

gabbard1 - Carlton

From: Mary Lynn Werthwine [marywerthwine@gmail.com]
Sent: Tuesday, February 02, 2010 1:45 PM
To: ENETestimony
Subject: SB 2441

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I am writing in support of Senate Bill 2441, introduced by Senator Gary Hooser. I am a full time resident on Kaua'i. I consider myself a conservationist. My husband, adult daughter, and I all volunteer to help in the protection of all marine life; in particular the Endangered Hawaiian Monk Seal. With many others we give countless hours of our time monitoring and educating, sometimes with a positive outcome, and sometimes not so positive.

We were shocked at the killing of two healthy adult seals on Kaua'i last spring. One seal carrying a near term pup, increasing the already staggering number of deaths; these three at the hands of man. Working with the NOAA team during necropsies is a real eye opener. Even more shocking and disappointing was to learn just how weak the laws in place really are. Having gone through what we have, and doing what we do, we need more support ourselves.

I strongly urge that this bill be passed in an effort to help our marine life, which in turn helps the ocean in which they reside. Without the tools such as this bill, the efforts of State and Federal employees, as well as the many volunteers such as myself are useless.

Mahalo

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Testimony of The Nature Conservancy of Hawai'i
Commenting on S.B. 2441 Relating to Endangered Species
(Testimony provided by Mark Fox, Director of External Affairs)
Committee on Energy and Environment
Committee on Water, Land, Agriculture, and Hawaiian Affairs
Tuesday, February 02, 2010, 2:45PM, Room 225

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawai'i's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 11 nature preserves on O'ahu, Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy submits the following comments on S.B. 2441 Relating to Endangered Species:

- We support the provision of the bill that makes it a Class C felony to intentionally or knowingly take an endangered species. We think strict penalties should be applied in such cases.
- We take no position on the provisions in the bill that would provide a private citizen's right of civil action to address violations of HRS Chapter 195D.

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**Testimony in SUPPORT for SB2441
ENL/WTL Hearing Scheduled for 2/02/10**

I'd like to begin by thanking Senator Hooser for introducing this bill and thank you Chairs Gabbard and Hee for hearing this measure. My name is Kiana Kauwe and I **SUPPORT SB 2441**. I am a resident of Oahu, born on the Big Island, and have family on Kauai. I am working on the Save Our Seal Campaign and am testifying on behalf of a species that cannot be here to advocate for its own survival.

I am outraged and deeply saddened that three seals were shot and killed this past year. In April and May, there were two back-to-back shootings on Kauai; one male and the other a pregnant female. The death of the female was especially sad because she carried a baby almost to full term. When including this dead fetus, four monk seals have been intentionally killed this past year. This female RK06 was in her mid-teens and had given birth to 5 pups in the past and was pregnant with her sixth. She was an important breeder and her death was a loss to the entire population. Lastly, in December a male monk seal was found apparently shot and floating off of Molokai.

Something needs to be done on a leadership level to address these killings. Increasing state penalties for intentionally harming or killing a Hawaiian monk seal and all other endangered species sends a message to the public that we will not allow this senseless violence. This measure will serve as a deterrent for future monk seal killings and other endangered species.

The Hawaiian monk seal's primary habitat is in the Northwestern Hawaiian Islands where their population is rapidly declining at approximately 4% each year. The biggest problem is that juvenile seals are starving to death and being predated by sharks. Less than 1 in 5 pups survive to adulthood.

The hope for the species lies in here, with us in the main Hawaiian Islands. The MHI population is slowly growing and the animals are much healthier than those in the NWHI. With this hope comes the need for greater stewardship and protections. I ask these committees to support SB2441 and show that our legislature is committed to helping in the recovery of our critically endangered Hawaiian monk seal, our official state mammal.

Tuesday February 2, 2010 Room 225

Good Afternoon Chairs Gabbard & Hee, Vice Chairs English & Tokuda. Aloha members of the Energy and Environment Committee and the Water, Land, Agriculture and Hawaiian Affairs Committee.

My name is Keiko Bonk, coordinator of the Save Our Seal or SOS Campaign, a network of over 15 conservation & cultural organizations in Hawaii and individual seal advocates. I support Senator Hooser SB2441 to up the penalty for harming or killing our Hawaiian monk seal & other endangered from a misdemeanor to a Class C Felony.

The Story of the Hawaiian Seal is a story that human beings can learn from to insure our own species survival

This session opened with many speeches of a shaky economy and the need to be frugal and lean in governing our state's affairs. As you work to determine what is essential to Hawaii, I urge you to think of our natural resources as not only essential, but also irreplaceable treasures. Hawaii's unique location, our unique geography, unique flora and fauna drive most of our economic engines. The best management of these assets is essential to secure a true quality life for all Hawaii's people.

You are the elected stewards of Hawaii's natural resources. You have a platform to tell important stories that impact our lives. Please lead the recovery of Hawaiian monk seal and ask all Hawaii residents and visitors to be an integral part of saving the Hawaiian monk seal as well as the other 348 endangered species of Hawaii. Everyone who frequents the shorelines and ocean of Hawaii are responsible for this 13 million year old mammal, found nowhere else on earth.

Building a responsible community conscience is the good first step towards caring for Hawaii's species. Bill 2441 establishes a serious law. With this law you send a serious message that Hawaii leaders take responsibility to manage our flora and fauna. It is a good start to acknowledge our serious and complex environmental challenges.

The president of our nation has stated that we must all learn to pursue our long-term interests based on facts, rather than political ideology or short-term self-interest. And for us in Hawaii, one of those unpleasant, but intractable, facts is that Hawaii has the dubious distinction of being the endangered species capital of the world. Hawaii's terrestrial and marine environment is still breath-takingly beautiful, but it is not healthy. In fact it is very, very sick. Pretending otherwise, and delaying dramatic and systematic intervention, will only insure that our environmental illness progresses from critical to terminal.

We know the world can probably survive without Hawaii's many unique species, but we are here to remind you that what threatens Hawaii's endemic species, threatens the very health and survival of the human species. For this reason we have chosen to focus on a campaign to assist in the recovery of the critically endangered

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Hawaiian Monk Seal; a species that shares many of our best characteristics and none of our worst. Perhaps if we can save the seal, it will inspire us to believe we can save ourselves.

The Hawaiian Monk Seal represents Hawaii's struggle to survive the challenges of a rapidly degrading global environment. A process of degradation that is of our own making. The Hawaiian Monk Seal is like Hawaii itself, unique and threatened. It is the only endemic marine mammal in Hawaii and one of the most critically endangered marine mammals in the world. It, like much of what makes Hawaii, Hawaii, is on the verge of extinction. Many of these threats are beyond our ability to control locally. The primary threats to the Hawaiian Monk Seal are climate change, overfishing, pollution, disease, human encroachment and marine debris. And yet, we in Hawaii are determined to show that the accelerating trend toward extinction of the Hawaiian Monk Seal can not just be slowed down, it can be reversed.

Besides its intrinsic value, and its important role in the marine ecosystem of the Hawaiian archipelago, the Hawaiian Monk Seal has spiritual value as a reflection of Hawaii's soul. The Monk Seal's current endangered status is a reflection of who we have been, but its potential rescue is a reflection of who we can become; who we wish to become. We in Hawaii, at least most of us, are ready to go beyond blaming outsiders for our plight, and admit that we are part of the problem. We are also ready to change and sacrifice for a better future. But at the same time we are also cognizant of the fact that we cannot save our seal, anymore than we can save ourselves, without a lot of help from others. Locally, we have overfished, polluted our waters, and failed to implement policies that protect our shared environment from the more selfish side of our own human nature. We sat back and allowed hundreds unique endemic species to go extinct on our watch. There is no excuse for what we have done, but I believe there is a genuine desire among most of us to reverse the trend; to demonstrate our better nature.

To be blunt, it is time to stop talking about "sustainability" and whatever the latest scientific buzz word is, and get down to living with the facts. We are doing a lousy job taking care of the environment that we need to survive, because we spend too much time catering to the short-term, reactive and selfish side of our own human nature. Fortunately, for the Monk Seal, ourselves, and the rest of the planet, human nature is not one dimensional. As a species, we have evolved the capacity to engage in complex, long-term reasoning based on facts and driven by compassion.

It is our hope that this kind of real fact-based reasoning, sustained by compassion for the Hawaiian Monk Seal, can act as a model not just for better marine policy, but also as a model for how to save ourselves from ourselves.

Mahalo nui loa for taking steps to care and malama our true assets that we depend on for life.

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