

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

June 9, 2016

Endangered Species Recovery Committee
State of Hawai'i
Honolulu, Hawai'i

Committee Members:

**SUBJECT: REQUEST FOR COMMENTS ON THE HONUA'ULA (WAILEA 670)
DEVELOPMENT PROJECT DRAFT HABITAT CONSERVATION
PLAN**

BACKGROUND:

Pursuant to Hawaii Revised Statutes Chapter 195D, Honua'ula Partners LLC is requesting a 30-yr Incidental Take License (ITL) from the Board of Land and Natural Resources for a 670-acre master-planned community in the Kihei-Mākena region because of potential harassment or harm to endangered or threatened species. It will result in permanent habitat loss for one endangered and two proposed endangered invertebrates and one endangered plant. The planned golf course amenity may also attract Nēnē (*Branta sandvicensis*) that could be affected. Avoidance and minimization measures will be employed during construction and subsequently to minimize impacts.

INCIDENTAL TAKE AND MITIGATION 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. Host plants for the endangered Blackburn's sphinx moth (*Manduca blackburni*) would be affected. Additionally, two yellow-faced bee species that are proposed endangered, *Hylaeus assimulans* and *Hylaeus anthracinus*, may have reduced floral resources. Although all known living plants of the endangered plant 'āwikiwiki (*Canavalia pubescens*) on the property will be protected in a 134-acre Native Plant Preservation Area (NPPA), construction and operation of the project may result in take of seeds or new recruits previously not recorded. Post-construction activities associated with the proposed golf amenity could attract Nēnē resulting in the potential for incidental take.

| Common Name | Scientific Name | Requested Incidental Take Authorization |
|----------------------------|----------------------------|---|
| Hawaiian Goose Nēnē | <i>Branta sandvicensis</i> | 5 birds |
| Blackburn's Sphinx Moth | <i>Manduca blackburni</i> | 299 acres of habitat |

| Common Name | Scientific Name | Requested Incidental Take Authorization |
|-------------------|---|--|
| Yellow-faced Bees | <i>Hylaeus assimulans</i> <i>Hylaeus anthracinus</i> | 56 acres of habitat |
| ‘Āwikiwiki | <i>Canavalia pubescens</i> | 4 potential ‘āwikiwiki sites containing a total of 25 viable ‘āwikiwiki seeds per site |

For Blackburn’s sphinx moth and the yellow-faced bees a habitat-based approach is employed to quantify take. Direct take of adult bees and moths, larvae, eggs, and pupae will be largely avoided following USFWS guidelines.

Mitigation, in addition to establishment, fencing, and management of the NPPA, will include plantings of ‘āwikiwiki and host plants for Blackburn’s sphinx moth, and contribution of funding for Nēnē recovery. Mitigation will result in a net environmental benefit for the affected species.

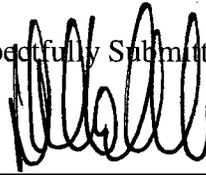
ANALYSIS & RECOMMENDATIONS:

DOFAW Staff has worked with Honua‘ula Partners and its contractor through several rounds of revisions of the draft HCP. The following are concerns that Staff have with the current version of the document:

- *Section 6.1.1. Blackburn’s Sphinx Moth [Take Analysis].* The basis for the following statement needs to be provided: “total take of Blackburn’s sphinx moth habitat resulting from the construction of Honua‘ula is expected to total 299 acres”.
- *Section 6.1.4. Yellow-Faced Bees (Hylaeus spp.).* The basis for the following statement needs to be provided: “the requested take will be based on loss of 56 acres”.
- *Section 6.3. Assessment of Impact on Critical Habitat.* This section needs updating because critical habitat designation for this area is now final. The amount of critical habitat within the site, broken out within and outside the NPPA should be provided.
- *Section 7.5.1. Native Plant Preservation Area [Mitigation].* Prior to a final decision on the permit, a title report and warranties from the current landowner are needed to ensure there are no conflicting rights on the parcels (including the highway easement that runs through it) that would interfere with the conservation easement.
- *Section 7.7.1. Nēnē Mitigation Measures.* A specific mitigation project is not established at this time. A value of \$50,000 (versus \$30,000) based on other similar mitigation requirements is recommended, which should be stated as an estimated value.
- *Section 7.7.2. Measures of Success.* The measure of success for Nēnē should be stated as resulting in one more fledgling or adult than that required to compensate for the requested take to achieve a net benefit. Providing the funding is to achieve that success.

- *Section 8.4.2.2. Funding by Cost Component.* The timing of the funding in relation to the project for the various categories of funding listed here needs to be added. The funding amounts here must match exactly those listed in the Appendix 9 funding matrix (with explanation where needed) which is not currently the case.
- *Section 8.4.3. Funding Assurances.* The HCP indicates that funding assurances will be provided for costs that are not paid up front but that amount (and how it was determined with reference to the funding matrix) should be stated here.
- *Appendix 9. Funding Matrix.* It is not clear what the entries of “Provided” mean for the two matrix line items “Easement for 134 acre Plant Preservation Area” and “Fence for NPPA Boundary”. This needs more explanation and a funding value if necessary.

Respectfully Submitted,



David G. Smith, Administrator
Division of Forestry and Wildlife