distribution, this species is subject to reduced reproductive vigor and/or an increased likelihood of extinction from naturally occurring events. This rule takes effect on September 6, 1996.

New FM Radio Station for Keaau

The Federal Communications Commission ("FCC") is requesting comments on a petition for rule making filed by Deborah Takehiro Ombac seeking the allotment of FM Channel 286C2 to Keaau, Puna District, Island of Hawai'i, as that community's first local aural transmission service (see, Federal Register, August 6, 1996, Volume 61, Number 152, page 40775). Comments must be filed on or before September 16, 1996 with Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Deborah Takehiro Ombac, 620 Awa St., Hilo, HI 96720. For more information, please call Nancy Joyner, Mass Media Bureau, in Washington, D.C. at (202) 418-2180.

Right Whale Protection

The National Marine Fisheries Service ("NMFS") requests comments on a proposed rule (see, Federal Register, August 7, 1996, Volume 61, Number 153, pages 41116-41123) to prohibit all approaches to the North Atlantic Right Whale (*Eubalaena glacialis*) within 500 yards (460 m), whether by vessel, aircraft or other means and require avoidance measures under specified circumstances. Exceptions would be provided for emergency situations and where certain authorizations are provided. Written comments must be addressed to Chief, Marine Mammal Division, Office of Protected Resources (FPR), NMFS, 1315 East-West Highway, Silver Spring, MD 20910 and received by November 5, 1996.

Supplemental EIS for Marijuana Eradication

The U.S. Drug Enforcement Administration ("DEA") is preparing supplements to the programmatic environmental impact statements on eradication of *Cannabis* ("marijuana") on Federal Lands in the continental United States (DEA-EIS-1), finalized in July 1985, and on Eradication of *Cannabis* on Non-Federal and Indian Lands in the Contiguous United States and Hawaii (DEA-EIS-2), finalized in May 1986 (see, Federal Register, August 13, 1996, Volume 61, Number 157, page 42056). The records of decision executed for the Cannabis eradication programmatic impact statements adopted the preferred alternative of operational flexibility which gives planners and decision makers at the action level the leeway to choose eradication techniques best suited to the situation from the standpoint of both efficacy and respect for the quality of the human environment. Those choices invariably are informed by environmental assessment processes tiered to the programmatic documentation. This approach to planning and decision making has enabled law enforcement officials to be responsive to everchanging circumstances in the field while remaining sensitive to local environment concerns.

The supplement will consider current data pertinent to chemical treatment alternatives and techniques that have been developed in the past decade. Comments on this notice are welcome; inquiries should be directed to Mr. James E. Cappola, Chief, State and Local Programs Section, Drug Enforcement Administration, Washington, DC 20537, telephone (202) 307-8918.

Underground Fiber Optic Cable System at Kula

The following are excerpts of a letter from the Hawaii Chapter of the Sierra Club to the Department of Land and Natural Resources on the Conservation District Use Application for an Underground Fiber Optic Cable System at Kula, Maui.

The Hawai'i Chapter of the Sierra Club has serious concerns regarding this fiber optic cable system proposed for the slopes of Haleakala. This CDUA should be rejected until the numerous and serious concerns raised in the environmental assessment process are addressed. It should also be rejected until the staff is able to work out clear conditions for the CDUA.

I. Failure to Address Concerns of Other Agencies.

The Office of Environmental Quality Control noted that "the environmental impacts of this project will be greater than those caused by a narrow trench containing a fiber optic line. To construct the trench heavy equipment will be used and must be transported to and from the project site. Development of roadways to move this equipment into and along the proposed corridor may be environmentally significant. In the final EA include a final discussion of the impacts of moving equipment in and out of the project site corridor and any related mitigation measures."

The applicant and DLNR have failed to address this concern.

The U.S. Fish and Wildlife Service noted that active nests of the endangered dark-rumped petrel have been found within ten meters of the alignment corridor. USFWS notes that this project has the potential to negatively impact this endangered species. It recommends surveys be conducted and that additional routes be studied.

It appears that USFWS's concerns were also ignored.

II. Failure to Develop Adequate Conditions.

This CDUA, like so many permits, incorporates vague conditions in order mitigate impacts.

Condition 6, for example, calls for revegetation within thirty days. It fails to address the most important environmental concern. If any CDUA is granted for this project it must require revegetation with native plants. Furthermore, it must require watering of such plants for a period of six months to ensure their long-term viability. The applicant should be required to submit photographs of the re-vegetated areas six months after completion of the project.

Condition 1 calls for construction activities to be coordinated with USFWS and the National Park Service. The

planner who wrote this condition cannot even tell you what this means. Does it mean that these federal agencies can veto construction activities that they feel are improper? Does "coordination" mean a simple letter from the applicant to the federal agencies outlining their plans? The BLNR would be abrogating its duties if it approved a CDUA with such language. The BLNR must first address what impacts the construction will have (particularly on endangered species, but also on the entire ecosystem) and then develop appropriate conditions. These conditions must be developed before any CDUA is granted.

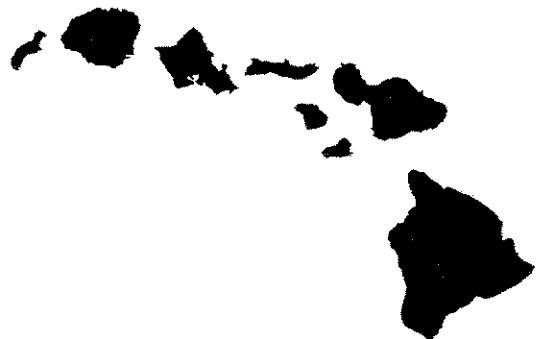
USFWS, the Park Service and DOFAW should be consulted. There should be coordination. But all agreements must be reached before any approval is granted. Specific conditions must be developed to ensure that endangered species are not impacted.

III. Substantial Impacts.

Your rules require that the applicant prove that the proposed land use "will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region." HAR 13-5-30(c)(4)

This project has the potential to seriously impact endangered bird and plant species. It will also adversely impact the native ecosystem. The project will interfere with the Waiakoa trail (which offers the most remote of hiking experiences in the Kula Forest Reserve). Given the comments of the agencies with the most expertise (USFWS, National Park Service and DOFAW), it is appropriate to ask, isn't it more probable than not that there may be significant environmental impacts, and that, therefore, an environmental impact statement should be prepared.

The Board may be aware of the serious problems that have arisen since installation of a fiber optic line at Ka'ena Point. The intensive grading associated with moving equipment and burying the cable at Ka'ena Point has increased improper vehicular access and degraded native vegetation. The experience at Ka'ena should teach the Board that better conditions and oversight are necessary for projects like this.



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