

Hakoda, Riley K

From: Orodenker, Daniel E
Sent: Tuesday, August 20, 2019 9:27 AM
To: Hakoda, Riley K
Subject: Fwd: Comments on the EIS Preparation Notice for the Sanford's Service Center at Leilani Quarry Project, Puna, Hawai'i
Attachments: 2019-TA-0407 KS Sanford Leilani Quarry.pdf

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From: Chelsie Javar <chelsie_javar@fws.gov>
Sent: Tuesday, August 20, 2019 7:43:35 AM
To: Orodenker, Daniel E <daniel.e.orozenker@hawaii.gov>
Cc: gpknopp@gkenvllc.com <gpknopp@gkenvllc.com>
Subject: Comments on the EIS Preparation Notice for the Sanford's Service Center at Leilani Quarry Project, Puna, Hawai'i

2019 AUG 21 A 7:23
LAND USE COMMISSION
STATE OF HAWAII

Dear Mr. Orodenker,

Please find attached our comments on the EIS Preparation Notice for the Sanford's Service Center at Leilani Quarry Project, Puna, Hawai'i Island. Please let me know if you have any questions.

Thank you,
Chelsie

Chelsie Javar-Salas | U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office | 300 Ala Moana Blvd., Room 3-122 Honolulu, HI 96850 | phone: 808-792-9400 | email: chelsie_javar@fws.gov | website: <http://www.fws.gov/pacificislands/>



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

In Reply Refer To:
01EPIF00-2019-TA-0407

August 19, 2019

Mr. Daniel Orodener
Land Use Commission, State of Hawai'i
Department of Business, Economic Development & Tourism
Post Office Box 2359
Honolulu, Hawai'i 96804-2359

2019 AUG 21 A 7:23
LAND USE COMMISSION
STATE OF HAWAII

Subject: Comments on the EIS Preparation Notice for the Sanford's Service Center at
Leilani Quarry Project, Puna, Hawai'i

Dear Mr. Orodener:

Thank you for your letter dated July 24, 2019, requesting comments on the Environmental Impact Statement Preparation Notice for the Sanford's Service Center Leilani Quarry project in Puna, Hawai'i. The proposed project will expand quarry operations from its current use of 30-acres to 73.075-acres on the 94.107-acre total parcel (Tax Map Key No. (3) 1-3-009:005).

We reviewed the proposed project pursuant to the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Based on information you provided, including data compiled by the Hawai'i Biodiversity and Mapping project, five federally listed animal species may be found in the vicinity of the project site: the endangered Hawaiian hawk (*Buteo solitaries*), Hawaiian hoary bat (*Lasiurus cineris semotus*), Hawaiian petrel (*Pterodroma sandwichensis*), Hawaii distinct population segment of band-rumped petrel (*Oceanodroma castro*), the endangered plant ha'iwale (*Cyrtandra nanawaleensis*), and the threatened Newell's shearwater (*Puffinus auricularis newelli*). There is no proposed or designated critical habitat within the vicinity of the project site.

If it is determined that the proposed project may affect federally listed species, we recommend you contact our office early in the planning process so that we may assist you with the ESA compliance. If the proposed project is funded, authorized, or permitted by a Federal agency, then that agency should consult with us pursuant to section 7(a)(2) of the ESA. If no Federal agency is involved with the proposed project, the applicant should apply for an incidental take permit under section 10(a)(1)(B) of the ESA. A section 10 permit application must include a habitat conservation plan that identifies the effects of the action on listed species and their habitats, and defines measures to minimize and mitigate those adverse effects.

Hawaiian hawk

The Hawaiian hawk is known to occur across a broad range of forest habitats throughout the Island of Hawaii. Loud, irregular and unpredictable activities, such as using heavy equipment or building a structure, near an endangered Hawaiian hawk nest may cause nest failure. Harassment of Hawaiian hawk nesting sites can alter feeding and breeding patterns or result in nest or chick abandonment. Nest disturbance can also increase exposure of chicks and juveniles to inclement weather or predators.

To avoid and minimize impacts to Hawaiian hawks we recommend you incorporate the following applicable measures into your project description:

- If work must be conducted during the March 1 through September 30 Hawaiian hawk breeding season, have a biologist familiar with the species conduct a nest search of the project footprint and surrounding areas immediately prior to the start of construction activities.
 - Pre-disturbance surveys for Hawaiian hawks are only valid for 14 days. If disturbance for the specific location does not occur within 14 days of the survey, conduct another survey.
- No clearing of vegetation or construction activities should occur within 1,600 feet of any active Hawaiian hawk nest during the breeding season until the young have fledged.
- Regardless of the time of year, no trimming or cutting trees containing a hawk nest, as nests may be re-used during consecutive breeding seasons.

Hawaiian hoary bat

The Hawaiian hoary bat roosts in both exotic and native woody vegetation across all islands and will leave young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is a risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. Additionally, Hawaiian hoary bats forage for insects from as low as 3 feet to higher than 500 feet above the ground and can become entangled in barbed wire used for fencing.

To avoid and minimize impacts to the endangered Hawaiian hoary bat we recommend you incorporate the following applicable measures into your project description:

- Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15).
- Do not use barbed wire for fencing.

Hawaiian seabirds (Hawaiian petrel, Newell's shearwater, and Band-rumped storm-petrel)

Hawaiian seabirds may traverse the project area at night during the breeding, nesting and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To avoid and minimize potential project impacts to seabirds we recommend you incorporate the following applicable measures into your project description:

- Fully shield all outdoor lights so the bulb can only be seen from below bulb height and only use when necessary.
- Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.
- Avoid nighttime construction during the seabird fledging period, September 15 through December 15.

Endangered plant, ha'iwale

The endangered plant ha'iwale may be present within the project site. We understand that additional biological surveys will be conducted with a particular focus on identifying populations of ha'iwale and other rare plants. If ha'iwale or other listed endangered plants are found, please contact our office for additional guidance on establishing fenced buffer areas as it relates to your proposed actions.

Biosecurity and Invasive Species

Please see the attached Biosecurity Protocols to prevent the introduction and spread of harmful invasive species on the island of Hawai'i.

Thank you for participating with us in the protection of our endangered species. If you have questions regarding this response, please contact Chelsie Javar-Salas, Fish and Wildlife Biologist (phone: 808-792-9400, email: chelsie_javar@fws.gov). When referring to this project, please include this reference number: **01EPIF00-2019-TA-0407**.

Sincerely,

**Aaron
Nadig**

Digitally signed
by Aaron Nadig
Date: 2019.08.19
13:51:41 -10'00'

Acting for Michelle Bogardus
Island Team Manager
Maui Nui and Hawai'i Islands

Enclosure (1)

BIOSECURITY PROTOCOL – HAWAI‘I ISLAND (JULY 2018)

The following biosecurity protocol (based on National Park Service, State of Hawai‘i, U.S. Fish and Wildlife, U.S. Geological Survey, and the DOI Office of Native Hawaiian Relations guidance) should be followed when operating on Hawai‘i Island to prevent the introduction of harmful invasive species including frogs, ants, weeds, and fungi into local natural areas (e.g., Hawai‘i Volcanoes National Park, Hakalau Forest National Wildlife Refuge, State of Hawai‘i “Natural Areas”) and areas with native habitat (habitat that is primarily composed of native vegetation), other islands in Hawaiian archipelago, or the U.S. mainland. The protocol also includes suggestions for keeping field staff safe from certain invasive species.

1. All work vehicles, machinery, and equipment should be cleaned, inspected by its user, and found free of mud, dirt, debris and invasive species prior to entry into the natural areas or native habitat.

a. Vehicles, machinery, and equipment must be thoroughly pressure washed in a designated cleaning area and visibly free of mud, dirt, plant debris, insects, frogs (including frog eggs) and other vertebrate species such as rats, mice and non-vegetative debris. A hot water wash is preferred. Areas of particular concern include bumpers, grills, hood compartments, areas under the battery, wheel wells, undercarriage, cabs, and truck beds (truck beds with accumulated material (intentionally placed or fallen from trees) are prime sites for hitchhikers).

b. The interior and exterior of vehicles, machinery, and equipment must be free of rubbish and food. The interiors of vehicles and the cabs of machinery must be vacuumed clean. Floor mats shall be sanitized with a solution of >70% isopropyl alcohol or a freshly mixed 10% bleach solution.

c. Any machinery, vehicles, equipment, or other supplies found to be infested with ants (or other invasive species) must not enter natural areas or native habitat. Treatment is the responsibility of the equipment or vehicle owner and operator.

2. Little Fire Ants – All work vehicles, machinery, and equipment should be inspected for invasive ants prior to entering the natural areas or native habitat.

a. A visual inspection for little fire ants should be conducted prior to entry into natural areas or native habitat.

b. Hygiene is paramount but even the cleanest vehicle can pick up a little fire ant. Place MaxForce Complete Brand Granular Insect Bait (1.0% Hydramethylnon; <http://littlefireants.com/Maxforce%20Complete.pdf>) into refillable tamper resistant bait stations. An example of a commercially available refillable tamper resistant bait station is the Ant Café Pro (<https://www.antcafe.com/>). Place a bait station (or stations) in vehicle. Note larger vehicles, such as trucks, may require multiple stations. Monitor bait stations frequently (every week at a minimum) and replace bait as needed. If the station does not have a sticker to identify the contents, apply a sticker listing contents to the station.

c. Any machinery, vehicles, equipment, or other supplies found to be infested with ants (or other invasive species) must not enter natural areas or native habitat until it is sanitized and re-tested

following a resting period. Infested vehicles must be sanitized following recommendations by the Hawaii Ant Lab (<http://www.littlefireants.com/>) or other ant control expert and in accordance with all State and Federal laws. Treatment is the responsibility of the equipment or vehicle owner.

d. Gravel, building materials, or other equipment such as portable buildings should be baited using MaxForce Complete Brand Granular Insect Bait (1.0% Hydramethylnon; <http://littlefireants.com/Maxforce%20Complete.pdf>) or AmdroPro (0.73% Hydramethylnon; <http://littlefireants.com/Amdro%20Pro.pdf>) following label guidance.

e. Storage areas that hold field tools, especially tents, tarps, and clothing should be baited using MaxForce Complete Brand Granular Insect Bait (1.0% Hydramethylnon; <http://littlefireants.com/Maxforce%20Complete.pdf>) or AmdroPro (0.73% Hydramethylnon; <http://littlefireants.com/Amdro%20Pro.pdf>) following label guidance.

3. Base yards and staging areas inside and outside areas must be kept free of invasive species.

a. Base yards and staging areas should be inspected at least weekly for invasive species and any found invasive removed immediately. Pay particular attention to where vehicles are parked overnight, keeping areas within 10-meters of vehicles free of debris. Parking on pavement and not under trees, while not always practical is best.

b. Project vehicles or equipment stored outside of a base yard or staging area, such as a private residence, should be kept in a pest free area.

4. All cutting tools must be sanitized to prevent the Rapid 'Ōhi'a Death (ROD) fungus.

a. Avoid wounding 'ōhi'a trees and roots with mowers, chainsaws, weed eaters, and other tools. Cut only the minimum amount of trees and branches as approved for the project.

b. All cutting tools, including machetes, chainsaws, and loppers must be sanitized to remove visible dirt and other contaminants prior to entry into natural areas or areas with native habitat, and when moving to a new project area within the native habitat area. Tools may be sanitized using a solution of >70% isopropyl alcohol or a freshly mixed 10% bleach solution. One minute after sanitizing, you may apply an oil based lubricant to chainsaw chains or other metallic parts to prevent corrosion.

c. Only dedicated tools and chainsaws should be used to sample known or suspected ROD infected trees.

d. Vehicles, machinery, and equipment must be cleaned as described in (1) above.

5. Imported firewood, logs, and 'ōhi'a parts:

a. 'Ōhi'a firewood, 'ōhi'a logs, and 'ōhi'a parts should not be transported.

6. For individuals working in the field:

a. **Before going into the field**, visually inspect and clean your clothes, boots, pack, radio harness, tools and other personal gear and equipment, for seeds, soil, plant parts, insects, and other debris. A small brush is handy for cleaning boots, equipment and gear. Soles of shoes should be sanitized using a solution of >70% isopropyl alcohol or a freshly mixed 10% bleach solution.

b. **Immediately before leaving the field**, visually inspect and clean your clothes, boots, pack, radio harness, tools, and other personnel gear and equipment, for seeds, soil, plant parts, insects, and other debris. Soles of shoes should be sanitized using a solution of >70% isopropyl alcohol or a freshly mixed 10% bleach solution.

c. **Little fire ants nest in trees.** If you are under a tree and that tree is bumped or somehow stressed, the threat response of the ants is to fall from the leaves and sting the person under the tree. If you are subject to an ant attack, do not panic. The ants are extremely small but their stings are painful so make sure you remove all ants from your body and clothing. The stings cause inch long welts that are itchy and painful, and can last for weeks. Treat stings as you would other insect stings. In some persons stings can produce life threatening reactions. Stocking antihistamine in the first aid kit is a reasonable precaution.

d. **Rat Lungworm disease** is caused by a parasite that can infect humans who consume raw or undercooked infected snails or slugs or consume raw produce that contains a small infected snail or slug. Infection is rare but can be serious. Symptoms can include severe headache, neck stiffness, low grade fever, nausea, and vomiting anywhere from 1-6 weeks after exposure. The disease is not spread person to person. Anyone who handles snails or slugs should wear gloves and/or wash hands. Eating unwashed produce is discouraged.