

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawaii 96813

February 22, 2008

Chairperson and Members
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Land Board Members:

SUBJECT: REQUEST FOR APPROVAL TO RELEASE FOR PUBLIC
REVIEW THE DRAFT HABITAT CONSERVATION PLAN AND
ACCOMPANYING INCIDENTAL TAKE LICENSE FOR THE
LANAI METEOROLOGICAL TOWERS, LANAI, HAWAII

Submitted for your consideration is the *Draft Habitat Conservation Plan for the Construction and Operation of the Lanai Meteorological Towers, Lana'i, Hawai'i* (Attachment I) and accompanying draft Incidental Take License (Attachment II). The purpose of the Habitat Conservation Plan (HCP) is to mitigate for impacts that construction and operation of the towers may have to four listed species: Hawaiian Petrel ('Ua'u – *Pterodroma sandwichensis*), Newell's Shearwater ('A'o – *Puffinus auricularis newelli*), Hawaiian Stilt (Ae'o – *Himantopus mexicanus knudseni*), and Hawaiian Hoary Bat ('Ope'ape'a – *Lasiurus cinereus semotus*). These species are known to be in the vicinity and could be injured or killed if they collide with one of the seven meteorological towers to be operated on the site. The applicant, Castle and Cooke Resorts, LLC, (C&C) has included measures to minimize impacts, but it is still anticipated that up to 14 Hawaiian Petrel and two each of Newell's Shearwater, Hawaiian Stilt, and Hawaiian Hoary Bat could be harmed or killed per year over the approximately two-year period of the operation of the towers ending on February 28, 2010.

In order to mitigate for the anticipated impacts to Hawaiian Petrel, Newell's Shearwater, and the Hawaiian Hoary Bat, C&C will fund predator control activities to reduce predation on those species, and a habitat restoration project within the breeding area on Lanaihale. The habitat restoration project involves the removal of invasive strawberry guava (*Psidium cattlenium*) and the passive and active revegetation of native species to restore suitable habitat for breeding. Mitigation for potential take of the Hawaiian Stilt will be accomplished by conducting predator control at the Lanai wastewater treatment plant where this species breeds annually and is often subject to predation.

The Endangered Species Recovery Committee (ESRC) has visited the project and mitigation sites and provided technical assistance and recommendations during the

preparation of the draft HCP. The ESRC reviewed an earlier draft of the HCP and their comments are provided in the meeting notes of February 6, 2008 (Attachment III). The ESRC recommended that the Board authorize that the HCP be released for public review on the condition that C&C revise the HCP to address the comments in Item F-1 of the meeting notes. C&C agreed to address all of the issues raised by the ESRC and Division of Forestry and Wildlife staff have ensured that they were adequately addressed in this latest draft.

If the Board approves this submittal, a notice of the availability of the draft HCP, ESRC comments, Incidental Take License and Board Submittal will be published in the OEQC Bulletin. The Department will solicit public input and hold a public hearing on Lanai during the next 60 days. Following the public review process, the applicant will revise the draft HCP, if needed, and submit it to the Endangered Species Recovery Committee for their final review. The Committee will provide a recommendation to the Board to accept, amend, or reject the proposal and the final HCP will be resubmitted to the Board for final consideration.

RECOMMENDATION:

That the Board approve the release for public review the *Draft Habitat Conservation Plan for the Construction and Operation of the Lanai Meteorological Towers, Lana'i, Hawai'i* and accompanying Incidental Take License, by the required two-thirds vote of the authorized membership.

Respectfully submitted,

PAUL J. CONRY
Administrator

Attachments: I, II and III

APPROVED FOR SUBMITTAL:

LAURA H. THIELEN, Chairperson
Board of Land and Natural Resources