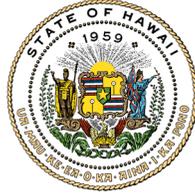


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

## ENDANGERED SPECIES RECOVERY COMMITTEE (ESRC) PUBLIC MEETING

**DATE:** March 7, 2025

**TIME:** 9:00 AM HST

**LOCATION:** DLNR – DOFAW Main Conference, Kalanimoku Building 1151  
Punchbowl St, Room #325., Honolulu, Hawai'i  
Online via Zoom; and Livestream via YouTube recorded at  
<https://www.youtube.com/watch?v=dSDMy4iKJmQ>

## DRAFT MEETING MINUTES

### MEMBERS

Jason Omick  
Lindsay Young  
Lisa Spain

Melissa Price  
Kawika Winter

### STAFF

Kinsley McEachern—DOFAW  
Kelli Yamaguchi—DOFAW  
John Meideros—DOFAW

Jesse Adams—DOFAW  
Danica Swenson—DAG

### OTHERS

Susan Burr—Aecos Inc.  
David Nago—Hōkuāla

Eric Cucchi—Hōkuāla  
Nāmaka Whitehead—Kamehameha Schools

03.07.2025 09:01/00:00:13

### ITEM 1. CALL TO ORDER

Jason Omick called the meeting to order and asked all participants not to use the comments feature in Zoom, but rather send them to the DOFAW HCP e-mail address. He also provided information on where to find meeting materials. He then asked the HCP staff to introduce themselves followed by the Committee members. Mr. Omick then announced the agenda for the meeting and reminded presenters to stay within their allotted presentation time.

**03.07.2025 09:05/00:04:46**

**ITEM 2. STATUS OF THE KENAI INDUSTRIAL PARK ROUND-LEAVED CHAFF FLOWER (*ACHYRANTHES SPLENDENS* VAR. *ROTUNDATA*) HABITAT CONSERVATION PLAN O'AHU**

Jesse Adams presented, on behalf of the Division of Forestry and Wildlife HCP Section, a review of this Habitat Conservation Plan that closed within the 2024 fiscal year.

**03.07.2025 09:09/00:08:46**

**Questions and Comments from the ESRC Members**

Kawika asked about the source of the outplanted individuals at Kalaeloa Heritage Park. Jesse shared that there were only two individuals present on the parcel leased by AKC, and that vegetative material was taken from them to produce the outplants. Also, these plants were existing wild individuals. Kawika asked about the status of the seed. Jesse stated that most of the seed is still in the seed bank at Lyon Arboretum; however, some of them were used for other outplanting. Kawika expressed interest, as a fellow Botanist, in participating in a meeting to develop guidelines for plant HCPs.

Melissa asked if there was a presentation from the licensee. It was confirmed that this was a report out at an ESRC meeting on what happened a year ago. Kawika asked if this was the first HCP to be closed. Jesse commented there is one for Abutilon with HDOT. Kinsley shared there was a one for the Lāna'i meteorological towers approved in 2008 and concluded in 2015, and the Haleakalā Solar Observatory approved in 2011 and concluded in 2019. The Kenai Industrial Park was approved in 2013 and concluded in 2024.

Melissa asked if the two original plants were still present at the site. Jesse confirmed that the plants were removed by State Botanist Matt Keir. Melissa brought up a question about genetics and how HRS § 195D perhaps considers this difference between plants and animals. Kawika then brought up other lessons learned, one of which was success criteria. Jesse reviewed the success criteria for this HCP. Kawika stated that seed banking could be incorporated into success criteria for plant HCPs. Jesse also mentioned another issue was the mixing of seed lots from this HCP site with other locations. This is another issue to consider with plant HCPs. Kawika asked if Jim Jacobi could be included in the proposed planning meeting for plant HCPs.

Kawika asked Danica about the language in HRS § 195D as it relates to plants and animals. Danica said she would investigate this and encouraged everyone to continue the meeting. Melissa shared that the language in the statute is: "The take is not likely to cause the loss of genetic representation of an affected population of any endangered threatened proposed or candidate plant species." This is from HRS § 195D-4 G-9.

**03.07.2025 09:23/00:22:16**

**MOTION**

Melissa motioned to move forward with the recommendations for staff. She then went on to say that the following statement would be appropriate for discussion in the proposed plant

HCPs guidelines meeting: “Does loss of genetic representation mean that you don't have a seed bank and you don't have plant propagules somewhere because if you do have a seed bank and you do have plant propagules somewhere you haven't technically lost the genetic representation but you have in the wild.” Kawika agreed and provided a second to the motion.

The motion passed unanimously.

**03.07.2025 09:24/00:23:21**

**Questions and Comments from the Public**

There were no questions or comments from the public.

Kawika asked if Danica could check the legislative history as part of her response to the question posed regarding genetic diversity for plants and animals.

**03.07.2025 09:25/00:24:46**

**ITEM 3. STATUS OF THE HŌKŪALA (KAUA‘I LAGOONS) HABITAT CONSERVATION PLAN, KAUA‘I**

Kelli Yamaguchi presented, on behalf of the Division of Forestry and Wildlife HCP Section, an update on the status of this habitat conservation plan and associated incidental take license. It was noted that waterbird mitigation for this project is accomplished through habitat maintenance, and seabirds are mitigated for by contribution of funds to Save Our Shearwaters (SOS).

**03.07.2025 09:34/00:33:09**

Susan Burr presented on behalf of Hōkūala, the FY 2024 update for this project.

**03.07.2025 09:47/00:46:22**

**Questions and Comments from the ESRC Members**

Kawika noted there was no mention of cats in this year's presentation and that at a past ESRC site visit the Committee saw an employee feeding a cat. Susan said there were over 1,000 trap nights and that 26 individuals were caught. She also stated that all employees receive training focused on cat reporting and response. Melissa stated that she would like to see revised wording, in any amendments for this project, in the spirit of creating a cat free environment. Susan shared this project struggles maintaining a cat free environment with the County access road which the public use to access this site.

Kawika then asked about the nesting success rates and asked Melissa to review the data and provide a comment. Melissa shared she works on O‘ahu where there are mongoose. Lindsay shared the values are comparable to Kīlauea Point.

Susan shared the site biologists have issues with daily counts of waterbird eggs and chicks. Melissa agreed that this is difficult as it can create disturbance. She shared that chick counting is a little easier. Melissa stated that chick counting is important because it is linked to the

number of predators at the site. Lindsay added that the percent production per nest might be more informative. Susan mentioned that the site biologist is interested in a better way to quantify the number of chicks.

Melissa shared that bullfrog egg mass removal is important to control this species along with removing adult individuals. Jason shared that the DOFAW District Wildlife Biologist could assist with issuing a permit for cattle egret removal. This is commonly done across the state. Melissa said they could also remove the trees that this species is roosting in. She also expressed concern for species that have a limited range and mitigation for take of these species. She would like to see language for mitigation at other sites for 'ālae 'ūla.

**03.07.2025 10:05/[01:04:19](#)**

Melissa discussed this site and how the net plus is greater than the project's take. However, the reporting needs to be accurate. She also reminded the licensee that hazing is considered take. Eric mentioned that hazing is conducted by the USDA and HDOT and is related to the project's proximity to the airport. Lisa mentioned that since this has been implemented there has been a decline in the nesting success rate for nēnē at this site. Eric stated they are having issues keeping birds away from the 18<sup>th</sup> hole and asked the ESRC if they had any guidance for how to do this.

Kawika asked if there could be translocation of chicks to other sites on Kaua'i to prevent additional take on the project. Melissa shared concerns about management and availability of sites on this island. Lindsay agreed and that translocation to other islands could be a better option to prevent the chance that birds return to unsafe sites. Usually, managed sites are found on State or Federal lands. Kawika brought up State Parks as an option.

**03.07.2025 10:17/[01:16:21](#)**

David spoke to the management that Hōkūala is conducting, asked for guidance regarding hazing, and the status of the 'ālae 'ūla and the possibility of translocating within the site. Kawika asked who he represents. David mentioned he represents the HOA. Kawika asked about the cat policy for the associate. David stated there are no cats are permitted on the hotel parcel, and that pets are required to be on leash.

Melissa brought up the difficulty of shooting the cattle egrets and that habitat management could be included as a conservation action in recommendations.

Kawika asked if translocation to Maui is an option. Jason mentioned that this could be an option. Melissa reminded everyone that hazing could be written into this project's permit. Jason suggested he could furnish the group with hazing reports. Melissa mentioned bullfrog control happens at night.

**03.07.2025 10:36/[01:35:11](#)**

**FINAL RECOMMENDATIONS TO THE LICENSEE**

**03.07.2025 10:37/01:36:25**

**Questions and Comments from the Public**

There were no questions or comments from the public.

Recommendations are approved unanimously.

**03.07.2025 10:38/01:37:07**

Jesse shared that Nathaniel Kingsley at the Hawai'i Rare Plant Program Seed Bank confirmed that seed from the Kenai Industrial Park were still being held and that some of them were used for germination trials. Also, Susan Ching, O'ahu District Botanist, stated that outplants from clonal stock, from the two founder plants, were at Kalaeloa and at Kahuku.

**03.07.2025 10:39/01:38:20**

**BREAK**

**03.07.2025 10:51/01:50:00**

**RETURN FROM BREAK**

**03.07.2025 10:52/01:51:07**

**ITEM 4. STATUS OF THE KAMEHAMEHA SCHOOLS KEAUHOU AND KĪLAUEA FOREST LANDS SAFE HARBOR AGREEMENT, HAWAI'I ISLAND**

Kinsley McEachern presented, on behalf of the Division of Forestry and Wildlife HCP Section, an update on the status of this safe harbor agreement (SHA).

**03.07.2025 10:52/01:52:41**

Nāmaka Whitehead presented on behalf of Kamehameha Schools, the FY 2024 update for this project. She apologized for the delay in the submission of the annual report and stated it will be rectified in the upcoming weeks.

**03.07.2025 11:16/02:16:58**

**Questions and Comments from the ESRC Members**

Lisa asked where collected plant material was going. Nāmaka stated it is going to the Volcano rare plant facility and seed is sent to Lyon Arboretum. Jason asked if the 'ākepa were seen or heard. Nāmaka guessed it was both, and that she can ask. Jason was glad their forest bird survey routes were extended. Lindsay asked if there was any forest bird disease sampling. Nāmaka stated currently they are not sampling.

Melissa asked what the change in policy is regarding the transition from safe harbor agreement to conservation benefit agreement. Nāmaka shared that the USFWS is combining safe harbor agreements and candidate conservation agreements into one agreement type. It needs to be converted before any amendments can be made. Melissa then asked Danica if this change affects the Committee. Danica confirmed there is nothing different for the Committee to consider. She also shared that the definition of incidental take has been

changed to include purposeful take, but it is basically the same thing. Melissa asked if the agreement name should be changed for State documents to match. Danica said that is something for DOFAW to consider.

Kawika thanked Nāmaka for the work that they are doing. He then remarked that last year it was suggested koa regeneration could be considered established, and he was curious as to if this is what “passive restoration” is. Nāmaka confirmed this. Kawika suggested that perhaps they should call it something different since work is actively being carried out. He then asked for clarification regarding “maintenance levels” of pig populations. Since this is a term the contractor uses Nāmaka felt it referenced a low number, slightly higher than zero. She wants the project to get near complete eradication. She shared the vendor that conducts pig removal has game camera footage of piglets squeezing through the fence wire.

Kawika then asked what the trigger was for the parcel to enter into a safe harbor agreement. Nāmaka mentioned it was koa silviculture, with the possibility of harvest in the future, the high concentration of endangered species on the parcel, and multi-use activities to include education. They wanted to ensure that the management actions increasing endangered species did not hinder these other activities.

Melissa asked if there was a possibility for mosquito control. Nāmaka mentioned they are open to collaboration. Jason mentioned DOFAW is pushing for this in East Hawai‘i.

**03.07.2025 11:33/02:33:21**

#### **FINAL RECOMMENDATIONS TO THE LICENSEE**

**03.07.2025 11:34/02:34:00**

#### **Questions and Comments from the Public**

There were no questions or comments from the public.

Recommendations are approved unanimously. Kawika asked the Kamehameha Schools to be included in the waterbird working group. Nāmaka mentioned there is an interest to do conservation banking at Punalu‘u

**03.07.2025 11:38/02:38:55**

#### **ITEM 5. HALEAKALĀ SAFE HARBOR AGREEMENT, MAUI; PU‘U O HŌKŪ SAFE HARBOR AGREEMENT AND PROGRAMMATIC NĒNĒ SAFE HARBOR AGREEMENT, MOLOKA‘I**

Kinsley McEachern presented on behalf of DOFAW, an overview of the status of these safe harbor agreements.

**03.07.2025 11:42/02:42:12**

#### **Questions and Comments from the ESRC Members**

Melissa asked if the site managers for Haleakalā Ranch are providing a presentation. Kinsley explained that work done at this site includes activities conducted by Kaheawa Wind Power

(KWP) and DOFAW. She also shared it overlaps the work that the ranch is doing for the safe harbor agreement. Melissa asked Danica if there were any potential conflicts of interest that the Committee needed to be aware of in a situation like this where HCP mitigation activities are occurring with safe harbor agreement activities. Kinsley said in the past they were concerned about tracking HCP credits. This could be more liability for KWP. Melissa pressed to understand what the responsibilities of the landowner are. Kinsley suggested that in the future perhaps ranch staff could provide a presentation. She also highlighted there is an MOU between the ranch, DOFAW, and KWP.

Melissa went on to suggest that in the future HCP staff should provide a table that summarizes the MOU and what the Committee should evaluate for the SHA and the HCP. Kinsley shared that DOFAW conducts monthly nest monitoring, checks, and banding.

Danica replied to Melissa's question and agreed the situation is complicated. She agrees with landowners providing presentations. Danica stated that the Committee is just evaluating the SHA, not other mitigation activities.

Melissa asked Lindsay if the nēnē fledgling numbers per nest for this site were reasonable. Lindsay stated it is difficult to say on an island that has mongoose. Discussion continued focused on this topic. Lindsay stated it is hard to know what is going on without the baseline population. Danica stated that this baseline needs to be articulated by the landowner and KWP. Kinsley shared that the baseline was zero, and that actions have been ongoing.

Melissa requested that DOFAW within the next six months provide an update on this project, and not include predator data and endangered species metrics on the same graph. She also asked for this data in a table format. Melissa provided additional feedback to include a request to report out on how many predators are still at the site. It was noted there may be a problem with predators.

Kinsley shared that a total of 53 birds were translocated between 2011 and 2016, and an additional three birds were translocated in FY 2023. She reminded the Committee that nēnē is the only covered species in this SHA. Lisa reminded everyone that DOFAW has a huge hand in the creation of this SHA.

**03.07.2025 11:59/03:00:12**  
**FINAL RECOMMENDATIONS TO STAFF**

John recommended that the table should include number of nests, eggs, chicks, and fledgling success. He shared that they currently do not know how many predators there are in the area. Melissa asked if these birds are currently in a pen. John shared information about the pens. It was confirmed that the pen should be mongoose free. He mentioned that a cattle egret or barn owl could be preying on the goslings. Lindsay asked about territorial interactions within the pen. John shared it depends on how many individuals are in the pen. Recommendations were approved unanimously.

**03.07.2025 12:05/03:06:41**

Kinsley presented on the Pu'u O Hōkū Ranch SHA. John added that one the males has a cellular tracking pack so they can monitor this family. Kinsley shared that the baseline on this property was zero, and individuals were translocated to this site from Kaua'i. Fourteen birds were translocated in 2000/2002, these translocations continued to 2005.

**03.07.2025 12:12/03:13:27**

#### **FINAL RECOMMENDATIONS TO STAFF**

Development of recommendations for this and non-wind projects continued. Recommendations were approved unanimously.

**03.07.2025 12:18/03:19:26**

Kinsley presented on the Moloka'i Programmatic Nēnē Safe Harbor Agreement. John shared DOFAW continues to work with landowners on this island to get more participants for this SHA.

Danica shared that the only reference to genetic diversity is for plants in HRS § 195D. Kawika pushed Danica to investigate the legislative record regarding this. She will provide an update via email to the Committee members. Discussion continued on this topic. Recommendations were approved unanimously.

**03.07.2025 12:35/03:27:35**

#### **Questions and Comments from the Public**

There were no questions or comments from the public.

**03.07.2025 12:36/03:28:02**

#### **ITEM 6. ADJOURNMENT**

Kawika made a motion to adjourn.

- Jason: Second
- The motion passes unanimously.