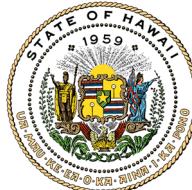


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
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KAHOOLawe ISLAND RESERVE COMMISSION
LAND
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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
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ENDANGERED SPECIES RECOVERY COMMITTEE (ESRC) PUBLIC MEETING

DATE: January 16th, 2026

TIME: 9:00 AM HST

LOCATION: DLNR Board Room, Kalanimoku Building 1151 Punchbowl St, Room #132., Honolulu, Hawai'i
Online via Zoom; and Livestream via YouTube recorded at <https://www.youtube.com/watch?v=1aZrajcbqgE>

Draft Meeting Minutes

MEMBERS

Jason Omick
Michelle Bogardus
Melissa Price
Lisa Spain

Kawika Winter
Karen Courtot
Lindsay Young

DAG STAFF

Danica Patel—Deputy Attorney General

Sheri Mann
Jesse Adams
Kelli Yamaguchi

Afsheen Siddiqi
Kinsley McEachern

Mimi Olry

DAR STAFF

Uma Nagendra —National Tropical Botanical Garden
Marc Travers—Archipelago Research and Conservation
Kyle Pias—Hallux Ecosystem Research
David Zippin—ICF

Dawn Huff—Joule Group
John Brandon—ICF

OTHERS

ITEM 1. CALL TO ORDER AND ANNOUNCEMENTS

Jason Omick called the meeting to order and asked all participants not to use the Zoom chat feature, but rather to send any written comments to the DOFAW HCP e-mail address. Also, all meeting materials are available on the ESRC website. He then asked the HCP staff to introduce themselves followed by the Committee members. He requested that all committee members share if anyone is present in the room with them. Mr. Omick then announced the agenda for the meeting.

Kawika stated that after staff presentations he wants the floor open to ESRC comments before the applicant presentation. Melissa and Lindsay were in support of this suggestion.

01.16.2026 09:11/00:06:17

ITEM 2. APPROVAL OF DRAFT MEETING MINUTES FOR THE FOLLOWING ESRC PUBLIC MEETING:

August 8th, 2025

Karen asked if the August minutes went back for a revisit after the last meeting. Jason confirmed this.

12.18.2025 09:12/00:07:24

MOTION

Jason made a motion to approve the minutes

- Karen: Second
- Motion passes; yeas: 5, abstentions: 1

December 18th, 2025

Lisa mentioned that the link on the website did not work. Kawika and Karen confirmed this. Jason then stated that the minutes in question would be reviewed at the next meeting.

01.16.2026 09:14/00:09:40

ITEM 3. CONTINUED REVIEW OF THE KAUAI ISLAND UTILITY COOPERATIVE SECOND DRAFT HABITAT CONSERVATION PLAN—CHAPTERS FOUR THROUGH EIGHT

Kawika asked if the applicant was going to provide a response to the comments made in the last ESRC. Jason stated that there were no approved recommendations for the last meeting and that the Committee would develop and approve these for both the December 18 and January 16 meetings. David mentioned that they are ready to respond to the comments made in the previous meeting.

Jesse Adams presented, on behalf of the Division of Forestry and Wildlife HCP Section, comments that were made at the December 18, 2025 meeting. Lindsay provided clarifying information for the third ESRC Comment. She also stated that off-island translocation and

relative available space for 'a'o are two separate issues. Finally, she commented that the management and survival of a single species is being functionally left to a utility cooperative.

For the eight ESRC Comment Kawika wanted it to be noted that many of the invasive plant species are habitat altering and that invasive vegetation needs to be addressed. Jason asked if this could be included in the vegetation management plan. Jesse answered "yes".

01.16.2026 09:25/00:20:55

Kawika provided new language for the following comment: Applicant shall address habitat modifying plants like Himalayan Ginger, Mule's Foot Fern, Strawberry Guava, and incipient invasive species. He also commented that this is an example of net environmental benefit that should be mentioned.

Michelle voiced the need for more discussion on the recommendations. Jason commented that the applicant would have the opportunity to respond before a vote is taken on the recommendations. She shared information regarding comment ten, focused on avoidance for rare plants. David commented that he would share where this information is found in the second draft HCP. Michelle also shared her viewpoint on ESRC comments 11 and 12.

01.16.2026 09:37/00:32:21

Comments made by DAR, the University of Hawai'i, and the public were shared. Kawika asked for staff to annotate which group is attributed to each comment.

01.16.2026 09:40/00:35:26

David Zippin presented, on behalf of the Division of Forestry and Wildlife HCP Section, a summary of changes in the HCP. This included infographics and other organizational features (e.g. chapter summaries, etc.) built into this draft document.

01.16.2026 09:54/00:49:20

Kawika notes that the distribution maps for 'a'o and 'ua'u are not comprehensive. David clarified that most of the suitable habitat for these species was surveyed. David then continued the presentation with confidence levels in conservation measures, powerline minimization and collision risk, new maps focused on collisions, undergrounding powerlines, streetlight minimization, newly identified conservation sites, locations and ownership of fences involved with the project, an appendix reviewing the future of powerlines in northwestern Kaua'i.

01.16.2026 10:11/01:06:37

David continued with the presentation and spoke about updates that were made to the models. It was noted that the "worse-case scenario" was the original model presented to the committee in 2023. The "worse-case scenario" provides a plausible estimated minimum benefit. The "stable trend scenario" provides a more realistic estimate of maximum take. It is also consistent with all three of the best available datasets. David stated that results cannot be compared between the two scenarios.

01.16.2026 10:21/01:16:34

Lindsay asked what portion of the metapopulation the conservation sites represent. David asked at what point, because it varies over time. Lindsay confirmed that take is going towards the Hanalei to Kekaha population. David then shared that growth is being attributed to the conservation sites in the worse-case scenario, and that in the stable trend scenario the conservation sites are growing at a greater rate, but there is some growth in other subpopulations.

Lindsay is concerned that the models are based off radar data from only part of the island. David spoke this being shared later in the presentation. He then shared more about the take request.

01.16.2026 10:35/01:30:13

David provided more information on the models and take request. Finally, he presented an update to waterbird take incorporating data through 2024, new adaptive management triggers, improved climate context for changed circumstances, and clarified the KIUC funding assurances in a new appendix.

01.16.2026 10:45/01:40:38

BREAK

01.16.2026 10:58/01:53:14

RETURN FROM BREAK

David provided information to Lindsay's question regarding the percent of the population that the conservation sites make at the beginning and end of the HCP term under both model scenarios. Lindsay shared that it would be beneficial to include within the HCP document. Lisa asked a clarifying question about the numbers of birds that can fit in the conservation sites. David commented that it should support those population numbers, some of this is spoken to in Appendix 5D.

Kyle commented that the recorded areas are all planar areas and do not reflect the topography of the conservation sites. In fact the area should be larger. He commented it might be a 20% increase in area for the Hono O Nā Pali sites.

01.16.2026 11:09/02:04:37

Karen asked about information on survivorship from birds taken to SOS. David said that they do not know the survivorship of seabirds released, so they do not count these toward the population. Michelle asked David to clarify his answer to this question, thinking about fate after light attraction or collision.

01.16.2026 11:14/02:09:16

David started his second presentation that addressed ESRC comments from the meeting on December 18th, 2025. He provided a response to comment one: provide a track changes or redline version of all HCP documentation from the current draft to the next iteration.

01.16.2026 11:16/02:11:33

Comment two: Apply the precautionary principle and utilize a more conservation estimate for 'a'o reproductive success (RS) rate instead of 87.2%. Utilize a ten-year data set, including an El Niño Southern Oscillation (ENSO) cycle, instead of the current three-year data set. Marc Travers read comments from Andre Raine.

Kawika mentioned that an ENSO affects survivorship of returning birds. Lindsay spoke to how there will be differences in contractor variability and climate variability over the 50-year period of the HCP. Marc commented that they are not seeing much fluctuation in the birds coming back. David mentioned the RS could be addressed in adaptive management and showed the adaptive management tables from Chapter 6 where RS is addressed based on a 5-year rolling average.

Kawika asked if decadal oscillations were addressed in the HCP. David mentioned this could be a topic to continue when Andre is available. He then mentioned there is language in Chapter 7, Changed Circumstances, of the HCP to address changes in the bird populations at sea. Kawika suggests decadal oscillations be added to this section.

01.16.2026 11:40/02:35:03

Melissa Price enters the meeting. She spoke about the need for adaptive management automatic triggers for reproductive success rates. Jason shared that DOFAW felt there needed to be more clarity in the adaptive management tables and a reduced number of steps. Michelle shared the Service's viewpoint on the adaptive management strategy. She encouraged everyone to share concerns they have about the adaptive management steps.

Melissa shared that she did not see "implement" in first step in the adaptive management table. David shared he did not feel increased minimization was effective to aid in this situation. Jason agrees with Melissa and wants to see more action early in the adaptive management process. He feels step one and two should be combined.

Dawn confirmed that there were no drops in the reproductive success rates for Hawaiian petrels. Lindsay stated that there is still going to be variability in contractors over the period of the HCP. Dawn shared that the evaluation step determines what is going on by reviewing all data. David feels the action is occurring as soon as possible, otherwise KIUC would be out of compliance. Melissa reaffirmed her statements on adaptive management. David asked if they could move on and perhaps have lunch. Jason restated that he wants a timeline on planning for the adaptive management steps. Dawn says something like this is in the HCP, but that it can be reiterated.

01.16.2026 12:07/03:02:59

BREAK

01.16.2026 12:52/03:47:10

RETURN FROM BREAK

Jason shared that Lindsay will be leaving the meeting at 2:45 PM, but there will still be quorum. He also shared that there is another meeting scheduled for February 6th. Michelle stated she will need to step out briefly at 1:45 PM but will be back within half an hour.

01.16.2026 12:55/03:50:25

David continued presenting and provided a response to comment three: The applicant should provide a table listing all demographic parameters used in the model and calculation, along with source citations. He stated KIUC will consider doing this. Lindsay asked that all reports be made available to the public.

01.16.2026 12:57/03:52:31

David provided a response on behalf of KIUC to comment four: Mitigation credits should correspond with the funding KIUC provided to the Save Our Shearwaters (SOS) program. This is especially advised for waterbirds. KIUC spoke with SOS and the proportional funding effort would hinder SOS. KIUC is not claiming credits for birds covered under other HCPs. Jason confirmed that the funding to SOS for waterbirds acts as a net benefit. Melissa feels this is an accounting problem. Kawika asked if this was both an offset and a net benefit for waterbirds. David confirmed this.

It was stated that the majority of funding for SOS comes from KIUC. Michelle provided more background on this topic. Jason commented that he feels this is okay for seabirds, but he wants to see more details for waterbirds. Afsheen commented she wants to see an account of the number of waterbirds taken by powerlines and the offset. Both of these metrics are required for KIUC's reporting. Dawn shared that most funding going into KIUC goes into a general fund and that funding for specific things like botulism goes to directly aid in those efforts.

01.16.2026 13:13/04:08:03

David moved on to comment five: Considering the off-island translocation of 'a'o as an additional adaptive management measure. It is noted that approximately 2,000 acres may not be sufficient to support the projected population. Marc read testimony from Andre on these topics. Andre feels social attraction is more effective than translocation, and that adding it will require rewording of the biological goals and objectives.

Lindsay reminded everyone that about 90%, or closer to 95% of the world's population of 'a'o occur on Kaua'i. There needs to be populations on multiple islands. Dawn shared that KIUC cannot block Agency actions for translocation using birds from KIUC conservation sites. Dawn commented that including translocation in the HCP would trigger a rewrite of the biological goals and objectives. Lindsay said it should be proposed as an alternative for adaptive management.

Michelle shared that the Agencies have the responsibility of defining the recovery actions for these seabirds across the State. Sheri asked what it would look like if DOFAW carries out separate management goals that may impact the HCP. This was brought up in a series of internal coordination meetings on January 14th and 15th. David shared that translocation might require a permit amendment. Jason asked for a statement be contained in the document regarding KIUC's compliance with Agency driven recovery actions.

01.16.2026 13:32/04:27:12

David moved on to comment six: Consider focusing more on landscape-level predator control instead of establishing new social attractions sites or additional predator proof fences. David and Dawn shared updates on the fences included in this HCP. Marc read testimony from Andre.

Jason asked if birds are banded or if there are transmitters attached. Marc shared they are not, but they should be able to hear the audio playback. Lindsay felt the applicant would save money by not building more fences and conducting additional predator control. This comes from the current state of the science. Dawn feels this would lead to significant changes to the biological goals.

Kawika mentioned that there were changes in the size of the predator proof fence in Upper Limahuli. ESRC was not given a chance to evaluate this. Dawn shared the contractor advised against fencing the entire site. Kawika mentioned there is concern about a small fence providing the same benefit as a larger fence. Michelle provided more details on how this change would affect the HCP.

01.16.2026 13:55/04:50:18

Melissa asked if there could be a shorter permit term? Michelle provided background on the model scenarios and how these affect the permit term. Melissa is concerned that the adaptive management process is too slow to prevent extinction if this should happen. There is a 15-year history with this project and the adaptive management process should move faster. Kyle commented that they recently implemented the adaptive management component and it is causing them to change their implementation.

Danica noted that the actions KIUC are currently undertaking are not part of an approved HCP and that it is misleading and they should not be spoken of as so. Jason said he wants to get recommendations approved.

Kawika brought up the fence size at Limahuli again, and he feels Lindsay's comments are valid. Jason suggested that recommendations could start at the next meeting. Kawika wants more vegetation control. Discussion continued, and it was mentioned that construction of the Upper Mānoa fence has not commenced.

Danica asked Dawn if the actions she is talking about are the result of the Earth Justice lawsuit. Dawn commented no. Dawn wants discussion with the Agencies to determine if not building the final fence would affect the biological goals and objectives. Lindsay commented that she is only speaking about fences that are not yet built, and those already completed were built with NFWF money.

01.16.2026 14:19/05:14:40

David continued his presentation with comment seven: Include comprehensive biosecurity protocols in the HCP and/or land access permits and agreements. Include language for little

fire ants (LFA). Include a detailed invasive vegetation control plan that protects native plants. Include specific details to achieve this, such as funding and other resources. He highlighted there was conversation with the Agencies on this topic on January 14th and 15th. KIUC will contain detailed protocols in the vegetation management plan. David mentioned the goal of the HCP is to avoid take of native and listed plants. Jesse provided more details on the BMPs that DOFAW are compiling with the applicant. Melissa comment that the site partners identify any biosecurity concerns and include them in the annual report and share how they are addressed. Jason mentioned this could be included in permitting. Melissa wants concern shared in the annual report to the committee. Jesse shared information on reporting requirements for KIUC to include truncated timelines. Kawika highlighted that invasive plants currently present might not be covered in biosecurity, but in vegetation management.

David shared information on the status of hawksbill turtles and new language in the HCP.

01.16.202026 14:31/05:26:55

Questions and Comments from the Public

Jesse read a written comment from Mimi Olry, who shared concerns on behalf of Department of Aquatic Resources.

Uma Nagendra provided comments from NTBG on the Upper Limahuli predator proof fence. She also spoke to a need to strengthen vegetation control language in the HCP.

01.16.202026 14:38/05:33:32

ITEM 5. ADJOURNMENT

Kawika made a motion to adjourn.

- Jason: Second
- The motion passes unanimously.