

Attachment D

Relevant Correspondence, including:

FTA letter to USFWS regarding Endangered Species
Act Section 7

Letter from the City regarding Site for Pre-casting Concrete

January 2011



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122, Box 50088
Honolulu, Hawaii 96850



NOV - 3 2010

In Reply Refer To:
2010-I-0508

Mr. Leslie T. Rogers
Regional Administrator
U.S. Department of Transportation
Federal Transit Administration
201 Mission Street Suite 1650
San Francisco, California 94105-1839

OCT 29 2010

Subject: Informal Section 7 Consultation for Honolulu High-Capacity Transit Corridor Project, Oahu

Dear Mr. Rogers:

We are writing in response to your September 15, 2010, letter requesting our concurrence that proposed implementation of the Honolulu High-Capacity Transit Corridor Project (HHCTCP) is not likely to adversely affect the endangered *Abutilon menziesii* (ko oloa ula) pursuant to section 7(a)2 of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (ESA). The HHCTCP project is described in the June 2010, Honolulu High-Capacity Transit Corridor Project Final Environmental Impact Statement (FEIS). The project includes the development of a 20-mile long elevated rail line between Kapolei to Ala Moana Center in Honolulu. The project will increase the reliability and capacity of transportation serving central and west Oahu areas designated for urban growth in the Honolulu General Plan (FEIS p. 1-22). The construction phase of the HHCTCP will be completed in approximately 2019. According to your letter, the City and County of Honolulu will secure a Certificate of Inclusion in the March 2004, "State of Hawaii Department of Transportation Habitat Conservation Plan for *Abutilon menziesii* at Kapolei" (HCP, summarized below) from the State of Hawaii Department of Transportation (HDOT) to address the HHCTCP impacts to listed species pursuant to Hawaii Revised Statute 195D.

Abutilon menziesii is a long-lived perennial shrub that occurs in dryland forest and disturbed habitats on the islands of Lanai (fewer than 200 plants), Maui (approximately 14 individuals) (Hawaii Biodiversity and Mapping Program, 2008), and Oahu (approximately 741 plants) (Mansker, pers. comm. 2010) (Figure 1).

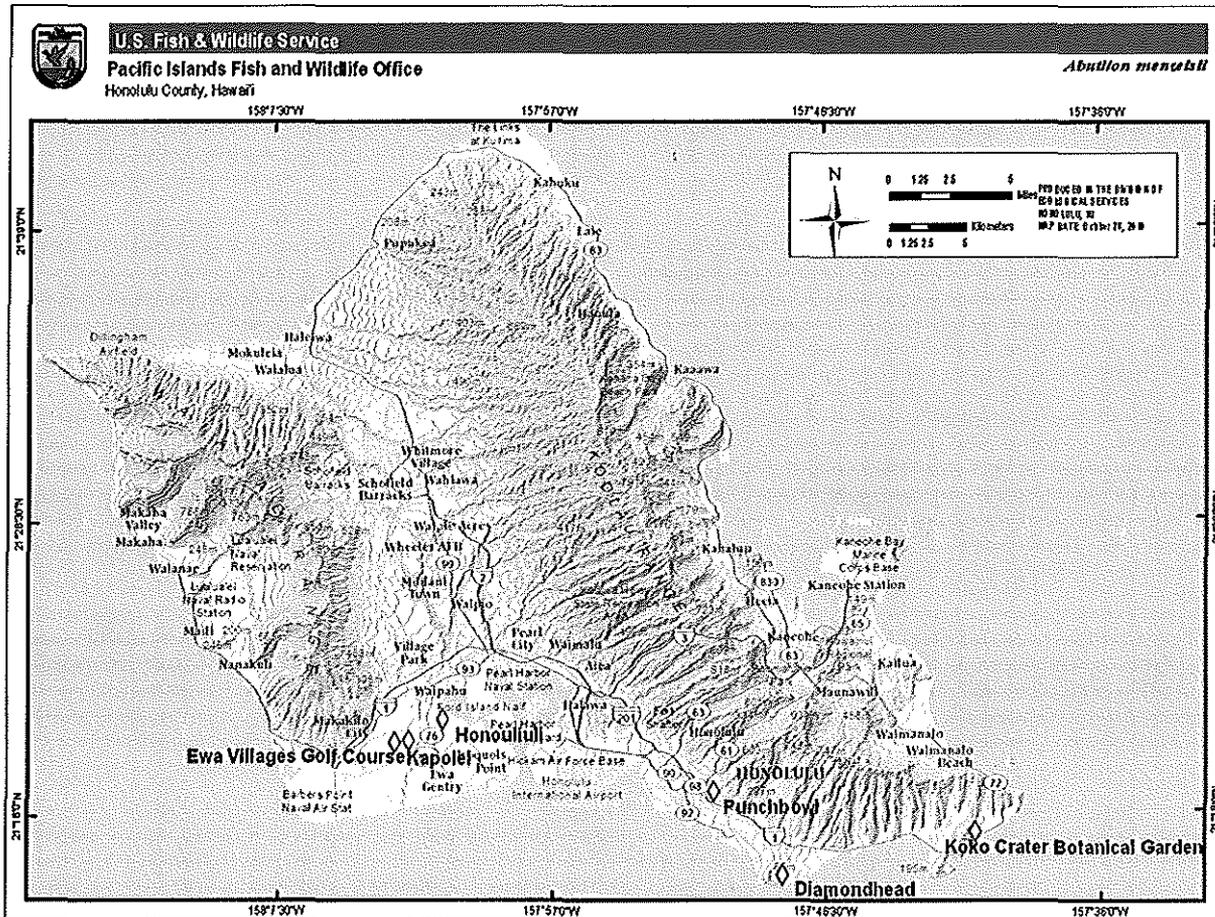


Figure 1. *Abutilon menzeisii* populations on Oahu.

Kapolei Population: A population of *Abutilon menzeisii* was discovered in 1996, on former sugarcane land vegetated by *Pennisetum ciliare* (buffelgrass) in Kapolei (Mansker 2006 pp. 2-9). The August 5, 2004, "Biological Opinion on Construction of the North South Road and the Kapolei Parkway" (Service file number 2004-F-0123 (Biological Opinion) and HCP addressed the loss of the 62 *A. menzeisii* growing in Kapolei expected to result from direct and indirect effects of the HDOT's North-South Road project. Full build-out on the land adjacent to the road was addressed in the Biological Opinion and HCP. Implementation of the Biological Opinion and HCP includes the conservation of an on-site contingency reserve population of the Kapolei plants until off-site mitigation populations meet objectives laid out in the HCP. The HCP prescribes measures such as fencing and fire management that will be taken at the contingency reserve area (Figure 2) to protect the Kapolei population from threats resulting from implementation of the North-South Road project. A contingency fund was established by HDOT to be augmented by cooperators who file for a certificate of inclusion (HCP, p. 30 – 31) for costs (such as fire protection) incurred in the implementation of the HCP. Pursuant to the HCP, the contingency reserve area will be protected until off-site HCP mitigation goals are met. Once off-site goals are met, the contingency reserve area could be developed. The HCP indicates off-site goals are expected to be met in approximately 2021 (HCP, pp. 31-32).

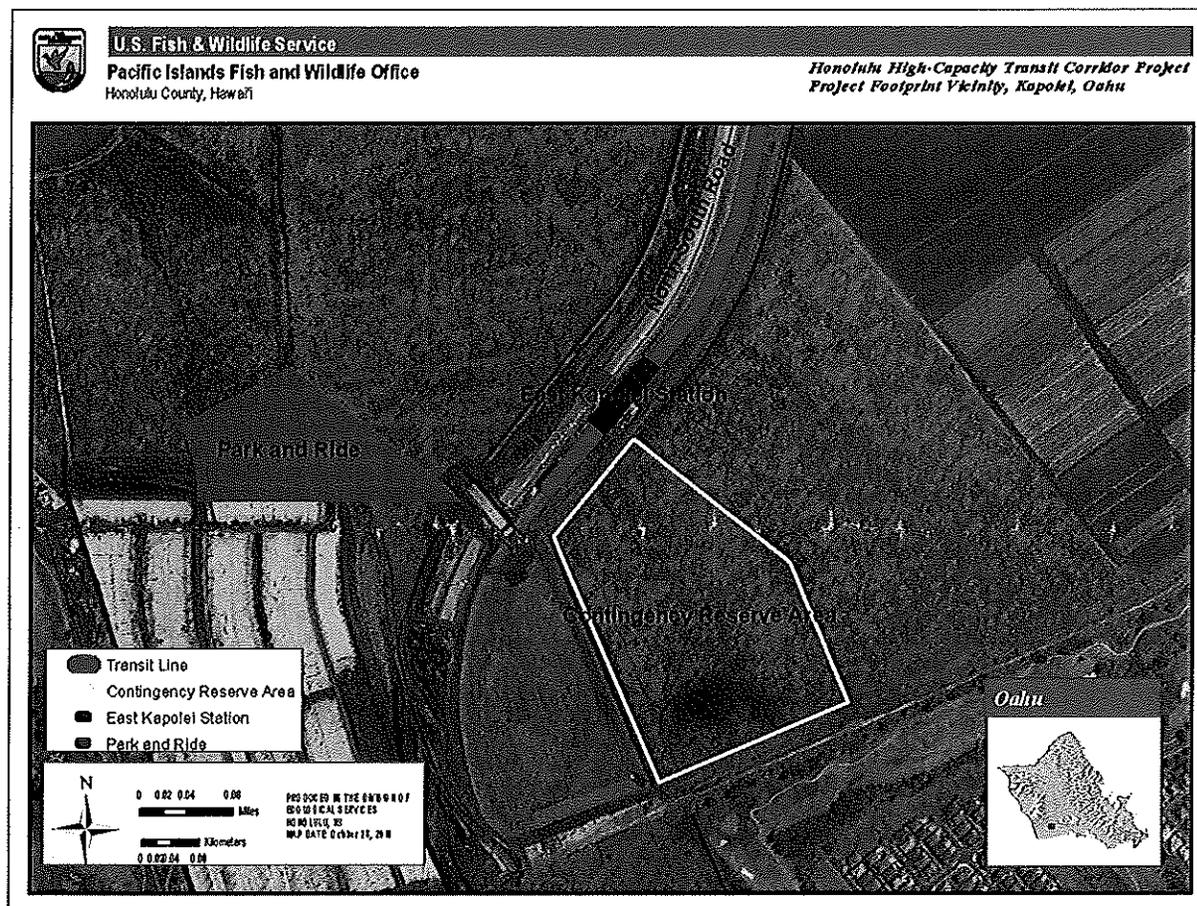


Figure 2. Contingency reserve area developed to conserve Kapolei population of *Abutilon menzeisii* pursuant to the Biological Opinion and HCP addressing the North-South Road project in the vicinity of the proposed HHCTCP.

The HHCTCP will remove vegetation within the transportation project footprint. In addition, implementation of the HHCTCP will result in increased development and human population in central and west Oahu. Indirect effects of increased development include potential increased spread of invasive species and increases in accidental ignitions of wildfires.

The East Kapolei Station at the western terminus of the proposed HHCTCP transit line will be located less than 120 feet from the *Abutilon menzeisii* contingency reserve area in Kapolei. Because anticipated completion of the HCP's off-site mitigation will not occur until 2021 or later, the transit system is expected to be in operation for at least a two-year period during contingency reserve area management. Operation of the completed transit system, anticipated to begin in approximately 2019, will result in significant increases in pedestrian traffic along the perimeter of the contingency reserve area. Although full build-out of the area immediately adjacent to the North-South Road was addressed in the Biological Opinion, some increase in the density of the population is likely to occur as a result of the subject action. Management actions to protect the contingency reserve area from potential impacts of the subject action will be funded by the HCP contingency fund.

Summary and Conclusion: The HHCTCP will construct a transportation system between Kapolei and Ala Moana Center in Honolulu to increase the reliability and capacity of transportation to areas designated for urban growth. Project implementation will result in increased human population that may result in increased spread of invasive species and increased wildfire threat. The reserve area will be protected from invasive species and fire pursuant to the established HCP contingency fund. Therefore, we concur with your determination the proposed action is not likely to adversely affect *Abutilon menzeisii* as any adverse effects would be insignificant.

Thank you for your ongoing efforts to conserve listed species. For additional information, please contact Consultation and Technical Assistance Program Fish and Wildlife Biologist, Aaron Nadig (phone: 808-792-9400; fax: 808-792-9581).

Sincerely,

A handwritten signature in black ink, appearing to read "Loyal Mehrhoff", with a long horizontal flourish extending to the right.

for Loyal Mehrhoff
Field Supervisor

References

Habitat Conservation Plan, 2004. State of Hawaii Department of Transportation Habitat Conservation Plan for *Abutilon menziesii* at Kapolei. March 2004. 65 pp.

Mansker, G. 2006. *Abutilon menziesii* 2005-2006 Status Report, May 2006. 13 pp.

Mansker, G. 2010. Personal communication. Telephone conversation with Dawn Greenlee, October 28, 2010.

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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December 16, 2010

RTD12/10-395932

Mr. Leslie T. Rogers
Regional Administrator
Federal Transit Administration
U.S. Department of Transportation
201 Mission Street, Suite 1650
San Francisco, California 94105-1839

Attention: Mr. Ted Matley

Dear Mr. Rogers:

Subject: Honolulu High-Capacity Transit Corridor Project

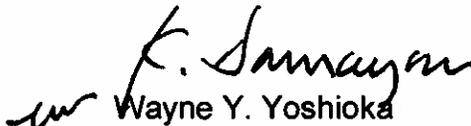
This is a follow-up to our December 8, 2010, letter that informed you that the contractor for the West Oahu/Farrington Highway (WOFH) Guideway Project, Kiewit Infrastructure West Company (KIWC), plans to pursue an existing casting yard to fabricate the pre-cast guideway elements.

The precast yard that has been determined to be used is GPRM Prestress, located at 91-063 Malakole Street, Kapolei, Hawaii. This approximately 20-acre site is in Campbell Industrial Park.

All contractors, in addition to KIWC, are to use this site to pre-cast the guideway elements.

Should you have any questions regarding this matter, please contact Mr. Toru Hamayasu at (808) 768-8344.

Very truly yours,


Wayne Y. Yoshioka
Acting Director

cc: Ms. Elizabeth Zelasko – FTA HQ
(via E-mail)