

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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San Francisco, CA 94105

June 18, 2009

Dr. Craig Foltz
ATST Program Manager
National Science Foundation
Division of Astronomical Sciences
4201 Wilson Boulevard, Room 1045
Arlington, VA 22230

Subject: Supplemental Draft Environmental Impact Statement (SDEIS) for the Advanced Technology Solar Telescope (ATST), Haleakala, Maui, Hawaii (CEQ# 20090147)

Dear Dr. Foltz:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The NSF supplemented the 2006 Draft Environmental Impact Statement (DEIS) to include an analysis of effects to the road in Haleakala National Park, and the results of additional studies were prepared in response to comments received on the DEIS.

EPA reviewed the Draft Environmental Impact Statement (DEIS) and provided comments to the National Science Foundation (NSF) on October 30, 2006. We rated the DEIS as Environmental Concerns - Insufficient Information (EC-2) due to the apparent underestimation of direct impacts on cultural and natural resources, insufficient detail regarding mitigation, cumulative impacts from construction and traffic, and impacts on endangered species. We requested additional information regarding impacts to Haleakala National Park, and the progress of the National Historic Preservation Act Section 106 consultation.

The Supplemental DEIS (SDEIS) contains substantially more information on impacts to Haleakala National Park and other resources and is much improved. It identifies impacts to Native Hawaiian sacred sites and cultural resources as major, adverse, and long-term. While such impacts are acknowledged to be unmitigable, the supplemental cultural impact assessment identified several mitigation proposals from the community that could allow Native Hawaiians to derive a benefit as a result of any project approval. We encourage the NSF to consider integrating one or more of these proposals into the proposed project or commit to implementing one or more as mitigation for identified impacts to cultural resources in the Final EIS.

The SDEIS adequately addresses our previous concerns and requests for additional information; therefore, we are rating the preferred alternative of the SDEIS as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions"). We understand NSF will respond to comments on both the DEIS and SDEIS at the FEIS stage.

We appreciate the opportunity to review this SDEIS. When the Final SEIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3521, or contact Karen Vitulano, the lead reviewer for this document, at 415-947-4178 or vitulano.karen@epa.gov.

Sincerely,

/s/ Connell Dunning for

Kathleen M. Goforth, Manager
Environmental Review Office (CED-2)

Enclosure: Summary of EPA Rating Definitions