

State of Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife (DOFAW)
Honolulu, Hawaii 96813

February 25, 2015

Endangered Species Recovery Committee
State of Hawai'i

SUBJECT: REQUEST FOR RECOMMENDATION OF APPROVAL ON THE NA PUA MAKANI WIND ENERGY PROJECT HABITAT CONSERVATION PLAN FOR THE PROPOSED WINDFARM LOCATED AT KAHUKU, O'AHU

BACKGROUND:

In 2009, a pre-application for the Na Pua Makani Wind Power project (Project) was submitted by West Wind Works, LLC (West Wind) for a 25 MW facility to be located in Kahuku Agricultural Park. In 2011, West Wind submitted a draft Habitat Conservation Plan (HCP) to the State of Hawai'i Department of Land and Natural Resources Division of Forestry and Wildlife (DLNR – DOFAW) for an updated project proposal designed as a 20.7 MW, nine turbine facility. In 2012, A. Champlin Hawaii Wind Holdings, LLC (a subsidiary of Champlin / GEI Wind Holdings, LLC) acquired the Project from West Wind, and formed Na Pua Makani Power Partners, LLC (Na Pua Makani). Following acquisition of the Project, Na Pua Makani expanded the project's footprint and proposed increasing the facility capacity to 25 megawatts (MW).

Na Pua Makani proposes to construct and operate the Project of nine turbines with a nameplate generating capacity of up to approximately 25 MW on O'ahu, Hawai'i. The proposed Project would be located on state zoned agricultural land use district and urban land use district leased from DLNR and from the Malaekahana Hui West, LLC. The Project is proposed to begin construction in the second quarter of 2016 and begin commercial operation in 2017.

The anticipated life of the Project is 21 years. Prior to the expiration of the 21-year period, Na Pua Makani will evaluate whether to continue operation of the Project or to decommission it. Should the period of Project operation be extended, the facility may also be upgraded and repowered with appropriate lease, permit, and approval extensions obtained.

Na Pua Makani is pursuing an Incidental Take License through the development of an HCP – in consultation with U.S. Fish and Wildlife Service and DOFAW staff – for incidental take associated with proposed wind farm operations.

DOFAW released the draft HCP for a 60-day public comment period in the March 8, 2015, Office of Environmental Quality Control Environmental Notice. The draft HCP was reviewed by the Endangered Species Recovery Committee (ESRC) at the March 31, 2015 meeting. On June 4, 2015, DOFAW conducted a public hearing on O'ahu to receive public comments. During the public comment period, DOFAW received fifteen formal comments

from members of the public and included the Master’s report on the public hearing to the ESRC at the December 17, 2015 meeting. The Project was presented to the ESRC for a request for recommendation of approval to the Board of Land and Natural Resources (Board) at that meeting. At that time, the ESRC made recommendations for amendments to the draft HCP and requested the applicant return to the ESRC for review and approval. DOFAW staff has worked closely with Na Pua Makani through several rounds of revisions of the draft HCP. The resulting document reflects amendments based on the comments received by the ESRC.

Since the draft HCP was published in the Environmental Notice, changes to the Project description include an increase in the height of the turbine with the maximum blade tip height proposed increasing up to 200 meters (656 feet) from 156 meters (512 feet). In addition, the take request for the Hawaiian goose or nēnē was decreased from eleven to six based on the change in current population on the island of O‘ahu.

INCIDENTAL TAKE PROPOSED:

The Project has the potential to result in incidental take of species listed under the federal Endangered Species Act and state endangered species statutes. The following listed species (Table 1) have the potential to be killed or injured by colliding with Project wind turbine generators or other components, or during Project activities: the ‘a‘o or Newell’s shearwater (*Puffinus auricularis newelli*), the ae‘o or Hawaiian black-necked stilt (*Himantopus mexicanus knudseni*), the ‘alae ke‘oke‘o or Hawaiian coot (*Fulica alai*), the ‘alae ‘ula or Hawaiian common moorhen (*Gallinula chloropus sandvicensis*), the koloa maoli or Hawaiian duck (*Anas wyvilliana*), the nēnē or Hawaiian goose (*Branta sandvicensis*), the pueo or Hawaiian short-eared owl (*Asio flammeus sandwichensis*), and the ‘ōpe‘ape‘a or Hawaiian hoary bat (*Lasiurus cinereus semotus*). Indirect take of some of these species could also occur, as it is possible that the death of a listed adult during the breeding season could result in loss of eggs or dependent young.

Table 1. Proposed incidental take request for the Na Pua Makani Wind Energy Project.

| Common Name | Scientific Name | Level of Take | Requested Authorization |
|-----------------------------------|---|---------------|--------------------------------------|
| Hawaiian Hoary Bat ‘Ōpe‘ape‘a | <i>Lasiurus cinereus semotus</i> | Tier 1 | 34 bats |
| | | Tier 2 | 51 bats |
| Newell’s Shearwater ‘A‘o | <i>Puffinus auricularis newelli</i> | NA | 4 Adults/fledglings 2 Chicks/eggs |
| Hawaiian Goose: Nēnē | <i>Branta sandvicensis</i> | NA | 6 birds |
| Hawaiian Duck: Koloa | <i>Anas wyvilliana</i> | NA | 4 birds |
| Hawaiian Stilt: ‘Ae‘o | <i>Himantopus mexicanus knudseni</i> | NA | 4 birds |
| Hawaiian Coot: ‘Alae Ke‘oke‘o | <i>Fulica alai</i> | NA | 8 birds |
| Hawaiian Moorhen: ‘Alae‘ula | <i>Gallinula chloropus sandvicensis</i> | NA | 8 birds |
| Hawaiian Short-eared Owl: Pueo | <i>Asio flammeus sandwichensis</i> | NA | 4 Adults/fledglings 4 Chicks/eggs |

To address the potential of incidental take of the covered species, the following mitigation measures are proposed:

| Proposed Mitigation for the Covered Species | | |
|--|--|--|
| Covered Species | Tier 1 or One-Time | Tier 2 |
| Hawaiian hoary bat | Provide funding for and report results from a bat research study contributing to the knowledge of Hawaiian hoary bats on Oahu and implement bat habitat restoration measures and associated monitoring at the Poamoho Ridge mitigation area. | Provide funding for and report results from a bat research study contributing to the knowledge of Hawaiian hoary bats and implement bat habitat restoration measures and associated monitoring at the Poamoho Ridge mitigation area. |
| Newell's shearwater | Provide funding to National Fish and Wildlife Foundation research fund to support research and management of Newell's shearwaters. | NA |
| Hawaiian goose | Construct hogwire fence at JCNWR and purchase predator traps and predator monitoring supplies for JCNWR. | NA |
| Hawaiian duck | Design and install fence and public information signs to reduce fatalities of waterbirds at Hamakua Marsh. Support public education and monitoring through the funding of a part-time biologist. | NA |
| Hawaiian stilt | Same as Hawaiian duck. | NA |
| Hawaiian coot | Same as Hawaiian duck. | NA |
| Hawaiian moorhen | Same as Hawaiian duck. | NA |
| Hawaiian short-eared owl | Provide funding to DOFAW's Endangered Species Trust Fund to support research and management of Hawaiian short-eared owls. | NA |

DOFAW staff has reviewed the amendments to the HCP and has no additional concerns.

Respectfully Submitted,



 Sheri Mann, Acting Administrator
 Division of Forestry and Wildlife