

APPENDICES

**At the time of consultation and document preparation, the proposed temporary group site was being identified by the name "Leiali'i". The site's name was changed at a later date from Leiali'i to Fleming Road Group Site, to prevent confusion with regard to the proposed Leiali'i Village development. All references to the "Leiali'i" group site in these appendices are synonymous with the name included in the title of this Environmental Assessment, "Fleming Road Group Site".*

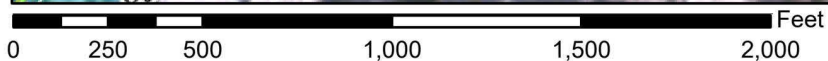
Appendix A.

Flood Insurance Rate Map

National Flood Hazard Layer FIRMette



156°41'9"W 20°53'43"N



1:6,000

156°40'32"W 20°53'9"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		8 Coastal Transect
		9.12 Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/21/2024 at 12:48 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Appendix B.

USFWS National Wetland Inventory Map



February 21, 2024

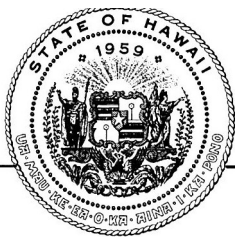
Wetlands

- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Appendix C.

Coastal Zone Management Program Letter



**STATE OF HAWAI‘I
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
INTERIM DIRECTOR

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DTS202402121434ME

Coastal Zone
Management
Program

February 20, 2024

Environmental Review
Program

Ms. Chelsea Klein
Lead Environmental Advisor
U.S. Department of Homeland Security
Federal Emergency Management Agency
Region IX
1111 Broadway, Suite 1200
Oakland, CA 94607-4052

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented
Development

Dear Ms. Klein:

Statewide Geographic
Information System

**Subject: Coastal Zone Management Act Federal Consistency Negative
Determination for the Proposed Alternate Transportable
Temporary Housing at Leiali‘i, Lahaina, Island of Maui**

Statewide
Sustainability Branch

The Hawai‘i Coastal Zone Management (CZM) Program acknowledges receipt on February 14, 2024, of the Federal Emergency Management Agency (FEMA) Coastal Zone Management Act federal consistency negative determination for the proposed Alternate Transportable Temporary Housing at Leiali‘i, Lahaina, Island of Maui.

This Hawai‘i CZM Program acknowledgment of receipt does not represent an endorsement of the proposed federal agency activity, nor does it convey approval with any regulations administered to any State of Hawai‘i or county agency. If you have any questions, please contact Debra Mendes or our CZM Program at Debra.L.Mendes@hawaii.gov.

Mahalo,

Mary Alice Evans
Interim Director

c: Cecil Cox, AOCE (via email)

Appendix D.

USFWS PIFWO Invasive Species Biosecurity Protocols

INVASIVE SPECIES BIOSECURITY PROTOCOL

The invasive species biosecurity protocols are applicable to the Proposed Action, they were drawn from the USFWS updated Invasive Species Biosecurity Protocols, dated April 2022. Where noted, and to improve clarity, these invasive species biosecurity protocols have been modified to eliminate elements that are not applicable to this project.

Invasive Species Biosecurity Protocol

1. Cleaning and treatment: Project applicants should assume that all project materials (i.e., construction materials, or aggregate such as dirt, sand, gravel, etc.), vehicles, machinery, and equipment contain dirt and mud, debris, plant seeds, and other invasive species, and therefore require thorough cleaning. Treatment for specific pests, for example, trapping and poison baiting for rodents, or baiting and fumigation for insects, should be considered when applicable. For effective cleaning we offer the following recommendations prior to entry into a project site:
 - a. Project materials, vehicles, machinery, and equipment must be pressure washed thoroughly (preferably with hot water) in a designated cleaning area.
 - a. Project materials, vehicles, machinery, and equipment should be visibly free of mud/dirt (excluding aggregate), seeds, plant debris, insects, spiders, frogs (including frog eggs), other vertebrate species (e.g., rodents, mongoose, feral cats, reptiles, etc.), and rubbish. Areas of particular concern include bumpers, grills, hood compartments, wheel wells, undercarriage, cabs, and truck beds. Truck beds with accumulated material are prime sites for hitchhiking invasive species.
 - b. The interior and exterior of vehicles, machinery, and equipment must be free of rubbish and food, which can attract pests (i.e., rodents and insects). The interiors of vehicles and the cabs of machinery should be vacuumed clean particularly for any plant material or seeds.
2. Inspection:
 - a. Following cleaning and/or treatment, project materials, vehicles, machinery, and equipment, must be visually inspected by its user, and be free of mud/dirt (excluding aggregate), debris, and invasive species prior to entry into a project site. For example, careful visual inspection of a vehicle's tires and undercarriage is recommended for any remaining mud that could contain invasive plant seeds.
 - b. Any project materials, vehicles, machinery, or equipment found to contain invasive species (e.g., plant seeds, invertebrates, rodents, mongoose, cats, reptiles, etc.) must not enter the project site until those invasive species are properly removed/treated.
3. For all project site personnel:
 - a. Prior to entry into the project site, visually inspect and clean your clothes, boots or other footwear, backpack, radio harness, tools and other personal gear and equipment for insects, seeds, soil, plant parts, or other debris. We recommend the use of a cleaning brush with sturdy bristles. Seeds found on clothing, footwear, backpacks, etc., should be placed in a secure bag or similar container and discarded in the trash rather than being dropped to ground at the project site or elsewhere.
4. Additional considerations:
 - a. Consider implementing a Hazard Analysis and Critical Control Point (HACCP) plan (<https://www.fws.gov/policy/A1750fw1.html>) to improve project planning around reducing the risk of introducing or spreading invasive species.
 - b. When applicable, use pest-free or low-risk sources of plants, mulch, wood, animal feed or other materials to be transported to a project site.
 - c. Avoid unnecessary exposure to invasive species at a particular site (to the extent practical) to reduce contamination and spread. For example, if your project involves people or equipment moving between multiple locations, plan and organize timelines so that work is

completed in native habitat prior to working in a disturbed location to reduce the likelihood of introducing a pest into the native habitat. e. Maintain good communication about invasive species risks between project managers and personnel working on the project site (e.g., conduct briefings and training about invasive species). Ensure prevention measures are communicated to the entire project team. Also consider adding language on biosecurity into contracts or permitting mechanisms to provide clarity to all involved in the project. Report any species of concern or possible introduction of invasive species to appropriate land managers.

Species Specific Biosecurity Protocol: Little Fire Ants (LFA)

1. For projects involving plants from nurseries (e.g., outplanting activities, etc.), all plants should be inspected for little fire ants and other pests prior to being transported to the project site. If plants are found to be infested by ants of any species, plants should be sourced from an alternative nursery and the infested nursery should follow treatment protocols recommended by the Hawai'i Ant Lab (<https://littlefireants.com/wpcontent/uploads/2020-Management-of-Pest-Ants-in-Nurseries-min.pdf>).
2. All work vehicles, machinery, and equipment should follow steps 1 and 2 in the "Invasive Species Biosecurity Protocol" for (1) cleaning and treatment and (2) inspection for invasive ants prior to entering a project site.
3. Any machinery, vehicles, equipment, or other supplies found to be infested with ants (or other invasive species) must not enter the project site until it is properly treated (<https://littlefireants.com/how-to-treat-for-little-fire-ants-forhomeowners/#recommended-bait-products>) and re-tested. Infested vehicles must be treated following recommendations by the Hawai'i Ant Lab (<https://littlefireants.com/resource-center/>) or another ant control expert and in accordance with all State and Federal laws. Treatment is the responsibility of the equipment or vehicle owner. Ultimately however, it is the responsibility of the action agency to ensure that all project materials, vehicles, machinery, and equipment follow the appropriate protocol(s).
4. General Vehicle Ant Hygiene: Even the cleanest vehicle can pick up and spread little fire ant. Place MaxForce Complete Brand Granular Insect Bait (1.0 percent Hydramethylnon; https://labelsds.com/images/user_uploads/Maxforce%20Complete%20Label%201-5-18.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 the vehicle and note that 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 bait station does not have a sticker to identify the contents, apply a sticker listing contents to the station.
5. Gravel, building materials, or other equipment such as portable buildings should be baited using MaxForce Complete Brand Granular Insect Bait (1.0 percent Hydramethylnon; https://labelsds.com/images/user_uploads/Maxforce%20Complete%20Label%201-5-18.pdf) or AmdroPro (0.73 percent Hydramethylnon; <https://connpest.com/labels/AMDROPRO.pdf>) following label guidance.
6. Storage areas that hold field tools, especially tents, tarps, and clothing should be baited using MaxForce Complete Brand Granular Insect Bait (1.0 percent Hydramethylnon; https://labelsds.com/images/user_uploads/Maxforce%20Complete%20Label%201-5-18.pdf) or AmdroPro (0.73 percent Hydramethylnon; <https://connpest.com/labels/AMDROPRO.pdf>) following label guidance.
7. Vehicles that have entered a project site known or thought to overlap with areas infested with LFA should subsequently be tested for LFA with baiting in accordance with protocol recommended by the Hawai'i Ant Lab (<https://littlefireants.com/survey-yourhome-for-lfa/>).
8. If LFA are detected, please report it to 808-643-PEST (Hawai'i). Please visit <https://littlefireants.com/identificationof-little-fire-ants/> for assistance in identifying LFA.

Appendix E.

USFWS PIFWO Programmatic Informal Consultation SLOPES Form

The following documents have been provided elsewhere in the Appendices document and have not been duplicated as a part of the SLOPES Form Appendix.

- Appendix D: Invasive Species Biosecurity Protocols
- Appendix F: General Best Management Practices and Species Specific Minimization Measures



FEMA



SLOPES Internal Documentation Form

FEMA Project No. (DR and PW number, GM number or HMGP grant number)	FEMA Individuals and Households Program Direct Housing Assistance Alternative Transportable Temporary Housing Units IA-DR-4724-HI-Leialii Group Site
Project Name	Leialii Group Housing Site
Subject	FEMA Internal Documentation
FEMA EHP Reviewer	Kelley Liang
Date	February 22, 2024

FEMA Administered Federal Action

FEMA Initiated Direct Federal Action

This form documents informal consultations under the Standard Local Operating Procedures for Endangered Species (SLOPES) in the Hawaiian and Pacific Islands. The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) has initially determined that the proposed action outlined below is not likely to adversely affect (NLAA) the covered endangered or threatened species under the Endangered Species Act (ESA) and U.S. Fish and Wildlife Service (USFWS) Pacific Island Fish and Wildlife Office (PIFWO) jurisdiction or adversely modify designated critical habitat listed below. FEMA or the FEMA Subrecipient will be required to comply with the SLOPES general conditions, special conditions, species-specific and activity-specific best management practices (BMPs) to avoid effects to threatened and/or endangered species covered under this programmatic consultation.

Project Information	Details
Subrecipient Name	<input checked="" type="checkbox"/> NA (Direct Action)
Project Location (street address, island, city, county, TMK etc.)	East of Fleming Rd, Lahaina, Hawai'i 96791, Island of Maui, Maui County, TMK 45021021
Project Center	Latitude: 20.892807, Longitude: -156.680137
Project Waterway (if applicable)	N/A

FEMA Project Reviewer¹

Reviewer Name	Hayley Hanta
Reviewer Phone No.	202-826-5698
Reviewer Email	Hayley.Hanta@fema.dhs.gov

¹The contact should be a long-term FEMA Region IX point of contact (i.e., not a National Cadre or other potentially short-term project manager).

Instructions: On the following pages provide justification, description of the environment to be impacted, additional BMPs, special conditions and/or avoidance and minimization measures FEMA or the Subrecipient has proposed in order to comply with the SLOPES programmatic consultation between FEMA Region IX and USFWS PIFWO to ensure the proposed project is **not likely to adversely affect endangered or threatened species** covered under the consultation or to destroy or adversely modify critical habitat.

Type of Project Action(s)

Check all project type(s) that apply.

Non-Emergency Debris Removal

- Debris removal

Constructing, Modifying, or Relocating Facilities

- Upgrading or modifying facilities
- Providing temporary facilities
- Acquiring and demolishing existing facilities
- Repairing, realigning, or otherwise modifying roads, trails, utilities, and rail lines
- Reconstructing new facilities or relocating existing facilities
- Relocating the function of an existing facility
- Survey activities

- Intake and outfall structures
- Developing demonstration projects

Watercourses and Coastal Features

- Repairing, Stabilizing or Armoring Embankments
- Creating, Widening, Clearing, or Dredging a Waterway
- Reconstructing a Water Crossing
- Reconstructing Other Flood-Control Structures or Repairing a Water Detention, Retention, Storage, or Conveyance Facility
- Reconstructing a Coastal Feature

Project Description: Provide a detailed narrative of the project that clearly describes the scope of work at a sufficient level of detail to support all analysis needed for compliance with the ESA.

Please explain construction methods here (e.g., equipment to be used, access routes, construction work areas, construction staging areas, pile driving methods and materials, etc.)

Scope of Work:

Group Housing Sites will involve the lease of land and the installation of ATTHUs, including construction of individual ATTHU pads; ingress, egress, and circulation roads; any necessary upgrades for individual ATTHUs to comply with the Americans with Disabilities Act; parking lots; facility lighting; water, sanitation, and electrical utilities; and a perimeter privacy fence. The sites could include appurtenant support features such as school bus shelters and mailbox units. Development of the sites will require several steps including surveying; clearing; stripping; grading; utility and access road design and installation; and surface storm water and erosion control.

In collaboration with Maui County and the State, FEMA will purchase and place ATTHUs on the Group Sites; options are currently being evaluated to select culturally sensitive options to best meet the specific needs of the community. FEMA would operate and maintain the Group Sites during the term of occupancy. When the temporary housing need ends, FEMA expects the ATTHUs would be removed from the site. The location has already been planned for future development, and infrastructure would be temporary.

Use of the group site locations would require grading and leveling for the installation of roads and individual gravel site pads, and to shed storm water to appropriate locations to support approximately 130 ATTHUs per location. Excavation for the installation of subsurface water, sanitation, and electric utilities would be required for each individual ATTHU and would extend as required to connect to existing utility tie-ins at the adjacent roads.

Utilities exist within the existing right of ways adjacent to the project sites and would be extended to the project site to provide service to the proposed ATTHUs; infrastructure at each location will be established to support long term development goals to the extent practicable.

Debris generated during construction would be removed to an existing, licensed landfill. Unusable equipment, debris and material will be disposed of prior to occupancy in an approved manner and location. In

the event significant items (or evidence thereof) are discovered during implementation of the project including but not limited to; petroleum products, hazardous materials, and toxic waste will be handled, managed, and disposed of in accordance with the requirements and to the satisfaction of the governing local, state, and federal agencies.

Appropriate Best Management Practices (BMPs) will be implemented during site development to minimize sediment migration from the site into nearby water bodies. Surface runoff will be controlled by using siltation controls such as silt fencing around the construction site to minimize erosion of materials into adjacent wetlands and/or waterways. Any disturbed soil will be protected with seed or sod after construction in order to decrease the amount of soil eroded by rainfall and runoff. Any fill stored on site will be appropriately covered to prevent erosion. If the project results in a discharge to waters of the State, a National Pollution Elimination System (NPDES) permit may be required in accordance with the Section 401 of the CWA. Construction work would be done in conformance with the applicable provisions of the HAR Chapter 11-54 (Water Quality Standards) and Chapter 11-55 (Water Pollution Control), the erosion and sedimentation control standards and the Maui Department of Public Works guidelines.

The exact depth of excavation and grading at the sites is unknown but would at a minimum be to the least extent necessary to facilitate construction and to comply with building code requirements. While the ATTHUs unit would likely be removed once more permanent housing solutions are found for displaced individuals and families, site improvements such as underground utilities, gravel and concrete pads, the perimeter fence, and access and circulation roads may remain.

Describe the construction and project equipment:

FEMA anticipates needing the following construction equipment for the duration of the main construction period: excavators, bulldozers, hydraulic impact hammers, backhoes, loaders, graders, dump trucks, compactors/rollers, an asphalt paver, rock crushers, rock haulers, and water trucks.

Describe the access routes:

Access roads for ingress and egress to and from the site and circulation roads to allow access to each individual unit would be constructed, and gravel pads for parking and trash, concrete parking pads for units with residents requiring upgrades to meet ADA compliance requirements, site lighting, and a perimeter privacy fence would be installed. Fleming Road would be extended, a temporary road will be built, and temporary access routes would be constructed from the Fleming Rd extension to the site.

Describe the staging areas:

Equipment staging would be limited to within the site boundary and would not extend to any undisturbed ground that may be adjacent to each proposed site.

Description of the Action Area: Briefly describe the Action Area in a few sentences including the size of the Action Area (acres, square feet, etc.) and explain the buffer or distance from the project footprint used to define the Action Area.

The project Action Areas (AAs) consists of approximately 36 acres (See Figure 2 in attachment A). The site is adjacent to a densely populated urban area of Lahaina. In addition, it is located within the burn scar, the site and surrounding areas was heavily impacted by the 2023 Maui Wildfire. A noise buffer was not applied as there are currently elevated noise from debris removal activities in the immediate vicinity.

Briefly describe the project footprint, and include the size of the project footprint (acres, square feet, etc.):

The project footprints consist of approximately 36 acres of a 365-acre parcel. The action area is an empty fallow field that was burned during the wildfire. Access to the site will be from Fleming Road

that connects to the northwest portion of the site. Fleming Road has an existing stop light system on Honoapiilani Highway. Additionally, construction access may be obtained by an existing roadway that runs parallel to the western side of the property and connects to Keawe Street.

Describe general vegetation types and environmental surroundings, aquatic habitats, slope, ambient noise levels and any sensitive biological resources in the Action Area:

The project Action Area totals approximately 36 acres and had been historically used for agriculture including cultivation of sugar cane. This site is generally flat with elevations ranging from approximately 100 to 130 feet above MSL, sloping westerly and towards the ocean. No vegetation remains on site, this area was completely burned during the August 2023 Maui Wildfires. Currently the site consists of dirt with sparsely populated barren burnt shrubbery (See attached photos in attachment B).

The general area was evaluated through aerial imagery available through Maxar post wildfire as of August 2023 and Google aerial imagery as of November 2023, other public and project information, and Botanical and Faunal Surveys. A review of the National Wetlands Inventory indicated there are no wetlands or waterbodies are present within the project Action Area. The Pacific Ocean is within 0.25 miles of the site.

The site had two surveys (See Attachment E) completed for the Final Environmental Impact statement for development of the property (Villages of Leialii FEIS). A walk-through botanical survey was conducted in April 2008 by two botanists. A walk-through survey for fauna was completed April of 2008. The surveys recorded common-non-native species of no particular concern, the habitat was unsuitable for Hawaii's native waterbirds or seabirds, no native land birds were observed, the Hoary bat was not observed on the property during the survey (Whistler 2008). Both surveys revealed no federally listed Threatened or Endangered species at the time, nor any proposed candidates on the site. It is not expected that the construction or operation of the proposed Villages of Leialii Housing Project will result in deleterious impacts to native avian or mammalian resources present with the general project area.

Are there any waterbodies located within or near the Action Area? (If yes, please provide additional details)

YES NO

The National Wetlands Inventory mapper did not reveal any waterbodies within the Action Area. The Pacific ocean is approximately 0.25 miles west of the site. Project work would be completed entirely within the action area, and applicable BMPs will be implemented to prevent erosion and sedimentation. Seabird and Sea turtle AMMs will be implemented for lighting due to the potential for night work.

If yes, will there be any in-water work? (If yes, provide additional details)

YES NO

Proposed Project Schedule and Duration: Please provide start and end dates (including month and year) of project implementation, number of work days, and number of work hours per day (e.g., 5 days of work for 10 hours per day).

Start Date: Approximately End of March 2024

End Date: Approximately End of July 2024

Number of workdays: 120 days

Number of work hours: 24/7

Will there be nighttime work? (If yes, please describe)

YES NO

Construction of each Group Site is anticipated to take approximately 4 months to include site preparation, road improvements, and extension of utilities onto the site, and installation of units. Construction may take place up to 24 hours 7 days per week at certain points during development due to the need to establish safe housing for displaced disaster survivors as quickly as possible. Approximate construction dates would start March 2024 through July 2024 (approximately 120 days, 2,900 hours worked). Use of a Group Site for temporary housing generally includes an initial 18 months following a disaster declaration, with options to be extended based on the needs of the survivors. Prior to construction, coordination will be done with the Hawai'i Department of Health and the County of Maui.

USFWS Species and/or Critical Habitats Potentially Present

Check all potentially occurring species. The following list is based on PIFWO and other USFWS resources (e.g., ECOS) at the time of SLOPES publication. If a species is not listed below, please denote on page 5.

FEMA conducted a desktop review to collect information on federally listed species under USFWS jurisdiction with potential to occur within or near the AA. The review included data from the USFWS Information, Planning and Consultation (IPaC) System and the USFWS critical habitat mapper. An official USFWS species list was requested from IPaC (Attachment C). Critical habitat maps are provided in Attachment A.

Arachnids

- Kaua'i cave wolf spider, pe'e pe'e maka 'ole (*Adelocosa anops*)

Birds

- nightingale reed warbler, ga'ga'karisu (*Acrocephalus luscini*)
- Mariana gray swiftlet, yáyaguak (*Aerodramus vanikorensis bartschi*)
- Hawaiian duck, koloa maoli (*Anas wyvilliana*)
- Hawaiian goose, nēnē (*Branta sandvicensis*)
- O'ahu 'elepaio (*Chasiempis ibidis*)
- Mariana crow, āga (*Corvus kubaryi*)
- 'i'iwi (*Drepanis coccinea*)
- Hawaiian coot, 'alae ke'oke'o (*Fulica americana alai*)
- friendly ground-dove, tu'aimeo (*Gallicolumba*

stairi)

- Mariana common moorhen (*Gallinula chloropus guami*)
- Hawaiian moorhen, 'alae 'ula (*Gallinula galeata sandvicensis*)
- Guam Micronesion kingfisher, sihek (*Halcyon cinnamomina cinnamomina*)
- Hawaiian stilt, ae'o (*Himantopus mexicanus knudseni*)
- Palila (*Loxioides bailleui*)
- Micronesian megapode, sasangat (*Megapodius laperouse*)
- band-rumped storm petrel, 'akē'akē (*Oceanodroma castro*)
- Hawaiian petrel, 'ua'u (*Pterodroma sandwichensis*)
- Newell's shearwater, 'a'o (*Puffinus auricularis newelli*)

- Guam rail, ko'ko' (*Rallus owstoni*)
- bridled white-eye, nosa' (*Zosterops conspicillatus conspicillatus*)

Crustaceans

- anchialine pool shrimp, 'Ōpae'ula (*Procaris hawaiiiana*)
- Kaua'i cave amphipod (*Spelaeorchestia koloana*)
- anchialine pool shrimp, 'Ōpae'ula (*Vetericaris chaceorum*)

Insects

- Hawaiian picture-wing fly (*Drosophila aglaia*)
- Hawaiian picture-wing fly (*Drosophila differens*)
- Hawaiian picture-wing fly (*Drosophila digressa*)
- Hawaiian picture-wing fly (*Drosophila hemipeza*)
- Hawaiian picture-wing fly (*Drosophila heteroneura*)
- Hawaiian picture-wing fly (*Drosophila montgomeryi*)
- Hawaiian picture-wing fly (*Drosophila mulli*)
- Hawaiian picture-wing fly (*Drosophila musaphilia*)
- Hawaiian picture-wing fly (*Drosophila neoclavisetae*)
- Hawaiian picture-wing fly (*Drosophila obatai*)
- Hawaiian picture-wing fly (*Drosophila ochrobasis*)
- Hawaiian picture-wing fly (*Drosophila sharpi*)
- Hawaiian picture-wing fly (*Drosophila substenoptera*)
- Hawaiian picture-wing fly (*Drosophila tarphytrichia*)
- Hawaiian yellow-faced bee (*Hylaeus anthracinus*)
- Hawaiian yellow-faced bee (*Hylaeus assimulans*)
- Hawaiian yellow-faced bee (*Hylaeus facilis*)
- Hawaiian yellow-faced bee (*Hylaeus hiliaris*)
- Hawaiian yellow-faced bee (*Hylaeus kuakea*)
- Hawaiian yellow-faced bee (*Hylaeus longiceps*)
- Hawaiian yellow-faced bee (*Hylaeus mana*)
- Rota blue damselfly (*Ischnura luta*)

- Mariana wandering butterfly, ababbang/ Libweibwogh (*Vagrans egistina*)
- Mariana eight-spot butterfly (*Hypolimnas octocula marianensis*)
- Blackburn's sphinx moth (*Manduca blackburni*)
- orangeblack Hawaiian damselfly (*Megalagrion xanthomelas*)

Mammals

- Pacific sheath-tailed bat, paye'ye' (*Emballonura semicaudata semicaudata*)
- Hawaiian hoary bat, 'ōpe'ape'a (*Lasiurus cinereus semotus*)
- Mariana fruit bat, fanihi (*Pteropus mariannus mariannus*)
- little Mariana fruit bat, fanihi (*Pteropus tokudae*)

Reptiles

- green turtle, honu, haggan (*Chelonia mydas*)
- Slevin's skink, gualiek halomtano/ gholuuf (*Emoia slevini*)
- hawksbill turtle, honu'ea, haggan karai (*Eretmochelys imbricata*)

Snails

- O'ahu tree snails (*Achatinella* spp.)
- humped tree snail, akaleha' (*Partula gibba*)
- Langford's tree snail, akaleha/ denden (*Partula langfordi*)
- Guam tree snail, akaleha' (*Partula radiolata*)
- Lāna'i tree snail, pupu kani oe (*Partulina semicarinata*)
- Lāna'i tree snail, pupu kani oe (*Partulina variabilis*)
- fragile tree snail, akaleha' (*Samoana fragilis*)

Critical Habitat Present (Species name)

- None

Additional Resources

- See Attached List
- Not Applicable

Subrecipient SLOPES Acknowledgement

This acknowledgement shall be provided to FEMA Region IX prior to the initiation of work.

Not Applicable (Direct Federal Action Initiated by FEMA)

On behalf of [_____] (Subrecipient name), I have read the requirements from FEMA’s SLOPES programmatic agreement with USFWS that are specific to the subject project and plan to implement accordingly. I understand that failure to implement the required Avoidance and Mitigation Measures (AMMs) and Best Management Practices (BMPs) from SLOPES may jeopardize funding for the project.

[_____] (Subrecipient name) accepts implementation of the required AMMs and BMPs described in SLOPES (and identified below) as a stipulation of funding for

[_____] (project name) under [_____] (FEMA Project No), and will provide FEMA with documentation and certification (see attached form) that these AMMs and BMPs were implemented within 30 days of the completion of the project.

(Print Name)

(Signature)

(Date)

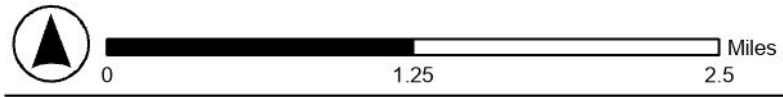
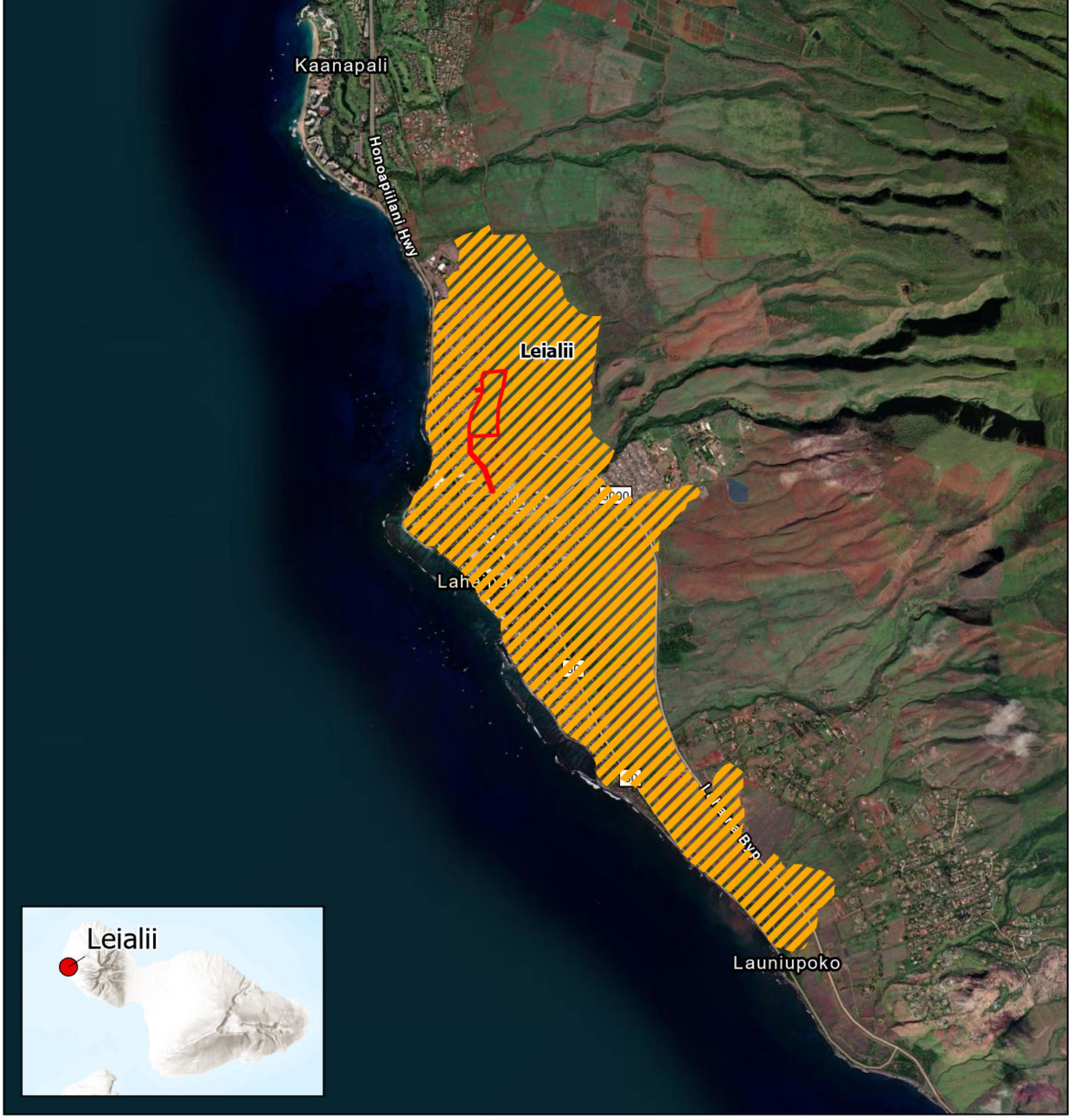
On behalf of _____ (Subrecipient Agency Name)

Required AMMs and BMPs

To be filled out by FEMA prior to subrecipient acknowledgement and signature.

- General Conditions (Section 6.1)
- Biosecurity Protocols (Section 6.2)
- Water Quality (Section 6.3)
- Nightingale Reed-Warbler (Section 6.4.1)
- Mariana Gray Swiftlet and Pacific sheath-tailed Bat (Section 6.4.2)
- Hawaiian Goose (Section 6.4.3)
- Marianas Common Moorhen (Section 6.4.4)
- Blackburn's Sphinx Moth (Section 6.4.5)
- Micronesian Megapode (Section 6.4.6)
- Hawaiian Hoary Bat (Section 6.4.7)
- Mariana Fruit Bat and Little Mariana Fruit Bat (Section 6.4.8)
- Hawaiian Seabirds (Section 6.4.9)
- Hawaiian Waterbirds (Section 6.4.10)
- Hawaiian Forest Birds (Section 6.4.11)
- Sea Turtles (Section 6.4.12)
- Land Snails (Section 6.4.13)
- Kauai Cave Wolf Spider and Kauai Cave Amphipod (Section 6.4.14)
- Friendly Ground Dove (Section 6.4.15)
- Mariana Crow (Section 6.4.16)
- Guam Rail (Section 6.4.17)
- Guam Micronesian Kingfisher (Section 6.4.18)
- Anchialine Pool Shrimp (Section 6.4.19)
- Hawaiian Picture-wing Flies (Section 6.4.20)
- Hawaiian Damselflies (Section 6.4.21)
- Hawaiian Yellow-faced Bees (Section 6.4.22)
- Mariana Eight Spot Butterfly and Mariana Wandering Butterfly (Section 6.4.23)
- Slevin's Skink (Section 6.4.24)
- Plants (Section 6.4.25)
- Vessel Operation (Section 6.5)
- Direct Impacts (Section 6.6)
- Entanglement (Section 6.7)
- Elevated Noise (Section 6.8)
- Marinas and Harbors (Section 6.9)
- Pilings (Section 6.10)
- Buoys and Similar Structures (Section 6.11)
- Dredging and Excavation (Section 6.12)
- Utility Lines (Section 6.13)
- Water Course/Coastal Features (Section 6.14)
- Roads and Railways (Section 6.15)
- Bridges and Water Crossings (Section 6.1)

ATTACHMENT A
FIGURES AND TABLES



Basemap Source: Esri, USGS, NOAA

- Legend
-  Leialii Boundary
 -  USGS Fire Perimeter

FIGURE 1
PROJECT VICINITY
Leialii Temporary Group Site
DR-4724-HI
Maui County, Hawaii



Leialii

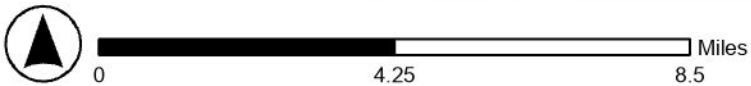
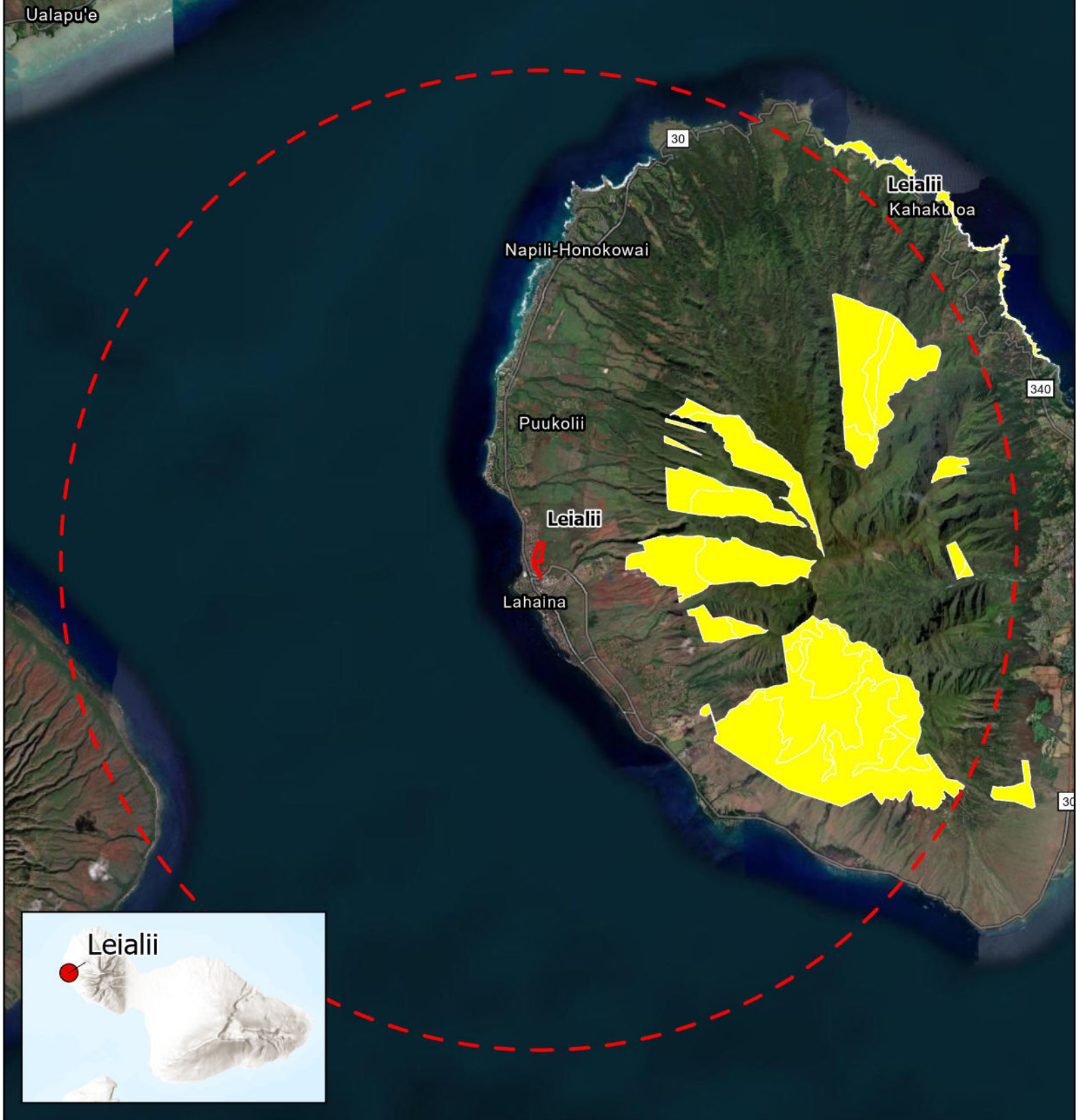


Basemap Source: Esri, USGS, NOAA

Legend
[Red outline] Leialii Boundary

FIGURE 2 ACTION AREA

Leialii Temporary Group Site
DR-4724-HI
Maui County, Hawaii



Data Source: USFWS
 Basemap Source: Esri, USGS, NOAA

- Legend
- - - 10 Mile Buffer
 - Leialii Boundary
 - Critical Habitat
 - Endangered
 - Threatened

FIGURE 3
CRITICAL HABITAT
 Leialii Temporary Group Site
 DR-4724-HI
 Maui County, Hawaii

Table 1: Critical Habitat within 10 Miles of Action Area

Common Name	Scientific Name	Status	Federal Register	Publication Date	Species Listing Status
Maui parrotbill (Kiwikiu)	<i>Pseudonestor xanthophrys</i>	Final	81FR17789 18110	3/30/2016	Endangered
wahine noho Kula	<i>Isodendrion pyriformum</i>	Final	83FR42362 42435	8/21/2018	Endangered
No common name	<i>Phyllostegia bracteata</i>	Final	81FR17789 18110	3/30/2016	Endangered
Haha	<i>Cyanea kunthiana</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ha`iwale	<i>Cyrtandra filipes</i>	Final	81FR17789 18110	3/30/2016	Endangered
Haha	<i>Cyanea asplenifolia</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Schiedea salicaria</i>	Final	81FR17789 18110	3/30/2016	Endangered
Nohoanu	<i>Geranium hillebrandii</i>	Final	81FR17789 18110	3/30/2016	Endangered
Newcomb's Tree snail	<i>Newcombia cumingi</i>	Final	81FR17789 18110	3/30/2016	Endangered
Kio`ele	<i>Kadua coriacea</i>	Final	81FR17789 18110	3/30/2016	Endangered
Kolea	<i>Myrsine vaccinioides</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Pteris lidgatei</i>	Final	81FR17789 18110	3/30/2016	Endangered
Pauoa	<i>Ctenitis squamigera</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ha`iwale	<i>Cyrtandra munroi</i>	Final	81FR17789 18110	3/30/2016	Endangered
Wawae`iole	<i>Phlegmariurus mannii</i>	Final	81FR17789 18110	3/30/2016	Endangered
pilo	<i>Kadua laxiflora</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Gouania hillebrandii</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Gouania vitifolia</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Hesperomannia arborescens</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Hesperomannia arbuscula</i>	Final	81FR17789 18110	3/30/2016	Endangered
(=Native yellow hibiscus) ma`o hau hele	<i>Hibiscus brackenridgei</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Neraudia sericea</i>	Final	81FR17789 18110	3/30/2016	Endangered
Makou	<i>Peucedanum sandwicense</i>	Final	81FR17789 18110	3/30/2016	Threatened
Kuahiwi laukahi	<i>Plantago princeps</i>	Final	81FR17789 18110	3/30/2016	Endangered
Maui remya	<i>Remya mauiensis</i>	Final	81FR17789 18110	3/30/2016	Endangered
Pamakani	<i>Tetramolopium capillare</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Tetramolopium remyi</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Sanicula purpurea</i>	Final	81FR17789 18110	3/30/2016	Endangered
Liliwai	<i>Acaena exigua</i>	Final	81FR17789 18110	3/30/2016	Endangered
Mahoe	<i>Alectryon macrococcus</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ko`oko`olau	<i>Bidens micrantha ssp. kalealaha</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Bonamia menziesii</i>	Final	81FR17789 18110	3/30/2016	Endangered
Kamanomano	<i>Cenchrus agrimonioides</i>	Final	81FR17789 18110	3/30/2016	Endangered
Kauila	<i>Colubrina oppositifolia</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ha`iwale	<i>Cyrtandra oxybapha</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Platanthera holochila</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ohai	<i>Sesbania tomentosa</i>	Final	81FR17789 18110	3/30/2016	Endangered
Lanai sandalwood (=`iliihi)	<i>Santalum haleakalae var. lanaiense</i>	Final	81FR17789 18110	3/30/2016	Endangered
Haha	<i>Cyanea lobata</i>	Final	81FR17789 18110	3/30/2016	Endangered
`Oha wai	<i>Clermontia oblongifolia ssp. mauiensis</i>	Final	81FR17789 18110	3/30/2016	Endangered
Haha	<i>Cyanea glabra</i>	Final	81FR17789 18110	3/30/2016	Endangered
Na`ena`e	<i>Dubautia plantaginea ssp. humilis</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Lysimachia lydgatei</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Spermolepis hawaiiensis</i>	Final	81FR17789 18110	3/30/2016	Endangered
Haha	<i>Cyanea obtusa</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ko`oko`olau	<i>Bidens conjuncta</i>	Final	81FR17789 18110	3/30/2016	Endangered
A`e	<i>Zanthoxylum hawaiiense</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Diplazium molokaiense</i>	Final	81FR17789 18110	3/30/2016	Endangered
Hillebrand's reedgrass	<i>Calamagrostis hillebrandii</i>	Final	81FR17789 18110	3/30/2016	Endangered
Hawaiian picture-wing fly	<i>Drosophila neoclavisetae</i>	Final	73FR73795 73895	12/4/2008	Endangered
No common name	<i>Wikstroemia villosa</i>	Final	81FR17789 18110	3/30/2016	Endangered
Ko`oko`olau	<i>Bidens campylotheca ssp. pentamera</i>	Final	81FR17789 18110	3/30/2016	Endangered
haha	<i>Cyanea magnicalyx</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Stenogyne kauaulaensis</i>	Final	81FR17789 18110	3/30/2016	Endangered
`Akohekohe (crested honeycreeper)	<i>Palmeria dolei</i>	Final	81FR17789 18110	3/30/2016	Endangered
No common name	<i>Asplenium dielirectum</i>	Final	81FR17789 18110	3/30/2016	Endangered

ATTACHMENT B
PHOTOS AND POTENTIAL SITE LAYOUT



Photo 1 – Facing south from the east/center of the Leiali‘i location, facing west, December 2023.



Photo 2 – Facing south from the east/center of the Leiali‘i location, facing west, December 2023.



PROPOSED LOTS		
2-3 BEDROOM UFAS	43	33%
1 BEDROOM UFAS	42	32%
1 BEDROOM NON-UFAS	45	34%
TOTAL	130	

2-3 BEDROOM LOTS ARE VERY SIMILAR IN SIZE AND ARE INTERCHANGEABLE ON LOTS DURING FINAL DESIGN A FEW LOTS MAY BE ADDED/REMOVED.

SHEET ID
#####

TEMPORARY HOUSING SITE
LEALILI, LAHAINA
COUNTY OF MAUI, HI
DR-4724-H

PRELIMINARY CONCEPT

U.S. ARMY CORPS OF ENGINEERS
HUNTINGTON DISTRICT
502 8TH STREET
HUNTINGTON, WV 25701

DESIGNED BY:
S. JOHNSON
DRAWN BY:
S. CALDWELL
CHECKED BY:
C. COX
SUBMITTED BY:
J. RUTTER
DATE:
ANSI D

MARK	DESCRIPTION	DATE

U.S. Army Corps of Engineers

ISSUE DATE:
JANUARY 07 2024
SOLICITATION NO.:
N/A
CONTRACT NO.:
N/A

ATTACHMENT C
OFFICIAL USFWS SPECIES LIST



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish And Wildlife Office
300 Ala Moana Boulevard, Box 50088
Honolulu, HI 96850-5000
Phone: (808) 792-9400 Fax: (808) 792-9580

In Reply Refer To:
Project Code: 2024-0043334
Project Name: Leiali'i Temporary Group Site

January 31, 2024

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: 2024-0043334
Project Name: Leiali'i Temporary Group Site
Project Type: New Constr - Above Ground
Project Description: FEMA may potentially be constructing a group site within a 35 acre area east of Lahaina within the burn scar. Group Housing Sites will involve the lease of land and the installation of ATTHUs, including construction of individual ATTHU pads; ingress, egress, and circulation roads; any necessary upgrades for individual ATTHUs to comply with the Americans with Disabilities Act; parking lots; facility lighting; water, sanitation, and electrical utilities; and a perimeter privacy fence. The sites could include appurtenant support features such as school bus shelters and mailbox units. Development of the sites will require several steps including surveying; clearing; stripping; grading; utility and access road design and installation; and surface storm water and erosion control.

Construction of each Group Site is anticipated to take 6 months to include site preparation, road improvements, and extension of utilities onto the site, and installation of units. Construction may take place up to 24 hours 7 days per week at certain points during development due to the need to establish safe housing for displaced disaster survivors as quickly as possible. Approximate construction dates would start February 2024 through June 2024 (181 days, 4,344 hours worked). Use of a Group Site for temporary housing generally includes an initial 18 months following a disaster declaration, with options to be extended based on the needs of the survivors. Prior to construction, coordination will be done with the Hawai'i Department of Health and the County of Maui.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@20.89230885,-156.67947445547708,14z>



Counties: Maui County, Hawaii

ENDANGERED SPECIES ACT SPECIES

There is a total of 19 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.

-
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
Hawaiian Hoary Bat <i>Lasiurus cinereus semotus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/770 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6477.pdf	Endangered

BIRDS

NAME	STATUS
<p>Band-rumped Storm-petrel <i>Hydrobates castro</i> Population: USA (HI) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1226 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6939.pdf</p>	Endangered
<p>Hawaiian Coot (alae Ke`oke`o) <i>Fulica alai</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7233 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6934.pdf</p>	Endangered
<p>Hawaiian Duck <i>Anas wyvilliana</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7712 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6934.pdf</p>	Endangered
<p>Hawaiian Goose <i>Branta (=Nesochen) sandvicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1627 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6925.pdf</p>	Threatened
<p>Hawaiian Petrel <i>Pterodroma sandwichensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6746 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6939.pdf</p>	Endangered
<p>Hawaiian Stilt <i>Himantopus mexicanus knudseni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2082 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6934.pdf</p>	Endangered
<p>Newell's Shearwater <i>Puffinus newelli</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2048 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6939.pdf</p>	Threatened

REPTILES

NAME	STATUS
Hawksbill Sea Turtle <i>Eretmochelys imbricata</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/3656	Endangered

INSECTS

NAME	STATUS
Blackburn's Sphinx Moth <i>Manduca blackburni</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/4528 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/6926.pdf	Endangered

FLOWERING PLANTS

NAME	STATUS
<p>ʻena`ena <i>Pseudognaphalium sandwicense</i> var. <i>molokaiense</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5993</p>	Endangered
<p>Awiwi <i>Schenkia sebaeoides</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7103</p>	Endangered
<p>Carter's Panicgrass <i>Panicum fauriei</i> var. <i>carteri</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5578</p>	Endangered
<p>Dwarf Naupaka <i>Scaevola coriacea</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4669</p>	Endangered
<p>Ihi <i>Portulaca villosa</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4886</p>	Endangered
<p>Ko`oloa`ula <i>Abutilon menziesii</i></p> <p>No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3268</p>	Endangered
<p>Ohai <i>Sesbania tomentosa</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8453 General project design guidelines: https://ipac.ecosphere.fws.gov/project/FATKQJ6C5NATDF6EPQNFMKQGBI/documents/generated/7050.pdf</p>	Endangered
<p>Round-leaved Chaff-flower <i>Achyranthes splendens</i> var. <i>rotundata</i></p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4709</p>	Endangered
<p>Vigna o-wahuensis</p> <p>There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8445</p>	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

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
<p>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</p>	Breeds Dec 1 to Jul 31
<p>Black Noddy <i>Anous minutus melanogenys</i> This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands. https://ecos.fws.gov/ecp/species/10559</p>	Breeds Apr 1 to Nov 30
<p>Hawai'i 'amakihi <i>Hemignathus 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</p>	Breeds Nov 15 to Aug 15
<p>Maui 'alauahio <i>Paroreomyza montana</i> This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands. https://ecos.fws.gov/ecp/species/9663</p>	Breeds Apr 15 to Aug 15
<p>Red-tailed Tropicbird <i>Phaethon rubricauda melanorhynchos</i> This is a Bird of Conservation Concern (BCC) throughout its range in Hawaii and the Pacific Islands. https://ecos.fws.gov/ecp/species/10563</p>	Breeds Dec 15 to Oct 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.

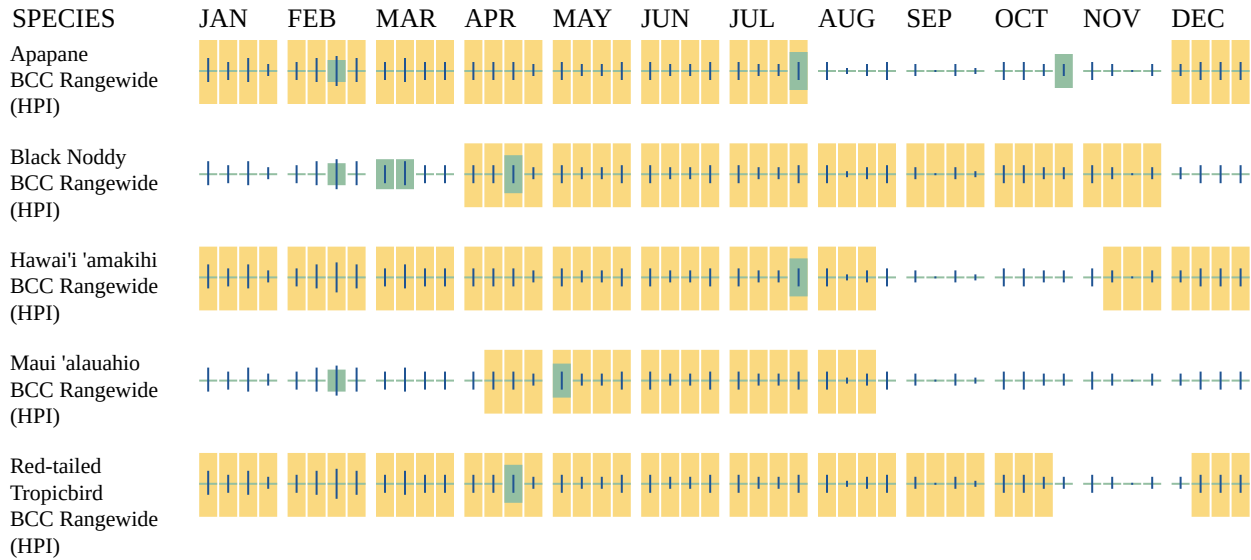
Survey Effort (|)

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.

■ probability of presence ■ breeding season | survey effort - no data



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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

ATTACHMENT D
SUMMARY OF EFFECT

Table 2: Summary of ESA Effect Determinations for Federally Listed Species with Potential to Occur in Action Area for DR-4724-HI Leialii Temporary Group Site

Species Name	Federal Listing Status	Potential to Occur in the Action Area/ESA Effects Determination	Critical Habitat
Hawaiian Hoary Bat (<i>Lasiurus cinereus semotus</i>)	Endangered	No suitable habitat (i.e., roosting habitat for raising young is tall, shady trees; foraging habitat is in native and non-native forests) exists within or adjacent to the AA. Therefore, no potential direct or indirect effects to the species are anticipated to occur from implementation of the proposed project. No effect	No critical habitat within 10 miles of AAs. No effect
Blackburn's Sphinx Moth (<i>Manduca blackburni</i>)	Endangered	No suitable habitat (i.e., dry to mesic habitats, now usually associated with tree tobacco) exists within or adjacent to the AA. Therefore, no potential direct or indirect effects to the species are anticipated to occur from implementation of the proposed project. No effect	No critical habitat within 10 miles of AAs. No effect
Flowering Plants: ena`ena (<i>Pseudognaphalium sandwicensium</i> var. <i>molokaiense</i>), Awiwi (<i>Schenkia sebaeoides</i>), Carter's Panicgrass (<i>Panicum fauriei</i> var. <i>carteri</i>), Dwarf Naupaka (<i>Scaevola coriacea</i>), Ihi (<i>Portulaca villosa</i>), Ko`oloa`ula (<i>Abutilon menziesii</i>), Ohai (<i>Sesbania tomentosa</i>), Round-leaved Chaff-flower (<i>Achyranthes splendens</i> var. <i>rotundata</i>), (<i>Vigna o-wahuensis</i>)	Endangered (ALL)	Plant species are not present in the AA, no vegetation exists within or adjacent to the AA due to the wildfire. No effect	The proposed project would have no effect on any designated critical habitat for flowering plant species because the AA does not occur within or near any critical habitat. The only plant species with critical habitat within 10 miles of the proposed project is Ohai. The nearest critical habitat is approximately 1.75 miles from the AA. No effect
Hawaiian Coot (<i>Fulica alai</i>)	Endangered	No suitable habitat (i.e., coastal wetlands) exists within or adjacent to the AA. Hawaiian waterbirds may be attracted to areas of standing water that are inadvertently created during construction activities. Therefore, the project may affect, but is not likely to adversely affect the Hawaiian Coot because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels. May affect, but is not likely to adversely affect	No critical habitat within 10 miles of AAs. No effect

Species Name	Federal Listing Status	Potential to Occur in the Action Area/ESA Effects Determination	Critical Habitat
Hawaiian Duck (<i>Anas wyvilliana</i>)	Endangered	<p>No suitable habitat (i.e., coastal wetlands) exists within or adjacent to the AA. Hawaiian waterbirds may be attracted to areas of standing water that are inadvertently created during construction activities.</p> <p>Therefore, the project may affect, but is not likely to adversely affect the Hawaiian Duck because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>
Hawaiian Goose (<i>Branta sandvicensis</i>)	Threatened	<p>No suitable habitat (i.e., shrubland and grassland) occurs within the AAs. The species may not be located within the Action Area, but they are located within the vicinity and can easily enter the project area.</p> <p>Therefore, the project may affect, but is not likely to adversely affect the Hawaiian Goose because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>
Hawaiian Stilt (<i>Himantopus mexicanus knudseni</i>)	Endangered	<p>No suitable habitat (i.e., coastal wetlands) exists within or adjacent to the AA. Hawaiian waterbirds may be attracted to areas of standing water that are inadvertently created during construction activities.</p> <p>Therefore, the project may affect, but is not likely to adversely affect the Hawaiian Stilt because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>

Species Name	Federal Listing Status	Potential to Occur in the Action Area/ESA Effects Determination	Critical Habitat
Band-rumped Storm-petrel <i>(Oceanodroma castro)</i>	Endangered	<p>No suitable habitat (i.e., nesting: remote cliffs in high-elevation lava fields) within or adjacent to the AA. Suitable foraging habitat (i.e. open ocean) exists adjacent to the AA, the species may fly over or near the Action Area at night, flying to or from nesting colonies or when fledging.</p> <p>Therefore, the project may affect, but is not likely to adversely affect Band-rumped Storm-petrel because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>
Hawaiian Petrel <i>(Pterodroma sandwichensis)</i>	Endangered	<p>No suitable nesting habitat (i.e., densely vegetated areas at high elevation) exists within or adjacent to the AA. Suitable foraging habitat (i.e. open ocean) exists adjacent to the AA, the species may fly over or near the Action Area at night, flying to or from nesting colonies or when fledging.</p> <p>Therefore, the project may affect, but is not likely to adversely affect Hawaiian Petrel because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>
Newell's Townsend's Shearwater <i>(Puffinus auricularis newelli)</i>	Threatened	<p>No suitable nesting habitat (i.e., montane wet, low-elevation wet, and wet cliff habitats with steep to moderate slopes and open-canopy forests with dense thickets of vegetation in the understory) exists within or adjacent to the AA. Suitable foraging habitat (i.e. open ocean) exists adjacent to the AA, the species may fly over or near the Action Area at night, flying to or from nesting colonies or when fledging.</p> <p>Therefore, the project may affect, but is not likely to adversely affect Newell's Townsend's Shearwater because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>

Species Name	Federal Listing Status	Potential to Occur in the Action Area/ESA Effects Determination	Critical Habitat
Green Sea turtle (<i>Chelonia mydas</i>)	Endangered	<p>The species would not be present in the AA due to distances to a potential basking area and known nesting habitat. Suitable habitat (i.e., foraging: Shallow, protected or semi-protected, water around coral reefs and coastal areas; Nesting on sandy beaches) exist adjacent to the AA (.25 miles to the west). Project lighting, both temporary and (semi)permanent could impact sea turtles during nesting season.</p> <p>Therefore, the project may affect, but is not likely to adversely affect Green Sea turtle because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>
Hawksbill Sea Turtle (<i>Eretmochelys imbricata</i>)	Endangered	<p>The species would not be present in the AA due to distances to a potential basking area and known nesting habitat. Suitable habitat (i.e., foraging: Shallow waters around reefs, bays, and inlets; Nesting on beaches with a preference for areas with woody cover) exist adjacent to the AA (.25 miles to the west). Project lighting, both temporary and (semi) permanent could impact sea turtles during nesting season.</p> <p>Therefore, the project may affect, but is not likely to adversely affect Hawksbill Sea Turtle because of the temporary and limited nature of project-related disturbance and the proposed implementation of conservation measures which would avoid or minimize the extent and severity of any potential adverse effects to insignificant or discountable levels.</p> <p>May affect, but is not likely to adversely affect</p>	<p>No critical habitat within 10 miles of AAs.</p> <p>No effect</p>

Appendix F.

Programmatic Informal Consultation General Best Management Practices and Species Specific Avoidance Minimization Measures

BEST MANAGEMENT PRACTICES AND AVOIDANCE AND MINIMIZATION MEASURES

This section describes best management practices (BMPs) and Avoidance and Minimization Measures (AMMs) that FEMA Contractors will implement for the Proposed Action. The General (GEN) BMPs and species-specific AMMs are drawn from the Pacific Islands Fish and Wildlife Office's (PIFWO) July 27, 2021, Programmatic Informal Consultation (PIC) with FEMA for the Hawaiian and Pacific Islands.

If there are situations where one or more of the avoidance and minimization measures cannot be implemented, a responsible party (i.e., FEMA) will work with PIFWO to develop alternative measures for implementation that would avoid or minimize adverse effects on federally listed species and/or critical habitat.

General Best Management Practices

The following GEN BMPs are applicable to the Proposed Action. Where noted, and to improve clarity, these BMPs have been modified to eliminate elements that are not applicable to this project. The name of each GEN BMP is the same as the name used in the PIC.

GEN BMP-1 General Conditions

FEMA, and its Contractors will implement the following set of general conditions for the action described in this letter. Additionally, action-specific conservation measures described herein will be required, as applicable:

- Each applicable conservation measure will be included as an enforceable part of the approval document.
- FEMA and USFWS will be provided reasonable access to projects described in this letter to monitor the compliance with and efficacy of approval conditions.
- FEMA will require that its contractors document and report all interactions with ESA-listed species to FEMA and USFWS. Should it become apparent that an ESA-listed species may be adversely affected by the project, all non-emergency work must stop pending completion of formal ESA Section 7 consultation between FEMA and USFWS for the action.
- Constant vigilance will be kept for the presence of ESA-listed species during all aspects of the approved action:
 - Any site at which listed species have been identified will have a biological monitor present during all work. The biological monitor will have the authority to stop and resume work, and enforce buffer distances.
 - No one will attempt to feed, touch (e.g., pet, relocate), or otherwise intentionally interact with any protected species.
- Project footprints will be limited to the minimum area necessary to complete the project and project work limits must be clearly defined.
- Sensitive resource areas, such as ESA-listed species, if found within the Action Area, must be visibly flagged; however, fencing with non-natural material and smaller than 3- by x3- inch mesh size, and loose-weave joints for projects on or near the coast or suitable waterbird habitat, is prohibited due to the ensnarement hazard potential that exists with this type of material.
- Project operations will cease under unusual conditions, such as large tidal events, heavy rains and strong storms, and high surf conditions, with the exception of emergency protective measures implemented to preserve life and property resulting from such conditions.
- A stormwater management plan, commensurate to the size of the project must be prepared and carried out, for any project that will produce any new impervious surface or a land cover conversion that will slow the entry of water into the soil, to ensure that effects to water quality and hydrology are minimized.

- A pollution and erosion control plan for the Action Area and adjacent areas must be prepared and carried out. As a minimum, this plan will include:
 - Proper installation and maintenance of silt fences, booms, equipment diapers, or drip pans;
 - A contingency plan to control and clean spilled petroleum products and other toxic materials;
 - Appropriate materials to contain and clean potential spills will be stored at the action area, and be readily available;
 - All project-related materials and equipment placed in the water will be free of pollutants
 - Daily pre-work inspections of heavy equipment for cleanliness and leaks, with all heavy equipment operations postponed or halted until leaks are repaired and equipment is cleaned;
 - Fueling of project-related vehicles and equipment will take place at least 50 feet away from the water, preferably over an impervious surface;
 - A plan will be developed to prevent trash and debris from entering the environment during the project; and
 - All construction discharge water (e.g., concrete washout, pumping for work action area isolation, vehicle wash water, drilling fluids, etc.) must be treated prior to discharge or disposed of in an approved waste disposal facility.
- Erosion controls must be properly installed before any alteration of the action area may take place. When erosion control is necessary selecting products with biodegradable netting (natural fiber, biodegradable polyesters) is preferred as well as netting with flexible, non-welded, rectangular shaped mesh with openings no smaller than three inches by three inches. Additional options exist that include open weave textile, rolled erosion control products with woven, natural fiber netting. Erosion control products that require UV-light to biodegrade, netting with square mesh, plastic mesh are not authorized.
- Vegetation clearing will be strictly limited to that which is required for project completion. Indiscriminate clearing will not be permitted.
- Temporary access roads and drilling pads must avoid steep slopes of 15 degrees or steeper where grade, soil types, or other features suggest a likelihood of excessive erosion or failure; existing access routes must be used or improved whenever possible, in lieu of the construction of new access routes.
- All disturbed areas must be immediately stabilized in accordance with aforementioned erosion controls following cessation of actions in advance or any break in work longer than four days.
- Authorized work must comply with all applicable general, action- and species-specific conditions.

GEN BMP-3 Utility Lines

The following conservation measures are required for actions associated with the construction, maintenance, improvement, or repair of utility lines:

- Maximum utility corridor width will be limited to the minimum width necessary for safe operation and maintenance.
- Utilities will be designed and constructed in a manner that minimizes negative consequences on aquatic and marine waters due to runoff and erosion, including adequate stormwater treatment.
- Utilities will be constructed as near as possible to pre-construction contours and elevations.

GEN BMP-4 Roads

The following conservation measures are required for actions associated with the maintenance, improvement, or repair of roads:

- Maximum road width will be limited to the minimum width necessary for safe operation.
- Road will be designed and constructed in a manner that minimizes negative consequences on surface and marine waters due to runoff and erosion, including adequate stormwater treatment.
- Roads will be constructed as near as possible to pre-construction contours and elevations.

SPECIES-SPECIFIC AVOIDANCE AND MINIMIZATION MEASURES

The following species-specific AMMs were developed for the project and are applicable to the Proposed Action. Where noted, and to improve clarity, these AMMs have been modified to eliminate elements that are not applicable to this project.

Hawaiian Goose (Nēnē)

- 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.
- During construction activities, an on-site biological monitor will be present each morning to conduct start of day survey for species presence.
 - If Nene are observed as a result of the survey, the biologist will remain on site to observe the species until they depart the area.
 - If Nene are observed on site, the biologist will photograph and document the presence of the individual(s), if possible, for banded birds and provide confirmation of banded foot, band color, writing color, writing on band, via high resolution photo.
- Ensure all loose and/or staged materials are sufficiently anchored to prevent wind-blown materials from injuring birds.
- Install signage throughout construction area alerting construction crews on site of potential presence of Nene, and avoidance requirements.

Hawaiian Waterbirds (Hawaiian stilt, Hawaiian Coot, Hawaiian duck)

- In areas where waterbirds 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.
- Have a biological monitor that is familiar with the species' biology conduct Hawaiian waterbird nest surveys where appropriate habitat occurs within the vicinity of the proposed project site prior to project initiation. Repeat surveys again within 3 days of project initiation and after any subsequent delay of work of 3 or more days (during which the birds may attempt to nest). If a nest or active brood is found:
 - Contact the Service within 48 hours for further guidance.
 - Establish and maintain a 100-foot buffer around all active nests and/or broods until the chicks/ducklings have fledged. Do not conduct potentially disruptive activities or habitat alteration within this buffer.
 - Have a biological monitor that is familiar with the species' biology present on the project site during all construction or earth moving activities until the chicks/ducklings fledge to ensure that Hawaiian waterbirds and nests are not adversely impacted.

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

- Fully shield all outdoor lights so the bulb can only be seen from below.
- 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.
- Where fences extend above vegetation, integrate three strands of polytape into the fence to increase visibility.

- Avoid nighttime construction during the seabird fledging period, September 15 through December 15

Sea Turtles (Green Sea Turtle, Hawksbill Sea Turtle)

- Avoid nighttime work during the nesting and hatching season (May 1 to December 31) for Hawaii.
- Minimize the use of lighting on or near beaches and shield all project-related lights so the light is not visible from any beach.
 - If lights can't be fully shielded or if headlights must be used, fully enclose the light source with light filtering tape or filters.
- Incorporate design measures into the construction or operation of buildings adjacent to the beach to reduce ambient outdoor lighting such as:
 - tinting or using automatic window shades for exterior windows that face the beach;
 - reducing the height of exterior lighting to below 3 feet and pointed downward or away from the beach; and
 - minimize light intensity to the lowest level feasible and, when possible, include timers and motion sensors.

Appendix G.

NHPA Section 106 Consultation



FEMA

February 5, 2024

Dr. Alan S. Downer, Ph.D.
Deputy State Historic Preservation Officer
Kakuhikewa Building
601 Kamokila Boulevard, Suite 555
Kapolei, Hawai'i 96707
via: HICRIS

Ms. Stacy Ferreira,
Interim Ka Pouhana, Interim Chief Executive Officer
Office of Hawaiian Affairs
560 N. Nimitz Hwy., Suite 200
Honolulu, Hawai'i 96817
via: ohacompliance@oha.org

ATTN: Jessica L. Puff, Architecture Branch Chief, SHPD
Susan A. Lebo, Archaeology Branch Chief, SHPD
Kai Markell, Compliance Enforcement Manager, OHA

Re: Alternate Transportable Temporary Housing – FEMA-4724-DR-HI
Leialii: 20.893267, -156.679008 - TMK # 45021021

Standard Project Review Pursuant to Stipulation II.C of the Programmatic Agreement – 15 Day Signatory Review

Dear Dr. Downer:

The U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA), is responding to the wildfires that resulted in Presidentially declared Major Disaster Declaration FEMA-4724-DR-HI, dated August 10, 2023 (Incident Period – August 8, 2023, through September 30, 2023). The State of Hawai'i has requested and FEMA has approved utilization of the Housing Assistance provision of the Individuals and Households Program (IHP), authorized by Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or "Stafford Act," as implemented in 44 C.F.R. Part 206.117 which authorizes FEMA to provide Direct Assistance for temporary housing when eligible applicants are unable to obtain temporary housing with financial assistance due to a lack of available housing resources.

A potential Alternate Transportable Temporary Housing (ATTHU) site has been identified in coordination with Maui County, for the placement of temporary housing units to support disaster survivors following the wildfires within Maui County.

The proposed Undertaking is being reviewed pursuant to Section 106 of the National Historic

Preservation Act (NHPA) and the Programmatic Agreement currently in effect with *FEMA of the U.S. Department of Homeland Security, the Hawai'i State Historic Preservation Officer (SHPO), the Office of Hawaiian Affairs (OHA), and HI-EMA* (Agreement), executed in 2016, as extended through amendment in 2023.

Undertaking

The proposed Undertaking within west Maui County would take place within the boundaries of a property previously planned for the development of residential housing, identified as the Leiali'i location.

Use of the Leiali'i location would include approximately 36 acres of the available parcel, and would require grading and leveling for the installation of roads and individual gravel site pads to support approximately 130 ATTHUs. The property is located in western Maui, east of the Honoapi'ilani Highway, directly north of Lahaina. Excavation for the installation of subsurface water, sanitation, and electric utilities would be required for each individual ATTHU and would extend as required to connect to existing utility tie-ins. Access roads for ingress and egress to and from the site and circulation roads to allow access to each individual unit would be constructed, and gravel pads for parking and trash, concrete parking pads for units with residents requiring upgrades to meet the Americans with Disabilities Act (ADA) compliance requirements, site lighting, and a perimeter fence would be installed. Additional details are provided below:

Sewer: Gravity sewer main will be installed underground within or adjacent to roads created onsite. Connect to the Maui County sewer system near the south-central portion of the site.

Water: Water mains will be installed underground within or adjacent to the roads created onsite. Connection will be made to Maui County Department of Water near the southeast corner of the site. Fire water supply will be pulled from the same system.

Electric: Electric will be installed overhead and enter the site along the western edge. The connection will be made to Maui County Electric.

Stormwater: Site stormwater will be met utilizing drainage swales and detention-based quality controls per local quality ordinances. Post development off-site stormwater discharge rates will not exceed existing rates for up to a 50-year, one (1) hour storm event in accordance with local ordinances.

Site Entrance: Site access will be from Fleming Road that connects to the northwest portion of the site. Fleming Road has an existing stop light system on Honoapi'ilani Highway. Additionally, construction access may be obtained by an existing roadway that runs parallel to the western side of the property and connects to Keawe Street.

Maximum Excavation Depth: 10 feet below final grade for utility installation. *Excavation is anticipated to be much more limited than 10 feet below grade due to tempoary nature of site use, however 10 feet will be used to ensure sufficient review.

Equipment staging would be limited to within the site boundary and adjacent hardened surface roads and pads. Debris generated during construction would be removed to an existing, licensed landfill.

The exact depth of excavation and grading at the sites is not yet known but would be limited to the least extent necessary to facilitate construction and to comply with building code requirements. The use of this location for housing would be fully temporary. All utilities, roads, and infrastructure installed to facilitate ATTHU occupation would be removed at the conclusion of site use.

Area of Potential Effects

FEMA has determined that the Area of Potential Effects (APE) for the proposed Undertaking includes all areas of potential ground disturbance within the perimeter of the proposed site necessary for the preparation of the individual ATTHU pads, including subgrade utilities, access routes, parking locations, lighting, and a perimeter fence, as well as all locations identified for utility upgrades required to for the location to operate (Map 1). Due to the nature of this Undertaking, the APE has not been expanded to include an indirect APE including viewshed as the use of this location for a survivor housing site is temporary.

Identification of Historic Properties

The APE and area surrounding the APE has been subject to a multitude of previously completed archaeological surveys and studies, including surveys completed at the Leiali'i location specifically in support of residential site development including:

Archaeological Survey and Cultural Impact Assessment Villages of Leiali'i Phases A and B) Master Planning Project Land of Wahikuli, District, Island of Maui (TMK: 4-5-021:003, por.004, 018-021, por.022; 4-5-036:001-111). Paul H. Rosendahl, Ph.D., Inc., Hilo.(Corbin & Rosendahl, 2008).

Land of Pioneer Mill Company: Archaeological Inventory Survey Report Pioneer Mill Company, Ltd. Sugar Enterprise Lands, Site No. 50-50-03-4420, Villages of Leiali'i Project, Lahaina, Maui, Hawai i. International Archaeological Research Institute, Inc., Honolulu. (Goodwin and Leineweber, 1997).

Archaeological Inventory Survey, Lahaina, Master Planned Project Site Land of Wahikuli, Lahaina District, Island of Maui. Paul H. Rosendahl, Ph.D., Inc., Hilo. (Jensen, 1989).

More recently, a study was conducted for the portion of property located immediately south of the Leiali'i location: *Archaeological Inventory Survey for Kaiaulu O Kuku'ia Apartment Project at the Villages of Leiali'i, Wahikuli and Loali'i Ahupua'a, Lahaina District, Islante of Maui, Hawai'i [poertions of TMK: (2) 4-5-021:041, 021, 026, and 027, 4-5-011:011, 4-5-035:037]* (Lee and Dega, 2021).

Additionally, FEMA has reviewed the information available within the Hawai'i Cultural Resource Information System (HICRIS), and conducted a records search of the National Register of Historic

Places.

No historic properties were identified within the APE of the Undertaking, as a result of any of the completed surveys, however during the Lee and Dega (2021) survey of the adjacent property, multiple post-contact clearing mounds (SIHP 50-50-03-04420) were documented directly south of the APE, however they were removed during development of that site for affordable housing. Seventeed additional historic properties have been recorded within 1,000 meters of the APE, however none will be affected as a result of the Undertaking (Table 1).

The Leiali'i Location is located in an area that has been extensively farmed for sugarcane until the area began to shift to tourism in the 1950s. The location was impacted by the wildfires in August, 2023, and vegetative coverage across the site was burned, leaving surface soils exposed. A site visit was conducted in December 2023, by the USACE, to document current site conditions (See Photos 1-2). During the inspection it was observed that grass and low shrub vegetation had been burned to the ground, leaving the location free from vegetation.

Native Hawaiian Organizations

FEMA is required to consult with Native Hawaiian Organizations (NHOs) in a manner appropriate to the scale of the Undertaking and is therefore providing this documentation to NHOs who may have knowledge of cultural resources in the project area or who may have other concerns about the Undertaking. FEMA is providing this documentation concurrently to the SHPD, OHA, and NHOs in accordance with Stipulation II.C of the Agreement.

Determination of Effect

FEMA has determined that there are no historic properties as defined in 36 CFR 800.16(l) within the APE and finds the Undertaking would result in **No Historic Properties Affected** and is initiating Standard Project Review in accordance with Stipulation II.C. of the Agreement.

Despite the fact that no historic properties were identified within the APE as a result of the previously completed survey work, and that the area itself has been extensively disturbed as a result of decades of agricultural practices, due to the high consolidation of historic properties on western Maui, some of which are within close proximity of the APE, FEMA will require an archaeological monitor who meets the Secretary of the Interior Professional Qualifications Standards for that discipline, and be based in Hawai'i, be on site during all new ground disturbing activities, including the removal of any clearing mounds that may be present on site. Additionally, in the event of an inadvertent discovery, the process outlined in in Stipulation III.B. of the Agreement would be followed.

Conclusion

Due to the urgent need to provide housing for displaced individuals and households, your prompt attention to this matter would be greatly appreciated. We respectfully request concurrence with the proposed APE and with this determination of **No Historic Properties Affected** within fifteen (15) days from receipt of this consultation (February 20, 2024). Should

you have any questions or concerns please do not hesitate to contact Emily Benz at Emily.benz@fema.dhs.gov or at (202) 704-6163.

Sincerely,

CHELSEA D KLEIN Digitally signed by CHELSEA D
KLEIN
Date: 2024.02.05 13:03:34 -10'00'

Chelsea Klein
FEMA – Lead Environmental and Historic
Preservation Advisor
4724-DR-HI

Enclosures:

- TABLE 1 – Historic Properties Recorded Within 1,000 Meters of the APE
- MAP 1 – Leiali'i – ATTHU Housing Location, Maximum Area of Potential Effect
- MAP 2 – Leiali'i – ATTHU Housing Location Overlaid with HICRIS Data
- PHOTOS 1 – 2 – Leiali'i - Current Site Conditions, December 2023

TABLE 1 - Historic Properties Recorded Within 1,000 Meters of the APE

SIHP Number	Approx. Distance from APE	ID Number	Type	Name	Resource Description	Proposed Treatment - FEMA
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The contents of this Table have been removed to protect archaeologically sensitive information.

The contents of this Table have been removed to protect archaeologically sensitive information.



MAP 1 – Potential ATTHU Housing Location – Leiali'i – Maximum Area of Potential Effect in **RED.**

MAP 2 – Potential ATTHU Housing Location – Leiali'i – Overlaid with HICRIS Data, 1,000m Buffer.



Photo 1 – Facing south from the east/center of the Leiali'i location, facing west, December 2023.



Photo 2 – Facing south from the east/center of the Leiali'i location, facing west, December 2023.

JOSH GREEN, M.D.
GOVERNOR I KE KIA'AINA

SYLVIA LUKE
LIEUTENANT GOVERNOR I KA HOPE KIA'AINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
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CONSERVATION AND RESOURCES
ENFORCEMENT

ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 9, 2024

Chelsea Klein
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IN REPLY REFER TO:
Project No.: 2023PR00979
Doc. No.: 2402IK02
Archaeology, Architecture

Dear Chelsea Klein:

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consultation -
Federal Emergency Management Agency
Alternate Transportable Temporary Housing – HI-FEMA-4724-DR-HI
Villages of Leiali'i
Wahikuli Ahupua'a, Lahaina District, Island of Maui
TMK: (2) 4-5-021:021**

This letter provides the State Historic Preservation Officer's (SHPO) review of the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Alternate Transportable Temporary Housing (ATTHU) - Villages of Leiali'i project. FEMA has determined that this project is a federal undertaking, as defined in 36 CFR § 800.16(y), and for which the Programmatic Agreement (P.A.) among the Federal Emergency Management Agency, the Hawaii State Historic Preservation Officer, the Office of Hawaiian Affairs, and the State of Hawaii Department of Defense applies. Additionally, the following project is subject to the NHPA Section 106, the HRS §6E-8, and HRS §6E-42 review processes and this letter only addresses the Section 106 portion of the overall project. SHPD received the submittal on February 5, 2024, including a FEMA letter requesting the SHPO's concurrence with the proposed area of potential effects (APE) and determination of *no historic properties affected* with proposed conditions for the subject Undertaking.

At the request of the State of Hawai'i, FEMA has approved utilizing the Housing Assistance provision of the Individuals and Households Program (IHP), authorized by Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as implemented in 44 C.F.R. Part 206.117. FEMA is authorized to provide Direct Assistance for temporary housing when eligible applicants are unable to obtain temporary housing with financial assistance due to a lack of available housing resources.

The proposed Undertaking includes constructing approximately 130 ATTHU units within a portion of a previously planned Hawaii Housing Finance and Development Corp. master planned community identified as the Villages of Leiali'i. The proposed ground disturbances include constructing roads, individual gravel site pads, installation of subsurface water, sanitation, electric utilities, gravel pads for parking and trash, site lighting, perimeter fence, and concrete parking for units requiring Americans with Disabilities Act (ADA) compliance requirements. Equipment staging will be limited to within the site boundary and adjacent hardened surface roads and pads. Debris generated during construction will be moved to an existing licensed landfill. The proposed ground disturbances include a maximum depth of 10 ft below the final grade for utility installation. The exact depth of excavation and grading has not been determined and would be limited to the least

extent necessary. All utilities, roads, and infrastructure installed to facilitate ATTHU occupation will be removed at the conclusion of the site use. See Attachment 1 for additional details on the proposed Undertaking.

The proposed area of potential effects (APE) comprises ~ 36 acres within the overall 365.453-acre parcel and includes all areas proposed for ground disturbances. FEMA indicates the APE has not been expanded to include an indirect APE, including a viewshed, because the Undertaking will only result in temporary visual and audible impacts. FEMA has determined that no historic properties have been identified within the APE. However, an archaeological inventory survey (AIS) was conducted for the Kaiialu O Kuku'ia Affordable Housing project (Lee and Dega 2021) adjacent to the current APE and documented multiple post-contact clearing mounds (SIHP #50-50-03-04420) directly south. FEMA indicates that the clearing mounds were removed during the affordable housing project. On December 2023, USACE conducted a site visit to the APE and observed that the area was impacted by the August 2023 wildfires. The vegetation of the APE was completely burnt exposing the ground surface.

See Attachment 2 for a summary of previous archaeological studies conducted within the APE.

In accordance with Stipulation 11.C of the Agreement, FEMA is concurrently consulting with the SHPD, OHA, and Native Hawaiian Organizations (NHOs). FEMA has initiated consultation with the NHOs who may have knowledge of the cultural resources in the APE or who may have other concerns about the proposed Undertaking. Due to the urgency of the project and on-going consultations, the NHO consultation record was not included in SHPD's review.

FEMA is requesting the SHPO's concurrence with the proposed APE and Section 106 effect determination of *no historic properties affected* with the condition that archaeological monitoring be conducted during the Undertaking's ground disturbing work. **The SHPO concurs** with the proposed APE, FEMA's determination of *no historic properties affected*, and archaeological monitoring being conducted for the subject Undertaking. **The SHPO requests FEMA's concurrence** with the proposed archaeological monitoring conventions in Attachment 3. Please submit a brief letter to the existing HICRIS project number with FEMA's response to this request.

FEMA is the office of record for this Undertaking. Please maintain a copy of this letter with your environmental review record.

The SHPD anticipates receiving from the County of Maui, and any other applicable agency, initiation of the Chapter 6E historic review process to be completed prior to the start of the project.

Please contact Susan A. Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov or at (808) 321-9000, for any matters involving archaeological resources, and for any questions about this Undertaking or if there is a change to the scope of work and/or the APE, please contact Jessica Puff, Architecture Branch Chief, at (808) 462-3083 or at Jessica.Puff@hawaii.gov.

Sincerely,

Alan Downer

Alan S. Downer
Deputy State Historic Preservation Officer
Administrator, State Historic Preservation Division

cc:

Stacy Ferreria, OHA, ohacompliance@oha.org
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Kaiea Medeiros, Maui County, kaiea.e.medeiros@co.maui.hi.us

Attachment 1

FEMA's Proposed Undertaking

Sewer: Gravity sewer main will be installed underground within or adjacent to roads created onsite. Connect to the Maui County sewer system near the south-central portion of the site.

Water: Water mains will be installed underground within or adjacent to the roads created onsite. Connection will be made to Maui County Department of Water near the southeast corner of the site. Fire water supply will be pulled from the same system.

Electric: Electric will be installed overhead and enter the site along the western edge. The connection will be made to Maui County Electric.

Stormwater: Site stormwater will be met utilizing drainage swales and detention-based quality controls per local quality ordinances. Post development off-site stormwater discharge rates will not exceed existing rates for up to a 50-year, one (1) hour storm event in accordance with local ordinances.

Site Entrance: Site access will be from Fleming Road that connects to the northwest portion of the site. Fleming Road has an existing stop light system on Honoapiilani Highway. Additionally, construction access may be obtained by an existing roadway that runs parallel to the western side of the property and connects to Keawe Street.

Maximum Excavation Depth: 10 feet below final grade for utility installation. *Excavation is anticipated to be much more limited than 10 feet below grade due to temporary nature of site use, however 10 feet will be used to ensure sufficient review.

Attachment 2

Previous Archaeological Studies

Our records indicate that an archaeological survey was conducted for the 1,200-acre Lahaina Master Planned Project Site (Jensen 1989), which included the current APE and identified 12 historic properties and 44 component features. The historic properties include overhangs/caves, platforms, walled enclosures, petroglyphs, graves, agricultural terraces, and a single historic agricultural access road alignment. No historic properties were identified within the APE and situated east and northeast of the APE along Kahoma and Hahakea Gulches. Subsequently, an archaeological and architectural survey of the Villages of Leiali'i was conducted for 1,100 acres, including the current APE. The survey (Goodwin and Leineweber 1997) focused on historical architectural features related to the Pioneer Mill Company sugar plantation operations and infrastructure and identified a single historic property (SIHP #50-50-03-04420) and several component features. No historic properties were identified within the current APE.

Attachment 3

These Archaeological Monitoring Conventions (AMC) have been prepared in accordance with Hawaii Administrative Rules (HAR) §13-279-4 governing standards for Archaeological Monitoring Plans (AMP). Specific monitoring provisions are provided below.

1. Archaeological monitoring will be conducted on a full-time, on-site basis for all ground disturbing activities throughout the duration of the project. A request to change to spot monitoring must be submitted to SHPD in writing with appropriate field documentation (including photos) and rationale to support the request. Any change in monitoring provisions may occur only with prior written approval by SHPD.
2. Archaeological monitoring will be carried out by an archaeologist meeting the qualifications of HAR §13- 281-3 to be a Principal Investigator (PI) or by an archaeologist with a B.A. or graduate degree in archaeology or related field and a minimum of 2 years archaeology field experience in Hawaii under the supervision of a P.I. who shall conduct weekly or bi-weekly field visits throughout the duration of the project.
3. The County of Maui Archaeologist and SHPD shall be provided a list of all P.I. and monitors working on the project, along with their qualifications. This list shall be updated if/when any changes in archaeological staffing occurs.
4. The County of Maui Archaeologist and SHPD staff shall be able to conduct site visits with advance written approval. All requests need to be made 24 hours in advance, include the number of personnel attending, and the areas to be visited and why. Requests must be sent to ICP.Lahaina@gmail.com. It is understood that the site visit cannot stop work operations.
5. At least one archaeological monitor will be assigned to each piece of moving equipment. If significant cultural deposits or features are identified and additional archaeological monitors are required, the P.I. will notify the County of Maui Archaeologist and SHPD before additional personnel are brought to the site and to ensure adequate staffing is met.
6. Archaeological monitoring will be conducted on a full-time, on-site basis for all ground disturbing activities throughout the duration of the project. A request to change to spot monitoring must be submitted to SHPD in writing with appropriate field documentation (including photos) and rationale to support the request. Any change in monitoring provisions may occur only with prior written approval by SHPD.
7. The archaeological PI and archaeological monitor shall conduct a pre-construction briefing with the FEMA representative(s), the landowner (State of Hawaii), the County of Maui Archaeologist, all construction personnel, and the designated U.S. Army Corps representative. The purpose of the briefing is to ensure all parties are aware of the need for archaeological monitoring, the types of historic properties (archaeological, cultural, and/or burial) that may be encountered, the agreed-upon archaeological provisions set forth in this plan, and the responsibility of the construction team to ensure that no ground disturbing work is conducted without an archaeological monitor present, the responsibilities and procedures to be conducted by each party should construction activities result in an inadvertent discovery of human remains and/or archaeological historic properties. They also shall be informed that the removal of any artifacts or photography of human remains is prohibited.
7. The PI and archaeological monitor shall be responsible for conducting all coordination with the contractor, SHPD, the County of Maui Archaeologist and any other group involved in the project. The archaeological monitor shall coordinate all monitoring, sampling, and documentation activities with the safety officers for the contractors to ensure that proper safety regulations and protective measures meet compliance.
8. The archaeological PI and the archaeological monitor shall provide a copy of the SHPD-approved AMC to the FEMA, the County of Maui, and the County of Maui Archaeologist, and the construction supervisor(s), and the archaeological monitor shall maintain a copy of the SHPD-approved AMC on site during the duration of the archaeological monitoring fieldwork.
9. The archaeological monitor will conduct a 100% coverage pedestrian survey of the project area (with transects not to exceed 5-10 meters apart, depending on visibility) prior to project staging of equipment, vehicles, or office/work trailers, etc. or initiation of any project related ground disturbing activities.
10. The archaeological monitor will maintain a daily archaeological monitoring log, photo document the project area and daily construction and archaeology project activities, photos of all trench or unit excavations will include a N arrow and a photo stick at least 1 meter in length w/10-cm increments. The archaeological PI shall ensure the daily log is uploaded

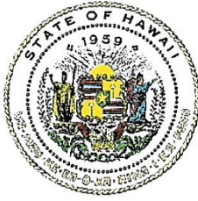
to HICRIS Project No. 2023PR00979 and a brief status update will also be uploaded with a copy also provided via email to SHPD Maui Archaeologist and the County of Maui Archaeologist.

11. The archaeological PI shall ensure that the backhoe trench excavations are conducted using shallow lifts (10-15 cm max.) and short draws (2-3 m max.) to allow for greater control and less impact to cultural deposits, features, or human remains, should they be present. Manual excavation will be employed if cultural deposits or features are encountered.
12. GPS data shall be collected for all excavated trenches and units, site boundaries and, where appropriate, features. A GPS unit with sub-meter accuracy must be used. Site boundaries need to be recorded as a polygon, not as a single point.
13. If any potential cultural deposits, features, or archaeological sites are identified, the archaeological monitor has the authority to halt the work in the immediate area (up to 5 meters) to carry out appropriate identification and documentation. If the find is determined to be a potential historic property, the archaeological monitor will notify the County of Maui Archaeologist and SHPD Maui Archaeologist regarding identification, appropriate documentation, and assessments of site significance and integrity.
14. Archaeological documentation of cultural deposits, features, etc. will include recording its location using a sub-meter accurate GPS unit (to obtain point or polygon data as appropriate); plotting its location on a scaled site map; taking digital photographs with scale and north arrow, and where possible, in both plan view and profile; illustrating feature morphology in scaled plan view and profile drawings; recording dimensions (length, width, depth, etc.); screening at least a 25% sample of a cultural deposit [or other% as determined in consultation with SHPD] through 1/8-inch wire mesh screen to identify potential small-fraction remains; screening a measured volume of pit fill matrix through 1/8-inch wire mesh screen to facilitate identification of pit function; documenting in the field historic artifacts in large infilled pit features and fill layers, including digital photographs with scales, and descriptions of the range of artifact types and relative abundance of types; collecting all historic artifacts from cultural layers and pit features [unless a sampling strategy is agreed to by SHPD] to facilitate identification of function and age. Construction work will only continue in the area of the non-burial find when all documentation has been completed.
15. Stratigraphy will be recorded to provide an accurate sequence from the top to base of excavation. Soil descriptions will be completed using USDA soils nomenclature and attributes and Munsell soil color charts or manuals. Photographs with scales and north arrows will be taken of all locations where stratigraphic profiles are recorded. Per SHPD directives, measured soil samples will be collected from cultural deposits and features and their locations will be recorded on the site map using a hand-held GPS with submeter capability, and their locations will also be recorded on individual stratigraphic profiles. Soil samples will also be collected from each of the layers identified in the field as possible former A-horizons.
16. In the event that no significant historic properties are identified, representative soil profiles will be collected from across the project area. Representative soil profiles will measure a minimum of 2 meters across (when possible) and their locations will be recorded using GPS data points and on a USGS topographic Quadrangle Map.
17. In the event that human remains (burial or isolated, displaced skeletal elements) are inadvertently encountered, all work in the immediate area of the find will cease, the area and human remains will be secured, and the archaeological monitor will immediately notify the FEMA representative who will ensure notification via both phone and email, to the Maui Police Department, the County of Maui Archaeologist, SHPD (archaeologist and burial sites specialist staff), and the Maui/Lanai Island Burial Council geographic representative. Treatment of the human remains (including archaeological documentation and completion of a SHPD Inadvertent Burial Form) shall be in accordance with Hawaii Revised Statutes §6E-43.6, Hawaii Administrative Rules §13-300-40, and written SHPD directives. Work will resume in the area of the inadvertent find only following written SHPD approval.
18. All artifacts and samples collected during the project (excluding human remains) shall be transported to the archaeological firm's office/laboratory on Maui for analysis in accordance with HAR §13-279; none will be transported off island. They will be cleaned, sorted, counted, weighed (metric), and analyzed (both qualitative and quantitative data), with all data recorded on standard laboratory forms. Midden samples will be minimally identified to major class (e.g., bivalve, gastropod mollusk, echinoderm, fish, bird, and mammal). Digital photographs with scales will be taken of a representative sample of the diagnostic artifacts. Tables and text discussing the artifact and sample results will be provided in the report, along with appropriate digital photographs.

19. Samples (wood charcoal, shell, non-human bone, kukui nut) identified as potentially suitable for dating from an undisturbed context (e.g., cultural layer, pit feature) shall be considered for radiocarbon dating in consultation with SHPD and the landowner. Prior to submittal, potential wood charcoal samples shall first be submitted to International Archaeological Research Institute, Inc. (IARII) for wood taxa identification. Only samples identified as short-lived endemic or Polynesian-introduced species will be selected for dating purposes.
20. All stratigraphic profiles and plan view maps of identified historic properties (e.g., sites, cultural layers, features) shall be drafted for presentation in the final report. Photographs of project work, including overviews, and of individual profiles, cultural layers, and features shall also be included in the final report. Representative soil profiles (non-cultural) summaries, stratigraphy and their location will be plotted on a USGS topographic map.
21. The contracted archaeological firm(s) shall store all project documentation (field notes, photographs, profiles and plan view drawings, laboratory data, etc.) in their office/laboratory on the island of Maui. They shall also store all collected artifacts and sample material until final disposition of the artifacts and samples is determined in consultation with SHPD and the landowner.
22. All historic properties (non-burial and burial) identified and/or further documented during archaeological monitoring (e.g., cultural layer, pit features, buried walls) shall be assessed for site significance per HAR§13-284-6 [13-275-6 for government projects], Criteria a through e and, as this project is also a federal undertaking, they shall be assessed for significance and eligibility for listing in the National Register of Historic Places. This information shall be included in the final report, along with an appropriate recommendation for future mitigation.
23. Any inadvertent discoveries are also subject to Section 106, 36 CFR § 800.13 post-review discoveries. If significant cultural resources are encountered after construction has commenced, determine actions that the federal official can take to resolve adverse effects, and notify the SHPO, and any Native Hawaiian organization that might attach religious and cultural significance to the affected property within 48 hours of the discovery. The notification shall describe the federal official's assessment of National Register eligibility of the property and proposed actions to resolve the adverse effects. The federal official shall provide the SHPO, the Native Hawaiian organization a report of the actions when they are completed. Consultation under Criterion e.
24. The archaeological P.I. is responsible for sending to SHPD a written notification via email and HICRIS at the start of archaeological monitoring, and responsible for ensuring the County of Maui Archaeologist is also notified in writing.
25. Within 30 days of completion of archaeological monitoring fieldwork, the FEMA shall submit via HICRIS to Project No. 2023PR00979 to the SHPD for review and acceptance a brief archaeological monitoring letter report of the findings as specified in HAR §13-282-3(t)(1). Within 60 days of completion of fieldwork, the FEMA shall submit for SHPD review and acceptance an archaeological monitoring report (AMR) meeting the requirements of HAR §13-279-5. The AMR shall be submitted to HICRIS Project No. 2023PR00979 and, if appropriate, the filing review fee.
26. SHPD requests FEMA provide written notification via email and HICRIS at the start of archaeological monitoring. Within 30 days of completion of archaeological monitoring fieldwork, SHPD looks forward to receiving a brief archaeological monitoring letter report of findings as specified in HAR §13-282-3(t)(1). Within 60 days of the completion of archaeological monitoring field work, SHPD looks forward to receiving for review and acceptance of an archaeological monitoring report meeting the requirements of HAR§13-279-5.
27. The final SHPD-accepted AMR shall be distributed to the FEMA, SHPD, the County of Maui, and the County of Maui Archaeologist.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
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ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 29, 2024

Chelsea Klein
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Email: Chelsea.Klein@fema.gov

IN REPLY REFER TO:
Project No.: 2023PR00979
Doc. No.: 2402IK14
Archaeology, Architecture

Dear Chelsea Klein:

**SUBJECT: National Historic Preservation Act (NHPA) Section 106 Consultation -
Federal Emergency Management Agency
Alternate Transportable Temporary Housing - HI-FEMA-4724-DR-HI
Villages of Leiali'i
Memorandum Documenting Updated Archaeological Monitoring Conventions #4 and #11
Wahikuli Ahupua'a, Lahaina District, Island of Maui
TMK: (2) 4-5-021:021**

This letter provides the State Historic Preservation Officer's (SHPO's) review of the U.S. Department of Homeland Security's Federal Emergency Management Agency's (FEMA) Alternate Transportable Temporary Housing (ATTHU) - Villages of Leiali'i project. The project is subject to NHPA Section 106 consultation as a federal undertaking and Hawaii Revised Statutes §6E historic preservation review. The State Historic Preservation Division (SHPD) received a Memorandum from FEMA dated February 28, 2024 providing the final Updated Archaeological Monitoring Conventions #4 and #11 (received February 28, 2024, Submission No. 2023PR00979.022).

The SHPO previously reviewed the Undertaking and concurred with the APE, FEMA's determination of *no historic properties affected*, and FEMA's commitment that archaeological monitoring would be conducted for all ground-disturbing activities in accordance with an agreed-upon set of Archaeological Monitoring Conventions (#1 through #27) in a letter dated February 9, 2024 (Project No.2023PR00979, Doc. No. 2402IK02). Subsequently, FEMA requested modifications to Archaeological Monitoring Conventions #4 and #11 and, following several consultation teleconference calls among FEMA, SHPD, Maui County, US Army Corps of Engineers (USACE), and the Office of the Governor, for a different Group Housing Site (Ka'anapali 2020), it was agreed that the modifications to Archaeological Monitoring Conventions #4 and #11 I would also be applied to the Village of Leiali'i project.

The SHPO agrees that FEMA's Memorandum dated February 28, 2024 accurately reflects the agreed-upon Updated Archaeological Monitoring Conventions #4 and #11 for the Villages of Leiali'i project. These conventions are presented in the Attachment below.

Please contact Jessica Puff, Architecture Branch Chief, at (808) 462-3083 or at Jessica.Puff@hawaii.gov, regarding any changes to the scope of work or APE, and please contact Susan A. Lebo, Archaeology Branch Chief, at (808) 321-9000 or at Susan.A.Lebo@hawaii.gov for any matters involving archaeological resources, the archaeological monitoring conventions, or this letter.

Sincerely,

Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc:

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Attachment

Updated Archaeological Monitoring Convention #4 states:

The County of Maui Archaeologist and SHPD staff shall be able to conduct site visits with advance written approval. All requests need to be made 24 hours in advance, include the number of personnel attending, and the areas to be visited and why. Requests must be sent to ICP.Lahaina@gmail.com. It is understood that the site visit cannot stop work operations.

Updated Archaeological Monitoring Convention #11 states and clarifies the following:

1. Confirmation that the requirement for shallow lifts noted in Convention 11 above is for trenching only and is not applicable to grading.
2. Confirmation that the requirement for shallow lifts noted in Convention 11 above is for soils only.
3. Confirmation that the requirement for archaeological monitors is specific to earth moving equipment only.
4. Confirmation that the archaeological monitor assigned to each piece of earth moving equipment will also monitor back-dirt.

5. Following grading, the below outlined monitoring process will be implemented during trenching activities on site:
 - a. The first 60 cm (2 feet) of trenching will be conducted in 10-15cm lifts, and short draws (not to exceed 3 meters).
 - b. If no cultural resources are identified during the first 60cm of trenching, lifts may increase to 30 cm (12 inches), and short draws (not to exceed 3 meters), for the remainder of trenching activities.
 - c. If cultural resources are identified during trenching activities at any depth, short lifts of 10-15 cm will be reinstated/maintained for the remainder of trenching in the immediate location.
6. The archaeological contractor will provide cultural training to equipment operators to facilitate on-site coordination efforts and assist with resource identification.
7. Pursuant to convention included in the Section 106 concurrence letter below, a coordination call will be set up every two weeks, with representatives from the USACE, Archaeological Contractor, FEMA, SHPD, and the County to discuss field observations and determine if modifications to monitoring requirements may be reduced:

Archaeological monitoring will be conducted on a full-time, on-site basis for all ground disturbing activities throughout the duration of the project. A request to change to spot monitoring must be submitted to SHPD in writing with appropriate field documentation (including photos) and rationale to support the request. Any change in monitoring provisions may occur only with prior written approval by SHPD.

Native Hawaiian Organizations Consulted

FEMA is required to consult with Native Hawaiian Organizations (NHOs) in a manner appropriate to the scale of the Undertaking. On February 5, 2024, FEMA sent a Section 106 consultation for review for the Leiali‘i Group Site to the following NHOs. The parties were identified through coordination with the Senior Advisor for Native Hawaiian Affairs for the U.S. Department of the Interior, the Office of Hawaiian Affairs, and also as a result of specific requests received directly from NHOs. Consultation period concluded March 6, 2024.

NHO Name (if Listed)	Date of Consultation	Response Received
‘Āina Momona	2/5/2024	N/A
‘Ohana Keaweamahi	2/5/2024	N/A
‘Ohana Keohokālole	2/5/2024	N/A
Aha Moku o Maui	2/5/2024	N/A
Ao Makole	2/5/2024	N/A
Association of Hawaiians for Homestead Lands	2/5/2024	N/A
Ho‘oponopono O Makena	2/5/2024	N/A
Kimokeo Ohana (Family) & Community	2/5/2024	N/A
Kuloloi‘a Lineage - I ke Kai ‘o Kuloloi‘a	2/5/2024	N/A
Malama Kananilua	2/5/2024	N/A
Maui Tomorrow/Aloha First	2/5/2024	N/A
Mauna Medic Healers Hui	2/5/2024	N/A
Nā ‘Aikāne o Maui	2/5/2024	N/A
Paukukalo Hawaiian Homes Community Association	2/5/2024	N/A
Waiehu Kou Phase 3 Association	2/5/2024	N/A

In addition to the NHOs identified above, the following cultural advisors/practitioners were included in this consultation effort:

Cultural Advisor/Practitioner	Date of Consultation	Response Received
Dane Maxwell	2/5/2024	N/A
Ms. Hokulani Holt Padilla	2/5/2024	N/A
Makalapua Kanuha	2/5/2024	N/A

Appendix H.

Public Notices



FEMA

DR-4724-HI Public Notice 002



English

Notice Date	August 14, 2023
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The U.S. Department of Homeland Security’s Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to provide financial assistance to the State of Hawaii, local governments, and private nonprofit organizations under major disaster declaration FEMA-4724-DR-HI. This notice applies to the Individual Assistance (IA), Public Assistance (PA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207. This public notice concerns activities that may affect historic properties, activities that are located in or affect wetland areas and the 100-year floodplain and may involve critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain, or wetland, or may result in continuing vulnerability to flood damage.

I. Public Notice – Major Disaster Declaration FEMA-4724-DR-HI and Overview of Authorized Assistance

The President declared a major disaster for the State of Hawaii on August 10, 2023, as a result of Hawaii Wildfires, which began on August 8, 2023 and continuing, pursuant to his authority under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub. L. No. 93-288 (1974) (codified as amended at 42 U.S.C. § 5121 *et seq.*) (Stafford Act). Maui County has been designated as adversely affected by the disaster and eligible for both Individual Assistance and Public Assistance (Category A and B) Program funding. Hawaii

County has been designated as eligible for emergency protective measures (Category B) under the Public Assistance Program.

The Hazard Mitigation Grant Program is available Statewide.

Individual Assistance is authorized by Section 408 of the Stafford Act. FEMA may provide IA program funding for disaster-related emergency housing. These actions may adversely affect a floodplain/wetland or may result in continuing vulnerability to floods. These actions may include repair, restoration, or construction of housing or private bridges, purchase and placement of travel trailers or manufactured housing units, or repair of structures as minimum protective measures. This will be the only public notice concerning these actions.

The Public Assistance Program is authorized by Sections 403, 406, and 407 of the Stafford Act. FEMA may provide financial assistance under the Public Assistance Program for the State of Hawaii local governments, and private nonprofit organizations to perform debris removal and emergency protective measures.

The Hazard Mitigation Grant Program is authorized by Section 404 of the Stafford Act. Under the Hazard Mitigation Grant Program, FEMA may provide financial assistance for the State of Hawaii local governments, and private nonprofit organizations to implement mitigation measures to reduce the risk of life and property from future disasters during the recovery from the major disaster. In the course of developing project proposals, subsequent public notices will be published, if necessary, as more specific information becomes available.

II. Public Notice – Financial Assistance for Activities that Affect Historic Properties or Located in or that Affect Wetlands Areas or Floodplains

Some of the activities for which FEMA provides financial assistance under the Individual Assistance, Public Assistance, and Hazard Mitigation Grant Programs may affect historic properties, may be located in or affect wetland areas or the 100-year floodplain, and may involve critical actions within the 500-year floodplain. In accordance with all requirements of the National Environmental Policy Act (NEPA), all federal actions must be reviewed and evaluated for feasible alternatives. FEMA must also comply with Executive Order 11988, Floodplain Management; Executive Order 11990, Protection of Wetlands; the National Historic Preservation Act of 1966, Pub. L. No. 89-655 (1966) (codified as amended at 16 U.S.C. § 470 et seq.) (NHPA); and the implementing regulations at 44 C.F.R. pt. 9 and 36 C.F.R. pt. 800. The executive orders, NHPA, and regulations require FEMA to provide public notice for certain activities as part of approving the award of financial assistance for specific projects.

A. Federal Actions in or Affecting Floodplains and Wetlands

FEMA has determined for certain types of facilities there are normally no alternatives to restoration in the floodplain or wetland. These are facilities meeting all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50% of the cost to replace the entire facility and is less than \$100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous Presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility containing dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except certain measures to mitigate the effect of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For routine activities, this will be the only public notice provided. Other activities and those involving facilities not meeting the four criteria are required to undergo more detailed review, including the study of alternate locations. Subsequent public notices regarding such projects will be published, if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration before federal involvement. Even if the facility must undergo detailed review and analysis of alternate locations, FEMA will fund eligible restoration at the original location if the facility is functionally dependent on its floodplain location (e.g., bridges and flood control facilities), or the project facilitates an open space use, or the facility is an integral part of a larger network which is impractical or uneconomical to relocate, such as a road. In such cases, FEMA must also examine the possible effects of not restoring the facility, minimizing floodplain or wetland impacts, and determining both an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain or wetland, and the site selected is the only practicable alternative. The State and local officials will confirm to FEMA the proposed actions comply with all applicable federal, state, and local floodplain management and wetland protection requirements.

The Public Assistance (PA) Federal Flood Risk Management Standard (FFRMS) partial implementation policy, effective for all major disasters declared on or after June 3, 2022, applies to PA projects in the 1% annual chance floodplain (1% and 0.2% annual chance floodplains for critical actions) involving new construction of structures, structures that have a substantial damage determination, or structures that require substantial improvement. The policy applies regardless of the cause of damage.

The Hazard Mitigation Assistance (HMA) FFRMS partial implementation policy applies to non-critical actions involving structure elevation, dry floodproofing, and mitigation reconstruction in the 1% annual chance floodplain. For all FEMA programs and project

types, if a state or local government has its own higher elevation standard, FEMA requires use of the higher standard. FEMA program policies also reference additional consensus codes and standards, such as ASCE-24-14, that incorporate additional elevation requirements beyond the base flood elevation.

B. Federal Actions Affecting Historic Properties

Section 106 of the NHPA requires FEMA to consider the effects of its activities (known as undertakings) on any historic property and to afford the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on such projects before the expenditure of any federal funds. An Individual Assistance, Public Assistance, or Hazard Mitigation Grant Program activity is an “undertaking” for the purposes of the NHPA, and a historic property is any property which is included in, or eligible for inclusion in, the National Register of Historic Places (NRHP). For historic properties which will not be adversely affected by FEMA’s undertaking, this will be the only public notice. FEMA may provide additional public notices if a proposed FEMA undertaking would adversely affect a historic property.

III. Further Information or Comment

The Rehabilitation Act of 1973 protects the civil rights of persons with disabilities. It prohibits discrimination on the basis of disability by the federal government, federal contractors, and by recipients of federal financial assistance. Any recipient or sub-recipient of federal funds is required to make their programs accessible to individuals with disabilities. Its protections apply to all programs and businesses receiving any federal funds. This applies to all elements of physical/architectural, programmatic and communication accessibility in all services and activities conducted by or funded by FEMA. FEMA intends to comply with the Rehabilitation Act in all federally conducted and assisted programs in alignment with the principals of whole community inclusion and universal accessibility.

Executive Orders 13985 and 14008 further address the need to achieve environmental justice and equity across the federal government. The issuance of the new executive orders more than 20 years after Executive Order 12898 was signed indicates the administration’s directive to federal agencies to renew their energy, effort, resources, and attention to environmental justice. FEMA is working with applicants/sub-applicants to identify communities with Environmental Justice concerns and provide an avenue for local groups and non-profits with an Environmental Justice mission to self-identify so FEMA Programs can start to work with them on specific projects from the beginning of the application process.

FEMA also intends to provide HMGP funding to the State of Hawaii to mitigate future disaster damages. These projects may include construction of new facilities, modification

of existing, undamaged facilities, relocation of facilities out of floodplains, demolition of structures, or other types of projects to mitigate future disaster damages. In the course of developing project proposals, subsequent public notices will be published, if necessary, as more specific information becomes available.

This will be the only public notice regarding the actions described above for which FEMA may provide financial assistance under the Individual Assistance, Public Assistance, and Hazard Mitigation Grant Programs. Interested persons may obtain information about these actions or a specific project by writing to the Federal Emergency Management Agency Region RIX Office, Regional Environmental Officer, 1111 Broadway, Suite 1200, Oakland, CA 94607. All comments concerning this public notice must be submitted in writing to the Region RIX Office within 30 days of its publication.

Last updated September 15, 2023

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PUBLIC NOTICE
Federal Emergency Management Agency (FEMA)
Notice of Availability of the Draft Environmental Assessment
For Alternative Temporary Transportable Housing Unit Group Site
Known as the Fleming Road Temporary Group Site
FEMA DR-4724-HI

Under the Aug. 10, 2023, major presidential disaster declaration for the Hawai‘i wildfires and high winds (FEMA-DR-4724-HI), the Federal Emergency Management Agency (FEMA) will construct a temporary group housing site for displaced individuals and families. In accordance with the National Environmental Policy Act (NEPA) of 1969, FEMA has prepared a draft environmental assessment for a proposed Alternative Temporary Transportable Unit (ATTHU) group housing site. FEMA hereby gives notice to the public of its intent to construct the Fleming Road Temporary Group Site.

The proposed action is in response to the wildfires and high winds in Maui County for the incident period beginning Aug. 8, 2023, and ending Sept. 30, 2023. The president approved the major disaster declaration Aug. 10.

The proposed action includes developing a 36-acre site for about 169 ATTHUs to be located at West Maui, just north of Keawe Street and the Lahaina Bypass and southwest of Fleming Road, Lahaina, Hawai‘i 96793 (Latitude: 20.892807; Longitude: -156.680137). Activities may include, where necessary, site clearing, grading, road construction, the placement of utilities (electricity, telephones, water, and sewer), and the transport and installation of housing units to the site. The group site, developed under FEMA’s Individuals and Households Program, is intended to be operational for up to 18 months and extended depending on the needs of the disaster.

The draft environmental assessment summarizes the purpose and need for the project, site selection process, alternatives considered, the no-action alternative, the affected environment, and potential environmental consequences of the project. It assesses the potential impacts of the proposed action on the human and natural environment.

The draft environmental assessment was prepared in accordance with NEPA, the Council on Environmental Quality regulations implementing NEPA (40 Code of Federal Regulations Parts 1500–1508), FEMA’s Instruction 108-1-1 for implementing NEPA, the National Historic Preservation Act, Executive Order 11988 (“Floodplain Management”), Executive Order 11990 (“Protection of Wetlands”), and the implementing regulations of FEMA.

Additional detailed descriptions of the alternative proposed actions may be reviewed in the draft environmental assessment conducted by FEMA, which is available for public review at the FEMA website: <https://www.fema.gov/emergency-managers/practitioners/environmental-historic/region>. Printed copies are available for viewing or photocopying at the following location:

Lahaina Civic Center Gymnasium
1840 Honoapi‘ilani Highway
Lahaina, Hawai‘i 96761
8 a.m. to 4 p.m. Monday to Friday; 8 a.m. to 2 p.m. Saturday; closed Sundays

Due to the emergency nature of this action, the public comment period will be limited to seven days,

ending Mar. 15, 2024. Written comments on the draft environmental assessment can be mailed or emailed to the contact listed below. If emailing, please remember to include “**Temporary Housing Fleming Road Site**” in the subject line. If no substantive comments are received by the conclusion of the comment period, the draft environmental assessment and associated *Finding of No Significant Impact* will become final and no additional public notice will be published. Substantive comments received will be addressed, as appropriate, in the *Final Environmental Assessment/Finding of No Significant Impact*, which will be posted to FEMA’s NEPA repository, concluding the NEPA review.

Mail comments to:

FEMA Region IX EHP
1111 Broadway, Suite 1200
Oakland, CA 94607-4052
Email: fema-rix-ehp-documents@fema.dhs.gov

FEMA works to ensure that information is accessible to all of our customers. If you are unable to access any information presented in the document, please contact us by email at: fema-rix-ehp-documents@fema.dhs.gov.

All other questions regarding disaster assistance or the availability of emergency housing should be directed to the FEMA Helpline at 800-621-3362, or visit www.DisasterAssistance.gov.