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COMMISSION ON WATER RESOURCE MANAGEMENT

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LAND
STATE PARKS

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 28, 2017

Mr. Scott Glenn, Director
Office of Environmental Quality Control
Department of Health, State of Hawai'i
235 S. Beretania Street, Room 702
Honolulu, Hawaii 96813

RECEIVED
17 NOV 28 P1:53
**OFC. OF ENVIRONMENTAL
QUALITY CONTROL**

**Supplemental Environmental Impact Statement Preparation Notice
Auwahi Wind Habitat Conservation Plan Amendment
Island of Maui**

Dear Mr. Glenn:

With this letter, the Department of Land and Natural Resources (DLNR) hereby transmits the Supplemental Environmental Impact Statement Preparation Notice (SEISPN) for Auwahi Wind. We respectfully request that you publish the notice in the next available edition of the Office of Environmental Quality Control (OEQC) Environmental Notice.

The Board of Land and Natural Resources has determined that the proposed amendment to the Habitat Conservation Plan and associated Incidental Take License will require a Supplemental EIS. We understand that publication of the Preparation Notice in the Environmental Notice will initiate a 30-day public consultation period for parties to comment on the action and to request to become consulted parties in the preparation of the Draft Supplemental Environmental Impact Statement (DSEIS).

Enclosed are the completed OEQC publication forms, two (2) copies of the SEISPN, and PDF file of the same, and an electronic copy of the publication form. Simultaneous with this letter, we have submitted the summary of the proposed land use in a text file by electronic mail to your office. If there are any questions please contact Katherine Cullison of the Division of Forestry and Wildlife at 808-587-4148.

Sincerely,

SUZANNE D. CASE
Chairperson

cc: Marie VanZandt, Sempra Global (Auwahi Wind)

18-228

APPLICANT PUBLICATION FORM

Project Name:	Auwahi Wind Project Supplemental EIS
Project Short Name:	Auwahi Wind Project Supplemental EIS
HRS §343-5 Trigger(s):	Intensity of impacts beyond those anticipated in original EIS (original triggers: use of State of Hawai'i and County of Maui lands; use of Conservation District lands)
Island(s):	Maui
Judicial District(s):	District of Hana
TMK(s):	Wind Farm Site—(2) 1-9-001:006 Transmission Line—(2) 1-9-001:006, (2) 2-1-009:001, (2) 2-1-009:999, (2) 2-1-008:001 Papaka Road—(2) 2-1-004:006, (2) 2-1-004:049, (2) 2-1-004:106, (2) 2-1-005:022, (2) 2-1-005:023, (2) 2-1-005:027, (2) 2-1-005:032, (2) 2-1-005:034, (2) 2-1-005:045, (2) 2-1-005:055, (2) 2-1-005:077, (2) 2-1-008:090, (2) 2-1-005:108
Permit(s)/Approval(s):	State Incidental Take License
Approving Agency:	State of Hawaii Board of Land and Natural Resources
Contact Name, Email, Telephone, Address	Katherine Cullison, Department of Land and Natural Resources/Division of Forestry and Wildlife 1151 Punchbowl Street, Honolulu, HI 96813 (808) 587-4148 Katherine.Cullison@hawaii.gov
Applicant:	Auwahi Wind, LLC
Contact Name, Email, Telephone, Address	Marie VanZandt 488 8th Avenue, HQ12 San Diego, CA 92101 (619) 696-3003 MVanZandt@SempraGlobal.com
Consultant:	Tetra Tech, Inc.
Contact Name, Email, Telephone, Address	Brita Woeck 737 Bishop Street, Suite 2340, Mauka Tower, Honolulu, HI 96813 (808) 441-6600 Brita.Woeck@tetrattech.com

Status (select one) DEA-AFNSI**Submission Requirements**

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEA, and 4) a searchable PDF of the DEA; a 30-day comment period follows from the date of publication in the Notice.

 FEA-FONSI

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; no comment period follows from publication in the Notice.

 FEA-EISPN

Submit 1) the approving agency notice of determination/transmittal letter on agency letterhead, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEA, and 4) a searchable PDF of the FEA; a 30-day comment period follows from the date of publication in the Notice.

 Act 172-12 EISPN
("Direct to EIS")

Submit 1) the approving agency notice of determination letter on agency letterhead and 2) this completed OEQC publication form as a Word file; no EA is required and a 30-day comment period follows from the date of publication in the Notice.

 DEIS

Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the DEIS, 4) a searchable PDF of the DEIS, and 5) a searchable PDF of the distribution list; a 45-day comment period follows from the date of publication in the Notice.

 FEIS

Submit 1) a transmittal letter to the OEQC and to the approving agency, 2) this completed OEQC publication form as a Word file, 3) a hard copy of the FEIS, 4) a searchable PDF of the FEIS, and 5) a searchable PDF of the distribution list; no comment period follows from publication in the Notice.

- FEIS Acceptance Determination The approving agency simultaneously transmits to both the OEQC and the applicant a letter of its determination of acceptance or nonacceptance (pursuant to Section 11-200-23, HAR) of the FEIS; no comment period ensues upon publication in the Notice.
- FEIS Statutory Acceptance The approving agency simultaneously transmits to both the OEQC and the applicant a notice that it did not make a timely determination on the acceptance or nonacceptance of the applicant's FEIS under Section 343-5(c), HRS, and therefore the applicant's FEIS is deemed accepted as a matter of law.
- Supplemental EIS Determination The approving agency simultaneously transmits its notice to both the applicant and the OEQC that it has reviewed (pursuant to Section 11-200-27, HAR) the previously accepted FEIS and determines that a supplemental EIS is or is not required; no EA is required and no comment period ensues upon publication in the Notice.
- Withdrawal Identify the specific document(s) to withdraw and explain in the project summary section.
- Other Contact the OEQC if your action is not one of the above items.

Project Summary

Provide a description of the proposed action and purpose and need in 200 words or less.

The impacts of the Auwahi Wind Farm (Project), located on east Maui, were initially analyzed in an Environmental Impact Statement (EIS) approved by the Maui County Planning Commission on August 9, 2011. Among other permits, the Project operates under an Incidental Take License (ITL) issued by the Department of Land and Natural Resources (DLNR)/ Division of Forestry and Wildlife (DOFAW). The ITL and accompanying Habitat Conservation Plan (HCP) provide coverage for incidental take of four listed wildlife species, including the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*). Projections of post-construction mortality monitoring data suggest that authorized take levels for the Hawaiian hoary bat have exceeded the 25-year permit term. Accordingly, Auwahi Wind LLC is seeking approval of a major amendment to the HCP and ITL to increase the amount of authorized bat take from 21 to 197 bats to cover the duration of the Project's operating life, along with approval of additional compensatory mitigation. Because the potential for impacts to the Hawaiian hoary bat is greater than anticipated in the original EIS, DLNR has determined that a supplemental EIS is necessary to assist in their decision making regarding approval of this major amendment.

**SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PREPARATION NOTICE
FOR THE AUWAHI WIND FARM, MAUI**

APPLICANT:

Auwahi Wind Energy, LLC; Address: 488 8th Avenue, HQ12 San Diego, CA 92101; Contact: Marie VanZandt

APPROVING AGENCY:

State of Hawaii Board of Land and Natural Resources; Address: 1151 Punchbowl Street, Honolulu, HI 96813; Contact: Kate Cullison, Conservation Initiatives Coordinator, Department of Land and Natural Resources/Division of Forestry and Wildlife, (808) 587-4148

BRIEF DESCRIPTION OF PROPOSED ACTION:

The Auwahi Wind Farm (Project) is a wind energy generation facility consisting of eight Siemens 3.0-MW wind turbines, which began commercial operation in December 2012, and is located in east Maui, Hawaii, on Ulupalakua Ranch (Figures 1-1 and 1-2). The effects of the construction and operation of the Project were initially analyzed and described in an Environmental Impact Statement (EIS) approved by the Maui County Planning Commission (Commission) on August 9, 2011. The Commission was the Approving Agency for the original EIS due to the Maui Department of Planning's land use permitting obligations related to issuance of a Special Management Area Use Permit and two County Special Use Permits to Auwahi Wind Energy, LLC (Auwahi Wind).

In addition to these permits, Auwahi Wind was issued an incidental take permit (ITP) from the U.S. Fish and Wildlife Service (USFWS) and an incidental take license (ITL) from the Department of Land and Natural Resources (DLNR) for the Project on February 24 and February 9, 2012, respectively. The ITP/ITL and associated Habitat Conservation Plan (HCP; Tetra Tech 2012) provide coverage for incidental take of four species listed under the federal Endangered Species Act (ESA) and State of Hawaii endangered species statutes which have the potential to be impacted by the Project including the ua'u or Hawaiian petrel (*Pterodroma sandwichensis*); Nēnē or Hawaiian goose (*Branta sandvicensis*); Ōpe'ape'a or Hawaiian hoary bat (*Lasiurus cinereus semotus*); and Blackburn's sphinx moth (*Manduca blackburni*). The ITP and ITL each have a term of 25 years.

Projections of take of the Hawaiian hoary bat, based on the results of post-construction mortality monitoring conducted at the Project, suggest that authorized take levels will be exceeded prior to the end of the permit term. Accordingly, Auwahi Wind is seeking approval of a major amendment to the HCP and ITL from DLNR to increase the amount of authorized Hawaiian hoary bat take from 21 to 197 bats to cover the duration of the Project's operating life. Effects to the Hawaiian hoary bat would be offset with additional measures to avoid and minimize take and associated additional compensatory mitigation, to be included in the HCP Amendment. The approved HCP and the HCP Amendment both respond to the need for authorization of incidental take of listed species associated with the Project, pursuant to the federal Endangered Species Act and state endangered species laws under Hawaii Revised Statute (HRS) Chapter 195D.

BACKGROUND:

Take of Hawaiian hoary bats at the Project has been higher than anticipated under the approved HCP. When the approved HCP was prepared, post-construction mortality monitoring data from Hawaii wind farms were scant and estimates of take were based on the best available surrogate information, which underestimated collision risk for bats. The application of Project-specific fatality data and use of new statistical tools for predicting take provides confidence that the revised predictions of total Project-related Hawaiian hoary bat take are conservative and unlikely to exceed the level of take requested in the HCP Amendment.

The HCP Amendment will consist of the following changes and provisions: 1) additional measures to avoid and minimize Hawaiian hoary bat take; 2) estimated total Project-related Hawaiian hoary bat take, projected over the remainder of the permit term, based on results of Project-specific post-construction mortality monitoring; 3) a request for additional take of Hawaiian hoary bats; 4) associated additional compensatory mitigation; and 5) a long-term post-construction monitoring plan. New information regarding Hawaiian hoary bat ecology, distribution, and mortality that has become available since the preparation of the approved HCP will be incorporated, as appropriate, to support the HCP Amendment. The HCP Amendment does not propose any changes to the scope of the HCP (Covered Lands or Covered Species); the original permit term of 25 years (2012–2037); or authorized take requests, mitigation, or other details associated with the other Covered Species.

EIS Preparation Notice – Auwahi Wind Project Supplemental EIS

Compensatory mitigation would be implemented in a phased approach including conducting research focused on the research priorities identified in the Endangered Species Recovery Committee's Bat Guidance and the implementation of land-based management mitigation using the current best available science to benefit bats. Research conducted under the HCP Amendment will inform the management and protection of the correct type of habitat, prey, foraging, and roosting resources that are needed by the Hawaiian hoary bat. Auwahi Wind will use the results of research to inform the ongoing and future land-based mitigation, as deemed appropriate by the USFWS and DLNR, under the adaptive management provisions of the HCP. Land-based mitigation may include improvements to available roosting habitat (native and non-native trees that have suitable physical characteristics) or foraging habitat, which includes a variety of landscapes that have suitable insect prey, or other habitat enhancements.

DETERMINATION AND REASONS SUPPORTING THE DETERMINATION

Auwahi Wind is not proposing any substantive changes to the existing Project or its operation, including to its size, scope, or location, and a major amendment to the HCP and ITL would not affect the permits issued by the Commission or the Commission's land use permitting obligations. However, because the impacts to the Hawaiian hoary bat are greater than anticipated in the original EIS, the Board of Land and Natural Resources determined on October 27, 2017 that a supplemental EIS is warranted per HAR §11-200-27, which provides that an SEIS shall be warranted where, among other things, "the intensity of environmental impacts will be increased" or "where new circumstances or evidence have brought to light different or likely increased environmental impacts not previously dealt with."

Auwahi Wind has prepared this EIS Preparation Notice (EISPN) pursuant to the State of Hawaii (State) Environmental review process, as required and defined by Chapter 343, Hawaii Revised Statutes (HRS) and Title 11, Chapter 200, Hawaii Administrative Rules (HAR). The purpose of the EISPN is to initiate the scoping process for the Supplemental EIS under Chapter 343 and provide an opportunity for comment by reviewing agencies and the public to ensure the environmental concerns are given appropriate consideration in the decision making process along with economic and technical considerations. Comments and materials we receive will become part of the public record and will be included in the Draft SEIS.

DATES:

All comments on this notice will be considered if received or postmarked on or before January 8, 2018. All comments received are a part of the public record. All personal identifying information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

ADDRESSES:

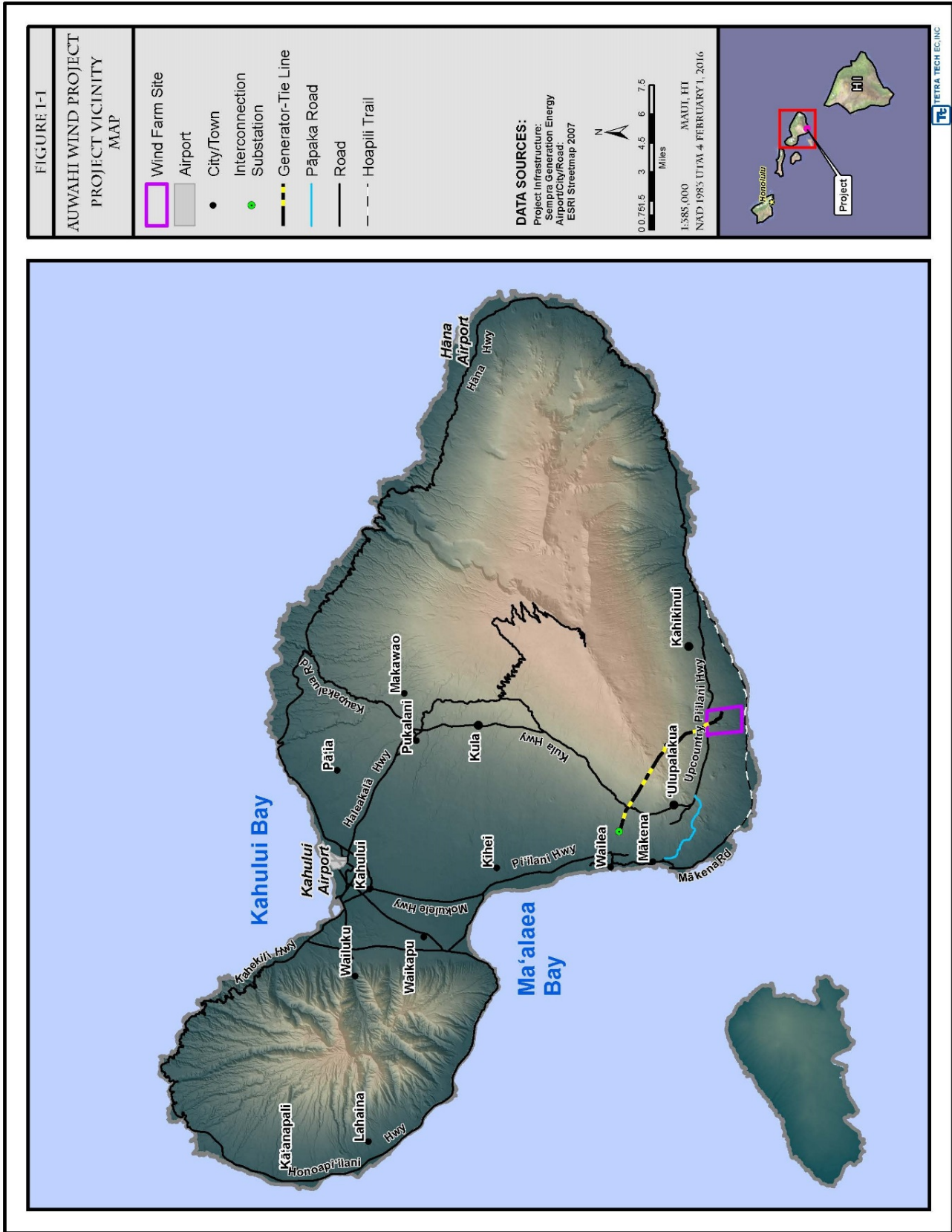
Please submit copies of your comments to both the DLNR and the EIS Consultant (Tetra Tech, Inc.). Please send comments with the subject line of Auwahi Wind Project Supplemental EIS Preparation Notice (EISPN) and include your email address if possible. Transmission of comments may be via email or U.S. Mail. However, attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

DLNR email: Katherine.Cullison@hawaii.gov (include Auwahi Wind EISPN in the subject line)
DLNR U.S. mail: Attention: Auwahi Wind HCP-EIS
Department of Land and Natural Resources/Division of Forestry and Wildlife
1151 Punchbowl Street, #325
Honolulu, HI 96813

Consultant email: Brita.Woeck@tetrattech.com (include Auwahi Wind EISPN in the subject line)
Consultant U.S. mail: Attention: Auwahi Wind EISPN
Tetra Tech, Inc.
737 Bishop St., Suite 2340, Mauka Tower
Honolulu, HI 96813

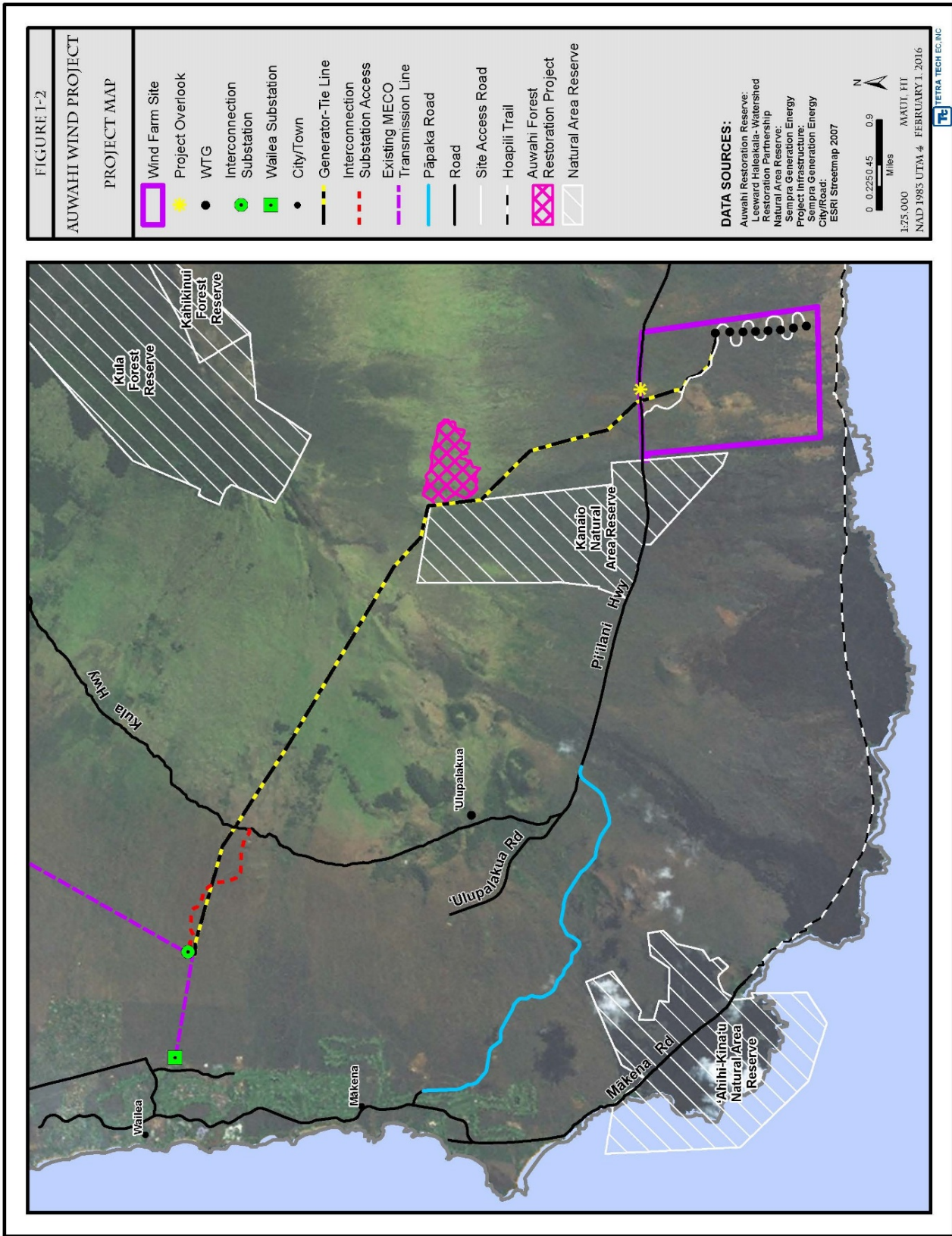
FOR FURTHER INFORMATION CONTACT:

Brita Woeck, Tetra Tech, Inc., 737 Bishop St., Suite 2340, Mauka Tower, Honolulu, HI 96813; (808) 441-6600



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EIS Preparation Notice – Auwahi Wind Project Supplemental EIS



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