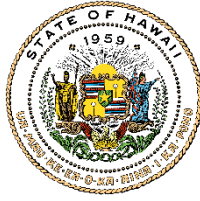


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
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STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
AGRICULTURE AND ENVIRONMENT

Thursday, February 5, 2025
1:03 PM
State Capitol, Conference Room 224 and Via Videoconference

In consideration of
SENATE BILL 849
RELATING TO WILDLIFE CONSERVATION

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

'Io are listed as endangered under Exhibit 2 of Chapter 13-124, Hawai'i Administrative Rules, and the intentional taking, harming, or killing of an 'io is prohibited. The bill, as written, would provide added protection for 'io in case the Department determines it is warranted to remove 'io from the endangered bird list.

As described in this bill, the penalty for violating terms of Chapter 195, 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 enhanced penalties because offenses to threatened and endangered species are severe, and we expect that higher fines would deter violations of Chapter 195D, Hawai'i Revised Statutes.

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

SB-849

Submitted on: 2/1/2025 11:19:36 AM

Testimony for AEN on 2/5/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	Written Testimony Only

Comments:

Support!

SB-849

Submitted on: 2/1/2025 4:36:40 PM

Testimony for AEN on 2/5/2025 1:03:00 PM

Submitted By	Organization	Testifier Position	Testify
Ron Tubbs	Individual	Support	Written Testimony Only

Comments:

I support the intention of this bill but suggest few changes. Aquatic species is vague and no broadcast breeder fish is red listed by IUCN. Nearly all of Hawaii's fish species are "Least Concern" classification by IUCN. As far as I know there are no red listed aquatic indigenous species in Hawaii. Therefore "aquatic species" should be changed to "illegally taken marine species on IUCN Red List".

Since the introduction of the first men to Hawaii in 400 A.D., land-based species have resulted in over 100 endemic plant species, 30 bird species, 74 insect species, and 41 tree snails [becoming endangered or extinct](#). Insects, Birds, snails, and many others are listed as Hawaii IUCN red species of concern. In 2023 8 more birds were removed from the Federal Lists of Endangered and Threatened Wildlife and Plants due to their confirmed extinction.

Marine Fish are more immune to global warming impacts, and No Pacific marine fish species have become extinct over the past historical period. Looking at the marine species extinctions of the past five global extinction-level events, marine fish are more immune to global impacts and will out-survive land-based species. It should be noted, however, that marine mammals and their low, long reproductive cycles make them more vulnerable than broadcast-spawning highly reproductive marine fish species.

Marine fish's vast geographical distribution, due to broadcast breeding and larval distribution over as much as five thousand miles and even other oceans like the Atlantic and Indian Ocean from and to Hawaii, makes them much *less vulnerable* to fishing and environmental impacts. Marine fish are more resistant to global warming temperature changes, pH changes, salinity changes, and other ecological changes than land-based species. Ocean Depth habitat range, the latitude of the Hawaiian Islands chain from 19 degrees to 28 degrees latitude, and 1500 miles of 132 atolls, reefs, and shoals create a vast, unique habitat range protecting Hawaii's ocean biodiversity. Seventy percent of the earth is ocean, making marine fish in Hawaii less vulnerable to point-source pollution and global warming.

In Hawai'i, there are three species of marine mammals that are listed as threatened or endangered and protected under the Endangered Species Act. These include the Main **Hawaiian Islands insular false killer whale**, the sperm whale, and the Hawaiian monk seal.

Thanks, Ron Tubbs B.S. N.D. UHM

