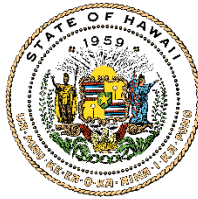


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

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

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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
WATER & LAND

Thursday, March 13, 2025
9:00 AM

State Capitol, Conference Room 411 and Via Videoconference

In consideration of
SENATE BILL 849, SENATE DRAFT 1
RELATING TO WILDLIFE CONSERVATION

Senate Bill 849, Senate Draft 1, proposes increasing penalties and fees for taking and killing indigenous species of aquatic life, wildlife, and land plants that are native to the state. It designates penalties for the taking, harming, or killing of an 'io. **The Department of Land and Natural Resources (Department) supports this measure.**

'Io are listed as endangered birds under Exhibit 2 of Chapter 13-124, Hawai'i Administrative Rules. Therefore, intentional taking, harming, or killing of an 'io is prohibited and subject to penalties outlined in HRS §195D-9. SD1 of this bill would provide added protection of 'io if the Department determines it is warranted to remove 'io from the endangered birds list. On February 3, 2020, 'io were delisted under the federal Endangered Species Act of 1973 but do receive federal protection from intentional take under the Migratory Bird Treaty Act. It should be noted that if the Department determines it is warranted to remove 'io from the endangered bird list, this bill protects 'io from intentional take, but project operators would not be required to avoid, minimize, and mitigate take of 'io if take occurs incidentally because of the normal operation of a project.

As described in this bill, the penalty for violating terms of Chapter 195D, Hawai'i Revised Statutes, would be increased from a misdemeanor for all offenses to a class C felony for a second or subsequent offenses. The bill also increases administrative fines that the Department or a court may impose and includes an option for rehabilitative community service. The Department supports this portion of the bill because we consider offenses to threatened and endangered species

to be severe, and we expect that higher fines would deter violations of Chapter 195D, Hawai'i Revised Statutes. The Department also supports the use of rehabilitative community service as a remedial tool, where it is warranted to teach compassion towards Hawai'i's native species.

Mahalo for the opportunity to provide testimony in support of this measure.

SB-849-SD-1

Submitted on: 3/11/2025 10:01:18 PM

Testimony for WAL on 3/13/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawai'i Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

SUPPORT!

SB-849-SD-1

Submitted on: 3/10/2025 8:07:44 PM

Testimony for WAL on 3/13/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. Mahalo.

SB-849-SD-1

Submitted on: 3/11/2025 7:32:01 AM

Testimony for WAL on 3/13/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan P. Armstrong	Individual	Support	Written Testimony Only

Comments:

Testimony in support without elaboration, none being needed.

SB-849-SD-1

Submitted on: 3/12/2025 6:12:44 PM

Testimony for WAL on 3/13/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Uilani Naipo	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure.