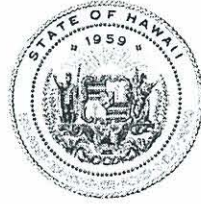


HB 1079 HD2

RELATING TO FEES FOR HABITAT CONSERVATION PLANS.

Authorizes the Department of Land and Natural Resources to collect fees to cover the technical assistance program costs associated with Habitat Conservation Plans, and adopt rules for establishing such fees. Effective July 1, 2030. (HB1079 HD2)

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committee on
WATER, LAND, AND HOUSING**

**Thursday, March 17, 2011
1:15 PM
State Capitol, Conference Room 225**

**In consideration of
HOUSE BILL 1079, HOUSE DRAFT 2
RELATING TO FEES FOR HABITAT CONSERVATION PLANS**

House Bill 1079, House Draft 2 would authorize the collection of fees to cover the technical assistance program costs associated with developing, reviewing, and monitoring habitat conservation plans; and provisions for the adoption of rules to establish such fees. The Department of Land and Natural Resources (Department) strongly supports this Administration measure with the exception of its effective date (July 1, 2030). The Department respectfully asks that the effective date of this measure be restored back to "upon its approval".

Hawaii is the Endangered Species Capital of the Nation with 380 listed threatened and endangered species and many more that are candidates or species of concern. As such, Hawaii needs the flexibility within its state law to work cooperatively with its federal counterparts, private landowners and other government agencies to deal with the complexities of the endangered species situation in Hawaii and find the proactive, workable solutions that can protect and conserve our endangered species while allowing for acceptable resource use activities and sound development.

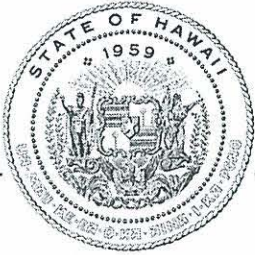
Under both state and federal endangered species law, the incidental take of threatened and endangered species may be allowed if the applicant obtains state and federal approval of a habitat conservation plan that identifies and implements measures to avoid, minimize, mitigate, and monitor take of affected species, and that will increase the likelihood of recovery of the endangered or threatened species that are the focus of the plan. Under Chapter 195D, Hawaii Revised Statutes, the Department is responsible for evaluating, processing, and approving habitat conservation plans and incidental take licenses (ITL) and may establish a technical assistance program for landowners for that purpose. Most applicants request extensive assistance and the number of applications for ITLs and requests for assistance related to habitat conservation plans has increased significantly in recent years involving infrastructure and energy develop projects.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
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



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
INTERIM DIRECTOR

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Statement of
RICHARD LIM
Interim Director

Department of Business, Economic Development, and Tourism

Before the

SENATE COMMITTEE ON WATER, LAND & HOUSING

Thursday, March 17, 2011

1:15 PM

State Capitol, Conference Room 225

In consideration of

HB 1079 HD 2

RELATING TO FEES FOR HABITAT CONSERVATION PLANS.

Chair Dela Cruz, Vice Chair Solomon, and Members of the Committee.

The Department of Business, Economic Development, and Tourism (DBEDT) supports the intent of HB 1079 HD 2, but defers to the Department of Land and Natural Resources with respect to implementation of this measure.

DBEDT is mandated by law to facilitate the permitting of renewable energy projects and to work with permitting agencies. DBEDT is allowed to collect fees from participating projects and to provide a portion of those fees to agencies such as DLNR to help to offset their costs.

This bill would empower DLNR to directly collect fees to cover some of their own costs, allowing for more staff and enabling a more timely review process. It is our belief that this will benefit the renewable energy sector as well as the state's overall economic development.

We encourage your support of this bill. Thank you for the opportunity to testify.



H.B. 1079, HD 2 Relating to Fees for Habitat Conservation Plans
Comments to the Senate Committee on Water, Land, and Housing

March 17, 2011

Aloha Senator Dela Cruz, Senator Solomon, and members of the Committee on Water, Land, and Housing. My name is Kekoa Kaluhiwa and I am the Director of External Affairs for First Wind.

First Wind submits this testimony in **strong support of H.B. 1079 HD 2** which authorizes the Department of Land and Natural Resources to collect fees to cover the technical assistance program costs associated with Habitat Conservation Plans (HCP), and adopt rules for establishing such fees.

The timeline set forth by the Hawaii Clean Energy Initiative is no doubt ambitious, but it is achievable. As the basis of our support for H.B. 1079, we believe that if the Department of Land and Natural Resources is able to collect fees to support the technical assistance program, the additional revenue should be dedicated to providing the necessary staffing to result in more timely review of HCP's in the future. HCP's are detailed technical documents that have important implications for Hawaii's native wildlife, and deserve thoughtful and professional review. Timely review and permitting of renewable energy projects will not only promote a clean energy future for Hawaii, but will also ensure proper stewardship of Hawaii's natural resources and native wildlife.

Mahalo for this opportunity to express First Wind's **strong support** of H.B. 1079 HD 2.

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: worldcat30@gmail.com
Subject: Testimony for HB1079 on 3/17/2011 1:15:00 PM
Date: Wednesday, March 16, 2011 11:49:48 AM

Testimony for WLH 3/17/2011 1:15:00 PM **HB1079**

Conference room: 225
Testifier position: **support**
Testifier will be present: No
Submitted by: George Purdy
Organization: Individual
Address:
Phone:
E-mail: worldcat30@gmail.com
Submitted on: 3/16/2011

Comments: