

For the Protection of Hawaii's Native Wildlife

HAWAII AUDUBON SOCIETY

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Sent Via E-mail

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Glenn Metzler
State of Hawai'i
Department of Land and Natural Resources
Division of Forestry and Wildlife

Re: Kawaihoa Wind Farm--Draft Supplemental EIS

Dear Mr. Metzler:

The Hawaii Audubon Society (HAS) herein submits its Comments on the Draft Supplemental Environmental Impact Statement (SEIS) for the Kawaihoa Wind Farm. Hawaii Audubon Society is a nonprofit organization that was established locally in 1939 that fosters community values to protect and restore native wildlife and ecosystems and conserve natural resources through education, science and advocacy in Hawai'i and the Pacific. We submit these comments on behalf of our more than 1,700 members.

HAS is concerned that the Kawaihoa Wind project has exceeded the allowable take for the Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) and Hawaiian Petrel (*Pterodroma sandwichensis*) as permitted by the issued incidental take permit and license. The request for a tremendous increase in the allowable take for these two endangered species is alarming. While HAS generally supports the State's renewable energy goals, HAS firmly

believes those goals must be reached with continued protections for Hawai‘i's endangered species.

We understand that implementing new technologies often comes with costs. With wind turbines, as noted in the EIS, there is a unique risk to flying species that must be carefully studied and mitigated. As such, HAS appreciates that the Department of Land and Natural Resources (DLNR) is carefully considering and scrutinizing the avoidance, minimization, and mitigation strategies put forth by the Kawaiiloa Wind project as part of their request for an increase in the allowable take limits for the Hawaiian Hoary Bat and Hawaiian Petrel.

Avoidance and mitigation strategies should be implemented and strengthened to prevent a quadruple increase in the anticipated take of the Hawaiian hoary bat.

It is imperative that Kawaiiloa Wind reduce the risk caused by its operation for the Hawaiian Hoary Bats and Hawaiian Petrel. HAS supports the continued use of the low wind speed curtailment (LWSC), implementation of mortality monitoring, and efforts to develop technology that would safely deter bats from colliding with turbines. The following proposed minimization strategies must prove to be more effective as the project continues operation:

- (1) extend LWSC with a cut-in speed of 5.0 m/s at all turbines to occur year-round from sunset to sunrise,
- (2) increase LWSC cut-in speed to 5.2 m/s through a 0.2 m/s hysteresis to increase the “down time” of the wind turbines and reduce the number of stop/start events per night,
- (3) conduct an ultrasonic acoustic bat deterrent “proof of concept” test, and
- (4) install bat deterrents at all 30 Project turbines when they are shown to be at least as effective as LWSC at reducing bat take.

We are pleased to read that the current mitigation efforts for Tiers 1-3 of take are being successfully implemented in coordination with U.S. Fish and Wildlife Service (USFWS) and the State of Hawai‘i DLNR Division of Forestry and Wildlife (DOFAW). HAS is hopeful that the mitigation efforts for Tiers 4 through 6¹ will prove to be as effective as predicted, however, if monitoring proves otherwise, additional mitigation should be

¹ Tier 4 bat mitigation consists of contributing \$2,750,000 toward acquisition and long-term protection of the Helemano Wilderness Area through a partnership with the Trust for Public Land (TPL), USFWS, DOFAW and other funding partners. Tier 5 and Tier 6 mitigation for the Hawaiian hoary bat will include either (1) contribution of funding to acquire property to protect bat roosting and foraging habitat in perpetuity, or (2) bat habitat management/restoration at Helemano Wilderness Area, Waimea Native Forest, or a similar site.

required. Ideally, there would be no increase to take while simultaneously providing habitat for species recovery in mitigation for the bats and birds already harmed by the project operation. While this mitigation strategy appears to strike a good balance and hopefully will in fact provide a net benefit to the species, we request that the increase in take be minimal and reassessed regularly throughout the remaining life of Kawaiiloa Wind's operations.

The Hawaiian Petrel should be allowed to flourish on O'ahu.

It is with great concern that we respond to the inclusion and increase of allowable take for the Hawaiian Petrel. It is exciting to learn that the Hawaiian Petrel was found in an area it was not previously known or believed to frequent. However, to learn of the petrel's presence through its death, and to then allow for loss of more of the species is unacceptable. As stated in the SEIS, the total population of Hawaiian Petrels is estimated between 19,000 and 52,000. According to the assertions of the SEIS, it is not believed that the take of 19 adults and 5 chicks will have a population-level effect on Hawaiian Petrel over the lifetime of the project. However, given the recent discovery of their presence on O'ahu, we ask that further observation and research be conducted.

While there is no conclusive evidence of a breeding colony on O'ahu, the continued take of the species may be prohibiting a colony from reestablishing. HAS asks that further study of the Hawaiian Petrel and its presence on and around O'ahu in addition to the proposed mitigation plans. Observing native Hawaiian birds in their natural habitat is a rare and remarkable opportunity for HAS members, Hawai'i residents, visitors, and the global birding community.

Continued monitoring, evaluation, and reporting is necessary to prevent further impact.

The Hawaii Audubon Society is against an increase in the allowable take of these endangered species. The silver lining, however, is that this is a unique opportunity to learn more about the Hawaiian Hoary Bat and Hawaiian Petrel to be better able to protect and rehabilitate both species in the future. The gross underestimation of the impact to these species in the 2011 Environmental Impact Statement (EIS) clearly shows the need for more research on the habitat and habits of these two endangered species.

To avoid making similar mistakes in determining the allowable take limit at future developments, we ask that the proposed safer operation protocols be implemented and continuously monitored for effectiveness. HAS also requests that the habitat purchased as part of the mitigation effort be subject to strict monitoring. Kawaiiloa Wind should continue to conduct regular evaluation and make adjustments to its operations based on the findings of neutral third party monitoring. The findings of all monitoring should be reported to DLNR and the public.

Thank you for your consideration of these comments and your continued commitment to the protection and rehabilitation of Hawai'i's environment.

Sincerely,

Hawaii Audubon Society
Board of Directors