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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
JUDICIARY & HAWAIIAN AFFAIRS

Monday, March 29, 2021
2:00 PM

State Capital, Via Videoconference, Conference Room 325

In consideration of
HOUSE CONCURRENT RESOLUTION 69, HOUSE DRAFT 1/
HOUSE RESOLUTION 58, HOUSE DRAFT 1
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
SUBMIT A PETITION TO LIST THE PUEO AS A THREATENED OR ENDANGERED
SPECIES UNDER THE ENDANGERED SPECIES ACT.

House Concurrent Resolution 69, House Draft 1/House Resolution 58, House Draft 1 requests that the Department of Land and Natural Resources (Department) petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service (USFWS), to protect the pueo (Hawaiian short-eared owl, *Asio flammeus sandwichensis*) as a threatened or endangered species. **The Department supports these resolutions and offers the following comments.**

Federal listing follows a strict process and analysis. Under the federal definitions, a species is listed as either an endangered species or threatened species depending on its status and the degree of threat it faces. An “endangered species” is one that is in danger of extinction throughout all or a significant portion of its range. A “threatened species” is one that is likely to become endangered in the foreseeable future throughout all or a significant portion of its range. A species is added to the federal list when it is determined to be an endangered or threatened species because of any of the following factors: (1) the present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms; (5) other natural or manmade factors affecting its survival.

The Department believes that listing the pueo as a threatened or endangered species by the USFWS would increase protections for the species and align the protections afforded to pueo by both federal and state governments.

The Department lists the population of pueo on the island of O‘ahu as endangered under Hawaii Administrative Rules Chapter 13-124. Extensive loss of habitat owing to wide-ranging cattle pasturage, and conversion of large tracts of undeveloped land to residential and commercial uses, especially on O‘ahu, are thought to be contributors to the species’ decline. In addition to habitat destruction, the introduction of mammalian predators including cats, dogs, pigs, and mongoose, as well as trampling of nests by cattle, are potential threats to this ground-nesting species.

Due to its wide range and cryptic nature, no comprehensive population estimates have been conducted for this species. Reliable population estimates for a low-density and wide-ranging species such as the pueo are difficult to ascertain and requires significant effort. As such, relatively little information is available about the biology, habitat needs, limiting factors, or distribution of the pueo. A listing petition may move such research and inventory up in priority.

The Department recommends further studies be conducted on the pueo to increase our understanding on the population trends, distribution, genetics, and threat assessment, in support of a Federal listing determination. At this time, the lack of information is the greatest challenge in the conservation of this species.

Thank you for the opportunity to comment on these measures.

HR-58-HD-1

Submitted on: 3/25/2021 10:34:57 PM

Testimony for JHA on 3/29/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

I continue to support this measure and especially the amendments made to it.

The Kawaihapai Ohana

Thomas T Shirai Jr – Po’o

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March 27, 2021

Public Hearing

Monday, March 29, 2021 / 2:00PM

House Committee on Judiciary & Hawaiian Affairs (JHA)

Chair - Representative Mark M Nakashima

Vice Chair – Representative Scot Z Matayoshi

RE: Testimony of Support for HCR 69 HD1 & HR 58 HD1 (Requesting the Department of Land & Natural Resources to Submit a Petition to list the Pueo as a Threatened or Endangered Species Under the Endangered Species Act)

Aloha Chair Nakashima & Committee Members,

I am testifying as an individual and Po’o of The Kawaihapai Ohana which is recognized as a Native Hawaiian Organization by The Department of Interior’s Office of Hawaiian Relation and one of the first to be on this listing in 2007. I am a descendant of a Piko Ohana of Waialua and lifetime resident of Mokule’ia serving my fourth consecutive term on the North Shore Neighborhood Board Sub-District 1 (Mokule’ia to Ka’ena Point). I’m recognized by SHPD as a Lineal Descendant of Kawaihapai Ahupua’a for my Kuleana to Malama Iwi Kupuna along with serving 2 terms on the Oahu Island Burial Council. I also served on the Office of Hawaiian Affairs Native Hawaiian Historic Preservation Council and DLNR Ka’ena Point Advisory Committee. Lastly I’m a member of the Mokule’ia Community Association.

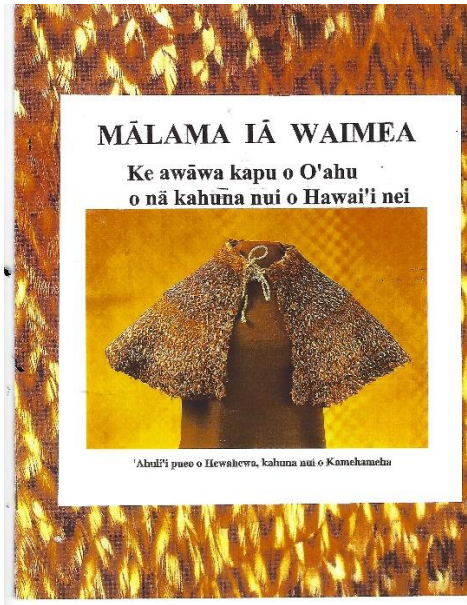
Mahalo to Representative Patrick Branco for introducing HCR 69 & HCR 58 which is now amended to HCR 69 HD1 & HCR 58 HD1.

As an individual and Po’o of The Kawaihapai Ohana I am testifying in Strong Support of HCR 69 HD1 & HCR 58 HD1. Geographically Pueo once inhabited many places throughout Hawaii along with their mo’olelo and Waialua has a deep relationship to the Pueo not only as an Aumakua or Endangered Species but are considered part of our Ohana just like Mano (shark). The mountain where Kuaokala Ridge and the USAF Ka’ena Point Tracking Station overlooking Ka’ena Natural Area Reserve (NAR) is named Pu’u Pueo and has a few Pueo that are still habitants of the area.

In 2017 an injured Pueo was rescued on Kaukonahua Road by Waialua resident Malia Rillamas and DLNR responded to the scene where they took custody of it however despite being tended to by a Veterinarian it was euthanized because it was in much pain. Since then I’ve been working with OHA

and DOFAW (Department of Forestry & Wildlife) to have the remains of the Pueo which is in there freezer to repatriate the Pueo to me to reinter it at Pu'u Pueo at Ka'ena Point overlooking Leina Ka Uhane. Experienced a lot of delays from DOFAW which needs to stop so the Pueo can make it's transition. It needs to be done making this aspect of Waialua Pono.

Among this photo's attached with this testimony is High Priest Hewahewa's cloak made of Pueo feathers and is the only one made it in existence. It's housed at the former Honolulu Academy of Arts holdings however hoping someday it will be transferred to join the Bishop Museum to be part of their feather capes and helmets collection. This is the cover of a brochure that was given to those attending a North Shore Neighborhood Board meeting in 1999 where a presentation to Waimea Valley was given.



Listing the Pueo as a threatened or endangered species per the Endangered Species Act is a step in the right direction.

Mahalo for the opportunity to provide Testimony of Strong Support for HCR 69 HD1 & HR 58 HD1

Thomas T Shirai Jr

Mokule'ia Waialua

HR-58-HD-1

Submitted on: 3/29/2021 8:04:34 AM

Testimony for JHA on 3/29/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaleiheana-a-Pohaku Stormcrow	Individual	Support	No

Comments:

I am a graduate student at UH Mānoa in the Hawai'i Wildlife Ecology Lab. I study pueo. I am in support of the committee requesting DLNR to submit a request to list pueo as threatened or endangered under the ESA. State-wide population assessments for pueo have not been completed, and there is anecdotal evidence of decline across the islands. At the very least a petition to list would enable biologists to conduct state-wide population surveys for pueo and we can get baseline population data that doesn't yet exist. Short-eared owls on the continent have seen range-wide declines over the last few decades due to habitat loss and development. Development here in Hawai'i has been increasing, and there is likely to be similar trends here. Likewise, rangeland and grassland degradation by feral ungulates has been increasing across the islands. These grasslands are necessary for pueo to reproduce.