

The Environmental Notice

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



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

235 S. BERETANIA ST.
STATE OFFICE TOWER
SUITE 702
HONOLULU, HI 96813

Tel. (808) 586-4185
Fax. (808) 586-4186

Molokai & Lanai: 1-800-468-4644 ext. 64185
Kauai: 274-3141 ext. 64185
Maui: 984-2400 ext. 64185
Hawaii: 974-4000 ext. 64185

JULY 23, 1997

Kauai Electric Power Plant

Kauai Electric (KE) proposes to develop new fossil fuel-fired power generating facilities and a transmission and distribution facilities baseyard on a portion of a 17-acre parcel near Lihue, Kauai. The site is located northeast of Puhi, approximately 0.6 miles inland of Kaunualii Highway. Most of the site is currently under sugar cane cultivation.

KE predicts that peak electrical energy demand on the island is expected to increase from 68 megawatts (MW) in 1996 to 132 MW in 2019. This is greater than the approximately 87 MW that KE has available when the Public Utility Commission-approved reserve capacity criteria are considered. KE plans to develop 118 to 149 MW of new generating capacity in phases over a period of at least 30 years.

Fuel oil and possibly coal, would be delivered through new or expanded facilities

Voyager Submarines Artificial Reef Installation

Voyager Submarines proposes to sink two derelict vessels on the company's dive site to serve as artificial reefs to enhance the habitat and promote coral and fish growth. The project would provide more interesting views for submarine tour passengers.

The project site is approximately 3/4 mile offshore of Ala Moana Beach Park, in water depths of 60 to 110 feet. The vessels will be cleaned and prepared according to State and Federal regulations. Both vessels will be ballasted with concrete to minimize movement during extreme storm conditions.

An EIS Preparation Notice for the project is pending approval by the Department of Land and Natural Resources. Public comment on the project under state law will be encouraged when that notice is published. See federal notices on page 17.

ties at either Port Allen or Nawiliwili Harbors. It would be transported from there to the site by trucks.

Total water consumption at full build-out would be 0.8 million gallons of water per day (MGD). Water for the first increment of the plant (0.25 MGD) would be supplied by wells developed by Grove Farm in the Haiku Mauka area west of Puhi. Wastewater from power generating operations would be disposed of in injection wells located makai of the Underground Injection Control Line.

This project may affect the environment by introducing large structures into the viewshed, consuming water for power generation, introducing new sources of air emissions, injecting wastewater into the ground, increasing the noise levels, and increasing the potential for fuel spills. See the EISPN notice on page 11.

Haiku Omega Station Closure

The U.S. Coast Guard has prepared an EA for the closure of its Omega Station in Haiku Valley, Kaneohe, Oahu.

The closure actions include repairing the Haiku Stairs; lowering the six antenna spans strung above the valley; cleaning up several debris areas remaining from the Navy occupation (1940s - 1970s); and issuing an interim use license to the City and County of Honolulu to establish a nature park/preserve. See page 4.

Maalaea Harbor Second SEIS

The Army Corps of Engineers and the State DLNR propose to prepare a Joint SEIS for a navigation improvement project at Maalaea Harbor, Maui.

An EISPN pursuant to HRS 343 is expected to be submitted later this year. See Federal Notices on page 16.

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.

Table of Contents

JULY 23, 1997

Oahu Notices

National Environmental Policy Act (NEPA)

- (1) Omega Station Closure (Environmental Assessment/FONSI) 4

Previously Published Projects Pending Public Comments

- Draft Environmental Assessments 4

Maui Notices

Final Environmental Assessments/ Findings of No Significant Impact (FONSI)

- (1) Mokulele Highway/Puunene Bypass 6
- (2) Waikapu Mauka Exploratory Well 7

Previously Published Projects Pending Public Comments

- Draft Environmental Assessments 7

Hawaii Notices

Draft Environmental Assessments

- (1) Ka'u Hawaiian Cultural Center 8
- (2) Keaau-Pahoa 12 Inch Waterline Extension 9

Final Environmental Assessments/ Findings of No Significant Impacts (FONSI)

- (3) Onomea Arch Access Road Land Exchange 9

Previously Published Projects Pending Public Comments

- Draft Environmental Assessments 10
- Final Environmental Impact Statements Pending Acceptance 10

Kauai Notices

Draft Environmental Assessments

- (1) Polynesian Agroforestry 11

Environmental Impact Statement Preparation Notices

- (2) Lihue Energy Service Center 11

Previously Published Projects Pending Public Comments

- Draft Environmental Assessments 12

Shoreline Notices

- Shoreline Certification Applications 13
- Shoreline Certifications and Rejections 13

Pollution Control Permits

- Department of Health Permits 14

National Environmental Policy Act

- Midway Atoll National Wildlife Refuge Public Use Program
(Supplemental Draft Environmental Assessment) 15

Land Use Commission Notices

- Makena Resort Master Plan 15

Federal Notices

- Fishery Management Meetings 16
- Crustacean Fishery Rule 16
- Maalaea Harbor Second SEIS 16
- Scripps Institution's Kauai Acoustic Studies 16
- Tuberculosis in Cattle and Bison; Interim Rule 17
- Papaya, Carambola, and Litchi From Hawaii; Final rule 17
- Human Remains from Hawaii 17
- Voyager Submarines Artificial Reef Installation 17

Letters of Notice

- PMRF Expansion, Native Hawaiians and Niihau 19



Oahu Notices

JULY 23, 1997

National Environmental Policy Act (NEPA)



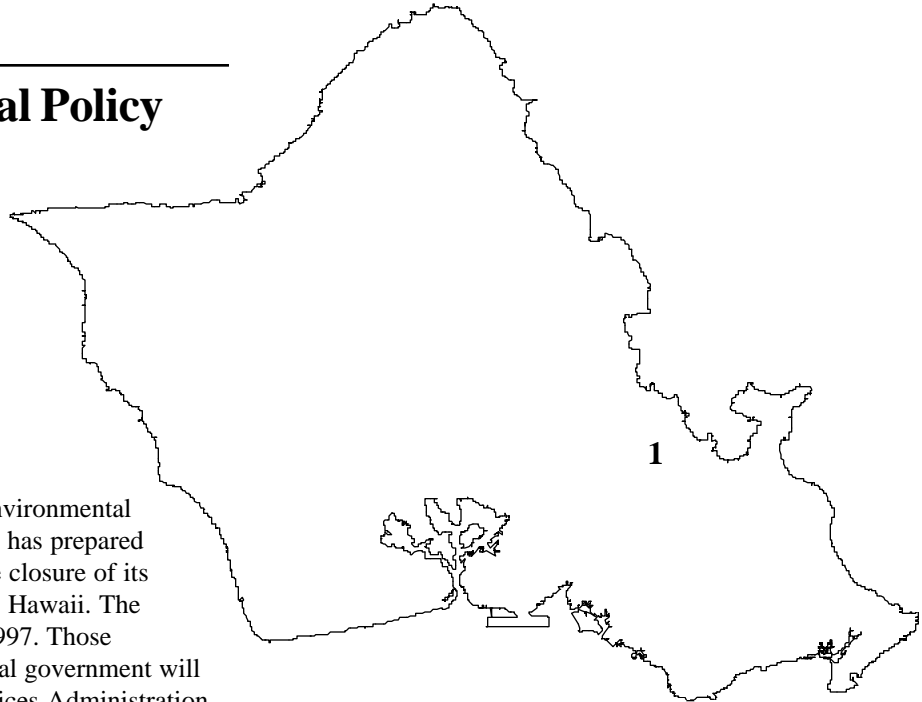
(1) Omega Station Closure (Environmental Assessment/ FONSI)

In compliance with the National Environmental Policy Act (NEPA), the U.S. Coast Guard has prepared an environmental assessment (EA) for the closure of its Omega Station in Haiku Valley, Kaneohe, Hawaii. The station will be closed on September 30, 1997. Those portions of the station owned by the federal government will be transferred to the federal General Services Administration for disposal.

The EA examined the potential impacts from those actions involved in closing the station as a Coast Guard installation. The most significant actions include hardening buildings; repairing the Haiku Stairs ("Stairway to Heaven"); lowering the six antenna spans strung above the valley; cleaning up several debris areas remaining from the Navy occupation (1940s - 1970s); and issuing an interim use license to City/County of Honolulu, to establish a nature park/preserve.

Please submit comments by August 1, 1997 to:

Commander
U. S. Coast Guard
Civil Engineering Unit
300 Ala Moana Boulevard, Room 8122
Honolulu, HI 96850
ATTN: Jay Silberman (e-mail: j.silberman/
ceuhon@internet.uscg.mil).



Previously Published Projects Pending Public Comments

Draft Environmental Assessments

📍 Kapolei Middle School

Applicant: Housing Finance and Development Corporation
677 Queen Street, Suite 300
Honolulu, Hawaii 96813
Contact: Sandy Pfund (587-0634)

Approving Agency/Accepting

Authority: Housing Finance and Development Corporation
677 Queen Street, Suite 300
Honolulu, Hawaii 96813
Contact: Sandy Pfund (587-0634)

Public Comment

Deadline: August 7, 1997

🗺 Makaha Beach Park Master Plan

Applicant: City and County of Honolulu
Department of Parks and Recreation
650 South King Street
Honolulu, Hawaii 96813
Contact: Daniel Takamatsu (527-6301)

Approving Agency/Accepting

Authority: Same as above.

Public Comment

Deadline: August 7, 1997

🗺 Sea Life Park Communications Site

Applicant: Western PCS II Corp.
dba VoiceStream Wireless
99-860 Iwaena Street
Aiea, Hawaii 96701
Contact: Harvey Luke (487-0061)

Approving Agency/Accepting

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

Public Comment

Deadline: August 7, 1997

🗺 Waimea Falls Park Communications Site

Applicant: Western PCS II Corp.
dba VoiceStream Wireless
99-860 Iwaena Street
Aiea, Hawaii 96701
Contact: Harvey Luke (487-0061)

Approving Agency/Accepting

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

Public Comment

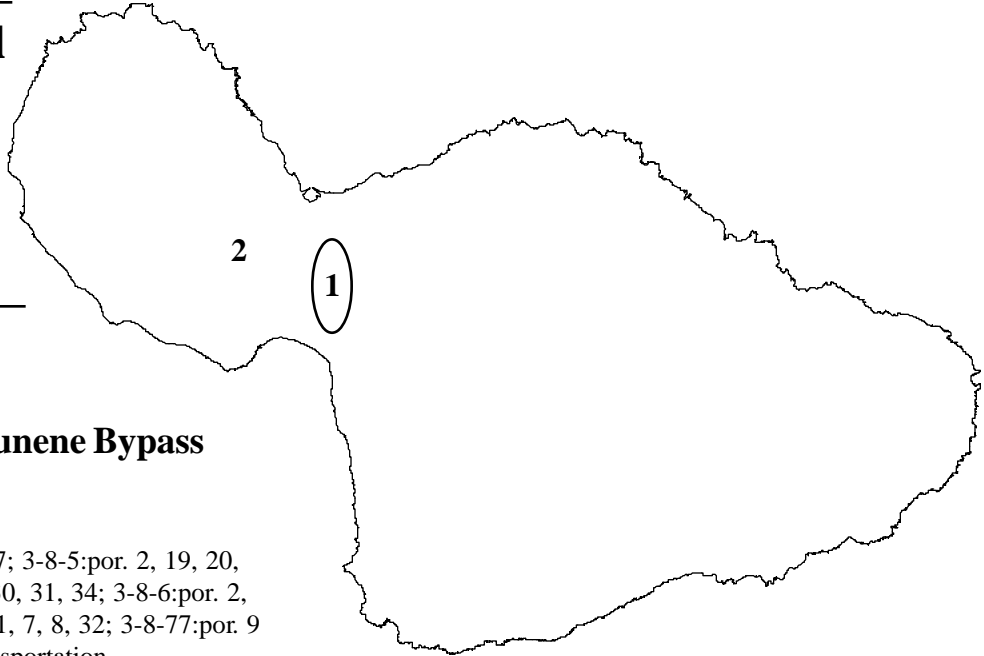
Deadline: August 7, 1997



Maui Notices

JULY 23, 1997

Final Environmental Assessments/ Findings of No Significant Impact (FONSI)



(1) Mokulele Highway/Puunene Bypass

District: Wailuku
TMK: 3-8-4:por. 23, 24, 27; 3-8-5:por. 2, 19, 20, 21, 22, 27, 28, 29, 30, 31, 34; 3-8-6:por. 2, 3, 4, 20; 3-8-8:por. 1, 7, 8, 32; 3-8-77:por. 9
Applicant: Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Robert Siarot (877-5061)

Approving Agency/Accepting Authority: Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Robert Siarot (877-5061)

Consultant: Warren S. Unemori Engineering, Inc.
2145 Wells Street, Suite 403
Wailuku, Hawaii 96793
Contact: Warren Unemori (242-4403)

Public Challenge Deadline: August 22, 1997
Status: FEA/FONSI issued, project may proceed.

The proposed Mokulele Highway widening project is located in Central Maui between the West Maui Mountains and the slopes of Haleakala. The project area extends from the intersection of Piilani Highway and Mokulele Highway in Kihei to Puunene Avenue. The proposed Puunene Bypass would also be built in the future by the County of Maui and connect the intersection of Kuihelani Highway and the Maui Lani Parkway (as yet unbuilt) to Mokulele Highway. The distance along the existing Mokulele Highway to Puunene Avenue is approximately 6 miles. The Puunene Bypass would be approximately 1.5 miles long.

The purpose of the proposed widening improvements on Mokulele Highway and Puunene Avenue, is to provide additional highway capacity between Wailuku-Kahului,

Maui's primary urban center, and the rapidly growing areas of Kihei, Wailea and Makena along Maui's leeward shore. Intersection improvements are also planned to provide improved efficiency along the entire length of the Mokulele Highway corridor.

The Mokulele Highway widening, identified as Phase 1 for planning purposes, would add two new lanes to create a four-lane divided arterial between Piilani Highway in Kihei and Puunene Avenue. Preliminary design alternatives indicate that the Mokulele Highway widening will be taken on the mauka (easterly and southeasterly) side of the existing highway. Once it leaves the north boundary of the old Puunene Airport near the existing animal shelter, widening would shift to the northwesterly (Wailuku) side of Mokulele Highway. Intersection improvements with Hansen Road in Puunene, reconfiguration of the Mokulele/Piilani Highway intersection, and the widening of Puunene Avenue are also elements of Phase 1.

The estimated construction costs of the proposed widening to four lanes, widening of Puunene Avenue, and associated intersection improvements are estimated at \$37.7 million and land acquisition for right of way at \$3.3 million. Total cost is then estimated at approximately \$41 million.



(2) Waikapu Mauka Exploratory Well

District: Wailuku
TMK: 3-5-04:18
Applicant: County of Maui
Department of Water Supply
P.O. Box 1109
Wailuku, Hawaii 96793-7109
Contact: David Craddick (243-7816)

Approving Agency/Accepting Authority: County of Maui
Department of Water Supply
P.O. Box 1109
Wailuku, Hawaii 96793-7109
Contact: David Craddick (243-7816)

Consultant: Fukunaga & Associates, Inc.
1388 Kapiolani Boulevard, 2nd Floor
Honolulu, Hawaii 96814
Contact: Valerie Suzuki (944-1821)

Public Challenge

Deadline: August 22, 1997
Status: FEA/FONSI issued, project may proceed.

The existing County of Maui owned Mokuahau, Waihee, and Waiehu Heights Wells, situated close together within the Iao Basal Aquifer have shown an increase in salinity due to localized upconing of salt water caused by pumping of the wells at high withdrawal rates. To stabilize the aquifer and to improve the quality of water pumped from the aquifer, new deep well sources are desired so that pumpage can be evenly distributed and pumping of the existing wells can be permanently reduced. Accordingly, the County of Maui, Department of Water Supply (DWS) proposes to drill and test an exploratory well called Waikapu Mauka Exploratory Well to determine the feasibility of developing a new ground water source within the Iao Aquifer.

Based on preliminary investigations, the basic scope of work includes the following:

1. Drilling a 24-inch diameter hole to a depth of approximately 820 feet below ground elevation of 760 feet (maximum depth of 950 feet, depending on field conditions).

2. Install approximately 820 feet of 18-inch I.D. steel casing (bottom 80 feet perforated). Grouting the annular space surrounding casing from ground surface to a depth of approximately 700 feet.

3. Pump test the aquifer from a range of 500 to 1400 gallons per minute.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

Kihei Road "C" and North-South Collector Road Construction

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

Approving Agency/Accepting Authority: Same as above.
Public Comment Deadline: August 7, 1997

Maui War Memorial Stadium Renovations

Applicant: County of Maui
Department of Parks and Recreation
1580-C Kaahumanu Avenue
Wailuku, Hawaii 96793
Contact: Henry Oliva (243-7383)

Approving Agency/Accepting Authority: Same as above.
Public Comment Deadline: August 7, 1997



Hawaii Notices

JULY 23, 1997

Draft Environmental Assessments



(1) Ka'u Hawaiian Cultural Center

District: Ka'u
TMK: 9-5-19:34
Applicant: Hana Laulima Lahui O Ka'u, Inc.
P.O. Box 839
Na'alehu, Hawaii 96772
Contact: Dane Shibuya (929-7159)

Approving Agency/Accepting

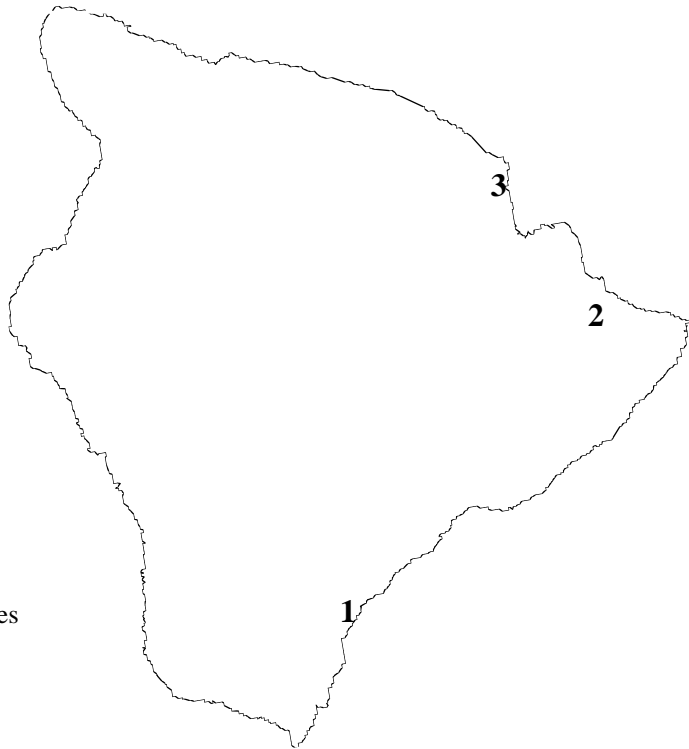
Authority: Department of Land and Natural Resources
P.O. Box 936
Hilo, Hawaii 96721-0936
Contact: Charlene Unoki (974-6203)

Consultant: Pacific Business Insights, Inc.
P.O. Box 145
Honaunau, Hawaii 96726
Contact: Jack Geer (328-9981)

Public Comment

Deadline: August 22, 1997
Status: DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

The Ka'u Hawaiian Cultural Center (KHCC) is proposed by Hana Laulima Lahui O Ka'u, Inc. ("Hana Laulima") a "grass-roots" community-based organization. Hana Laulima proposed the development of the community-based rural Hawaiian cultural center to attract more tourist revenues to Ka'u, create jobs, generate opportunities for Hawaiian arts & handicrafts entrepreneurs, help preserve the unique culture and history of Ka'u, and help educate visitors and residents about rural Ka'u Hawaiian culture. The sugar plantation closed in March, 1996 and severely depressed the economy of the district of Ka'u. The KHCC will provide an opportunity for the people of Ka'u to help themselves and help shape their own destiny. Ecotourism is the quickest growing sector of the tourism industry, expanding 5 to 10 percent a year worldwide. The district of Ka'u is ideal for ecotourism, as it is rich in unique natural, cultural and historical offerings.



The KHCC design reflects traditional Hawaiian construction, and complements its rural setting in Punalu'u near significant Hawaiian cultural and historic sites. The KHCC includes a small building with bathrooms and three main rooms: multi-purpose room for classes/meetings or dining, commercial kitchen available for use by community entrepreneurs, and museum/gift shop. The KHCC also includes a cultural events stage with traditional rock Hawaiian seating arena. Cultural events, fundraisers, educational and cultural demonstrations, and community gatherings will be held at the KHCC cultural events stage. The KHCC museum will feature Hawaiian artifacts, art, sculpture and carvings, historical items and photographs about the people, culture and history of Ka'u. The gift shop will feature Hawaiian arts and handicrafts created by local artists. The KHCC multi-purpose room will host classes and demonstrations. Most of the KHCC 5.25 acre site will be the Hawaiian botanical garden which will provide agricultural products for creating Hawaiian arts, handicrafts and food items; and be an educational experience for visitors and residents. The KHCC will be a sustainable ecotourist attraction as well as a community center.

The project site is located on Mamalahoa Highway at Alanui Road in Punalu'u.



(2) Keaau-Pahoa 12 Inch Waterline Extension

District: Puna
TMK: 1-(various sections and plats)
Applicant: County of Hawaii
Department of Water Supply
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Keith Okamoto (961-8660)

Approving Agency/Accepting Authority: County of Hawaii
Department of Water Supply
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Keith Okamoto (961-8660)

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

Public Comment

Deadline: August 22, 1997
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the consultant and OEQC.

The Hawaii County Department of Water Supply (DWS) plans to install a 12-inch waterline to connect the Keaau and Pahoa water systems. The connection would extend 17,750 feet between Paradise Drive in Hawaiian Paradise Park to the Keonepoko Nui Tank and Pump Station. This connection would provide system back-up and thus increase reliability and simplify maintenance on components of both systems. It would also provide water service along the only section of the 11 mile frontage of Highway 130 between Keaau and Pahoa currently lacking service. The Department of Hawaiian Home Lands (DHHL) has built a portion of this waterline (6,350 feet) as part of their Makuu Agricultural and Farm Lots subdivision.

Landclearing and construction activities will produce short-term minor impacts to noise, air quality, traffic, access and scenery, all of which are mitigable through standard practices or permit conditions. The DWS has consulted and will continue to consult with the State Historic Preservation Division and private groups to ensure proper treatment in case any historic sites, artifacts, burials or caves associated with lava tubes are discovered.

Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



(3) Onomea Arch Access Road Land Exchange

District: South Hilo
TMK: 2-7-10:21 Parcel B (owner Donn Carlsmith)
2-7-10:21 Parcel A (owner Hawaii County)

Applicant: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Galen Kuba (961-8327)

Approving Agency/Accepting Authority: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Galen Kuba (961-8327)

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

Public Challenge

Deadline: August 22, 1997
Status: FEA/FONSI issued, project may proceed.

The proposed project is a land exchange in which the County of Hawaii would acquire a 0.5 acre private parcel in exchange for a 0.8 acre County of Hawaii remnant road parcel near Papaikou. The Onomea Arch Access Road extends a little less than one mile between the Hawaii Belt Road to the Old Mamalahoa Highway. Most of the road is either unpaved (including the land exchange area) or crudely paved. The land exchange would formalize a "shortcut" on a sharp bend at the 330-foot elevation on the road that has been in place for many decades. Most motorists currently use the shortcut route that is proposed for acquisition, not the official road alignment. The exchange was actually initiated in 1954 in order to provide a straighter, safer road alignment and more privacy to the adjacent landowner. The alternative to the project is to leave the roadway alignment as is. However, this would be contrary to the interests of safety and economy. The excessively narrow turn radii on two angles of the bend would

Hawaii Notices

JULY 23, 1997

cause extra expense in road maintenance and hinder emergency vehicle access. Failure to execute the land exchange would also perpetuate conflict over access along the loop. No reasonable purpose is served by maintaining the current "official" alignment, and no adverse environmental impacts are expected to result from the proposed action.

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

► Chroman Residence & Related Improvements

Applicant: Michael Chroman (310-301-8371)
2411 Ocean Front Walk
Venice, CA 90291

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

**Public Comment
Deadline:** August 7, 1997

► Kuakini Highway Improvements Between Palani & Hualalai Roads

Applicant: County of Hawaii
Department of Public Works
75-5706 Kuakini Highway
Kailua-Kona, Hawaii 96740
Contact: Thomas Pack (327-3530)

Approving Agency/Accepting Authority: County of Hawaii
Department of Public Works
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Donna Kiyosaki (961-8327)

**Public Comment
Deadline:** August 7, 1997

► SoBay Condominium

Applicant: SoBay Hawaii, Inc.
c/o Ala Kai Realty
688 Kinoole Street, Suite 102
Hilo, Hawaii 96720
Contact: Yukio Takeya (935-3378)

Approving Agency/Accepting Authority: County of Hawaii
Planning Department
25 Aupuni Street
Hilo, Hawaii 96720
Contact: Susan Gagorik or Alice Kawaha (961-8288)

**Public Comment
Deadline:** August 7, 1997

Final Environmental Impact Statements Pending Acceptance

► Hilo Judiciary Complex

Applicant: Department of Accounting and General Services
1151 Punchbowl Street
Honolulu, Hawaii 96813
Contact: Ralph Yukumoto (586-0488)

Approving Agency/Accepting Authority: Governor, State of Hawaii
c/o Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813
Status: FEIS currently being reviewed by the Office of Environmental Quality Control.



Draft Environmental Assessments



(1) Polynesian Agroforestry

District: Hanalei
TMK: 5-3-4:15 and 20
Applicant: Alan B. and Marsha Lindner
c/o: Craig Elevitch
Source Ecosystems
P.O. Box 428
Holualoa, Hawaii 96725
Contact: Craig Elevitch (324-4129)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
Office of the Chairperson
1151 Punchbowl St., Room 130
Honolulu, Hawaii 96813
Contact: Tom Eisen (587-0386)

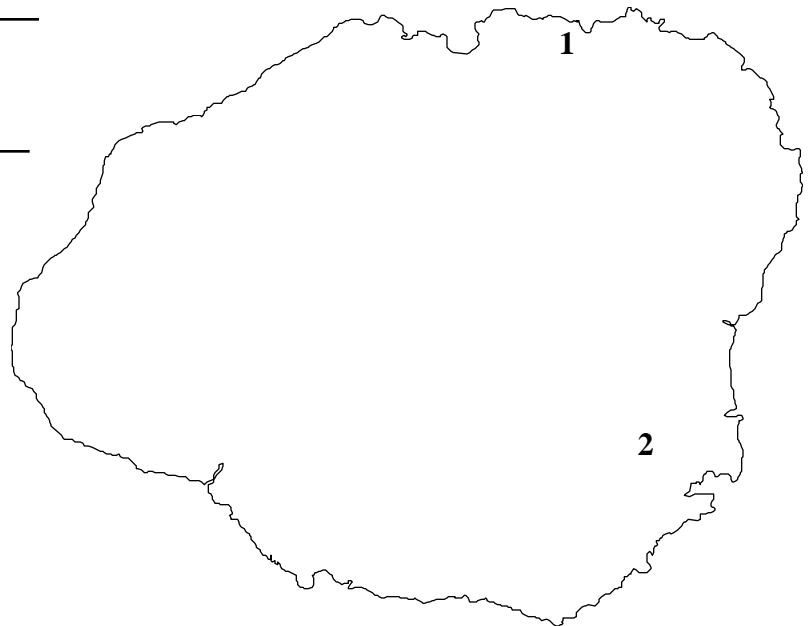
Public Comment

Deadline: August 22, 1997
Status: DEA First Notice pending public comment.
Address comments to the applicant with copies to the approving agency or accepting authority and OEQC.

This reforestation project incorporates appropriate management practices and sustainable techniques to enhance a coastal forest resource by replacing exotic weed species with Polynesian species such as milo, kou, and kamani. The reforestation tree species are appropriate for the area and are compatible with the physical condition of the land. The implementation of this project will result in a healthy, diverse, long-tem forest.

Trees selected for this reforestation project are wind-, salt-, and flood-tolerant Polynesian species, and plantings will take place more than 100 feet back from the shoreline. No buildings, structures, or commercial uses are involved. Implementation has been planned to adhere to Coastal Zone Management Best Practices (including the 100-foot buffer zone from the shoreline, Best Management Practices during planting to prevent erosion, and vegetative stabilization along intermittent waterways).

Shoreline views will be preserved, and the beauty, diversity, and cultural value of the forest will be enhanced. In



the long-term, the natural resources of the area will be enhanced.

The project site is located about one mile west of Kilauea, fronting Kalihiwai Bay.

Environmental Impact Statement Preparation Notices



(2) Lihue Energy Service Center

District: Lihue
TMK: 3-8-05:portion of 3
Applicant: Kauai Electric Division
Citizens Utilities Company
4633 Pahee Street
Lihue, Hawaii 96766
Contact: Denny Polosky (246-8216)

Approving Agency/Accepting

Authority: County of Kauai, Planning Department
4444 Rice Street, Suite 473
Lihue, Hawaii 96766
Contact: Barbara Pendragon/Bryan Mamacay (241-6677)

Kauai Notices

JULY 23, 1997

Consultant: Planning Solutions, Inc.
1210 Auahi Street, Suite 221
Honolulu, Hawaii 96814
Contact: Perry White (593-1288)

Public Comment

Deadline: August 22, 1997
Status: EISPN First Notice, pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Kauai Electric (KE) plans to develop 118 to 149 megawatts (MW) of new generating capacity and a transmission & distribution facilities baseyard on a 17-acre site located approximately 0.6 miles *mauka* of Grove Farm's Kukui Grove Shopping Center. It is anticipated that these units will be added over a period of at least 30 years.

Plans for the proposed generating facilities have been developed in accordance with KE's Integrated Resource Plan. Two fundamental alternatives are under consideration. The first includes: (i) two 27-megawatt (MW) capacity oil- and naphtha-fired Advanced Cheng Cycle combustion-turbines, (ii) a 58-MW capacity dual-train combustion turbine (DTCC) system consisting of two 20 LM-2500 combustion turbines or similar, two heat recovery steam generators (HRSG), and one 18-MW-capacity steam turbine/generator; and four 10-MW diesels. The second generating alternative contains the same Advanced Cheng Cycle units included in the first, a 25 MW coal-fired fluidized-bed boiler, and four 10 MW diesels.

Both plans include several types of facilities in addition to the generating units themselves. These include the following:

- A 5-acre transmission and distribution (T&D) Baseyard;
- Water treatment and storage facilities;
- Fuel storage, off-loading, and handling facilities for fuel oil, naphtha, and/or coal;
- An electrical switchyard and short segment of electrical transmission line connecting it with KE's existing regional electric power transmission system;
- Maintenance, support, and administrative facilities;
- Off-site water supply facilities (wells and transmission lines), wastewater disposal facilities (pipelines and injection wells or treatment facilities), and fuel unloading and storage facilities (some or all of which may be installed and/or operated by others).

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

● Kikiaola Light Draft Harbor Navigation Improvements (NEPA)

Applicant: Department of Land and Natural Resources
Division of Boating and Ocean Recreation
33 Queen Street, Suite 300
Honolulu, Hawaii 96813
Contact: Manuel Emiliano (587-0122)
and
District Engineer
U.S. Army Engineer District, Honolulu
Attn: CEPOD-ET-PP/T. Young
Building 230
Fort Shafter, Hawaii 96858-5440
Contact: Tim Young (438-7013)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources
Division of Boating and Ocean Recreation
33 Queen Street, Suite 300
Honolulu, Hawaii 96813
Contact: Manuel Emiliano (587-0122)

Public Comment

Deadline: August 7, 1997

Shoreline Notices

JULY 23, 1997

Shoreline Certification Applications

Pursuant to §13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kauai, Hawaii and Maui and at Room 220, 1151 Punchbowl St., Honolulu, Oahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, HI 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application.

Case No.	Date Received	Location	Applicant	Tax Map Key
OA-639	07/08/97	Fronting Lot B-4 of Ld Ct App 743, Kaneohe, Koolaupoko, Oahu (44-641 Kaneohe Bay Drive)	Robert Sing for Doris H. Berg Andrews Trust	4-4-14:23
OA-640	07/09/97	Parcel A being a Por of Grant 464 to Edwin O. Hall and Henry Dimond, Waikane, Koolaupoko, Oahu (48-439 Kamehameha Highway)	Walter P. Thompson, Inc. for Janette Chinen	4-8-03:43
MO-023	06/23/97	Por of LCAw 7762 to Kaninauali at Pohakupili, Kona, Molokai (Kaunakakai, Molokai)	Hawaii Land Consultants for Puu O Hoku Ranch, Ltd.	5-8-15:Por. 4

Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR the following shorelines have been certified or rejected by the DLNR. A person may appeal a certification or rejection to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, HI 96813, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of certification or rejection.

Case No.	Date Cert/Rej	Location	Applicant	Tax Map Key
OA-193	Certified 07/11/97	Lot C, Ld Ct App 1243. Kapua, Waikiki, Honolulu, Oahu (3037 Kalakaua Ave)	Walter Thompson, Inc. for Tadaaki Sakai	3-1-33:6
OA-632	Certified 07/11/97	Lot 22, Ld Ct app 124, Koolaupoko, Oahu (53-845 Kamehameha Highway)	DJNS Surveying & Mapping, Inc. for Oswald Stender	5-3-13:28
MA-181	Certified 07/11/97	Lot 44, Ld Ct App 1744 (Map 17), Hanakaoo, Honokowai, Kaanapali, Lahaina, Maui (45 Kai Ala Drive)	Akamai Land Surveying for Maui Kaanapali Villas	4-4-06:11
MO-009	Certified 07/11/97	Lot 1, Subdiv of Grant 2611 to Kakani, Pukoo, Molokai (address not available)	Charles M. Busby for Mike & Kathy Sage	5-7-07:17
HA-141	Certified 07/11/97	Lot 17-A, Being the whol of LCAw 5785, Ap 2 to Keahualaaumoku Being also a Pors of RP 7844, LCAw 7715, Ap 12 to Lota Kamehameha, Keauhou 2nd, North Kona, Hawaii (Keauhou, Hawaii)	Wes Thomas Associates for Ian Joye	7-8-12:2

Pollution Control Permits

JULY 23, 1997

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 Air Branch, 586-4200, Covered Source Permit	Shell Oil Products Company, Permit # 0072-01-C	661 Kalaniana'ole Avenue, Hilo, Hawaii	Comment Deadline: Aug. 16, 1997	Petroleum storage tanks
Clean Air Branch, 586-4200, Covered Source Permit	Shell Oil Products Company, Permit # 0072-02-C	661 Kalaniana'ole Avenue, Hilo, Hawaii	Comment Deadline: Aug. 16, 1997	Reconstruction of existing load rack and new vapor recovery unit
Clean Air Branch, 586-4200, Covered Source Permit	Lihue Plantation Company, Ltd., Permit # 0223-01-C	2940 Haleko Road, Lihue, Kauai	Comment Deadline: Aug. 16, 1997	Bagasse/oil fired and seed plant boilers
Clean Air Branch, 586-4200, Temporary Covered Source Permit	Goodfellow Brothers, Inc., Permit # 0242-01-CT	Various Temporary Sites	Comment Deadline: Aug. 16, 1997	Stone processing plant and diesel engine generators
Safe Drinking Water Branch, 586-4258, Underground Injection Control	U.S. Army Garrison-Hawaii, Permit # UIC UH-1977	Pohakuloa Training Area, Hawaii	To be determined	Register two existing drywells for wash off water
Safe Drinking Water Branch, 586-4258, Underground Injection Control	Hawaii Housing Authority, Permit # UIC UH-1823	Kawaihae Residence Lots - Unit 1, Hawaii	Comment Deadline: Sep. 10, 1997	42 new drywells for surface drainage
Safe Drinking Water Branch, 586-4258, Underground Injection Control	Avis Rent A Car System, Inc., Permit # UIC UH-1540	Avis Service Center, Keahole Airport, Kailua-Kona, Hawaii	NA	Renewal of one car wash disposal well
Safe Drinking Water Branch, 586-4258, Underground Injection Control	Waikoloa Resort Assoc., Permit # UIC UH-1770	Waikoloa Beach Resort, 150 Waikoloa Beach Drive, Hawaii	NA	Permit renewal for 22 surface drainage drywells
Safe Drinking Water Branch, 586-4258, Underground Injection Control	Maui Pineapple Co. Ltd., Permit # UIC UM-1288	Maui Pineapple Co. Cannery, Kahului, Maui	NA	Permit renewal for one industrial disposal well
Safe Drinking Water Branch, 586-4258, Underground Injection Control	Assoc. Of Apartment Owners Makaha Shores Condominium, Permit # UIC UO-1250	Makaha Shores Condominium, Waianae, Oahu	NA	Permit renewal of 10 sewage effluent disposal wells
Safe Drinking Water Branch, 586-4258, Underground Injection Control	Jorgensen Steel & Aluminum Honolulu, Permit # UIC UO-1798	91104 Kalaeloa Blvd., Kapolei, Oahu	NA	Permit renewal of one industrial disposal well

Land Use Commission Notices

JULY 23, 1997



Makena Resort Master Plan

The LUC has received the following request regarding a proposed district boundary amendment pursuant to Chapter 205, Hawaii Revised Statutes:

Docket No./
Petitioner: A97-721/Makena Resort Corp., a Hawaii corporation
Location: Makena, Maui, Hawaii
Acreage: 146.209 acres
TMK: 2-1-05: 83, 84, 85, por. 108; 2-1-07: 4; 2-1-08: por. 90
Request: Agricultural to Urban
Date Filed: July 1, 1997

If you would like further detailed information on this matter, please contact:

State Land Use Commission

Location Address

Leiopapa A Kamehameha Building
(State Office Tower)
235 S. Beretania Street, Room 406
Honolulu, Hawaii 96813

Mailing Address

P.O. Box 2359
Honolulu, Hawaii 96804-2359

Phone: 587-3822

National Environmental Policy Act

Midway Atoll National Wildlife Refuge Public Use Program (Supplemental Draft Environmental Assessment)

Applicant: U.S. Fish and Wildlife Service
Pacific Islands Ecoregion
300 Ala Moana Boulevard, Room 3108
P.O. Box 50088
Honolulu, Hawaii 96850
Contact: Ronald Walker (541-2749)

Public Comment

Deadline: August 22, 1997

The Midway Atoll National Wildlife Refuge (Refuge) was established in 1988 as an overlay of the U.S. Naval Air Facility at Midway 1,150 miles northwest of Honolulu. The purpose was to protect and manage the fish and wildlife resources of the atoll including the endangered Hawaiian monk seal, threatened green sea turtle and migratory seabirds.

On October 31, 1996, Midway was transferred to the Department of the Interior, U.S. Fish and Wildlife Service (Service) by Executive Order, to be managed as Midway Atoll National Wildlife Refuge. Public uses which are compatible with the purposes of the refuge have been permitted on a

limited basis through a Service cooperator, Midway Phoenix Corporation (MPC).

The Service is proposing to add new recreational opportunities for visitors and residents including a self-guided primitive trail, shore-based fishing, lobstering, night fishing, night diving and glass-bottom boating. To avoid impacts on the natural resources, the activities will be regulated by clearly delineating closed and open areas, establishing fishing and viewing protocols, erecting instructional signs, and requiring visitor orientations to public use regulations. The trail will be oriented to avoid monk seal and sea turtle hauling beaches, ground-nesting seabird colonies and rare native plants in waters and along shorelines not closed to the public; shoreline fishing will be prohibited within 100 feet of a monk seal or sea turtle; and all shoreline fishing will be on a catch and release basis. The environmental effects of the proposed action and the no action alternatives are described and evaluated in the draft supplemental environmental assessment. The Public Use Plan, modified to include the proposed additional public uses, describes the parameters of use for the trail, shore-based fishing, lobstering, night fishing, night diving and glass-bottom boating.

Federal Notices

JULY 23, 1997

Fishery Management Meetings

The Western Pacific Fishery Management Council will be holding the following meetings:

1) The Council's Crustaceans Plan Team members will hold a meeting on July 31, 1997, from 8:30 a.m. to 5:00 p.m. at the Executive Centre Hotel, Room 306, 1088 Bishop Street, Honolulu; telephone: (808) 539-3000.

2) Bottomfish Task Force, Plan Team, and Advisory Panel will meet on July 28, 1997, from 8:30 a.m. to 5:00 p.m. at the Ala Moana Hotel, 410 Atkinson Dr., Plumeria Room, Honolulu; telephone: (808) 955-4811.

3) The Council's Scientific and Statistical Committee (SSC) will hold its 66th meeting on August 5-7, 1997, from 8:00 a.m. to 5:00 p.m., each day at the King Kamehameha Hotel, Kailua-Kona; telephone: (808) 329-2911.

4) The Council's Pelagics Plan Team and American Samoa Pelagics Advisory Panel members will hold a joint meeting on July 30-31, 1997, from 8:30 a.m. to 5:00 p.m., each day at the Ala Moana Hotel, Ilima Room, 410 Atkinson Drive, Honolulu; telephone: (808) 955-4811.

5) The Council will hold a meeting of its Native and Indigenous Rights Advisory Panel on August 14-15, 1997, from 8:30 a.m. to 5:00 p.m. at the Pakalana/Anthurium Room, Ala Moana Hotel, 410 Atkinson Drive, Honolulu; telephone: 808-955-4811.

6) The Council will hold a meeting of its Precious Corals Plan Team on July 29, 1997, from 1:00 p.m. to 5:00 p.m. at the Department of Land and Natural Resources, 1151 Punchbowl, Rm. 132, Honolulu; telephone: (808) 522-8224.

7) The Council will hold a meeting of its Ecosystem and Habitat Advisory Panel on July 29, 1997, from 8:30 a.m. to 5:00 p.m. at the Executive Centre Hotel, Room 4003, 1088 Bishop Street, Honolulu; telephone: (808) 539-3000.

For further information contact: Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

Crustacean Fishery Rule

The National Marine Fisheries Service (NMFS) has issued a final rule to implement a vessel monitoring system (VMS) program in the crustaceans fishery of the Northwestern Hawaiian Islands (NWHI). Under this program, a vessel equipped with an operational VMS unit may enter Crustaceans Permit Area 1 (CPA 1) except for the subarea consisting of the area seaward 50 nautical miles (nm) from the geographical center of the islands and banks within CPA 1 with lobster traps on board during the closed season. This rule is necessary to remove a restriction on fishermen so that they may reduce the transit distance and time needed to begin fishing at distant fishing grounds. The intended effect of this action is to reduce fishing on lobster on grounds closest to the

main Hawaiian Islands by encouraging the distribution of fishing effort throughout the management area.

For further information contact: Mr. Alvin Z. Katekaru at (808) 973-2985; Mr. Svein Fougner at (562) 980-4034; or Ms. Kitty M. Simonds at (808) 522-8220.

Maalaea Harbor Second SEIS

The Army, Corps of Engineers intends to prepare a Joint Draft Supplemental EIS for a Proposed Navigation Improvement Project at Maalaea Harbor, Maui.

The U.S. Army Corps of Engineers in partnership with the Hawaii, DLNR, is proposing to improve the light draft harbor at Maalaea, Maui by enlarging the turning basin, changing the location of the entrance channel and constructing a new protective breakwater. The State of Hawaii would add new berths and other infrastructure improvements. The improvements are needed to expand the capacity of the harbor and to reduce damage from storm waves to boats at the existing berths. The completed project is expected to significantly reduce vessel damage, and to allow an increase of berths from about 90 to up to approximately 220.

The Corps and the State conducted a complete public involvement program for their final EISs circulated in 1980 and 1982 as well as for the first joint SEIS circulated in 1994. The SEIS will address new mitigation developed and minor changes to the project since the 1994 SEIS was circulated. In response to comments received on the 1994 SEIS, this second SEIS will provide a detailed assessment of the potential impacts of implementing alternative 6, which was eliminated from detailed analysis in the 1994 SEIS.

For further information contact: Mr. William B. Lennan, U.S. Army Engineer District, Honolulu, Attention: CEPOD-ET-PP, Fort Shafter, Hawaii 96858-5440, or phone (808) 438-2264.

Scripps Institution's Kauai Acoustic Studies

Scripps Institution has requested an adjustment to the expiration date to permit No. 970. The permit authorizes the harassment of individuals of several species of cetaceans during the course of acoustic studies off the north shore of Kauai through September 30, 1997. The institution is requesting that the expiration date of the permit be adjusted to compensate for the approximately two year delay in the start of the research program. Comments are requested only on the issue of adjusting the expiration date of the permit.

Written comments must be received on or before August 15, 1997. Written comments or requests for a public hearing should be submitted to the Chief, Permits Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910.

Tuberculosis in Cattle and Bison; Interim Rule

Animal and Plant Health Inspection Service is amending the tuberculosis regulations concerning the interstate movement of cattle and bison by reducing the designation of Hawaii from an accredited-free State to an accredited-free (suspended) State. We have determined that Hawaii no longer meets the criteria for designation as an accredited-free State but meets the criteria for designation as an accredited-free (suspended) State. This change is necessary to prevent the spread of tuberculosis in cattle and bison.

This interim rule effective July 11, 1997. Consideration will be given only to comments received on or before September 9, 1997. Please send an original and three copies of your comments to Docket No. 97-063-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 97-063-1.

For further information contact: Dr. Mitchell Essey, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, Suite 3B08, 4700 River Road Unit 43, Riverdale, MD 20737-1231, (301) 734-7727.

Papaya, Carambola, and Litchi From Hawaii; Final rule.

The Animal and Plant Health Inspection Service is increasing the irradiation treatment dose required for papayas intended for interstate movement from Hawaii and allowing carambolas to be moved interstate from Hawaii with irradiation treatment. We are also allowing litchis to be moved interstate from Hawaii if they are inspected and found free of the litchi fruit moth and other plant pests and undergo irradiation or hot water treatment for fruit flies. We are allowing papayas, carambolas, and litchis from Hawaii to undergo irradiation treatment either in Hawaii or in non-fruit fly supporting areas of the mainland United States.

For further information contact: Mr. Peter M. Grosser, Senior Staff Officer, Port Operations, PPQ, APHIS, 4700 River Road Unit 139, Riverdale, MD 20737-1236, (301) 734-6799.

Human Remains from Hawaii

The National Park Service has issued a notice of inventory completion for Native American Human Remains from Hawaii in the Possession of the University of Pennsylvania Museum of Archaeology and Anthropology, Philadelphia, PA; and in the Control of the Academy of Natural Sciences, Philadelphia, PA. This notice has been sent to officials of the

Hawai'i Island Burial Council, Hui Malama I Na Kupuna 'O Hawai'i Nei, the O'ahu Island Burial Council, and the Office of Hawaiian Affairs.

Representatives of any other Native Hawaiian organization that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Dr. Jeremy A. Sabloff, the Charles K. Williams II Director, University of Pennsylvania Museum of Archaeology and Anthropology, 33rd and Spruce Streets, Philadelphia, PA 19104-6324; telephone: (215) 898-4051, fax (215) 898-0657, before August 11, 1997.

Repatriation of the human remains to the Hawai'i Island Burial Council, Hui Malama I Na Kupuna 'O Hawai'i Nei, the O'ahu Island Burial Council, and the Office of Hawaiian Affairs as listed above may begin after that date if no additional claimants come forward.

Voyager Submarines Artificial Reef Installation

The Department of Army has issued a notice relating to a permit application by Voyager Submarines to sink two derelict vessels on the company's dive site to serve as artificial reefs to enhance the habitat and promote coral and fish growth. The project purpose is to provide enhanced habitat for passenger submarine tours. The project site is approximately 3/4 mile offshore of Ala Moana Beach Park, in water depths of 60 to 110 feet. The vessels will be cleaned and prepared according to State and Federal regulations. Vessels will be towed to the site and carefully sunk. Both vessels will be ballasted with concrete to minimize the possibility of movement during extreme storm conditions. They will be placed in sandy, barren areas which have been approved by the appropriate agencies. The deployment procedure will be carefully designed to ensure that the ships settle in the selected location(s).

In addition, Voyager proposes to install six submerged mooring buoys at the site; one on each sunken ship, and four others in the immediate vicinity of the ships. The two buoys on the ships will be dedicated for public access by other site users. Two buoys will be used to moor the Voyager support vessels, while the remaining two will be shared by Voyager and other site users. Day-use surface mooring buoys will be attached to the submerged buoys daily by Voyager personnel.

Possible impacts of the proposed activity include the introduction of pollutants into the water during sinking, damage to organisms on the seafloor; and disruption of boating and other ocean activities.

(continued on next page)

Federal Notices

JULY 23, 1997

Voyager Submarines (continued)

The derelict ships will be cleaned to U.S. Coast Guard, EPA and State Department of Health standards. Petroleum products, potentially toxic materials and floatable debris will be removed. The ships will be subject to inspection prior to deployment. The applicant will develop a containment plan as a precautionary measure.

Potential reef sites have been selected specifically because they are characterized by very limited macrobiota and fish populations. Nevertheless, some sessile and slow moving benthic organisms will be destroyed by placement of the vessels on the seafloor. Long-term impacts to aquatic life, however, are expected to be positive. Numerous studies, in Hawaii and elsewhere, have consistently shown that artificial reefs are effective in enhancing reef habitat and increasing fish biomass within the area. Surveys conducted periodically at the four State Department of Land and Natural Resources artificial reef sites have shown that the reefs have attracted and sustained large numbers of fish and other marine life in previously barren areas. In addition, research on the Atlantis Submarine project, approximately 9,000 feet to the southeast of the proposed project site, has revealed dramatic increases in fish populations in an area that was nearly featureless and devoid of substantial biotic community. The Atlantis artificial reef has also provided a substrate for rapid coral growth. Similar benefits are expected to accrue from this project.

There may be temporary disruption of boat traffic and ocean activities during towing and sinking operations. Impacts will be minimized by minimizing the amount of time

required for at-sea operations. Sinking and towing operations will be closely coordinated with the U.S. Coast Guard. Based on the lack of conflicts occurring in Voyager's two years of operations at the site, no long-term adverse impacts to ocean activities is expected. Installation of the artificial reef(s) may assist the local tour boat industry by enhancing diving and fishing opportunities.

Placement of the proposed artificial reef should not result in any negative long term effects to ocean activities on the reef or shoreward of it. The ships will be placed in relatively deep water and will be oriented perpendicular to the shoreline to present minimal surface area to approaching waves. The artificial reef is not expected to impact surfing waves in the area.

Interested parties may submit in writing any comments that they have on issuance of a permit for the proposed activity. Comments should be sent by July 31, 1997 to the District Engineer, U.S. Army Corps of Engineers, Building 230, Fort Shafter, HI 96858 and should refer to permit 960000134. Any comments received will be considered by the Corps in the decision to issue, modify, condition, or deny a permit for the proposed activity. Any person may also request that a public hearing be held to consider issuance of a permit for the proposed project. Requests for public hearing must specifically state the reasons for holding a public hearing. Further information may be obtained from Kathleen A. Dadey, Environmental Engineer, Operations Division, Honolulu Engineer District, Building 230, Fort Shafter, Hawaii, 96858, telephone (808) 438-9258, extension 15.

PMRF Expansion, Native Hawaiians and Niihau

The following are excerpts from a comment letter written by the Native Hawaiian Advisory Council (NHAC) on the EISPN for the PMRF expansion project. NHAC is a native non-profit dedicated to assisting Hawaiians in the protection and preservation of their legal rights and the perpetuation of their traditions and customs.

1. Given Niihau's total available land mass (that is, land that is suitable for urban use, industrial use, commercial use, agricultural use, tradition and custom, etc.), what percentage of land is currently occupied, used, and/or held by the military to the exclusion of others (please include non-physical occupation)? How does this percentage change if the proposed uses are approved? The EIS must address island-wide impact of non-physical occupation of specific land areas contemplated by this proposal. Impacts may not be isolated to points of actual physical occupation.

2. The proposed action sites according to Figure 2-9 are spread throughout the entire island of Niihau. Regardless of mitigation efforts, these proposed uses will inevitably have a significant and detrimental impact on the entire island. This underscores the fact that the proposed uses are not isolated uses.

3. Both the Proposed Action and the No-Action Alternative contemplate actions that may have a harmful effect on the residents, the environment, and Native Hawaiian culture. Why are there only two options: proposed expansion versus status quo? Why aren't other alternatives which support environmental protection and cultural integrity being considered?

4. The report says it will identify mitigation measures. How effective will the mitigation efforts be in reducing, containing, and preventing damage? How does one "mitigate" social, cultural harm?

5. If the Robinsons negotiated some type of deal with the military, do Native Hawaiians living on Niihau have the ability to participate in the negotiation? Although the island is privately owned, the rights of Native Hawaiians to perpetuate their culture are protected under the state constitution and statutes? The state's mandate to protect the traditional and customary rights of Native Hawaiians is set forth in Article XII, section 7 of the state constitution, statutes, and common law.

6. What is the scope of the EIS report concerning cultural resources -- does it include burial grounds, traditional and customary practices of Native Hawaiians, socio-cultural impacts on the peoples (increase in military population, impact on the lifestyle, language, etc.)?

