



May 26, 2023

Subject: Pre-Assessment Consultation
Proposed Tank Replacement Project
Wailapa Road, Halele‘a District, Kīlauea, Kaua‘i, Hawai‘i 96754
Tax Map Key (4) 5-1-005:131

Dear Recipient,

The County of Kaua‘i, Department of Water (DOW) has initiated the process to update the Chapter 343, Hawai‘i Revised Statutes (HRS), Environmental Assessment (EA) for system improvements in the Kīlauea-Waipake-Kalihiwai service area. An EA was previously completed, October 6, 2012. The project site is identified as TMK No. 5-1-005:131. At that site, DOW is proposing to replace an existing 0.1-million-gallon (MG) water storage tank with a 1.0 MG tank. See Attachment 1 for the project location map. Planning Solutions, Inc. (PSI) is a consultant for project planning, including the preparation of the EA.

Providing safe, high-quality potable water involves constant planning to ensure continuous, reliable, and affordable water to residences and businesses on Kaua‘i. The purpose of this project is to improve long-term stability and reliability within the Kīlauea-Waipake-Kalihiwai service area and allow for cost-effective operation and maintenance. The proposed project addresses current and forecast increases in water use in the Kīlauea-Waipake-Kalihiwai service area.

DOW currently utilizes the subject site for a 0.1 MG concrete water storage tank and related infrastructure, which is connected to the water system via a 12-inch diameter water main. This site is in the State’s and County’s Agricultural District/Zone, off Wailapa Road, in the Pu‘u Pane subdivision, at an elevation of approximately 450 feet above sea level (Attachment 2). Although the site is only 0.525 acres, it is big enough to host the proposed 1.0 MG tank (Attachment 3). Because the project will utilize County of Kaua‘i and Federal funds and County of Kaua‘i land, it is subject to the requirements of HRS, Chapter 343 and its implementing regulations contained in Hawai‘i Administrative Rules, Title 11, Chapter 200.1 as well as the requirements of the National Environmental Policy Act. It is anticipated that several permits and approvals will be required, including a Class IV Zoning Permit.

The EA will document potential environmental impacts associated with alternative(s) selected for further consideration. The no action alternative will be included as a baseline for comparison. We are seeking your input on the following topics:

- The range and content of the alternatives that should be considered.
- The nature and scope of the analyses to be included in the Draft EA.
- Information regarding resources, uses, or activities present in the region and information regarding other projects in the region.

- Potential environmental impacts associated with the proposed project, and measures to avoid, minimize, or mitigate those potential impacts.

Please provide your written comments within 30 days of the date of this letter. Comments should be sent via regular or electronic mail to:

Mākena White, Senior Planner
Planning Solutions, Inc.
711 Kapi‘olani Boulevard, Suite 950
Honolulu, HI 96813
makena@psi-hi.com

Thank you for participating in the planning process for this proposal. If you have any questions or need clarification regarding the proposal, please contact me at makena@psi-hi.com or (808) 550-4538.

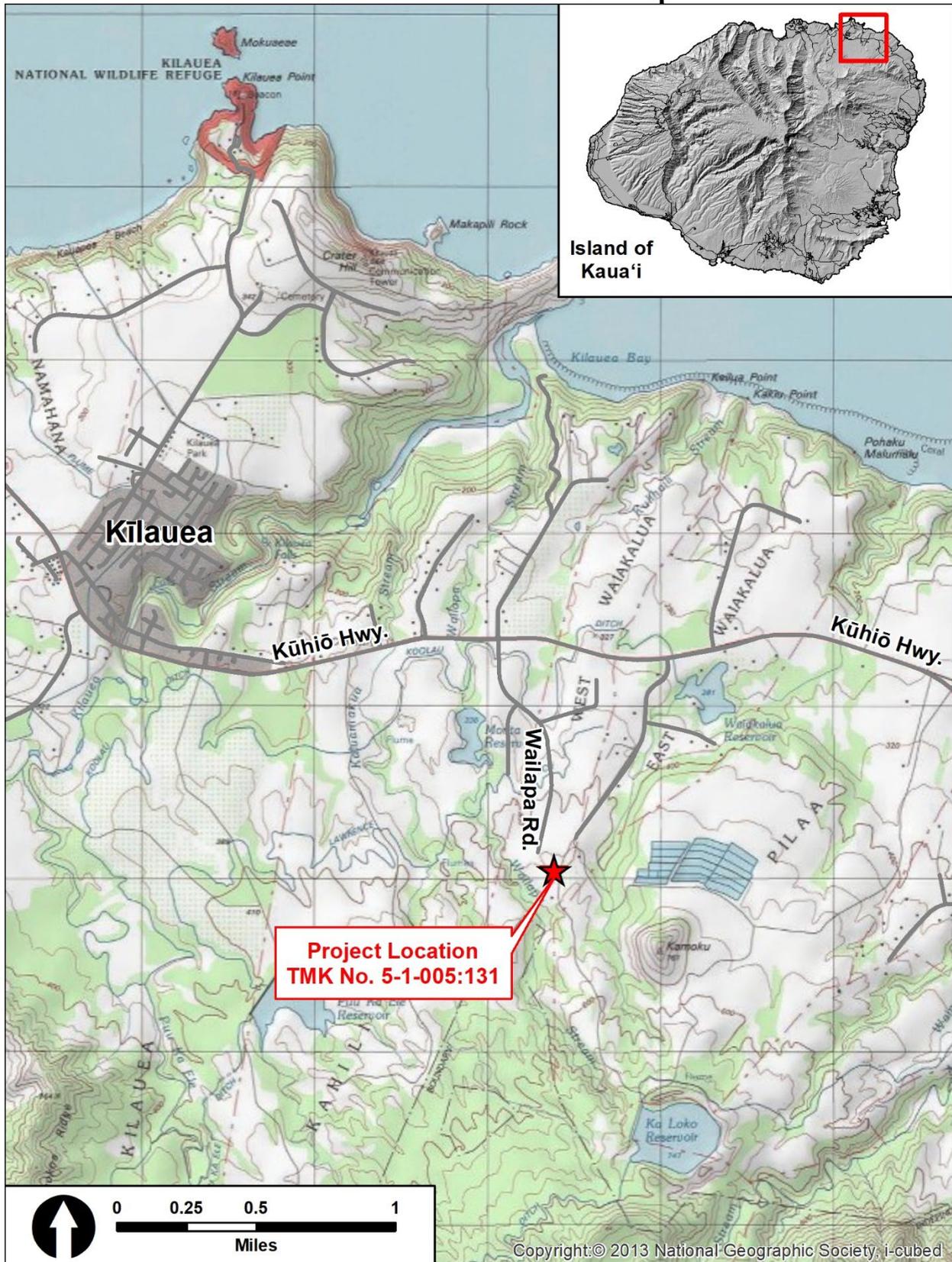
Sincerely,

A handwritten signature in blue ink that reads "Makena".

Mākena White, AICP
Senior Planner

Attachments

Attachment 1. Location Map



Attachment 2. Vicinity Map



Attachment 3. Site Plan



Source: Google Earth and Kodani & Associates Engineers



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:
2023-0090036-S7-001

June 6, 2023

Mr. Mākena White
Planning Solutions, Inc.
711 Kapi'olani Blvd., Suite 950
Honolulu, Hawai'i 96813

Subject: Technical Assistance for the Proposed Kīlauea Tank Replacement Project on Wailapa Road, Kaua'i

Dear Mr. White:

Thank you for your May 26, 2023 letter, requesting technical assistance for the proposed Kīlauea Tank Replacement Project on Wailapa Road, located on the island of Kaua'i [TMK (4) 5-1-005:131]. The County of Kaua'i, Department of Water (DOW), proposes to replace an existing 0.1 million gallon (MG) water storage tank with a 1.0 MG tank.

DOW currently utilizes the subject site for a 0.1 MG concrete water storage tank and related infrastructure, which is connected to the water system via a 12-inch diameter water main. This site is in the State's and County's Agricultural District/Zone, off Wailapa Road, in the Pu'u Pane subdivision, at an elevation of approximately 450 feet above sea level. Although the site is only 0.525 acres, it is big enough to host the proposed 1.0 MG tank. The project will utilize County of Kaua'i and federal funds and County of Kaua'i land. The purpose of this project is to improve long-term stability and reliability within the Kīlauea-Waipake-Kalihiwai service area and allow for cost-effective operation and maintenance. The proposed project addresses current and forecast increases in water use in the Kīlauea-Waipake-Kalihiwai service area.

Our letter has been prepared under the authority of and in accordance with provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (ESA). We have reviewed the information you provided and pertinent information in our files, as it pertains to federally listed species in accordance with section 7 of the ESA. Our data indicate the following species may occur or transit through the vicinity of the proposed project area: the endangered 'ōpe'ape'a (Hawaiian hoary bat, *Lasiurus cinereus semotus*); endangered 'ua'u (Hawaiian petrel, *Pterodroma sandwichensis*), endangered Hawai'i distinct population segment (DPS) of the 'akē'akē (band-rumped storm-petrel, *Hydrobates castro*), threatened 'a'o (Newell's shearwater,

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*PARTIAL

Puffinus newelli) (hereafter collectively referred to as Hawaiian seabirds); and the threatened nēnē (Hawaiian goose, *Branta sandvicensis*). We provide the following to assist you in preparation of your project.

‘Ōpe‘ape‘a

‘Ōpe‘ape‘a roost 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 ‘ōpe‘ape‘a could inadvertently be harmed or killed since they are too young to fly or may not move away. ‘Ōpe‘ape‘a 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 ‘ōpe‘ape‘a we recommend you incorporate the following applicable measures into your project:

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

Hawaiian Seabirds

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 Hawaiian seabirds we recommend you incorporate the following applicable measures into your project:

- 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).

Nēnē

Nēnē are found on the islands of Hawai‘i, Maui, Moloka‘i, and Kaua‘i. They are observed in a variety of habitats, but prefer open areas, such as pastures, golf courses, wetlands, natural grasslands and shrublands, and lava flows. Threats to the species include introduced mammalian and avian predators, wind facilities, and vehicle strikes.

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

- Do not approach, feed, or disturb nēnē.

- If nēnē are observed loafing or foraging within the project area during the breeding season (September through April), have a biologist familiar with nēnē nesting behavior survey for nests in and around the project area prior to the resumption of any work. Repeat surveys after any subsequent delay of work of 3 or more days (during which the birds may attempt to nest).
- Cease all work immediately and contact the Service for further guidance if a nest is discovered within a radius of 150 feet of proposed project, or a previously undiscovered nest is found within the 150-foot radius after work begins.
- In areas where nēnē are known to be present, post and implement reduced speed limits, and inform project personnel and contractors about the presence of endangered species on-site.

A 4(d) rule was established at the time the nēnē was downlisted to threatened status. Under the 4(d) rule, the following actions are not prohibited under the Act, provided the additional measures described in the downlisting rule are adhered to:

- Take by landowners, or their agents, conducting intentional harassment in the form of hazing or other deterrent measures not likely to cause direct injury or mortality, or nēnē surveys.
- Take that is incidental to conducting lawful control of introduced predators or habitat management activities of nēnē.
- Take by authorized law enforcement officers for the purpose of aiding or euthanizing sick, injured, or orphaned nēnē; disposing of dead specimens; and salvaging a dead specimen that may be used for scientific study.

We appreciate your efforts to conserve protected species. If you have questions regarding this response, please contact Charmian Dang, Fish and Wildlife Biologist (phone: 808-792-9400, email: Charmian_Dang@fws.gov). When referring to this project, please include reference number: 2023-0090036-S7-001.

Sincerely,

Acting Island Team Manager
O‘ahu, Kaua‘i, Northwest Hawaiian Islands and
American Samoa