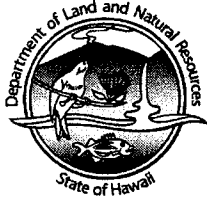


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LAND
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

On Senate Bill 3103 - Relating To Endangered Species

**BEFORE THE SENATE COMMITTEES ON
ENERGY AND ENVIRONMENT
and
WATER AND LAND**

February 28, 2008

Senate Bill 3103 proposes to amend Chapter 195D, Hawaii Revised Statutes (HRS), to encourage greater participation in endangered species restoration by private landowners by authorizing the development and use of programmatic safe harbor agreements (SHAs) and programmatic habitat conservation plans (HCPs) and the tools needed to implement them. The Department of Land and Natural Resources strongly supports this Administration bill and welcomes it as a means to encourage greater endangered species restoration on private lands.

Federal resource conservation agencies and non-governmental conservation organizations have begun to implement programmatic agreements to encourage regional landscape-scale and multi-party initiatives for endangered species. Examples of programmatic agreements are a statewide programmatic SHA with landowners enrolling in Farm Bill conservation programs to improve habitat for endangered waterbirds, or a regional programmatic HCP on Kauai that would mitigate the impacts on endangered seabirds from utility lines or attraction to lights. To provide private landowners the assurances that these tools will be available in the future, the Hawaii Endangered Species Law should be amended to specifically recognize these tools, similarly as has been done in federal regulations.

Programmatic approaches are beneficial because they enable interested landowners to sign-on to regional agreements and not need to develop and process their own individual agreements and plans at considerable time, cost and administrative burdens for both landowner and regulatory agencies. Programmatic agreements and plans encourage many landowners to get involved because it gives them a finished product to evaluate and agree to and removes the uncertainty about final product and outcomes. Programmatic agreements enable the development of regional management actions that encompass scale and offer benefits that are not possible with single agreements and result in greater recovery gains for endangered species.

Having State programmatic SHAs and HCPs similar to federal tools will streamline the processing of endangered species permits and meets the directive in §195D-4(i), HRS, to work cooperatively and concurrently with federal agencies.