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Via Email and U.S. Mail

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Re: Additional Comments on Scope of Intended Joint Federal
and State Programmatic Environmental Impact Statement
for the Hawai'i Interisland Renewable Energy Program: Wind

Dear Allen Kam and Anthony Como,

This letter is written to provide additional comments on behalf of Friends of Lanai. The Department of Business, Economic, Development and Tourism, State of Hawai'i ("DBEDT") and the Federal Department of Energy ("DOE"), as co-lead agencies, have published their intent to prepare a Joint Federal and State Programmatic Environmental Impact Statement ("PEIS") for the Hawai'i Interisland Renewable Energy Program: Wind ("HIRP Project" or the "Big Wind Project").

The "accepting authority" for the State PEIS is identified as DBEDT and the Record of Decision for the Federal PEIS will presumably be issued by DOE.

Friends of Lanai requests recognition as a consulting party in the preparation of this PEIS and expects to participate in a full and complete consultation process to assure that this PEIS is fully acceptable.

The components of the HIRP or Big Wind Project, as described by DBEDT, are as follows:

- (1) Up to a 400 mw wind farm on Lanai developed by Castle & Cooke;
- (2) Up to a 400 mw wind farm on Molokai on unidentified properties constructed by an unidentified wind farm developer;
- (3) Wind farms on Maui, on properties yet to be disclosed and developed by yet to be disclosed developers;
- (4) An undersea cable from Maui, Lanai and Molokai to Kaneohe Marine Corps Base and Pearl Harbor on Oahu; and
- (5) HECO transmission stations and infrastructure on Oahu.

Federal stimulus funds are being used to prepare this PEIS. This is not a “shovel ready” project. The PEIS must be completed by April 2012 due to the expiration of Stimulus Act funding on that date. This imposes an artificial deadline for the completion of the PEIS process that is not otherwise present in HEPA or NEPA. This deadline requires haste, not the thoughtful, careful, detailed study and analysis required by NEPA and HEPA.

The advocates of the HIRP or Big Wind Project are proposing to tier the HIRP or Big Wind Project by first preparing a PEIS that includes a study of the cumulative impacts of the Project. Thereafter DBEDT and DOE propose the preparation of project-specific EISs for each these components: (1) Castle & Cooke has already begun the preparation of an EIS for a proposed wind farm on Lanai; (2) An EIS would be prepared for any wind farm on Molokai; (3) An EIS would be prepared for participating wind farms on Maui; (4) a Federal EIS will be prepared for the undersea cable and (5) HECO will prepare an EIS for the transmission stations and infrastructure on Oahu. These documents may not be prepared at the same time.

It is not possible to find that this methodology complies with NEPA and HEPA because DBEDT and DOE have refused to fully disclose in the EISPN or the Notice of Intent all of the facts known to these agencies, all of the permits and approvals required and all of the agency actions involved. As referenced below, project advocates have met behind closed doors and signed a Memorandum of Understanding concerning the methodology for the EISs, however DBEDT has refused to make this document available to interested members of the public.

According to DBEDT and DOE the Programmatic EIS is intended to identify broad areas of concern, guidelines and to establish policies and BMP's for use in the site-specific projects and to address impacts generally or generically. DBEDT and DOE assert that the PEIS will also address the

cumulative impacts of all of the components of the Project as a whole. The more detailed site-specific EISs will all be separate documents. The study of the cumulative impacts of the Project as a whole must be rigorous and based upon detailed facts about the components of the Project and a detailed analysis of their impacts according to NEPA and HEPA, however.

Some of the components are ripe for detailed study and some of the components are premature for environmental analysis. The “Project Summary” published in the “Environmental Impact Statement Preparation Notice” dated November 24, 2010 is dishonestly and defectively vague thereby defeating and undermining the whole purpose of conducting scoping in the EIS process. DBEDT and DOE pretend that they do not know facts regarding the HIRP or Big Wind Project that DBEDT and DOE quite obviously already know. The “Project Summary” states: **“To be determined by project--specific proposed wind projects”** with respect to:

- Location
- Tax Map Key
- State Land Use Districts
- County Zoning
- Special Designations
- Required Permits and Approvals

In fact, DBEDT and DOE know all of these facts and details with regard to at least the proposed wind farm on Lanai. DBEDT and DOE know the facts about the Kaheawa Power Project and Auwahi Wind Project on Maui and their potential connection to this system. Should the size of the windmills in the second phase of the Kaheawa Power Project exceed that which has been previously disclosed, further environmental review must take place before implementation. DBEDT and DOE also know more details and facts concerning the undersea cable than are disclosed in the EISPN. DBEDT has conducted studies outside of the EIS process that will shape the Project that they will not allow the public to see: (1) a study of alternative locations for the cable; (2) a study of the financial feasibility of the Project and (3) a Memorandum of Understanding between the federal and state partners in the Project. As such, DBEDT and DOE are prepared to study in the PEIS the environmental impact of alternative cable locations and the economic costs and benefits of the Project.

DBEDT and DOE also know the details regarding the landing sites for the cable on Oahu. They are military bases. The involvement of the military in this Project needs to be fully disclosed. To what extent the military will be consumers of the electricity generated by this Project must be disclosed. What measures are being specially incorporated into the design and operation of the Project to satisfy military needs and requirements must be fully disclosed.

The anticipated landing site for the cable on Lanai is Kaena Point, for Maui is Kahului Harbor and for Molokai is the West End of Molokai. Connecting transmission systems between Kahului Harbor and the Kaheawa Power Project and Auwahi Wind Project must be disclosed and discussed. Because the Project proponents are aware of details with regard to some or all of the components of the Project as a whole, these components are ripe for rigorous study in the PEIS and such study cannot be deferred through tiering to project specific EISs.

Environmental analysis is premature with respect to the Molokai wind farm because no site is now available for any wind farm on Molokai. Environmental analysis of the cable is also in some respects premature because no developer for this component of the Project has been identified.

During the scoping sessions, DBEDT and DOE misled participants about the scoping process and the roles of the PEIS, tiering and the subsequent project-specific EISs. DBEDT and DOE misrepresented to participants that the Programmatic EIS would only address the HIRP or Big Wind Project generally and participants were encouraged to withhold specific issues with regard to the HIRP or Big Wind Project until the project-specific EISs were prepared. This discourages members of the public from presenting their comments on specific issues that they believe should be addressed in the PEIS. This undermines the whole intent of the scoping process.

The first duty here is for DBEDT and DOE to disclose the details that they know about this Project as a whole. Only after they do that is the public able to perform its function in the scoping process. Until DBEDT and DOE publish an EISPN that describes those details concerning this Project of which they are aware, the public is deprived of its ability to effectively comment on the scope of this Project in the manner required by NEPA and HEPA.

The study of alternatives is the heart of the EIS process. Here, an important issue is which alternative renewable energy source deserves backing of the federal and state governments. A "hard look" must be taken at renewable energy source alternatives, especially Wave and OTEC, in which Hawaii is the leader. Both of these alternatives would support Hawaiian entrepreneurial companies and employment.

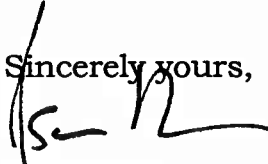
Likewise, the current PEIS and tiers assume that there will be project-specific wind farms on Lanai, Molokai and Maui tied to the cable. By existing agreements, the sizes of the Lanai and Molokai wind farms are interdependent. If there is no site for a Molokai wind farm, the Lanai wind farm would presumably be larger. If the environmental impacts of the Lanai

wind farm are too significant, the Molokai wind farm would be larger. Comparative analysis of the impacts of the two sites must take place in a rigorous, detailed manner. This cannot occur in separate tiered documents. This is also true with respect to the comparative analysis of other Project components or of the impacts of one Project component when compared to the impacts of other Project components. A generic PEIS will not provide the requisite detailed analysis. Separately prepared tiered EISs will not allow cross-component comparisons for the purposes of fashioning alternatives or studying cumulative impacts to aide decision-makers.

We are especially concerned that the “no action” provisions in HEPA and NEPA not be violated before the EIS process is lawfully completed. More and more evidence is surfacing that DBEDT, DOE, HECO and other Project proponents are meeting behind closed doors, outside of the EIS process, and making commitments to Project alternatives that have not yet undergone review in any EIS. The bureaucratic steam roller is already at work and progressing. The purpose of NEPA and HEPA is to require consideration of environmental factors before project momentum becomes irresistible, before options are closed, and before agency commitments are set in concrete. Commitments cannot be made to the “wind” alternative during the EIS process. It cannot be assumed that the wind energy alternative is preferable to other renewable energy alternatives until there has been a detailed analysis and comparative evaluation of the environmental benefits, costs, and risks of the proposed action and each of these reasonable alternatives, even if some of these alternatives are not within the existing authority of DBEDT or DOE.

Friends of Lanai adopts and incorporates by reference comments by other interested individuals and organizations protective of the unique and valuable resources of Lanai.

Thank you for the opportunity to provide these additional comments on the scope of the PEIS.

Sincerely yours,

Isaac Hall

IH/gr
Cc: Friends of Lanai