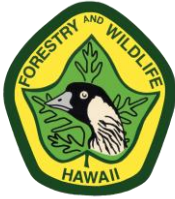
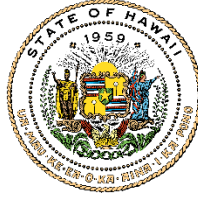


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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

December 18, 2025

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

SUBJECT: Request for a Vote from the Endangered Species Recovery Committee regarding the revised draft *Kaheawa Wind Power I Habitat Conservation Plan* for Kaheawa Wind Power, LLC on the island of Maui

Dear Committee Members,

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW), requests that the Endangered Species Recovery Committee (ESRC) review the *Kaheawa Wind Power I Habitat Conservation Plan* in accordance with the requirements outlined in Section 195D-25 Hawaii Revised Statutes. If mitigation measures are deemed adequate, recommend to the Board of Land and Natural Resources approval of the *Kaheawa Wind Power I Habitat Conservation Plan*. The draft Habitat Conservation Plan (HCP) was prepared by KWP I as part of the obligations for the Kaheawa Wind Power Habitat Conservation Plan Application for a new State Incidental Take License on Maui.

This submittal summarizes the revised draft Habitat Conservation Plan posted on December 15, 2025, and supports the ESRC in making its recommendation to the Board of Land and Natural Resources (BLNR) regarding the *Kaheawa Wind Power I (KWP I) Habitat Conservation Plan*.

Background:

ITL Applicant: Kaheawa Wind Power, LLC

Location: Kaheawa Pastures area of West Maui, Hawai'i, within the Ukumehame ahupua'a on land owned by the State of Hawai'i.

(Note that Terraform Power/ Brookfield owns KWP I; in 2020, Brookfield Renewables merged with Terraform Power)

New Incidental Take License Proposed:

Project Proposed: Continued operation of twenty wind turbine generators (WTGs) with a total 30-megawatt (MW) energy-generating capacity.

ITL Duration Proposed: January 30, 2026 – January 2051 (25 years)

Summary of Requested Take:

The requested take is 69 nēnē, 38 ‘Ōpe‘ape‘a, 28 ‘ua ‘u, 10 ‘a‘o, and 10 ‘akē‘akē. The project requests impacts of up to 5 acres of suitable nesting and foraging habitat and 25 nests for *Assimulans* yellow-faced bee.

KWP I Proposed Avoidance and Minimization Measures:

‘Ōpe‘ape‘a:

- Implement low-wind-speed curtailment at 6.5 m/s from sunset to sunrise during the bat pupping months of September and October.
- Explore redistribution of curtailment throughout the night to account for factors that increase or decrease the likelihood of bat strikes.
- Clearing trees taller than 15 feet should occur outside bat pupping season, or ensure trees are free of bat pups before cutting or trimming.
- Replace barbed wire with smooth wire to the greatest extent possible.
- Install five ground-based Wildlife Acoustics SM4 units with SMM-U2 microphones at the project site.

nēnē:

- Perform vegetation management twice a year to remove woody plants and make the site less attractive to nēnē.
- Implement traffic control devices, like signage and speed bumps, to reduce vehicle conflicts.
- Implement measures to minimize canine interactions with nēnē.
- Place gosling guards on traps at mitigation sites during nesting season.
- Band and satellite track birds at the project site.

‘ua‘u, ‘a‘o, and ‘akē‘akē:

- Mark guywires at the project site with high-visibility bird diverters.
- Collector lines at KWP I are buried, and there are no overhead transmission lines directly linked to the Project. However, overhead transmission lines do exist within the project area, including three Hawaiian Electric Transmission lines and a line associated with the nearby KWP II facility that crosses Manawainui Gulch for about 1,225 ft (KWP II 2011). This line was historically marked with marker

balls to protect seabirds; however, wind conditions caused the markers to fall off, and KWP II is currently replacing them. This line is not connected to the KWP I wind farm.

- Outdoor light fixtures (unless otherwise exempt, such as FAA lighting) should limit short wavelength content to no more than 2 percent blue light.
- Equip turbines with red lights that are synchronized and comply with FAA regulations.
- All outdoor lights should be shielded so the bulb is visible only from below.
- Install automated motion-sensor switches and controls for all outdoor lights, which will turn them off when no human activity is detected in the area.
- Minimize nighttime lighting to that required for safety and security.

Assimulans yellow-faced bee:

- The take request was revised to account for the uncertainty regarding KWP I's potential impact on the species' nests, due to the inability to survey nests until Spring 2026.
 - Until the dormant season ends and the active season for the species begins, the number of nests at the project site remains unknown. In addition to the take limit of 5 acres of foraging and nesting resources, a total of 25 nests was added to the take request for this species, ensuring that, regardless of survey results, the number of nests taken will be limited to a specific amount.
- Limit disturbance to a total of 5 acres of Assimulans yellow-faced bee habitat. This includes the area where ongoing maintenance and management of the wind farm site overlap with potential foraging and nesting areas for the Assimulans yellow-faced bee.
 - These are the sections of the limits of disturbance that are vegetated. The remaining disturbance limits include existing turbine pads or roads (i.e., non-habitat), which may be surveyed during the 2026 active season.
 - Avoid direct take caused by soil compaction of occupied nest areas, which would only happen if nests were missed during surveys. High-density nest areas near turbine pads or roads may be marked with permanent signage, in coordination with DOFAW entomologists.
- Avoid removal or disturbance of native ilima, 'uhaloa, and 'ūlei as much as possible. If work must be done, schedule it when these species are not flowering.
- Any native plants that need to be removed will be translocated and replanted in accordance with the Conservation District Use Permit Condition #37, which requires protecting native plants through removal, relocation, and replanting.
- Limit herbicide use and adhere to best management practices for herbicides.
- Surveys for assimulans yellow-faced bees and their nests will be conducted by a qualified entomologist approved by DOFAW during the active bee season before major maintenance activities.

KWP I Proposed Mitigation Measures:

‘ōpe‘ape‘a:

- **Restoration and resource enhancement of approximately 819 acres on private property in Eastern Moloka‘i (sea level to 1,460 ft) - 5 management areas.**
 - Thinning of invasive species.
 - Planting of native trees and shrubs for bat roosting and foraging.
 - Installation of ungulate fencing.
 - Monitoring of invasive vegetation and out-planting success.
 - Acoustic monitoring - nightly calls and potential supplemental thermal imaging.
 - Prey species monitoring-arthropod sampling.
- **Restore and enhance resources on about 739 acres at a different location, preferably on Maui—focus on finding Maui-based projects during the first three years.**
 - KWP I is engaging in discussions with Hawai‘i Land Trust about 358 acres of land, including 277 acres in West Maui and 81 acres in East Maui.
 - Enhance or restore habitat in areas known to support bat use, foraging, and reproduction.
 - Prioritize enhancing and restoring lower-elevation sites below 1,000 meters, based on known elevations for bat breeding.
 - Improve foraging and roosting resources by increasing native vegetation.
 - Implement monitoring to evaluate the effectiveness of these mitigation efforts: Investigate trends in forest cover and insect biomass and their correlation with bat activity.
- **Adaptive management**

Decreasing bat activity levels in Year 5 of mitigation implementation will require follow-up measurements of bat activity and the following potential actions:

 - Install water feature(s).
 - Complete supplemental out-plantings of roost trees.
 - Complete additional thinning of Formosa koa or other trees.
 - Complete supplemental out-plantings of species likely to attract bat prey species.

nēnē:

- **Continued management at Halekalā Ranch Pen and new management at Pu‘u Hōkū Ranch Release Pen.**
 - Predator trapping and monitoring of pens.
 - Increasing adult and fledgling survival by maintaining pens for breeding nēnē.
 - Improve adult reproductive success and fledgling survival through satellite tracking and monitoring.
 - Vegetation management to create suitable nesting habitat.

‘ua‘u:

- **Management at the Alpine Wildlife Sanctuary.**
 - Predator control and monitoring.
 - Seabird monitoring, including burrow monitoring with motion-activated cameras.
 - Ungulate fence checks, fence repairs, and maintenance.
 - Enhancing adult survival and fledgling production.

‘a‘o:

- **Continued management at Makamaka‘ole Seabird Preserve.**
 - Inspections and maintenance (repair) of the fence to exclude small mammalian predators.
 - Monitoring predator activity within the enclosure.
 - Predator trapping around the perimeter and inside the enclosure near the known ‘a‘o colonies.
 - Maintaining bait boxes and evaluating rodent populations.
 - Maintaining and deploying the social attraction playback system and decoys.
 - Monitoring burrows with game cameras and burrow inspection tools.

‘akē‘akē:

- **National Fish and Wildlife Foundation funding to manage known breeding colonies - \$45,000 per seabird.**
 - Predator fencing and predator control, including possible barn owl removal.
 - Social attraction.
 - Removal of invasive plant species.
 - Seabird reproductive and inventory monitoring.

Assimulans yellow-faced bee:

- Restoring and managing bees' nesting and foraging habitat within an approximately 20-acre ungulate-fenced area where a core nesting site has been documented, adjacent to the wind turbines.
 - Removal of ironwood and long-term management of ironwood and other non-native plants, along with out-planting yellow-faced bee foraging resources, within an approximately 18-acre fenced site for ungulates.
 - Install ungulate fencing to safeguard out-plantings of forage resources.
 - Two control sites will also be established within the ungulate fence without any mitigation actions for comparison.
 - A treatment site (ironwood removal and foraging resource out-planting) and a control site will also be established outside the ungulate fence.
 - Mitigation will be considered successful based on vegetation monitoring and nest count success criteria at the two treatment sites inside the fence,

compared to the controls inside the fence, as well as the treatment and control plots outside the fence.

- Vegetation monitoring: annual ironwood monitoring and continued 'ilima' foraging resource and out-planting success monitoring.
- Nests counted and surveyed.
 - a) Adaptive management: If fewer than 25 nests are produced within the first 5 years of monitoring, additional ironwood removal may be carried out, along with additional out-planting and maintenance of native host plants outside the initial ironwood removal plots, but within the fenced mitigation area.
- Ongoing long-term management and monitoring of nesting populations at the project site.

Lost Productivity:

If mitigation for 'ōpe'ape'a, 'ua'u, or 'a'o exceeds the time frames specified in the HCP (e.g., 7 years for 'ōpe'ape'a, 17 years for 'ua'u, or 11 years for 'a'o), mitigation obligations will increase by 5 percent for each additional year of delay beyond that period. The 5 percent figure is based on 20.5 years of operations, considering that one year roughly represents 5 percent of the operational lifespan.

Issues & Concerns:

nēnē:

KWP I is behind on mitigation credits for nēnē, and it is infeasible to make up the necessary credits before the State ITL expires on January 29th, 2025. Mitigation and net benefit for covered species in Habitat Conservation Plans are intended to be completed before the take of those species. While KWP I plans to fulfill the nēnē mitigation for the current ITL, it will do so after the ITL expires, as KWP I seeks an additional 23 years of take coverage before fulfilling ITL mitigation for the covered species (See Appendix H).

Assimulans yellow-faced bee:

Estimating the expected take for Assimulans' yellow-faced bee is challenging and may underestimate the potential take due to the species' small size and the difficulty of recovering carcasses. The full extent of impacts on the species, including possible collisions with turbines, could also be significantly underestimated. Currently, understanding the complete range of impacts is difficult because no survey has been conducted to count the nests at the site. The survey window for this species isn't until springtime of next year, which is the bee's active period.

Statutory Requirements:

DOFAW recommends:

- That the ESRC reviews the HCP in accordance with the requirements set forth in Section 195D-25 of the Hawaii Revised Statutes.
- If mitigation measures are deemed adequate, vote to recommend to the BLNR approval of the *Kaheawa Wind Power / Habitat Conservation Plan*.

If you have any questions, please contact Habitat Conservation Planning Program Associate, Kinsley McEachern, at laurinda.k.mceachern.researcher@hawaii.gov

Respectfully submitted,



DAVID G. SMITH
Administrator