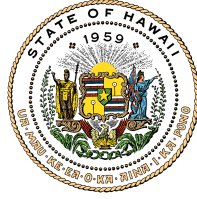


JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA  
P.O. BOX 621  
HONOLULU, HAWAII 96809

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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**Testimony of  
RYAN K.P. KANAKA'OLE  
Acting Chairperson**

**Before the Senate Committee on  
JUDICIARY**

**Tuesday, April 7, 2026  
10:15 AM  
State Capitol, Conference Room 415**

**In consideration of  
HOUSE BILL 1553, HOUSE DRAFT 1, SENATE DRAFT 1  
RELATING TO HABITAT CONSERVATION PLANS**

House Bill 1553, House Draft 1, Senate Draft 1 requires that any existing habitat conservation plan not including an agreement for emergency medical and rehabilitation services for affected native wildlife be amended to incorporate such services. The bill becomes effective on 7/1/3000. **The Department of Land and Natural Resources (Department) appreciates the concept of a wildlife rehabilitation clause and offers the following comments.**

Wildlife rehabilitation centers provide a crucial service for native wildlife in Hawai'i and should be fairly compensated for their efforts. This bill requires current holders of incidental take licenses with habitat conservation plans to update their plans and agree to enter annual service contracts with wildlife rehabilitation centers. While the Department agrees that having a contract with a wildlife rehabilitation provider is beneficial, a habitat conservation plan is essentially a contract, and forcing a permittee to reopen an already agreed-upon contract may not be the best approach. It may be better to mandate that all plans, moving forward, include a wildlife rehabilitation clause.

Mahalo for the opportunity to support this measure.



Testimony Before the Senate Committee on Judiciary

By Beth Amaro  
Member Services and  
Communications Manager  
Kaua'i Island Utility Cooperative  
4463 Pahe'e Street, Suite 1, Lihu'e, Hawai'i, 96766-2000

Tuesday, April 7, 2026; 10:15 am  
Conference Room #016 & Videoconference

**House Bill No. 1553, HD 1, SD1 – RELATING TO HABITAT CONSERVATION PLANS**

To the Honorable Chair Karl Rhoads, Vice Chair Mike Gabbard, and Members of the Committee:

Kaua'i Island Utility Cooperative (KIUC) is a not-for-profit utility providing electrical service to more than 34,000 commercial and residential members.

**KIUC has concerns about this measure.**

For more than two decades, KIUC has worked closely with federal and state agencies to address the potential impact of utility structures and lights on Kaua'i's protected seabirds listed under the Federal and State of Hawai'i Endangered Species Acts. KIUC has implemented numerous measures reducing these potential impacts and improving seabird survival and recovery. In 2011, KIUC was granted a federal permit for its short-term Habitat Conservation Plan that accounted for impacts to seabirds and formalized measures to reduce those impacts from utility structures and to protect seabirds and seabird habitat.

A second draft Habitat Conservation Plan (HCP) for a 50-year term and the HCP's draft Environmental Impact Statement was published in August 2025 for public and Endangered Species Recovery Committee (ESRC) review and comment through the State of Hawai'i Office of Planning and Sustainable Development's Environmental Review Program publication, The Environmental Notice. At the same time, a draft Environmental Impact Statement for the HCP and the draft HCP was published by the U.S. Fish and Wildlife Service through the Federal Register. The 50-year term draft HCP covers three species of seabirds, five species of waterbirds and the green sea turtle.

After all comments from the public and the Endangered Species Recovery Committee are received, a final EIS and HCP that considers and incorporates these comments will be completed. The final EIS and HCP are expected to provide the basis for KIUC's application for a federal incidental take permit and state incidental take license.

The current draft HCP includes KIUC's present and future base funding for the Save our Shearwaters (SOS) program, ensuring that the program is open and operational to serve the avian wildlife rehabilitation needs on While, KIUC recognizes the importance of funding agreements with SOS by HCPs utilizing SOS for wildlife rehabilitation services, we are concerned about the potential overlap and conflicts with other HCPs. As the number of HCPs increases across the state, it becomes increasingly important that requirements for funding agreements with SOS do not result in conflicts with permitted HCPs.

KIUC takes its HCP responsibilities seriously and has spent more than \$66 million since 2020 on HCP related efforts. Much of that spending includes minimization and mitigation projects in partnership with the US Fish and Wildlife Service, Division of Forestry and Wildlife, Kaua'i Endangered Seabird Recovery Project, Save Our Shearwaters Program, seabird experts, and other governmental, non-profit and community groups. KIUC's minimization efforts have resulted in an estimated 66% decrease in seabird powerline strikes, and KIUC's mitigation efforts have resulted in stable and increasing seabird populations and improved habitat in managed areas. KIUC's funding of SOS has ensured that an avian rehabilitation facility remains open and operational on Kauai and contributes to the successful rehabilitation and high rate of release of threatened and endangered seabird and waterbird species on Kauai.

We respectfully request the following amendment to address potential conflicts with existing HCPs that could develop as a result of annual service contracts for native wildlife rehabilitation:

(G) Include an agreement 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; Annual service contracts shall not conflict with existing Habitat Conservation Plans;

Mahalo for your consideration.