

FINDING OF NO SIGNIFICANT IMPACT
regarding the
Proposed Issuance of an Endangered Species Act Section 10(a)(1)(B) Permit
by the U.S. Fish and Wildlife Service for Incidental Take of the
Hawaiian Petrel, Hawaiian Stilt, Hawaiian Hoary Bat, and Newell's Shearwater
by Castle & Cooke, LLC, in conjunction with Implementation of the
Lanai Meteorological Tower Habitat Conservation Plan
on the Island of Lanai, Maui County, Hawaii

The U.S. Fish and Wildlife Service (Service) has completed an Environmental Assessment (EA) of the anticipated effects of issuing an Incidental Take Permit (ITP), pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act), to Castle & Cooke, LLC (Castle & Cooke) for take of the endangered Hawaiian petrel (*Pterodroma sandwichensis*), endangered Hawaiian stilt (*Himantopus mexicanus*), endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), and the threatened Newell's (Townsend's) shearwater (*Puffinus auricularis newelli*) by covered activities carried out in conjunction with implementation of a Habitat Conservation Plan (HCP).

Castle & Cooke is requesting an ITP for take of listed species that may occur as a result of the construction and operation of seven meteorological towers on the island of Lanai, Maui County, Hawaii. Six of the towers have been erected and the installation of the seventh is pending. The EA describes the probable effects of this action on the human environment under two alternatives: the No Action Alternative (Alternative 1), which consists of removal of the six existing meteorological towers and no installation of a seventh tower; and the Proposed Action Alternative (Alternative 2), which consists of issuance of an ITP to address potential impacts from the six existing meteorological towers and the installation of a seventh meteorological tower to the above four listed species.

Decision

Following a comprehensive review and analysis of the HCP and EA, the Service has selected the Proposed Action Alternative as the preferred alternative because it provides the most conservation value to the four covered species in the context of Castle & Cooke complying with the requirements of the Act. The HCP includes the following features:

- The HCP provides funding for predator control/removal to enhance the nesting success of the Hawaiian petrel and Newell's shearwater at Lanaihale;
- The HCP provides funding for predator control for nesting Hawaiian stilts at the Lanai City Wastewater Treatment Plant;
- The HCP provides funding for habitat restoration at Lanaihale to improve potential nesting habitat for the Hawaiian petrel and the Newell's shearwater, and roosting and foraging habitat for the Hawaiian hoary bat;
- The HCP provides for monitoring and collection of biological information concerning the effects of meteorological towers on the four covered species.

Implementation of the preferred alternative, while exempting some incidental take of the covered species, is likely to provide long-term benefits to the covered species and is not expected to have any significant adverse effects to wetlands, floodplains, or to the human environment.

Under the No Action Alternative, on-going recovery efforts for the four species would continue but would not be supplemented by the predator control and habitat restoration actions provided for under the HCP, and biological information on the effects of meteorological towers on the four covered species would not be collected, be made known, or be used in analysis of future projects that are very likely to occur in this area and others across the State of Hawaii. The No Action Alternative is also not expected to have any significant adverse effects to wetlands, floodplains, or to the human environment.

Public Involvement and Review

Public involvement in the development of the HCP and the EA consisted of one State-mandated public meeting with local, State, and Federal governmental agencies, environmental groups, and other interested parties. Drafts of the HCP and EA were made available for public review during a 30-day public comment period between July 8, 2008, and August 7, 2008, in conjunction with a *Federal Register* Notice. The Service received five comment letters during the public review period, responses to which are addressed in the Service's HCP Findings and Recommendations document, which is herein incorporated by reference.

Conclusions

Based on a review and evaluation of the information contained in the EA, HCP, Findings and Recommendations, and the Biological Opinion which are herein incorporated by reference and cited below, I have determined that the preferred alternative is not a major Federal action that would significantly affect the quality of the human environment, within the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969. Accordingly, the Service is not required to prepare an environmental impact statement for this action. Furthermore, I have found that implementing the preferred alternative will have no significant impact on any of the environmental resources identified in the EA.

This Finding of No Significant Impact and supporting references are on file and are available for public inspection, by appointment, at the following U.S. Fish and Wildlife Service offices:

Pacific Islands Fish and Wildlife Office
300 Ala Moana Blvd., Room 3-122
Honolulu, Hawaii 96850
Contact: Bill Standley

Pacific Regional Office
911 NE 11th Avenue
Portland, Oregon 97232
Contact: John Nuss

Interested and affected parties are being notified of our decision.



Dave Wesley
Deputy Regional Director
U.S. Fish and Wildlife Service, Region 1

9/26/08
Date

Documents Incorporated by Reference

Tetra Tech EC. 2008. Habitat Conservation Plan for the Construction and Operation of the Lanai Meteorological Towers, Lanai, Hawaii. TTEC-PTLD-2008-174.

U.S. Fish and Wildlife Service. 2008. Final Environmental Assessment for Issuance of Endangered Species Act Section 10(a)(1)(B) Habitat Conservation Plan for the Incidental Take of Listed Species for the Lanai Meteorological Towers Project.

U.S. Fish and Wildlife Service. 2008. Findings and Recommendations on the Issuance of an Incidental Take Permit for Castle & Cooke, LLC, Meteorological Tower Project, Lanai, Hawaii.

U.S. Fish and Wildlife Service. 2008. Intra-Service Biological Opinion on the Lanai Meteorological Towers Habitat Conservation Plan and Incidental Take Permit Application (File No. 2008-F-0320).