

# BIOLOGICAL SURVEY REPORT SHORT-TERM SAFETY IMPROVEMENTS FOR THE WAIPI'O VALLEY ROAD HĀMĀKUA DISTRICT, HAWAI'I ISLAND

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for County of Hawai'i Department of Public Works 101 Pauahi Street, Suite 7 Hilo, HI 96720

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April 10, 2023 File No. 204783-000

Mr. Stephen Pause, P.E., Director County of Hawai'i Department of Public Works 101 Pauahi Street, Suite 7 Hilo, HI 96720-4224

Subject: Biological Survey Report

Short-Term Safety Improvements for the Waipi'o Valley Road

Hāmākua District, Hawai'i Island

TMKs: 4-9-001:002 and 003, 4-8-004:006 and 003

Dear Director Pause,

Haley & Aldrich is pleased to provide our Biological Survey Report in support of the above referenced project along Waipi'o Valley Road.

Should you have any questions, please feel free to contact me at (808) 587-7747 or jmarsters@haleyaldrich.com.

Sincerely yours, HALEY & ALDRICH

Fanice d. Maister

Janice Marsters Senior Principal

### **Table of Contents**

1.	Intro	oduction	1
	1.1	PROJECT DESCRIPTION	1
	1.2	AREA OF POTENTIAL EFFECT	1
2.	Des	cription of Study Area	2
	2.1	CLIMATE	2
	2.2	TOPOGRAPHY, GEOLOGY, AND SOILS	2
	2.3	DESIGNATED OR PROPOSED CRITICAL HABITATS	2
3.	Met	thods	3
4.	Resi	ults and Discussion	4
	4.1	TERRESTRIAL FAUNA	4
		4.1.1 Birds	4
		4.1.2 Mammals	5
		4.1.3 Reptiles 4.1.4 Endangered Insects	5 6
	4.2	TERRESTRIAL PLANTS	6
5.	Con	clusions and Recommendations	8
6.	Refe	erences	10
Table		bles Is Observed During the Survey	
List	of App	pendices	
Appe	ndix	Title	
Α		Figures	
В		Representative Photographs of Project Areas	
С		List of Plant Species Observed	
D		USFWS IPaC Resource List	
Е		DLNR Seabird Friendly Lighting Solutions	



#### 1. Introduction

#### 1.1 PROJECT DESCRIPTION

Waipi'o Valley Road (WVR) is located on the northern Hāmākua Coast of Hawai'i Island (Appendix A; Figure 1). Waipi'o Valley Road is affected by geologic slope hazards and related roadway stability issues that pose an immediate threat to daily users of the only road into Waipi'o Valley. A preliminary geotechnical report identified hazards along the roadway (COH DPW, 2022), and a subsequent assessment in 2022 of specific hazard areas identified an immediate hazard of overhanging and failing soil, rock, and vegetation in the upper approximately 750 feet of WVR. The proposed project will involve removing overhanging and loose soil and vegetation on the slope adjacent to the roadway.

Construction work for this "Short-Term Safety Improvements" project will be contained to unstable areas immediately upslope of WVR. The work will consist of mechanical or hand excavation of loose soil and rock, root mats, tree removal, and general vegetation clearing. Removed material will be loaded by the contractor into trucks and hauled to a laydown/staging area at the top of WVR or directly to the landfill. The roadway will not be affected or altered by the project. The laydown area proposed is in Tax Map Key (TMK) 4-8-004:006. Portions of the parcel are used by non-profit groups to educate students about Native Hawaiian plantings, traditions, and culture, and the project will not affect this land use.

Haley & Aldrich conducted a pedestrian biological survey of the Waipi'o roadway alignment encompassing the Area of Potential Effect (APE) (Figure 2). A potential laydown area at the top of the road was also surveyed.

#### 1.2 AREA OF POTENTIAL EFFECT

The APE consists of the slope area where overhanging soil, rock, and vegetation will be removed immediately adjacent to the upper approximately 760 linear feet of Waipi'o Valley Road. The road is narrow and winds along the steep hillside of the south valley wall, with an approximately 152 feet elevation drop along the 760 feet of this project, with an average slope of 20%.

The property (Tax Map Key (TMK) 4-8-004:006) near the top of the VWR proposed for use as a contractor staging and storage area was formerly known as the Rice Property and was purchased by the County of Hawai'i in 2007. A Finding of No Significant Impact (FONSI) was issued for the property in 2007 (2007-05-08-HI-FEA; Rice Property at Waipio Lookout). The property is managed by County Department of Parks and Recreation and includes a large, grassed area (approximately 150' x 50') at the property's north end that may be allowed for the contractor's use. The south portion of the property is used by non-profit groups to educate students about Native Hawaiian plantings, traditions, and culture, and will not be affected by the project use of the site. Appendix B includes representative photos of the APE and potential laydown areas.



#### 2. Description of Study Area

#### 2.1 CLIMATE

Daily temperatures in Waipi'o Valley average 69 degrees Fahrenheit (°F) in the winter months (i.e., January and February) and 75°F in the summer months (i.e., August and September) (Giambelluca et al., 2014). The project area is located on Hāmākua Coast on the northern side of Hawai'i Island where the average rainfall is approximately 86 inches per year (Giambelluca et al., 2013). Rainfall occurs year-round, but most of the precipitation occurs in March and April. Humidity averages about 74.5%. Tradewinds with average speeds between 10-20 miles per hour (mph) from the north and northeast dominate the summer months (80-95% during approximately May to October) and prevail about 60% during the other times of the year.

#### 2.2 TOPOGRAPHY, GEOLOGY, AND SOILS

Waipi'o Valley occurs in the Kohala Volcano, the oldest of the five volcanos that created Hawai'i Island. Kohala Volcano is a shield volcano estimated to be one million years old, and to last have erupted 120,000 years ago. Approximately 250,000 to 300,000 years ago, a landslide destroyed the northeast flank of the volcano. Waipi'o Valley was formed along the fault that bounded the landslide (USGS, 1995). A Mw 6.7 earthquake occurred near Kiholo Bay on the northwest coast of Hawai'i Island on October 15, 2006 causing significant rock falls on the Waipio Valley access roads and on the northern coastal cliffs at the mouth of Waipi'o Valley (Geosyntec Consultants, 2006).

Waipi'o Valley stretches from sea level at the valley floor up to 2,000 feet in the surrounding cliffs. The Waipi'o Valley Road is extremely steep, averaging 25% grade and changing 800 feet in elevation along its 0.7-mile length.

Most soils at the project site are characterized as primarily Ainakea-Rock outcrop complex, 70 to 100 percent slopes, and the east portion of the project site is characterized as Ainakea medial silty clay loam, 12 to 20 percent slopes (USDA NRCS, 2023). None of these soils are considered hydric soils (USDA NRCS, 2023). A map of the soils in the project area is shown in Appendix A; Figure 3.

#### 2.3 DESIGNATED OR PROPOSED CRITICAL HABITATS

There are no designated or proposed Critical Habitats located within or near the project area (Appendix A; Figure 4) (USFWS, 2022b).



#### 3. Methods

Prior to the field survey, a literature review of publicly available data on biological resources in the project area was performed. Documents reviewed include environmental documents, national wetlands inventory data, critical habitat area, USWFS guidance, and other scientific studies and research papers.

Biologist Taylor Chock and botanist Maya LeGrande conducted field surveys of the APE on January 4<sup>th</sup> and 5<sup>th</sup>, 2023. The survey assessed terrestrial flora and fauna in the APE shown in Appendix A; Figure 2. Observed plant, bird, mammal, and reptile species were recorded. Seasonal and temporal changes may affect the presence and location of plants and wildlife, and only plants and wildlife present at the time of the survey are documented.

A 5-minute avian point count survey was conducted along the road at the upper end near the lookout and near the bottom of the work area on January 4, 2023. These surveys recorded birds observed within a visible radius of the observer and by listening for vocalizations. Incidental observations of birds and wildlife were also recorded during the survey.



#### 4. Results and Discussion

#### 4.1 TERRESTRIAL FAUNA

#### 4.1.1 Birds

The majority of birds observed during the pedestrian survey and five-minute bird count on January 4, 2023, were non-native, introduced species (Table 1). Seven non-native birds were observed or heard during the current survey. The most prevalent birds seen were Mejiro, or Warbling White-eyes (*Zosterops japonicus*). House finches (*Haemorhous mexicanus*) were observed foraging in the weedy shrub areas within the survey site and zebra doves (*Geopelia striata*) were observed along the access roads. Cattle Egrets (*Bubulcus ibis*), Common Mynas (*Acridotheres tristis*), Red-Crested Cardinals (*Paroaria coronata*), and Saffron Finches (*Sicalis flaveola*) were all observed infrequently.

One `io or Hawaiian hawk (*Buteo solitarius*), an endemic species, was observed during the survey flying from the coastline to perch in a tree along the Waipi'o Access Road. The Hawaiian Hawk or `io was listed as Endangered by Federally and State agencies in 1967 due to low numbers of individuals along with loss and degedation of habitat. In 2020, the USFWS downlisted or removed the Hawaiian Hawk from the list of Endangered Species (USFWS, 2020); however, the species remains listed as Endangered by the State of Hawai'i under HRS §195D-4 and is also protected under the Migratory Bird Treaty Act. They can be found from sea level to above 8,530 feet on Hawa'i Island and are now considered "Near Threatened". Hawaiian Hawks construct their nests approximately two months before laying eggs. Nest trees range from 32 to 79 feet in height and the nests are typically located 11 to 60 feet above the ground. Nests are constructed on stable platforms such as on the top of birds-nest ferns or crotches within the branches of the trees (Griffin, 1998).

Table 1: Birds Observed During the Survey

Common Name	Scientific Name	Biogeographic Status	<b>Protected Status</b>
Cattle Egret	Bubulcus ibis	Naturalized non-native resident	MBTA*
Common Myna	Acridotheres tristis	Naturalized non-native resident	None
Mejiro, Warbling White-eye	Zosterops japonicus	Naturalized non-native resident	None
House Finch	Haemorhous mexicanus	Naturalized non-native resident	MBTA*
'lo / Hawaiian Hawk	Buteo solitarius	Endemic	Near threatened**, MBTA*
Red-crested Cardinal	Paroaria coronata	Naturalized non-native resident	None
Saffron Finch	Sicalis flaveola	Naturalized non-native resident	None
Zebra Dove	Geopelia striata	Naturalized non-native resident	None

<sup>\*</sup>MBTA: Protected by the Migratory Bird Treaty Act (USFWS, 2020). \*\* IUCN Red List Ranking—Near Threatened.



We consulted the USFWS Pacific Islands Fish and Wildlife Office (PIFWO) Information for Planning and Consultation (IPaC) website (PIFWO, 2023) (Appendix D). There are no critical habitats located within or immediately adjacent to the project location (Appendix A; Figure 4) (USFWS, 2022b). The IPaC website listed several native wetland bird species that could occur in the project area, including the Hawaiian goose (*Branta sandvicensis* / nēnē) and Hawaiian waterbirds such as the Hawaiian Duck or koloa maoli (*Anas wyvilliana*), Hawaiian coot or 'alae ke'oke'o (*Fulica alai*), and Hawaiian stilt or ae'o (*Himantopus mexicanus knudseni*). However, the steep slope areas to be remediated under this project do not contain standing water and are highly unlikely to host these species.

Although not seen during our surveys, seabird species may also pass through the area. IPaC listed three seabirds: the endangered Band-rumped Storm Petrel (*Oceanodroma castro*), the endangered Hawaiian Petrel (*Pterodroma sandwichensis*), and the threatened Newell's Townsend's Shearwater (*Puffinus auricularis newelli*) (PIFWO, 2022; Appendix D) that may be in the surrounding area. Coastal light pollution can disorient nocturnally active seabirds and potentially cause fledgling fallout.

IPaC listed the Hawaii 'ākepa (*Loxops coccineus*), an endangered honeycreeper endemic to Hawai'i, as an endangered species may pass through the project area. However, the range of 'ākepa habitat is usually in native forests above 5,000 feet in elevation and, therefore, it is extremely unlikely for 'ākepa to spend sustained time in lowland coastal areas (PIFWO, 2022; Appendix D). None were observed during the survey on January 4 and 5, 2022.

#### 4.1.2 Mammals

During the surveys, minimal signs of feral pigs (*Sus scrofa*), such as trails and rooting were noted around the APE. Feral cats were observed near the top of the road, and domestic dogs (*Canis familiaris*) were observed at the lower end of the project area. No other mammals were observed within the APE, but small Indian mongoose (*Herpestes javanicus*) and one or more rodents found on Hawai'i Island, European house mice (*Mus musculus domesticus*), roof rat (*Rattus r. rattus*), brown rat (*Rattus norvegicus*), or possibly Polynesian rats (*Rattus exulans hawaiiensis*) likely use various resources found within the general project area. All these introduced mammals are deleterious to native ecosystems and the native species dependent on them.

IPaC lists the endangered Hawaiian hoary bats, or 'ope'ape'a (Lasiurus cenereus semotus) as a species that may occur in the project area. Hawaiian hoary bats are known to occur from sea level to upper elevations across a wide range of relatively undisturbed and highly modified habitats and may roost in both native and introduced tree species over 15 feet in height (Mitchell et. al, 2005). Many trees in and around the project area are greater than 15 feet in height and may serve as roosting habitat for Hawaiian Hoary Bats. No Hawaiian hoary bats were observed during the daytime survey.

#### 4.1.3 Reptiles

The introduced Madagascar day gecko (*Phelsuma laticauda*) and brown anole (*Anolis sagri*) were observed during the site visit. *P. laticauda* were introduced illegally in the 1970s and have spread throughout the islands. *A. sagri* is highly invasive and has also established quickly in the islands. Both species are widely distributed throughout Hawai'i Island.

Vocalizations of the introduced coqui frog (*Eleutherodactylus coqui*) were heard during the site visit. *E. coqui* was accidentally introduced to the Hawaiian Islands in the 1980s and quickly established on Hawai'i Island in high densities, becoming an extreme nuisance.



The IPac report identified Green Sea Turtles (*Chelonia mydas*) as a threatened species that may nest on any sandy beach area in the Pacific Islands. Nesting occurs on Hawaiian beaches from May through September, peaking in June and July, with hatchlings emerging through November and December. Construction on, or in the vicinity of beaches can result in sand and sediment compaction, sea turtle nest destruction, beach erosion, contaminant, and nutrient runoff, and increased direct light pollution that may disorient hatchlings or deter nesting females. The project will not affect or disturb any sandy beach areas where green sea turtles may nest or haul out.

#### 4.1.4 Endangered Insects

The IPaC report identified the endangered Blackburn's sphinx moth (*Manduca blackburni*) as an endangered species that may occur in the project area, although the area is not listed as critical habitat for this species. According to the Federal Register 50 CFR Part 17, the moth has been found in Hilo, Pahala, Kalaoa, Kona, and Hāmākua on Hawai'i Island. The Blackburn's sphinx moth larvae utilize plants in the nightshade family (Solanaceae), which includes the common non-native tree tobacco (*Nicotiana glauca*). No tree tobacco or other plants suitable for moth habitat were observed during the survey.

#### 4.2 TERRESTRIAL PLANTS

The survey for the Waipi'o Road project, including the road section and laydown area located at the top of the road, documented no sensitive or endangered plants. Seven native species of plants were documented, including two endemic and five indigenous species. Four Polynesian introductions were also observed along with the remaining 82 non-native naturalized species, bringing the total to 93 plant species. A full list of naturalized species can be found in Appendix C.

The APE was surveyed to the extent possible while walking the roadway. The majority of the species observed were non-native with dominant tree species including swamp mahogany (*Eucalyptus robusta*), guava (*Psidium cattleyanum* and *P. guajava*), Christmas berry (*Schinus terebinthifolius*), paperbark (*Melaleuca quinquenervia*), African tulip (*Spathodea campanulata*), *Melochia umbellata*, and umbrella tree (*heptapleurum actinophyllum*). Scattered individuals of native trees such as 'ōhi'a lehua (*Metrosideros polymorpha*), neneleau (*Rhus sandwicensis*), and hala (*Pandanus tectorius*) were observed on both sides of the roadway. The remaining natives are small shrubs or ferns seen infrequently includinguluhe (*Dicranopteris linearis*), pāla'a (*Odontosoria chinensis*), moa (*Psilotum nudum*), and 'ihi (*Oxalis corniculata*). Several Polynesian introductions were observed as well, which included kī (*Cordyline fruticolsa*), niu (*Cocos nucifera*), mai'a (*Musa* sp.), and kukui (*Aleurites moluccana*).

The laydown area is dominated by ornamental plantings such as mai'a, mango (Mangifera indica), papaya (Carica papaya), māmake (Pipturus albidus), 'ulu (Artocarpus altilis), and hibiscus (Hibiscus sp.). Naturalized tree species include swamp mahogany, and guava.

The IPaC report identified the following list of Endangered Species Act-protected species that may occur in the project area (IPaC, 2022; Appendix D and summarized in Table 1 below).

None of these listed species in Table 2 were identified during the survey conducted on January 4 and 5, 2023. There are no critical habitats within the project area (Appendix A, Figure 4).



Table 2: ESA-Listed Species that May Occur in Project Area				
Common Name	Scientific Name	ESA Status	Present at	
			Site Survey?	
Hawaiian Hoary Bat	Lasiurus cinereus semotus	Endangered	No	
Hawaiian Stilt	Himantopus mexicanus knudseni	Endangered	No	
Hawaiian Coot	Fulica americana alai	Endangered	No	
Hawaiian Duck	Anas wyvilliana	Endangered	No	
Hawaiian 'Ākepa	Loxops coccineus	Endangered	No	
Hawaiian Goose	Branta (=Nesochen) sandvicensis	Threatened	No	
Band-rumped Storm Petrel	Oceanodroma castro	Endangered	No	
Hawaiian Petrel	Pterodroma sandwichensis	Endangered	No	
Newell's Townsend's Shearwater	Puffinus auricularis newelli	Endangered	No	
Green Sea Turtle	Chelonia mydas	Threatened	No	
Blackburn's Sphinx Moth	Manduca blackburni	Endangered	No	
PLANT SPECIES				
'Aiea	Nothocestrum latifolium	Endangered	No	
A'e	Zanthoxylum dipetalum var. tomentosum	Endangered	No	
Carter's Panicgrass	Panicum fauriei var. carteri	Endangered	No	
Hala Pepe	Pleomele hawaiiensis	Endangered	No	
Hōlei	Ochrosia haleakalae	Endangered	No	
Hōlei	Ochrosia kilaueaensis	Endangered	No	
ʻlhi	Portulaca villosa	Endangered	No	
Kauila	Colubrina oppoitifolia	Endangered	No	
Kuahiwi Laukahi	Plantago princeps	Endangered	No	
Loʻulu	Pritchardia maideniana	Endangered	No	
n/a	Neraudia ovata	Endangered	No	
Po'e	Portulaca sclerocarpa	Endangered	No	
n/a	Microlepia strigosa var. mauiensis	Endangered	No	

#### Notes:

Source: Pacific Islands Fish and Wildlife Office (PIFWO) 2023. Information for Planning and Consultation (IPaC). Accessed 31 January 2023. Accessible online at: https://ipac.ecosphere.fws.gov/.



#### 5. Conclusions and Recommendations

Impacts to terrestrial flora are anticipated during mechanical excavation of unstable soil, rock, and vegetation on the slopes above the roadway. Depending on the extent of mitigation needed, mature trees may need to be cut or removed. No work will be conducted in streams or wetland areas.

Use of the laydown area may involve storing removed material for haul out or for construction vehicle parking and storage, which would disturb vegetation within the footprint of the used area. The area is currently cleared, but native and decorative plantings surround the cleared area. Proper best management practices (BMPs), avoidance and minimization measures (AMMs), and exclusion zones will be detailed in the design erosion and mitigation plans and implemented to minimize effects to surrounding flora.

No sensitive, protected, rare, or listed threatened, or endangered species were observed within the project area. However, the Hawaiian hoary bat, as well as the Hawaiian Hawk, which was ESA-delisted in January 2020 but still remains under federal protection per the Migratory Bird Treaty Act (MBTA) and under Hawai'i State protection per HAR §13-124, and various seabirds, may pass through the project area due to the proximity to mature trees and the ocean. Direct impacts to their habitat from the project may occur as mature trees may be cut or disturbed during construction activities to fulfill rockfall mitigation goals.

#### **Recommended Mitigation**

All field equipment including tools, machinery, vehicles as well as and footwear and clothing should be cleaned daily prior to and after field activities to control the spread or introduction of noxious plant species.

In the unlikely situation of a threatened or sensitive animal species observed in or around the project area, all construction work will halt until the individual leaves of its own accord. Construction routes and equipment areas should be staged along existing roads, walkways, and gravel areas to minimize impacts to planted vegetation. Suggested BMPs and AMMs to minimize impacts to federal and state listed species are listed below:

- a) To avoid and minimize impacts to the Hawaiian hoary bat, woody plants greater than 15 feet tall shall not be disturbed, removed, or trimmed during bat birthing and pupping season (June 1 through September 15), and barbed wire shall not be used for fencing.
- b) To minimize impacts to Hawaiian waterbirds, construction shall avoid creating standing/ponding water areas that may attract waterbirds.
- c) To minimize impacts to seabirds and marine species, the construction shall avoid outdoor lighting and conduct work during daylight hours. Should emergency nighttime work need to be conducted, all lights will be appropriately shielded, and nighttime construction will be avoided during the seabird fledging period (September 15 through December 15) as well as during green sea turtle nesting and hatching season (May through December), per the lighting information included in Appendix E.
- d) To avoid impacts to the Hawaiian Hawk, the following measures are recommended:
  - A nest survey of the APE is recommended during the Hawk breeding season (March through September) 10 days (maximum of 14 days) prior to the start of construction activities. The survey should be conducted by a qualified biologist using appropriate survey methods and



- should focus on the large trees that could provide nesting habitat (Gorresen et. al, 2008, USFWS, 2008).
- If active nest(s) are located, no construction should occur within 1,600 feet of the nest until the chicks fledge or the nest is abandoned.
- If Hawaiian Hawk individuals are detected in the area during construction, all activities within 100 feet of the bird should cease. Work may continue when the bird has left the area on its own.

By incorporating the above mitigation measures, the project is unlikely to result in direct or indirect adverse effects on sensitive species.



#### 6. References

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# APPENDIX A Figures



#### **LEGEND**



APPROXIMATE LIMITS OF PROPOSED CONSTRUCTION STAGING AREA



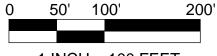
AREA OF POTENTIAL EFFECT



APPROXIMATE LIMITS OF EXCAVATION

#### NOTES:

1. BACKGROUND PLAN FROM GOOGLE EARTH, IMAGERY DATED 19 JUNE 2019.



1 INCH = 100 FEET



AREA OF POTENTIAL EFFECT

SCALE: AS SHOWN FEBRUARY 2023

FIGURE 2





#### MAP LEGEND

â

00

Δ

Water Features

Transportation

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Background

Spoil Area

Stony Spot

Wet Spot

Other

Rails

**US Routes** 

Major Roads

Local Roads

Very Stony Spot

Special Line Features

Streams and Canals

Interstate Highways

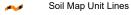
Aerial Photography

#### Area of Interest (AOI)

Area of Interest (AOI)

#### Soils

Soil Map Unit Polygons



Soil Map Unit Points

#### Special Point Features

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Nock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

#### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24.000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Island of Hawaii Area, Hawaii Survey Area Data: Version 15, Aug 30, 2022

Soil map units are labeled (as space allows) for map scales 1:50.000 or larger.

Date(s) aerial images were photographed: Jan 3, 2019—Jun 28, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## **Map Unit Legend**

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
440	Ainakea medial silty clay loam, 12 to 20 percent slopes	0.4	27.5%
445	Ainakea-Rock outcrop complex, 70 to 100 percent slopes	1.0	72.5%
Totals for Area of Interest		1.4	100.0%

FIGURE 4:

### Critical Habitat for Threatened & Endangered Species [USFWS]



A specific geographic area(s) that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection.

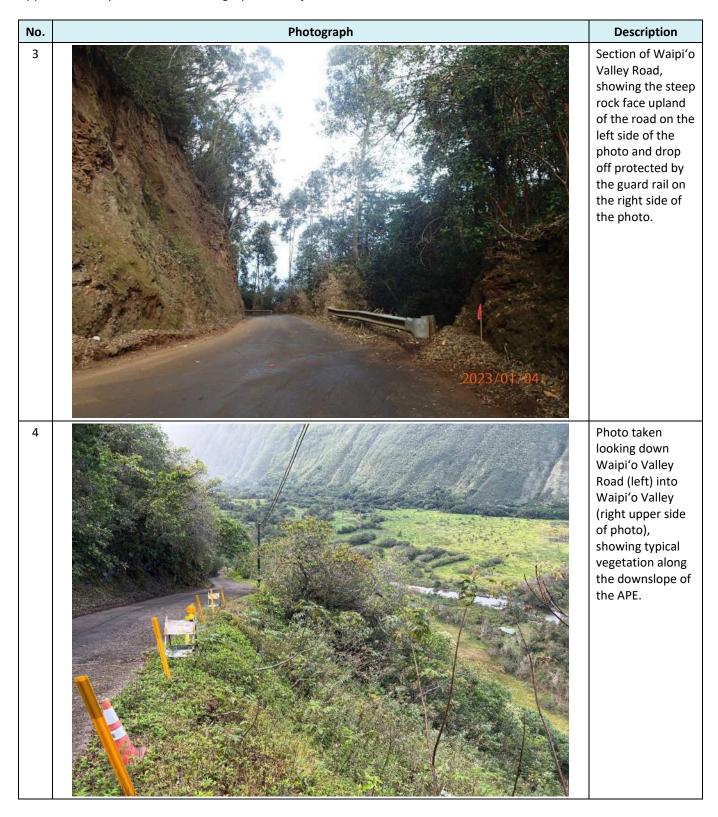
1mi

# APPENDIX B Representative Photographs of Project Area

No.	Photograph	Description
1		Photo of ornamental plants such as kī (Cordyline fruticosa) and Sphagneticola trilobata on the upslope of Waipi'o Valley Road. The green guard shack can be seen in the background.
2		View of upper switchback of Waipi'o Valley Road. Native 'ōhi'a lehua (Metrosideros polymorpha) can be seen in the center of the photo, introduced swamp mahogany (Eucalyptus robusta) and Christmas berry (Schinus terebinthifolius) trees are in the background.



Appendix B: Representative Photographs of Project Area





Appendix B: Representative Photographs of Project Area

No.	Photograph	Description
5		Photo showing the downslope section of the APE, and native neneleau, or Hawaiian sumac (Rhus sandwicensis) trees. Hawaiian sumac and and hala (Pandanus tectorius) were the most abundant native trees in the area.
6	2023/01/04	Close up of the indigenous 'ihi, (Oxalis corniculata) growing on the upslope side of Waipi'o Valley Road.

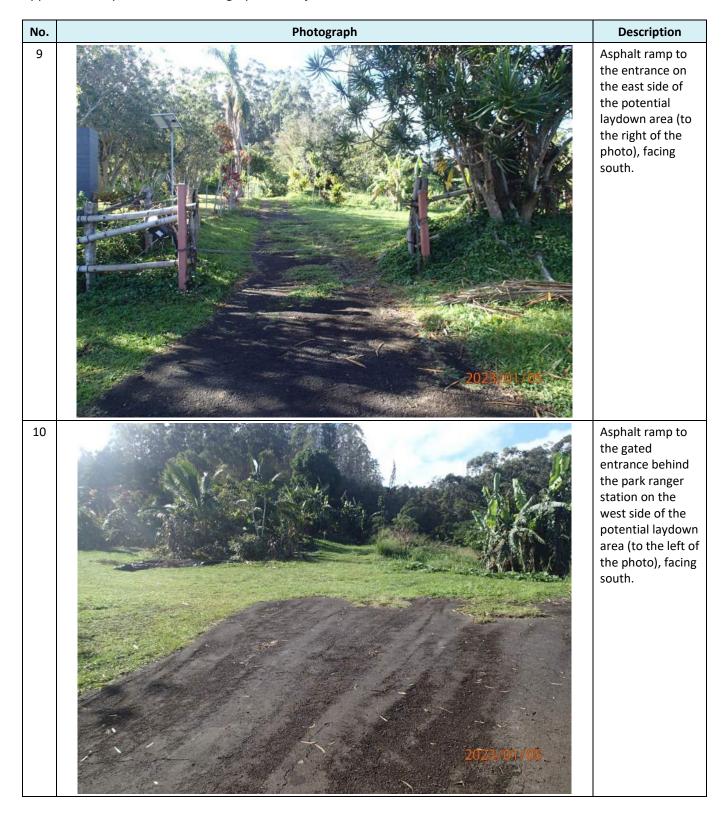


Appendix B: Representative Photographs of Project Area

No.	Photograph	Description
7	2023/01/05	Photo of the open grassy lawn of the potential laydown area facing east. The area is clear, with native plantings on the left side of the photo and the road off to the left side of the photo.
8	2023/61/05	Cultivated māmake (Pipturus albidus) plant near to the potential laydown area.



Appendix B: Representative Photographs of Project Area





Appendix B: Representative Photographs of Project Area

No.	Photograph	Description
11		Photo of parking area and laydown area. Photo taken from across of Honoka'a Waipi'o Road, facing south.
	2023/01/05	



# APPENDIX C List of Plant Species Observed

#### PLANT SPECIES LIST

The following checklist is an inventory of all the plant species observed within the project area of the proposed Short-Term Safety Improvements for the Waipi'o Valley Road. The plant names are arranged alphabetically by family and then by species into each of four groups: Gymnosperms, Ferns and Fern Allies (Pteridophytes), Monocots, and Dicots. The taxonomy and nomenclature of the Ferns and Fern Allies follow Palmer (2002), while the gymnosperms and flowering plants, Monocots and Dicots, are in accordance with Wagner *et al.* (1990) and Wagner and Herbst (1999) and Staples and Herbst (2005). Recent name changes follow the 2019 Hawaiian Naturalized Vascular Plants Checklist series (Imada 2019).

For each species, the following name is provided:

- 1. Scientific name with author citation.
- 2. Common English and/or Hawaiian name(s), when known.
- 3. Biogeographic status. The following symbols are used:
  - **E= endemic=** native only to the Hawaiian Islands.
  - **I= indigenous**= native to the Hawaiian Islands and elsewhere.

**P=Polynesian introduced**=species that were introduced by the Polynesian migration to Hawaii, either intentionally or unintentionally, and are now naturalized.

**X=introduced or alien** = all those plants brought to the Hawaiian Islands by humans, intentionally or accidentally, after Western contact, that is Cook's arrival in the islands in 1778.

1770.		
SCIENTIFIC NAME	COMMON NAME	STATUS
GYMNOSPERMS		
ARAUCARIACEAE		
Araucaria columnaris (G.Forst.) Hook.f.	Cook pine	Х
PTERIDOPHYTES		
BLECHNACEAE		
Blechnum appendiculatum Willd.		Х
CYATHEACEAE		
Sphaeropteris cooperi(Hook. ex F.Muell.) R.M.Tryon	Australian tree fern	Х
GLEICHENIACEAE		
Dicranopteris linearis (Burm.f.) Underw.	uluhe, unuhe	I
NEPHROLEPIDACEAE		
Nephrolepis brownii (Desv.) Hovenkamp&Miyam.	Asian swordfern	Х
LINDSAEACEAE		
Odontosoria chinensis (L.) J.Sm.	pāla'a	I
POLYPODIACEAE		
Microsorum grossum (Langsd. & Fisch.) S.B.Andrews	lāua'e	Х
Phlebodium aureum (L.) J.Sm.	lāua'e haole	Х

SCIENTIFIC NAME	COMMON NAME	STATUS
PSILOTACEAE		
Psilotum nudum (L.) P. Beauv.	moa, upright whiskfern	ı
PTERIDACEAE		
Adiantum hispidulum Sw.	rough maidenhair	X
Adiantum raddianum C.Presl	delta maidenhair	Х
THELYPTERIDACEAE		
Christella dentata (Forssk.) Brownsey & Jermy	pai'i'ihā	Х
Christella parasitica (L.) Lev.		Х
, , ,		1
MONOCOTS		
AGAVACEAE		
Cordyline fruticosa (L.) A.Chev.	kī, tī	Р
ARACEAE		
Epipremnum pinnatum (L.) Engl.	pothos vine	X
ARECACEAE		
Cocos nucifera L.	niu, coconut	Р
cocos nuclyeru E.	ma, cocomac	<u> </u>
COMMELINACEAE		
Commelina diffusa Burm.f,	honohono	Х
MUSACEAE		
Musa sp. L.	mai'a, banana	Р
ORCHIDACEAE		
Arundina graminifolia (D.Don) Hochr.	bamboo orchid	Х
Spathoglottis plicata Blume	Philippine ground orchid	Х
PANDANACEAE		
Pandanus tectorius Parkinson ex Z	hala	l
POACEAE		
Andropogon virginicus L.	broomsedge	Х
Chloris barbata (L.) Sw.	swollen fingergrass	X
Cynodon dactylon (L.) Pers	manienie	X
Digitaria insularis (L.) Mez ex Ekman	sourgrass	Х
Megathyrsus maximus (Jacq.) B.K.Simon & S.W.L.	Guinea grass	Х
Jacobs		
Melinis minutiflora P.Beauv.	molasses grass	X
Melinis repens (Willd.) Zizka	Natal redtop	X
Oplismenus hirtellus (L.) P.Beauv.	basketgrass, honohono	X

SCIENTIFIC NAME	COMMON NAME	STATUS
Paspalum conjugatum P.J.Bergius	Hilo grass	Х
Sacciolepis indica (L.) Chase	Glenwood grass	Х
Setaria parviflora (Poir.) Kerguelen	yellow foxtail	Х
ZINGIBERACEAE		
Hedychium garderianum Sheppard ex Ker Gawl.	Kāhili ginger, Himalayan ginger	Х
DICOTS		
ACANTHACEAE		
Justicia betonica L.	white shrimp plant	Х
ANACARDIACEAE		
Mangifera indica L.	mango	Х
Rhus sandwicensis A.Gray	neneleau, Hawaiian sumac	Е
Schinus terebinthifolius Raddi	Christmas berry	Х
APIACEAE		
Centella asiatica (L.) Urb.	Asiatic pennywort	Х
ARALIACEAE		
Heptapleurum actinophyllum (Endl.) Lowry &	octopus tree, umbrella tree	Х
G.M.Plunkett		
ASTERACEAE		
Ageratina adenophora (Spreng.) R.M.King & H.Rob.	Maui pāmakani	Х
Ageratina riparia (regel) R.M.King & H.Rob.	Hāmakua pāmakani	Х
Bidens pilosa L.	Spanish needle	Х
Crassocephalum crepidioides (Benth.) S.Moore	crassocephalum	Х
Cyanthillium cinereum (L.) H.Rob.	little ironweed	X
Eclipta prostrata (L.) L.	false daisy	Х
Emilia fosbergii Nicolson	red pualele	Х
Emilia sonchifolia (L.) DC. var. sonchifolia	Flora's paintbrush	Х
Montanoa hibiscifolia Benth.	tree daisy, Christmas daisy	Х
Pluchea carolinensis (Jacq.) G. Don	sourbush	Х
Sigesbeckia orientalis L.	small yellow crown-beard	Х
Sonchus oleraceus L.	sow thistle	Х
Sphagneticola trilobata (L.) Pruski	wedelia	Х
Synedrella nodiflora (L.) Gaertn.	nodeweed	Х
Youngia japonica (L.) DC.	Oriental hawksbeard	Х

SCIENTIFIC NAME	COMMON NAME	STATUS
BEGONIACEAE		
Begonia hirtella Link	bearded begonia	Х
		1
BIGNONIACEAE		
Spathodea campanulata P. Beauv.	African tulip	Х
	•	
CARYOPHYLLACEAE		
Drymaria cordata (L.) Willd. Ex Roem. & Schult. var.	pipili, pilipili	X
pacifica M.Mizush.		
		<u> </u>
CASUARINACEAE		
Casuarina equisetifolia L.	common ironwood	X
COMBRETACEAE	The state of the s	
Terminalia catappa L.	tropical almond	X
CHCHDDITACEAE		
CUCURBITACEAE  Momordica charantia L.	halaam naar	
Momoraica Charantia L.	balsam pear	X
EUPHORBIACEAE		
Aleurites moluccana (L.) Willd.	kukui	Р
Chamaesyce hypercifolia (L.) Millsp.	graceful spurge	X
chambers, and (1.)	8.435.4.554.85	
FABACEAE		
Albizia chinensis (Osbeck.) Merr.		Х
Canavalia cathartica Thouars	maunaloa	Х
Chamaecrista nictitans (L.) Moench	partridge pea	X
Crotalaria trichotoma Bojer	curara pea	X
Desmodium tortuosum (Sw.) DC.	Florida beggarweed	X
Grona triflora (L.) H.Ohashi & K.Ohashi	tick clover	X
Falcataria moluccana (Miq.) Barenby & J.W.Grimes	Moluccan albizia	X
Macroptilium atropurpureum (DC.) Urb.	twining cow pea	X
Samanea saman (Jacq.) Merr.	monkeypod	X
		T
LAMIACEAE		
Salvia coccinea Etl.	scarlet sage, Texas sage	X
LAURACEAE		
Persea americana Mill.	avocado	Х
MALVACEAE		<u> </u>
MALVACEAE  Abutilon grandifolium (Willd.) Sweet	hairy abutilon	
Melochia umbellata (Houtt.) Stapf	hairy abutilon melochia	X
Sida rhombifolia L.	meiocilia	X
Sida Mollibijona E.		

SCIENTIFIC NAME	COMMON NAME	STATUS
MELASTOMATACEAAE		
Miconia crenata (Vahl) Michelang.	clidemia, Koster's curse	Х
MORACEAE		
Ficus microcarpa L.f.	Chinese banyan	Х
MYRTACEAE		
Eucalyptus robusta Sm.	swamp mahogany	X
Melaleuca quinquenervia (Cav.) S.T.Blake	paperbark	Х
Metrosideros polymorpha Gaudich. var. polymorpha	ʻōhiʻa lehua	E
Psidium cattleyanum Sabine	strawberry guava	X
Psidium guajava L.	common guava	Х
Syzygium cumini (L.) Skeels	Java plum	Х
OXALIDACEAE		
Oxalis corniculata L.	yellow wood sorrel, 'ihi	
Oxalis debilis Kunth. corymbosa (DC.) Lourteig	pink wood sorrel, 'ihi pehu	X
(,	, ,	
PASSIFLORACEAE		
Passiflora edulis Sims	liliko'i, passion fruit	Х
POLYGALACEAE		
Polygala paniculata L.	milkwort	Х
DDOTFACEAE		
PROTEACEAE	sills and silver and	V
Grevillea robusta A.Cunn. ex R.Br.	silk oak, silver oak	Х
ROSACEAE		
Rubus rosifloius Sm.	thimbleberry	Х
SCROPHULARIACEAE		
Buddleja asiatica Lour.	huelo 'ilio, dog tail	Х
	1	
URTICACEAE		
Pilea microphylla (L.) Liebm.	artillery plant	Х
VERBENACEAE		
Stachytarpheta jamaicensis (L.) Vahl	Jamaican vervain	X

# APPENDIX D USFWS IPaC Resource List

# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

### Location

Hawaii County, Hawaii



### Local office

Pacific Islands Fish And Wildlife Office

**(**808) 792-9400

**(808)** 792-9580

MAILING ADDRESS

300 Ala Moana Boulevard, Box 50088 Honolulu, HI 96850-5000

PHYSICAL ADDRESS

300 Ala Moana Boulevard, Room 3-122 Honolulu, HI 96850-0056



# Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

# **Mammals**

NAME STATUS

Hawaiian Hoary Bat Lasiurus cinereus semotus

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/770

# **Birds**

NAME STATUS

Band-rumped Storm-petrel Oceanodroma castro

Endangered

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/1226

Hawaii Akepa Loxops coccineus

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/5714

Hawaiian (=koloa) Duck Anas wyvilliana

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/7712

Hawaiian Coot Fulica americana alai

**Endangered** 

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/7233

Hawaiian Goose Branta (=Nesochen) sandvicensis

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/1627

**Threatened** 

Hawaiian Petrel Pterodroma sandwichensis

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6746

Endangered

Endangered

Hawaiian Stilt Himantopus mexicanus knudseni

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/2082

Newell's Townsend's Shearwater Puffinus auricularis

newelli

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/2048

**Threatened** 

Reptiles

NAME STATUS

Green Sea Turtle Chelonia mydas

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/6199

Threatened

Insects

NAME STATUS

Blackburn's Sphinx Moth Manduca blackburni

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/4528

Endangered

Flowering Plants

NAME STATUS

`aiea Nothocestrum breviflorum

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/7493

**Endangered** 

# **A`e** Zanthoxylum dipetalum var. tomentosum Wherever found

Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/2297

## Carter's Panicgrass Panicum fauriei var. carteri

**Endangered** 

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/5578

### Hala Pepe Pleomele hawaiiensis

Endangered

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/2910

### Holei Ochrosia haleakalae

Endangered

Wherever found

No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/884">https://ecos.fws.gov/ecp/species/884</a>

Holei Ochrosia kilaueaensis

Endangered

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/5248

Ihi Portulaca villosa

**Endangered** 

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/4886

Kauila Colubrina oppositifolia

**Endangered** 

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/850

Kuahiwi Laukahi Plantago princeps

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/4926

Loulu Pritchardia maideniana

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/4945

Endangered

**Endangered** 

Neraudia ovata

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/3669

Endangered

Po`e Portulaca sclerocarpa

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/1719

Endangered

# Ferns and Allies

NAME STATUS

Microlepia strigosa var. mauiensis

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/4737

Endangered

# Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

# Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described <u>below</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <a href="https://www.fws.gov/program/migratory-birds/species">https://www.fws.gov/program/migratory-birds/species</a>
- Measures for avoiding and minimizing impacts to birds
   <a href="https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds">https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds</a>
- Nationwide conservation measures for birds
   <a href="https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf">https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf</a>

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME BREEDING SEASON

Apapane Himatione sanguinea

Breeds Dec 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands.

Black Noddy Anous minutus melanogenys

This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands.

Breeds Apr 1 to Nov 30

Hawai'i 'amakihi Hemignathus virens

This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands.

Breeds Nov 15 to Aug 15

Laysan Albatross Phoebastria immutabilis

This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands.

Breeds Nov 15 to Jun 15

Red-tailed Tropicbird Phaethon rubricauda

melanorhynchos

This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands.

Breeds Dec 15 to Oct 15

# **Probability of Presence Summary**

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

# Probability of Presence (=)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of

- presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season (

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

## Survey Effort (I)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

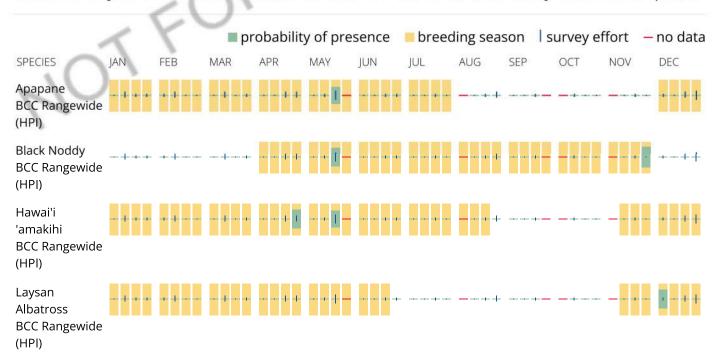
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (-)

A week is marked as having no data if there were no survey events for that week.

## **Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Red-tailed
Tropicbird
BCC Rangewide
(HPI)

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

# What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey, banding, and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

# What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the <u>Avian Knowledge Network (AKN)</u>. This data is derived from a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u>.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the <u>RAIL Tool</u> and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird

on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

#### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

- 1. "BCC Rangewide" birds are <u>Birds of Conservation Concern</u> (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
- 2. "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the <u>Eagle Act</u> requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the <u>Northeast Ocean Data Portal</u>. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the <u>NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.</u>

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiegel</u> or <u>Pam Loring</u>.

#### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

#### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black

vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

# **Facilities**

# National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

# Fish hatcheries

There are no fish hatcheries at this location.

# Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

RIVERINE

R5UBH

A full description for each wetland code can be found at the <u>National Wetlands Inventory</u> website

**NOTE:** This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

#### **Data limitations**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should

seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.
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# APPENDIX E **DLNR Seabird Friendly Lighting Solutions Flyer**



# SEABIRD FRIENDLY LIGHTING SOLUTIONS

Help eliminate seabird light attraction. Select the best fixture for your application using this guide. Avoid uplighting, always shield floodlights, and aim downlights carefully to avoid light trespass. For more information go to www.kauai-seabirdhcp.info.



