



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai'i 96850

In Reply Refer To:
01EPIF00-2019-I-0387

August 7, 2019

Ms. Meesa Otani
Environmental Engineer
U.S. Department of Transportation, Federal Highway Administration
300 Ala Moana Boulevard, Room 3-306
Honolulu, Hawai'i 96850

Subject: Informal Consultation with the Federal Highway Administration, for the Interstate Route H-1 Resurfacing, Miller Pedestrian Overpass to Kapi'olani Interchange project, O'ahu

Dear Ms. Otani:

The U.S. Fish and Wildlife Service (Service) received your letter on July 11, 2019, requesting our concurrence with your determination that the proposed project, Interstate Route H-1 resurfacing, Miller pedestrian overpass to Kapi'olani interchange on the island of O'ahu, may affect, but is not likely to adversely affect the federally endangered Hawaiian petrel or ua' u (*Pterodroma sandwichensis*), endangered band-rumped storm-petrel or 'akē' akē (*Oceanodroma castro*) Hawaii Distinct Population Segment, and threatened Newell's shearwater or 'a'o (*Puffinus auricularis newellii*) (collectively referred to as Hawaiian seabirds).

The findings and recommendations in this consultation are based on your July 11, 2019 Letter and enclosures, and other information available to us. A complete administrative record is on file in our office. Our response is in accordance with section 7 of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*).

Project Description

The Federal Highway Administration (FHWA) is planning to resurface a portion of the Interstate H-1 Freeway from the Miller Pedestrian Overpass to Kapi'olani Interchange, including all ramps, overpasses and side streets. The project would also improve the roadway street lighting to bring this section of H-1 Freeway into compliance with current American Association of State Highway and Transportation Officials (AASHTO) roadway lighting standards. This would result in the combination of luminaire head replacements and additional surface mounted luminaires beneath vehicle overpasses. The proposed project is located in city and county of Honolulu, Island of O'ahu, Hawai'i within the Interstate H-1 Freeway right-of-way between Mile Post 21.80 and Mile Post 24.71. The project limits include the length and width of Interstate H-1 roadway right-of-way that is approximately three miles long and ranges from 110 feet wide to 300 feet wide. Construction is expected to occur primarily at night starting in 2020 and would take approximately one year to complete.

Hawaiian seabirds

Hawaiian seabirds may traverse the project area at night during the breeding, nesting and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable. The FHWA will incorporate the following avoidance and minimization measures for potential impacts to Hawaiian seabirds:

- All outdoor lights shall be shielded and directed toward the ground so that the bulb can only be seen from below bulb height and only used when needed. This will avoid project lighting attracting seabirds as they travel from the ocean to their nesting areas.
- Automatic motion sensor switches and controls shall be installed on outdoor lights used during construction or turned off when human activity is not occurring in the lighted area.

Effects Analysis

The Hawaiian seabirds may transit through the proposed project area. Because the proposed project all lighting shall be shielded and directed downward during the seabird fledging period (September 15 to December 15) it is not probable Hawaiian seabirds flying over the project area will be disoriented by artificial lights from the project, therefore, effects of the project are discountable. Because effects from the action are discountable, the proposed project is not likely to adversely affect Hawaiian seabirds.

Conclusion

Based upon the above, the Service concurs with your determination that the proposed action may affect, but is not likely to adversely affect Hawaiian seabirds. Unless the project description changes, or new information reveals that the action may affect listed species in a manner or to an extent not considered, or a new species or critical habitat is designated that may be affected by the proposed action, no further action pursuant to section 7 of the Act is necessary.

We appreciate your efforts to protect listed species. If you have questions regarding this letter, please contact Johnathon Kraska, Endangered Species Biologist (phone: 808-792-9427, fax: 808-792-9580, email: johnathon_kraska@fws.gov). When referring to this project, please include this reference number: 01EPIF00-2019-I-0387.

Sincerely,

Island Team Manager
O'ahu, Kaua'i, Northwestern Hawaiian
Islands and American Samoa