

News Release



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Draft Habitat Conservation Plan for Kaua'i Island Utility Cooperative Available for Public Comment

The U.S. Fish and Wildlife Service announced today the availability of a draft Habitat Conservation Plan (HCP) and Environmental Assessment (EA) submitted by the Kaua'i Island Utility Cooperative (KIUC) for public review. The utility cooperative, which generates and distributes electricity to the island of Kaua'i, Hawai'i, developed the draft HCP and EA as part of its application for an incidental take permit for seabirds protected under the Endangered Species Act. The draft HCP and EA will be available for public review and comment for 45 days.

An incidental take permit is required when nonfederal activities are likely to result in "take" of a threatened or endangered species while carrying out otherwise lawful activities. KIUC is requesting a permit because incidental take of three species will occur as a result of the operation and maintenance of KIUC's existing and anticipated facilities over the next five years. The species affected are the endangered Hawaiian petrel ('ua'u), the threatened Newell's shearwater ('a'o), and the band-rumped storm petrel, a federal candidate species that could become listed during the term of the permit.

The three seabirds breed on Kaua'i, feed in the open ocean, and spend the majority of the year at sea. Adults generally return to their colonial nesting grounds in the interior mountains of Kaua'i beginning in March and April, and depart beginning in September. Fledglings – young birds learning how to fly – travel from the nesting colony to the sea in the fall. Both adults and fledglings are known to collide with tall buildings, towers, powerlines, and other structures while flying at night between their nesting colonies and at-sea foraging areas. These birds, particularly fledglings, are also attracted to bright lights that disorient them. Disoriented birds are commonly observed circling around exterior light sources until they fall to the ground or collide with structures, resulting in possible injury or death.

The permit application includes a draft HCP that describes KIUC's actions and the measures they will implement to minimize, mitigate, and monitor incidental take of the three seabird species, and a draft Implementing Agreement. Also included is the draft EA that has been prepared to evaluate the permit application in accordance with the requirements of the National Environmental Policy Act. The permit would authorize the incidental take of the listed species, not the activities that result in the take.

"Take," as defined by the federal Endangered Species Act, 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 where it actually kills or injures a listed species by impairing essential behavior (e.g., light disorientation, collisions with electrical transmission lines).

The draft HCP covers KIUC activities within all areas on Kaua‘i where its facilities (e.g., generating stations, powerlines, utility poles, lights) are located. These activities include the continuing operation, maintenance, and repair of all existing facilities, and the construction, operation, maintenance, and repair of certain new facilities, during the next five years. The draft HCP describes the impacts of take incidental to those activities on the seabird species, and proposes certain measures to minimize and mitigate the impacts of that take.

KIUC proposes to minimize, mitigate, and monitor the impacts of taking listed species by implementing the following measures:

- fully funding implementation of the Save Our Shearwaters Program;
- funding seabird colony management and predator control in the Limahuli Valley;
- funding seabird colony management and predator control in the Hono O Na Pali Natural Area Reserve;
- updating population estimates at-sea for the three seabird species;
- funding a 2-year auditory survey to locate additional seabird breeding colonies;
- funding development and implementation of an under-line monitoring program aimed at better understanding the amount of seabird take caused by overhead utility structures; and
- funding seabird colony management and predator control in the Wainiha Valley or other suitable location during the fourth and fifth year of the permit.

The work that KIUC proposes to carry out is intended to enhance knowledge of the seabird species' biology and distribution, and improve these species' chances of reproductive success to offset the impacts of take caused by KIUC activities. The HCP also includes adaptive management provisions to allow for modifications to the mitigation and monitoring measures as knowledge is gained during their implementation.

The draft environmental assessment considers the direct, indirect, and cumulative effects of the proposed action of permit issuance, including the measures that would be implemented to minimize and mitigate such impacts. The environmental assessment contains an analysis of three alternatives: the no action alternative (no permit issuance and the status quo in terms of KIUC's actions with respect to incidental take of seabirds); the proposed action alternative, issuance of a 5-year incidental take permit to KIUC on the basis of its proposed HCP; and issuance of a 3-year permit based on implementation of the proposed HCP.

The Service requests information, views, and opinions from the public on the proposed federal action of issuing a permit and on the analysis within the draft environmental assessment. In addition, the Service specifically solicits information pertaining to the adequacy of the HCP relative to minimizing, mitigating, and monitoring the impacts of take to the three seabird species and relative adaptive management as evaluated against the permit issuance criteria.

Both the federal and Hawai‘i Endangered Species Acts provide for the HCP process to allow development activities to proceed while promoting the conservation of listed species. The Service and the Hawai‘i Department of Land and Natural Resources jointly process HCPs but issue separate incidental take permits and licenses, respectively.

All comments from interested parties must be received on or before November 29, 2010. 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.

The Service will evaluate the permit application, associated documents, and submitted comments to determine whether the application meets the requirements of NEPA 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 Bill Standley at 808-792-9400, or by writing to the address listed above.

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