



United States Department of the Interior

FISH AND WILDLIFE SERVICE
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In Reply Refer To:

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Project Code: 2022-0083216

Project Name: EIS for Retention of State Lands (PTA)

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened and endangered species, as well as designated critical habitat that may occur within the boundary of your proposed project and that may be affected by project related actions. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Please contact the Service's Pacific Islands Fish and Wildlife Office (PIFWO) at 808-792-9400 if you have any questions regarding your IPaC species list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may adversely affect threatened and endangered species and/or designated critical habitat.

Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a Biological

Evaluation, similar to a Biological Assessment, be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment or Biological Evaluation are described at 50 CFR 402.12.

Due to the significant number of listed species found on each island within PIFWO's regulatory jurisdiction, and the difficulty in accurately mapping ranges for species that we have limited information about, your species list may include more species than if you obtained the list directly from a Service biologist. We recommend you use the species links in IPaC to view the life history, habitat descriptions, and recommended avoidance and minimization measures to assist with your initial determination of whether the species or its habitat may occur within your project area. If appropriate habitat is present for a listed species, we recommend surveys be conducted to determine whether the species is also present. If no surveys are conducted, we err on the side of the species, by regulation, and assume the habitat is occupied. Updated avoidance and minimization measures for plants and animals, best management practices for work in or near aquatic environments, and invasive species biosecurity protocols can be found on the PIFWO website at: <https://www.fws.gov/office/pacific-islands-fish-and-wildlife/library>.

If a Federal agency determines, based on the Biological Assessment or Biological Evaluation, that a listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <http://www.fws.gov/endangered/esa-library/index>.

Non-federal entities can also use the IPaC generated species list to develop Habitat Conservation Plans (HCP) in accordance with section 10(a)(1)(B) of the Act. We recommend HCP applicants coordinate with the Service early during the HCP development process. For additional information on HCPs, the Habitat Conservation Planning handbook can be found at <https://www.fws.gov/sites/default/files/documents/habitat-conservation-planning-handbook-entire.pdf>.

Please be aware that wind energy projects should follow the Service's wind energy guidelines (<http://www.fws.gov/windenergy>) for minimizing impacts to migratory birds. Listed birds and the Hawaiian hoary bat may also be affected by wind energy development and we recommend development of a Habitat Conservation Plan for those species, as described above. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at:

- <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers>
- <http://www.towerkill.com>
- <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation actions that benefit threatened and endangered species into their project planning to further the purposes of the Act in accordance with section 7(a)(1). Please include the Consultation Tracking Number associated with your IPaC species list in any

request for consultation or correspondence about your project that you submit to our office. Please feel free to contact us at PIFWO_admin@fws.gov or 808-792-9400 if you need more current information or assistance regarding the potential impacts to federally listed species and federally designated critical habitat.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Pacific Islands Fish And Wildlife Office
300 Ala Moana Boulevard, Box 50088
Honolulu, HI 96850-5000
(808) 792-9400

PROJECT SUMMARY

Project Code: 2022-0083216

Project Name: EIS for Retention of State Lands (PTA)

Project Type: Acquisition of Lands

Project Description: The proposed action is to retain up to approximately 23,000 acres of State-owned land at PTA. This EIS is a land retention, not a training-related, EIS.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@19.74223835,-155.67005236595003,14z>



Counties: Hawaii County, Hawaii

ENDANGERED SPECIES ACT SPECIES

There is a total of 34 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

| NAME | STATUS |
|---|------------|
| <p>Hawaiian Hoary Bat <i>Lasiurus cinereus semotus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/770</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6477.pdf</p> | Endangered |

BIRDS

| NAME | STATUS |
|---|------------|
| <p>Band-rumped Storm-petrel <i>Hydrobates castro</i></p> <p>Population: USA (HI)</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1226</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6939.pdf</p> | Endangered |
| <p>Hawaiian Coot (alae Ke`oke`o) <i>Fulica alai</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7233</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6934.pdf</p> | Endangered |
| <p>Hawaiian Duck <i>Anas wyvilliana</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/7712</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6934.pdf</p> | Endangered |
| <p>Hawaiian Goose <i>Branta (=Nesochen) sandvicensis</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/1627</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6925.pdf</p> | Threatened |
| <p>Hawaiian Petrel <i>Pterodroma sandwichensis</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6746</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6939.pdf</p> | Endangered |
| <p>Hawaiian Stilt <i>Himantopus mexicanus knudseni</i></p> <p>No critical habitat has been designated for this species.</p> | Endangered |

| NAME | STATUS |
|---|------------|
| <p>Species profile: https://ecos.fws.gov/ecp/species/2082</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6934.pdf</p> | |
| <p>Newell's Shearwater <i>Puffinus newelli</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/2048</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6939.pdf</p> | Threatened |
| <p>Palila (honeycreeper) <i>Loxioides bailleui</i></p> <p>There is final critical habitat for this species. Your location overlaps the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/6583</p> <p>General project design guidelines: https://ipac.ecosphere.fws.gov/project/KM27EFUSJRHR5DMD2XRFKATZCU/documents/generated/6938.pdf</p> | Endangered |

REPTILES

| NAME | STATUS |
|--|------------|
| <p>Hawksbill Sea Turtle <i>Eretmochelys imbricata</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/3656</p> | Endangered |

FLOWERING PLANTS

| NAME | STATUS |
|---|------------|
| <p>`ahinahina <i>Argyroxiphium sandwicense ssp. sandwicense</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/262</p> | Endangered |
| <p>`anunu <i>Sicyos macrophyllus</i></p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/2768</p> | Endangered |
| <p>A`e <i>Zanthoxylum hawaiiense</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4645</p> | Endangered |
| <p>Festuca hawaiiensis</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/4726</p> | Endangered |
| <p>Heau <i>Exocarpos menziesii</i></p> <p>Population:</p> <p>No critical habitat has been designated for this species.</p> <p>Species profile: https://ecos.fws.gov/ecp/species/9607</p> | Endangered |
| <p>Holei <i>Ochrosia haleakalae</i></p> | Endangered |

| NAME | STATUS |
|--|------------|
| No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/884 | |
| Holei <i>Ochrosia kilaueaensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5248 | Endangered |
| Honohono <i>Haplostachys haplostachya</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5815 | Endangered |
| Ihi <i>Portulaca villosa</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4886 | Endangered |
| Kio`ele <i>Kadua coriacea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5504 | Endangered |
| Kuahiwi Laukahi <i>Plantago hawaiiensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3749 | Endangered |
| Ma`oli`oli <i>Schiedea hawaiiensis</i> There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2509 | Endangered |
| Makou <i>Ranunculus hawaiiensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4033 | Endangered |
| Neraudia ovata There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3669 | Endangered |
| Po`e <i>Portulaca sclerocarpa</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1719 | Endangered |
| Popolo Ku Mai <i>Solanum incompletum</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3199 | Endangered |
| Sanicula sandwicensis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5580 | Endangered |
| Silene hawaiiensis There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4189 | Threatened |
| Silene lanceolata There is final critical habitat for this species. Your location does not overlap the critical habitat. | Endangered |

| NAME | STATUS |
|---|------------|
| Species profile: https://ecos.fws.gov/ecp/species/5746 | |
| Spermolepis hawaiiensis There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1670 | Endangered |
| Stenogyne angustifolia var. angustifolia No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1591 | Endangered |
| Tetramolopium arenarium There is proposed critical habitat for this species. Species profile: https://ecos.fws.gov/ecp/species/1655 | Endangered |

FERNS AND ALLIES

| NAME | STATUS |
|--|------------|
| Asplenium peruvianum var. insulare There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4357 | Endangered |
| Microlepia strigosa var. mauiensis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4737 | Endangered |

CRITICAL HABITATS

There are 2 critical habitats wholly or partially within your project area under this office's jurisdiction.

| NAME | STATUS |
|--|--------|
| Ma`oli`oli <i>Schiedea hawaiiensis</i> https://ecos.fws.gov/ecp/species/2509#crithab | Final |
| Palila (honeycreeper) <i>Loxioides bailleui</i> https://ecos.fws.gov/ecp/species/6583#crithab | Final |

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) 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 OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO BALD AND GOLDEN EAGLES WITHIN THE VICINITY OF YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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

| NAME | BREEDING SEASON |
|--|------------------------|
| 'apapane <i>Himatione sanguinea</i> This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands. https://ecos.fws.gov/ecp/species/9659 | Breeds Dec 1 to Jul 31 |

| NAME | BREEDING SEASON |
|--|-------------------------|
| 'oma'o <i>Myadestes obscurus</i> This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands. https://ecos.fws.gov/ecp/species/9662 | Breeds Feb 20 to Oct 31 |
| Hawai'i 'amakihi <i>Chlorodrepanis virens</i> This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands. https://ecos.fws.gov/ecp/species/9655 | Breeds Nov 15 to Aug 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 "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

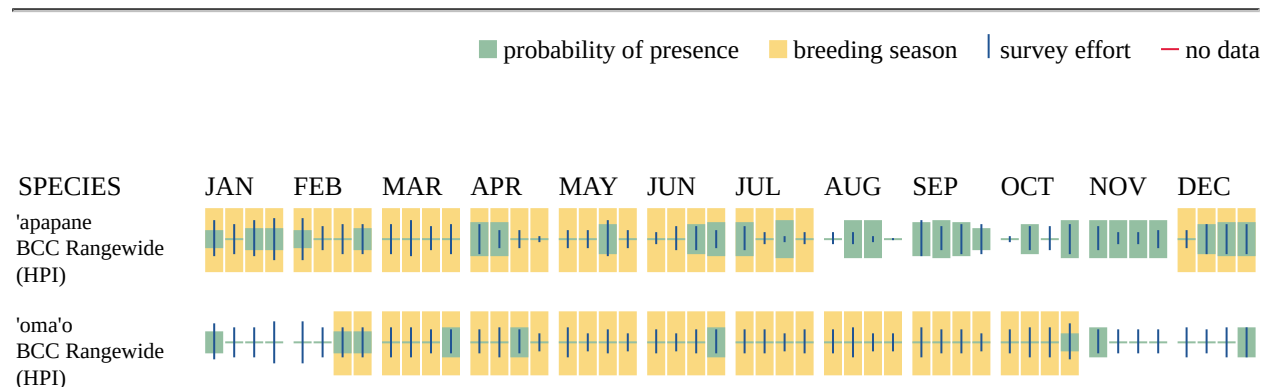
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (I)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



Hawai'i 'amakihi
BCC Rangewide
(HPI)



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) 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.S. Army Corps of Engineers District](#).

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.

FRESHWATER POND

- PUBHh

RIVERINE

- R4SBC

IPAC USER CONTACT INFORMATION

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LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army