



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7361

January 18, 1988
RG:0079

Mr. Kenneth F. Plumb, Secretary
Federal Energy Regulatory Commission
825 North Capitol Street N.E.
Washington, D.C. 20426

Dear Mr. Plumb:

COMMENTS
Project No. 10472-000
Notice of Application
Federal Energy Regulatory Commission
Hanalei River Project
Kauai, Hawaii

The proposed project involves the construction and operation of a hydroelectric powerplant, which includes the building of a primary diversion weir approximately 10 feet high and 70 feet long on Hanalei River; an above ground pipeline (approximately 4-1/2 miles long; varying in diameter from 4-1/2 to 6 feet); several feeder weirs and penstocks; a 69KV transmission line (approximately 0.6 miles long); a substation and a 2,520 sq. ft. powerhouse. Stream flows from upper Hanalei River and several of its small tributaries will be utilized to generate power. The main penstocks will convey water from the diversion weir to a powerhouse which will be located approximately 6-1/2 river miles from the mouth of Hanalei River.

A review of this project's Draft Environmental Impact Statement (EIS) (since withdrawn) was prepared with the assistance of Doak Cox, Joint Institute of Marine and Atmospheric Research; Marshall Mock, Kauai Community College; James Parrish, Hawaii Cooperative Fisheries Research Unit; Bion Griffin, Anthropology; Sheila Conant, General Science; and Pamela Bahnsen, Environmental Center. The issues raised in our comments and the multitude of concerns expressed by other agency reviewers at the Draft EIS stage particularly the U.S. Fish & Wildlife Service (USFWS), have not been addressed because the Draft EIS was withdrawn prior to preparation of the final document. The following comments reiterate some of the concerns raised in our earlier review of the Draft EIS.

General Comments on Draft EIS

Overall our reviewers found the appendix reports to the Draft EIS to be seriously deficient. Their preliminary nature precluded their use as sources of substantive information upon which environmental issues under study could be adequately evaluated. Subsequent to the preparation of this project's Draft EIS, a Declaratory Ruling was issued by the Hawaii State Environmental Council prohibiting the inclusion of preliminary reports as supplementary information accompanying a Draft EIS. Insofar as these supporting statements are deficient, so then are those sections of the Draft EIS that rely on this data also inadequate.

Specific Comments on DEIS:1. Archaeological Impacts

Numerous archaeological sites have been located in surrounding areas, hence the incomplete archaeological survey of the affected regions is of serious concern. In addition, neighboring areas with high potential for archaeological remains may be affected by construction roads, equipment yards, fords and other related activities. As currently written, the archaeological report does not meet the Minimum Requirements for Reconnaissance Survey Reports as established by the Society for Hawaiian Archaeology. The report does not provide site descriptions for analyses permitting independent verification of the preliminary conclusions reached in the Draft EIS. As a consequence, an adequate review and assessment of the significance of the archaeological remains within the project area cannot be made. Furthermore, the preliminary archaeological report in the EIS does not meet the requirements of Chapter 343 and is contrary to the Declaratory Ruling (87-1) issued specifically in response to the use of preliminary reports by the State of Hawaii, Environmental Council. Therefore, a final archaeological report is required and must be subject to a full public and agency review at the Draft EIS stage prior to acceptance of the Final EIS.

2. Fauna

The upper Hanalei Valley is likely a rich resource in terms of native biota. The USFWS has raised a number of concerns regarding the endangered Hawaiian duck, or Koloa (*Anas wyvilliana*), migrating waterbirds and diadromous fish. The lower Valley floor is a prime area for native waterbird and migratory waterfowl, and continued maintenance of the taro farm in the Hanalei National Wildlife Refuge protects this habitat. According to the USFWS in the Hawaiian Waterbirds Recovery Plan (1985), the Koloa recovery program specifies that stream habitats on Kauai are essential to the Koloas welfare.

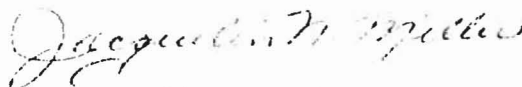
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The lack of an Instream Flow Incremental Methodology study (IFIM) cited both by the USFWS and the Environmental Center was a significant and serious deficiency of the Draft EIS and remains a major deficiency at the present time. The incompatibility between the proposed minimum stream flows needed by the power plant and those needed by the biota, including endangered or threatened species, appears to preclude development of this project.

In light of the many significant concerns regarding hydropower operations in stream ecosystems as sensitive as Kauai's, it should be confirmed that any expenditures under this proposed permit will not provide a legal basis for vested interest on behalf of Island Power Company and co-investors.

We thank you for the opportunity to comment on this document. We look forward to your review and consideration of our comments.

Yours truly,



Jacquelin N. Miller
Associate Environmental Coordinator

cc: OEQC

Doak Cox
Marshall Mock
James Parrish
Bion Griffin
Sheila Conant
Jennifer Crummer