

General Impressions:

1. I think the 10th conservation area needs to be identified and fully evaluated prior to the ESRC making a recommendation. It is just too important an area to simply assume a good site will be selected.
2. The draft HCP lacks specificity in key areas, especially with respect to success metrics, milestones, how and when take will be offset, and what adaptive management actions will be taken when triggers are not met.
3. It is particularly troubling that there is not a graph that shows annual lethal take, annual offset of that take, and annual population size for seabirds from the time the Short-term HCP was signed in 2011 until the end of the proposed 50 year HCP. Appendix 6 has some information, but not in a useful format. The Short-term HCP successes/failures are important to understanding the KIUC HCP, so the Short-term HCP's success in offsetting take is very germane.
4. KIUC's HCP seems to be set up to minimize exposure to adaptive management requirements and new information that might show additional lethal take is occurring or that additional minimization, avoidance, or mitigation is needed.
5. The HCP wants to include minimization and mitigation actions undertaken prior to the HCP signing, but not be responsible for offsetting take during this period. I strongly object to this.
6. The HCP seeks to relegate seabirds only to the remote northern portion of Kauai. It should, instead, be seeking to make KIUC operations compatible with seabirds across all of Kauai.
7. There was no real justification for a 50 year HCP, especially since KIUC has been working on this for almost two decades and even this draft aspires to only 4 small predator proof fences.
8. I think this HCP has a very low chance of success.
9. I do not think this draft HCP currently meets the issuance criteria established in 195-D.

Some specifics:

1. Goal 1 in Table ES-2 should be to fully offset KIUC's impacts AND to produce a viable metapopulation on Kauai. As it currently reads, they only need to produce a viable metapopulation some 30 years in the future.
2. KIUC is requesting that all new lights and powerlines be included in the HCP. I do not think this is acceptable. DOWAW should have approval/disapproval of each of those new lights and lines.
3. The adaptive management section is completely inadequate. What happens if the 10 conservation areas are no longer producing 1,264 breeding pairs? What actions will be taken? The entire adaptive management process is woefully short of information that would lead me to believe KIUC will accomplish the HCP's stated goals.
4. I did not see how the HCP will document ANY take offsets for seabirds or green sea turtles. Expectations that the HCP take of waterbirds will be offset by SOS rehab is problematic, since other third parties are actually responsible for causing much of that take – NOT KIUC. If KIUC wants to offset take attributed to other parties, they need to offset at a higher rate than 1 to 1; otherwise, we are just institutionalizing the acceptance of third party take.
5. Monitoring of take and the offset of take is inadequate. Annual monitoring of powerlines is needed for the entire 50 years. Powerline monitoring should include canine SEEF and CARE.

Monitoring of light take is also needed annually, or at least until the local subpopulations are extirpated. Using a light model based on SOS data to determine HCP take is not supported, actual monitoring is needed to validate this hypothesis. Monitoring of light take also needs to include canine SEEF and CARE trials.

6. Potential impacts of the HCP's mitigation efforts do not seem to have been assessed for plant or invertebrate species. Some of the HCP's conservation areas are important to plants in particular (e.g., North Bog) and there needs to be an assessment of impacts, especially on individual listed plants and critical habitat.
7. The HCP's expectation that it can eradicate pigs without ungulate fences is highly suspect.
8. In total, there will only be 4 predator proof fences, totaling <16 acres (until the 10th site is selected). The "success" of the HCP seems to depend on the 4 conservation areas that also have these small predator proof fences. The other conservation areas provide minimal contributions to the overall population targets. I do not think this strategy provides an adequate "spatial distribution" of Newell's across Kauai. Indeed, 3 of the 5 modelled subpopulations are expected to go to near zero with the HCP and the 4th provides only 500 pairs.
9. There is still some confusion in the HCP as to how SOS is used to claim take offsets.
10. This HCP, as well as the Kauai Seabird HCP, continues to assume high survival rates of SOS released birds. These rates need to be documented.
11. The HCP is attempting to use total powerline strikes as a metric of their impacts to seabirds. This is not appropriate. The key metrics are mortality and lost reproduction. Those are the take metrics of importance and should be what the HCP strives to reduce and commits to reduce. Total strikes are a much less precise surrogate for impacts to seabirds, since a portion of strikes (70%) may not affect either mortality or lost reproduction. The HCP inappropriately seeks to lock in use of total strikes and thereby not address any future changes in knowledge related to the proportion of strikes resulting in actual mortality or lost reproduction.