

## **ENDANGERED SPECIES RECOVERY COMMITTEE (ESRC) MEETING**

April 26, 2018 MEETING MINUTES

Meeting Location: Department of Land and Natural Resources, Division of Forestry and Wildlife,  
1151 Punchbowl Street, Honolulu, HI 96813

**MEMBERS:** Scott Fretz (DLNR), Gordon Tribble (USGS), LOYAL Mehrhoff (At-Large), Lisa Spain (At-Large), Jim Jacobi (USGS), Darren LeBlanc (USFWS), Michelle Bogardus (USFWS)

**STAFF:** DOFAW: Kate Cullison, Glenn Metzler, Emma Gosliner, James Cogswell, Susan Ching, Lainie Berrie

Hawaii Wildlife Center: Linda Elliot, Rae Okawa

OTHERS: Reggie David (Rana Biological Consulting Inc.), Matthew Gear, Danielle Frohlich (SWCA), Jaap Eijzenga (SWCA), Marilyn Teague (Sempra)

### **AGENDA**

**ITEM 1.** 9:00am Call to order.

**ITEM 2.** Announcements

The committee thanked Emma and Kate for their service, noting that this will be their last meeting. The next meeting will be rescheduled to July 17 to accommodate the Hawaii Conservation Conference. Since Linda Elliot needs to be done by 11, Fretz agrees to swap items 4 and 5 on the agenda.

**ITEM 3.** Approval of Minutes: September 14, 2017; October 19, 2017; January 24 and 25, 2018 ESRC Meetings and Kaheawa Wind Power II February 22, 2018 Site Visit Minutes

Comments on the September 14, 2017 minutes:

JACOBI: In the discussion when talking about Abutilon in Item 4, 8<sup>th</sup> bullet. The way this reads, it was not what I thought we agreed upon, which was more to study Maui. It was not important to add Oahu into the Maui gene pool. We weren't making suggestions to move plans there.

FRETZ: that was clarified that in a later meeting. Glenn will follow up.

JACOBI: That clarification and I noted a couple other minor things. Otherwise, it looks good.

No committee comments to minutes from Dec. 19, 2017; Jan 24, 25; or Feb 22, 2018 site visit.

No public comments.

Motion to Approve, all agree.

## ITEM 4. Cyanotech HCP Extension

### (a) Vote to approve, reject, or amend HCP extension

FRETZ: There was late-submitted testimony yesterday. Did everyone get the testimony from Kamehameha Schools?

I would prefer to defer to certain staff. Would you like to discuss?

CULLISON: We are trying to gather written documentation from the permittee and the landowner about what was understood prior to the after-the-fact agreement. Getting money to the landowner even after a verbal agreement took some years. We've learned a lot from this; in the future we will not allow mitigation on private land without signed agreement from the landowner before approval.

FRETZ: When the landowner explained the situation with cost, the predator control cost more than \$5000 per year, so if that is the case then the staff is asked to proportionally weigh down that amount, assuming we have documentation.

Another thing is they shoot goats and there are cost with that, so is that part of fledgling production.

BOGARDUS: based on what's been indicated, the actual contract for predator control was less than 5000 per year. The caretaker and goat control costs were not in the agreement and it is extremely limited. How do we know if there is any fledgling benefit from those actions? Of course we understand the predicament and agree there should have been a landowner agreement in the plan. But the contractor is telling us it was less than 5000 per year. SO, we are trying to tease out the actual cost and apply that. We have the contractor, Kamehameha and the permittee and we are trying to piece their different documentations together. We will need to continue the fact-finding and then revisit this topic.

### ESRC DISCUSSION:

Right now they have no license and no take, and they have requested an extension. Their extension deadline has already passed.

There needs to be a determination regarding how much of the fledgling production on the KS site is creditable to the HCP.

Clarify which early fledglings (onsite mitigation) are part of the HCP and why.

Why was the pond baseline zero prior to the contract for predator control?

What is the history of communication between landowner and permittee?

Committee requests staff to obtain documentation of the costs for predator control.

How much of the fledgling numbers can be creditable to other landowner management actions?

Fix the take number to ensure it is not open-ended.

The expired HCP is so flawed that amending it will be very problematic. A new HCP is probably a better idea.

Committee votes to defer the agenda item and have the item presented again with additional clarifications as noted.

**Action Item:** Staff to compile documentation of predator control costs, other habitat restoration actions and costs, make a recommendation for a proportional amount of fledgling success to be credited to the applicant, recommend permit strategy (new or amended), and verify take request. Recommendations to be presented at a future meeting.

## ITEM 5. Procedures for Injured Wildlife, Presentation by Linda Elliot (Hawaii Wildlife Center)

ELLIOTT hands out info packets to the committee.

JACOBI: I'm the one that brought this up to be on the agenda. Now after reading through the downed wildlife protocol, I felt that it sort of looks pretty good on paper but there were some questions in terms of how well it's actually being implemented on the ground. It is very clear and very explicit as far as carcasses of dead wildlife, but for injured animals I just wanted to make sure we had that well thought out and in practice.

FRETZ: If there is a particular case that something happened, that is an example, let us know. It might help if there was a case that we need to look at specifically.

ELLIOTT: I'm Linda Elliot, the President and Center Director for the Hawaii Wildlife Center and with me is Rae Okawa, our Development Coordinator. We handed out a packet and on one side is more information about the Hawaii Wildlife Center, but we will be focusing on the right-hand side, at the moment, but there's additional information for you provided as well about our organization and our work.

We are a native wildlife rescue and rehabilitation center for the state of Hawaii. We get rescues from all the main islands and we do work with the remote islands as needed, as well. We provide training for first responders and this week we're here with the National Preparedness Oil Spill Drill at Marine Core base. It's a large event that only happens about once every five years, so our participation is important for our oil spill response capabilities for the State.

We're set up to receive all the native birds and bats. So, anything with wings that's native to Hawaii. The reason we came was, as Jim was saying, is that we've read through the HCP and the protocols and it doesn't appear that it requires a means of financial support for animals that are found or injured, to cover the costs of response and treatment.

OKAWA: Since you were asking for a specific case; We've been in negotiations with a couple of entities looking to do mitigation and we have, each time they will not support caring for birds or the support of a response facility if, in case, something is injured on their property because they feel like they don't have to. I think that's their interpretation of it.

ELLIOTT: Currently what we're reading in the process is when a downed animal is found, it's dropped off either at a wildlife agency, Division of Forestry and Wildlife has numbers to be called, or they can drop it off at a veterinarian and none of that provides for what happens next the rehabilitative care. So, that is missing in that description and then no arrangements are made for the care of the animals and no funding is available for the care of the animals to see them through the restoration process and release. The burden shifts to the wildlife organizations that are permitted to do this work to fund it with no support for that.

And as Rae was mentioning, we've currently been talking with negotiations on HCP processes and they're interested in only doing the bare minimum that's mandated and they see this as an addition to and something that's voluntary and something they won't get credit for and something that is not seen as a value, so they're not interested in supporting it unless they're asked to. We've had instances with HCP participants, only one that I can think of right off hand, but it was a species that is currently being reviewed to see if it is a listed species, where it was downed, and we responded and requested some financial assistance with the response and met with 'we've already done our HCP work and thanks but no thanks'.

ELLIOTT: And what we've listed on this is just to give some ideas on suggestions. I think the interpretation could be improved to meet them and funding made available for wildlife response and then clarification that a qualified party is providing that response. And then proof of compliance. So, you know, there are some suggestions that you have your responder abilities up to date, you have trainings and you have these services agreements in place, but it isn't mandated, so there is no follow through to see that this is being done on these HCPs that can be 25 years long. So, that was one of our thoughts on that.

ELLIOTT: And then, you know, the overall benefits. Wildlife that is downed but not dead, having it cared for immediately and appropriately increases its chances of survival, getting it back out into the population, and that benefits the population, if you get breeders back out and they successfully breed thereafter.

We did get two letters of support that are also included in the packet. The first one to save our Share Waters Program and for this one it shows they're also a wildlife response rehabilitation organization that supports this update to the HCP process and for the same reasons. And what's interesting too is the Save Our Share Waters has been going on for

quite a while, as you know, and it serves as a model to others for how that funding is supported by KIUC in order to provide that service and meet those quality care and actually contribution to getting those native species out when they're down and injured.

We also got a letter of support from one of our partners in wildlife response, Dr. Brian Walsh at Feather and Fur, the animal hospital here on this island in 'Aikahi park. He gives, his perspective too is that, you know, he sees the benefits to the native species from this partnership being formalized and being able to provide the quality care that's needed to restore these animals back into the wild. Then he also points out that this also helps involve the community. When they see that injured wildlife is being cared for appropriately and quickly and involving the community in getting them to us. They help transport them back and forth. It gives the sense that there's some healing process when something's injured that it's getting the proper response. And that he supports the efforts for these important wildlife services to get ongoing financial support.

ELLIOTT: I'm also interested in the role of a veterinarian when someone drops off an injured bird, a native bird, what is. . .what happens then. I think there was a need for clarification. Law enforcement at Fish and Wildlife submitted a letter last year to all the veterinarians that were registered, highlighting what the regulations are for veterinarians. They are allowed to receive anything and stabilize it for approximately 24 hours and once it's stable, they're required to turn it over to a permitted rehabilitator or work directly with a permitted rehabilitator if they're going to hold it longer. That partnership is really valuable and that's what Dr. Walsh was talking to. He'll call and say 'I've received an injured laysan albatross and this is what I'm seeing'. Then we'll work with him on whether or not that's something that's going to be a rehabilitation issue, whether we're going to be able to get it back out or whether it's something that's a euthanasia decision and we can work with him on the medical side, but we also know the natural history and the rehab side of life. That partnership is critical in getting the birds through the process. So, that information went out last year and I think it helps clarify the role of a veterinarian in the response and rehabilitation process.

ELLIOTT: I also provided, and this is old. This is from 1995. We kind of had this discussion in the realm of oil spill response planning HCPs. This one was with Maui Electric and in it, it discussed it's great to write in there that they need to be able to respond to oiled wildlife and the endangered water birds in the area, but it also required that they show, demonstrate that they had a support agreement with a qualified oiled wildlife responder and were able to do the trainings and have the equipment on site that was inspected. So, that was actually done and is an example of it being required in the past and so, I included that just as another example.

ELLIOTT: Did I get it all? I know time is limited for you guys. I really appreciate you moving us up so that we could continue to participate in the Spill Drill and getting us on the agenda too and sharing our thoughts on this topic. We'd love to work with you on any concerns or questions or ideas that you may have on this topic as well.

FRETZ: Okay. Thank you for letting us know about the issue. I don't see any problem with the law as it exists. I think it's just a question of making sure it gets put in writing where it needs to be, whether that's in the down law, like protocol or HCP setup. Committee have any questions or comments for Linda?

JACOBI: When I was suggesting to bring this on, one of the reasons I was suggesting to bring this onto the agenda was because when you're dealing with dead wildlife, time is not quite so critical. When you're dealing with injured, time is extremely critical in terms of response. I am not aware of any problems that have come up. This is really meant to be more proactive and just making sure that we do have the process and the support in place to make sure we can deal with those properly. I did read through the protocol and it looks fairly good on paper, but it just more of a question of the implementation and making sure that it is being implemented in a very timely and appropriate way.

The issue in terms of financial support is a whole other thing altogether and I think it sort of brings up a bit of a question that I've scratched my head about several times in terms of SOS program on Kaua'i particularly because in that case their downed wildlife that is injured that is released is not considered, it's a non-lethal take. It's a different kind of a take than we usually work with. Whereas, that's the only case that we have where there are situations that may lead to injured wildlife.

BOGARDUS: SOS runs a little bit differently. Any time a bird comes down, it's still take. What they're looking at is the likelihood of the bird going on and continuing and having the same survivorship as it would have had as if it had fledged normally. There is a discrepancy on what the data looks like, but there's always the benefit of having to rehab birds that are injured because it's a lessening of the effect of the take. We consider it part of minimization; you're not offsetting take, it's minimizing the effect of the take that you're incurring.

BOGARDUS: The problem that we've run into, and Linda and I have talked extensively about this, is that we have no mechanism to require anyone to support the funding of rehab, but once they do have a permit, we definitely have that opportunity. But before then it's hard.

There's also no way for us to say that rehabbed animals are not take, because we can say it's a lessening of the take and therefore the offsetting measures that they would need to do to compensate for that is less which is an incentive in itself.

LEBLANC: It's also really hard for the incidental take issuance process to be able to quantify how much of the take is going to be non-lethal. If we don't have data to sort of estimate that, we'll just consider it in the take and if it's not lethal than it's a benefit to the species. That way we err on the side of the species just in case it is lethal.

FRETZ: I don't know if this works on anything other than bats but in the case of a bat, a lethal take a bat is \$50,000 basically is what is written into most HCPs. We think. Moving forward. So, I don't know what it cost to rehab a bat, but what if they're charged that amount instead of

\$50,000 if the bat is rehabbed and then released? Is that a plausible scenario? How much does it cost to rehab a bat? Is it more than 50,000?

ELLIOTT: Well, it depends on the length of the HCP because part of the expenses is like having a fire station. You pay to make sure it is there when you need it and then when it responds there is an additional cost. So, having a service agreement saying that we have hired Hawaii Wildlife Center or SOS to be our responders when we have an injured bird and we have an agreement in place and that gives an annual support to make sure they're there for us. They come and inspect. They give us our training. It covers 6 birds. We do have those service agreements currently on a voluntary basis with companies like Hawaiian Electric up on Lanai where they provide us with an annual service agreement that covers the amount of birds they are most likely to incur. Those agreements are done on an annual service contract cost.

BOGARDUS: We can sometimes convince people voluntarily to provide funding or support services for a bird-by-bird or an animal-by-animal basis. Trying to work with them to set up service regardless of what take you have, creating an annual contribution agreement is a lot harder.

FRETZ: The applicants may or may not choose to enter in to a contract with your particular organization or your service.

SPAIN: They can choose any qualified one, yes.

BOGARDUS: For the wind farms, we assume that anything that hits a blade is a dead animal. You may have better luck with projects like Kauai Lagoons or DKIST or Cyanotech or some of the ones where you have breeding birds, and the take is not likely to always be lethal.

ELLIOTT: We have had support through the HCP process in the past for our wind farm for Maui that was for pueo response and what they felt they were doing by supporting our operations and our ability to respond to pueo year-round was that they were providing a net benefit. It may not be their birds that they're helping recover that they injured if their birds are killed, but they are helping us respond to other pueo that come to us for other reasons. So they were able to support our operations. We give them an annual report on how many pueo come through our organization that we're able to treat because our doors are open, and we're staffed.

FRETZ: Incentive aside, the law requires the applicant minimizes take. So, clearly and they explain how they are going to minimize take. The connection is there, they have to pick up the bird and do something with it and it has to explain what they are going to do. So, to me this needs to be put in the law, that they're not going to pick up the bird. So how do we put this into practice. I think we can look at putting language into the downed wildlife protocol and then all HCP applicants follow this. Thoughts? Or other approaches?

JACOBI: I had a question on pueo. Outside of the HCP, there is nothing in the HCP about the pueo on Maui as far as mitigation. Are you coordinating with them separately?

ELLIOTT: This was 4 or 5 years ago, and it was through the HCP process. It was agreed upon and it was a one time.

JIM C: In general, for the covered species, there is no requirement in HCPs specifically. Can we specifically request something in the HCPs for those species?

FRETZ: I think we can't legally require it.

JACOBI: within the context of HCP. That being said, they still are a protected species. There is still an obligation to not injure them. Or if you do, deal with it.

FRETZ: separate from ITL, we can give permits to people who expect to find, whether they're responsible or not, non-listed birds and take action to respond and rehab them. It's just that it's a different permit.

BOGARDUS: In general, under federal ESA there is always that good Samaritan clause if you find a downed animal and you can get it to a rehab center.

JACOBI: I think the other question I have in terms of having a protocol is one thing is how it would be implemented. Have there been many instances in the districts of injured wildlife, how that process works? Was it timely in getting it to somebody? It's the practicality and take, just wanted to make sure that that is actually happening, not that it just looks good on paper. I want to make sure it is a practice that makes sense and works.

FRETZ: I think we heard at a previous meeting that it might be done differently under different districts. I know what is happening under Maui district, but it sounded like the other districts might be doing other things. We have a number, we have 573-BIRD and we respond.

LEBLANC: Glenn, how many, and I am looking at the protocol which says DOFAW is to be notified within 3 days and it gives staff contacts. How many downed wildlife forms do you get per month or year? Are people really reporting that?

CULLISON: For carcasses, we usually are notified within 24 hours. The immediate notification tends to be by e-mail and then a formal report follows shortly. If a bird is injured, which is not as common, then the immediate notification tends to be by phone to whoever the wildlife contact is on that island and they make an assessment on whether or not the bird needs to be euthanized or transferred to a vet. The vet tends to do the triage and from there- if there is an appropriate rehabber on that island already that has a permit for that species, then that's where they go. Jason keeps track of all the listed species in rehab. If the ERSC wants to see an annual report of our listing of the species that are received injured and the outcome, that could be created relatively easily with the information.

BOGARDUS: Kate, has there been in your recollection in the last year to any major pickups that would implement such a process

CULLISON: Not with regard to injury. We have had some less than timely reports of carcasses. I don't believe we've had any in regard to injury that wasn't immediately dealt with. Sometimes if there is a live bird that's wounded, we won't get the call, especially if it's not associated with the HCP; those calls should go directly to the branch biologist. We sometimes find out later, it was adjacent to an area that might be covered by an HCP and that is an overlap we may need to evaluate because we don't receive the first call.

FRETZ: The other thing to pay attention to. This is Downed wildlife protocol that holds an incidental take license and is connected to an HCP. Downed wildlife happens all the time and people are asking what to do.

There is a difference or responsibility. Often the injured animal is discovered by a good Samaritan, presumably or someone who is not held responsible for anything. So, DOFAW needs to take responsibility for that pretty quickly, right away. In the case of an ITL, responsibility is going to stay with that license holder for a longer period of time for the cost.

FRETZ: I don't know if DOFAW is going to respond, pick it up and take it to the applicant's contractor for them. Sometimes we get a notification, and our staff can't get there so they instruct the applicant on what to do; and that can happen more in one district and less in another.

ELLIOTT: We have had instances where the district biologist is out or they can't respond. With our permit process it says we can respond and pick it up and then notify the biologist that we have received it and why. That is in the federal and state permits too. For a T&E species we have to notify within 24 hours.

there are diff ways to respond to a down. The person calling could call directly into the Wildlife center, if it is a non-HCP person, a good samaritan. Then we see that it's potential take. If it has hit a power line, or by a golf ball or shot, we report it right away.

FRETZ: DOFAW-Wildlife should write up protocols for non ITL.

COGSWELL: that protocol is for listed species. Not just permitted species but listed. That's the way it is, I believe.

FRETZ: I don't think so, it says for ITLs. I think it would be a problem if they were combined because I think they're really different. The way this downed wildlife protocol is supposed to work is that it is written into the HCP, it is the responsibility of the license holder that the bird has become injured and they have to do something to minimize it. Which is presumably to get it to somebody who is contracted and get it properly taken care of. We are in an oversight role of compliance. When they observe it, they call us. We are just there to oversee if we can go look at it and find out what species it was, but they are the ones that are supposed to take that action. That is the way I viewed it.

JACOBI: Of the animals you get, what percent or how many are covered under an HCP as opposed to flying into a car or something? Your good Samaritan group?

ELLIOTT: The majority of them are the good Samaritan group.

JACOBI: Have there been cases where you've had non-lethal bat wind turbine interactions? Where the animal is not dead?

CULLISON: No

JACOBI: So that is not your main area. Okay.

ELLIOTT: The bats that we have gotten in care have been picked up by the public and are more impact injuries, but not wind farm.

FRETZ: Any other questions or comments for Linda? Otherwise, we are going to seek public comments and then come back to the committee to see what you guys want to do.

FRETZ: Are there any public comments on this item?

DAVID: With the SOS program, about 65% of the birds that come in non-T and E and 50% of those are not associated with an entity that has and ITL in place. It is a fairly large number.

On Kauai it's unique. We've had this SOS program for long enough. We had a massive public outreach. People know that if they find a seabird they have to bring it into a Fire station or call SOS right away. I do know that on cruise ships response is bad on islands other than Kauai because they are not in port very long. It involves the answering machines and stuff like that.

FRETZ: Any other public comments? Committee what do you want to do? As in revise it right now or request that the staff take certain actions. Preferably the latter.

FRETZ: Lets ask the staff to come up with a proposed remedy to the situation and bring it back at a later meeting. I would look at it one of two ways. That If I can put in the downed wildlife protocol and that makes sense and it is all there. So, there is just a reference in the HCP that says 'follow the protocol'. If you can't get it all there, then some kind of standard language which staff would write and bring it back and say all this should be in all HCPs.

JACOBI: It doesn't address the issue in terms of support needed to implement; caring for downed for injured wildlife. Whether that is a bigger issue or if we can address that in another way.

FRETZ: Like how to pay for it?

JACOBI: In terms of how they would cover the expenses of whoever is doing the rehab. I don't know how to address that because it is not something you can predict.

SPAIN: Is there a way to come up with a value of the underlying service so we as a committee moving forward know if all the HCPs included that level of support, a dollar value, that that would be sufficient to maintain the availability of the service?

ELLIOTT: Costs will vary between rehab organizations too and that gives the responsible party a choice in who they want to hire. You have a value on your species like the bat, but if the contract is for 18 years, we assess an annual fee that would cover the number of birds that's required in their HCP permit. That is how we are talking with them now.

FRETZ: It is going to depend. If there is an HCP where they don't expect to ever have an injured species, their costs are going to be really different and whether they would like to enter into a contract would be a different decision. The cost, often the HCP will have a budget and there is a line for rehab, but that is just an estimate. What the HCP is supposed to do is say 'You need to do this'. For example, you put some criteria in here that makes sense; You need to have a qualified rehabber. There are certain conditions that need to be met. The HCP would say you are responsible for this at whatever the cost is and we don't tell them who to contract with, it just has to be qualified.

BOGARDUS: I think it says we have to get it to a licensed veterinarian.

TRIBBLE: I think the dollar value is a bit of a red herring. The issue is the party should be responsible for the rehab whether a day or two months, it will be different costs, so you can't specify that.

JACOBI: I like the idea of considering if it is an injured bird, critter is taken to a rehab facility, rehabbed and released again that that is going to minimize long-term impact and reduce the bigger impact. How many will be actually viable in the population is not resolved. We are still making an assumption that that is reducing what the long-term take is and that is one way that it could be potentially looked at. I am thinking about Nene and seabirds and potentially the wind farms. Take a look at the protocol and try to clean it up and make it up to date. See how it integrates into the current protocol for non-ITL. Get that cleaned up and then come back to it again.

FRETZ: So not in the next meeting, but maybe the 6-month meeting or 9-month meeting? Kate's going to work on this. Are the instructions from the committee clear? The requests?

BOGARDUS: Logistics – We would want to have this incorporated into the new permits that we authorize.

JACOBI: Or just say to follow the procedures as specified in the current downed wildlife protocol and knowing that that is a document that might change

FRETZ: That might be an advantage to including it in the downed wildlife protocol. That can be adjusted over time and the HCP will always refer to it.

CULLISON: Does the federal “practicability” language imply a monetary cap? For example, someone could mitigate for \$12,000 per animal, but rehabbing having an injured one might cost 50,000. Would we assume that exceeds the practicability standard for minimization?

BOGARDUS: We don’t assume anything related to the maximum standard. It is up to the applicant owner to prove that. We can dive deeper offline

CULLISON: I just want to make sure we don’t make people *not* want to turn in an injured bird because it is cheaper to make a new one.

BOGARDUS: Totally with you. Understood.

JACOBI: Of the HCPs we have now, the take request is for lethal and then there is non-lethal. Is that the way we want to continue and for the non-lethal we request the applicant hire a service.

BOGARDUS: They are all considered take, but it is an issue on how you address it. Your take license could say 10, 9 injured and 1 dead, so that is your limit.

LEBLANC: We have to define between those two. We have to define what is lethal take, what is take via injury. That is why it is hard to know how many of those total 10 would be injured and rehabbed or are going to be dead. So that is why erring on the side of the species saying they are all dead, and maybe one is rehabbed, and it is a benefit. That way the applicant is covered in case all 10 are killed.

FRETZ: I agree with that. Okay. Are we good on this.?

JACOBI: Thank you for bringing up the issue and hopefully we can respond clearer.

ELLIOTT: Thank you for your time and I appreciate the discussion. I am anxious to see it move forward too. I look forward to talking more about it.

## ITEM 6. Annual Review for Round-Leaved Chaff Flower (*Achyranthes splendens* var. *rotundata*) Kenai Industrial Park HCP by SWCA

Presenters: Danielle Frohlich and Jaap

METZLER: We have received and reviewed the annual report. The main issue is specific success criteria which have not and cannot be met. Everything else seems to be going as planned. You have the staff submittal with our recommendations

\*PowerPoint presentation by consultants

EIJZENGA: For HCP for the Campbell Industrial park. We will cover background info, mitigation success criteria, and then get to the revision of that criteria. The biological goal is to create new populations. We are in year 4 of this.

EIJZENGA: Overall things are going great with the project. Recruitment is high. Initially survival was really high, but it turns out that these are not a long-lived species and when the HCP was approved I believe a lot of the info was based on captive cultivation. We have talked to the restoration manager and Hui ku and his crew is in charge of out-planting and regular maintenance. It is 2 -3 years, some will live past 5 years, but those are the exception. We also checked in with David Aikoff, a horticulturalist, who said they are short lived.

EIJZENGA: If we had had that information at hand, we would not have expected a survival rate that we had at year 4 and 5. We would like to request a revision on criteria 1.

FROLICH: Is recruitment going to be sufficient, and at the site the recruitment is great. We have subsequent generations that are reproducing. Our request is to eliminate it, although we are also fine with the submittal's recommendation to change it. You also mentioned success criteria on #3 and that is redundant. We don't request any amendment on that.

MEHRHOFF: There was confusion, is your proposal to have mature plants or seedlings recruited into the site.

EIJZENGA: Both, they grow to maturity very quickly

FROLICH: They reproduce in less than a year.

MEHRHOFF: What is survival of the seedlings?

FROLICH: So far it has been 100%, discounting one untagged one.

EIJZENGA: The seedlings we report are the seedlings that have been tagged. There are a lot more seedlings that have not been tagged.

MEHRHOFF: Plants that high are not seedlings

EIJZENGA: We call them seedling recruits.

FROLICH: This plant produces 100s of seedlings beneath the plant, the size we have decided on are 6 inches to deem the plant viable.

JACOBI: Are some of those dormant

FROLICH: Yes, sometimes we see some with no green leaves on them and we call them dead and that is reflected in the reports.

FRETZ: What is the diff from the 30 to 1 ration and criteria 4?

EIJZENGA: The 3 mature plants were removed when they graded the site, so the 30 to 1 is 90 plants

FRETZ: Then it would conflict. How about we strike #1 and leave 4

EIJZENGA: Yes that was our request.

JACOBI: I suggested this to maintain genetic diversity. This doesn't state how many should come from each individual plant

EIJZENGA: The seeds came from the site and there was an additional nearby source for seeds to increase genetic diversity. We do not know which came from which.

FRETZ: so, your genetic diversity is unknown

EIJZENGA: Yes, there are already some from other sites that are separate. For all practical purposes it is one gene pool.

JACOBI: Talk a little bit about the maintenance. What are you still doing.

FROLICH: There is hand weeding, especially this time of year. There are a lot of mealy bugs, so regular application of pesticide

JACOBI: Is that for other plants as well

FROLICH: Bruce confirmed that is an issue just for this species. The mealy bugs attack the shoots and seeds, the reproductive parts

JACOBI: are you keeping the two-foot buffer. Do you increase for seedlings?

FROLICH: Yes

JACOBI: What are expectations for the next five years

FROLICH: My understanding is Fish and Wildlife Refuges inherit this site.

JACOBI: part of my concern is that it looks like a really good garden, but I am not sure if it is for the long term.

EIJZENGA: We refer to the site as Mordor, the conditions are really hot and dry.

FROLICH: I am finding the outplants, grown from cuttings, are not doing nearly as well as the seedlings that are being produced now and I believe that is due to natural selection. They will probably live longer than five years. Bruce confirmed the ones that suffer will live to be a lot older.

JACOBI: I think I'm thinking ecologically and along community structure, where you don't try to bring a species into a site and try to grow it there. This is where I am concerned, I feel maybe a different strategy is a better strategy.

BOGARDUS: On your point versus ecological community versus diversity, I believe we are on the same page. It would help to have a refuge manager there, because right now there is none.

EIJZENGA: The current work is under a special use permit, not an MOU

EIJZENGA: The follow-up, the main component that they will have to focus on is weed control. Very early on there was talk of volunteer work to be implemented, the basis has already been laid.

JACOBI: Does the refuge have a restoration plan for the habitat in general?

FROLICH: Yes, there is; Part of it is the removal of the Kiawe, which I've done. It results in a short-term stress on the species/ecology. However, what we see is more native species thriving as a result.

TRIBBLE: What's Fish & Wildlife going to do? There has to be a sense of longevity or long-term viability

MEHRHOFF: If you go way back, this original plot had many of these plants in the past. You want more of these related native plants going in than just the survival of this one plant

MEHRHOFF: Could you run us through the actual success criteria. In terms of where you actually are?

JAAP EIJZENGA: In absence of watering . . . I don't think there has been watering since the first year. 3. At a minimum there must be replacement of mortality. We'll have to have No fewer than 120 mature plants. . . We're pretty close now in year 4

FROLICH: Cover of herbaceous non-native plants is pretty high. Buffelgrass is not a problem anymore Kiawe is gone. But the Verbesina is there after the rains. We have a crew going out there today to remove on that.

MEHRHOFF: So, you are on track to meet criteria 4 and then also criteria 5 depending on when you pull the weeds.

FROLICH: The Verbesina is a big problem it

JACOBI: What happens if you don't weed it?

FROLICH: The Ilima holds its own, the naio holds its own. If it weren't weeded then there would be some *Acyranthes* which would struggle but many are already mature.

JACOBI: If we're sitting a year from now: Hypothetically and we're sitting slightly below 120 plants, then what happens in regard to compliance.

FRETZ: Remind me what's the contingency if below?

Danielle Frolic: It would continue until it's met.

JAAP EIJZENGA: There's a contingency for that but we'd have to wait for the reproduction of this group of plants not bring in new plants.

FRETZ: Was there a federal deal for this too?

BOGARDUS: There was but it was not written in this same way.

FRETZ: So, about this amendment: Are you providing something or is open

METZLER: If any success criteria must be changed: According to the HCP: the entire proposal would have to be resubmitted and approved.

METZLER: So, we might be looking to making an amendment to that part.

EIJZENGA: Staff recommendation is to modify it not to eliminate it.

FRETZ: Looking at the HCP procedures; we were being a bit uptight on that... to say that this requires a major amendment: - We really don't want to do that.

FRETZ: Let's just move on and have the committee concur with the idea that the particular criteria number 1 does not need to be met in order for the rest of the goals and criteria to be met. And then we'll meet to figure out how to make it so.

FRETZ: Do I hear a so moved?

FRETZ: You'll have to write up the report on the day due. But you'll prepare amendments for when the mature plants are available.

**MOTION:** Does the committee concur that success criteria #1 does not need to be met in order to stay in compliance as long as criteria 2 to 7 are met?

ALL – AYE

JACOBI: Can I also add that when this item on is the next meeting that we have Fish & Wildlife in the room.

JAAP EIJZENGA: That's out of our responsibility and the responsibility of our client:

BOGARDUS: It's Refuges. We would have someone from refuges involved.

FRETZ: Any public comments before we go to the next item?

**ITEM 7. Annual Review for Kauai Lagoons (Hōkūala) HCP**

Presenters: Glenn Metzler and Reggie David

METZLER: This is a large resort on Kauai, 600 acres, with a 30-year permit. This permit area is the resort and a lot of small parcels. Some of them are condos. This is the authorization within the permit. On the far right, the third column is the authorized and the current take. There are issues with rate of take.

METZLER: Here is the take summary again. There are some issues with indirect take that have been added in here. The moorhen is somewhat of a concern because it is exceeding a basic rate of take that would put them over the limit of the 30 years. There have been quite a few takes recently due to vehicles. In order to stay under, it would have to be .11 per month, right now it is at .17.

METZLER: Most takes have been in this one area, where the yellow arrows are.

DAVID: For the previous 10 years, there were 3 confirmed nests. This year we had 30. We have Hawaiian stilts for the first-time breeding there. We had nests last year. Our charge was to enhance the habitat to create Nene. 5 years ago we had 700 Nene. Then the population ruled the entire facility. The state for 5 years was removing all the birds and translocating them and as they were there was a massive increase of other species. No more competition. If a dry

winter, we get a huge influx from Ni'ihiwai coots. Our numbers can hit 500 – 600 coots. Right now, it is pretty low due to flooding.

DAVID: We are probably pulling off 20 – 25 each a season, reaching fledgling, but it is extremely difficult to monitor on 600 acres. The coots up until 2 years ago had never nested on property. So, to all of a sudden have 30 nests last season is significant and right now we have already 21 coots and gallinules running around, at least 3 nests of each.

DAVID: This is an active resort, it changes every year. The birds are in different places. This particular area has been a bit of a nightmare for us. We are having take numbers going down, we have portable and permanent fences. It took them 18 months to learn how to fly over.

BOGARDUS: Knowing how they work, can they go under or over it?

DAVID: They have difficulty with anything new.

JACOBI: Right now. Things are going to get worse, there will be more people.

DAVID: Yes, considerably. The next construction place is the Nene field

DAVID: The coots and gallinules, ducks nest on the verge of every single edge of all five water resources on the property. It is a huge concern for us. There is talk that there will be dogs used to move birds on the property because they don't want the birds next to the airport.

BOGARDUS: We have been trying to look at that.

DAVID: We did a two-day trial at the end of January. We were curious to see how they were going to interact with the dogs

MEHRHOFF: USDA performed the trials?

BOGARDUS: It can't result any changes to your HCP and mitigations without taking that into account.

DAVID: The Nene were the least impressed by the dogs. The gallinules were gone by 75 feet. They come out of a company called Goose Masters.

LEBLANC: Is there a restriction on dogs on the property?

DAVID: Not now.

FRETZ: Why don't we take a break. We will resume on another note.

Time: 12:26 Lunch Break.

[Back to order](#)

METZLER: One thing that I wanted to ask Reggie about the gallinule takes; what has been done recently to prevent those?

DAVID: We've doubled the number of speed bumps. We've put signs in the middle of the road. Bird crossing. And we've got the speed limit posted at 14 mph.

DAVID: Only had 1 incident was due to workers

JACOBI: Have you thought to put cameras to see what is happening?

DAVID: We've actually seen it three times exactly the same: The Gallinules are hesitating on the side of the road and just launch

BOGARDUS: There's access on the right side of the map. It used to be where the sports and the gym over there.

DAVID: Access isn't there anymore we've actually rerouted it by construction.

METZLER: This is a summary of nesting in the past season.

DAVID: Nene do Holoholo across the property. The state has helped us to band these birds, so we can see where they are.

TRIBBLE: If the Nene keep increasing, you may suppress others. The removal of the Nene created an opportunity for the other birds to increase

DAVID: It may have, but we don't think so.

TRIBBLE: What would be some targets you want in terms of the mix?

DAVID: I think we have too many gallinules at this point. Any day there are 30 there. We had a pair of gallinules put a nest in the signature 18<sup>th</sup> hole sand trap and pull out four chicks from there. Nene were always nuisance for the golf course.

METZLER: Shows where most of the nesting is occurring.

METZLER: Some of the requirements of the HCP include predator control

DAVID: Wait until you see the cost! As you can see, we are doing a hell of a job on chickens. Cats continue to be a huge problem.

DAVID: The minute we see a cat it is gone.

FRETZ: I have heard that the humane society have been releasing them back into the wild.

DAVID: Saturdays and Sundays, people have a tendency to drop off unwanted kittens and cats. We have never had a cat predation problem, but we take quite a few of them out. We trap year-round.

FRETZ: What are the results in terms of the production of the birds, showing the net benefit. Your predator control is meant to increase the net number. So is there some kind of data. The number of nests and the number of nestlings.

DAVID: We have the number of nests but trying to find gallinule nests is pretty damn difficult. We have a weekly count.

FRETZ: We could use some gallinules on Maui.

BOGARDUS: We would probably need to talk to the Humane Society.

JACOBI: Sounds like this is working pretty well, but where are we going to go.

FRETZ: There is an island wide plan for Nene and this figures into it.

DAVID: We can make Nene, we have no problem with that.

FRETZ: The agency is trying to get a long-term plan for a biological habitat for these birds. If moving them to another site on Kauai, like north shore.

DAVID: the state moved some from Kilauea up to Koke'e. Almost all came back down within a week.

FRETZ: We have had the same thing happening with other Nene. So we put them in a pen and clipped their wings and bred them there and then they didn't leave.

DAVID: It was very rare to see a flock of Nene flying over the sea. The dynamic of the mega or meta population has changed. They are doing very well on Kaua'i.

DAVID: I appreciate the recommendations for next year's report. We will follow them.

FRETZ: Any public comments on how to handle the reports for Kaua'I (none received)

## ITEM 8. Abutilon HCP:

- a) Contingency Reserve Area modification and
- b) Request for interest in joining an Abutilon HCP Mitigation Working Group

FRETZ: So, we're going to move on to the Abutilon HCP. And then request for interest in joining a Working Group.

METZLER –DHHL has asked us to move the fence for the Contingency Reserve Area (CRA). It was originally DOFAW land, and subsequently the BLNR approved transfer to DHHL. The fenced area currently contains 26 acres. The HCP requirements state that the CRA land should be 18 acres so DHHL wants to realign the fence to reduce the area to 18 acres.

The ITL states that all of the plants at the CRA could be taken if the short-term success criteria are met. The Short-term success criteria was marginally met at Diamond Head however it is indeterminate to see if the long-term success criteria have been met. Both long-term and short-term criteria were met in Honouliuli.

METZLER: Shows DHHL's proposal to realign the fence is to remove acreage diagonally from the top to remove 10 acres. This, along with a moderate realignment to the south, will result in a CRA of 19.95 acres. There would be 6 clusters of plants (out of the current 46) which would have to be taken if this were to be approved. The remaining plants would be contained within the new fenced CRA.

FRETZ: What did we say? I thought that we needed to maintain the site.

METZLER: We have discussed with DHHL and they agreed to maintain 18 acres as specified in the document.

CHING: It was my understanding that we could not take that acreage back. They really see the high value of the area in the last few months. So, they do want the entire area. We are not sure if we could retain it, since it's already been promised. There was hope that we could use it as a community outreach location. There is no real likelihood that the Oahu branch would be able to manage the parcel. We might be acquiring responsibility for Poamoho. There's a few problems there. Lots of human activity; lots of traffic; some criminal activity; Irrigation supplies had to be fenced in and welded shut for security. I'm not sure that it's really viable for us as a branch. There's no wildlife there.

JACOBI: Abutilon needs to be in areas where there is calcium.

CHING: I asked Greg why he didn't put Abutilon there at Kalaeloa, there was a reason.

CHING: With the money we have left, we want to put more of our efforts into the new sites. We don't know the official status of the CRA.

CHING: We have a shared interest in the dry forest restoration and in the next slides, then here, which is not connected to any natural area. It is a major thoroughfare, 6 lanes wide. Then the golf course is below, then housing. We reached out to Pauline Sato to see if they wanted to do a community thing there. They are interested but haven't come for a site visit.

FRETZ: The retaining of the site, what will be done and for how many years?

CHING: When we run out of money.

JACOBI: What happens in 2021?

CHING: The way the funds have been managed, it won't last that long. The funds we do have we think it will take us to 2019 and that is with additional funds being donated. It is already being floated a little.

JACOBI: All the sites need to be heavily managed to maintain the plants there. This is not a population that has any kind of stability and I don't think there is any possibility that the biological criteria can be met.

JACOBI: We want self-sustaining plants here and there is not really self-sustaining.

FRETZ: An HCP can be revoked or suspended due to cost.

JACOBI: This was one of the first ones the committee addressed. It hasn't gone well.

CHING: There was no interest in any staff to participate in this and a lot of people now are interested to help, but before no one wanted anything to do with this at all. He had to contact whoever and negotiate for land. So that took some time.

CHING: Our plan was to have longer term projects. The upper sites are the ones he originally started. The new sites we have Hamakua Marsh, and we are very interested in dry forest habitat for the next several decades. Makua Keaau and Waianae Kai are other sites. These are the sites, they look newer because they are.

JACOBI: of all those sites, Makua Keaau is the only that really fits in there. Hamakua Marsh is much wetter. Waianae Kai I don't know where it is.

CHING: This is the Waianae Kai Forest Reserve. It is not a long walk, but it is steep. It is the only site with natural dry forest with mature trees. This picture [shown] is a couple years old, it is a lot thicker now.

JACOBI: What else is in there?

CHING: A lot of common dry stuff. This is a site supported by the Forestry Project. As far as clearing and monitoring and adding additional diversity, that would be up to

CHING: They are still trying to develop at Waianae.

CHING: We have recovered some money not previously available, that is the good news. Currently the project is running on half-time. We are estimating the remaining funds will run out in 1 ½ years.

FRETZ: If you think the board should suspend or revoke the license, you could send a letter to the staff or state. You should see if you think there is cause. You guys know, there could be something back in 2001, you have to look for it. If you guys want to pursue that and put it on the agenda. That is the role the committee would have in that.

JACOBI: That last line, in terms of rethinking strategy, where do we go longer term. I'm thinking long-term restoration recovery of abutilon. It will be more building into a community that can have some semblance of what a natural community should have been.

METZLER: Can we continue on without funding and see where we are at. There are no specifics other than on success criteria.

FRETZ: You are saying they are not in compliance, so contact them and extend the ITL and require more money. It wouldn't be more advantageous without more money.

FRETZ: We are already using all the contingency fund. From time to time there have been others buying into this.

CHING: HART has given 50,000 dollars, it is kind of frustrating. It is frustrating to hear a 4 billion thing has only given 50,000 yet they are putting up parking lots and stuff by this habitat.

BOGARDUS: They can be included in it.

FRETZ: They did not get their own permit. All that take was originally the HCP.

BOGARDUS: How did they determine the cost amount?

FRETZ: I don't know, that was before any of us worked on it.

FRETZ: Back to what Glenn was alluding to, if an entity is out of compliance and they are facing the potential of some consequence of being out of compliance, which they could avoid by extending the ITL, it would not be easy at this point, because they would refuse.

METZLER: We proposed a couple of different alignments for adjusting the acreage at the CRA.

SPAIN: Wasn't there a confirmed transfer?

METZLER: It hasn't been completed yet.

MEHRHOFF: I think we should make a recommendation on what we think should happen.

FRETZ: I think we are stuck because I don't know what the question is. Are we asked a legal question? It's 18 acres. I don't know what to say unless they want opinion because we have no legal authority.

FRETZ: What is the timeline on this?

SPAIN: In 2004 it was set aside.

FRETZ: My guess is the board approved the transfer. But if due diligence didn't come to fruition that wouldn't be the first time.

FRETZ: Which 18 acres do you want to keep, you get to keep the 18 and make the configuration work for them.

FRETZ: On this item it wasn't listed on the agenda to make any recommendations on anything. Unless anyone wants to go somewhere on this I suggest we wrap it up because we have other things to do. If you have an opinion, please share.

MEHRHOFF: I am okay with the change because on one side you have open basin area and they can spread wildly.

JACOBI: For the Working Group; I volunteer, and I will volunteer Loyal.

FRETZ: You guys were including Maui in this too right?

JACOBI: The site in Maui it seems to be working, but the substrate is very different.

CHING: Who is leading that? We're not proposing to put plants on Maui

CHING: No.

JACOBI: Will we come back to this issue in the future? Where are we going with this?

FRETZ: The broader issue of compliance for the AG? If at the end of the term if the success criteria have not been met is the HCP not in compliance. Staff has had informal communication with AG indicating they would not be but should get opinion if success criteria are not met at end of term are they not in compliance.

JACOBI: What about configuration on the CRA site?

FRETZ: Question for the AG: Do we get to pick which 18 acres, or does DHHL choose? When the HCP term is over does the contingency revert back to DHHL without any other criteria and what if compliance criteria have not been met.

METZLER: They only need to meet that one criteria and could take it tomorrow.

MEHRHOFF: Disagrees they met criteria if in only met in 1 year.

FRETZ: 4: Have they met the criteria? Who determines if it has met the criteria?

JACOBI: The committee would have to agree on that.

FRETZ: The committee would have to advise that. Anything else?

MEHRHOFF: Would make sense that the Board would have to agree.

FRETZ: Its not clear - the criteria when met.

FRETZ: Any public thoughts on this item. Thank you, Glenn, Susan and Matt.

## ITEM 9. Update on status of Wind Projects by DOFAW Staff

CULLISON: This is just an update. On the right you see where we are. I did not put federal status on here.

MEHRHOFF: Numbers in parenthesis are? (looking at handout)

CULLISON: Permitted

FRETZ: To date is accumulated?

CULLISON: Yes. We showed you the observed and calculated

FRETZ: They are all cumulative across the years

BOGARDUS: The further you go through the permit term, the more refined the numbers become because of the data

FRETZ: Why is indirect going down?

BOGARDUS: It is related to the direct

MEHRHOFF: Is calculated direct the same thing?

Calculated direct is the number of bats estimated (at 80% confidence) to have actually been killed by the turbines. Indirect accounts for the bat pups that would have been lost based on the sex of that bat and whether it was taken during the breeding season.

BOGARDUS: the second line already includes the first.

SPAIN: It should say unobserved. It is just the way it is labeled.

FRETZ: You have the table and the summary. Anything else to comment on?

BOGARDUS: Pakini Nui has applied for a permit from us. They have not gotten approval.

FWS staff: They requested a take of 83 but have since then. . . Power Purchase agreement ends in 9 years and they are asking for a shorter time which should be 8 years, we have been going back and forth to calculate that take. We had two meetings. We had a calculation based on total of two bat carcasses found, a third bat was found before the monitoring. We are using the two observed bats to develop a modeling for the next 4 years. The 20 is a service total the company has shared with the service agencies. Indirect, the 20 bats within the last 4 years.

BOGARDUS: What does that mean?

FWS staff: If we were to model that for the next 8 years it would be 80% probability that the take would not exceed 42 bats plus whatever the indirect would be. I did receive push back on Tuesday as to whether the 18 or 20 should be included in the projected, because we were operating without a permit.

They have been monitoring and they have the 4 years of monitoring and that is what we are using.

JACOBI: That is the most challenging area by far.

They have recently introduced canines.

JACOBI: Your zone of carry is much longer; the bat carcasses can be blown far away. The search area is down the cliff.

## ITEM 10. Bat White paper

- a) Discuss process for review and revision and
- b) Seek public comments on the need and purpose of revisions

BOGARDUS: There are so many comments, it may behoove us to forget about the white paper for a second and identify the issues. We need to get back to the key issues that we need clarification and consensus on.

MEHRHOFF: there are things that are time sensitive and there are some very important questions we need to decide where to go

BOGARDUS: the 4 wind projects before us have a need to move forward for a couple of reasons. On the federal side they need to provide pseudo public drafts by the end of that scoping period, June 30<sup>th</sup>, to incorporate any additional or revised guidance that we would include. It would behoove everyone to have that in front of them.

FRETZ: Anyone can develop an HCP and this guidance isn't something they need to be waiting on.

BOGARDUS: We should do this quickly and because of the discussions that need to happen it needs to be the subcommittee, because this committee doesn't have the time to wrestle through all the issues quickly

FRETZ: I think the subcommittee is a way to go. the subcommittee needs to report back to us

JACOBI: What are the key issues that we want to delegate to the subcommittee? Get recommendations and public input, as opposed to wordsmith the whole document. I think the key issues need to be resolved.

BOGARDUS: Jon took a stab at bulleting out issues based on conversation, to see we had real need to try and refine our conversations to points.

In terms of process can we have these issues into bullets very quickly or should we pass it down to the subcommittee.

FRETZ: We are asking the public to comment on the white paper as it is now.

TRIBBLE: How does that help? A revised white paper would come out before public comments are made on the original white paper.

FRETZ: An applicant can submit at any time. They don't need to wait on the white paper updates

BOGARDUS: We don't want to purposefully or unintentionally provide an opinion that may be different from this committee.

FRETZ: You are trying to get this bat guidance in June, so the subcommittee would have to complete their work by then. They have to bring it back as assigned and report it at the next meeting. It is a draft in meantime. Is it okay to share that draft with people who require that guidance?

BOGARDUS: Anything we put out doesn't insure that you will get license or permit, but it should help and support the development of that application.

SPAIN: Hopefully the main points can be addressed in that meeting and we should meet again in May?

MEHRHOFF: My preference as well

SPAIN: You folks have worked on at least the main points. I'm trying to map out if we can meet in the 14, 21, 28?

FRETZ: How many days will it take the subcommittee to hammer this out. There is a day to put everything out on the table and get comments. Then someone has to take all that and put it all in. So, three meetings in three weeks.

\*setting May meeting – May 24<sup>th</sup> – ERSC BAT GUIDANCE REVIEW

FRETZ: So, the subcommittee will meet three times in May. What do you guys want to do for those three subcommittee days

BOGARDUS: My preference is to just get through this.

FRETZ: I need this committee to approve this task for the sub-committee, we will mend this onto the existing task list: Produce a draft White Paper Revision for the ERSC Committee to vote on – Motion?

[\*\*\\*Taking vote, Committee Approves\*\*](#)

FRETZ: Any public comments on the white paper? We can hear them today, or hand them to us.

[\*\*Teague representing Auwahi\*\*](#)

We ultimately agree the revisions are needed. We are in the final stretch of little tweaks here and there. Listening to the process that is being proposed when we owe the service our best and final for the end of June. It is not enough time. The existing guidance is what we've been working from for three years now. We ask that the current applicants have a choice between the old guidance or the new guidance. We are looking forward to working together and collaborating together. We had two letters of comments. However, the timing is not a good place to start.

FRETZ: Thank you. Anybody else want to give comments. You know our schedule and what you want to do. That is it for that. Anything else you want to cover on this?

Ok. Meeting adjourned.

## ITEM 11. Adjournment