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# State hopes its actions will pave way for H-3

By William Kresnak  
Advertiser Government Bureau

The state Department of Transportation announced yesterday it has taken several steps to get moving on the stalled H-3 freeway.

The department has put together a draft environmental impact statement for public hearing; drawn up alternate routes to skirt archaeological sites in Luluku; asked the court to dismiss a lawsuit by the Office of Hawaiian Affairs; and awarded a contract to fix up a completed portion of the freeway.

Transportation Director Edward Hirata said preparation of the environmental report is the first step in removing one of the legal hurdles that the \$750 million, trans-Koolau freeway

faces — OHA's lawsuit to preserve archaeological sites, including ancient terraces, in the Luluku area.

Another legal problem is an injunction against work on the uncompleted portion of the freeway that stems from court battles with the Stop H-3 Association. Boyce Brown, lawyer for the association, said the injunction cannot be lifted until a final environmental impact statement is completed for the 10.7 miles of unfinished freeway.

He said he does not expect that to happen before May or June.

Hirata, who has "a mandate from the governor" to complete the freeway in six years, said the state will go to court "shortly" to ask that the injunction be lifted because the environ-

mental report is done.

The draft report contains two alternate designs for the Kaneohe interchange to avoid destroying the most important archaeological sites in the area, as determined by the Bishop Museum.

An informational meeting on the environmental report will be held Feb. 26 from 5 p.m. to 9 p.m. and a public hearing will be held March 3 at 7 p.m., both at the Castle High School cafeteria.

At the March 3 hearing, officials will present information on plans to save archaeological sites in Luluku.

Hirata said the Federal Highways Administration and the State Historic Preservation Office, after receiving

public comments, will develop a memorandum of agreement to protect and preserve as many of the archaeological sites as possible.

Hirata said the state attorney general yesterday filed a motion to dismiss the OHA suit.

"Earlier this week, we briefed the OHA trustees on our activities and told them that we feel that we have complied with all of their concerns," Hirata said. "We were very encouraged with their response."

But Brown does not believe that OHA will drop its suit. OHA believes it is entitled to be a party to the proposed memorandum of agreement, he said.

A hearing on the state motion is set

for Feb. 24 at 9:30 a.m. before U.S. District Judge Samuel King.

Hirata also said a \$2.3 million contract has been awarded for the rehabilitation of the completed portion of the freeway from the Halekou interchange to the Kallua interchange.

Work includes stabilization of the roadway and shoulders, drainage improvements, lighting and surfacing, he said.

It is to begin within the next week or so. Work on the Halekou interchange has been progressing for several months, he said.

The state hopes to open the section of the H-3 from Kaneohe Marine Corps Air Station to Kamehameha Highway by late summer.