

**COMMUNITY RELATIONS PLAN**  
**MIDWAY ATOLL NATIONAL WILDLIFE REFUGE**  
**MIDWAY ATOLL**

**Prepared by**

**U.S. Fish and Wildlife Service  
911 NE 11<sup>th</sup> Avenue  
Portland, OR 97232**

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**For additional information, contact**

**Tom Edgerton  
Superintendent, Papahānaumokuākea Marine National Monument  
(808) 792-9481**

**or**

**Carlton Morris  
Regional Environmental Compliance Coordinator  
(503) 231-6143**

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## **1.0 INTRODUCTION**

The U.S. Fish and Wildlife Service (FWS) is committed to encouraging public participation and providing opportunities for two-way communication between the agency and the public during environmental investigation and cleanup activities. The Midway Atoll National Wildlife Refuge Site (see Figure 1), Midway Atoll, is the subject of this Community Relations Plan (CRP). A glossary of italicized words in this document is presented in Appendix A.

### **1.1 PURPOSE AND OBJECTIVES OF THE COMMUNITY RELATIONS PLAN**

The CRP has been prepared in accordance with the *National Oil and Hazardous Substances Pollution Contingency Plan* (NCP), 40 C.F.R. Part 300, to support an Engineering Evaluation/Cost Analysis (EE/CA) for the Site. The CRP serves as a guide for FWS to inform, include, and engage community members, environmental groups, government officials, the media, and other interested parties in the environmental assessment and cleanup activities at this Site.

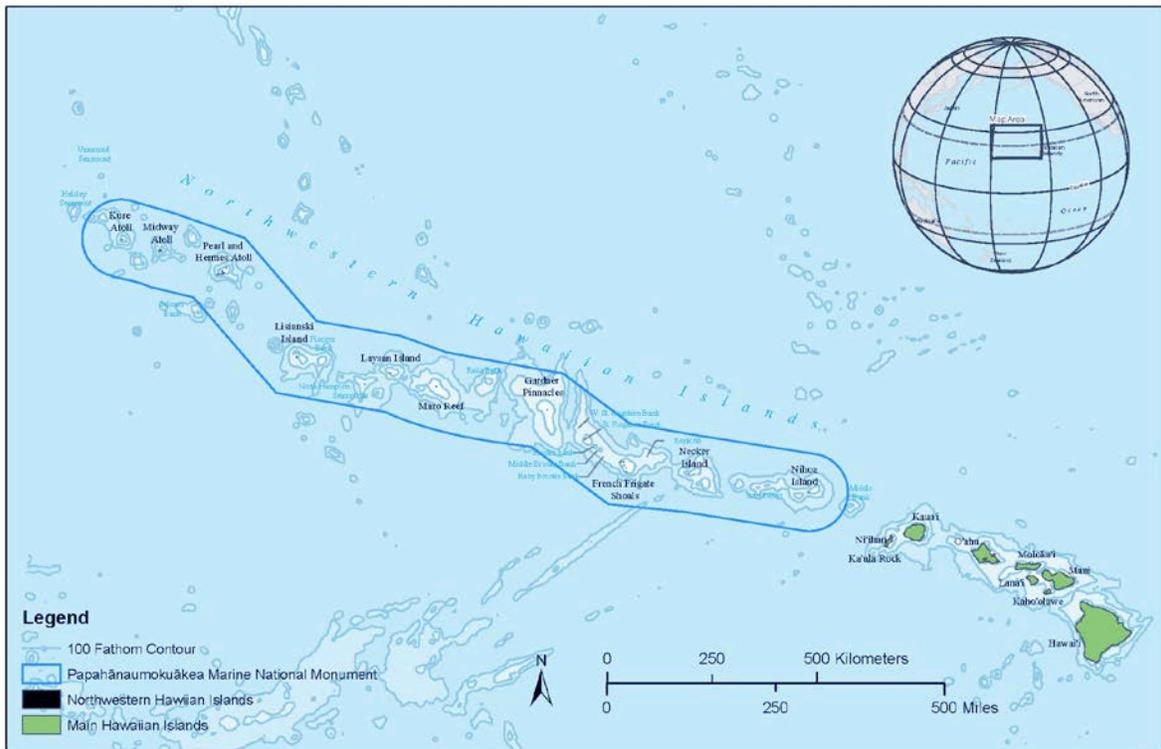
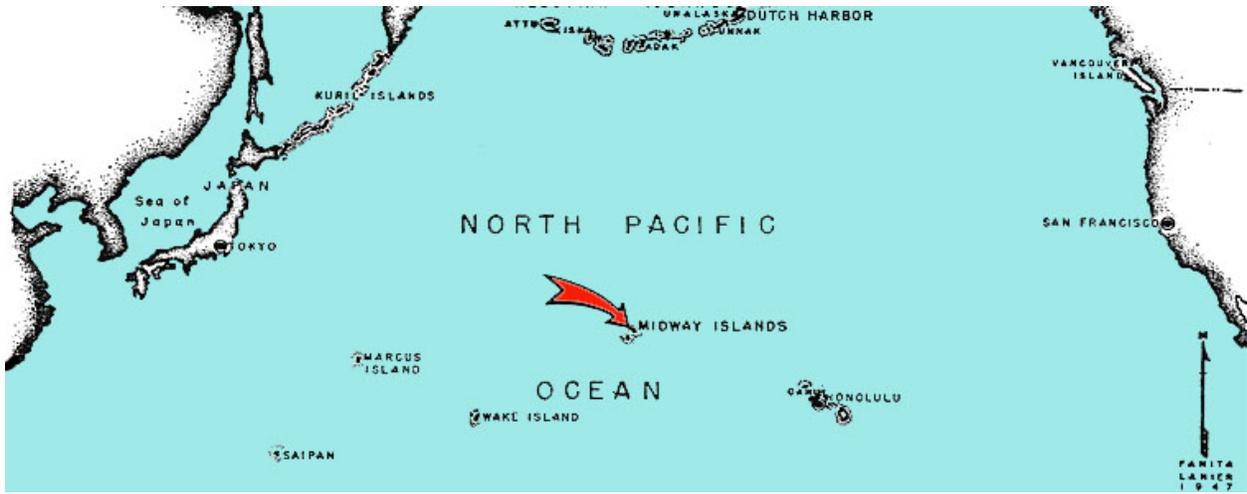
Providing for the dissemination of timely, accurate, and meaningful information in a manner that is understandable to the public is a key objective of the CRP. Another objective is to create opportunities for public input. Citizens can become active participants who provide valuable comments that can be used by the project team for planning and decision-making. Strategies to accomplish these objectives take into consideration the specific situation of the Site.

### **1.2 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)**

*CERCLA*, also known as the “Superfund” law, was enacted by Congress in 1980 to address releases of *hazardous substances* into the environment. Since then, significant efforts have been made across the country to locate, investigate, and clean up contaminated sites.

*CERCLA* gives the President broad powers to respond to hazardous substance releases. This authority has been delegated to a number of Federal departments and agencies including FWS. FWS, as the *CERCLA* lead agency for the Site, is undertaking a *non-time-critical removal action*. An Engineering Evaluation/Cost Analysis (EE/CA) is underway to determine the nature and extent of contamination, evaluate the risks to human health and the environment, evaluate possible responses to the problems identified, and present a preferred response action alternative. For more information about the EE/CA process, see Section 2.3.

Figure 1. Site Location Map



## **1.3 OVERVIEW OF THE COMMUNITY RELATIONS PLAN**

The Community Relations Plan sets the course for public involvement in the selection of the cleanup action for contamination at the Site. This CRP is organized as follows:

- Section 1: Introduction – A description of the purpose of the CRP
- Section 2: Project Background – An overview of Site history, Site description, and past and future environmental investigations
- Section 3: Community Background – A community profile and description of community involvement at the Site.
- Section 4: Community Relations Activities – A listing of CERCLA community relations requirements, discussion of communication methods, and a schedule of planned community involvement activities.

The appendices include a glossary, *Administrative Record/Information Repository* details, and the contact list.

## **2.0 PROJECT BACKGROUND**

### **2.1 SITE DESCRIPTION AND HISTORY**

The Site is located at the northwest end of the Hawaiian Islands archipelago and comprises two main islands, Sand and Eastern, and one smaller islet, enclosed within a reef approximately 8 km (5 miles) in circumference, averaging 3 meters (10 feet) above average ocean levels. Sand Island, the focus of this project, is about 3 km (1.8 miles) by 2 km (1.2 miles) across with a total land area of about 4.45 square kilometers (1,100 acres).

Midway Atoll is a nesting ground to 18 species of seabirds with an aggregate population of nearly 3 million. Migratory seabirds are protected under the Migratory Bird Treaty Act. The Refuge is also home to federally endangered Laysan ducks protected under the Endangered Species Act (ESA). Midway Atoll is also a habitat for the federally protected, threatened green turtle and endangered Hawaiian monk seal. The green turtles and Hawaiian monk seals are protected by one or more of the following laws and Executive orders: the ESA, Marine Mammal Protection Act, EO 13089 Coral Reef Protection, Magnuson-Stevens Fishery Conservation and Management Act, and the National Wildlife Refuge System Administration Act.

Midway Atoll was placed under Navy jurisdiction in 1903. A former Naval Air Facility (NAF), Midway Atoll was operationally closed on 1 October 1993, and management jurisdiction was transferred from the Navy to the FWS in 1996, pursuant to the Defense Base Realignment and Closure Act of 1990 (Public Law 101-510). Although all military operations ceased in 1993, base cleanup and closure activities continued until 1997. On October 31, 1996, President William Clinton signed Executive Order 13022, directing the Secretary of the Interior, through the FWS, to administer Midway Atoll National Wildlife Refuge.

Historical records indicate that Midway Atoll, Sand Island has a long history of use for communications, commercial and military purposes. Midway was a base for military operations

between 1941 and the early 1990s. As such, portions of Sand Island were, and continue to be occupied by an airfield, buildings and other structures to support operations and staff that live on the island. Paint used on these structures is known to have high levels of lead and chips that have peeled from the structures have been and continue to be released into the environment, contaminating adjacent soils.

Previous reports have documented clinical lead toxicity in albatross chicks on Sand Island (Sileo and Fefer 1987, Sileo et al. 1990, Work and Smith 1996, Burger and Gochfield 2000 (a,b,c), Finkelstein et al. 2003). This occurs through incidental ingestion as chicks pick up contaminated material such as lead paint chips in their mouths to put in their soil cup nests. In addition, Finkelstein et al. (2003) looked at the relationship between lead in the soil, lead paint chips and albatross exposure. Through isotope analysis it was concluded that lead paint chips were a primary source of lead to the chicks. Both small and large particles are consumed during this activity.

The above mentioned reports have documented that lead levels in some Laysan albatross chicks on Midway are so high that it damages their peripheral nervous systems, leading to a symptom known as “droopwing”. In the syndrome the chicks are unable to hold their wings tucked up against their bodies, and their wings often drag on the ground. It is a classic symptom of lead poisoning, comparable to the “wrist drop” symptom in humans. Chicks experiencing lead toxicity severe enough to cause droopwing may survive as long as their parents are feeding them, but once they reach the fledgling stage and their parents leave, they will starve because they cannot fly to obtain food. According to refuge staff, Laysan albatross chicks with droopwing are common around the buildings on the island. According to a 2009 report, up to 7% of the Laysan albatross chicks on Sand Island fail to fledge as a result of lead poisoning, which is projected to create a 16% reduction in the Laysan albatross population over the next 50 years. (Finkelstein, et al 2009) In addition to impacts on Laysan albatross, there is evidence that lead contamination is harmful to other protected seabirds at Midway.

**Figure 2. Site Photographs**







## 2.2 PREVIOUS STUDIES AND USFWS RESPONSE ACTIONS

Numerous environmental investigations and response actions have been performed across Sand and Eastern Islands. Much of this work occurred during the transfer of Midway from the U.S. Navy to the FWS. The majority of the work was completed by Ogden Environmental and Energy Service (Ogden) and OHM Remediation Services Corporation (OHM). The following is a brief summary of previous investigations that have focused on lead contamination.

- In 1994, Ogden completed a lead based paint (LBP) and asbestos survey of all structures on Eastern and Sand Islands. The report indicates that as many as 85 percent of the structures on Sand Island contained LBP (Ogden, 1994).
- The Base Realignment and Closure (BRAC) Cleanup Plan provided a summary of the environmental status of NAF Midway Atoll as of 1996 (Ogden, 1997). The BRAC report covered a number of contaminant issues, with limited discussions of LBP. The BRAC report provided a summary of buildings with LBP. The BRAC report noted that the background lead in soil level for surface soils had a median concentration of 6.28 milligrams per kilogram (mg/kg) with a maximum concentration of 105 mg/kg. For subsurface soils, the median was 0.4 mg/kg with a maximum concentration of 171 mg/kg

(Ogden, 1996). The BRAC closure report summarized the results of Ogden's Site Investigation Report dated January 1996 (Ogden, 1996) and Ogden's Remedial Investigation (RI) report dated March 1997.

- The FWS estimated that it would cost approximately \$5.6 million to abate the LBP from the 95 contaminated buildings on Midway, which would include encapsulation or the removal of LBP, shipping the LBP chips off Midway, excavating contaminated sand and backfilling with clean sand, storing the contaminated soil in the old concrete lined R2 water tanks, and capping them with a synthetic liner (USFWS, 2004a).
- The FWS estimated that the LBP abatement and cost for demolition and removal of all contaminated buildings at Midway to be approximately \$55 million. Consultants recommended that any debris with LBP and asbestos be disposed of on-island, to reduce costs, and that the debris be capped with 12 inches of asphalt grindings and 12 inches of soil (Finkelstein, 2004).
- In July 2004, the FWS attempted to mitigate LBP by placing shade cloth near buildings. Shade cloth was installed on the ground in a swath extending outward 3 meters around each building foundation with peeling LBP to prevent albatross nesting from occurring in proximity to LBP flakes that could be ingested by chicks (USFWS, 2004b). The felt shade cloth degraded from rain and sunlight within 12 months and was found to be ineffective at preventing LBP poisoning in albatross chicks.
- It has been estimated that as many as 6,745 Laysan albatross chicks may be affected or die each year at Midway due to LBP. The estimate was based on limited surveys of the buildings and the following assumptions: 1) average size of a building at Midway is 82 feet x 82 feet; 2) soil is contaminated extending outward from each building's foundation by 16 feet (Finkelstein et al.2003); 3) all chicks within 16 feet of buildings ingest paint chips; and 4) average Laysan albatross nesting density around buildings is 1,180 nests/hectare (Klavitter 2004), (USFWS, 2004c).
- In the fall of 2005, FWS installed a woven plastic shade cloth extending outward 3 meters around 22 buildings known to have high levels of LBP. The FWS planned to use backpack vacuums to remove LBP chips (that fall off the buildings) from the cloth twice a year. The shade cloth seemed to slightly lower the number of chicks affected by leaded paint at the buildings where it was installed. However, high winds made it difficult to keep the shade cloth secured to the ground and caused the edges of the shade cloth to unravel, which entangled birds. The entanglements were unacceptable and the shade cloth was replaced with a better material or secured by the summer of 2006. The shade cloth continued to be problematic and was removed by March 2007.
- In October 2006, the USFWS began LBP remediation (removal of leaded paint). By January 2007, LBP had been removed from six buildings and three buildings were repainted with an environmentally friendly product.
- Refuge staff performed a survey of "droop-wing" albatross chicks around a portion of the buildings containing LBP at the site during 2007. The objectives of this survey were to 1) determine the frequency of Laysan albatross chicks affected by LBP around buildings on Sand Island; and 2) determine if the frequency of chick deaths from lead poisoning has declined on Sand Island from 2006 to 2007 due to LBP remediation. Laysan albatross chicks with severe "droop-wing" were only observed around buildings with LBP. The frequency of droop wing chicks observed during a nearly identical survey on Sand Island in 2006 by Finkelstein (2006) was more than twice that of this 2007 survey

(15 percent versus 6.1 percent). The apparent decline in the frequency of droop wing chicks may have occurred because LBP was removed from 9 of the survey buildings (22 percent) between August 2006 and February 2007. However, the apparent decline may have been biased, because the 2007 survey occurred 4 weeks later in the year compared to the 2006 survey (June 21 through 23, 2007, versus May 19 through 23, 2006). There was a possibility that more droop wing chicks were actually present in 2007, but died before the survey took place (Klavitter, 2007).

- The FWS completed an Ecological Risk Assessment (ERA) during 2009 to evaluate lead in soil and the effects of lead on Laysan albatross chicks (USFWS, 2009). The primary source of lead in soil is the LBP on the structures on Sand Island. Paint chips from those structures have high levels of lead and are present in the soil where the Laysan albatross nests are located. The objectives of the FWS ERA were to characterize lead concentrations in soil around selected structures and lead concentrations in reference (background) areas and compare lead levels in soil to blood-lead levels in co-located Laysan albatross chicks. FWS concluded: 1) 67 milligrams per kilogram (mg/kg) is representative of upper-end background lead concentrations; 2) Lead concentrations decrease with depth and distance from structures; 3) Approximately 33 percent of the birds evaluated had blood-lead concentrations greater than the threshold for sensitive clinical effects (10 micrograms per deciliter (ug/dL); and 4) Soil lead concentrations less than 100 mg/kg will be protective of Laysan albatross chicks (that is, those soil concentrations will not likely result in blood-lead levels that exceed 10 ug/dl). The FWS recommended further evaluation of this cleanup level.
- Between February 2007 and October 2008, LBP was removed from or encapsulated on the following buildings: Paint Shop, Sk1 Warehouse, 4208, 4209, 4210, 4211, 414, 323 Sewer Building, and Charlie Barracks, bringing the total number of buildings remediated at this point to 15.
- In 2009, FWS received American Recovery and Reinvestment Act (ARRA) funding to restore seven buildings (Officer Quarters 417, 418, 419, 421, 422, 423 and 424), which included the total removal of all LBP from the interior and the encapsulation of all LBP on the exterior. Exterior LBP from homes 415 and 416 was also encapsulated. In addition to the buildings above, exterior LBP from the Nuclear Test Ban Treaty building and the TV satellite building were encapsulated, bringing the total number of buildings remediated to 24.

In summary, studies conducted by FWS and others at Sand Island between the late 1980s and 2009, have shown that Laysan albatross nestlings (chicks) exhibited symptoms of lead toxicity and that their exposure is likely related to ingestion of LBP chips and soil contaminated with LBP chips, which the birds often pick up and place into their nests (FWS, 2009). Information on the substances, pollutants, or contaminants at Midway Atoll was compiled in a Preliminary Assessment/Site Inspection (PA/SI) report. (USFWS, 2010)

### **2.3 CURRENT AND FUTURE SITE ACTIVITIES**

FWS awarded a contract in June 2010 to GeoEngineers, Inc. for the completion of an Engineering Evaluation/Cost Analysis (EE/CA), to fully characterize the nature and extent of

contamination at the Site. An EE/CA must be completed for all non time-critical removal actions under CERCLA as required by NCP 40 CFR 300.415(b)(4)(i). The purpose of the EE/CA is to identify the objectives of the removal action and to analyze the effectiveness, implementability, and costs of various alternatives that may satisfy these objectives. The first element of the EE/CA is to gather additional data to determine the extent of potential contamination. The second element is the preparation of the EE/CA report and a recommendation of a preferred removal alternative. A draft EE/CA Report will be issued for public review and comment in January 2011.

### **3.0 COMMUNITY BACKGROUND**

#### **3.1 MIDWAY ATOLL PROFILE**

Like many of the low islands and atolls in the Northwestern Hawaiian Islands, the first visitors to what is now called Midway Atoll may have been Polynesians/Hawaiians exploring the Pacific Ocean in voyaging canoes. Native Hawaiians named the atoll “Pihemanu,” which means “the loud din of birds” (Kimura 1998).

Midway Atoll’s central location in the midst of the Pacific Ocean has made it a vital link in modern-day communication, transportation, and military history. The first recorded landing at Midway Atoll was made in 1859 by Captain N.C. Brooks who then claimed Midway Atoll for the United States under the Guano Act of 1856. In 1867, the Secretary of the Navy sent Captain Reynolds to take possession of the islands for the United States.

Efforts in the 1870s to open a channel in the reef were unsuccessful, and for the next 30 years visits to the atoll were limited to shipwreck survivors and bird feather collectors, who sought to satisfy the significant demand for feather in the millinery trade. In January 1903, President Theodore Roosevelt signed Executive Order 199-A to stop the destruction of birds on the island by hunters, feather collectors, and squatters. His order also placed the Midway Atoll and area surrounding the islands under the jurisdiction and control of the Navy Department.

Midway’s role as an important communications link was established in 1903, when the Commercial Pacific Cable Company used Sand Island for a cable link between Honolulu and Guam. As shipping via Midway became more popular, the U.S. Lighthouse Service established a lighthouse on Sand Island in 1905. By 1935, Midway’s role as a refueling depot became important for Pan American World Airways for their trans-pacific seaplane route. Because of the usefulness of the island for refueling aircraft, military interest in Midway increased, as a conflict occurred in Europe.

By 1941, Midway Naval Air Station was under construction, and in December of that year, Midway was attacked simultaneously with Pearl Harbor. Throughout the war, Midway was an important location for the massing of troops and munitions. One of the most important naval battles of World War II, the Battle of Midway, is credited with achieving the victory that turned the war in the Pacific in favor of the Allies (USFWS 2009d).

In July 1942, the Midway Submarine Advanced Base was formally established and operated until the end of World War II. Midway's importance returned in 1953 with the Cold War and the construction of the Distant Early Warning Line. By 1958, Midway was an important part of the "Pacific Barrier," which extended North America's early warning system from Alaska to the mid-Pacific. During the Vietnam War, Midway was one of the main aircraft and ship refueling stations, and it also hosted classified missile and submarine monitoring missions.

U.S. Fish and Wildlife Service staff have been conducting research and/or assisting the Navy with wildlife management issues on Midway Atoll for almost 50 years. In the 1970s, cooperative projects included rodent control and studies of lead toxicity in seabirds. A cooperative management plan developed by the Navy and FWS in the early 1980s further defined responsibilities and eventually led to establishment of an "overlay" National Wildlife Refuge on Midway in 1988 (USFWS 1991).

By the early 1990's due to increased range of aircraft and new technologies, Midway's importance as a base of military operations lessened. On October 1, 1993, Naval Air Facility Midway was operationally closed under the Base Realignment and Closure Act of 1990. Prior to the Navy's departure in 1997, a significant effort was made to reduce the environmental contaminants and hazards left by more than 90 years of military operations (Ogden Environmental and Energy Service Co., Inc. 2001, Department of Navy 1995, Earth Tech 2003).

Midway Atoll's Naval Air Facility Midway was transferred to the U.S. Fish and Wildlife Service in 1996, per Executive Order 13022. The purposes of Midway Atoll National Wildlife Refuge, as defined in this Executive order, are to maintain natural biological diversity; conserve fish and wildlife and their habitats; fulfill international wildlife treaty obligations; provide opportunities for research, education, and compatible wildlife-dependent recreation; and recognize and maintain the atoll's historic significance.

On September 13, 2000, Secretary of the Interior Bruce Babbitt signed Secretary's Order 3217 designating the lands and waters of Midway Atoll National Wildlife Refuge as the Battle of Midway National Memorial.

On June 15, 2006, Papahānaumokuākea Marine National Monument (Monument) was established through Presidential Proclamation 8031. The Monument provides immediate and permanent protection for the lands and waters associated with the Northwestern Hawaiian Islands, including Midway Atoll National Wildlife Refuge. The National Oceanic and Atmospheric Administration has the primary responsibility regarding management of the marine areas. The U.S. Fish and Wildlife Service has sole responsibility for management for the areas of the Monument that overlay the Midway Atoll National Wildlife Refuge, the Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge (USFWS 2007a, 2008b).

Midway Atoll is a U.S. possession, and therefore, is governed only by Federal laws and regulations.

Currently, there are over 100 buildings and structures on Sand Island. Although some of the buildings on Sand Island have been designated for reuse from their former military needs to the

current refuge needs, others have been classified as secure in place, leave as is, abandoned, and demolished. For some buildings, remediation efforts have been undertaken to stabilize them or remove exterior lead paint. Other buildings are being actively demolished and removed or passively managed and thus subject to deterioration. Nine structures were designated as a National Historic Landmark in 1986 due to their importance with the June 1942 Battle of Midway (USFWS 1999).

As of December 2010, there are at least 71 buildings and structures containing multiple layers of lead-based paint on interior or exterior walls. Deterioration of these buildings over time has resulted in lead-based paint chips and residues throughout Sand Island with high concentrations of chips and residues immediately surrounding certain buildings. In addition, numerous buildings and structures that were previously demolished by the Navy prior to FWS management also contained lead-based paint (USFWS 2007b).

Midway Atoll is so remote (approximately 1,250 miles from Honolulu, its nearest major city) that it must operate independently as its own small town. It provides its own power system, water treatment and distribution, facilities maintenance, sewage treatment, waste management systems, communication systems, and all other operational necessities.

The refuge is staffed by approximately eight full-time employees and a few volunteers to assist in biological and habitat management activities. In addition, there are between ten and fifteen full-time Federal Aviation Administration (FAA) employees stationed on Midway to operate and maintain the airfield. It also hosts researchers, U.S. Coast Guard personnel, and other visitors on an occasional basis. The refuge has contracted with Chugach Industries to operate the atoll's infrastructure and currently has from 50 - 60 employees on the island (USFWS 2009).

Island residents live in renovated Navy housing, including single family homes, duplexes, and Bachelor Officers Quarters or Barracks. Almost all of the residents and visitors eat buffet style at the "Clipper House." Most supplies, particularly foodstuffs, are flown to the island on chartered aircraft. Approximately four times a year, a barge brings in equipment, food, fuel for generators, vehicles, and aircraft, and supplies too large or heavy for the aircraft. All fuel deliveries operate in compliance with FWS regulations and the Midway Atoll Spill Prevention Control and Countermeasure Plan.

### **3.2 INTERESTED PARTIES (COMMUNITY) INVOLVEMENT**

The FWS website for Midway Atoll NWR (<http://www.fws.gov/midway/lpa.html>) will be updated to include information about the EE/CA at the Site. A Notice of Availability of documents will be published in local newspapers, and letters will be sent to interested parties to publicize the availability of Site documents. Through these notifications, the public will be invited to review and comment on the EE/CA Report during a minimum 30-day review period.

The Administrative Record file, which contains all the documents upon which the selection of a cleanup action will be based, has been established and is available for public review at the following two locations; FWS Division of Engineering, Region 1, 911 NE 11<sup>th</sup> Avenue, Portland, Oregon 97232 and at the FWS Papahānaumokuākea Marine National Monument Office, 300 Ala

Moana Blvd., Room 5-231, Honolulu, Hawaii 96850. Public comments will become a part of this file.

### **3.3 INTERESTED PARTIES (COMMUNITY) CONCERNS AND ISSUES**

Under its designation as a National Monument, the U.S. Fish and Wildlife Service has sole responsibility for managing the areas of the Monument that overlay the Midway Atoll National Wildlife refuge, the Battle of Midway National Memorial, and the Hawaiian Islands National Wildlife Refuge (USFWS 2007a, 2008b). The only residents of Midway Atoll are FWS and FAA employees and contract (Chugach Industries) personnel. In addition, volunteers and researchers frequent Midway Atoll to assist biological and habitat management activities.

Interested party (community) concerns about the LBP contamination on Midway Atoll is high because:

- Midway Atoll is a nesting ground to 18 species of migratory seabirds (with an aggregate population of nearly 3 million) that are protected under the Migratory Bird Treaty Act.
- The Refuge is home to federally endangered Laysan ducks protected under the Endangered Species Act (ESA).

Interested parties (community's) interest in the LBP contamination on Midway Atoll will remain very high with the expectation being that the FWS will remove the LBP contamination that is affecting the Laysan albatross. Numerous environmental investigations have been performed on Midway Atoll and the following are key issues regarding LBP contamination and its effects on Laysan albatross:

- It has been estimated (Finkelstein et al.2003, Klavitter 2004, USFWS, 2004c) that as many as 6,745 Laysan albatross chicks may be affected or die each year at Midway due to LBP.
- Later studies estimated that as many as 10,000 Laysan albatross per year were potentially exposed to lethal levels of lead from the ingestion of LBP from deteriorating buildings and structures on the island (Finkelstein, Midway Update 2006).
- In 2009, a scientific paper was published describing how LBP has the potential for population level effects on the Laysan albatross. This paper was presented at the annual Pacific Seabird Group Meeting in Hokodate, Japan. In summary, an assessment was made of the impacts on adult and chick mortality of Laysan albatross due to LBP at Midway. Specifically, authors quantified the relative effects of reducing adult mortality (from fisheries bycatch) and chick mortality (from ingestion of LBP) on population growth. It was demonstrated how management actions that protect or enhance juvenile survivorship can sometimes be effective at helping reverse population declines. (Finkelstein et al, 2009)

## **4.0 COMMUNITY INVOLVEMENT ACTIVITIES**

### **4.1 COMMUNITY (INTERESTED PARTY) INVOLVEMENT REQUIREMENTS**

Because each CERCLA site is unique, it is important to tailor a CRP to particular community needs and situations. At the same time, each CRP is required by CERCLA and the NCP to include certain uniform elements. CRPs issued in the context of non time-critical removal actions are required to include the following:

- A public notice and news release announcing the 30-day comment period on the Engineering Evaluation/Cost Analysis (EE/CA) report addressing contamination at the site. The 30-day comment period allows the public to express their opinions on the EE/CA recommendations for remedial action at the Site. A public notice about the comment period will be published in the Honolulu Star-Advertiser and the Portland Oregonian newspapers. The notice and news release will encourage public input by informing citizens that opportunity for public review and comment is being given before a final decision is made on the remedial actions. In addition, a fact sheet summarizing the Midway EE/CA report along with the announcement of a 30-day comment period will be mailed to all interested parties listed in Appendix D. Appendix D will be updated as new interested parties are identified.
- Prepare a responsiveness summary. This document will summarize public concerns and issues raised during the comment period on the Engineering Evaluation/Cost Analysis. In addition, the responsiveness summary will document FWS responses to these concerns.
- Revision of Community Relations Plan. Once the decision has been made for the response action, this community relations plan should be revised, as needed, to outline community relations activities appropriate to the response phase. Interested parties listed in Appendix D will receive a notice that the decision document has been signed and instructions for obtaining a copy of the decision document.

In addition to these basic features of a community relations program for the Midway Atoll NWR CERCLA process, a number of activities will be undertaken to ensure that interested parties are well informed about site activities and they have the opportunity to express their concerns. Activities, and their approximate timing, are as follows:

- Maintain and add information to the Midway Atoll NWR website as appropriate. An administrative record has been established for this Site.
- Maintain an information contact: The FWS Papahānaumokuākea Office will be responsible for responding directly to public inquiries regarding Site activities.
- Contact local officials at the following technical milestones
  1. Completion of the final work plan;
  2. Before response action starts;
  3. At the conclusion of response action
- Prepare fact sheets and technical summaries:
  1. Release a fact sheet explaining the findings of the EE/CA and outlining remedial alternatives considered for the Site.

2. Additional fact sheets might be released once a decision has been made on removal actions.
- Provide news releases to local media:
    1. Prepared statements can be released to local papers, radio and the local television station to notify interested parties or to inform citizens of any decisions or actions at the Site.

**APPENDIX A**

**GLOSSARY**

## GLOSSARY

**Definitions for *italicized* words found throughout this CRP are provided below**

**Administrative Record:** A file that contains all information considered or relied upon by the lead agency to make its decision on the selection of a response action (i.e., cleanup) under CERCLA. See Appendix B for further information.

**CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act):** A Federal law, commonly known as “Superfund”, which was enacted in 1980 and amended in 1986. The law provides broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment; provides for liability of persons responsible for such releases; and establishes a framework for evaluating and cleanup of releases and threatened releases of hazardous substances.

**Cleanup:** Actions taken to address a release or threat of a release of hazardous substances that threatens or may threaten public health or the environment. The word “cleanup” is sometimes used interchangeably with the terms remedial action, removal action, response action, remedy, remediation, or corrective action.

**Hazardous substance:** Under CERCLA, “hazardous substances” refer to some 800 toxic substances, including metals, organics (carbon-based chemicals), solvents, and pesticides. Hazardous substances include, inter alia, those materials defined as ignitable, corrosive, reactive, or toxic under the Resource Conservation and Recovery Act (“RCRA”), as well as additional substances listed in the Clean Water Act and hazardous air pollutants listed in the Clean Air Act.

**Information Repository:** A location, open to members of the general public where they may review a collection of documents relevant to a particular CERCLA Site. See Appendix B for further information on the Midway Atoll NWR Site Information Repositories.

**Lead agency:** The government agency with the primary authority to plan and implement a cleanup action under CERCLA and the NCP at a particular site.

**National Oil and Hazardous Substances Pollution Contingency Plan (NCP):** More commonly called the National Contingency Plan or NCP, it is the Federal government’s regulatory blueprint for responding to both oil spills and releases and threatened releases of hazardous substances.

**Non-time-critical removal action:** A type of removal action responding to releases or the threatened release of one or more hazardous substances where there is at least a six-month period for planning the cleanup activities after the lead agency determines that a removal action is appropriate.

**Public comment period:** A period during which the public can formally review and comment on various documents and proposed FWS actions.

**Removal action:** A term generally used to refer to shorter-term cleanup actions to address the release or threatened release of hazardous substances.

**Remedial action:** A term generally used to refer to longer-term cleanup actions to address the release or threatened release of hazardous substances.

**APPENDIX B**

**PUBLIC NOTICE – INITIATION OF CERCLA ACTION**

## **PUBLIC NOTICE – INITIATION OF CERCLA ACTION**

### U.S. Fish and Wildlife Service Notice of Lead Cleanup at Midway Atoll National Wildlife Refuge

Pursuant to authority under Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) Title 42, United States Code, section 9604 and Federal Executive Order 12580, on June 3, 2010, the FWS Region 1 Director approved the preparation of an engineering evaluation and cost analysis to address the cleanup of lead contaminated structures and soil at the Midway Atoll National Wildlife Refuge on Sand Island, Midway Atoll.

This response action is made pursuant to the National Oil and Hazardous Substances Pollution Contingency Plan as found in Title 40, Code of Federal Regulations Part 300.

The Administrative Record for this response is located at the FWS Division of Engineering, Region 1 911 NE 11th Avenue, Portland, Oregon 97232 and at Papahānaumokuākea Marine National Monument, 300 Ala Moana Blvd., Room 5-231, Honolulu, Hawai‘i 96850. The record is available for public inspection during regular business hours of 8am to 4pm. If you have questions about this action, please contact in Honolulu, Hawaii, Tom Edgerton, (808) 792-9481 or [tom\\_edgerton@fws.gov](mailto:tom_edgerton@fws.gov); and in Portland, Oregon, Carlton Morris, 503-231-6143, [carlton\\_morris@fws.gov](mailto:carlton_morris@fws.gov).

**APPENDIX C**

**ADMINISTRATIVE RECORD FILE/INFORMATION REPOSITORY  
DETAILS**

## **ADMINISTRATIVE RECORD/INFORMATION REPOSITORY DETAILS**

The Site Administrative Record may be reviewed at either of the following Information Repositories during the hours indicated: (Electronic copies of the Site Administrative Record documents are available by request. Please email requests to [carlton\\_morris@fws.gov](mailto:carlton_morris@fws.gov) or [tom\\_edgerton@fws.gov](mailto:tom_edgerton@fws.gov).)

U.S. Fish and Wildlife Service  
Papahānaumokuākea Marine National Monument  
300 Ala Moana Blvd., Room 5-231  
Honolulu, Hawaii 96850

For file review appointments, please contact:  
Tom Edgerton, FWS Superintendent  
(808) 792-9481

Hours: 8:00 AM to 4:00 PM, Monday through Friday

Or

U.S. Fish and Wildlife Service  
Division of Engineering, Region 1  
911 NE 11<sup>th</sup> Avenue  
Portland, Oregon 97232

For file review appointments, please contact:  
Carlton Morris, Regional Environmental Compliance Coordinator  
(503) 231-6143 or  
MaryAnn Amann CERCLA Project Manager Regions 1 & 8

Hours: 8:00 AM to 4:00 PM, Monday through Friday

**APPENDIX D**  
**CONTACT LIST**

## CONTACT LIST

### 1. Federal elected officials:

Honorable Daniel Inouye  
United States Senate  
Washington, D.C. 20510-1102

Honorable Daniel Akaka  
United States Senate  
Washington, D.C. 20510-1103

Honorable Mazie Hirono  
United States House of Representatives  
Washington, D.C. 20515-1102

*Beginning January 2011:*  
Honorable Colleen Hanabusa  
United States House of Representatives  
Washington, D.C. 20515

### 2. State elected officials:

Honorable Neil Abercrombie  
Governor of Hawaii  
415 South Beretania Street  
Honolulu HI 96813

Honorable Pohai Ryan  
Hawaii State Senate  
415 South Beretania Street  
Honolulu HI 96813

Honorable Chris Lee  
Hawaii State Legislature  
415 South Beretania Street  
Honolulu HI 96813

### 3. Agency officials:

Barry Stieglitz, Project Leader  
Hawaiian and Pacific Islands National Wildlife Refuge Complex  
Box 50167

Honolulu, HI 96850

Don Palawski, Deputy Project Leader  
Hawaiian and Pacific Islands National Wildlife Refuge Complex  
Box 50167  
Honolulu, HI 96850

Tom Edgerton, FWS Superintendent  
Papahānaumokuākea Marine National Monument  
Box 50167  
Honolulu, HI 96850

John Klavitter, Acting Refuge Manager  
Midway Atoll National Wildlife Refuge  
Box 50167  
Honolulu, HI 96850

‘Aulani Wilhelm, NOAA Superintendent  
Papahānaumokuākea Marine National Monument  
6600 Kalaniana`ole Hwy, #300  
Honolulu, HI 96825

Danielle Clark, State Co-Manager  
Papahānaumokuākea Marine National Monument  
6600 Kalaniana`ole Hwy, #300  
Honolulu, HI 96825

Carlton Morris, Region 1 Environmental Compliance Coordinator  
911 NE 11<sup>th</sup> Avenue  
Portland, OR 97232

MaryAnn Amann, CERCLA Project Manager Regions 1 & 8  
911 NE 11<sup>th</sup> Avenue  
Portland, OR 97232

4. Media contacts:

Honolulu Star-Advertiser  
500 Ala Moana Blvd., #7-210  
Honolulu, HI 96813  
[citydesk@staradvertiser.com](mailto:citydesk@staradvertiser.com)

Associated Press  
500 Ala Moana Blvd., #7-590  
Honolulu, HI 96813  
[amcavoy@ap.org](mailto:amcavoy@ap.org)

Hawaii Public Radio  
738 Kaheka Street  
Honolulu, HI 96814  
[news@hawaiipublicradio.org](mailto:news@hawaiipublicradio.org)

Environment Hawaii  
72 Kapiolani Street  
Hilo, HI 96720  
[pattum@environment-hawaii.org](mailto:pattum@environment-hawaii.org)

5. Interested parties:

American Birding Association  
4945 N 30th St STE 200  
Colorado Springs CO 80934

American Fisheries Society  
5410 Grosvenor Lane, Ste 110  
Bethesda MD 20814

Center for Biological Diversity  
P.O. Box 710  
Tucson, AZ 85702-0710

Animal Protection Institute  
P.O. Box 22505  
Sacramento, CA 95822

Association of Fish and Wildlife Agencies  
444 North Capitol Street, NW Suite 725  
Washington, DC 20001

Executive Director  
Marine Mammal Commission  
4340 East-West Highway, Room 700  
Bethesda, MD 20814

Craig S. Harrison  
Vice Chair for Conservation  
Pacific Seabird Group  
4953 Sonoma Mountain Road  
Santa Rosa, CA 95404

Cooperative Alliance for Refuge Enhancement  
1250 Connecticut Avenue, NW, Suite 600  
Washington DC 20036

Defenders of Wildlife  
National Headquarters  
1130 17th Street, NW  
Washington, DC 20036

Ducks Unlimited, Inc.  
One Waterfowl Way  
Memphis, Tennessee, 38120

Humane Society of the United States  
2100 L Street NW  
Washington DC 20037

Izaak Walton League of America  
707 Conservation Ln  
Gaithersburg MD 20878-2983

National Audubon Society  
PO Box 15726  
Washington DC 20006

Ecological Society of America  
1990 M Street NW, Suite 700  
Washington, D.C. 20036

National Resources Defense Council  
40 West 20th Street  
New York, NY 10011

American Bird Conservancy  
1731 Connecticut Avenue, NW  
Washington, DC 20009

National Wildlife Federation  
11100 Wildlife Center Dr  
Reston VA 20190-5362

National Wildlife Refuge Association  
1250 Connecticut Avenue NW Suite 600  
Washington, DC 20036

Wendy Wiltse  
Environmental Protection Agency  
Box 50003  
Honolulu, HI 96850

Sierra Club  
National Headquarters  
85 2nd Street, 2nd Floor  
San Francisco, CA 94105

John Harrison, President  
Hawaii Audubon Society  
850 Richards Street, Suite 505  
Honolulu, HI 96813

The Fund For Animals  
200 West 57th Street  
New York, NY 10019

The Nature Conservancy  
4245 N Fairfax Dr, Suite 100  
Arlington, VA 22203-1606

Jessica Hardesty Norris  
Seabird Program Director  
American Bird Conservancy  
Post Office Box 249  
The Plains, VA 20198-0249

The Wildlife Society  
5410 Grosvenor Ln  
Bethesda MD 20814

Society for Conservation Biology  
1017 O Street NW  
Arlington, VA 20001-4292

Robert Kaito  
Department of the Navy  
Naval Facilities Engineering Command, Pacific  
258 Makalapa Drive, Suite 100  
Pearl Harbor, HI 96860-3134

Wildlife Forever  
2700 Freeway Blvd #1000  
Brooklyn Center MN 55430

Wildlife Management Institute  
1146 19th Street, NW, Suite 700  
Washington, DC 20036

Gerald Winegrad  
1328 Washington Drive  
Annapolis, MD 21403

William Aila, Chairperson  
Hawaii Department of Land and Natural Resources  
1151 Punchbowl Street  
Honolulu, HI 96813

State of Hawaii Main Library  
478 South King Street  
Honolulu, HI 96813

Heidi Guth  
Office of Hawaiian Affairs  
711 Kapi'olani Blvd., Ste. 500  
Honolulu, HI 96813

Ross W. Stephenson, PhD [Ross.W.Stephenson@hawaii.gov](mailto:Ross.W.Stephenson@hawaii.gov)  
Kakuhihewa Building, 601 Kamokila Blvd., Suite 555  
Kapolei, Hawai'i, 96707  
Ph: (808) 692-8015

Deputy State Historic Preservation Officer  
Kakuhihewa Building, 601 Kamokila Blvd., Suite 555  
Kapolei, Hawai'i, 96707  
Ph: (808) 692-8015

Ms. Kiersten Faulkner  
Executive Director  
Historic Hawai'i Foundation  
680 Iwilei Road, Suite 690  
Honolulu, Hawaii 96817

Mr. John Eddins  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
Old Post Office Building  
1100 Pennsylvania Ave., NW, Suite 803  
Washington, DC 20004