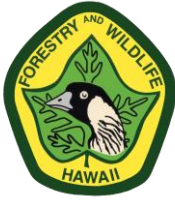
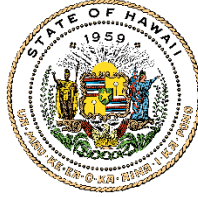


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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

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

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

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

February 21, 2025

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

SUBJECT: Division of Forestry and Wildlife Evaluation of the Kahuku Wind Project
Habitat Conservation Plan Implementation During Fiscal Year 2024 +
Quarters 1 and 2 of Fiscal Year 2025

Dear Committee Members,

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) is respectfully requesting the Endangered Species Recovery Committee (ESRC) review the Kahuku Wind Energy Project annual report in accordance with the requirements outlined in Section 195D-25, Hawaii Revised Statutes. The annual report was prepared by Tetra Tech on behalf of Kahuku Wind Farm (licensee) as part of the obligations of the Kahuku Wind Energy Habitat Conservation Plan (HCP; SWCA 2010) and State Incidental Take License (ITL; ITL-10).

This submittal is a summary of the FY 2024 annual report and Q1 and Q2 FY 2025 reports and includes comments from DOFAW.

BACKGROUND

ITL Licensee: Kahuku Wind Power, LLC
(Note that Terraform Power owns Kahuku, LLC)

Project: Twelve WTGs with a total 30-MW energy generating capacity ITL
Duration: June 7, 2010 – June 7, 2030 (as of December 2024, 14.5 years (73%)
through the permit term).

Status of ITL: There were **2** reported Hawaiian hoary bat fatalities during the FY 2024 reporting period. During Q2 of FY 2025, there were two additional reported Hawaiian hoary bat fatalities, bringing the cumulative adult take estimate to **27 (24 direct +3 indirect)** as of December 2024. No observed fatalities at the wind farm site have been reported for other HCP covered species at the project to date. The licensed **take limit is 23 bats**.

Table 1. Total direct and indirect take and estimated total adjusted take since ITL issuance under the Kahuku Wind Power ITL as of December 31st, 2024.

Common Name	Total Direct Take (unobserved and observed)¹	Indirect Take using HCP multipliers²	Total Estimated Take
Hawaiian Hoary Bat	24	3	27

¹ Based on the 80% credible maximum using the following model: Dalthorp, D., M. M. P. Huso, and D. Dail. 2017. Evidence of absence (v 2.0) software user guide: U.S. Geological Survey Data Series 1055.

² DNA results have identified the sex of nine of the ten bat fatalities detected at the project, confirming that six of the fatalities were female. Sex identification of one carcass did not yield a confirmed sex, and the last two carcasses were genotyped as male. There is one pending carcass. These results have been provided directly from Bishop Museum as of February 2025.

Total Projected Take at the End of the License Term:

Cumulative bat take through FY 2024 has exceeded the permitted amount of take. Kahuku has initiated the development of an HCP amendment with agencies to address the take exceedance.

Avoidance and Minimization Measures Implemented:

Kahuku has been acoustically monitoring for bats at the site since the start of operations in 2011. Annual detection rates have been consistently low, although in FY 2023 and FY 2024 the rates were higher than previous years. Furthermore, adaptive management measures have been implemented at the wind farm and include adjustments in vegetation management and scavenger control efforts as well as continuing a project wide Low Wind Speed Curtailment of all turbines from April through November. Moreover, Kahuku has been consulting USGS on the idea of a Smart Curtailment program for adaptive wind turbine curtailment and is intending to use acoustic data for this analysis. Finally, Kahuku started planning for the installation of acoustic bat deterrents in FY 2024. Resultingly, deterrents are anticipated to be installed in March of 2025. Thermal cameras that will be utilized to evaluate bat behavior in response to the deterrents are anticipated to be installed before the deterrents, at the end of February 2025.

Mitigation Status:

Hawaiian hoary bat: Tier 1 mitigation is complete. Kahuku is currently implementing the Tier 2 Hawaiian Hoary Bat Mitigation Plan focusing on improving edge and foraging habitat for bats in the Helemano Section of the 'Ewa Forest Reserve. It was finalized and approved by the agencies and ESRC in April of 2024. The Final Implementation Plan was submitted to DOFAW and USFWS on October 10, 2024. A Memorandum of Understanding (MOU) between DOFAW and Terraform was signed in October of 2024 as well, and a Special Use Permit (ODF-110824SUP) from DOFAW was issued on November 26, 2024. Plan implementation began in December 2024 with the clearing of vegetation within the bat foraging corridors. As of February 2025, vegetation clearing of parcels 1, 2, and 4 have been completed, and vegetation clearing within parcel 3 has begun and is anticipated to finish in March. Kahuku is planning to submit a review request for Hawaiian historical sites at Helemano to the Hawai'i State Historic Preservation Division, in March, regarding any potential impacts to historic sites from water tank installation, piping, and barbed wire fence removal.

Waterbirds, short-eared owl, seabirds: Tier 1 mitigation completed; no additional mitigation is needed at this time.

FY 2023 Annual Review:

The ESRC made the following recommendations at the **FY 2023 annual review** meeting that ***Kahuku incorporated*** in the **FY 2024 actions:**

- ESRC: Voted to clarify the previously approved vote that the intention is the removal of 100% of barbed wire (all) and replace with appropriate alternative to barbed wire in the Helemano Mitigation Area for the Kahuku Tier 2 mitigation plan.
 - Licensee Action: Barbed wire removal was agreed upon by the licensee in the Tier 2 Hawaiian Hoary Bat Mitigation Plan that was approved by the agencies in April 2024, with the Memorandum of Understanding and associated Implementation Plan signed and approved in October 2024. The plan is currently being implemented. The barbed wire fence removal and piping for the water tank is anticipated to occur after bat pupping season ends due to the current focus on bat lanes clearing and removal of vegetation as well as the requirements for Hawai'i State Historic Preservation Division's (SHPD) review before the removal and replacement of the fence as it may implicate Hawaiian historic sites. There is a 45-day minimum turnaround time for an analysis from SHPD, and bat pupping season runs from June 1st to September 15th.

Issues & Concerns:

KAH has exceeded its permitted take under its current license and is now seeking a new ITL and an Incidental Take Permit (ITP) to cover additional take. KAH submitted a Letter of Intent for the development of a new habitat conservation plan/amendment for the 'ōpe'ape'a to agencies on April 5, 2024, and has been actively working with both agencies on development of the amendment. Kahuku brought the amendment concept to the ESRC in September of 2024.

- Amendment to the HCP needed.
 - At 27 estimated cumulative take of bats, licensee has exceeded their ITL allotted take (ITL limit of 23 bats)
- High rate of bat take-exceeded expected average rate of take.

AGENCY RECOMMENDATIONS:

Per the Kahuku HCP **Section 8.10.2**, “An amendment to the ITL requires written notification to DLNR requesting for an amendment to the HCP addressing the new circumstance(s). Such applications typically require a revised HCP, a complete application form with appropriate fees, a revised implementing agreement and may require environmental review documents in accordance with NEPA. The specific documents required may vary based on the nature of the amendment.” The licensee has been meeting with DOFAW regarding this amendment throughout 2024. DOFAW has provided oral communication, document review, and two rounds of written comments on an HCP amendment concept, and the ESRC provided initial comments on the concept document for Kahuku in September 2024. DOFAW recommends that the licensee incorporate agency comments and ESRC feedback, and submit a draft amendment as soon as possible so DOFAW can review and bring it before the ESRC as part of the approval process.

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

Respectfully submitted,

for DGS *Robert Hauff*
DAVID G. SMITH
Administrator