

DAVID Y. IGE
GOVERNOR OF HAWAII



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SEP - 8 2019

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 27, 2019

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

MEMORANDUM

TO: Scott Glenn, Director
Office of Environmental Quality Control
Department of Health

FROM: Suzanne D. Case, Chairperson *SDC*
Department of Land and Natural Resources *DCS*

SUBJECT: BLNR Determination for Auwahi Wind SEIS

With this memo, I would like to inform the Office of Environmental Quality Control that, the Board of Land and Natural Resources (BLNR) has accepted and approved the Auwahi Wind SEIS during their BLNR meeting on August 23, 2019.

For more information, please contact Jim Cogswell, 808-578-4187

20-056

APPLICANT PUBLICATION FORM

| | |
|--|--|
| Project Name: | Auwahi Wind Farm Supplemental EIS |
| Project Short Name: | Auwahi Wind Farm Supplemental EIS |
| HRS §343-5 Trigger(s): | Use of State and County lands; Use of land within Conservation District (Intensity of impacts beyond those anticipated in original EIS) |
| Island(s): | Maui |
| Judicial District(s): | Makawao |
| TMK(s): | Wind Farm Site—(2) 1-9-001:006 (por.) |
| Permit(s)/Approval(s): | State Incidental Take License Amendment |
| Approving Agency: | State of Hawaii Department of Land and Natural Resources |
| <i>Contact Name, Email, Telephone, Address</i> | Jim Cogswell, Department of Land and Natural Resources/Division of Forestry and Wildlife 1151 Punchbowl Street, Honolulu, HI 96813 (808) 587-4187 james.m.cogswell@hawaii.gov |
| Applicant: | Auwahi Wind Energy, LLC |
| <i>Contact Name, Email, Telephone, Address</i> | Marie VanZandt AEP Renewables 655 W Broadway, Suite 950, San Diego, CA 92101 (808) 495.5234 mlvanzandt@aepes.com |
| Consultant: | Tetra Tech, Inc. |
| <i>Contact Name, Email, Telephone, Address</i> | Lisa Kettley 737 Bishop Street, Suite 2340, Honolulu, HI 96813 lisa.kettley@tetrattech.com |

Status (select one) DEA-AFNSI**Submittal 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 Project consists of eight 3-megawatt (MW) wind turbines augmented by an 11-MW battery storage system located on 'Ulupalakua Ranch, on the eastern side of the island of Maui. An EIS for the Project was accepted by the County of Maui Planning Commission in August 2011. The Project was constructed in 2012 and has been in operation since that time. The Project operates under an approved Habitat Conservation Plan (HCP) and Incidental Take License (ITL) issued by the Department of Land and Natural Resources (DLNR). The HCP and ITL provide coverage for incidental take of four listed wildlife species, including the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*). Post-construction mortality monitoring data indicate that the wind turbines are causing a greater number of endangered Hawaiian hoary bat fatalities than anticipated in the approved HCP and authorized under the ITL. Accordingly, Auwahi Wind is seeking approval of a major amendment to the HCP as part of the request to increase the amount of incidental Hawaiian hoary bat take authorized under the ITL. Given the increase in estimated take of the Hawaiian hoary bat and the resulting increase in intensity of impact, an SEIS was required.