

lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 2:00 PM
To: waltestimony
Cc: mz@conservehi.org
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/6/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Ziegler	Conservation Council for Hawai'i	Support	No

Comments: We support the intent of this bill, which is to provide funding for wildlife rehabilitation.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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



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

**PRESENTED BEFORE THE
COMMITTEE OF WATER & LAND
AND
COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION**

DATE: Friday, February 6, 2013

TIME: 8:30 a.m.

**PLACE: Conference Room 325
State Capitol, 415 South Beretania Street**

TESTIMONY IN SUPPORT OF HB 988

Chairs Evans and Lee, and members of the Committees:

I am here today in support of HB988. Thank you for the opportunity to comment.

Hawaiian wildlife species are among the most critically threatened species on the planet. Most of their habitat has been altered or destroyed by conversion for economic use and by the introduction of non-native plants and animals. Mosquitoes transmitting avian malaria and pox have dramatically reduced the distribution of native forest birds. In addition, more than 15 million seabirds spend all or part of each year in the Hawaiian archipelago. Most are found on densely populated colonies where they are highly vulnerable to vessel groundings, pollutant spills and introduced species.

Hawaii receives more than 40 million barrels of petroleum products each year, in nearly 700 tanker trips. Much of this oil is moved throughout the main islands in an extensive network of tanks and pipelines on Oahu and between islands on many smaller vessels. Nearly 18,000 sea-going vessels travel within the islands, including commercial fishing vessels, Navy ships and submarines, cargo vessels, tugboats and cruise liners. Other sources of oil that impact wildlife include bilge discharges at sea, transfer operations and onshore storage and refining.

There have been more than 100 vessel groundings reported in the Hawaiian archipelago. We dodged the bullet in 1989 when *the Exxon Houston* grounded off Oahu with 490,000 barrels of

fuel on board and, in 1990, when the *Star Connecticut* grounded with 250,000 barrels on board, but sometimes we're not so lucky. When the *Hawaiian Patriot* sank west of Kauai in 1967 more than 715,000 barrels of fuel, nearly three times the Exxon Valdez spill, were released. A decade later, when the *Irene's Challenge* broke apart near Midway, nearly 240,000 barrels of crude oil were released. Closer to home, the barge *Hana* released 42,000 gallons of fuel off Oahu in 1987 and, in the same year, more than 127,000 gallons of jet fuel were released from a pipeline into Pearl Harbor.

State and Federal governments share statutory responsibility for the conservation of migratory birds and endangered species. This includes the requirement to respond to spills, or potential spills, of petroleum products and other contaminants. The agencies with lead roles in spill response include the Coast Guard, the US Fish and Wildlife Service and the State Department of Health and the State Department of Land and Natural Resources, all acting together through an Area Contingency Plan.

So, what does this have to do with the Hawaii Wildlife Center (HWC)?

Put simply, Hawai'i has been woefully unprepared to deal with the wildlife-related impacts of oil spill events and HWC has been designed and constructed to meet these challenges head on. HWC is the only facility in the State that meets all minimum requirements for this type of emergency response and native wildlife rehabilitation, and provides professional, state-of-the-art treatment for native Hawaiian wildlife affected by contamination, disease and injury.

HWC staff has 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 will also provide emergency response training for agency staff, interns, students and volunteers. The training will include wildlife identification, biology, capture, handling, stabilization, treatment, injury and illness recognition and translocation.

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 will provide a framework for effective collaboration, it will not ensure that resources are available to keep the Center open and "ready for business."

We have been open for animal care since September 2012, and have already received 23 birds representing 9 different native species. In order to keep our critical services available to Hawai'i, we will need a predictable and consistent source of operational funding.

**Linda Elliott, President & Center Director – Linda@HawaiiWildlifeCenter.org
Hawai'i Wildlife Center, P.O. Box 551752, Kapa'au, HI 96755 – 808.884.5000 HawaiiWildlifeCenter.org**

Currently, revenues from the barrel tax (\$1.05/barrel) are split between DOH, DBEDT, DOA and the General Fund. The DOH share (\$.05) is directed into the Environmental Response Revolving Fund. Chapter 128D directs that barrel tax revenues be allocated for “oil spill planning, prevention, preparedness, education, research, training, removal and remediation.” To date, these revenues have been allocated to prepare for and support a physical spill response, but only minimal funds have been made available to prepare for and mitigate oil spill impacts to wildlife with no funds provided for the necessary oiled wildlife response facility.

We believe that a portion of the barrel tax revenue should be allocated to fund the HWC’s oiled wildlife response center operations relating to oil spill response and remediation.

\$275,000 is small amount when compared to the total revenue collected from the barrel tax, but is desperately needed to protect Hawai’i’s vulnerable wildlife. \$275,00 accounts for only half of our operational costs, but we are committed to raising the other half through private fundraising.

HB988 will have an immediate effect, ensuring that a permitted, professionally staffed, state-of-the-art facility is fully prepared to respond to any spill event and help to satisfy the statutory responsibility of the State and Federal government. There is solid precedent for the use of state tax on barrels of oil to provide for oiled wildlife response staff, training programs, equipment, and even to operate wildlife response centers in states such as California, Alaska, Maine, and Washington.

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

Testimony in support of HB 988

Presented to the Committee on Water + Land and the Committee on Energy + Environmental Protection on February 6, 2013

I firmly believe that Hawai'i should establish a wildlife recovery and rehabilitation special fund to support the operations of a facility to respond to oil and fuel-related disasters affecting native wildlife in the State. Furthermore, I support allocating the first \$275,000 collected from barrel taxes to this wildlife recovery and rehabilitation special fund.

\$275,000 is a relatively small amount when compared to the total sum collected from barrel taxes, but is much-needed and will have an immediate effect. \$275,000 will help support the operating costs of the Hawai'i Wildlife Center on the Big Island, and they will continue to raise the remaining funds through private fundraising.

The threat to Hawai'i's native wildlife -- virtually all species being threatened or endangered -- is serious and the details are troubling to say the least. Nearly 700 oil tankers and over 18,000 additional seagoing vessels operate within Hawaiian waters each year. There have been more than 100 documented vessel groundings and sinkings, including some that had released more oil than the Exxon Valdez off Alaska's waters. State and Federal governments have a statutory responsibility for the conservation of migratory birds and endangered species. We need to ensure that Hawai'i will always have the necessary facilities, equipment, logistic support and trained staff ready to mount an effective spill response available at a moment's notice.

The good news is that the Hawai'i Wildlife Center has already been built with State and private funds (and an enormous outpouring of community support), and possesses an MOA with the Fish and Wildlife Service and State DLNR relating to oil spill response and serves as a designated spill responder facility in the Area Contingency Plan. Revenues derived from the barrel tax are allocated to DOH, DBEDT, DOA and the General Fund. To date none of these funds have been allocated to mitigate oil spill impacts to wildlife, hence the need to pass HB 988.

Mahalo for your consideration,

William T. Ruhl, AIA



HB988
RELATING TO NATIVE WILDLIFE
House Committee on Water and Land
House Committee on Energy and Environmental Protection

February 8, 2013

8:30 a.m.

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB988, which would foster a greater level of state readiness to respond to impacts from oil or fuel-related disasters on our culturally and ecologically invaluable native wildlife.

This bill is an insurance policy against environmental catastrophe and the permanent loss of cultural resources. Hawai'i's nearly exclusive reliance on imported oil and petroleum for our energy needs necessarily requires the continuous transfer and storage of oil and other fuel products in our waters and coastal areas. Not surprisingly, the potential for spills of these hazardous substances has already been realized on multiple occasions over the last few decades.¹ While Hawai'i has been relatively fortunate with respect to the potential impacts from such incidents, it may be only a matter of time when Hawai'i must face the full economic and environmental consequences of our dependence on imported oil and fuel. The potential costs of such consequences, including the loss of culturally significant, endangered or threatened native birds and their habitat, counsel much greater investment in our capacity to respond to and mitigate the full range of impacts from oil- and fuel- related disasters.

¹ On February 23, 1977, a crack in the hull of the Hawaiian Patriot resulted in the release of approximately 50,000 tonnes of crude oil in waters 300 miles west of Hawai'i, which fortunately was carried away from the islands by prevailing currents at the time. On March 2, 1989, the Exxon Houston spilled approximately 2,200 barrels of oil after breaking off from its mooring during offloading operations 0.7 miles off of Barber's Point. On May 14, 1996, a Chevron Product Company pipeline ruptured, releasing bunker fuel oil that moved throughout the East Loch of Pearl Harbor, fouling shorelines and closing harbors and vessel traffic throughout Pearl Harbor. On August 24, 1998, a hose failure during oil transfer operations to Tesoro's Oversea New York resulted in a spill of what was eventually estimated to be nearly 5,000 gallons of oil one-half mile off of Barber's Point, eventually coming ashore in the form of tarballs and oiled birds at Barking Sands, Polihale, Nukoli, Fiji, and Kīpukai beaches on the island of Kaua'i. Most recently, on May 19, 2006, Tesoro's Front Sunda released approximately 1,000 to 2,000 gallons of light crude oil 1.5 miles off of Barber's Point. See, e.g., International Tanker Owners Pollution Federation Limited, Case Histories: Hawaiian Patriot, <http://www.itopf.com/information-services/data-and-statistics/case-histories/hlist.html> (last accessed Jan. 29, 2013); NOAA National Ocean Service, Incident News: Exxon Houston, <http://www.incidentnews.gov/incident/6674> (last accessed Jan. 29, 2013); NOAA Damage Assessment, Restoration, and Remediation Program, Southwest Region, <http://www.darrp.noaa.gov/southwest/chevron/index.html> (last accessed Jan. 29, 2013); Helen Altonn, Oil Spill Recovery Halted, HONOLULU STAR-BULLETIN, May 21, 2006, available at <http://archives.starbulletin.com/2006/05/21/news/story04.html>.

By providing for a nominal, distributor-level tax on imported petroleum products, and earmarking these additional tax revenues for addressing impacts to native wildlife from oil and petroleum spills, this bill will ensure that the state is better prepared to recover and rehabilitate what may be the last remaining colonies and habitats of our native, endangered and culturally cherished seabirds.²

Therefore, OHA urges the Committees to **PASS** HB988. Mahalo for the opportunity to testify on this measure.

² The cultural importance of seabirds included their role in navigation , meteorology, craftwork, and in their spiritual and symbolic significance. See, e.g., Daniel Harrington, Seabirds of the Hawaiian Islands, in HAWAIIAN ENCYCLOPEDIA: A COMPREHENSIVE GUIDE TO THE HAWAIIAN ISLANDS HISTORY, CULTURE, NATIVE SPECIES, SCIENCE, <http://www.hawaiianencyclopedia.com/seabirds-of-the-hawaiian-islan.asp> (last accessed February 6, 2013).

TAXBILLSERVICE

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TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: FUEL, Environmental response, energy and food security tax; disposition to wildlife recovery and rehabilitation special fund

BILL NUMBER: HB 988

INTRODUCED BY: Evans and Nakashima

BRIEF SUMMARY: Amends HRS section 243-3.5 to increase the environmental response, energy and food security tax from \$1.05 to \$___ and provides that of the tax collected, the first \$275,000 shall be deposited into the wildlife recovery and rehabilitation special fund.

On July 1, 2015, amends HRS section 243-3.5 to increase the state environmental response tax from 5 cents per barrel to 7 cents per barrel and provides that of the tax collected, the first \$275,000 shall be deposited into the wildlife recovery and rehabilitation special fund.

Adds a new section to HRS chapter 195D to establish the wildlife recovery and rehabilitation special fund which shall be expended by the department of land and natural resources to support the operations of an environmental disaster standby and response facility in the state that shall be responsible for the recovery and rehabilitation of native wildlife that are sickened, injured, or contaminated as a result of an oil or fuel-related disaster.

EFFECTIVE DATE: July 1, 2013

STAFF COMMENTS: The legislature by Act 300, SLH 1993, enacted an environmental response tax of 5 cents per barrel on petroleum products sold by a distributor to any retail dealer or end user. The intent of the original nickel per barrel was to build up an emergency fund so that the state would have the financial resources to address an oil spill that threatened to damage the Islands' shorelines. Over the years, the activities for which the funds could be used expanded such that the fund was prevented from ever reaching the \$7 million cap that had been imposed by the original legislation.

The legislature by Act 73, SLH 2010, increased the amount of the tax to \$1.05 per barrel and provided that 5 cents of the tax shall be deposited into the environmental response revolving fund; 15 cents shall be deposited into the energy security special fund; 10 cents shall be deposited into the energy systems development special fund; 15 cents shall be deposited into the agricultural development and food security special fund; and the residual of 60 cents shall be deposited into the general fund between July 1, 2010 and June 30, 2015.

This measure increases the amount of the tax from \$1.05 to \$___ and proposes that first \$275,000 shall be deposited into the wildlife recovery and rehabilitation special fund. This increase is unacceptable when one remembers that the increase to \$1.05 was predicated on devoting the entire amount to energy self-sufficiency and food security. Taxpayers should feel insulted that the tax is being increased even more this year because the barrel tax is being used to bail out the state general fund,

letting lawmakers off the hook from making the cuts to state spending that are so critical if the ship of state is to be righted on its keel. Avoiding making those cuts in spending by raising hidden taxes, like the barrel tax, is less than honest as the tax is imposed on a transaction that is not seen by the average taxpayer. To merely up the tax to do what the original barrel tax proposal should have done is disingenuous and insincere.

It should be remembered that the environmental response tax was initially adopted for the purpose of setting up a reserve should an oil spill occur on the ocean waters that would affect Hawaii's shoreline. The nexus was between the oil importers and the possibility that a spill might occur as the oil product was being imported into the state. Now that the fund has become a cash cow, lawmakers have placed other responsibilities on the fund, including environmental protection and natural resource protection programs, such as energy conservation and alternative energy development, to address concerns related to air quality, global warming, clean water, polluted runoff, solid and hazardous waste, drinking water, and underground storage tanks, including support for the underground storage tank program of the department of health.

It should be noted that the enactment of the barrel tax for the environmental response revolving fund is the classic effort of getting one's foot in the door as it was initially enacted with a palatable and acceptable tax rate of 5 cents and subsequently increasing the tax rate once it was enacted which is what it has morphed into as evidenced by the \$1.05 tax rate. Because the tax is imposed at the front end of the product chain, the final consumer does not know that the higher cost of the product is due to the tax. Thus, there is little, if any, accountability between the lawmakers who enacted the tax and the vast majority of the public that ends up paying the tax albeit indirectly. Proponents ought to be ashamed that they are promoting a less than transparent tax increase in the burden on families all in the name of environmental protection and food security.

It should be remembered that the State Auditor has singled out the environmental response revolving fund as not meeting the criteria established and recommended that it be repealed. The Auditor criticized the use of such funds as they hide various sums of money from policymakers as they are not available for any other use and tend to be tacitly acknowledged in the budget process. More importantly, it should be recognized that it is not only the users of petroleum products who benefit from a cleaner environment, but it is the public who benefits. If this point can be accepted, then the public, as a whole, should be asked to pay for the clean up and preservation of the environment.

With the "toe in the door" this measure proposes to increase the tax rate for the environmental response portion of the tax from 5 cents to 7 cents and then earmark the first \$275,000 for wildlife recovery. So, one must ask, where is this going to stop? Add a program this year and next year will there be another effort to earmark more of the fee for another program?

Funds deposited into a special fund are not subject to close scrutiny as an assumption is made that such funds are self-sustaining. It should be remembered that earmarking of funds for a specific program represents poor public finance policy as it is difficult to determine the adequacy of the revenue source for the purposes of the program. To the extent that earmarking carves out revenues before policymakers can evaluate the appropriateness of the amount earmarked and spent, it removes the accountability for those funds. There is no reason why such programs should not compete for general funds like all other programs which benefit the community as a whole.

It should be noted that the measure to increase the environmental response, energy, and food security tax was vetoed by the governor and subsequently overridden by the legislature. The governor's message stated that the measure was vetoed "because it raises taxes on Hawaii residents and businesses by an estimated \$22 million per year at a time when the community cannot afford these taxes, and deceptively implies these funds will be used to address the state's dependence on imported fuel and food. This tax will impact virtually everything we do or use in Hawaii including electricity, gasoline, trucking, shipping, retail goods, food, and even the propane for our backyard barbeques. The impacts will ripple through our entire economic system. I am particularly concerned that the tax increase occurs at a precarious moment when the State economy is beginning to stabilize and progress out of the slump created by the global recession."

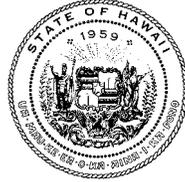
Rather than perpetuating the problems of the barrel tax, it should be repealed and all programs that are funded out of the environmental response fund should be funded through the general fund. At least program managers would then have to justify their need for these funds. By continuing to special fund these programs, it makes a statement that such programs are not a high priority for state government. This sort of proliferation of public programs needs to be checked as it appears to be growing out of hand and at the expense of the taxpayer.

For those lawmakers who promoted the dollar increase for energy self-sufficiency and food security, taxpayers should recognize that they deliberately misled the public and should be held accountable for their lack of integrity as the dollar increase went largely for shoring up the state general fund.

Digested 2/7/13

NEIL ABERCROMBIE
GOVERNOR

SHAN TSUTSUI
LT. GOVERNOR



FREDERICK D. PABLO
DIRECTOR OF TAXATION

JOSHUA WISCH
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809
PHONE NO: (808) 587-1540
FAX NO: (808) 587-1560

To: The Honorable Cindy Evans, Chair
and Members of the House Committee on Water and Land

The Honorable Chris Lee
and Members of the House Committee on Environmental Protection

Date: Friday, February 8, 2013
Time: 8:30 A.M.
Place: Conference Room 325, State Capitol

From: Frederick D. Pablo, Director
Department of Taxation

Re: H.B. 988, Relating to Native Wildlife

The Department of Taxation ("Department") appreciates the intent of H.B. 988 and provides the following information and comments for your consideration.

H.B. 988 increases the environmental response, energy, and food security tax, and would deposit the increase into the wildlife recovery and rehabilitation special fund, which the bill establishes.

The Department notes that the changes to the environmental response, energy, and food security tax described in H.B. 988 would not change the way the Department collects the tax or significantly change the administration of the tax. The Department therefore defers to the Department of Land and Natural Resources regarding the merits of the bill and the Department of Budget and Finance regarding administration of the proposed changes to the distribution of funds from the environmental response, energy, and food security tax.

Thank you for the opportunity to provide comments.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 4:22 PM
To: waltestimony
Cc: rae@hawaiiwildlifecenter.org
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM
Attachments: RaeHB988Testimony.pdf

HB988

Submitted on: 2/6/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rae Okawa	Individual	Support	No

Comments:

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**Testimony in support of H.B. 988
Presented to the Committee on Water & Land and the Committee on Energy &
Environmental Protection**

Aloha Chairs Evans and Lee and Committee members,

I am writing in support of H.B. 988.

I am the Development Coordinator at the Hawai'i Wildlife Center, but I am writing today to express my personal viewpoints about Hawai'i's native wildlife.

Hawai'i's native animals are special and I believe it is our *kuleana*, our responsibility, to protect them. I was born and raised in Hawai'i and it was the passion I developed for our native species that kept me tied to the islands. My desire to see our native species recover and flourish, in addition to the opportunity to work at the Hawai'i Wildlife Center, was what ultimately brought me back home to Hawai'i after receiving my undergraduate and graduate degrees on the mainland.

It is terrifying to think what would happen to our vulnerable native species should a disaster, natural or manmade, hit and we are not prepared. Many of our native species are found nowhere else in the world and once they die out, there is no getting them back. H.B. 988 provides a measure of protection for our native species by setting aside a small portion of funding for a wildlife recovery and rehabilitation special fund, without lessening the appropriated amounts to any of the other already-established funds. Hawai'i's native wildlife wins, no one loses.

Please support H.B. 988. As a biologist, I ask you to protect species that are a key part of our native ecosystems and biodiversity. As *kama'āina*, I ask you to protect the wonderfully unique and special wildlife that are close to the hearts of many here in Hawai'i.

Mahalo for the opportunity to testify.

Aloha,

Rae 

Rae Okawa
Kapa'au, HI



February 6, 2013

To: House Committee on Water and Land
House Committee on Energy and Environmental Protection

From: Dr. Robert Shallenberger, Conservation Biologist

Subject: .Support for HB988 - RELATING TO NATIVE WILDLIFE

Members:

I strongly support this bill. Let me share some important observations.

Hawaiian wildlife are among the most critically threatened species on the planet. State and Federal agencies share statutory responsibility for the conservation of native and endemic birds.

One of the most significant threats to Hawaiian wildlife is exposure to oil and other contaminants. Hawaii receives more than 40 million barrels of petroleum each year, in nearly 700 tanker trips. More than 100 vessel groundings have been reported in the Hawaiian archipelago. We dodged a bullet in 1989 when the *Exxon Houston* grounded off Oahu with 490,000 barrels of fuel on board and, in 1990 when the *Star Connecticut* grounded with 250,000 barrels on board. Sometimes we're not so lucky. When the *Hawaiian Patriot* sank west of Kauai in 1967 more than 715,000 barrels of fuel, nearly three times the *Exxon Valdez* spill, were released. A decade later, when the *Irene's Challenge* broke apart near Midway, nearly 240,000 barrels of crude oil were released.

Until recently, the State has been woefully unprepared to respond effectively to major spill event. Fortunately, the situation has improved dramatically with the recent completion and initial staffing of the Hawaii Wildlife Center in north Kohala. The Center

Shallenberger Photography - P.O. 6779, Kamuela, HI 96743 - (808)-937-1775

is now equipped to provide professional, state-of-the-art care and treatment for Hawaii's native wildlife. It is now the only facility in the State that meets all the State and Federal standards for wildlife rehabilitation. The Center is also the designated spill responder facility in the Area Contingency Plan.

To date, virtually all of the support for the Center has come from private donations, Federal and State grants, donated professional services and volunteers. Although this support will likely continue at a reduced level, the Center will not be able to fulfill its mission without a steady source of funding. The Special Fund identified in HB988 would make it possible to fully staff and operate the Center and to train volunteers and resource professionals. Most importantly, the Center will be prepared to respond to contaminant events on a moment's notice.

Thank you for the opportunity to comment.

Aloha,

s/ Robert Shallenberger

Robert Shallenberger, Ph.D.

lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 7:01 AM
To: waltestimony
Cc: TIMEMGMTHI@GMAIL.COM
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/7/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
LORIN CLIFFORD	Individual	Support	No

Comments: The State of Hawai'i is getting closer to being able to save and support our imperiled native wildlife in all capacities...IT IS NOT THERE YET! Please support this bill!

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lifestyle depend upon.

Astonishingly, to date, no funds from the ERRF have been allocated to support wildlife rehabilitation facilities, operations or staffing to rehabilitate wildlife affected by oil releases. It would be appropriate and prudent to direct a portion of the barrel tax revenues to support the spill-related activities of the HWC, consistent with HRS 128D

Therefore, I support establishing the wildlife recovery and rehabilitation special fund to support the operations of a facility in Hawaii to respond to oil and fuel-related disasters affecting native wildlife. We must ensure that there is an operational capacity to care for Hawaii's 15 million seabirds, shorebirds, and water birds in the event of an oil spill or other wildlife related disaster.

Listed below are reasons why it is important to support a wildlife rehabilitation center for the care and treatment of native Hawaiian wildlife affected by contamination, disease, and injury; and to provide for their subsequent release into the wild:

- \$275,000 is an extremely small amount when compared to the total sum collected from barrel taxes, but is much-needed and will have an immediate effect.
- \$275,000 is only half of operation costs of HWC. The other half will be raised through private fundraising.
- Nearly 700 oil tankers and over 18,000 other sea going vessels enter Hawaiian waters each year.
- There have been more than 100 documented vessel groundings and sinkings, including some that had released more oil than the Exxon Valdez.
- State and Federal governments have a statutory responsibility for the conservation of migratory birds and endangered species.
- We need to ensure that Hawaii will always have the necessary facilities, equipment, logistic support and trained staff ready to mount an effective spill response available at a moment's notice.
- Hawaii Wildlife Center possess a MOA with the Fish and Wildlife Service and State DLNR relating to oil spill response and serves as a designated spill responder facility in the Area Contingency Plan
- Revenues derived from the barrel tax are allocated to DOH, DBEDT, DOA and the general Fund. To date, none of these funds have been allocated to mitigate oil spill impacts to wildlife.

I urge you to support H.B. 988. Thank you for your time and consideration.

Very truly yours,



Jason Umemoto, ASLA, CLARB
President, Umemoto Cassandro Design
Chair, Board of Directors, Hawaii Wildlife Center

lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 8:13 AM
To: waltestimony
Cc: maluhina@hawaiiantel.net
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/7/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cindy Granholm	Individual	Support	No

Comments: The Hawaii Wildlife Center is the only facility in the State with the training and equipment to deal with emergency response for our native wildlife, particularly our threatened native seabirds in the case of an oil spill. I strongly support HB988 which will provide a small portion of funding to help protect our native wildlife in the case of emergency response.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 6:02 PM
To: waltestimony
Cc: kamaleialoha@hotmail.com
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/6/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren E K Stovall	Individual	Support	No

Comments: I support funding for native wildlife rescue and rehabilitation. I believe it is vital as Hawaii is the endangered species capital of the world. Our native wildlife is vital to our ecosystem, economy, and culture. Mahalo.

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lowen1-Kyli

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To: waltestimony
Cc: opihikaokid@gmail.com
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HB988

Submitted on: 2/6/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
sean king	Individual	Support	No

Comments: Please support HB988, funding for native wildlife recovery and rehabilitation is vital to Hawaii's survival.Thanks Sean King

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 06, 2013 6:20 PM
To: waltestimony
Cc: carolbd@earthlink.net
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/6/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Davies	Individual	Support	No

Comments: Please support HB988 that in turn will help support the only facility in Hawaii and the Pacific Islands region to respond during oil and fuel-related disasters affecting native Hawaiian wildlife.

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lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 8:15 AM
To: waltestimony
Cc: david.w.fink@hawaii.gov
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM
Attachments: HB0988_LNR_02-08-13_WAL-EEP.pdf

HB988

Submitted on: 2/7/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William J. Aila, Jr.	Department of Land and Natural Resources	Comments Only	Yes

Comments: See attached document.

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lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 8:47 AM
To: waltestimony
Cc: rtb808@gmail.com
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/7/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Bartlett	Individual	Support	No

Comments: Aloha kakou: Please support the Hawaii Wildlife Center by voting for HB988. This bill will provide for critical funding support for the Hawaii Wildlife Center for native wildlife recovery, emergency response and rehabilitation. This state annual funding support will provide for a portion on the operations of the only facility in Hawaii and the Pacific Islands region to respond during oil and fuel-related disasters affecting native Hawaiian wildlife. HWC will raise matching funds from private contributors. HWC not only benefits the State 's at risk native wildlife but supports programs for students, community volunteerism and the staff it employs. Mahalo nui loa no kou kokua! `Ua mau ke ea o ka `aina i ka pono! Randy Bartlett POB 880698 Kula, Maui, HI

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lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 10:51 AM
To: waltestimony
Cc: dr.yoshicedo@gmail.com
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/7/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Yoshicedo, DVM	Individual	Support	No

Comments: Dear Committee, I am writing in support of HB988 to allocate a certain amount of barrel tax funds to a wildlife recovery and rehabilitation special fund. This support of the Hawaii Wildlife Center or like facility dedicated specifically to providing native wildlife emergency response and rehabilitation is an appropriate and responsible way for the state to prepare for protection of its native wildlife in the event of an oil spill or other disaster. Please support HB988 and its conservation efforts on behalf of Hawaii's endangered and endemic animals. Sincerely, Jill Yoshicedo, DVM

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Testimony in support of H.B. 988

Committee on Water & Land and the Committee on Energy & Environmental Protection

Aloha Chairs Evans and Lee and Committee Members;

As an advisory board member for the Hawaii Wildlife Center, I am writing to ask your support of HB988 which could go a considerable way in helping Hawaii's many (many) endangered native wildlife species.

As committee members, surely you are aware of the precarious situation that Hawaii's wildlife faces and therefore, surely you are also aware of the importance of supporting this measure. As a state, we remain ill-prepared for natural or manmade disasters; particularly those that will impact native wildlife.

The small amount requested in this funding could reap large rewards in helping Hawaii become well prepared for what will, in fact, occur one day.

Please consider support of H.B. 988. It is within your power to help protect Hawaii's native wildlife.

Mahalo,

Vicky Kometani

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEES ON WATER & LAND AND
ENERGY & ENVIRONMENTAL PROTECTION
ON
HOUSE BILL NO. 988

February 8, 2013

RELATING TO NATIVE WILDLIFE

House Bill No. 988 establishes the Wildlife Recovery and Rehabilitation Fund into which are deposited a portion of the State environmental response, energy, and food security tax; appropriations by the Legislature; all interest attributable to investment of money deposited in the fund and monies allotted to the fund from other sources. The special fund shall be used to support the operations of an environmental disaster standby and response facility in the State for the recovery and rehabilitation of native wildlife that are sickened, injured, or contaminated as a result of an oil or fuel-related disaster in the State.

The Department of Budget and Finance (B&F) appreciates the intent of the bill to assist native wildlife affected by oil and fuel-related disasters, and defers to the Department of Land and Natural Resources regarding the technical issues and merits of the bill. However, as a matter of general policy, B&F does not support the creation of any special fund which does not meet the requirements of Section 37-52.3 of the HRS. Special or revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and

3) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 988, it is difficult to determine whether there is a clear nexus between the benefits sought and the source of funding, and whether the fund will be self-sustaining.

I encourage the Legislature to scrutinize the fiscal and operational plan for this program to ensure that it does conform to the requirements of Section 37-52.3, HRS.

lowen2-Anosh

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 07, 2013 2:18 PM
To: waltestimony
Cc: derindacantrell@gmail.com
Subject: Submitted testimony for HB988 on Feb 8, 2013 08:30AM

HB988

Submitted on: 2/7/2013

Testimony for WAL/EEP on Feb 8, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Derinda Cantrell	Individual	Comments Only	No

Comments: Please pass this important measure to support native Hawaiian wildlife, educate our children and assist our community!

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