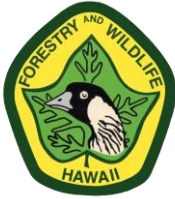
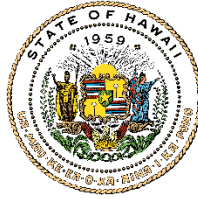


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 1, 2025

Endangered Species Recovery Committee
State of Hawai'i
Honolulu, Hawai'i

SUBJECT: Vote on Whether to Hold a Limited Meeting to Conduct an On-Site Inspection of Proposed Mitigation Sites for the KIUC Habitat Conservation Plan (HCP) and an Update on Kawaihoa Wind LLC Timeline and Plan for Waterbird Take Reduction Request and Potential Alternative Mitigation Sites

Dear Committee Members,

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) is respectfully requesting the Endangered Species Recovery Committee (ESRC) to review and vote on Kaua'i Island Utility Cooperative's (KIUC) request for the Committee to conduct an on-site inspection of a proposed mitigation site included in their draft Habitat Conservation Plan (HCP). Additionally, Kawaihoa Wind LLC will provide the ESRC with an update on their timeline and plan for a waterbird take reduction request and potential alternative mitigation sites. This submittal provides background information on both topics, along with comments from DOFAW.

BACKGROUND

Vote on Limited Meeting for KIUC On-Site Inspection

The Kaua'i Island Utility Cooperative (KIUC) is the sole power supplier for the island of Kaua'i and operates 1,601 miles of transmission, distribution, and communication lines. The utility plans on constructing an additional 360 miles of new powerlines in the future. It also operates facilities, 4,150 streetlights, and other nighttime lighting. Over time, KIUC plans to install an additional 1,754 streetlights.

Over ten years, the utility and its conservation partners have compiled field data about the distribution, populations, and behaviors of listed seabirds in various locations throughout the island. This work led to the identification of monitoring and research projects to be implemented at the conservation sites in the northwestern corner of Kaua'i. This information, along with insights from State and Federal biologists, has culminated in a draft HCP. The first draft was reviewed by the Endangered Species Recovery Committee (ESRC) in 2023. The most recent iteration, or second draft, incorporates their guidance along with agency and public comment, as well as an additional population model that the ESRC requested.

The second draft HCP includes proposed avoidance, minimization, and mitigation actions across the geographic extent of Kaua'i for the benefit of the following State and Federal listed species: 'a'o or Newell's shearwater (*Puffinus newelli*), 'ua'u or Hawaiian petrel (*Pterodroma sandwichensis*), 'akē'akē or band-rumped storm-petrel (*Hydrobates castro*), ae'o or Hawaiian stilt (*Himantopus mexicanus knudseni*), koloa maoli or Hawaiian duck (*Anas wyvilliana*), 'alae ke'oke'o or Hawaiian coot (*Fulica alai*), 'alae 'ula or Hawaiian common gallinule (*Gallinula galeata sandvicensis*), nēnē or Hawaiian goose (*Branta sandvicensis*), and honu or green sea turtle (*Chelonia mydas*).

The applicant, KIUC, has proposed two HCP mitigation sites for the Committee to visit. The proposed areas in question are either within the Hono O Nā Pali Natural Reserve Area, or Kōke'e State Park, both of which encompass sensitive, native dominant forest. Helicopter access, or advanced hiking through steep terrain, is required to travel to these mitigation sites, presenting a safety concern for the public. Additionally, the presence of the public may significantly impact the ecosystem. Therefore, a request for a Limited Meeting (HRS § 92-3.1) is necessary for the Committee to complete this on-site inspection without the presence of the public. Per the requirements of a Limited Meeting, 1) notice will be provided, 2) a videotape of the meeting (unless waived by the Office of Information Practices) will be made available at the next meeting, and 3) no decisions will be made at the meeting.

Kawailoa Waterbird Update

ITL Licensee: Kawailoa Wind, LLC

Project: Thirty wind turbine generators (WTGs) with a total of 69-MW energy-generating capacity.

ITL Duration: January 6th, 2012 (Amended February 26th, 2021) through January 6th, 2032. As of the start of FY 2026, this license is ca. 13 years (65%) through the permit term.

Current Status of Waterbird Take and Mitigation

Current and past annual reports through FY 2021 have indicated that there has been consistent production of 'alae 'ula fledglings at this site. However, there has only been

production of a single ae'o fledgling that was observed in Q1 of FY 2025. Additionally, the first 'alae ke'oke'o nesting activity at the Project's waterbird mitigation site, 'Uko'a Pond, was initially observed on May 29th, 2025. Three eggs and two coot chicks were observed.

The Division collects data on downed wildlife from all HCP's, including those in development, and entities that voluntarily report this information. While wind farms may present a risk to waterbirds, DOFAW has no evidence that take of any State-listed waterbird species has occurred at this Project. Additionally, there have been no reports of waterbird take, apart from nēnē or Hawaiian goose (*Branta sandvicensis*), from any wind facility within the state.

The Project is required to mitigate for 20 Hawaiian coot and 24 Hawaiian stilt fledglings. Since 2022, the Agencies have encouraged the licensee to pursue other options, such as 1) conducting mitigation actions at a new site, or 2) requesting a decreased take for these species. While dialogue between all parties was ongoing, a resolution was never obtained.

During the FY 2024 ESRC Annual Review, this issue was addressed by the Committee at the suggestion of DOFAW. ESRC members asked the licensee to provide an update to the Committee regarding 1) a timeline and plan for lowering the take request for coots, and 2) present alternative mitigation sites for coots. At the request of the licensee, this information will be presented for both ae'o and 'alae ke'oke'o.

Agency Recommendations

The Division encourages the Project to pursue and finalize either a decreased take request or an alternative mitigation site management plan within a minimum of two years. Note, DOFAW expects continued dialogue and active progress on these items. Our biologists suggest that the licensee request a minimum of two individuals for both the Hawaiian coot and stilt.

If you have any questions, please contact Habitat Conservation Planning Program Associate, Jesse W. Adams at jesse.w.adams.researcher@hawaii.gov

Respectfully Submitted,



DAVID G. SMITH
Administrator