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SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
OFFICE OF CONSERVATION AND COASTAL LANDS
P.O. BOX 621
HONOLULU, HAWAII 96809

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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: TF

COR: MA 26-76

James T. Hayes
Planning Solutions, Inc.
Pacific Park Plaza, Suite 950
711 Kapiolani Boulevard
Honolulu, HI 96813

11/26/2025

SUBJECT: Pre-Assessment Consultation Regarding the Proposed Hawaiian Electric Haleakala Resiliency Project
Located near Haleakala Observatories
Por. Kula, Makawao, Island of Maui
Tax Map Keys (TMKs): (2) 2-2-007:005, 006, 008, 013, and 014, and (2) 2-3-005:001 and 002

Dear James T. Hayes:

The Office of Conservation and Coastal Lands (OCCL) has reviewed your letter and attachments regarding the subject matter. According to your letter, Planning Solutions, Inc. (PSI) is assisting Hawaiian Electric (HECO) with environmental review and permitting requirements for the proposed HECO Haleakala Resiliency project.

The letter notes that the purposes of the proposed Haleakala Resiliency Project are to improve the resiliency of HECO's transmission and distribution facilities at or near the Haleakala summit by making them less vulnerable to harsh weather conditions, reduce potential outages for customers on the circuit, and to reduce potential harmful interactions between the facilities and native protected seabirds that nest on Haleakala.

The proposed project would involve the replacement and altering of HECO's existing facilities consisting of wires on roughly 40ft tall wood poles along an approximately 2.7-linear-mile-long corridor. The above ground conduit and poles would be replaced with 6ft tall steel posts, with approximately 3ft of the posts embedded in the ground, spaced approximately every 20 to 35 linear feet. The proposed replacement and alteration would result in lowering the above ground conduit from 40ft to 3ft above the ground. The letter states that the Haleakala Resiliency Project is associated with HECO's consent order and applications for an incidental take license (ITL) and Habitat Conservation Plan (HCP).

HECO and PSI are proposing to initially prepare a draft Environmental Assessment (EA) in compliance with Hawaii Revised Statutes (HRS) Chapter 343 and Hawaii Administrative Rules (HAR) Chapter 11-200.1 to inform decisions regarding a Conservation District Use Application (CDUA) for the project. HECO and PSI believe that OCCL will be the approving agency and as such, are requesting that assuming an EA is determined to appropriate, the Draft EA and the CDUA for the project be processed in parallel. Additionally, HECO and PSI are coordinating with the National Park Service regarding federal environmental reviews and permits for the project as a segment of the project lies within the Haleakala National Park.

On behalf of HECO, PSI is seeking early consultation comments on the proposed Haleakala Resiliency Project in advance of preparing and drafting its environmental review documents.

The OCCL notes that the proposed Haleakala Resiliency Project lies within the Limited, Resource, and General Subzones of the State Land Use Conservation District. OCCL understands that Haleakala is a naturally and culturally sensitive environment.

We stand by comments provided and contained in our September 18, 2025, letter regarding the proposed project (Ref. COR: MA 26-38 - Attached). Based on the information you have provided, preliminarily it appears that the proposed Hawaiian Electric Haleakala Resiliency Project is an identified land use that may be applied for pursuant to Hawaii Administrative Rules (HAR) § 13-5-22 P-6 PUBLIC PURPOSE USES (D-1).

OCCL will defer to DOFAW regarding potential impacts to avian species that may occur within the project area and the proposed project. With that said, we also request that the draft environmental review document contain data regarding flight paths and nesting patterns of native protected seabirds and potentially nene (Hawaiian goose) within or near the project area and potential impacts and proposed mitigation in addition to the comments and questions offered in our September 18, 2025, letter.

OCCL requests that HECO and PSI clarify the terms of the HECO consent order, the issues that must be resolved, and the related compliance requirements. Based on the information by HECO and PSI - including statements that the proposed project is associated with a consent order and with applications for an ITL and HCP - it appears that the Haleakala Resiliency Project may serve as potential mitigation for incidental take of native protected seabirds. OCCL therefore requests that HECO and PSI further explain whether the proposed Haleakala Resiliency Project is part of a larger program or action as well.

Regarding HECO and PSI's request to process the project's environmental review document and CDUA in parallel, OCCL's preference would be that the environmental review processes be completed, and approval for the HCP and authorization for the ITL obtained prior to submitting a complete CDUA.

If HECO and PSI choose to submit a CDUA and Draft EA or EIS for parallel processing, they do so with the understanding that if it is determined that an EIS will be required or that an EIS cannot be completed within the statutorily required 180-day timeline for processing of an accepted CDUA, HECO and PSI may have to withdraw the application or expect a potential negative recommendation to the Board on the application and proposed use.

Should you have any questions regarding this matter, contact Trevor Fitzpatrick of our Office at trevor.j.fitzpatrick@hawaii.gov or (808) 578-0378.

Sincerely,

S Michael Cain

Michael Cain, Administrator
Office of Conservation and Coastal Lands

CC: *DOFAW*
Na Ala Hele
Maui District Land Office
County of Maui Planning Department

Attachment: COR: MA 26-38

JOSH GREEN, M.D.
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SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL: TF

COR: MA 26-38

James T. Hayes
Planning Solutions, Inc.
Pacific Park Plaza, Suite 950
711 Kapiolani Boulevard
Honolulu, HI 96813

09/18/2025

SUBJECT: Request for Consultation Regarding the Proposed Hawaiian Electric Haleakala Resiliency Project
Located near Haleakala Observatories
Por. Kula, Makawao, Island of Maui

Dear James T. Hayes:

The Office of Conservation and Coastal Lands (OCCL) has reviewed your letter dated August 21, 2025, and attachments regarding the subject matter. According to your letter, Planning Solutions, Inc. (PSI) is assisting Hawaiian Electric with the planning and permitting associated with the proposed Hawaiian Electric Haleakala Resiliency Project.

The letter notes that the proposed project would involve the replacement and altering of Hawaiian Electric's existing facilities consisting of wires on roughly 40ft tall wood poles along an approximately 2.7-linear-mile-long corridor. The letter states that the above ground conduit and poles would be replaced with 6ft tall steel posts, with approximately 3ft of the posts embedded in the ground, spaced approximately every 20 to 35 linear feet.

The proposed replacement and alteration would result in lowering the above ground conduit from 40ft to 3ft above the ground. As these Hawaiian Electric facilities appear to have been built in the 1960s, the letter notes that the replacement and alteration are needed due to the age of the structures and are intended to make them less vulnerable to harsh weather conditions, reduce potential harmful interactions with native protected species that may utilize the area, and improve view planes.

The letter states that PSI believes that the proposed Hawaiian Electric Haleakala Resiliency Project is consistent with Hawaii Administrative Rules (HAR) § 13-5-22 P-8 STRUCTURES AND LAND USES EXISTING (D-1).

The OCCL regulates land uses in the State Land Use Conservation District through the issuance of Conservation District Use Permits and Site Plan Approvals to help conserve, protect, and preserve important natural and cultural resources. Based on the information you have provided, it appears that the proposed Hawaiian Electric Haleakala Resiliency Project may occur in the Limited, Resource, and General Subzones of the State Land Use Conservation District.

In the future, please ensure that correspondences regarding potential projects in the Conservation District include locational information, such as Tax Map Key (TMK) numbers, to help staff understand where the proposal may occur and assist in researching Department files for the proposed affected area(s).

Based on the information you have provided, preliminarily it appears that the proposed Hawaiian Electric Haleakala Resiliency Project is an identified land use that may be applied for pursuant to Hawaii Administrative Rules (HAR) § 13-5-22 P-6 PUBLIC PURPOSE USES (D-1) *Not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government, or by an independent non-governmental entity, except that an independent non-governmental regulated public utility may be considered to be engaged in a public purpose use. Examples of public purpose uses may include but are not limited to public roads, marinas, harbors, airports, trails, water systems and other utilities, energy generation from renewable sources, communication systems, flood or erosion control projects, recreational facilities, community centers, and other public purpose uses, intended to benefit the public in accordance with public policy and the purpose of the conservation district*. This requires the filing of a Conservation District Use Application (CDUA) for a Board permit along with the appropriate application fee and required attachments such as, but not limited to, an environmental disclosure document consistent with Hawaii Revised Statutes (HRS) Chapter 343 and HAR Chapter 11-200.1. CDUAs can be found at https://dlnr.hawaii.gov/occl/application-process/ . To allow, modify, or deny the proposed use would be at the discretion of the Board of Land and Natural Resources (BLNR).

Please note that the Department reserves the right to adjust the level of permitting based on subsequent information provided.

Applications for proposed land uses on land not owned by the applicant require the landowner's or landowners' signature. See HAR § 13-5-31 Permit applications..

The OCCL suggests that the application and its attachments address the following comments and questions:

- Did PSI and Hawaiian Electric consult with the Division of Forestry and Wildlife (DOFAW) regarding the proposed project?
    - If so, what were DOFAW's comments?
- The letter notes that one of the purposes of the project *is to reduce the potential harmful interactions between the facilities and native, protected seabirds that nest on Haleakala.*
    - Has Hawaiian Electric documented or is aware of harmful interactions between its facilities and native protected species that may utilize the area?
- Did PSI and Hawaiian Electric consult with Na Ala Hele regarding proposed trails in the area?

  - If so, what were Na Ala Hele's comments?
  - Are there known or existing trails in the proposed project area?
- Did PSI and Hawaiian Electric consult with Native Hawaiian groups, cultural practitioners, hikers, hunters, and cyclists who may traverse up and down the slopes of Haleakala and the proposed project area?
- Did PSI and Hawaiian Electric consult with the DLNR Land Division and its Maui District Land Office regarding land dispositions for this electrical line?
  - Are there existing disposition(s) for these electrical lines?
  - If so, what do they allow for?
  - If not, what will be required?
- Please provide further clarification of the letter's Figure 1.
  - Is the proposed work to be completed in phases?
  - What is the sequencing?
  - Is this the entire 2.7-linear-mile-long corridor? Or is it the 7.6-mile circuit?
  - What TMKs or parcels encompass the project location?
- What is Hawaiian Electric proposing to do with the remaining 4.9 miles of the 7.6-mile circuit? When and how will that be replaced? Is that also in the Conservation District?
- Provide evidence that the proposed project consistent with Haleakala Observatories Management Plan for Monitoring Strategies, Cultural and Historic Preservation Management, Environmental Protection of Site Resources, Construction Practices, and Facility Design Criteria.
- Please provide the preliminary or a view plane analysis conducted for the proposed project.

Should you have any questions regarding this matter, contact Trevor Fitzpatrick of our Office at trevor.j.fitzpatrick@hawaii.gov or (808) 578-0378.

Sincerely,

S Michael Cain

Michael Cain, Administrator
Office of Conservation and Coastal Lands

CC: DOFAW
Na Ala Hele
Maui District Land Office
County of Maui Planning Department

TF

MA 26-76

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2025 OCT 31 P 2:01

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

October 31, 2025

Michael Cain, Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
PO Box 621
Honolulu, Hawai'i 96809

Subject: **Pre-Assessment Consultation**
Proposed Hawaiian Electric Haleakalā Resiliency Project
Portions of TMKs (2) 2-2-007:005, 006, 008, 013, and 014; and 2-3-005:001 and 002

Dear Mr. Cain:

Mahalo for your letter dated September 18, 2025 (COR: MA-26-38) regarding the Haleakalā Resiliency Project ("Project"). Planning Solutions, Inc. (PSI) and Hawaiian Electric Company, Inc. ("Hawaiian Electric") understand your office considers the Project to be a P-6 Public Purpose Use and it will require a Conservation District Use Permit (CDUP) issued by the Board of Land and Natural Resources (BLNR). An Environmental Assessment ("EA") will initially be prepared in compliance with Hawai'i Revised Statutes (HRS) Chapter 343 to inform decisions regarding the CDUP. Additionally, because a small segment of the Project will be located in the National Park, we will also be coordinating the National Park Service regarding federal environmental reviews and permits.

In accordance with HRS Chapter 343, the Project is an "applicant action" requiring at least an EA because it (a) involves the use of state-owned land and land classified as a conservation district by the state land use commission; (b) requires a discretionary approval, the CDUP; and (c) is not considered an exempt class of action. The EA will meet all the content requirements contained in Hawai'i Administrative Rules, Title 11, Chapter 200.1. We understand OCCL will be the approving agency and, assuming an EA is determined to be appropriate, we ask that OCCL process the EA and Conservation District Use Application in parallel. Parallel processing is important to Hawaiian Electric because the Project is associated with a Habitat Conservation Plan and applications for take licenses and permits for endangered seabirds that are on a schedule for completion pursuant to a consent order.

The purpose of the proposed Project is to improve the resilience of Hawaiian Electric's transmission and distribution facilities in the alpine region by making them less vulnerable to the harsh weather conditions. Project goals include reducing the potential for outages for customers on the circuit. Another purpose is to reduce the potential for harmful interactions between the facilities and native, protected seabirds that nest on Haleakalā.

Figures 1 and 2 illustrates the approximate geographic extent of the Project. Existing facilities consist of roughly 2.7 linear miles of 4 or 23 kilovolt (kV) power lines on wood poles above

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an elevation of roughly 9,200 feet. Several Project alternatives have been and will continue to be considered. Design alternatives include: (a) above-ground fiberglass conduits, the preferred alternative, or galvanized steel conduits (Figure 3); (b) on-ground cable box; (c) overhead lines on wood or steel poles; and (d) underground conduit. Alignment alternatives include using the existing alignment, the preferred alternative, or moving the alignment adjacent to existing roads.

The lines are identified as various segments on Figure 1. The numbered segments are 4 kV and the alphanumeric segments are 23 kV. It is currently envisioned the proposal will be implemented in phases as identified on Figure 1, with phase 1a implemented first, followed by phase 1b, and then phase 2. Hawaiian Electric currently has 60-foot-wide easements for most of the segments, except for some of the segments on TMKs 2-2-007:005 and 008. As part of the proposal, Hawaiian Electric proposes to extend segment 3 with segment 3E and eliminate segments 1 and 2. Hawaiian Electric proposes to install the above-ground conduit roughly 10 feet offset from the existing wood pole alignment, energize the new lines, and then remove the existing wood poles and overhead wires.

The 23 kV line extends downslope beyond the limits of the proposed Project (it extends downslope from the northern end of segment B). The corridor remains in the Conservation District to an elevation of roughly 7,500 feet, or roughly 1.7 linear miles from the terminus of the proposed Project. The portion of the 23 kV line below the Project is not as likely to experience the weather impacts that affect resilience and it is believed to be in an area where seabirds interactions are less likely. There is a future scenario where work may be done in the areas below the current Project; however, Hawaiian Electric does not propose to modify it at this time.

PSI and Hawaiian Electric are consulting with the Division of Forestry and Wildlife (DOFAW), Na Ala Hele, and the Department of Land & Natural Resources-Land Division and expects to meet with them soon. We will share their input with you. We will also seek input from others during the EA scoping process, including the National Park Service, University of Hawai'i (UH), Native Hawaiian organizations (NHOs), cultural practitioners, hikers, hunters, and cyclists. All input received will be appended to the Draft EA.

At this time, we are seeking input from your office and other stakeholders on the following topics:

- The range and content of the alternatives to be considered in the Draft EA.
- The nature and scope of the analyses to be included in the Draft EA.
- Information regarding resources, uses, activities, and/or other projects planned in the region.
- Known cultural sites and/or resources and measures to avoid adverse effects to them and ensure continued access for cultural practices.
- Potential environmental impacts and measures to avoid, minimize, or mitigate those impacts.

Please provide your written comments within thirty (30) days of the date of this letter. Comments should be sent to:

James Hayes
Planning Solutions, Inc.
711 Kapi'olani Boulevard, Suite 950
Honolulu, HI 96813
jim@psi-hi.com

Thank you for participating in the pre-assessment process for the proposed Project. If you have any questions or would like clarification regarding the proposed Project, please contact me at jim@psi-hi.com or (808) 550-4559.

Sincerely,

James T. Hayes
Principal Environmental Planner

Attachments

Figure 1: Location Map, Haleakalā Resiliency Project

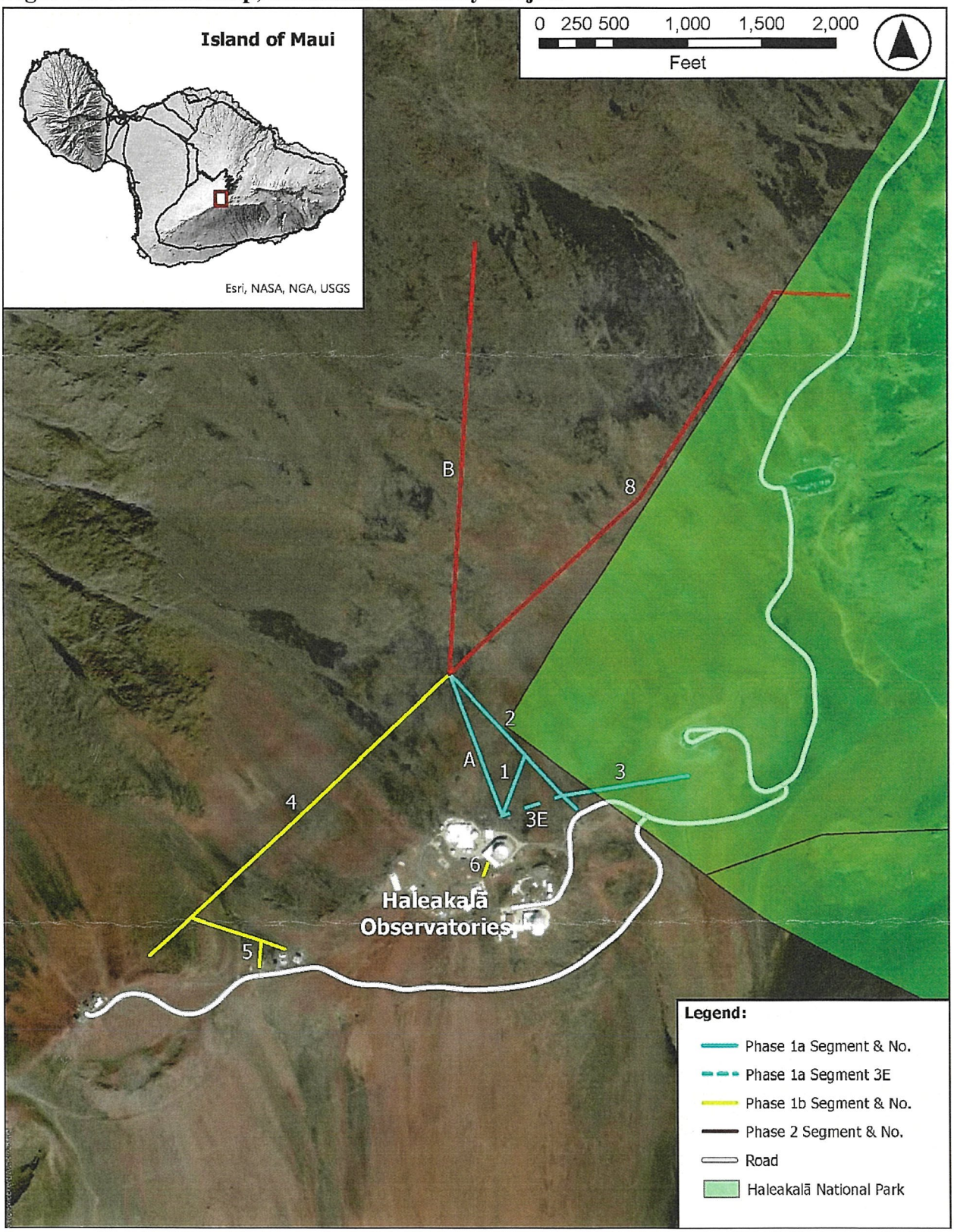


Figure 2: TMK Map, Haleakalā Resiliency Project

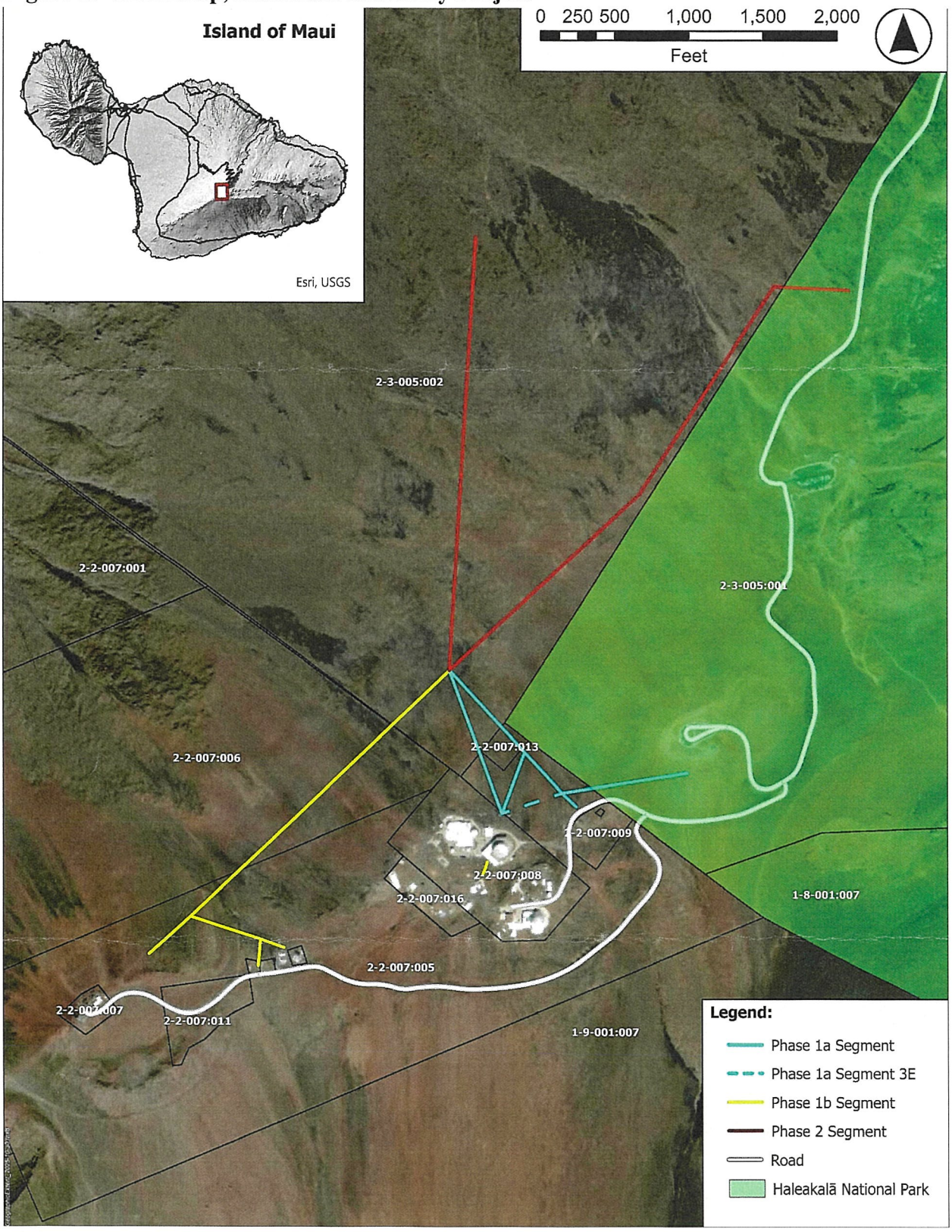


Figure 3: Above-Ground Electrical Conduit

