



# Sierra Club Hawai'i Chapter

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LATE TESTIMONY

## SENATE COMMITTEE ON JUDICIARY AND LABOR

March 3, 2011, 10:00 A.M.  
(Testimony is 1 page long)

### TESTIMONY IN OPPOSITION TO SB 1310

Aloha Chair Hee and Members of the Committee:

The Hawai'i Chapter of the Sierra Club, with 8,000 dues-paying members and supporters, respectfully **opposes** SB 1310. This measure would remove the sunset date on section 13 of Act 380 (1997), which authorizes the issuance of state safe harbor agreements, habitat conservation plans, and incidental take licenses.

The current law was passed to provide an incentive to private landowners to protect a number of species that may exist on their property. In return, the private landowner would be granted the ability to destroy other endangered species.

Protection of Hawai'i's imperiled native plants and animals is of critical importance. Our state is well-known as the endangered species capitol of the world. With hundreds of plants and animals listed as endangered or threatened, where are more endangered species per square mile on these islands than any other place on the planet.

With the importance of this law in mind, we suggest keeping the current sunset provision in place while requesting the Department of Land and Natural Resources work with stakeholders to measure the effectiveness of the current program. DLNR's current testimony is lacking. What number of species have been eliminated under incidental take licenses? How many endangered species have "come back" under a safe harbor agreement? What improvements could be made to the law to ensure a greater number of endangered species are protected?

The sunset provision lasts until next year, so there is time to allow DLNR to gauge the effectiveness of the current program and report back to the Legislature. This better fits with the intent of creating a sunset provision: an opportunity to reflect on the positive or negatives of a law.

Mahalo for the opportunity to testify.