

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Jul 14, 2022

MEMORANDUM

TO:

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division (DLNR.ENGR@hawaii.gov)
- ☒ Div. of Forestry & Wildlife (rubyrosa.t.terrago@hawaii.gov)
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management (DLNR.CWRM@hawaii.gov)
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Maui District (daniel.l.omellas@hawaii.gov)

FROM:

Russell Y. Tsuji, Land Administrator *Russell Tsuji*

SUBJECT:

Petition for a State Land Use District Boundary Amendment from Agricultural District to Urban District the Development of the **Miki Basin Industrial Park**

LOCATION:

Lanai City, Island of Lanai; TMK: (2) 4-9-002: 061 por.

APPLICANT:

Office of Planning & Sustainable Development on behalf of **Pulama Lanai**

Transmitted for your review and comment is information on the above-referenced subject matter. Please submit any comments by **August 10, 2022**.

If no response is received by the above date, we will assume your agency has no comments. Should you have any questions about this request, please contact Darlene Nakamura at darlene.k.nakamura@hawaii.gov. Thank you.

BRIEF COMMENTS:

- ☐ We have no objections.
- ☐ We have no comments.
- ☐ We have no additional comments.
- ☒ Comments are included/attached.

Signed:

Lainie Berry

Print Name:

LAINIE BERRY, Wildlife Program Manager
Division of Forestry and Wildlife

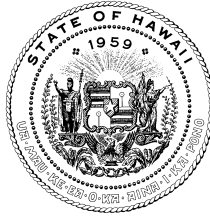
Division:

Date:

Aug 3, 2022

Attachments

cc: Central Files



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

August 3, 2022

MEMORANDUM

Log no. 3751

TO: RUSSELL Y. TSUJI, Land Administrator
Land Division

FROM: LAINIE BERRY, Wildlife Program Manager
Division of Forestry and Wildlife

SUBJECT: **Division of Forestry and Wildlife Comments for the Petition for a State Land Use District Boundary Amendment from Agricultural District to Urban District to Allow the Development of the Miki Basin Industrial Park in Lānaʻi City**

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) has received your request for comments on the subject Petition for a State Land Use Boundary Amendment regarding approximately 200 acres of land located at Lānaʻi City, on the island of Lānaʻi, TMK: (2) 4-9-002:061 (por.). The proposed project consists of amending the land use district boundaries of the petition area from the State Land Use Agricultural District to the State Land Use Urban District in order to allow the construction of the Miki Basin Industrial Park. Granting the petition will enable the development of 127 acres to be utilized for renewable energy projects (e.g., photovoltaic plus battery storage), 20 acres for infrastructure purposes (roads, common areas and other related uses), 12.5 acres for the relocation of an existing asphalt plant from its current location near Kaumālapaʻu Harbor and 26 acres for new industrial uses. The remaining 14.5 acres will be used for the relocation of an existing concrete batch plant, recycling and rock crushing facility and for the storage and stockpiling of aggregate and construction materials.

The State listed Hawaiian Hoary Bat or ʻŌpeʻapeʻa (*Lasiurus cinereus semotus*) could potentially occur at or in the vicinity of the project and may roost in nearby trees. Any required site clearing should be timed to avoid disturbance to bats during their birthing and pup rearing season (June 1 through September 15). During this period woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed. Barbed wire should also be avoided for any construction because bats can become ensnared and killed by such fencing material during flight.

Artificial lighting can adversely impact seabirds that may pass through the area at night by causing them to become disoriented. This disorientation can result in their collision with manmade structures or the grounding of birds. For nighttime work that might be required, DOFAW

recommends that all lights used to be fully shielded to minimize the attraction of seabirds. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season, from September 15 through December 15. This is the period when young seabirds take their maiden voyage to the open sea. Permanent lighting also poses a risk of seabird attraction, and as such should be minimized or eliminated to protect seabird flyways and preserve the night sky. For illustrations and guidance related to seabird-friendly light styles that also protect seabirds and the dark starry skies of Hawai'i please visit <https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf>.

DOFAW is concerned about attracting vulnerable birds to areas that may host nonnative predators such as cats, rodents, and mongooses. We recommend taking action to minimize predator presence; remove cats, place bait stations for rodents and mongoose, and provide covered trash receptacles.

Due to the arid climate and risks of wildfire to listed species, we recommend coordinating with the Hawai'i Wildfire Management Organization at (808) 850-900 or admin@hawaiiwildfire.org, on how wildfire prevention can be addressed in the project area.

DOFAW recommends minimizing the movement of plant or soil material between worksites. Soil and plant material may contain pathogens, pests, or invasive plant parts that could harm our native species and ecosystems. We recommend consulting the Maui Invasive Species Committee (MISC) at (808) 573-6472 to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread. All equipment, materials, and personnel should be cleaned of excess soil and debris to minimize the risk of spreading invasive species.

DOFAW recommends using native plant species for landscaping that are appropriate for the area (i.e., climate conditions are suitable for the plants to thrive, historically occurred there, etc.). Please do not plant invasive species. DOFAW also recommends consulting the Hawai'i-Pacific Weed Risk Assessment website to determine the potential invasiveness of plants proposed for use in the project (<https://sites.google.com/site/weedriskassessment/home>). Please refer to www.plantpono.org for guidance on the selection and evaluation of landscaping plants.

We appreciate your efforts to work with our office for the conservation of our native species. These comments are general guidelines and should not be considered comprehensive for this site or project. It is the responsibility of the applicant to do their own due diligence to avoid any negative environmental impacts. Should the scope of the project change significantly, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible. If you have any questions, please contact Paul Radley, Protected Species Habitat Conservation Planning Coordinator at (808) 295-1123 or paul.m.radley@hawaii.gov.

Sincerely,

Lainie Berry

LAINIE BERRY
Wildlife Program Manager