

News Release



Pacific Islands Fish and Wildlife Office
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Kaheawa Wind Power I – Proposed Permit Amendment to Reduce the Take Of Federally Protected Species Available for Public Comment *Comments will be accepted until December 30*

The U.S. Fish and Wildlife Service (Service) today announced the availability of an application from Kaheawa Wind Power I, LLC, a subsidiary of First Wind Energy LLC, for an amendment to reduce the permitted level of take of Hawaiian petrels and Newell's shearwaters, both protected under the federal Endangered Species Act.

The Service invites public comment on the proposed permit amendment, the proposed amendment to the implementing agreement, and the Draft Seabird Mitigation Plan for Kaheawa Wind Power I and Kaheawa Wind Power II. In addition, public comment on the Service's preliminary determination that the Biological Opinion, Set of Findings, Environmental Assessment, and Finding of No Significant Impact, all of which were previously approved in support of issuance of the original incidental take permit, do not require revision, because there is no new information relating to the impacts of this action that warrant such a change, and there are no additional impacts expected beyond those originally assessed. The documents are available for public review and comment for 30 days.

An incidental take permit is required when non-federal activities are likely to result in "take" of a threatened or endangered species while carrying out otherwise lawful activities. "Take," as defined by the ESA, means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or attempt to engage in any such conduct. Harm may include significant habitat modification that results in death or injury to a listed species by impairing behavioral patterns such as breeding, feeding or sheltering.

If approved for amendment, the permit would reduce the level of authorized incidental take of the endangered Hawaiian petrel or 'ua'u and the threatened Newell's shearwater or 'a'o in the course of operating the wind farm on the Island of Maui, Hawai'i. The project-related permit authorizing take of the endangered Hawaiian goose or nēnē and the endangered Hawaiian hoary bat or 'ōpe'ape'a would remain unchanged. The existing permit authorizes the applicant to take 40 Hawaiian petrels, 40 Newell's shearwaters, 60 Hawaiian geese, and 20 Hawaiian hoary bats, incidental to operation of Kaheawa Wind Power I. The requested amendment would reduce the permitted level of take to 38 Hawaiian petrels and eight Newell's shearwaters, with no change to the permitted level of take for the Hawaiian goose and Hawaiian hoary bat.

The HCP and incidental take permit address potential for take of the listed birds and bat that may result when these species in-flight collide with the wind turbines or related infrastructure during the operation of the wind energy generation facility. Other native birds at risk of collision in the project area include

the short-eared owl or pueo and Pacific golden-plover or kōlea, which are protected by the Migratory Bird Treaty Act.

After approximately six years of operation, lethal “take” of three Hawaiian petrels, nine Hawaiian geese and two Hawaiian hoary bats has been detected at the Kaheawa Wind Power I facility. No take of Newell’s shearwaters was documented. Kaheawa Wind Power I now seeks an amendment to this existing permit, to reduce the permitted level of take for the Hawaiian petrel and Newell’s shearwater.

The Kaheawa Wind Power I project’s seabird mitigation plans are summarized in the October 2011 Draft Seabird Mitigation Plan for Kaheawa Wind Power I and Kaheawa Wind Power II, which the applicant prepared to meet mitigation and adaptive management requirements of the existing KWPI permit. Pursuant to the 2006 Kaheawa Wind Power I HCP, mitigation for the take of Hawaiian petrels and Newell’s shearwater will be conducted relative to the observed levels of take of these two species.

Proposed mitigation for impacts to the Hawaiian petrel and Newell’s shearwater include active management such as construction of predator-proof (cat, mongoose and rat) fences and predator removal to conserve Hawaiian petrel and Newell’s shearwater nesting areas on Maui, Molokai, and Lanai. The HCP incorporates adaptive management provisions to ensure mitigation and monitoring measures are updated to incorporate new information gained during project implementation.

All comments from interested parties must be received on or before December 30, 2011. Written comments should be submitted to: Loyal Mehrhoff, Field Supervisor, Pacific Islands Fish and Wildlife Office, 300 Ala Moana Blvd., Room 3-122, Honolulu, Hawai‘i 96850. Comments may also be sent via facsimile to 808 792-9580 or via email to Dawn_Greenlee@fws.gov. Include “Permit Number TE118901-0” in the subject line of written, faxed, or emailed comments.

The Service will evaluate the permit application, associated documents, and submitted comments to determine whether the application meets the requirements of National Environmental Policy Act regulations and section 10 (a) of the Endangered Species Act.

Documents are posted on the Service’s website at <http://www.fws.gov/pacificislands/>. Copies and additional information may also be obtained from Dawn Greenlee at 808-792-9400, or by writing to the address listed above.

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