DEPARTMENT OF DEFENSE
U.S. DEPARTMENT OF THE NAVY

FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR THE DISPOSAL AND REUSE OF SURPLUS PROPERTY AT NAVAL AIR STATION BARBERS POINT, OAHU, HAWAII

Pursuant to the Council on Environmental Quality (CEQ) regulations (40 Code of Federal Regulations [CFR] § 1500-1508) implementing procedural provisions of the National Environmental Policy Act (NEPA), and the Navy's Procedures for Implementing NEPA (32 CFR Part 775), the Navy gives notice that an Environmental Assessment (EA) has been prepared and an Environmental Impact Statement (EIS) is not required for the disposal and reuse of surplus property at Naval Air Station (NAS) Barbers Point located in the State of Hawaii.

Proposed Action: The Proposed Action is the disposal of the remaining surplus Navy property at the former NAS Barbers Point and its subsequent reuse. Specifically, this action calls for the disposal of six parcels (i.e., Lot 13058-B, Lot 13058-G, Lot 13058-D, Lot 13058-F, Lot 13073-A, and Lot 13074-D) encompassing approximately 388 acres (157 hectares) by the Navy and its subsequent reuse in a manner consistent with the State-approved *Kalaeloa Master Plan* (KMP) as prepared by the Hawaii Community Development Authority (HCDA). This alternative has been identified as the preferred alternative by the Navy. This alternative is based upon the reuse plan identified in the KMP and would be comprised of, depending on the individual parcel, mixed-use (moderate intensity), open space/recreation, eco-industrial, institutional (school/cultural center), and airport/navigation land uses.

Disposal of the property is the responsibility of the Navy (i.e., federal action). The HCDA is responsible for implementing the KMP following disposal. The future developer or owner of the property will be responsible for acquiring any applicable building permits, zoning approvals, and environmental permits for development of the property.

Purpose and Need: The purpose of the Proposed Action is to provide for the disposal of the remaining surplus federal property at NAS Barbers Point and its subsequent reuse in a manner consistent with the KMP. The need for the Proposed Action is to comply with the Defense Base Closure and Realignment Act (DBCRA) of 1990, Public Law 101-510, 10 U.S.C. Section 2687,

note, which required the Navy to close NAS Barbers Point and dispose of the property.

Existing Conditions: The former NAS Barbers Point, renamed Kalaeloa, is situated in the City and County of Honolulu, island of Oahu, approximately 16 miles (26 kilometers) west of downtown Honolulu.

NAS Barbers Point was recommended for closure in 1993 by the Defense Base Closure and Realignment Commission in accordance with the DBCRA of 1990. In 1993, the State of Hawaii established the Barbers Point NAS Redevelopment Commission and they prepared the *Naval Air Station Barbers Point Community Redevelopment Plan* in 1997 (1997 Reuse Plan) to guide future reuse of the property. Based on this 1997 Reuse Plan, the Navy initiated the NEPA process and prepared the *Final Environmental Impact Statement for the Disposal and Reuse of Naval Air Station Barbers Point, Hawaii, February 1999* (1999 FEIS). A Record of Decision (ROD) was published in the *Federal Register* on June 30, 1999 (Volume 64, Number 125). The station was closed on July 2, 1999 and the Navy has since disposed of approximately 1,900 acres (769 hectares) of NAS Barbers Point property.

Following the 1999 Navy ROD, in June 2002, the State of Hawaii Legislature enacted a law (Senate Bill 2702 [becoming Act 184]) which transferred redevelopment responsibility from the Barbers Point NAS Redevelopment Commission to the HCDA. In 2006, the HCDA amended the 1997 Reuse Plan with the adoption of the KMP. This amendment resulted in a change of land use for one parcel (i.e., Lot 13074-D) that had not yet been disposed by the Navy.

In addition, since the publication of the ROD in 1999, the proposed fed-to-fed transfer of Lot 13058-B, Lot 13058-D, Lot 13058-G, Lot 13058-F, and Lot 13073-A did not occur and they became available for disposal by the Navy and reuse by the local community. Importantly, these parcels were not assessed in the 1999 FEIS because they were to be conveyed to other federal agencies via a fed-to-fed transfer. No NEPA analysis was completed for their disposal and reuse.

Scope of the EA: The Navy has prepared this EA to supplement the 1999 FEIS. The supplement is required due to changes that have occurred since the 1999 ROD, including the availability of five new parcels (i.e., Lot 13058-B, Lot 13058-G, Lot 13058-D, Lot 13058-F, and Lot 13073-A) and a change in the proposed land use for a portion of Lot 13074-D. The "project area" examined in this EA includes these six parcels.

The EA evaluates the potential direct, indirect, short-term, and long-term impacts on the human and natural environment resulting from the disposal and subsequent reuse of remaining surplus property at NAS Barbers Point. The EA documents the Navy's compliance with the requirements of NEPA, as amended; the CEQ regulations implementing NEPA (40 CFR Sections 1500-1508); and Navy procedures for implementing NEPA (32 CFR Part 775).

Resource areas examined in the EA and potentially impacted include geology, topography, and soils; groundwater; surface water; air quality; noise; visual resources; transportation; land use; biological resources; cultural resources; public health and safety; public services; socioeconomic environment; and infrastructure. The EA also addresses potential cumulative impacts. The analysis of potential impacts is based on the full build-out of the KMP.

In accordance with CEQ NEPA regulations (40 CFR Section 1506.6, Public Involvement), this EA has been made available to agencies, applicants, and the public for a 30-day comment period. This review period provided, to the extent practicable, the opportunity for the public to be involved in the preparation of this assessment. A list of the comments received on the draft EA and the Navy's response to comments are included as an appendix to the EA.

Alternatives Analyzed: The EA augments and incorporates by reference the alternatives assessed in the 1999 FEIS. The alternatives considered in the 1999 FEIS remain unchanged in the supplemental EA. The 1999 FEIS Preferred Alternative assumed development as open space, parks or recreation for Lots 13058-B, 13058-D, 13058-F, 13058-G, 13073-A, and 13074-D. At this time, specific detailed site plans have not been developed for the build out of the proposed action's land use plan (i.e., KMP). To assess the still unknown future land use scenarios, this EA utilizes a programmatic or broad-scale approach to analyze the potential impacts of implementing the proposed action.

The alternatives considered in this EA, which supplements the alternatives assessed in the 1999 FEIS, include the proposed action (i.e., KMP) and the No Action Alternative. The No Action Alternative is the retention of the six surplus parcels by the U.S. government in caretaker status. Under this alternative, no construction or redevelopment of the remaining surplus property would take place. The No Action Alternative is evaluated in detail in this EA as prescribed by CEQ regulations.

Implementation of this alternative does not meet the Navy's requirement to close NAS Barbers Point, as prescribed by the DBCRA.

Other reuse alternatives, including other development scenarios for the project area, were eliminated from consideration because they were not considered feasible or reasonable, given the purpose and need of the Proposed Action, authority of the HCDA to plan and manage future development, and the existence of the State-approved and publically developed KMP.

Environmental Effects: The EA examined the potential human and natural environmental consequences of the Proposed Action and any impacts associated with the reasonably foreseeable reuse of the property. Implementation of the Proposed Action would not significantly impact the quality of the human or natural environment. The following is a summary of environmental consequences of the Proposed Action.

Terrestrial Flora: Lot 13058-D contains suitable habitat for the federally-listed endangered Ewa Plains 'akoko (*Chamaesyce skottsbergii* var. *kalaeloana*) and the largest population of the species known to exist. No other federally-listed endangered or threatened plant species or designated critical habitat is known to occur within the Project Area. However, on August 2, 2011, the U.S. Fish and Wildlife Service (USFWS) proposed designating critical habitat (i.e., Lowland Dry Unit 11) within portions of Lot 13058-D and Lot 13058-G for the conservation of habitat for the Ewa Plains 'akoko and 16 unoccupying federally-listed endangered plant species (Federal Register, Vol. 76, No. 148, Tuesday, August 2, 2011, pages 46362-46594).

The Navy has determined that the disposal and reuse of Lot 13058-D would not affect the Ewa Plain 'akoko plant or its habitat. In addition, the disposal action would have 'no effect' on the USFWS proposed critical habitat (i.e., Lowland Dry Unit 11) located within portions of Lot 13058-D and Lot 13058-G.

Transfer of legal title of the property by the Navy to HCDA does not, in itself, affect the Ewa Plain 'akoko (located within Lot 13058-D), its habitat (located within Lot 13058-D), and the proposed USFWS critical habitat - Lowland Dry Unit 11 (portions of Lot 13058-D and Lot 13058-G). To avoid any direct or indirect impact on the Ewa Plain 'akoko and to ensure that subsequent reuse by HCDA or its successors is appropriately analyzed and that such reuse will conserve the Ewa Plain 'akoko and its habitat, the Navy will require that an 'akoko conservation and management plan approved by the State of Hawai'i DLNR be in

place prior to conveyance of Lot 13058-D (location of the Ewa Plains 'akoko). In the event that the USFWS Lowland Dry Unit 11 critical habitat is established, the Navy will require that the 'akoko conservation and management plan also include the portions of the proposed 'akoko critical habitat (i.e., proposed Lowland Dry Unit 11) located within Lot 13058-G prior to conveyance. Further, the Navy will attach a restrictive covenant that will place controls on the property to ensure the conservation and protection of the 'akoko, its habitat, and the proposed USFWS Ewa Plain 'akoko critical habitat - located in Lowland Dry Unit 11, if it is established.

In the event that the proposed USFWS Lowland Dry Unit 11 critical habitat is established, the Navy will attach a restrictive covenant that will also require HCDA or any future landowner to coordinate on the effects of the proposed action on the habitat of the 16 non-occupying endangered federal species also included in the designated habitat unit and obtain approval from DNLR prior to any development.

The restrictive covenant will require the Grantee or its successors in interest to continually comply with the following conditions for so long as the subject Ewa Plain 'akoko is listed by the Federal Government or State Government as an endangered or threatened species or the property is proposed or designated as critical habitat by the Federal Government: (1) The management plan must become effective upon conveyance of the property to the Grantee; (2) Any land use or development of the property must limit such use or development so that it does not adversely affect 'akoko or its habitat. Any proposal for such use must be approved by Hawai'i DLNR or its successor State regulatory division; and (3) Any land use or development must not adversely affect the proposed or designated USFWS Lowland Dry Unit 11 critical habitat. Any proposal for such use must be approved by Hawai'i DLNR or its successor State regulatory division.

The implementation of the Proposed Action would not be expected to result in a significant adverse impact to other flora resources.

<u>Terrestrial Fauna:</u> The federally-listed endangered Hawaiian stilt (*Himantopus mexicanus knudseni)* has been previously observed within Lot 13058-F and Lot 13073-A. However, no recorded observations of the stilt at Lot 13058-F have occurred since 1993 and the lot (specifically Ordy Pond) no longer provides stilt habitat due to the re-growth of dense vegetation

surrounding the pond. The stilt occasionally feed and nest, during the seasonal winter rains, on the mudflats associated with the wetland portion of Lot 13073-A. Under the Proposed Action, both lots have been identified for recreational/open space uses. The lots would remain undeveloped and no change from existing conditions would be expected. The Navy, with USFWS concurrence, has determined that the Proposed Action is not likely to adversely affect any federally listed or proposed species, including the black-necked stilt, or proposed or designated critical habitat within either Lot 13058-F or Lot 13073-A. The implementation of Proposed Action would not be expected to result in a significant adverse impact to other fauna resources.

Marine Biota: The federally endangered Hawaiian Monk Seal (*Monachus schauinslandi*) has been observed hauling-out along the shoreline of Lot 13074-D. The federally threatened Green Turtle (*Chelonia mydas*) are also known to frequent the areas offshore of the Project Area, but the Green Turtle is not known to haul-out on the shoreline of Lot 13074-D or the areas adjacent to it and are not known to nest within the Project Area. The Project Area is not within or adjacent to currently designated critical habitat for the Hawaiian Monk Seal or Green Turtle.

The Navy in coordination with the National Marine Fisheries Service (NMFS) has determined that the disposal of Lot 13074- D from federal ownership would have 'no effect' on the Hawaiian Monk Seal or Green Turtle or their habitat. The Navy is only responsible for disposal of surplus property and the future land owner (i.e., City and County of Honolulu Department of Parks and Recreation) would be responsible for future use and management of the property. The Navy's disposal action (i.e., transfer of ownership of the property) as an action, in itself, would not have an effect on the Hawaiian Monk Seal, the Green Turtle, or its habitat. Proposed future use of the property would be similar to how the property is currently used, which is a beach recreational area. Lots 13074-D would be managed by the City and County of Honolulu Department of Parks and Recreation in a manner similar to the departments other beach properties which include their existing protocols of utilizing the established National Oceanic and Atmospheric Administration (NOAA) telephone hotlines for reporting Hawaiian Monk Seal sittings and incidents. The Navy's land conveyance documents will include a statement reminding the recipients of surplus properties that Federal or State consultation may be required for any action that has the potential to impact federally or state listed species.

Cultural Resources: The project area includes a total of 27 known National Register of Historic Places (NRHP)-eligible properties including archaeological (e.g., Hawaiian habitation and agricultural sites) and historic resources (e.g., Marine Corps Air Station Ewa Field). The Navy has determined that the disposal of the project area would have no adverse effect on historic properties or cultural resources.

Consultations between the Navy and State of Hawaii DLNR State Historic Preservation Division (SHPD) regarding these properties were completed between 1998 and 2010. SHPD concurred that the effect of the proposed disposal would not be adverse provided that the Navy provides protective covenants to ensure the preservation and appropriate treatment of historic properties.

To protect the historic and cultural resources following disposal, the Navy will attach to the title transfer documents a restrictive covenant binding on the Grantee and all subsequent land owners. The restrictive covenant will place land use controls on the property for the conservation and protection of historic and cultural resources and require consultation with SHPD for any activities which would potentially impact the resource.

Other Resource Areas: The Proposed Action would not result in any significant long-term adverse impacts on geology, topography, and soils; groundwater; surface water; air quality; noise; visual resources; transportation; land use; biological resources; cultural resources; public health and safety; public services; socioeconomic environment; and infrastructure. Further, the Proposed Action would not create environmental health risks that could disproportionately impact children or minority and low income populations. The Navy has determined that the disposal of the project area would be consistent to the maximum extent practicable with the enforceable coastal zone policies of the Hawaii Coastal Zone Management Program. The Hawaii State Office of Planning concurred with the Navy's determination.

Finding: Based on information gathered during preparation of the EA, the Navy finds that implementation of the Proposed Action would not have a significant impact on the human environment and an EIS is not required for the disposal and reuse of the remaining surplus property at the former NAS Barbers Point.

This FONSI has been made available for a 30 day public review period. The FONSI review period ends September 18, 2011. The EA

addressing this action may be obtained by interested parties at http://www.bracpmo.navy.mil/ or by contacting Navy Base Realignment and Closure Program Management Office, ATTN: Ronald Bochenek, 1455 Frazee Road, Suite 900, San Diego, CA, 92108. Phone: (619) 532-0906. Email: ronald.bochenek.ctr@navy.mil. A limited number of copies of the EA are available to fill single copy requests.

8/15/11
Date

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