

# News Release



Pacific Islands Fish and Wildlife Office  
300 Ala Moana Boulevard, Room 5-122  
Honolulu, Hawai'i 96850  
808.792.9400  
<http://www.fws.gov/pacificislands>

April 11, 2012  
Contact: Ken Foote, 808.792.9535 or 282.9442

PIFWO-12-04  
RO-12-056

## **Draft Economic Analysis of Proposed Critical Habitat for 124 Oahu Species Released for Public Review**

*Comment period for critical habitat designation also reopened*

As part of the critical habitat designation process, the U.S. Fish and Wildlife Service (Service) is releasing a draft economic analysis (DEA) of proposed critical habitat for 124 species on the island of Oahu for a 30-day public review period. At this time, the Service is also reopening the comment period for the August 2, 2011, proposal to list 23 species and designate critical habitat for the 124 species.

Comments must be received by May 14.

Critical habitat is proposed for 20 plants and three Hawaiian damselflies proposed last August for listing and two previously listed endangered plants. Critical habitat revisions are proposed for 99 plant species already listed as endangered or threatened.

The draft analysis identifies and analyzes the potential economic impacts associated with a critical habitat designation for all 124 species. The draft Economic Analysis has been developed in two parts, because of differences in development potential based on the geographic area involved.

Part I focuses on the proposed designation for 123 species on Oahu, exclusive of the Kalaeloa area. None of the proposed critical habitat units in this area contains significant residential, commercial, industrial or agricultural development or operations and few projects are anticipated within the proposed critical habitat units. Most of the land is unsuitable for development, farming or other economic activities due to the rugged mountain terrain, lack of access, remote locations and existing land use controls that severely limit development and most other economic activities in the mountainous interior of Oahu.

Part II of the DEA is focused on the Kalaeloa area located in the vicinity of the former Barbers Point Naval Air Station, which was decommissioned in 1999. The Hawaii Community Development Authority and City of Kapolei have developed plans that would change the Kalaeloa area into a diversified economy. The proposed critical habitat units overlap with some of the development envisioned for this area, which has been fully considered in Part II of the DEA.

Several comment letters from the development community were received in response to the August 2, 2011 proposed rule expressing concern that critical habitat designation could result in economic impacts to current or planned activities, with particular emphasis directed toward proposed Lowland Dry Unit 8,

near the Kalaeloa Barbers Point Deep Draft Harbor. Lowland Dry Unit 8 contains 13 separate parcels, all of which are owned by private entities.

Absent a federal nexus such as a federal permit or funding, the designation of critical habitat would have no direct economic impacts to the proposed development activities in the Kalaeloa area. The Service is unaware of any indirect economic impacts that would result from a critical habitat designation, unless a subsequent federal nexus was to arise. Therefore, comments that specifically identify federal permits, licenses, funding or other federal assistance necessary for ongoing or planned development activities would be helpful. Because future federal actions in these areas are unknown at this time, the Service is unable to reasonably predict their future potential impacts on the species and the proposed critical habitat areas. According to the draft Economic Analysis, the critical habitat designation would not have a significant economic impact on any substantial number of small business entities.

The analysis assumes that the designation of critical habitat could lead to a loss in land values if property owners become constricted in their development plans. This could happen if property owners experience a delay in their development plans because they must address certain conservation concerns required for a federal permit or funds that first must undergo a Section 7 consultation with the Service. Under that scenario, the potential property value impacts from a critical habitat designation could range from zero to \$5.3 million a year, or about \$56 million over 21 years for all 13 parcels in proposed Lowland Dry Unit 8. The upper-bound estimate conservatively presumes that each of the 13 affected parcels would have a federal nexus triggering section 7 consultation under the Endangered Species Act (ESA) and the outcome of that consultation would preclude any development (i.e., the worst case scenario), which is neither likely nor reasonably foreseeable. Based on new biological information, the Service is considering the removal of approximately 185 acres that were initially proposed as critical habitat in Lowland Dry Unit 8 because those areas are disturbed and lack restoration potential. Removal of the 185 acres would proportionally lower the upper-bound economic impact estimate to \$20.6 million over 21 years.

The Service is soliciting data and comments from the public on the draft Economic Analysis, as well as all aspects of the proposed listings and critical habitat and our amended required determinations. The Service may revise the proposed rule or supporting documents to incorporate or address information we receive during the public comment period. In particular, we may exclude an area from the final critical habitat designation if we determine the benefits of excluding the area outweigh the benefits of including the area, provided the exclusion would not result in the extinction of the species.

Critical habitat identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and that may require special management considerations. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve or other conservation area. Under the ESA, all federal agencies must ensure any action they authorize, fund, or carry out does not adversely modify designated critical habitat.

The Service will consider comments from all interested parties received by May 14, 2012. Comments can be sent by one of the following methods:

- *Federal eRulemaking Portal* at <http://www.regulations.gov> . Enter the docket number FWS-R1-ES-2010-0043 and follow the instructions for submitting comments.
- Via U.S. mail or hand delivery to Public Comments Processing, Attn: FWS-R1-ES-2010-0043;

Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM, Arlington, VA 22203.

The draft Economic Analysis and the August 2, 2011, proposed rule are available on the Service website at <http://www.fws.gov/pacificislands/> and at <http://www.regulations.gov>. For further information contact: Loyal Mehrhoff, Field Supervisor, Pacific Islands Fish and Wildlife Office, U.S. Fish and Wildlife Service, 300 Ala Moana Boulevard, Room 3-122, Box 50088, Honolulu, Hawai‘i 96850; telephone 808/ 792-9400 or fax 808/ 792-9581. The Service will post all comments on <http://www.regulations.gov>.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit [www.fws.gov](http://www.fws.gov). Connect with our Facebook page at [www.facebook.com/usfws](http://www.facebook.com/usfws), follow our tweets at [www.twitter.com/usfwshq](http://www.twitter.com/usfwshq), watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at <http://www.flickr.com/photos/usfwshq>