

# International Brotherhood of Electrical Workers

**LOCAL UNION NO. 1186 • Affiliated with AFL-CIO**

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## **December 12, 2025, Agenda Item D-14**

Board of Land and Natural Resources  
1151 Punchbowl St., 1st Floor, Room 132  
Honolulu, HI 96813

Chair Chang and Members of the Board:

IBEW Local 1186 offers its support for the Board's acceptance of the final Environmental Impact Statement (EIS) of Kaheawa Wind Power I. Our electricians have been involved with this facility since its initial construction, and we have maintained a long-term partnership providing technical expertise, maintenance support, and system upgrades that keep the project operating safely and reliably.

From a technical standpoint, KWP I plays an important role in Maui's energy system. Its output helps stabilize a grid that is increasingly reliant on daytime intermittent resources, and its generation profile—producing energy during hours when solar is unavailable—adds system value that cannot be easily replaced. The EIS outlines a continuation of operations within the existing footprint along with mitigation measures that address cultural, environmental, and wildlife considerations while preserving a vital electrical asset.

Our members understand firsthand the engineering, safety protocols, and electrical reliability standards required to operate a wind facility of this scale. Reconstructing and maintaining this resource for the next twenty years is essential as Maui prepares for the retirement of major fossil-fuel units and faces uncertainties in new project development. It is a project that our members support as it will provide employment for highly-skilled workers for many decades.

For these reasons, IBEW Local 1186 respectfully asks the Board to accept the EIS and allow KWP I to continue contributing dependable, technically advanced renewable energy to Maui.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Kim".

**Damien Kim**  
Business Manager /  
Financial Secretary

**From:** [Andrea Kealoha](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Subject: Agenda Item D-14, Support for Kaheawa Wind Power I EIS  
**Date:** Wednesday, December 10, 2025 3:57:32 PM

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Dear Chair Chang and Members of the Board of Land and Natural Resources,

My name is Dr. Andrea Kealoha and I am submitting testimony in support of the updated EIS for Kaheawa Wind Power I.

As an advocate for environmental stewardship and cultural conservation, I support this project because it represents responsible development and the future of sustainable energy in Hawai'i.

Maui's wind resource is one of the best in the country. It produces power 24/7, including when the sun is down—a critical complement to solar energy. Without this project, fossil fuel dependence deepens and Maui's clean energy goals fall farther out of reach.

Today, Maui's energy system is at a fragile point of transition. Two major fossil fuel plants are scheduled for retirement by 2030. Without immediate replacement, Maui faces a real risk of blackouts or a return to costly temporary diesel generators. Renewable sources like Kaheawa Wind are essential for reducing emissions and protecting our air and water.

The continued operation of Kaheawa Wind does not expand or intensify the facility. It operates entirely within its existing footprint, leveraging existing infrastructure, preserving natural lands, and reducing the need for further land disturbance. It also provides direct environmental benefits, including mitigating endangered species, resulting in net population increases and habitat improvements; access for conservation partners, such as Maui Cultural Lands, for invasive species removal and native planting; and a \$300,000/year community benefits package that supports cultural and environmental stewardship.

Responsible renewable energy development must include cultural consideration, long-term conservation planning, and community benefits. This revised EIS demonstrates that commitment.

I respectfully ask the Board to approve the revised EIS for KWP 1 so we can continue reducing emissions and advancing stewardship of this island we call home.  
Mahalo,

Dr. Andrea Kealoha

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Andrea Kealoha, PhD  
Assistant Professor, Department of Oceanography  
University of Hawai'i at Mānoa

## **Kaheawa Wind Power, LLC**

Testimony to

### **BOARD OF LAND AND NATURAL RESOURCES**

December 12, 2025

#### **Agenda Item D-14**

Decision Making Regarding the Acceptance or Non-Acceptance of the Final Environmental Impact Statement (EIS) for the Kaheawa Wind 1 Continued Use Project Located in Ukumehame, Wailuku and Lāhainā, Island of Maui, Further Identified as Tax Map Keys: (2) 4-8-001: portion of 001 (por.) and (2) 3-6-001: portion of 014; and Habitat Conservation Plan Mitigation Sites identified as (2) 1-9-001: portions of 001 & 003 (Haleakalā Ranch, Maui); (2) 5-8-15:001 (por.), (2) 5-8-010: portions of 003, 004, & 005, and 006, (2) 5-8-011:001-004, 007, 009-012; 014, & 016, and portions of 006 & 008, (2) 5-8-12:011, (2) 5-8-015: portions of 001-007, and (2) 5-9-006:portion of 001 (Pu'u o Hōkū Ranch, Moloka'i); (2) 4-9-002:portion of 001 (Greater Hi'i Area, Lāna'i); (2) 3-1-006: portions of 001, 003, & 005 (Makamaka'ole, Maui); and (2) 4-8-001: portion of 001 (Kaheawa Pastures, Maui)

Aloha Chair Chang and Members of the Board of Land and Natural Resources:

Thank you, members of the Board for the opportunity to provide this testimony.

Kaheawa Wind Power, LLC (KWP or Applicant) respectfully submits this testimony to request that the Board of Land and Natural Resources (BLNR or Board) **Accept** the Final Environmental Impact Statement (FEIS) for the Kaheawa Wind 1 Continued Use Project.

#### **I. Executive Summary**

1. The Project's proposed action involves the continued use of the existing wind energy generation facility and related activities.

2. KWP respectfully attests that the FEIS satisfies all three criteria for acceptability outlined in HAR § 11-200.1-28: (1) compliance with procedural requirements, (2) completion of required content, and (3) adequacy of responses to public and agency comments.
3. The EIS fully discloses the project's environmental impacts, complies with all procedural and substantive content standards, and provides comprehensive, thorough responses to agency and public comments, enabling the Board to make an informed decision.

## **II. Background of the KWP Project**

The KWP facility consists of 20 General Electric (GE) 1.5-MW wind turbines arranged in a single articulated row on the slopes of the West Maui Mountains in an area known as Kaheawa Pastures on land owned by the Department of Land and Natural Resources (DLNR). KWP was selected by Hawaiian Electric as part of the Maui Stage 3 Request for Proposals (RFP), a competitive bidding process developed by Hawaiian Electric in coordination with the Hawai'i Public Utilities Commission (PUC) to procure renewable energy sources for Maui's electric grid in response to anticipated energy resource shortfalls. The KWP facility is currently operating under a 20-year power purchase agreement ("PPA"). After the completion of the current PPA, KWP proposes to operate the wind energy generation facility under a new 20-year PPA, ensuring continued delivery of clean energy to Maui customers and offering substantial benefits to the community (Figure 1).

**Figure 1. Kaheawa Wind Power: Maui Benefits**



KWP has been operating since 2006 and is capable of producing enough energy to power the equivalent of 17,000 homes annually on the island of Maui. KWP is an essential power plant for Maui and supplies roughly 11% of Maui's total utility-scale electricity generation. When considered alongside the adjacent Kaheawa Wind Power 2 facility, the combined facility delivers nearly 15%<sup>1</sup>.

KWP is among the lowest cost electricity generators in the State of Hawaii and it currently saves Maui residents ~\$7 million to \$10 million per year vs. fossil fuels, a savings that would otherwise come as an immediate cost to residents if the facility ceased operation.<sup>2</sup> In 2024, the Project provided energy at 15%-30% below the cost of fossil-fueled generators on Maui.<sup>3</sup> The Project delivers energy at a low, fixed price that reduces Maui's exposure to fossil fuel price volatility, a cost that is otherwise directly passed on to consumers and contributes to unpredictable electricity costs. The cost to

<sup>1</sup> Kaheawa Wind Power forecasted annual generation as a percentage of the total utility scale generation, 2024 Renewable Portfolio Standard Status Report (see, e.g.: [https://www.hawaiianelectric.com/documents/clean\\_energy\\_hawaii/rps\\_report\\_2024.pdf](https://www.hawaiianelectric.com/documents/clean_energy_hawaii/rps_report_2024.pdf)).

<sup>2</sup> Since January 2024, Hawaiian Electric's "Schedule Q" Avoided Cost of Energy for the Maui Division has averaged ~\$171 / MWh (see, e.g.: <https://www.hawaiianelectric.com/billing-and-payment/rates-and-regulations/avoided-energy-costs>). KWP's current rate is ~\$136 / MWh. The facility's rate will decrease from this level under the new Proposal selected by Maui Electric.

<sup>3</sup> Energy cost comparison based on avoided energy costs and energy cost recovery filings for Maui.

replace energy from the project would be passed immediately to consumers and would disproportionately impact lower income households because those customers already bear the highest relative electricity cost burdens.<sup>4</sup>

KWP has been operating under a 20-year Incidental Take License (“ITL”) and associated Habitat Conservation Plan (“HCP”). This has included compliance monitoring, implementation of minimization and avoidance measures, and mitigation actions for four threatened and endangered species, including Nēnē or Hawaiian goose (*Branta sandvicensis*), ‘Ōpe‘ape‘a or Hawaiian hoary bat (*Lasiurus semotus*), ‘Ua‘u or Hawaiian petrel (*Pterodroma sandwichensis*); and ‘A‘o or Newell’s shearwater (*Puffinus newelli*). KWP is currently in the process of applying for a new ITL for the continued use project and would therefore continue to provide additional conservation for these species.

### **III. The Proposed Action: Continuation of KWP & Related Activities**

The Proposed Action consists of three components:

- 1) Continued operation and maintenance,
- 2) HCP compliance activities, and
- 3) Decommissioning and restoration

The FEIS evaluates the environmental impacts of the Proposed Action, including issuance of a new Land Lease and implementation of the Proposed HCP. Today’s decision making is related only to acceptance or non-acceptance of the FEIS.

### **IV. KWP’s Final EIS Meets All Applicable Adequacy Standards, Was Prepared by Qualified Practitioners, and Represents a “Conscientious Application of the Environmental Review Process as a Whole”<sup>5</sup> Delivered at a High Standard**

The EIS was prepared pursuant to the State of Hawai‘i environmental review process, as defined and required by HRS Chapter 343 and Hawai‘i Administrative Rules (HAR)

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<sup>4</sup> See, e.g. Hawai‘i Department of Business, Economic Development & Tourism, Electricity Burdens on Hawai‘i Households:2025 Update, Published January 2025, Page 4, “Electricity burdens consistently decrease with income; households with lower income levels tend to spend a higher proportion of their income on electricity bills”, and broader analyses on Pages 2-3 demonstrating average electricity burdens were significantly higher for Household Types with lower average annual incomes.

<sup>5</sup> As per HAR §11-200.1-1 Purpose (c)

Chapter 11.200.1 and reflects the work of highly qualified practitioners with industry-leading expertise in the Hawai'i environmental review process. The EIS was prepared to disclose any potential impacts on the environment and proposes best management practices (BMPs) and mitigation measures to avoid or reduce these potential impacts. The EIS provides a detailed description of the Applicant's Proposed Action and the alternative to the Proposed Action (i.e., No Action Alternative). It also presents the existing environmental setting for the full range of potentially affected resources and the analysis of potential impacts to those resources.

In accordance with HAR §11-200.1-28 Acceptability, the EIS shall be evaluated on the basis of whether the final EIS, in its completed form, represents an informational instrument that fulfills the intent and provisions of Chapter 343, HRS, and adequately discloses and describes all identifiable environmental impacts and satisfactorily responds to review comments. A final EIS shall be deemed to be an acceptable document by the accepting authority if all of the following criteria are satisfied:

- (1) The procedures for assessment, consultation process, review, and the preparation and submission of the EIS as described in HAR §11-200.1 have been satisfied.
- (2 ) The content requirements described in in HAR §11-200.1 have been satisfied; and
- (3) Comments submitted during the review process have received responses satisfactory to the accepting authority, including properly identifying comments as substantive and responding in a way commensurate to the comment, and have been appropriately incorporated into the final EIS.

The Final EIS conforms with the acceptability requirements under HAR §11-200.1-28, as further detailed in the following sections.

#### **a. KWP's Final EIS Meets Procedural Requirements**

The EIS meets the procedural requirements pursuant to HAR § 11-200.1 Subchapter 10, *Preparation of Environmental Impact Statements* as well as HAR § 11-200.1 Subchapter 4, Filing and Publication in the Periodic Bulletin. On October 23, 2024, an Environmental Impact Statement Preparation Notice (EISPN<sup>6</sup>) was published in *The Environmental Notice*, beginning a 30-day public scoping period (Tetra Tech 2024).

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<sup>6</sup> [https://files.hawaii.gov/dbedt/erp/Doc\\_Library/2024-10-23-MA-EISPN-Kaheawa-Wind-1-Continued-Use-Project.pdf](https://files.hawaii.gov/dbedt/erp/Doc_Library/2024-10-23-MA-EISPN-Kaheawa-Wind-1-Continued-Use-Project.pdf).

Approximately 133 stakeholders were provided with a notice of availability letter containing information on how to obtain a copy of the EISPN. Hard copies of the EISPN were deposited at the Kihei Public Library and the Hawai'i State Library, Hawai'i Documents Center. A public scoping meeting took place on October 29, 2024, at the Malcolm Center in Kihei, Hawaii. Appendix A of the Draft and Final EIS includes the presentation and outreach materials used during the public scoping meeting. The EIS public scoping meeting includes a separate portion reserved for oral public comments, which was audio recorded. At the end of the public scoping period, a total of 35 comments were received from 13 parties and agencies via letter or electronic mail. A Comment Response Matrix is provided in Appendix B, Table B-1, which lists the comments received during public scoping, along with responses and explanations of how these comments were addressed in the Draft EIS.

The Draft EIS was published in *The Environmental Notice* on August 8, 2025, marking the beginning of a 45-day public comment period extending from August 8, 2025 to September 22, 2025. Approximately 145 stakeholders were provided with a notice of availability letter containing information on how to obtain a copy of the Draft EIS. Hard copies of the Draft EIS were deposited at the Kihei Public Library and the Hawai'i State Library, Hawai'i Documents Center. At the end of the public comment period, a total of 13 parties and agencies submitted comments on the Draft EIS via letter or electronic mail. A Comment Response Matrix is provided in Appendix B Table B-4, which lists the comments received during the Draft EIS comment period, along with responses and explanations of how these comments were addressed in the Final EIS.

The Final EIS was simultaneously filed with the ERP and the BLNR as the Accepting Authority via the DLNR, Land Division. The Final EIS was published in *The Environmental Notice* on November 23, 2025. See Table 1 attached for a more detailed breakdown of how the EIS meets the procedural requirements under HAR § 11-200.1.

#### **b. KWP's Final EIS Meets Content Requirements**

The content requirements for a Draft EIS are stipulated under HAR §11-200.1-24 and the content requirements for a Final EIS are stipulated under HAR §11-200.1-27. Each of these requirements are listed in Table 1 at the bottom of this submission with a brief description of how these requirements were met in the Draft and Final EIS and where the Board may find those requirements in the record.

#### **c. KWP's Final EIS Was Responsive to Comments**

A total of 10 agencies, 2 community members, and 1 organization submitted comments



on the Draft EIS via letter or electronic mail. The Final EIS includes the complete text of the Draft EIS and revisions to the text resulting from comments on the Draft EIS. A Comment Response Matrix is provided in Appendix B of the Final EIS, which lists the comments received during the Draft EIS comment period, along with responses and explanations of how these comments were addressed in the Final EIS.

Substantive changes evaluated in this Final EIS are primarily based on refinements to the Proposed Action and responses to agency comments. Key revisions included:

- Reduction of the Project Limits of Disturbance (LOD) from 58 acres to 40 acres all within the original construction footprint and clarification of Project activities that would occur inside and outside of the revised LOD.
- Revisions to the Proposed Action's description of the HCP compliance activities in response to comments on the Draft EIS, Draft HCP, and agency consultation on the Draft HCP, including review of the Draft HCP by the Endangered Species Recovery Committee (ESRC). Revisions to the HCP that have been incorporated into the Final EIS include but are not limited to additional avoidance, minimization, and mitigation measures, additional information and environmental analysis of 'ōpe'ape'a mitigation activities, and additional information and environmental analysis of assimilans yellow-faced bee anticipated impacts and mitigation activities.
- Clarification regarding KWP 1's compliance with its existing Conservation District Use Permit (CDUP).
- Clarification regarding KWP 1's compliance with existing preservation plans for historic sites within or adjacent to the Project Area and mitigation commitments for historic sites under the Proposed Action.
- Incorporation of additional outreach completed in the Cultural Impact Assessment (CIA) in response to comments on the Draft EIS.


## **V. KWP's Request to the Board**

Based on the content of the EIS, **KWP respectfully requests that the Board Accept** the Final EIS for the Kaheawa Wind 1 Continued Use Project

*[Signature Page Follows]*

Respectfully submitted,

KAHEAWA WIND POWER, LLC

By:   
Name: David Purcell  
Title: Vice President

**Table 1. Consistency with HAR Chapter 11-200.1 EIS Procedural and Content Requirements**

SUBCHAPTER 4 FILING AND PUBLICATION IN THE PERIODIC BULLETIN [PORTION]		
Subpart	HAR §11- 200.1-5 Filing requirements for publication and withdrawal.	Consistency with HAR requirement
a	Anything required to be published in the bulletin shall be submitted electronically to the office before the close of business five business days prior to the issue date, which shall be the issue date deadline.	The Applicant submitted the EISPN, Draft EIS, and Final EIS to ERP before the close of business five business days prior to their respective issue dates.
b	All submittals to the office for publication in the bulletin shall be accompanied by a completed informational form that provides whatever information the office needs to properly notify the public. The information requested may include the following: the title of the action the islands affected by the proposed action; tax map key numbers; street addresses; nearest geographical landmarks; latitudinal and longitudinal coordinates or other geographic data; applicable permits, including for applicants, the approval requiring chapter 343, HRS, environmental review; whether the proposed action is an agency or an applicant action; a citation to the applicable 200.1- federal or state statutes requiring preparation of the document; the type of document prepared; the names, addresses, email addresses, phone numbers and contact persons as applicable of the accepting authority, the proposing agency, the approving agency, the applicant, and the consultant; and a brief narrative summary of the proposed action that provides sufficient detail to convey the impact of the proposed action to the public.	The EISPN, Draft EIS, and Final EIS were all accompanied by the Environmental Review Program (ERP)'s online submittal form ( <a href="https://planning.hawaii.gov/erp/submittal-form/">https://planning.hawaii.gov/erp/submittal-form/</a> ).
c	The office shall not accept untimely submittals or revisions thereto after the issue date deadline for which the submittal was originally filed has passed.	Not applicable to the Proposed Action.

d	In accordance with the agency's rules or, in the case of an applicant EA or EIS, the applicant's judgment, anything filed with the office may be withdrawn by the agency or applicant that filed the submittal with the office. To withdraw a submittal, the agency or applicant shall submit to the office a written letter informing the office of the withdrawal. The office shall publish notice of withdrawals and the rationale in accordance with this subchapter.	Not applicable to the Proposed Action.
e	<p>To be published in the bulletin, all submittals to the office shall meet the filing requirements in subsections (a) to (c) and be prepared in accordance with this chapter and chapter 343, HRS, as appropriate. The following shall meet additional filing requirements:</p> <p>[...]</p> <p>(4) When the notice is an EISPN without the preparation of an EA, the proposing agency or approving agency shall:</p> <ul style="list-style-type: none"> <li>(A) File the EISPN with the office; and</li> <li>(B) Deposit, or require the applicant to deposit, concurrently with the filing to the office, one paper copy of the EISPN at the nearest state library in each county in which the proposed action is to occur and one paper copy with the Hawaii Documents Center;</li> </ul> <p>(5) When the document is a draft EIS, the proposing agency or applicant shall :</p> <ul style="list-style-type: none"> <li>(A) Sign and date the draft EIS;</li> <li>(B) Indicate that the draft EIS and all ancillary documents were prepared under the signatory's direction or supervision and that the information submitted, to the best of the signatory's knowledge fully addresses document content requirements as set forth in subchapter 10;</li> <li>(C) File the draft EIS with the accepting authority and the office simultaneously;</li> <li>(D) Deposit, or require the applicant to deposit,</li> </ul>	<p>As described above, the EISPN, Draft EIS, and Final EIS met the applicable filing requirements in HAR §11- 200.1-5 subsections (a) to (c).</p> <p>In accordance with HAR §11- 200.1-5 (e)(4), the EISPN was filed with ERP. A hard copy of the EISPN was deposited to Kihei Public Library (the nearest state library to the proposed action) and to the Hawaii Documents Center.</p> <p>In accordance with HAR §11- 200.1-5 (e)(5), the Draft EIS was signed by the Applicant's representative and the EIS included a statement indicating that the draft EIS and all ancillary documents were prepared under the signatory's direction or supervision and that the information submitted, to the best of the signatory's knowledge fully addresses document content requirements as set forth in subchapter 10. The Draft EIS was simultaneously filed with the BLNR (through DLNR Land Division) and the ERP. A hard copy of the Draft EIS was deposited to Kihei Public Library and to the Hawaii Documents Center. The Draft EIS submittal was accompanied by the original audio file of the recording at the EIS public scoping meeting which documented that no oral comments were received during the scoping meeting.</p> <p>In accordance with HAR §11- 200.1-5 (e)(6), the Final EIS was signed by the Applicant's representative and the EIS included a statement indicating that the Final EIS and all ancillary documents were prepared under the signatory's direction or supervision and that the information submitted, to the best of the signatory's knowledge fully addresses document content requirements as set forth in subchapter 10. The Draft EIS was simultaneously filed with the BLNR (through DLNR Land Division) and the ERP.</p>

	<p>concurrently with the filing to the office, one paper copy of the draft EIS at the nearest state library in each county in which the proposed action is to occur and one paper copy with the Hawaii Documents Center; and</p> <p>(E) Submit to the office one true and correct copy of the original audio file, at standard quality, of all oral comments received at the time designated within any EIS public scoping meeting for receiving oral comments;</p> <p>(6) When the document is a final EIS, the proposing agency or applicant shall:</p> <p>(A) Sign and date the final EIS;</p> <p>(B) Indicate that the final EIS and all ancillary documents were prepared under the signatory's direction or supervision and that the information submitted, to the best of the signatory's knowledge fully addresses document content requirements as set forth in subchapter 10; and</p> <p>(C) File the final EIS with the accepting authority and the office simultaneously;</p>	
<b>SUBCHAPTER 10 PREPARATION OF ENVIRONMENTAL IMPACT STATEMENTS</b>		
<b>Subpart</b>	<b>HAR §11-200.1-23 Consultation prior to filing a Draft EIS</b>	<b>Consistency with HAR requirement</b>
a	<p>An EISPN, including one resulting from an agency authorizing the preparation of an EIS without first requiring an EA, shall indicate in a concise manner:</p> <p>(1) Identification of the proposing agency or applicant;</p> <p>(2) Identification of the accepting authority;</p> <p>(3) List of all required permits and approvals (state, federal, and county) and, for applicants, identification of which approval necessitates chapter 343, HRS, environmental review;</p> <p>(4) The determination to prepare an EIS;</p>	<p>The EISPN (Tetra Tech 2024<sup>7</sup>) meets the content requirements of this subpart, as follows:</p> <p>(1) Identification of the proposing agency or applicant – See EISPN Section I, Subsection A.</p> <p>(2) Identification of the accepting authority - See EISPN Section I, Subsection A.</p> <p>(3) List of all required permits and approvals (state, federal, and county) and, for applicants, identification of which approval necessitates chapter 343, HRS, environmental review - See EISPN Section I, Subsection E.</p>

<sup>7</sup> [https://files.hawaii.gov/dbedt/erp/Doc\\_Library/2024-10-23-MA-EISPN-Kaheawa-Wind-1-Continued-Use-Project.pdf](https://files.hawaii.gov/dbedt/erp/Doc_Library/2024-10-23-MA-EISPN-Kaheawa-Wind-1-Continued-Use-Project.pdf).

	<p>(5) Reasons supporting the determination to prepare an EIS;</p> <p>(6) A description of the proposed action and its location;</p> <p>(7) A description of the affected environment, including regional, location, and site maps;</p> <p>(8) Possible alternatives to the proposed action;</p> <p>(9) The proposing agency's or applicant's proposed scoping process, including when and where any EIS public scoping meeting will be held; and</p> <p>(10) The name, title, email address, physical address, and phone number of an individual representative of the proposing agency or applicant who may be contacted for further information.</p>	<p>(4) The determination to prepare an EIS - See EISPN Section I, Subsection F.</p> <p>(5) Reasons supporting the determination to prepare an EIS - See EISPN Section I, Subsection F.</p> <p>(6) A description of the proposed action and its location - See EISPN Section I, Subsection B.</p> <p>(7) A description of the affected environment, including regional, location, and site maps - See EISPN Section III.</p> <p>(8) Possible alternatives to the proposed action - See EISPN Section IV.</p> <p>(9) The proposing agency's or applicant's proposed scoping process, including when and where any EIS public scoping meeting will be held; and – See EISPN Section V.</p> <p>(10) The name, title, email address, physical address, and phone number of an individual representative of the proposing agency or applicant who may be contacted for further information - See EISPN Section V.</p>
b	<p>In the preparation of a draft EIS, proposing agencies and applicants shall consult all appropriate agencies, including the county agency responsible for implementing the county's general plan for each county in which the proposed action is to occur and agencies having jurisdiction or expertise, as well as those citizen groups, and concerned individuals that the accepting authority reasonably believes to be affected. To this end, agencies and applicants shall endeavor to develop a fully acceptable draft EIS prior to the time the draft EIS is filed with the office, through a full and complete consultation process, and shall not rely solely upon the review process to expose environmental concerns.</p>	<p>As described in the Final EIS Section 6, <i>Consulted Parties</i>, the Applicant began community and stakeholder outreach in 2022 and continued through the development of the EISPN and Draft EIS.</p> <p>In early 2023, informal in-person meetings were conducted to engage various community leaders and stakeholders. A list of participants is shown in Final EIS, Table 6-1. Insights from these interactions helped to inform the Project's EIS. The Applicant held a public outreach meeting on August 14, 2024, to discuss the proposed community benefits program and considerations for the upcoming HRS Chapter 343 analysis. Attendees were invited to provide feedback via index cards, and contact information for the Project was made available through telephone, email, and the Project website (<a href="https://www.kaheawawind.com">https://www.kaheawawind.com</a>). In 2024, the Applicant also held meetings and coordinated with DLNR Land Division and DLNR OCCL to coordinate on the appropriate level of HRS Chapter 343 review and on who would serve as the primary contact for the Accepting Authority (the BLNR).</p> <p>Coordination with DLNR DOFAW and USFWS occurred throughout 2024 and 2025 on the Proposed HCP and ITL and ITP.</p> <p>The EISPN was published in <i>The Environmental Notice</i> on October 23, 2024, marking the beginning of a 30-day public review (scoping) period aimed at facilitating early identification of data gaps and public concerns to be addressed in the Draft EIS. An article in <i>The Maui News</i> on October 24, 2024, highlighted the EISPN and provided information about the public comment period.</p>

		<p>The EISPN was distributed to approximately 133 stakeholders via the United States Postal Service and electronic mail, including community groups, government agencies (including Maui County Planning Department), and elected officials. Table 6-3 of the Final EIS lists all the parties that received notice of the EISPN. Hard copies of the EISPN were deposited at the Kihei Public Library and the Hawai'i State Library, Hawai'i Documents Center. Information about the EISPN and scoping meeting were also published on the Project's website.</p> <p>To identify individuals knowledgeable about traditional cultural practices and uses associated with the Project Area, a public notice was submitted to the Office of Hawaiian Affairs on September 3, 2024, for publication in the October 2024 edition of <i>Ka Wai Ola</i>. The notice included the Project location, a description of the Proposed Action, and contact information. As part of the CIA conducted in support of this EIS, ASM Affiliates carried out targeted community consultation efforts. These efforts aimed to identify and engage knowledgeable individuals and organizations with cultural, historical, or ancestral ties to the Project Area. A list of parties contacted for the CIA is presented in the Final EIS, Table 6-2. In total, five individuals agreed to interviews: Mr. Edwin "Ekolu" Lindsey III, Mr. Keoki Pfaeltzer, Mr. Foster Ampong, Dr. Holt-Padilla, and Keone Kalawe. Other individuals responded to initial outreach but either declined or were unable to schedule interviews.</p> <p>Feedback from these consultation efforts were incorporated into the EISPN and Draft EIS document, respectively. Consultation with DOFAW and USFWS on the Proposed HCP and ITP and ITP that occurred prior to and during the environmental review process was incorporated into the draft EIS analysis.</p>
c	<p>Upon publication of an EISPN in the periodic bulletin, agencies, citizen groups, or individuals shall have a period of thirty days from the initial publication date to make written comments regarding the environmental effects of the proposed action. With explanation, the accepting authority may extend the period for comments for a period not to exceed thirty additional days. Written comments and responses to the substantive comments shall be included in the draft EIS pursuant to section 11-200.1-24. For purposes of the EIS public scoping meeting, substantive comments shall be those pertaining to the scope of the EIS.</p>	<p>At the end of the public scoping period, a total of 35 comments were received via letter or electronic mail. No comments (written or oral) were received from the public scoping meeting. All comments received on the EISPN were considered substantive and addressed in the Draft EIS. The Comment Response Matrix provided in the Appendix B, Table B-1, lists the comments received during public scoping, along with responses and explanations of how these comments were addressed in the Draft EIS. Copies of each comment letter received is also included in Appendix B.</p>

d	No fewer than one EIS public scoping meeting addressing the scope of the draft EIS shall be held on the island or islands most affected by the proposed action, within the public review and comment period in subsection.	A public scoping meeting took place on October 29, 2024, from 5:30 to 7:30 PM at the Malcom Center (1305 N. Holopono Street, Suite 5, Kihei, HI 96753). Appendix A, <i>Public Scoping Documents</i> includes the presentation and outreach materials used during the meeting.
e	The EIS public scoping meeting shall include a separate portion reserved for oral public comments and that portion of the EIS public scoping meeting shall be audio recorded.	The EIS public scoping meeting includes a separate portion reserved for oral public comments, which was audio recorded. A copy of this audio recording was provided to the public concurrent to the publication of the Draft EIS. No oral comments were made by the public at the scoping meeting.
<b>Subpart</b>	<b>HAR § 11-200.1-24 Content requirements; draft environmental impact statement.</b>	<b>Consistency with HAR requirement</b>
a	The draft EIS, at a minimum, shall contain the information required in this section. The contents shall fully declare the environmental implications of the proposed action and shall discuss all reasonably foreseeable consequences of the action. In order that the public can be fully informed and that the accepting authority can make a sound decision based upon the full range of responsible opinion on environmental effects, an EIS shall include responsible opposing views, if any, on significant environmental issues raised by the proposal.	See responses to subparts b through t below. The Draft and Final EIS included a detailed discussion of the existing environment and potential impacts and mitigation measures for the proposed action and no-action alternative. Direct, indirect, and cumulative impacts as well as short- and long-term impacts (i.e., reasonably foreseeable consequences of the action) were discussed for each resource topic (see Draft and Final EIS, Section 3). As noted in subpart b below, the scope of the analysis for consideration of impacts for some resources was more detailed than others to be commensurate with the importance of the impact. For example, the EIS has an extensive discussion of potential impact to listed species under the wildlife section (Section 3.9) as it is a sensitive impact from the continued operation of the wind farm. See Section 3 of the Draft and Final EIS.
b	The scope of the draft EIS may vary with the scope of the proposed action and its impact, taking into consideration whether the action is a project or a program. Data and analyses in a draft EIS shall be commensurate with the importance of the impact, and less important material may be summarized, consolidated, or simply referenced. A draft EIS shall indicate at appropriate points in the text any underlying studies, reports, and other information obtained and considered in preparing the draft EIS, including cost-benefit analyses and reports required under other legal authorities.	As noted above, the scope of the analysis for consideration of impacts for some resources was more detailed than others to be commensurate with the importance of the impact. Throughout the EIS underlying studies, reports, and other information is provided and referenced. See Table 1-3 of the Draft and Final EIS for a list of all key studies that contributed to the EIS analysis. To the applicant's knowledge no cost-benefit analyses is required for the Proposed Action under other legal authorities, however we note that the project was competitively selected by Hawaiian Electric, who applies a rigorous, PUC-approved framework for economic, technical, and qualitative analysis of energy projects to determine the best value for their customers.
c	The level of detail in a draft EIS may be more broad for programs or components of a program for which site-specific impacts are not discernible, and shall be more	Not applicable. The Proposed Action is a project not a program. Per HAR 11-200.1-1 a "Project" means a discrete, planned undertaking that is site and time specific, has a specific goal or purpose, and has potential impact to the environment.



	specific for components of the program for which site specific, project-level impacts are discernible. A draft EIS for a program may, where necessary, omit evaluating issues that are not yet ready for decision at the project level. Analysis of the program may discuss in general terms the constraints and sequences of events likely to result in any narrowing of future options. It may present and analyze in general terms hypothetical scenarios that are likely to occur.	
d	<p>The draft EIS shall contain a summary that concisely discusses the following:</p> <ol style="list-style-type: none"> <li>(1) Brief description of the action;</li> <li>(2) Significant beneficial and adverse impacts;</li> <li>(3) Proposed mitigation measures;</li> <li>(4) Alternatives considered;</li> <li>(5) Unresolved issues;</li> <li>(6) Compatibility with land use plans and policies, and a list of permits or approvals; and</li> <li>(7) A list of relevant EAs and EISs considered in the analysis of the preparation of the EIS.</li> </ol>	<p>The Draft EIS provided an executive summary in conformance with HAR § 11-200.1-24(d).</p> <p>To be responsive to comments on the Draft EIS, the Executive Summary was revised in the Final EIS to include a discussion as to why no other alternatives, other than the no action alternative, were considered as well as a more detailed summary of the compatibility of the Proposed Action with land use plans and policies. The Draft EIS provided an executive summary in conformance with HAR § 11-200.1-24(d)(4) in that it concisely discussed the alternatives considered – the Proposed Action and the No-Action Alternative. This provision in the rules does not require a summary discussion on why no other alternatives were considered. Likewise, the executive summary in the Draft EIS concisely summed up the Proposed Actions’ conformance to applicable land use plans and policies in accordance with HAR § 11-200.1-24(d)(6).</p>
e	The draft EIS shall contain a table of contents.	The Draft and Final EIS included a table of contents.
f	The draft EIS shall contain a separate and distinct section that includes the purpose and need for the proposed action.	The Draft and Final EIS shall contain a separate and distinct section that includes the purpose and need for the proposed action. See the Final EIS, Section 1.3, Project Purpose and Need.
g	<p>The draft EIS shall contain a description of the action that shall include the following information, but need not supply extensive detail beyond that needed for evaluation and review of the environmental impact:</p> <ol style="list-style-type: none"> <li>(1) A detailed map (such as a United States Geological Survey topographic map, Flood Insurance Rate Maps, Floodway Boundary Maps, or state sea level rise exposure area maps, as applicable) and a related regional map;</li> <li>(2) Objectives of the proposed action;</li> <li>(3) General description of the action's technical, economic, social, cultural, and environmental characteristics;</li> <li>(4) Use of state or county funds or</li> </ol>	<p>Section 2 of the Draft and Final EIS contain a description of the Proposed Action and No Action Alternative. Pursuant to this subchapter, the following information was provided in a level of detail needed for evaluation and review of the environmental impact:</p> <ol style="list-style-type: none"> <li>(1) Detailed maps and figures are provided in the Draft and Final EIS, Figures subsection. Specifically, Figure 3-2 shows the Topography of the Project Area. Figure 3-6 shows that the Project Area is mapped by Flood Insurance Rate Maps as being located entirely within Zone X, a zone that is not a Special Flood Hazard Area. Figure 3-7 shows that the Project Area is located outside the 3.2-foot sea level exposure area.</li> <li>(2) Objectives of the Proposed Action are discussed in Section 1.4 of the Draft and Final EIS.</li> <li>(3) Section 2 of the Draft and Final EIS provides a detailed description of the Proposed Action including its technical, economic, social, cultural, and environmental characteristics. Furthermore, Section 3 provides a description of the existing environment (e.g, the existing KWP 1 facility) –</li> </ol>

	lands for the action; (5) Phasing and timing of the action; (6) Summary technical data, diagrams, and other information necessary to enable an evaluation of potential environmental impact by commenting agencies and the public; and (7) Historic perspective.	<p>including the existing socioeconomic characteristics (Section 3.16), cultural (Section 3.10), and environmental context (Sections 3.2 to 3.9, 3.11 to 3.15).</p> <p>(4) As noted in Section 1.1.2 of the Draft EIS, the Proposed Action would involve the use of state lands for the action.</p> <p>(5) Section 2.1.5 of the Draft and Final EIS provides the phasing and timing of the action;</p> <p>(6) Summary technical data, diagrams, and other information necessary to enable an evaluation of potential environmental impact by commenting agencies and the public is provided throughout the Draft and Final EIS in Sections 2 and 3; and</p> <p>(7) The historic perspective of the Proposed Action is included in Section 1.2 as well as in Section 3.10.</p>
h	<p>The draft EIS shall describe in a separate and distinct section discussion of the alternative of no action as well as reasonable alternatives that could attain the objectives of the action. The section shall include a rigorous exploration and objective evaluation of the environmental impacts of all such alternative actions. Particular attention shall be given to alternatives that might enhance environmental quality or avoid, reduce, or minimize some or all of the adverse environmental effects, costs, and risks of the action. Examples of alternatives include: ( 1) Alternatives requiring actions of a significantly different nature that would provide similar benefits with different environmental impacts; (2) Alternatives related to different designs or details of the proposed action that would present different environmental impacts; and (3) Alternative locations for the proposed action. In each case, the analysis shall be sufficiently detailed to allow the comparative evaluation of the environmental benefits, costs, and risks of the proposed action and each reasonable alternative. For alternatives that were eliminated from detailed study, the section shall contain a brief discussion of the reasons for not studying those alternatives in detail. For any agency actions, the discussion of alternatives shall include, where relevant, those alternatives not within the existing authority of the agency.</p>	<p>HAR § 11-200.1-24(h) requires a discussion of “reasonable alternative that could attain the objectives of the action”. Although “reasonable alternative” is not defined in HAR § 11-200.1, the State of Hawaii Environmental Council considered 40 CFR 1502.14(a) when they developed this language (see OEQC 2019, page 57). Under 40 CFR 1508.1 “reasonable alternatives means a reasonable range of alternatives that are technically and economically feasible, and meet the purpose and need for the proposed action.” Therefore, the Applicant understands that in the context of HAR § 11-200.1-24(h), a “reasonable alternatives” must meet the purpose and need of the proposed action and be technically and economically feasible. HAR § 11-200.1-24(h) also provides guidance on what reasonable action alternatives should be considered in an EIS and that alternatives not only shall be reasonable, but also that particular attention shall be given to alternatives that are significantly different in nature from the proposed action, result in different environmental impacts from the proposed action, and/or involved alternative locations from the proposed action and would allow for comparative evaluation of environmental benefits, costs, and risks between the alternative and the proposed action.</p> <p>The Draft EIS provided a discussion of the reasonable alternatives in conformance with HAR § 11-200.1-24(h) in that it concisely discussed the alternatives that are technically and economically feasible and meet the purpose and need for the proposed action – the Proposed Action and the No-Action Alternative.</p> <p>However, to be responsive to comments on the Draft EIS, the Applicant added Section 2.3 to the Final EIS to discuss a range of concepts that were presented in public comments for possible inclusion as alternatives and why these concepts were either not considered reasonable as they did not meet the Project purpose and need or were not significantly different in nature from the Proposed Action or would result in different environmental impacts as the Proposed Action and therefore do not rise to the level of an Action Alternative.</p>

i	<p>The draft EIS shall include a description of the environmental setting, including a description of the environment in the vicinity of the action, as it exists before commencement of the action, from both a local and regional perspective. Special emphasis shall be placed on environmental resources that are rare or unique to the region and the action site (including natural or human-made resources of historic, cultural, archaeological, or aesthetic significance); specific reference to related actions, public and private, existent or planned in the region shall also be included for purposes of examining the possible overall cumulative impacts of such actions. Proposing agencies and applicants shall also identify, where appropriate, population and growth characteristics of the affected area, any population and growth assumptions used to justify the proposed action, and any secondary population and growth impacts resulting from the proposed action and its alternatives. The draft EIS shall expressly note the sources of data used to identify, qualify, or evaluate any and all environmental consequences.</p>	<p>Section 3 of the Draft and Final EIS includes a description of the environmental setting under each resource topic – see subsections 3.2 to 3.16. As discussed in Section 3.1 of the Draft and Final EIS, each of the Section 3 subsections includes a description of the environment in the vicinity of the action, as it exists before commencement of the Proposed Action. Pursuant to HAR § 11-200.1-24 (i), special emphasis is placed on environmental resources that are rare or unique to the region and the Project Area. The existing environment/existing conditions description is comprised of several components:</p> <ul style="list-style-type: none"> <li>• Definition of the resource and the geographic extent of the analysis.</li> <li>• Description of the regulatory framework governing the resource, as applicable. (Additional regulatory context provided in Section 4, Regulatory Context/Consistency with Plans and Policies).</li> <li>• Description of existing environmental conditions including impacts from the original construction and operation of the existing KWP 1 facility.</li> </ul> <p>Cumulative impacts are addressed in Section 3.17 of the Draft and Final EIS. Table 3-43 present and reasonably foreseeable future actions that have the potential to overlap spatially and temporally with the Proposed Action and could contribute to a cumulative effect.</p> <p>As discussed in Section 3.16, the Proposed Action (i.e., continued operations of the KWP facility) are not expected to induce changes in the pattern of land use, population density, or growth rate or significantly promote or discourage economic activity. However, considerations of population growth on Maui is considered in the impact analysis in Section 3.16 and 3.17.</p> <p>Sources of data used to identify, qualify, or evaluate any and all environmental consequences are cited throughout the Draft and Final EIS (see also Section 7).</p>
j	<p>The draft EIS shall include a description of the relationship of the proposed action to land use and natural or cultural resource plans, policies, and controls for the affected area. Discussion of how the proposed action may conform or conflict with objectives and specific terms of approved or proposed land use and resource plans, policies, and controls, if any, for the affected area shall be included. Where a conflict or inconsistency exists, the draft EIS shall describe the extent to which the agency or applicant has reconciled its proposed action with the plan, policy, or control, and the reasons why the agency or applicant has decided to proceed, notwithstanding the absence of full reconciliation.</p>	<p>Section 4 of the Draft and Final EIS addresses this requirement. The applicable federal, state, and county regulations, policies, and resource plans to the Proposed Action are addressed in Sections 4.1 to 4.3, respectively.</p> <p>No conflicts or inconsistencies with any land use and natural or cultural resource plans, policies, and controls were identified for the Proposed Action.</p>
k	<p>The draft EIS shall also contain a list of necessary</p>	<p>Section 4.4 of the Draft EIS includes a list of the permits and approvals that would be obtained</p>

	<p>approvals required for the action from governmental agencies, boards, or commissions or other similar groups having jurisdiction. The status of each identified approval shall also be described.</p>	<p>pursuant to those regulations and policies. The status of each permit/approval was added in the Final EIS. See Table 4-1 of the Final EIS.</p>
I	<p>The draft EIS shall include an analysis of the probable impact of the proposed action on the environment, and impacts of the natural or human environment on the action.</p> <p>This analysis shall include consideration of all phases of the action and consideration of all consequences on the environment, including direct and indirect effects. The interrelationships and cumulative environmental impacts of the proposed action and other related actions shall be discussed in the draft EIS. The draft EIS should recognize that several actions, in particular those that involve the construction of public facilities or structures (e.g., highways, airports, sewer systems, water resource actions, etc.) may well stimulate or induce secondary effects. These secondary effects may be equally important as, or more important than, primary effects, and shall be thoroughly discussed to fully describe the probable impact of the proposed action on the environment. The population and growth impacts of an action shall be estimated if expected to be significant, and an evaluation shall be made of the effects of any possible change in population patterns or growth upon the resource base, including but not limited to land use, water, and public services, of the area in question. Also, if the proposed action constitutes a direct or indirect source of pollution as determined by any governmental agency, necessary data regarding these impacts shall be incorporated into the EIS. The significance of the impacts shall be discussed in terms of subsections (m), (n), (o), and (p).</p>	<p>Section 3 of the Draft and Final EIS includes an analysis of the probable impact of the Proposed Action (and No-action Alternative) on the environment and impacts of the natural or human environment on the action. As discussed in Section 3.1 of the Final and Draft EIS, each of the Section 3 subsections includes in impact analysis that includes several components:</p> <ul style="list-style-type: none"> <li>• Factors Considered for Impacts Analysis. Brief description of the methods for this impact analysis, including factors considered in determining whether the Proposed Action and No Action Alternative would have a significant impact on the resource. Pursuant to HAR §11-200.1-24(b), data and analyses commensurate with the importance of the impact is included and less important material is summarized, consolidated, or simply referenced. Resource impacts are quantified, where applicable.</li> <li>• An evaluation and description of the potential impacts of the Proposed Action and No Action Alternative relative to existing conditions. The phases for the Proposed Action include: 1) continued operations of the KWP 1 facility for an additional 20.5-year period, 2) HCP compliance activities, including offsite mitigation, and 3) decommissioning and restoration period of approximately two years. The No Action Alternative is comprised of only the decommissioning and restoration phase. Each of the phases are analyzed separately for potential direct and indirect impacts (beneficial and adverse) with consideration of the type, duration, intensity, and geographic extent of the impact. Potential cumulative impacts are analyzed in Section 3.17, Cumulative Impacts.</li> <li>• Avoidance, Minimization, and Mitigation Measures. This subsection describes BMPs and Project-specific plans that would be implemented to avoid and minimize impacts to each resource. Where major impacts cannot be avoided, mitigation measures are proposed to reduce or offset the adverse impact caused by the Proposed Action.</li> <li>• Summary of Impacts. This subsection includes a concise summary of impacts in tabular format.</li> </ul> <p>As discussed in Section 3.16, the Proposed Action is not expected to induce changes in the pattern of land use, population density, or growth rate or significantly promote or discourage economic activity. Operation of the KWP 1 wind facility would not emit pollution. The Proposed Action does not propose any stationary air pollution source or air pollution control equipment and therefore would not require an air pollution control permit. Likewise, the Proposed Action does not produce industrial wastewater and therefore would not require a National Pollutant Discharge Elimination System (NPDES) industrial discharge permit. Implementation of stormwater BMPs and the Spill Prevention,</p>

		<p>Control, and Countermeasure Plan (SPCC) would minimize potential impacts to soil and water resources.</p> <p>Continued operation of the existing KWP 1 facility would avoid carbon dioxide and other emissions associated with the creation of a new facility to replace it, even if that facility were renewable energy. Due to the time it takes to develop and permit new renewable energy facilities, it is assumed that if KWP 1 were decommissioned, the power currently generated by the facility would be immediately replaced with power generated by Maui Electric's existing fossil-fuel-fired power plants. Approximately 60,000 tons of carbon dioxide would be avoided each year that clean, renewable energy is produced by KWP 1. KWP 1 would also offset pollution and the particulate-related health effects associated with sulfur dioxide, nitrogen oxides, particulate matter, and mercury emissions.</p>
m	<p>The draft EIS shall include in a separate and distinct section a description of the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity. The extent to which the proposed action involves trade-offs among short-term and long-term gains and losses shall be discussed. The discussion shall include the extent to which the proposed action forecloses future options, narrows the range of beneficial uses of the environment, or poses long-term risks to health or safety. In this context, short-term and long-term do not necessarily refer to any fixed time periods, but shall be viewed in terms of the environmentally significant consequences of the proposed action.</p>	<p>Section 5.1 of the Draft and Final EIS includes a discussion of the relationship between local short-term uses of humanity's environment and the maintenance and enhancement of long-term productivity.</p>
n	<p>The draft EIS shall include in a separate and distinct section a description of all irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented. Identification of unavoidable impacts and the extent to which the action makes use of non-renewable resources during the phase~ of the action, or irreversibly curtails the range of potential uses of the environment, shall also be included. The possibility of environmental accidents resulting from any phase of the action shall also be considered.</p>	<p>Section 5.2 of the Draft and Final EIS includes a discussion of all irreversible and irretrievable commitments of resources that would be involved in the Proposed Action.</p>
o	<p>The draft EIS shall address all probable adverse</p>	<p>Section 5.3 of the Draft and Final EIS includes a discussion of all irreversible and irretrievable</p>

	<p>environmental effects that cannot be avoided. Any adverse effects such as water or air pollution, urban congestion, threats to public health, or other consequences adverse to environmental goals and guidelines established by environmental response laws, coastal zone management laws, pollution control and abatement laws, and environmental policy including those found in chapters 1280 (Environmental Response Law), 205A (Coastal Zone Management), 342B (Air Pollution Control), 342C (Ozone Layer Protection), 342O (Water Pollution), 342E (Nonpoint Source Pollution Management and Control), 342F (Noise Pollution), 342G (Integrated Solid Waste Management), 342H (Solid Waste Recycling), 342I (Special Wastes Recycling), 342J (Hazardous Waste, including Used Oil), 342K (Underground Storage Tanks), 342P (Asbestos and Lead), and 344 (State Environmental Policy), HRS, and those effects discussed in this section that are adverse and unavoidable under the proposed action must be addressed in the draft EIS.</p> <p>Also, the rationale for proceeding with a proposed action, notwithstanding unavoidable effects, shall be clearly set forth in this section. The draft EIS shall indicate what other interests and considerations of governmental policies are thought to offset the adverse environmental effects of the proposed action. The draft EIS shall also indicate the extent to which these stated countervailing benefits could be realized by following reasonable alternatives to the proposed action that would avoid some or all of the adverse environmental effects.</p>	<p>commitments of resources that would be involved in the Proposed Action. Section 5.3 also provides rationale for proceeding with the Proposed Action, notwithstanding unavoidable effects including other interests and considerations of governmental policies are thought to offset the adverse environmental effects of the proposed action and the extent to which reasonable alternatives to the Proposed Action would avoid some or all of the adverse environmental effects.</p>
p	<p>The draft EIS shall consider mitigation measures proposed to avoid, minimize, rectify, or reduce impacts, including provision for compensation for losses of cultural, community, historical, archaeological, and fish and wildlife resources, including the acquisition of land, waters, and interests</p>	<p>Table 2-3 of the Draft EIS contains a list of industry standard BMPs, Project-specific design features, Project mitigation measures and Project plans that together reduce potential impacts to environmental resources. Avoidance and minimization measures specific to each resource area are discussed in Section 3 and include relevant details related to timing (i.e., initial maintenance,</p>

	<p>therein.</p> <p>Description of any mitigation measures included in the action plan to reduce significant, unavoidable, adverse impacts to insignificant levels, and the basis for considering these levels acceptable shall be included. Where a particular mitigation measure has been chosen from among several alternatives, the measures shall be discussed and reasons given for the choice made. The draft EIS shall include, where possible, specific reference to the timing of each step proposed to be taken in any mitigation process, what performance bonds, if any, may be posted, and what other provisions are proposed to ensure that the mitigation measures will in fact be taken in the event the action is implemented.</p>	<p>operation, and/or decommissioning) and basis for implementation (e.g, industry standard, regulatory requirement, etc.).</p> <p>Sections 2.1.3 and 3.9 of the Draft and Final EIS specifically address mitigation measures included in the Proposed Action to avoid, minimize, and mitigate take of federal and state listed species. As disclosed in the Draft and Final EIS, mitigation would commence immediately upon issuance of the take permit and would continue to be implemented as part of the Habitat Conservation Plan (HCP) compliance with the intent to fully offset the impact of the taking and provide a net conservation benefit. The Draft and Final EIS incorporated, by reference, the Draft HCP (which was publicly available during the Draft EIS public review period), which provided details related to success criteria and adaptive to ensure the mitigation measures would fully offset impacts to listed species.</p>
q	<p>The draft EIS shall include a separate and distinct section that summarizes unresolved issues and contains either a discussion of how such issues will be resolved prior to commencement of the action, or what overriding reasons there are for proceeding without resolving the issues.</p>	<p>Section 5.4 of the Draft and Final EIS identifies unresolved issues and discusses how these issues will be resolved prior to commencement of the action.</p>
r	<p>The draft EIS shall include a separate and distinct section that contains a list identifying all governmental agencies, other organizations and private individuals consulted in preparing the draft EIS, and shall disclose the identity of the persons, firms, or agency preparing the draft EIS, by contract or other authorization.</p>	<p>Section 6 of the Draft and Final EIS identifies all governmental agencies, other organizations and private individuals that were consulted in preparing the Draft EIS. Section 8 discloses the identity of the persons, firms, or agency preparing the Draft and Final EIS, by contract or other authorization.</p>
s	<p>The draft EIS shall include a separate and distinct section that contains:</p> <p>(1) Reproductions of all written comments submitted during the consultation period required in section 11-200.1-23;</p> <p>(2) Responses to all substantive written comments made during the consultation period required in section 11-200.1-23. Proposing agencies and applicants shall respond in the draft EIS to all substantive written comments in one of two ways, or</p>	<p>In accordance with this subsection, the Draft and Final EIS included a separate and distinct section that contains:</p> <p>(1) In Appendix B, a copy of all comments received on the EISPN. At the end of the public scoping period, a total of 35 comments were received via letter or electronic mail. No comments (written or oral) were received from the public scoping meeting.</p> <p>(2) All comments received on the EISPN were considered substantive and addressed individually in the Draft EIS. The Comment Response Matrix provided in the Appendix B, Table B-1, lists the comments received during public scoping, along with responses and explanations of how these comments were addressed in the Draft EIS.</p> <p>(3) Not applicable. All comments received on the EISPN were considered substantive and addressed</p>

	<p>a combination of both, so long as each substantive comment has clearly received a response:</p> <p>(A) By grouping comment responses under topic headings and addressing each substantive comment raised by an individual commenter under that topic heading by issue. When grouping comments by topic and issue, the names of commenters who raised an issue under a topic heading shall be clearly identified in a distinctly labeled section with that topic heading. All substantive comments within a single comment letter must be addressed, but may be addressed throughout the applicable different topic areas with the commenter identified in each applicable topic area. All comments, except those described in paragraph (3), must be appended in full to the final document; or</p> <p>(B) By providing a separate and distinct response to each comment clearly identifying the commenter and the comment receiving a response being responded to for each comment letter submitted. All comments, except those described in paragraph (3), must either be included with the response, or appended in full to the final document;</p> <p>(3) For comments that are form letters or petitions, that contain identical or near-identical language, and that raise the same issues on the same topic:</p> <p>(A) The response may be grouped under paragraph (2) (A) with the response to other comments under the same topic and issue with all commenters identified in the distinctly labeled section identifying commenters by topic; or</p> <p>(B) A single response may be provided that addresses all substantive comments within the form letter or petition and that includes a distinct section listing the individual commenters who submitted the form letter or petition. At least one representative sample of the form letter or petition shall be appended to the final document; and</p>	<p>individually in the Draft EIS.</p> <p>(4) All materials presented and handed out at the EIS scoping meeting are included in Appendix A of the EIS. No oral or written comments were made by the public at the scoping meeting.</p> <p>(5) Section 6 of the Draft and Final EIS includes a description of all agencies and individuals that were consulted.</p> <p>(6) A copy of the EISPN and cover letter is included in Appendix A of the Draft and Final EIS.</p>
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	<p>(C) Provided that, if a commenter adds a distinct substantive comment to a form letter or petition, then that comment must be responded to pursuant to paragraph (2);</p> <p>(4) A summary of any EIS public scoping meetings, including a written general summary of the oral comments made, and a representative sample of any handout provided by the proposing agency or applicant related to the action provided at any EIS public scoping meeting;</p> <p>(5) A list of those persons or agencies who were consulted and had no comment in a manner indicating that no comment was provided; and</p> <p>(6) A representative sample of the consultation request letter.</p>	
t	An addendum to a draft EIS shall reference the original draft EIS to which it attaches and comply with all applicable filing, public review, and comment requirements set forth in subchapter 10.	Not applicable.
<b>Subpart</b>	<b>HAR §11-200.1-25 Public review requirements for draft environmental impact statements.</b>	<b>Consistency with HAR requirement</b>
a	Public review shall not substitute for early and open discussion with interested persons and agencies concerning the environmental impacts of a proposed action. Review of the draft EIS shall serve to provide the public and other agencies an opportunity to discover the extent to which a proposing agency or applicant has examined environmental concerns and available alternatives.	Section 6 of the Draft EIS provides a summary of informal consultation and cultural consultation that has taken place in addition to the formal consultation through the EIS process.
b	The period for public review and for submitting written comments shall commence from the date that notice of availability of the draft EIS is initially published in the periodic bulletin and shall continue for a period of forty-five days, unless mandated otherwise by statute. Written comments shall be received by or postmarked to the accepting authority, and in the case of applicants, to either the accepting	The Draft EIS was published in <i>The Environmental Notice</i> on August 8, 2025, marking the beginning of a 45-day public comment period extending from August 8, 2025, to Sept 22, 2025. Table 6-3 of the Final EIS lists the parties that were provided a notice of availability letter containing information on how to obtain a copy of the Draft EIS. Hard copies of the Draft EIS were deposited at the Kihei Public Library and the Hawai'i State Library, Hawai'i Documents Center.

	authority or the applicant, within the forty- five-day comment period. Any comments outside of the forty-five-day comment period need not be responded to nor considered.	
<b>Subpart</b>	<b>HAR §11-200.1-26 Comment response requirements for draft environmental impact statements.</b>	<b>Consistency with HAR requirement</b>
a	In accordance with the content requirements of section 11-200.1-27, the proposing agency or applicant shall respond within the final EIS to all substantive written comments received pursuant to section 11-200. 1-25. In deciding whether a written comment is substantive, the proposing agency or applicant shall give careful consideration to the validity, significance, and relevance of the comment to the scope, analysis, or process of the EIS, bearing in mind the purpose of this chapter and chapter 343, HRS. Written comments deemed by the proposing agency or applicant as non-substantive and to which no response was provided shall be clearly indicated.	At the end of the public comment period, a total 13 parties and agencies submitted comments on the Draft EIS via letter or electronic mail. See Table 6-3 of the Final EIS. If this column is blank, then there was no comment provided by the individual, agency, or organization. All written comments received within the public comment period are attached to the Final EIS in Appendix B along with a Comment Response Matrix, which lists the comments received during the Draft EIS comment period, along with responses and explanations of how these comments were addressed in the Final EIS. All written comments received were responded to.
b	Proposing agencies and applicants shall respond in the final EIS to all substantive written comments in one of two ways, or a combination of both, so long as each substantive comment has clearly received a response: (1) By grouping comment responses under topic headings and addressing each substantive comment raised by an individual commenter under that topic heading by issue. When grouping comments by topic and issue, the names of commenters who raised an issue under a topic heading shall be clearly identified in a distinctly labeled section with that topic heading. All substantive comments within a single comment letter must be addressed, but may be addressed throughout the applicable topic areas with the commenter identified in each applicable topic area. All comments, except those described in subsection (c), must be appended in full to the final document; or (2) By providing a separate and distinct response to	All written comments received on the Draft EIS were responded to in the Comment Response Matrix in Appendix B of the Final EIS. A separate and distinct response was provided for each comment. The commenter is listed for each comment. A copy of all comment received on the Draft EIS was included in Appendix B of the Final EIS.

	each comment clearly identifying the commenter and the comment receiving a response for each comment letter submitted. All comments, except those described in subsection (c), must either be included with the response or appended in full to the final document.	
c	For comments that are form letters or petitions, that contain identical or near-identical language, and that raise the same issues on the same topic [...].	Not applicable. No form letters or petitions were received.
d	In responding to substantive written comments proposing agencies and applicants shall endeavor to resolve conflicts or inconsistencies in information and address specific environmental concerns identified by the commenter, providing a response that is commensurate with the substantive content of those comments. The response shall describe the disposition of significant environmental issues raised (for example, the response may point to revisions to the proposed action to mitigate anticipated impacts or objections raised in the comment). In particular, the issues raised when the proposing agency's or applicant's position is at variance with recommendations and objections raised in the comments shall be addressed in detail, giving reasons why specific comments and suggestions were not accepted, and factors of overriding importance warranting an override of the suggestions. The response shall indicate changes been made to the text of the draft EIS.	A total of 13 parties and agencies submitted comments on the Draft EIS via letter or electronic mail. The Comment Response Matrix provided in the Appendix B, Table B-1, lists the comments received during public scoping, along with responses and explanations of how these comments were addressed in the Draft EIS. Where specific comments and suggestions were not accepted, details were provided in the comment response explaining the factors for overriding the suggestion. The Comment Response Matrix indicated where changes were made to the text of the draft EIS to address each comment (as relevant).
<b>Subpart</b>	<b>HAR 11-200.1-27 Content requirements; final environmental impact statement.</b>	<b>Consistency with HAR requirement</b>
a	The final EIS, at a minimum, shall contain the information required in this section. The contents shall fully declare the environmental implications of the proposed action and shall discuss all reasonably foreseeable consequences of the action. In order that the public can be fully informed and the accepting	See responses to HAR 11-200.1-24 subparts b through t above. The Final EIS included a detailed discussion of the existing environment and potential impacts and mitigation measures for the Proposed Action and No-Action Alternative. Direct, indirect, and cumulative impacts as well as short- and long-term impacts (i.e., reasonably foreseeable consequences of the action) were discussed for each resource topic (see Final EIS, Section 3).

	authority can make a sound decision based upon the full range of responsible opinion on environmental effects, an EIS shall include responsible opposing views, if any, on significant environmental issues raised by the proposal.	
b	<p>The final EIS shall consist of:</p> <ol style="list-style-type: none"> <li>(1) The draft EIS prepared in compliance with this subchapter, as revised to incorporate substantive comments received during the review processes in conformity with section 11-200.1-26, including reproduction of all comments and responses to substantive written comments;</li> <li>(2) A list of persons, organizations, and public agencies commenting on the draft EIS;</li> <li>(3) A list of those persons or agencies who were consulted in preparing the final EIS and those who had no comment shall be included in a manner indicating that no comment was provided;</li> <li>(4) A written general summary of oral comments made at any EIS public scoping meeting; and</li> <li>(5) The text of the final EIS written in a format that allows the reader to easily distinguish changes made to the text of the draft EIS.</li> </ol>	<p>The Final EIS meets the content requirements as outlined in HAR 11-200.1-27 (b), as follows:</p> <ol style="list-style-type: none"> <li>(1) All comments received on the Draft EIS were considered substantive and reproduced in the Final EIS, Appendix B. Appendix B, Table B-4 provides a point-by-point response to each comment received.</li> <li>(2) Table 6-3 of the Final EIS lists persons, organizations, and public agencies that commented on the draft EIS.</li> <li>(3) Table 6-3 of the Final EIS lists those persons or agencies who were consulted in preparing the final EIS including those who had no comment.</li> <li>(4) No oral comments were received during the EIS public scoping meeting. Key concerns expressed by the community and stakeholder during the scoping period, and the sections of the EIS in which these concerns are discussed are listed in Table 3-40 of the Final EIS.</li> <li>(5) The text of the final EIS is written in a format that allows the reader to easily distinguish changes made to the text of the draft EIS.</li> </ol>
<b>Subpart</b>	<b>HAR §11-200.1-28 Acceptability. [Portion]</b>	<b>Consistency with HAR requirement</b>
a	Acceptability of a final EIS shall be evaluated on the basis of whether the final EIS, in its completed form, represents an informational instrument that fulfills the intent and provisions of chapter 343, HRS, and adequately discloses and describes all identifiable environmental impacts and satisfactorily responds to review comments.	<p>The Final EIS adequately discloses and describes all identifiable environmental impacts and satisfactorily responds to review comments. KWP worked with the agencies that commented on the Draft EIS to address concerns related to ground disturbance and impacts to soils, surface water, vegetation, habitat, and cultural resources. This resulted in a reduction to the proposed ground disturbance needed to perform maintenance activities at the wind farm site under the Proposed Action, additional commitments to BMPs to minimize impacts to soils, surface water, vegetation, habitat, and cultural resources, and clarification to commitments with existing preservation plans for historic sites within or adjacent to the Project Area.</p> <p>KWP maintains that the Final EIS contains the information required to fully inform the public of the environmental implications of the Proposed Action and No-action Alternative and discusses all reasonably foreseeable consequences of the action. Furthermore, KWP believes the Final EIS allows</p>

		the BLNR to make a sound decision on KWP's request for a long-term land lease and on the acceptance of the HCP and issuance of the ITL.
b	<p>A final EIS shall be deemed to be an acceptable document by the accepting authority only if all of the following criteria are satisfied:</p> <ul style="list-style-type: none"> <li>(1) The procedures for assessment, consultation process, review, and the preparation and submission of the EIS, from proposal of the action to publication of the final EIS, have all been completed satisfactorily as specified in this chapter;</li> <li>(2) The content requirements described in this chapter have been satisfied; and</li> <li>(3) Comments submitted during the review process have received responses satisfactory to the accepting authority, including properly identifying comments as substantive and responding in a way commensurate to the comment, and have been appropriately incorporated into the final EIS.</li> </ul>	See responses above to the EIS's compliance with HAR 11-200.1-5, 23, 24, 25, 26, and 27.

**Subject: Agenda Item D-14, Support for Kaheawa Wind Power I EIS**

Dear Chair Chang and Members of the Board of Land and Natural Resources,

My name is Tarah Lewis and I am submitting this testimony in **support** of the acceptance of the Environmental Impact Statement for Kaheawa Wind Power I.

By granting this EIS acceptance, the wind farm can continue operating as it is today and will continue to deliver a lower cost of electricity and a more reliable electric grid for Maui residents and businesses for the next 20 years.

Kaheawa Wind Power has long been an established and important contributor to Maui's clean energy goals. If it were taken offline, the island would have to turn to more fossil fuel generation, which would carry greater environmental cost to our community. Considering that up to 50% of the island's current fossil-fueled generation will be phased out in the coming years, Maui cannot afford to lose existing renewable electricity generation sources.

Moreover, a significant benefit of the project is a \$300,000-per-year program that will reinvest in Maui for the next 20 years, providing direct support for community-driven priorities and allowing the community to determine what initiatives matter most to them.

I urge the BLNR to approve the EIS and allow Kaheawa Wind 1 to continue to produce clean energy without interruption. Without this existing resource, Maui will face increased electricity costs and possible power outages, further worsening the cost of living.

Sincerely,

A handwritten signature in black ink, appearing to read "Tarah Lewis". The signature is fluid and cursive, with the first name "Tarah" written in a larger, more prominent script than the last name "Lewis".



**MAUI**  
CHAMBER OF COMMERCE  
VOICE OF BUSINESS

December 10, 2025

Board of Land and Natural Resources  
Dawn N. S. Chang, Chair  
Members of the Board of Land and Natural Resources

**RE: Agenda Item D-14, Strong Support for Acceptance of the Kaheawa Wind Power I Environmental Impact Statement**

Aloha Chair Chang and Members of the Board of Land and Natural Resources,  
On behalf of the Maui Chamber of Commerce, I am writing to express our strong support for the acceptance of the Environmental Impact Statement (EIS) for Kaheawa Wind Power I, one of Maui's important and longstanding renewable energy resources.

Kaheawa Wind Power I is already in full operation and has served Maui reliably for nearly two decades. Acceptance of this EIS will simply allow the project to continue operating exactly as it does today, on the same site, and within its existing project footprint, with no expansion or additional land impacts.

This continued operation is essential to keeping Maui's lights on with cleaner, more affordable, and more sustainable energy. Kaheawa Wind Power I lowers energy costs and strengthens Maui's grid reliability.

Maui businesses and residents continue to face some of the highest electricity costs in the nation—costs that directly affect household budgets, business viability, community well-being, and the overall cost of living.

Kaheawa Wind Power I delivers:

- Lower-cost renewable electricity
- Greater grid reliability and stability
- Reduced dependency on imported fossil fuels
- Immediate economic benefits to homes, businesses, and industry

If this Wind Power I project were taken offline, Maui would be forced to replace its output with fossil-fuel generation—leading to higher electricity rates, increased emissions, and deeper vulnerability in our already fragile energy and economic landscape. With significant fossil-fueled generation expected to retire in the coming years, Maui cannot afford to lose a single megawatt of existing renewable energy.



# MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

Board of Land and Natural Resources  
December 10, 2025  
Page 2.

We also see Kaheawa Wind Power I as a key partner in Maui's sustainability and clean energy future as it continues to support:

- Hawai'i's 100% renewable energy goals
- The state's decarbonization and climate resilience commitments
- Reduced fossil-fuel dependency
- Smaller environmental footprints compared to conventional generation
- Protection of Maui's natural environment

Further, we applaud the project's long-term commitment to community investment, reinvesting \$300,000 per year into Maui's community for the next 20 years, enabling residents to direct funds to the initiatives and priorities that matter most to them. This locally guided structure ensures that:

- Dollars stay in Maui
- Projects reflect community values
- Investments strengthen long-term resilience and quality of life

This is corporate citizenship at its best — consistent, responsible, and aligned with community needs.

For these reasons—economic stability, environmental protection, energy reliability, community investment, and alignment with Maui County and statewide sustainability goals— we are pleased to extend our support for this project and urge the Board of Land and Natural Resources to approve the EIS for Kaheawa Wind Power I so they can continue providing clean, reliable, lower-cost energy for the next 20 years.

Mahalo for the opportunity to share our support. We appreciate your thoughtful consideration of this matter.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



**From:** [aaron@rojacmaui.com](mailto:aaron@rojacmaui.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Kaheawa Wind Farm  
**Date:** Wednesday, December 10, 2025 7:19:37 AM

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To Whom It May Concern,

We are aware that the Kaheawa Wind Farm is seeking approval from the State board to operate for another 20 years and would like to submit our support letter in hopes that the State will approve the windfarm's request (Agenda Item D14).

If you should have any questions, please feel free to contact me at 808-986-1105.

Thank you,

*Aaron Ringstad*

Contracts Manager  
ROJAC Construction, Inc.  
150 Pakana Street  
Wailuku, Hawaii, 96793  
(808) 986-1105 PH  
(808) 986-1106 FAX

**Subject: Agenda Item D-14, Support for Kaheawa Wind Power I EIS**

Dear Chair Chang and Members of the Board of Land and Natural Resources,

[My name is Kahea Silva on behalf of myself (business name)] and I am submitting this testimony in **support** of the acceptance of the Environmental Impact Statement for Kaheawa Wind Power I.

By granting this EIS acceptance, the wind farm can continue operating as it is today and will continue to deliver a lower cost of electricity and a more reliable electric grid for Maui residents and businesses for the next 20 years.

Maui's businesses and residents continue to experience high electricity costs and uncertainty about the island's energy future. Kaheawa Wind Power I has been a longstanding and essential contributor to Maui's clean energy goals. If the project were taken offline, the island would be forced to rely on additional fossil-fuel generation, resulting in greater environmental impacts. With a significant amount of Maui's existing fossil-fueled generation expected to retire in the coming years, the island cannot afford to lose any of its current renewable energy resources.

Moreover, a significant benefit of the project is a \$300,000-per-year program that will reinvest in Maui for the next 20 years, providing direct support for community-driven priorities and allowing the community to determine what initiatives matter most to them.

I urge the BLNR to approve the EIS and allow Kaheawa Wind Power 1 to continue to produce clean energy without interruption. Without this existing resource, Maui will face increased electricity costs, further worsening the cost of living.

Sincerely,

*C. Kahealani Silva*

[Name]

[Business Name]

# Subject: Agenda Item D-14 – Support for Kaheawa Wind Power I EIS

Dear Chair Chang and Members of the Board of Land and Natural Resources,

## Introduction

My name is Eric Paranada, and I am submitting this testimony on behalf of Valley Isle Fencing, to express strong support for the acceptance of the Environmental Impact Statement (EIS) for Kaheawa Wind Power I.

## Importance of EIS Acceptance

Approving the EIS will enable the Kaheawa Wind Power I wind farm to continue its current operations. This continuation is crucial for delivering lower electricity costs and enhancing the reliability of Maui's electric grid for both residents and businesses over the next 20 years.

## Current Energy Challenges and Project Significance

Maui's residents and businesses are currently burdened with high electricity costs and ongoing uncertainty regarding the island's energy future. Kaheawa Wind Power I has been a foundational asset in advancing Maui's clean energy goals for many years. If this project were to be taken offline, the island would be forced to increase its reliance on fossil-fuel generation, which would have greater negative environmental impacts. With much of Maui's existing fossil-fueled generation expected to retire soon, it is imperative that the island retains all its current renewable energy resources.

## Community Investment and Benefits

One of the key benefits of the Kaheawa Wind Power I project is its \$300,000-per-year community reinvestment program, which will run for the next 20 years. This initiative provides direct support for community-driven priorities, empowering the community to decide which initiatives are most important to them.

## Conclusion and Recommendation

For these reasons, I strongly urge the Board of Land and Natural Resources to approve the EIS and allow Kaheawa Wind Power I to continue generating clean energy without interruption. Losing this essential resource would lead to higher electricity costs and further exacerbate the cost of living on Maui.

Sincerely,

Eric Paranada  
Project Superintendent  
Valley Isle Fencing