

Draft

Decision Notice and Finding of No Significant Impact for the Pu'u Wa'awa'a Construction Project

**USDA Forest Service
Pacific Southwest Research Station - Hilo**

**Institute of Pacific Islands Forestry
Hawai'i Experimental Tropical Forest
Hawai'i County, Hawai'i**

Introduction

In 1992, the Hawai'i Tropical Forest Recovery Act authorized the establishment of the Hawai'i Experimental Tropical Forest (HETF) to serve as a center for long-term research and a focal point for developing and transferring knowledge and expertise for the management of tropical forests. In 2007, the HETF was formally established as two separate units. The Pu'u Wa'awa'a Dry Forest Unit is located on the western, or leeward, side of the Island of Hawai'i, on lands managed by the State Department of Land and Natural Resources, Division of Forestry and Wildlife, as the Pu'u Wa'awa'a Forest Reserve. The Laupāhoehoe Wet Forest Unit is located on the eastern, or windward, side of the Island of Hawai'i, and was established in the existing State of Hawai'i Laupāhoehoe Natural Area Reserve and a portion of the Hilo Forest Reserve. Objectives for the HETF are to: (1) provide lands for conducting research that serves as a basis for the restoration, conservation, and management of forests in Hawai'i and across tropical areas served by the Pacific Southwest Research Station; (2) provide education facilities for the general public and University and Forest Service staffs; and (3) contribute to local, regional, and global long-term environmental monitoring data sets. For the balance of this document the term "HETF" refers to Pu'u Wa'awa'a Dry Forest Unit.

The Pu'u Wa'awa'a Construction Project will enhance the ability of the HETF to meet its full potential for research, education, and demonstration. The bunkhouse facility provides a research and education base camp for visiting scientists, educators, and students within the HETF. This conveniently located space to meet, study, and teach brings researchers, educators, students, and others together and encourages the exchange of information and ideas among local residents interested in the HETF. The project provides facilities to support HETF research, demonstration, and educational functions serving the entire Pacific Basin. The project environmental assessment documents the analysis of an action proposed to meet these needs and a no action alternative.

Decision and Reason for Decision

Based on my review of the analysis presented in the environmental assessment of the Pu'u Wa'awa'a Construction Project, I have decided to implement Alternative 2, as presented in the project environmental assessment, without modification. Under this alternative, the Forest Service will construct one bunkhouse building of approximately 1,100 square feet with double occupancy capacity for up to 10 visiting scientists, restrooms, kitchen facilities, and common use areas; one education and demonstration pavilion of approximately 400 square feet suitable for conference, meeting, and

classroom use; and a designated occasional-use tent area for up to 15 individuals subject to Forest Service directives and policies. Access will involve improvement of approximately 2,500 feet of existing roads and construction of parking areas for 10 vehicles (overflow parking for occasional large events will include off-site parking with shuttle service and use of the margins of the old runway on site). Overall ground disturbance will be less than one acre. No utility connections will be required. Power will be generated by a photo-voltaic array with battery storage and generator back up. Potable water will be hauled to the site, and sanitary waste hauled away for disposal at a licensed facility.

The proposed facilities will occupy a 5.7 acre site leased from the Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife. The site selected has a history of disturbance, including an obsolete paved airstrip that crosses the site, old gravel and native surface roads, and more than one hundred years of grazing by domestic and feral livestock.

Alternative 2 will best serve the project's purpose and need based on the following:

- The project will construct all necessary facilities, but is modest in scale to meet budgetary constraints.
- The project site is easily accessible from Hawai'i Highway 190.
- Selection of a disturbed site limits the project's environmental effects.
- Use of the project site is endorsed by the Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife.

Project specifications of best management practices for storm water management and erosion control during construction, and off-site disposal of sanitary waste water will address the potential issue of adverse effects to area water quality. Impacts to local water supply will be avoided through water conservation measures and hauling of potable water to the site. Impacts to sensitive wildlife species will be avoided by scheduling construction to occur outside of the breeding and rearing season of sensitive species recorded or suspected to occur in the area, limits on removal of native vegetation, and pre-construction surveys for sensitive species. Potential impacts to local scenery will be minimized through the use of small buildings consistent with local architectural style. A full description of mitigation proposed to protect natural and cultural resources is available in Table 1, on pages 11 through 13 of the project environmental assessment.

Other Alternatives Considered

In addition to the selected alternative, I considered one other alternative, taking no action. Several other alternatives were considered but eliminated from detailed analysis. Additional information about alternatives considered can be found in the environmental analysis on pages 9 through 11.

No Action

Under the No Action alternative (Alternative 1), a research and education facility would not be constructed at the HETF. Visiting scientists and local educational activities would continue to require off-site lodging and meeting space, not readily available near this remote site. This alternative does not meet the project's identified purpose and need.

Public Involvement and Scoping

As described in the background section of the project environmental assessment, the need for this action arose in 2007 when the HETF was formally established. We prepared a Preliminary Project Analysis for the Pu‘u Wa‘awa‘a Construction Project in 2007. In August 2015 we prepared an addendum to that analysis reflecting changed site preference and development intensity.

In late 2015 we initiated public scoping, including meetings, agency consultation, and preparation of a project proposed action and purpose and need statement. On January 5, 2016, the Pacific Southwest Research Station mailed a public scoping letter to project neighbors, individuals or institutions identified as interested in the project, State and local governmental agencies, and Native Hawaiian groups. This letter described the proposed action. We also posted notice of the proposed action in the *Hawai‘i Tribune-Herald* and on the HETF internet site.

On August 23, 2016, we published the project draft environmental assessment and anticipated finding of no significant impacts in the *Hawai‘i Environmental Notice*. This publication is in compliance with Chapter 343 of the Hawai‘i Revised Statutes and its implementing regulations, Title 11, Chapter 200 of the Hawai‘i Administrative Rules. We also published a legal notice of availability of the environmental document in the *Sacramento Bee* and the *Hawai‘i Herald Tribune* and solicited public comment for a 30-day period, in compliance with the USDA Forest Service’s Section 218 regulations.

Using the comments from the public and other agencies, the interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included the potential for facility development and operation to adversely impact: 1) soils and water quality; 2) local scenic beauty; 3) native flora and fauna, including listed species; and 4) local water supplies. The USDA Forest Service considered these issues in developing and analyzing project alternatives. See the project environmental assessment, pages 5 through 8, for more information on issue identification.

Finding of No Significant Impact

The following is a summary of the project analysis to determine significance, as defined by Forest Service Handbook 1909.15, Chapter 5. “Significant,” as used in the National Environmental Policy Act, requires consideration of both context and intensity of the expected project effects.

Context means that the significance of an action must be analyzed in several contexts (i.e., local regional, worldwide), and over short and long time frames. For site-specific actions significance usually depends upon the effects in the local area rather than in the world as a whole. This project is limited in scope and duration. The project was designed to minimize environmental effects through limiting the extent of development within the HETF to a 5.7-acre site that has been subject to development of a paved airstrip and more than a century of grazing by domestic and feral livestock. Project construction and operation impacts are minimized through implementing a variety of construction best management practices and scheduling constraints to address the issues cited above. Mitigation measures designed to limit adverse effects of the project are listed on Table 1, on pages 11 through 13 of the project environmental assessment.

Intensity refers to the severity of the expected project impacts and is defined by the 10 points below.

Context

The appropriate context in which to consider the significance of impacts is the general vicinity of the project area. The impact context area is laterally bounded by Hawai‘i Highway 190 to the northwest (generally down-gradient of the site), the Pu‘uanahulu Homesteads Neighborhood to the northeast and

the Pu'u Wa'awa'a volcanic cinder cone to the south (up-gradient of the site). This limited context is appropriate because the potential environmental, social, and economic effects are not significant and are limited to the project area and the immediately adjacent areas (see project environmental assessment, pages 15 through 39).

Intensity

The following factors were considered to evaluate intensity.

1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.

Based on the predicted impacts of the alternatives discussed in the project environmental assessment, both the beneficial and adverse impacts of the action will not be significant. As discussed earlier in this draft Decision Notice, four issues were identified as being important to this decision. The scope and magnitude of effects associated with these issues were limited and acceptable.

2) The degree to which the proposed action affects public health or safety.

Development of research and education facilities as proposed does not include activities that would adversely affect public health or safety. Providing bunkhouse space for visiting scientists, classroom space, and storage areas within the HETF should reduce overall vehicle use and related impacts associated with research and education programs at the HETF.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The proposed project will not significantly affect unique characteristics of the geographical area. All areas proposed for disturbance have been screened for cultural or archaeological resources (see project environmental assessment, pages 22 through 29). No park lands or wild and scenic rivers occur in the project vicinity.

The proposed project is located within the HETF, also designated a State of Hawai'i Forest Reserve. The purpose and need for developing the project is to facilitate ecological research benefitting this unique resource, and the construction of minimal facilities to serve this purpose and need will not significantly affect this resource.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial because there is no known scientific controversy regarding the impacts of the project. The comments received during scoping in 2016 were mostly supportive and do not demonstrate a high degree of controversy.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no known effects to the human environment that are highly uncertain or involve unusual risk. The effects of the action are similar to those of past similar actions. The USDA Forest Service has implemented numerous administrative facility development projects over many years. The effects of these actions are well understood.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This project does not set a precedent for other projects. In the future, the USDA Forest Service must carefully evaluate each potential facility development proposal or other action on its own merits. Any future action must be evaluated through the National Environmental Policy Act process. Any future action must stand on its own regarding a public interest determination, feasibility, and environmental effects.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The cumulative effects of past, present, and reasonably foreseeable future actions were considered for each of the major issues. Based on these discussions, there will be no significant cumulative impacts (See project environmental assessment, pages 15 through 39).

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because investigation of the project area identified no such resources. The action will not cause loss or destruction of significant scientific, cultural, or historical resources, because no cultural resources are known to occur on any of the lands affected (See project environmental assessment, pages 22 through 29). On November 29, 2016, the Hawai'i Department of Land and Natural Resources, State Historic Preservation Division, submitted a letter concurring with our determination that no historic properties would be affected by implementing the proposed action.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, because the Biological Assessment and Biological Evaluation for the project did not identify any such adverse effects (See project environmental assessment, pages 30 through 33). In a letter dated June 28, 2016, the US Fish and Wildlife Service concurred with the determination of the Project Biological Assessment and referenced technical measures for avoiding impacts to listed species that may occur in the project area. Those measures are incorporated into the project.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

This action does not threaten a violation of federal, state or local law or requirements imposed for protection of the environment. Applicable laws and regulations were considered in the project environmental assessment (see pages 39 through 42).

The environmental assessment for this project also served as a State of Hawai'i Environmental Assessment subject to Chapter 343 of the Hawaii Revised Statutes. The State of Hawai'i, Department of Land and Natural Resources, has determined that the project will not result in any significant impacts.

Officials of the State of Hawai'i and County of Hawai'i have been consulted throughout the development of this project. No objections were raised.

Conclusion

After considering the environmental effects described in the project environmental assessment and specialist reports, I have determined that implementing Alternative 2 will not have significant effects on the quality of the human environment, considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared, and I am issuing a finding of no significant impact in association with the final project environmental assessment.

Findings Required by Other Laws and Regulations

The project complies with the Endangered Species Act of 1973, as amended. A Biological Assessment and Evaluation (May 2016) shows that no proposed or listed Endangered, Threatened or sensitive species or their habitats will be adversely affected.

No lands in the project area are located within Congressionally-designated Wilderness or Inventoried Roadless Areas. The project complies with The Wilderness Act of 1964 and the Roadless Final Rule (36 CFR 294, USDA 2001).

No resources eligible for the National Register of Historic Places were located within any of the lands to be developed, thus no action was necessary for compliance with Section 106 of the National Historic Preservation Act and Executive Order 11593.

This project does not conflict with Executive Order 12898 regarding Environmental Justice in Minority Populations and Low Income Populations. No concerns related to Environmental Justice have been identified.

Best Available Science

I am confident that the analysis of this project was conducted using the best available science. My conclusion is based on a review of the record that shows my staff conducted a thorough review of relevant scientific information, considered responsible opposing views, and acknowledged incomplete or unavailable information, scientific uncertainty, and risk. Please refer to the specialist reports in the project file for specific discussions of the science and methods used for analysis and for literature reviewed and referenced.

Opportunity to Object

This proposed decision is subject to objection pursuant to 36 CFR §218, Subparts A and B. Objections will only be accepted from those who submitted project-specific written comments during scoping or other designated comment period. Issues raised in objections must be based on previously submitted comments unless based on new information arising after the designated comment period(s).

Objections must be submitted within 45 days following the publication of the legal notice of this draft Decision Notice in the *Sacramento Bee* and the *Hawai'i Tribune-Herald*. The date of the legal notice is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt (36 CFR §218.9).

Objections must be submitted to the reviewing officer as follows.

Objections may be:

- 1) Mailed to: USDA Forest Service at: Attn: Objection Reviewing Officer, 1400 Independence Ave., SW, EMC-JAR, Mailstop 1104, Washington, DC 20250
- 2) E-mailed electronically in a common digital format to *objections-chief@fs.fed.us*. Please put OBJECTION and Pu‘u Wa‘awa‘a Construction Project Environmental Assessment in the subject line.
- 3) Delivered during business hours (M-F 8:00am to 4:00pm) to: USDA Forest Service, Attn: Objection Reviewing Officer, 210 14th Street, SW, EMC-JAR, Mailstop 1104 Washington, DC 20250 (*Note: If a phone number is needed for carrier delivery, use 202-205-1449*) between the hours of 8 am and 5 pm, M-F; or
- 4) Faxed to: 202-205-1172, ATTN: OBJECTIONS

Objections must include (36 CFR 218.8(d)): 1) name, address and telephone number; 2) signature or other verification of authorship; 3) identification of a single lead objector when applicable; 4) project name, Responsible Official name and title, and name of affected Forest Service Administrative Unit; 5) reasons for, and suggested remedies to resolve, your objections; and, 6) description of the connection between your objections and your prior comments. Incorporate documents by reference only as provided for at 36 CFR §218.8(b).

Implementation

If no objections are filed within the 45-day time period, approval of the proposal documented in a decision notice may occur on, but not before, the fifth business day following the end of the objection filing period. If an objection is filed, the responsible official may not sign a decision notice until the reviewing officer has responded in writing to all pending objections and all concerns and instructions identified by the reviewing officer in the objection response have been addressed (§ 218.12).

For further information concerning the Pu‘u Wa‘awa‘a Construction Project, contact Ricardo D. Lopez, 808-854-2601 or rdlopez@fs.fed.us, during normal business hours.

Approved by:

Alex Friend
Station Director
Pacific Southwest Research Station
USDA Forest Service

May 23, 2017