

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the Senate Committee on  
JUDICIARY**

**Tuesday, January 25, 2022**

**9:30 AM**

**Via Videoconference**

**In consideration of  
SENATE BILL 573  
RELATING TO WILDLIFE**

Senate Bill 573 proposes to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area. **The Department of Land and Natural Resources supports this measure.**

Section 195D-21(2)(C), Hawaii Revised Statutes, requires that each habitat conservation plan shall identify the steps that will be taken to mitigate the impact of any incidental take to the maximum extent practicable. A service agreement with a facility capable of providing emergency medical and rehabilitation services could help to fulfill that requirement in the event of injured wildlife but should be considered with other provisions within each habitat conservation plan.

Thank you for the opportunity to comment on this measure.

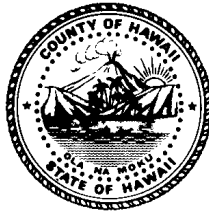
**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
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

County of Hawai'i  
Council District 9 -  
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**Chair:** Committee on Regenerative  
Agriculture, Water, Energy, &  
Environmental Management

**HERBERT M. "TIM" RICHARDS, III**  
**HAWAI'I COUNTY COUNCIL**  
**DISTRICT 9**

25 Aupuni Street, Ste. 1402, Hilo, Hawai'i 96720

January 24, 2022

Senator Karl Rhoads, Chair  
Senator Jarrett Keohokaloke, Vice Chair  
Committee on Judiciary  
via online transmission only

RE: SB 573  
Hearing Date: January 25, 2022

Aloha Chair Rhoads and Vice Chair Keohokaloke:

Thank you for the opportunity to submit testimony on SB 573 as I fully support this bill.

SB 573 is critical for the well-being of our injured wildlife and will ensure permitted wildlife responses and rehabilitation services that are maintained at the highest level in order for our wildlife to receive the best achievable care.

I am a veterinarian and a rancher for over 30 years. I understand the emergency care needed for the survival of animals. Having a program to provide stellar care to our wildlife, endangered or otherwise, is the best form of action to protect their health and longevity in our ecosystem. It is imperative that this bill pass so all habitat conservation plans include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and a response facility be made available to provide the emergency care to our precious native wildlife. Our wildlife deserves this oversight and opportunity to be provided timely and professional care.

Thank you for the opportunity to submit this testimony on a topic very dear to my heart and life. If you would like to discuss my knowledge of this matter further, please do not hesitate to contact me directly.

Aloha,

HERBERT M. "TIM" RICHARDS, III



**Hawai'i Wildlife Center**  
P.O. Box 551752 • Kapa'au, HI 96755

**TESTIMONY OF LINDA ELLIOTT,  
PRESIDENT AND CENTER DIRECTOR, HAWAII WILDLIFE CENTER**

**PRESENTED TO THE  
COMMITTEES ON JUDICIARY**

**DATE: Tuesday, Jan. 25, 2022**

**TIME: 9:30 A.M.**

**PLACE: Via Videoconference**

**TESTIMONY IN SUPPORT OF S.B. 573, Relating to Wildlife: Habitat Conservation Plans**

To the honorable Senator Karl Rhoads, Chair, Senator Jarrett Keohokalole, Vice Chair and members of the Committees:

I am submitting testimony in **strong support** of SB 573. Thank you for the opportunity to provide comment.

SB 573 Requires all habitat conservation plans (HCPs) to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the scope of the plan. **Since the costs would be incorporated into the fees being paid by entities that are required to have a Habitat Conservation Plan, this does not raise taxes or require State funding.** The costs would be negotiated by each HCP participant and the response provider, similar to how an entity would enter into any other contract for services needed to fulfill operational needs and statutory obligations.

This amendment would require a thorough and proper response procedure for indigenous and endemic wildlife species covered by HCPs when individuals of these species are found injured, as well as a clear means of support for such response actions. At present HCPs do not require an adequate response plan that sets forth an agreement with and funding support for a permitted response organization to ensure response resources are available for injured wildlife treatment and rehabilitation expertise when needed. Instead the funding support stops at the finding of the injured wildlife and neglects the following rehabilitative care to return the injured wildlife to full health. Funding support should be provided as a basic measure to prepare for injured wildlife response and to keep resources available year-round.

Of the agreements we reviewed, all have failed to cover this specific response need and instead focus mainly on habitat improvements (i.e. in planting, invasive weed control) and population protection methods (i.e. predator control, re-introduction of species, captive breeding

programs). Although those conservation programs are also important, the inclusion of the process for funding the response to injured wildlife covered by HCPs provides a missing piece necessary to fully respond to protected wildlife species and creates more robust protection of native wildlife throughout the year.

From previous discussions with wildlife agencies and from our first-hand experiences, we have gathered that:

— Indigenous and endemic wildlife is under the responsibility of the Department of Land and Natural Resources. DLNR administrative rules mandate that if indigenous wildlife is injured, it must be brought to a permitted entity for care. Additionally, Hawai'i's indigenous wildlife is protected by federal Migratory Bird Act and or the Endangered Species Act. State or Federal wildlife agencies are not able to provide wildlife rehabilitative care services and therefore rely on partnerships with other organizations to fulfill this role.

— Current HCP requirements only focus on quantifying and mitigating for dead wildlife, while wildlife that are injured and still alive - wildlife that have the possibility of recovering and returning to their wild populations - are neglected because there is no statutory mandate requiring action and follow through.

— The State provides permit regulations as to what is required to care for native species, but in our experience have not been responsible for funding the care of patients impacted by HCP participants. Nor does the State's limited funding allow them to keep these services available in the case members of industry need it.

— Though DLNR may have a cost recovery process for their time, organizations that are not State-run yet provide services for the State are neglected and do not receive support to be ready to provide treatment to wildlife impacted by HCP participants. Providing concrete language to build the necessary avenues for wildlife response will help wildlife agencies follow through on their mandate to protect indigenous wildlife without creating additional work for the agencies.

— HCP participants follow a Downed Wildlife Protocol. The Downed Wildlife Protocol provides significant detail on injured wildlife response in the areas of capture, handling, and points of contact. What is NOT included in the protocol however, is any clear articulation on how participants will support the response work required or ensure its availability. All that is mentioned in the protocol in this area is one line: "non-governmental parties should make prior arrangements, including procedures and payments with the rehabilitation or veterinary care facilities that will be used to treat injured animals". The lack of details and absence of concrete requirements for follow-through in this area opens the door for this weakness to be taken advantage of at the expense of the rehabilitation and veterinary care facilities that are doing the work and who need to find other ways to stay open in order to be available for these purposes.

— By supporting wildlife response organizations via these agreements the benefits may also include:

- Net population benefits as the year-around operations of wildlife rehabilitation programs will treat other indigenous and endemic wildlife patients of the same species of concern adding to the number returned to the wild populations
- Preparedness for emergency response services (i.e. contaminants spill response, disease out breaks) with the trained experienced staff and a fully operational facility from the response organizations supported in part by these agreements.

Requiring entities needing an HCP agreement to also procure a support agreement with a qualified and permitted response and rehabilitation organization would also provide for first response training for the entity's staff, a supplies and equipment list to perform a response, and create procedures to consult on injured wildlife and assist in the transport of injured wildlife to the response organization(s). This support agreement would cover the costs for readiness to respond year-round and for the treatment and medical care of wildlife species covered by the agreement.

The Hawai'i Wildlife Center provides professional, state-of-the-art treatment for native Hawaiian wildlife affected by contamination, disease and injury. HWC staff members have the experience and capability to manage wildlife-related response, including assessment, training, mobilization, supervision, facilities management, wildlife capture, handling, stabilization and transportation. At the Center, staff will perform triage, assessment, stabilization, rehabilitation, husbandry, quarantine, hydration, feeding, cleaning, monitoring, recovery and release into the wild. The Center also provides emergency response training for agency staff, interns, students and volunteers.

HWC has a Memorandum of Agreement between the Center, the Fish and Wildlife Service and the State Department of Land and Natural Resources. However, while this MOA provides a framework for effective collaboration, it does not ensure that resources are available to keep the Center open and ready to respond to injured wildlife.

We have been open for native wildlife care since September 2012, and have already received over 2,600 patients (majority are birds, with some bats) representing over 40 different native species. In order to keep our critical services available, we need a predictable and consistent source of operational funding. **SB 573 will help ensure that permitted, professionally staffed, wildlife response resources are prepared to help native wildlife adversely affected by human activities as well as help satisfy the statutory responsibility of the State.**

We are a small nonprofit that provides hospital care and rehabilitation to native birds and bats statewide. The way we operate is very similar to a fire station, where the continuity of our services depends on reliable support to keep everything open and operational. HCP participants that have impacts on native wildlife should contribute to keeping response and care available should it be needed. If a fire happens, you don't wait until you see flames to build a fire station.

Thank you for the opportunity to testify on this important matter.

**SB-573**

Submitted on: 1/24/2022 6:18:32 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Hob Osterlund	Testifying for Kauai Albatross Network	Support	No

Comments:

Please SUPPORT SB 573. This provides funding and is a hugely critical bill for injured wildlife by participants in the Hawaii Conservation Plan to mitigate take by the participants actions. This funding has been missing in the past and would help ensure permitted wildlife responses and rehabilitation services are maintained and wildlife receives best achievable care.

Mahalo!



January 24, 2022

COMMITTEE ON JUDICIARY  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

January 25, 2021, 9:30 a.m.

VIA VIDEOCONFERENCE  
State Capitol  
415 South Beretania Street

**Re: TESTIMONY IN SUPPORT OF SENATE BILL 573 - RELATING TO WILDLIFE.**

Aloha Chair Rhoads and Members of the Committees,

Please accept these comments submitted by the Center for Biological Diversity (Center) in **strong support of Senate Bill 573**, which would require all habitat conservation plans (HCP) to include an agreement for plan participants to enter into and maintain an annual service contract with a response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

The Center is a non-profit 501(c)(3) membership corporation dedicated to the protection of native, threatened, and endangered species and the habitats they depend on to survive. Through science, policy, and environmental law, the Center is actively involved in endangered, threatened, and native species and habitat protection issues throughout Hawai'i. The Center has more than 88,000 members throughout the United States, including Hawai'i, with a direct interest in ensuring the conservation of our Hawaiian species.

H.R.S § 195D-21 (2)(C) requires each HCP to identify the steps necessary to minimize the impact of any incidental take to the **maximum extent practicable**. Currently no HCP in the state provides funding for emergency medical and rehabilitation services to indigenous and endemic wildlife species impacted by activities covered by the permit. Funding support should be provided as a basic measure to prepare for injured wildlife response and to keep resources available year-round.

By including an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response wildlife facility in all HCPs, our impacted native wildlife and endangered species will have the best chance at survival.

Mahalo for this opportunity to provide testimony in **support of Senate Bill 573**.

/s/ Maxx Phillips

Maxx Phillips, Esq.

Hawai'i Director and Staff Attorney

Center for Biological Diversity

1188 Bishop Street, Suite 2412

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# Save Our Shearwaters

Testimony of MOLLY BACHE  
Program Coordinator; Save Our Shearwaters

Before the Senate Committee on JUDICIARY

Tuesday, January 24<sup>th</sup>, 2022 9:30 AM State Capitol, Via Videoconference

In consideration of SENATE BILL 573; RELATING TO WILDLIFE

Dear Senators:


Thank you for the opportunity to submit comment on SB 573. **I am in strong support of this bill.**


The passing of SB 573 would help ensure that native species involved with a Habitat Conservation Plan (HCP) have permitted, professionally staffed, wildlife response resources available when needed. This amendment would help ensure the viability of permitted wildlife rehabilitation services without having to utilize the State's limited budget.


It's important that HCPs incorporate the resources necessary to support response and rehabilitative care. HCP requirements have remained grey in regard to funding the care of applicable wildlife from the point of admission. The introduction of annual service contracts would provide reassurance to both the HCP participant and wildlife response service. Funding support would help ensure that wildlife response remains operational and available year-round, benefitting both parties. This could also open the door for more collaboration on participant staff training, which has been requested in the past but was often not feasible due to limited resources.

The resources that wildlife response and rehabilitation require need to be acknowledged and allocated within Hawai'i's HCPs. This is the only way to ensure that response services are prepared to fulfill the needs of participants. Supportive funds will be necessary as development (light attraction, collisions, habitat destruction), climate change (Avian Botulism, low foraging success, loss of nesting habitats), and other factors continue to threaten native species populations statewide.

The Save Our Shearwaters (SOS) Program was initiated by the Hawai'i Department of Land and Natural Resources/Division of Forestry and Wildlife in 1979 to respond to the annual grounding

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(808) 635-5117

 [molly@saveourshearwaters.org](mailto:molly@saveourshearwaters.org)

of hundreds of light-attracted fledgling shearwaters and petrels. Since initiation, volunteers and residents have collected more than 35,000 downed birds— 90% of which recovered and were released back to the wild. SOS is a federal and state permitted entity that has evolved into a year-round rehabilitation effort for all native species.

It's important to note that the SOS Program would not exist today without the type of funding proposed in this amendment. Kaua'i Island Utility Cooperative (KIUC) has provided the large majority of Program funding since 2005, which allows us to remain operational and responding to native wildlife in need 365 days a year. Developing annual service contracts with additional HCP participants would be more equitable, as the Program has grown to support listed and non-listed species and KIUC's current level of funding provides overhead for both. We have a contract with the State Department of Land and Natural Resources and grant funds to support birds admitted from Federal lands but diversifying our funding sources further would lower the financial impact of a service that benefits the island as a whole.

The SOS Program maintains high-quality care for the rehabilitation of Kaua'i's native birds in need, from capture to release. SB 573 would help ensure that our indigenous, endemic, and other susceptible wildlife have timely medical support should the need arise, without raising taxes or requiring State funding.

Thank you for the opportunity to provide comment.

Sincerely,



Molly Bache  
Program Coordinator  
Save Our Shearwaters



Testimony to the Committee Judiciary and Ways and Means  
Tuesday 01/25/22  
9:30AM  
VIA Video Conference  
Conference Room 211, Hawaii State Capitol  
SB573

Chair Rhoads, Vice Chair Keohokalole, and members of the Committees,

Hawaii Clean Power Alliance (HCPA) **opposes** SB573 which requires all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

Hawaii Clean Power Alliance is a nonprofit alliance organized to advance the development and sustainability of clean energy in Hawaii. Our goal is to support the state's policy goal of 100 percent renewable energy by 2045. We advocate for utility-scale renewable energy, which is critical to meeting the state's clean energy and carbon reduction goals.

We strongly support a low-impact development of renewable resources that protects species but we don't find that this addition adds any protections to species, only increase costs (to the ratepayers) while the current regulations are sufficient and adequately address impacts.

Creates Conflict With Current State And Federal Policies And Practices

This measure creates conflicts with current policies and practices at the state and federal level, as well as adds unnecessary cost burdens to ratepayers, without specifically satisfying the statutory requirements of HRS§ 195D-21(b)(2)(C).

- Current statute is not prescriptive to the approach of each HCP; however, this amendment creates mandatory action.

Renewable wind developers must submit applications for a Habitat Conservation Plan (HCP) with *"sufficient detail to allow the department to evaluate the impact of the activities on the particular ecosystems, natural communities, or habitat types within the plan area that are the focus of the plan;"* to the Board of Land and Natural Resources (BLNR), who must approve that the plan will  
*(b) (1) (A) The plan will further the purposes of this chapter by protecting, maintaining, restoring, or enhancing identified ecosystems, natural communities, or habitat types upon which endangered, threatened, proposed, or candidate species depend within the area covered by the plan;*



- (B) *The plan will increase the likelihood of recovery of the endangered or threatened species that are the focus of the plan; and*
- (C) *The plan satisfies all the requirements of this chapter.*

#### Failure Of This Amendment To Increase The Likelihood Of Recovery Of The Endangered Or Threatened Species That Are The Focus Of The Plan

Adding the mandatory and prescribed amendment as proposed, does not provide the BLNR the ability to evaluate each proposed HCP to the purpose and fulfillment of the chapter. Each action and moneys spent must DIRECTLY offset every covered species including injured species and result in a net gain of the species.

- The proposed bill mandates action and funding without considering the unique circumstances as to the recovery of endangered species.
- Injured species are a rare occurrence by wind farms.
- Species are more often injured by non-wind, non-HCP participants such as motor vehicles, buildings, stadium lights, barbed wire, etc.
- Each HCP is subject to intense review by the state's Endangered Species Recover Committee (ESRC), who provides guidance and feedback on the proposed mitigation application and *shall be based on the best available scientific and other reliable data available at the time the plan is approved.*

#### Conflict With The US Fish And Wildlife Requirements And Approval

An application must also concurrently be submitted and approved by the federal agency US Fish and Wildlife, which also provides for unique HCP requirements for the applicant, without imposing mandatory actions by statute.

- Imposing the prescribed amendment at the state level, may cause conflict at the federal level, and at a minimum, add burden and costs to create, monitor, and report the excessive requirement over the life of the 20-year development, because the HCP will be out of synch with the federal requirements

#### Conflict With DLNR-DOFAW Protocol

There is already a state prescribed procedure for responding to injured covered species and birds protected by the Migratory Bird Treaty Act (MBTA). The "Downed Wildlife Protocol," prepared by the DLNR Hawaii Division of Forestry and Wildlife (DOFAW), has detailed instructions for responding to an injured covered or MBTA species that is in imminent danger. Per the Downed Wildlife Protocol, a plan participant must immediately contact the DOFAW office who send staff to the site to retrieve the injured animal.

- The decision is made by DOFAW as to where to take the injured animal with consideration of the type of species, the island it is on, (for instance, it might go to a local veterinarian and not a rehab center). Therefore, the bill mandating an annual service contract with a stand-by and response facility that may not even be

utilized or who may not have the expertise is not practical. Funding a facility for "potential use" may prevent the funding of a different facility that is actually used.

- The wind HCP participant relinquishes the animal and subsequent treatment responsibility to the state.
- The deciding and responsible entity (DOFAW) should enter into these annual service contracts if the bill mandates this.
- It is imbalanced to require a wind farm to fund a rehab facility that may never be used.
- Wind developers fund the rehab of the injured animal if it is determined that the facility is at fault with a "fee-for-service" model, approved by this Protocol.

For the reasons above, we request that you defer this measure.

Thank you for the opportunity to testify.

Sincerely,



Frederick Redell, PE

*Executive Director*

(949) 701-8249

[www.hawaiicleanpoweralliance.org](http://www.hawaiicleanpoweralliance.org)

**SB-573**

Submitted on: 1/21/2022 6:30:07 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
vicky kometani	Individual	Support	No

Comments:

We have lost so much in the past several years; friends, family, jobs, freedoms to move about and gather. But what we haven't lost is Hawaii's ranking as the endangered species capital of the world. Significant funding to those organizations that help our endangered birds is one way Hawaii can demonstrate to the world, and perhaps more importantly to its own citizens, that wildlife matters. The call of the i'o. The honk of a nene. If only, one day all keiki o ka aina could experience these sounds and others. Please support this bill to provide critical funding for Hawaii's injured wildlife response and help prevent further decimation to our endangered species.

mahalo

**SB-573**

Submitted on: 1/21/2022 10:54:13 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Renee Breeden	Individual	Support	No

Comments:

Habitat conservation plans should include an agreement to provide emergency medical, rehabilitation services and might I add necropsy services to native wildlife affected by activities undertaken within the plan. Support Hawaii's native wildlife. Malama aina - care for the land and it will care for you.

**SB-573**

Submitted on: 1/22/2022 11:02:42 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Carol Davies	Individual	Support	No

Comments:

I strongly support this bill as it provides critical support for native wildlife care services.

We need help to be available when a native bird or animal needs it.

Mahalo for listening!



**SB-573**

Submitted on: 1/23/2022 8:53:25 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Caren Loebel-Fried	Individual	Support	No

Comments:

Aloha,

Most endemic wildlife in Hawaii has so many threats, each individual animal needs attention and care.

I strongly support this bill as it will ensure that critical support for native wildlife care services are available when a native animal needs it.

Mahalo for your consideration.

**SB-573**

Submitted on: 1/23/2022 10:06:15 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jennifer Barrett	Individual	Support	No

Comments:

I strongly support this bill which will ensure that emergency medical and rehabilitation services are available to native wildlife affected by activities undertaken within all Hawaii Conservation Plans

**SB-573**

Submitted on: 1/23/2022 1:07:42 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
James Waddington	Individual	Support	No

Comments:

I strongly support this bill as it provides critical support for native wildlife care services and will ensure help is available when a native animal needs it. I understand since costs would be incorporated into the fees being paid by entities that are required to have a Habitat Conservation Plan, this does not raise taxes or require State funding.

Mahalo for your consideration.

James Waddington

**SB-573**

Submitted on: 1/23/2022 1:54:59 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Cindy Granholm	Individual	Support	No

Comments:

I strongly support this bill because it provides critical funding for native wildlife care services ensuring help is available when native animals need it.

Mahalo for your consideration.

Cindy Granholm

Volcano, Hawaii

**SB-573**

Submitted on: 1/23/2022 3:29:21 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Nancy Rustad	Individual	Support	No

Comments:

**I strongly support SB573.**

As a retired scientist and a concerned citizen, I feel strongly about the importance of preserving what remains of the native Hawaiian bird population. Such preservation is key not only to maintaining our native species themselves, but also to maintaining the quality of life for all of us living on these islands and enjoying the natural world.

Habitat conservation is one part of addressing this issue. The other is maintaining the ability to respond rapidly to provide emergency medical and rehabilitation services to those native wildlife. To be effective, this must be in place ready to be employed whenever the need arises.

This bill will ensure such services are available through important financial support to qualified, professional organizations. I think it is important to note that this bill achieves that without increasing taxes.

**SB-573**

Submitted on: 1/23/2022 7:41:48 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Angela Huntmer	Individual	Support	No

Comments:

I am a public school teacher and volunteer driver for the Hawaii Wildlife Center for approximately 1,000 miles and 50 hours year to help our injured seabirds access the care they need. This bill provides critical support for native wildlife care services without requiring extra funding from the State/ taxpayers. The parties responsible for injuries will fund care through their habitat conservation plan and it will ensure help is available when a native animal needs it.

Mahalo for supporting this important piece of legislation that will support the care and rehabilitation of injured native wildlife.

**SB-573**

Submitted on: 1/23/2022 8:10:47 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Ruth Yender	Individual	Support	No

Comments:

I support SB573 - this funding source is warranted and has been missing. This much needed funding will help ensure that permitted wildlife responses and rehabilitation services are maintained and that precious wildlife will receive the best achievable care. I am familiar with some of the wildlife rescue and rehabilitation service providers from my work as a federal oil spill response scientist and can attest to the importance and value of their expert work.

**SB-573**

Submitted on: 1/24/2022 8:56:52 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Melissa Price	Individual	Support	No

Comments:

The Hawaii Wildlife Center and private veterinary offices across the state provide critical services to rehabilitate injured or sick wildlife. Unlike the pets of private citizens whose costs are covered by their owners, wildlife are the responsibility of all citizens as part of public natural resources. This bill would support the continued care of injured wildlife by people responsible for maintaining the health of native species on lands they manage, maintaining our native species into the future. Research in my lab found that the major cause of death for pueo (Hawaiian Short-eared Owl) was car strikes and/or blunt force trauma. Similar injuries, caused by collisions with man-made objects such as power lines, buildings, or cars, are experienced by our Hawaiian Stilts and other birds or bats. The Hawaii Wildlife Center provides the opportunity to rehabilitate and release these injured animals, which would otherwise lack expert care from trained veterinarians, but this care does cost money. This bill would provide one stream of funding to support rehabilitation of our native wildlife.



**SB-573**

Submitted on: 1/24/2022 9:15:54 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Dr. Kimberley Greeson	Individual	Support	No

Comments:

Dear Senators:

I write in support of SB573. SB573 requires all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility. This response facility provides crucial and utilized emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

The measure was created to help provide critical financial support to organizations that provide hospital and rehabilitative care services to native wildlife harmed by industry. SB573 would provide clarity in a wildlife response protocol that is otherwise quite detailed, and provide clear and necessary requirements that would ensure that permitted, professionally staffed, wildlife response resources are prepared to help native wildlife adversely affected by human activities as well as help satisfy the statutory responsibility of the State, without raising taxes or utilizing funding from already-stretched state resources.

Mahalo for your time and consideration on this important measure.

Mahalo Nui Loa,

Kimberley Greeson, PhD



**Conservation  
Council for  
Hawai'i**

**Hawai'i's voice for wildlife  
Kō Hawai'i o nā holoholona lōhiu**

**LATE**

**Submitted to the Senate Committee on Judiciary  
Hearing: Tuesday, January 25, 2022, 9:30am  
Hawaii State Capitol Via Video Conference  
SB 573: Relating to Wildlife**

Conservation Council For Hawaii **strongly supports SB 573**, proposing to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area.

Section 195D-21 (2) (C), Hawaii Revised Statutes, requires that each habitat conservation plan shall identify the steps that will be taken to minimize the impact of any incidental take to the maximum extent practicable. A service agreement with a stand-by and response facility capable of providing emergency medical and rehabilitation services could help to fulfill that requirement in the event of injured wildlife, but may increase costs for renewable energy providers.

Thank you for the opportunity to submit this testimony.

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Conservation Council for Hawai'i • EIN: 99-0199211

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**SB-573**

Submitted on: 1/24/2022 9:52:12 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Douglas Perrine	Individual	Support	No

Comments:

I support SB573

**LATE**

**SB-573**

Submitted on: 1/24/2022 10:12:16 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Jan Wizinowich	Individual	Support	No

Comments:

Hawai'i's wildlife is a treasure that both protects and needs protection. Please pass this bill so that organizations such as the Hawai'i Wildlife Center can more effectively protect our precious wildlife. Mahalo, Jan Wizinowich

**LATE**

**SB-573**

Submitted on: 1/24/2022 1:15:16 PM  
Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Meredith Miller	Individual	Support	No

Comments:

"I strongly support this bill as it provides critical support for native wildlife care services and will ensure help is available when a native animal needs it. Mahalo for your consideration."

**LATE**

**SB-573**

Submitted on: 1/24/2022 2:17:34 PM  
Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Rae Okawa	Individual	Support	No

Comments:

I strongly support SB573 as it would provide critical support for native wildlife care services throughout the State. Mahalo for your consideration!

**LATE**

**SB-573**

Submitted on: 1/24/2022 2:40:26 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Lynda Wallach	Individual	Support	No

Comments:

"I strongly support this bill as it provides critical support for native wildlife care services and will ensure help is available when a native animal needs it. Mahalo for your consideration

**LATE**

**SB-573**

Submitted on: 1/25/2022 5:09:05 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
HANNAH MOON	Individual	Support	No

Comments:

I am submitting testimony in strong support of SB 573.

I am a PhD candidate at the University of Hawai'i at Mānoa. My work focuses on increasing understanding of perception in native and endangered seabirds in order to better target management efforts. Collaborations with non-profit wildlife centers here in HI are central to my work. Over the last few years I have seen first hand how incredibly busy they are, how hard they work, and how invaluable their high quality services are to HI's wildlife and community. I have also witnessed the difficulty and effort of maintaining funding despite non-stop streams of patients.

SB 573 requires all habitat conservation plans (HCPs) to include an agreement for plan participants to maintain an annual service contract with facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the scope of the plan. This bill does not place any new or undue burden on the state or taxpayers- it simply ensures an HCP participant enters into a contract with a care provider for wildlife response services.

Nobody intentionally wants to harm an endangered species, and HCPs work to identify, acknowledge, and prevent harm. However, HCPs currently focus on dead animals and only provide support for habitat improvement and population protection. These are important, but no funding to ensure care for live animals injured by HCP participant activity is required.

HCP participants follow a Downed Wildlife Protocol. The Downed Wildlife Protocol provides significant detail on injured wildlife response in the areas of capture, handling, and points of contact but no details on how participants will support the response work required or ensure its availability. Wildlife care requires professional skills and permits. It also requires facilities capable of meeting legally required species-specific care standards. Should an endangered species be affected by something that falls under an HCP, help cannot be spontaneously implemented.

Requiring HCP's to detail injured wildlife response without ensuring funding for care is like having a list of hospital supplies... but no doctors or hospitals. Funding support



should be provided as a basic measure to prepare for injured wildlife response and to keep resources available year-round, just as we maintain hospitals for humans.

Downed Wildlife Portocols and response care plans detailed in an HCP require a facility that needs predictable and consistent funding. SB 573 will help ensure professionally staffed and permitted facilities are available to help. Establishment of support for care facilities will also aid other indigenous and endemic wildlife patients of species affected by HCPs. Hawai'i is the extinction capital of the world. Every one of our precious precious animals successfully rehabilitatated and released by trained professionals adds to critical population numbers.

Thank you for the opportunity to provide comments.

**LATE**

**SB-573**

Submitted on: 1/25/2022 8:00:44 AM  
Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Nathan Yuen	Individual	Support	No

Comments:

I strongly support this bill as it provides critical support for native wildlife care services and will ensure help is available when a native animal needs it. Mahalo for your consideration.

**SB-573**

Submitted on: 1/25/2022 9:30:22 AM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Dr. Rachel Sprague	Individual	Support	No

Comments:

As a wildlife professional in Hawai'i, I strongly support this bill. Hawai'i has many sensitive and endangered wildlife species with special needs. The Hawai'i Wildlife Center (HWC) and other emergency wildlife response organizations provide critically important and specialized care for these precious and unique species. The growing wildlife patient numbers at HWC in particular demonstrates that this is not a temporary or decreasing need, but a GROWING need that organizations who have adverse impacts on native species should support.

Currently, organizations who enter into Habitat Conservation Plans are allowed "take" of endangered species in exchange for their agreement to avoid and minimize their impacts, and to mitigate impacts that cannot be avoided. Mitigation is generally approached as "doing something good" for wild populations. However, in many cases, endangered wildlife take that is incurred by the HCP participants do not necessarily result in the death of those animals, but rather injury. Someone then must respond to the injured wildlife and provides medical care, but as it stands now, the HCP participants do not have any further responsibility for the medical response, because they have already paid for their mitigation elsewhere.

This bill would provide ongoing financial support for emergency wildlife response organizations to operate, and be ready to provide a high level of care, whatever species come their way, including those directly impacted by HCP participants. Maintaining the training, permits, and facilities to be ready when there is an emergency is something that must be supported and committed to PRIOR to an emergency.

Mahalo for the opportunity to comment.

**SB-573**

Submitted on: 1/25/2022 3:40:12 PM

Testimony for JDC on 1/25/2022 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Remote Testimony Requested</b>
Michelle Reynolds	Individual	Support	No

Comments:

Hawaii Legislature, I strongly support this bill (SB573) providing critical veterenarian and rehabilitation support for native migratory, endangered/threatened wildlife in Hawaii. Avian botulism, downed seabirds, entanglements and illegal shootings are just a few of the threats facing our wildlife. This bill will support our native wildlife and increase awareness of these species and anthropogenic dangers that our native wildlife faces. Thank you for your consideration.

Michelle Reynolds

Wildlife Biologist, PhD