NEIL ABERCROMBIE
GOVERNOR OF HAWAII

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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

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 House Committees on
WATER, LAND, & OCEAN RESOURCES
&
ENERGY & ENVIRONMENTAL PROTECTION

Friday, February 10, 2012
9:00 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2094
RELATING TO ENVIRONMENTAL DISASTER RESPONSE

House Bill 2094 proposes to establish the wildlife recovery and rehabilitation special fund to support the operations of a facility to respond to oil and fuel-related disasters affecting native wildlife in the State, and to increase the environmental response, energy, and food security tax by two cents per barrel and deposits the increase into the Wildlife Recovery And Rehabilitation Special Fund. The Department of Land and Natural Resources (Department) supports this measure in principle, but has concerns about how the increase in taxes may affect the recovering economy.

Oil and fuel-related disasters have the ability to affect hundreds of thousands of birds and other wildlife despite extensive safe guards and precautions implemented by the industry. The recent incident involving the Deepwater Horizon rig in the Gulf of Mexico illustrates just how unpredictable and devastating an oil spill can be. With nearly five million barrels of oil spilled into one of the most sensitive wildlife habitats in the World, the full impact of the disaster is still to be determined. What is known is that tens of thousands of birds, sea turtles, and marine mammals and fish were killed and hundreds of miles of coastal wildlife habitat fouled.

Hawaii's shorelines and coastal wetlands, coral reefs, and marine ecosystems provide habitat for more than 14 million seabirds, several endangered wetland and remote island waterbirds, endangered Hawaiian monk seals, hawksbill and green sea turtles, over a dozen species of whales and dolphins, and more than 7,000 marine fish and invertebrate species.

Oil spills can and do occur in Hawaii. Oil tankers transport and transfer millions of barrels of oil to Hawaii's shores every year and any can become subject to accidents or natural disasters

that cause spills and kill wildlife. In 1989 the Exxon Houston carrying more than 500,000 barrels of crude oil broke a hose and released an estimate 800 barrels into the ocean and coastline near Barber's Point. In 1998, a hose failed at Tesoro's single point mooring at Barber's Point, releasing more than 117 barrels of bunker crude into the sea and onto local beaches. In 2006, the Front Sunda spilled more than 40 barrels into the ocean. Each of these spills affected or killed scores of seabirds and may have affected other wildlife species as well. While the state-supported Clean Islands Council maintains excellent capabilities to respond to and contain oil spills, the Department currently has little capacity to respond to and rescue affected wildlife and no facilities to support any such actions.

The Department supports the need to create capacity to recover and rehabilitate oiled wildlife as proposed in this measure, but also recognizes the urgent need to mitigate impacts to wildlife from oil and fuel related spills and disasters. The Department recommends the following amendment in SECTION 1, subsection (b) to broaden the use of the fund for this purpose.

SECTION 1.

§195D- **Wildlife recovery and rehabilitation special fund.**

(b) Moneys from the fund shall be expended by the department of land and natural resources to support:

(1) The personnel and operations of an environmental disaster standby and response facility in the State that shall be responsible for the recovery and rehabilitation of native wildlife that are sickened, injured, or contaminated as a result of oil or fuel—related disaster in the State; and

(2) The personnel and operations of a wildlife conservation program to mitigate impacts to wildlife species affected as a result of oil or fuel—related disasters in the State.

WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII
TO THE HOUSE COMMITTEES ON WATER, LAND, AND OCEAN RESOURCES
AND ENERGY AND ENVIRONMENTAL PROTECTION
ON
HOUSE BILL NO. 2094

February 10, 2012

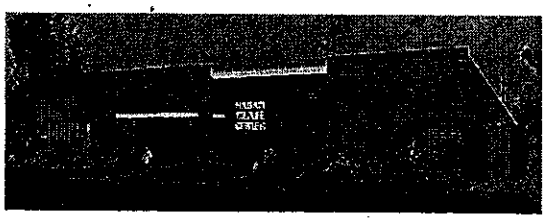
RELATING TO ENVIRONMENTAL DISASTER RESPONSE

House Bill No. 2094 establishes the Wildlife Recovery and Rehabilitation Special Fund to be expended to support the operations of an environmental disaster standby and response facility for the recovery and rehabilitation of native wildlife sickened, injured or contaminated as a result of an oil or fuel related disaster in the State. The present barrel tax of $1.05 will be increased to $1.07 with the additional two cents to be deposited into the newly created special fund.

While the Department of Budget and Finance does not take any position on the policy of establishing a standby and response facility for the recovery and rehabilitation of native wildlife, as a matter of general policy, the department does not support the creation of special funds which do not meet the requirements of Section 37-52.3, Hawaii Revised Statutes. Special or revolving funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 2094, the department is unable to

analyze or determine that the fund would be self-sustaining. We would defer to whatever agency or agencies is charged with responsibility over managing environmental disaster mitigation efforts for their estimate of program expense.

I encourage the Legislature to scrutinize the fiscal and operational plan for this program to ensure that it does conform to the requirements of Section 37-52.3, Hawaii Revised Statutes.



TESTIMONY OF LINDA ELLIOTT,
PRESIDENT AND CENTER DIRECTOR
HAWAI'I WILDLIFE CENTER

PRESENTED BEFORE THE
COMMITTEE OF WATER, LAND, & OCEAN RESOURCES
AND
COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

DATE: Friday, February 10, 2012
TIME: 9:00 a.m.
PLACE: Conference Room 325
State Capitol, 415 South Beretania Street

TESTIMONY IN SUPPORT OF HB 2094

Chairs Chang and Coffman, and members of the Committees:

I am here today in support of HB2094. Thank you for the opportunity to comment.

Hawaiian wildlife species are among the most critically threatened species on the planet. Most of their habitat has been altered or destroyed by conversion for economic use and by the introduction of non-native plants and animals. Mosquitoes transmitting avian malaria and pox have dramatically reduced the distribution of native forest birds. In addition, more than 15 million seabirds spend all or part of each year in the Hawaiian archipelago. Most are found on densely populated colonies where they are highly vulnerable to vessel groundings, pollutant spills and introduced species.

Hawaii receives more than 40 million barrels of petroleum products each year, in nearly 700 tanker trips. Much of this oil is moved throughout the main islands in an extensive network of tanks and pipelines on Oahu and between islands on many smaller vessels. Nearly 18,000 sea-going vessels travel within the islands, including commercial fishing vessels, Navy ships and submarines, cargo vessels, tugboats and cruise liners. Other sources of oil that impact wildlife include bilge discharges at sea, transfer operations and onshore storage and refining.

There have been more than 100 vessel groundings reported in the Hawaiian archipelago. Fortunately, only a small number of these groundings have led to major releases of petroleum

products and fewer still have had significant, documented impacts on wildlife. We dodged the bullet in 1989 when *the Exxon Houston* grounded off Oahu with 490,000 barrels of fuel on board and, in 1990, when the *Star Connecticut* grounded with 250,000 barrels on board. Sometimes we're not so lucky. When the *Hawaiian Patriot* sank west of Kauai in 1967 more than 715,000 barrels of fuel, nearly three times the Exxon Valdez spill, were released. A decade later, when the *Irene's Challenge* broke apart near Midway, nearly 240,000 barrels of crude oil were released. Closer to home, the barge *Hana* released 42,000 gallons of fuel off Oahu in 1987 and, in the same year, more than 127,000 gallons of jet fuel were released from a pipeline into Pearl Harbor.

State and Federal governments share statutory responsibility for the conservation of migratory birds and endangered species. This includes the requirement to respond to spills, or potential spills, of petroleum products and other contaminants. The agencies with lead roles in spill response include the Coast Guard, the US Fish and Wildlife Service and the State Department of Health and the State Department of Land and Natural Resources, all acting together through an Area Contingency Plan.

So, what does this have to do with the Hawaii Wildlife Center?

Put simply, we are woefully unprepared to deal with the wildlife-related impacts of oil spill events. We are faced with huge logistics problems. We also lack adequate facilities and trained personnel. The Center has been designed and constructed to meet these challenges head on. The Center will provide professional, state-of-the-art treatment for native Hawaiian wildlife affected by contamination, disease and injury. It will be the only facility in the State that will meet all State and Federal standards for wildlife rehabilitation.

Work will begin at an "event site" where Center staff will manage the wildlife-related response, including assessment, training, mobilization, supervision, facilities management, wildlife capture, handling, stabilization and transportation. At the Center, staff will perform triage, assessment, stabilization, rehabilitation, husbandry, quarantine, hydration, feeding, cleaning, monitoring, recovery and release into the wild. The Center will also provide emergency response training for agency staff, interns, students and volunteers. The training will include wildlife identification, biology, capture, handling, stabilization, treatment, injury and illness recognition and translocation.

In December 2009, we developed a Memorandum of Agreement between the Center, the Fish and Wildlife Service and the State Department of Land and Natural Resources. While this MOA will provide a framework for effective collaboration, it will not ensure that resources are available to keep the Center open and "ready for business." For Center construction, we successfully raised in excess of $2 million from individual donors, Foundation grants, donated

professional services and donated building materials. Surety Kohala Corporation has made the two-acre site in Kapa'au available for the Center. We also received a $500,000 Grant-in-Aid from the State.

Once we have completed the outdoor cage and recovery pool facilities, we will be ready to accept wildlife at the Center. We have sufficient funds to operate with a skeleton staff through 2012, but we will need a predictable and consistent source of funding to remain operational beyond that point.

Currently, revenues from the barrel tax ($1.05/barrel) are split between DOH, DBEDT, DOA and the General Fund. The DOH share ($.05) is directed into the Environmental Response Revolving Fund. Chapter 128D directs that barrel tax revenues be allocated for "oil spill planning, prevention, preparedness, education, research, training, removal and remediation." To date, these revenues have been allocated to prepare for and support a physical spill response, but only minimal funds have been made available to prepare for and mitigate oil spill impacts to wildlife with no funds provided for the necessary oiled wildlife response facility.

We believe that a portion of the barrel tax revenue should be allocated to fund the HWC's oiled wildlife response center operations relating to oil spill response and remediation.

Doing so would ensure that a permitted, professionally staffed, state-of-the-art facility is fully prepared to respond to any spill event and help to satisfy the statutory responsibility of the State and Federal government. There is solid precedent for the use of state tax on barrels of oil to provide for oiled wildlife response staff, training programs, equipment, and even to operate wildlife response centers in states such as California, Alaska, Maine, and Washington.

Thank you for the opportunity to testify on this important matter.

Linda Elliott, President & Center Director – Linda@HawaiiWildlifeCenter.org
Hawai'i Wildlife Center, P.O. Box 551752, Kapa'au, HI 96755 – 808.345.8421 HawaiiWildlifeCenter.org

The Nature Conservancy
Protecting nature. Preserving life.™

The Nature Conservancy of Hawai'i
923 Nu'uanu Avenue
Honolulu, Hawai'i 96817

Tel (808) 537-4508
Fax (808) 545-2019

nature.org/hawaii

Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 2094 Relating to Environmental Disaster Response
House Committee on Water, Land and Ocean Resources
House Committee on Energy and Environmental Protection
Friday, February 10, 2012, 9:00AM, Room 325

The Nature Conservancy supports H.B. 2094 and the proposed 2¢ increase in the barrel tax to support wildlife recovery and rehabilitation necessitated as a result of oil or fuel spills. We also think a small portion of the existing barrel tax revenue should be used to help address the direct effects of climate change on our natural resources caused by burning fossil fuels.

Act 73 (2010) establishing the barrel tax acknowledges that consumption of fossil fuels contributes to climate change and the deterioration of Hawaii's environment. A stated purpose of Act 73 is to:

> (3) Help Hawaii's natural resources and population adapt and be resilient to the inevitable challenges brought on by climate change caused by carbon dioxide and other greenhouse gas emissions from burning fossil fuels.

Act 73 further acknowledges that our lives and the economy are intertwined with the health and function of the natural world around us. So far, however, we have not utilized Act 73 to take any specific actions to address the direct effects of climate change from burning fossil fuels.

In addition to the proposed allocation for wildlife recovery, **we recommend this bill be amended** to allow a small portion of the current barrel fee be used to help communities and our natural resources cope with challenges of climate change caused by emissions from burning fossil fuels. A good start would be to provide 10¢ for watershed, invasive species and marine resource management programs by **adding a HRS Section 243-3.5(a)(5) as follows:**

> (5) 10 cents of the tax on each barrel shall be deposited into the natural area reserve fund established under section 195-9 to be used for watershed protection, invasive species management, and marine resource protection to address the effects on natural resources from climate change caused by burning fossil fuels.

Climate change is an imminent and unprecedented threat to natural systems (*e.g.*, forests, coastlines, coral reefs, wetlands) and to every person in Hawai'i that—whether they know it or not—depends on services from the natural environment for their livelihoods, health and welfare. Even if we drastically reduce CO2 emissions now, we will still feel the effects of climate change. In Hawai'i, science indicates that this may include:

- More frequent and more severe storms, and increased runoff and siltation;
- Overall, less rainfall and therefore less fresh water;
- Higher temperatures that may affect the health of forested watersheds;
- Climatic conditions even more conducive to invasive plants, insects and diseases;
- Sea level rise and high wave events that will harm coastal areas and groundwater systems; and
- Ocean acidification that will inhibit the growth of protective coral reefs.

We must plan and implement mitigative and adaptive measures to ensure the resilience of our natural and human systems. **Two of the most effective actions we can take to help address the effects of climate change are to protect our forests and coral reefs.** Healthy and diverse Hawaiian forests act like a sponge, collecting rain and moisture from passing clouds, slowly delivering fresh water into streams and aquifers, absorbing greenhouse gases, and reducing runoff and siltation into near shore waters during storm events. Healthy coral reefs that are free of non-native invasive algae and runoff are better able to withstand the effects of temperature changes and acidification, while continuing to provide food and storm protection for coastal areas.

L E G I S L A T I V E

TAXBILLSERVICE

126 Queen Street, Suite 304 TAX FOUNDATION OF HAWAII Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: FUEL, Environmental response, energy and food security tax

BILL NUMBER: HB 2094

INTRODUCED BY: Nakashima, Chang, Hanohano and 2 Democrats

BRIEF SUMMARY: Amends HRS section 243-3.5(a) to increase the environmental response, energy and food security tax from $1.05 to $1.07 provided that 2 cents of the tax on each barrel shall be deposited into the wildlife recovery and rehabilitation special fund.

Amends HRS section 243-3.5(a) to increase the state environmental response tax from 5 cents to 7 cents on July 1, 2015.

Adds a new section to HRS chapter 195D to establish the wildlife recovery and rehabilitation special fund which shall be expended by the department of land and natural resources to support the operations of an environmental disaster standby and response facility in the state.

EFFECTIVE DATE: July 1, 2012

STAFF COMMENTS: The legislature by Act 300, SLH 1993, enacted an environmental response tax of 5 cents per barrel on petroleum products sold by a distributor to any retail dealer or end user. The legislature by Act 73, SLH 2010, increased the amount of the tax to $1.05 per barrel and provided that 5 cents of the tax shall be deposited into the environmental response revolving fund; 15 cents shall be deposited into the energy security special fund, 10 cents shall be deposited into the energy systems development special fund; 15 cents shall be deposited into the agricultural development and food security special fund; and the residual of 60 cents shall be deposited into the general fund between 7/1/10 and 6/30/15.

This measure increases the amount of the tax from $1.05 to $1.07 and provides that 2 cents of the tax shall be deposited into a newly created wildlife recovery and rehabilitation special fund. This increase is unacceptable when one remembers that the increase to $1.05 was predicated on devoting the entire amount to energy self-sufficiency and food security. It should be remembered that the environmental response tax was initially adopted for the purpose of setting up a reserve should an oil spill occur on the ocean waters that would affect Hawaii's shoreline. The nexus was between the oil importers and the possibility that a spill might occur as the oil product was being imported into the state. Now that the fund has become a cash cow, lawmakers have placed other responsibilities on the fund, including environmental protection and natural resource protection programs, such as energy conservation and alternative energy development, to address concerns related to air quality, global warming, clean water, polluted runoff, solid and hazardous waste, drinking water, and underground storage tanks, including support for the underground storage tank program of the department of health.

It should be noted that the enactment of the barrel tax for the environmental response revolving fund is the classic effort of getting one's foot in the door as it was initially enacted with a palatable and acceptable tax rate of 5 cents and subsequently increasing the tax rate once it was enacted which is what it has morphed into as evidenced by the $1.05 tax rate. Because the tax is imposed at the front end of the product chain, the final consumer does not know that the higher cost of the product is due to the tax. Thus, there is little, if any, accountability between the lawmakers who enacted the tax and the vast majority of the public that ends up paying the tax albeit indirectly. Proponents ought to be ashamed that they are promoting a less than transparent tax increase in the burden on families all in the name of environmental protection and food security.

It should be remembered that the State Auditor has singled out the environmental response revolving fund as not meeting the criteria established and recommended that it be repealed. The Auditor criticized the use of such funds as they hide various sums of money from policymakers as they are not available for any other use and tend to be tacitly acknowledged in the budget process. More importantly, it should be recognized that it is not only the users of petroleum products who benefit from a cleaner environment, but it is the public who benefits. If this point can be accepted, then the public, as a whole, should be asked to pay for the clean up and preservation of the environment.

Funds deposited into a revolving fund are not subject to close scrutiny as an assumption is made that such funds are self-sustaining. It should be remembered that earmarking of funds for a specific program represents poor public finance policy as it is difficult to determine the adequacy of the revenue source for the purposes of the program. To the extent that earmarking carves out revenues before policymakers can evaluate the appropriateness of the amount earmarked and spent, it removes the accountability for those funds. There is no reason why such programs should not compete for general funds like all other programs which benefit the community as a whole.

It should be noted that the measure to increase the environmental response, energy, and food security tax was vetoed by the governor and subsequently overridden by the legislature. The governor's message stated that the measure was vetoed "because it raises taxes on Hawaii residents and businesses by an estimated $22 million per year at a time when the community cannot afford these taxes, and deceptively implies these funds will be used to address the state's dependence on imported fuel and food. This tax will impact virtually everything we do or use in Hawaii including electricity, gasoline, trucking, shipping, retail goods, food, and even the propane for our backyard barbeques. The impacts will ripple through our entire economic system. I am particularly concerned that the tax increase occurs at a precarious moment when the state economy is beginning to stabilize and progress out of the slump created by the global recession."

Rather than perpetuating the problems of the barrel tax, it should be repealed and all programs that are funded out of the environmental response fund should be funded through the general fund. At least program managers would then have to justify their need for these funds. By continuing to special fund these programs, it makes a statement that such programs are not a high priority for state government. This sort of proliferation of public programs needs to be checked as it appears to be growing out of hand and at the expense of the taxpayer. Again, this proposal is nothing more than another effort to expand state government at the expense of the taxpayer and the economy.

Digested 2/8/12

CONSERVATION COUNCIL FOR HAWAI'I

Testimony Submitted to the House Committee on Water, Land, and Ocean Resources
and House Committee on Energy and Environmental Protection
Hearing: Friday, February 10, 2012 9 a.m.
Conference Room 325

Support for HB 2094 Relating to Environmental Disaster Response

Aloha. The Conservation Council for Hawai'i supports HB 2094, which increases the environmental response, energy, and food security tax by 2 cents per barrel and deposits the increase into the wildlife recovery and rehabilitation special fund and establishes the wildlife recovery and rehabilitation species fund to respond to oil and fuel-related disasters affecting native wildlife in Hawai'i.

HB 2094 increases our ability to heal and save native species harmed by oil spills and other fuel-related disasters. We receive more than 40 million barrels of petroleum products annually. Oil spills, vessel groundings, and leakages have occurred in the past in Hawai'i and will, undoubtedly, happen again in the future. We have been lucky so far that none of the spills have been catastrophic, or at least noticeably so.

More than 15 million seabirds spend at least some of their time in the Hawaiian Islands. An oil spill or fuel-related disaster would be devastating to the birds, as well as to marine species, such as the endangered Hawaiian monk seal. According to the Hawai'i Wildlife Center, when a bird is oiled, waterproofing and insulation are lost, which may lead to hypothermia. Internal effects of oil may include damage to the lungs, gastrointestinal-hematological system, liver, or kidneys. This damage is caused by inhalation of volatile components, ingestion during preening, drinking or eating, and dehydration. Based on these injuries, birds must be medically stabilized before decontamination procedures can begin, on average, a minimum of 48 hours of stabilization. Full recovery for release back to the wild can range from one week to several months of rehabilitative care and treatment.

Anyone who has witnessed the Exxon Valdez images of oiled wildlife will understand how necessary it is for us to be prepared to rescue and rehabilitate birds and other wildlife in the event of an oil spill or other fuel-related accident. Federal and state wildlife agencies have a statutory duty to conserve migratory birds, marine life, and threatened and endangered species, including the requirement to respond to spills, or potential spills, of petroleum products and other contaminants. HB 2094 helps the State fulfill its duties in this regard.

Mahalo nui loa for the opportunity to testify. Please support HB 2094.

Sincerely,

Marjorie Ziegler

Hawai'i's Voice for Wildlife – *Ko Leo Hawai'i no na holoholona lohiu*

Telephone/Fax 808.593.0255 • email: info@conservehi.org • web: www@conservehi.org
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har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 2:58 PM
To: WLOtestimony
Cc: gchee@hawaii.edu
Subject: Testimony for HB2094 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB2094

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Grace Chee
Organization: Individual
E-mail: gchee@hawaii.edu
Submitted on: 2/9/2012

Comments:
I am in support of H.B. 2094.

I support appropriating 2 cents of barrel tax to the wildlife recovery and rehabilitation special fund because I believe that Hawai'i needs a permanent wildlife treatment and rehabilitation facility. The species that make Hawai'i their home are among the most threatened and endangered species in the world. It is our responsibility to help sustain what wildlife we have left and contribute to strengthening their growth.

With the nearly 40 million barrels of petroleum that come in to our island state each year, it is imperative to have active cautionary measures in place in the event of a spill. Having a permanent facility will insure that our state has the resources to both mitigate problems related to possible oil spills and to help educate others about what we can do to prevent these threats to our wildlife in the future.

We must do our part to protect them.

Sincerely,
Grace Chee

TESTIMONY OF JON GIFFIN IN SUPPORT OF H.B. 2094 RELATING TO ENVIRONMENTAL DISASTER RESPONSE.

February 8, 2012

Chairperson Coffman and members of the Committee on Energy and Environmental Protection:

Chairperson Chang and members of the Committee on Water, Land, and Ocean Resources:

I am in support of H.B. 2094 relating to environmental disaster response.

I write as a conservation biologist and former (retired) branch manager of the Hawai□i Division of Forestry and Wildlife on the Island of Hawai□i. I wish to express my professional support for enacting the proposed bill which increases the environmental response, energy, and food security tax by 2 cents per barrel and deposits the increase into the wildlife recovery and rehabilitation special fund. I further support establishing the wildlife recovery and rehabilitation special fund to support the operations of a facility in Hawai□i to respond to oil and fuel-related disasters affecting native wildlife. We must ensure that there is an operational capacity to care for Hawaii's 15 million seabirds, shorebirds, and water birds in the event of an oil spill or other wildlife related disaster.

Listed below are reasons why it is important to support a wildlife rehabilitation center for the care and treatment of native Hawaiian wildlife affected by contamination, disease, and injury; and to provide for their subsequent release into the wild:

- In the event of an oil spill or wildlife related disaster, trained personnel will be needed to manage the wildlife-related response, including assessment, field training, mobilization, supervision, equipment/facilities management, wildlife capture, handling, stabilization and transportation. Personnel will also need to provide translocation project management, equipment prep, training, wildlife capture, captive care, translocation and release.

- More than 15 million seabirds spend all or part of each year in the Hawaiian archipelago. Most nest on remote islands and atolls, typically in densely populated colonies. They are threatened by habitat conversion, colony disturbance, pollutant spills and introduced plant and animal species. They are highly vulnerable to changes in the condition and distribution of their food source and to rising sea levels related to climate change. The wide distribution of nesting colonies together with the limited human presence and infrastructure, makes it very difficult to detect and respond effectively to catastrophic events, both natural and man-made

- Although Hawaii has no offshore oil platforms, it receives more than 2.5 billion gallons of petroleum products each year, in nearly 700 tanker or tanker barge trips. Much of this oil is moved throughout the main islands in an extensive network of

tanks and pipelines on Oahu and between islands on many smaller vessels. Nearly 18,000 sea going vessels travel within the islands, including long line fishing boats, commercial fishing vessels, Navy ships and submarines, cargo vessels, tugboats and cruise liners. In excess of 12,000 pleasure and recreational craft also ply these waters. Other sources of oil that can impact native wildlife include bilge discharges at sea, transfer operations and onshore storage and refining.

- A permanent facility designed specifically to rehabilitate wildlife will ensure the most effective event response and the highest quality of professional, state-of-the-art care for injured, contaminated or diseased wildlife. Mobile trailers with equipment necessary to stabilize affected wildlife can play an important role in an oil spill response, but they will not be adequate to provide treatment and longer term care.

- Agency managers estimate that several hundred birds will be treated annually when there are no major events. However, several thousand birds will likely be treated if there is a major contaminant spill or disease related event.

I urge you to support H.B. 2094. Thank you for your time and consideration.

Very truly yours,

Jon Giffin
Conservation Biologist

IN SUPPORT OF HB2094 2-8-12

This testimony is in support of HB2094, created to fund the Hawaii Wildlife Center (HWC) as the state and Pacific region's facility to respond to the needs of native wildlife impacted by oil and fuel-related disasters.

As a UH educator supporting schools in Kohala, I have become very familiar with the HWC's purpose and journey toward becoming operational. Linda Elliot, the consummate professional behind the development of this state of the art facility, has over two decades of experience traveling worldwide to support rehabilitation of wildlife impacted by disasters. Her vast knowledge, exceptional communication and organization skills, understanding of Hawaii's culture, and deep commitment to her work makes Linda a very strong role model for our youth. She has the backing of our community, which will help her secure the volunteer base needed in times of disaster and huge influxes of birds in distress.

North Kohala is known for its beauty and fertile uplands, home to many endemic and indigenous birds. We frequently see I'o cruising over our gulches. This facility is located in a perfect place because of our rural environment as well as being within a short walk to the Kohala Middle School. A relationship between the HWC and school has already been forged, with students volunteering at the HWC Grand Opening last November and staff coming to talk to the school about the center. Linda is a skilled teacher with roots in this community. She is dedicated to helping motivate students to embrace science, develop awareness about protecting the environment, and participate in community service. Opportunities being developed will support students here as well as visiting groups from across the island and state. The HWC will truly serve the wildlife as well as people of Hawai'i and beyond.

Sincerely,

Randee Golden, Educational Specialist
University of Hawaii Center on Disability Studies
Growing Pono Schools Project
PO Box 1450 Kapa'au, Hi 96755
Rgolden808@gmail.com

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 09, 2012 7:45 AM
To: WLOtestimony
Cc: cara.goodrich@astonhotels.com
Subject: Testimony for HB2094 on 2/10/2012 9:00:00 AM

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB2094

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Cara Goodrich
Organization:
E-mail: cara.goodrich@astonhotels.com
Submitted on: 2/9/2012

Comments:
I am in support of H.B.2094.
I believe that Hawaii needs a permanent wildlife treatment and rehabilitation facility because we then can depend on effective response and high quality care. Hawaii's wildlife one of the things that makes us unique and differentiates ourselves from other destinations.

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 08, 2012 9:09 AM
To: WLOtestimony
Cc: ltmorse@ol.com
Subject: Testimony for HB2094 on 2/10/2012 9:00:00 AM
Attachments: HWCBarrelTaxQ&A1_27_12.pdf

Testimony for WLO/EEP 2/10/2012 9:00:00 AM HB2094

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Tom Morse
Organization: Individual
E-mail: ltmorse@ol.com
Submitted on: 2/8/2012

Comments:

HB2094 – Questions and Answers

What are the threats facing native Hawaiian wildlife?

Hawaiian wildlife species are among the most critically threatened species on the planet. Most of their wetland and forest habitat has been altered or destroyed by conversion for economic use and introduction of non-native plants and animals. Mosquitoes transmitting malaria and pox have dramatically reduced the distribution of native forest birds.

What role will the HWC play to address the threats facing native Hawaiian wildlife?

The HWC will provide professional, state-of-the-art treatment for native Hawaiian wildlife affected by contamination, disease and injury, for release into the wild.

What specific functions will the HWC perform?

Treatment of native wildlife will include triage, assessment, stabilization, treatment, rehabilitation, husbandry, quarantine, hydration and feeding, washing, drying, monitoring, recovery and release into the wild.

Emergency response training for agency staff, interns, students and volunteers will include wildlife identification, biology, capture, handling, stabilization and treatment; injury and illness recognition and treatment and wildlife translocation.

The HWC will also be actively involved in public outreach and education programs and wildlife research

What will the HWC accomplish off site?

At the "event site," HWC staff will manage the wildlife-related response, including assessment, field training, mobilization, supervision, equipment/facilities management, wildlife capture, handling, stabilization and transportation. HWC staff will also provide translocation project management, equipment prep, training, wildlife capture, captive care, translocation and release.

Why will the HWC focus its rehabilitation work on native Hawaiian wildlife?

The list of native wildlife species in Hawaii includes species found nowhere else (endemic) and those species that are found naturally in Hawaii and elsewhere (indigenous). While significant progress has been made in the protection of habitat for native species, the State remains woefully unprepared to address other threats to native wildlife such as oil and related contamination, disease and injury. The HWC has been designed to address these threats. We anticipate that other wildlife rehabilitators will continue to provide some level of care for non-native species

How does oil affect the health and survival of birds?

When a bird is oiled, waterproofing and insulation are lost, which may lead to hypothermia. Internal effects of oil may include damage to the lungs, gastrointestinal-hematological system, liver, or kidneys. This damage is caused by inhalation of volatile components, ingestion during preening, drinking or eating, and dehydration. Based on these injuries, birds must be medically stabilized before decontamination procedures can begin, on average, a minimum of 48 hours of stabilization. Full recovery for release back to the wild can range from one week to several months of rehabilitative care and treatment.

What factors influence the vulnerability of native Hawaiian birds to oil spill related contamination and other events?

More than 15 million seabirds spend all or part of each year in the Hawaiian archipelago. Most nest on remote islands and atolls, typically in densely populated colonies. They are threatened by habitat conversion, colony disturbance, pollutant spills and introduced plant and animal species. They are highly vulnerable to changes in the condition and distribution of their food source and to rising sea levels related to climate change. The wide distribution of nesting colonies together with the limited human presence and infrastructure makes it very difficult to detect and respond effectively to catastrophic events, both natural and man-made

What are the sources of oil-related contaminants in Hawaii?

Although Hawaii has no offshore oil platforms, it receives more than 40 million barrels of petroleum products each year, in nearly 700 tanker or tanker barge trips. Much of this oil is moved throughout the main islands in an extensive network of tanks and pipelines on Oahu and between islands on many smaller vessels. Nearly 18,000 sea going vessels travel within the islands, including longline fishing boats, commercial fishing vessels, Navy ships and submarines, cargo vessels, tugboats and cruise liners. In excess of 12,000 pleasure and recreational craft

also ply these waters.

Other sources of oil that can impact native wildlife include bilge discharges at sea, transfer operations and onshore storage and refining.

What is the history of contaminant spill-related events in Hawaii?

Although more than 100 vessel groundings have been reported in the Islands, there have been fewer contaminant-related spills than in some temperate areas. We dodged a bullet in 1989 when the Exxon Houston grounded off Oahu with 490,000 barrels of fuel on board and in 1990 when the Star Connecticut grounded with 250,000 barrels on board.

Between 1990 – 1996, the Coast Guard's National Response Center recorded an average of 102 reported oil releases in Hawaii.

The Irene's Challenge broke apart in 1977 south of Midway, releasing 238,000 barrel of crude oil, comparable to the Exxon Valdez spill in Alaska. In 1967, the Hawaiian Patriot sank west of Kauai, releasing as much as 715,000 barrels, nearly three times the Exxon Valdez release.

In some cases, the cargo that releases in a grounding event may be products other than oil. In 1980, the Anangel Liberty grounded on the reef at French Frigate Shoals, carrying a shipment of kaolin clay. To lighten the vessel and prevent a serious spill of fuel, the Coast Guard authorized the discharge of 4.8 million pounds of kaolin into the ocean.

How have native wildlife been affected by previous contaminant spill-related events?

Only limited and mostly anecdotal, qualitative data exist on bird populations associated with oil releases in the Hawaiian archipelago. Yet, accurately calculating bird exposures during and following an oil spill is difficult, particularly at remote locations in the archipelago. Also, oiled birds disperse by the prevailing winds and currents. Lightly oiled birds may seek out other locations quickly. Dead or dying birds are also preyed upon by dogs, cats, rats and mongoose. Chronic oiling of birds by "mystery" spills has also been noted for many years. There is no way of knowing how many species or individuals are impacted by these events.

When the Sause Brothers barge Hana released 42,000 gallons of bunker oil off Oahu in 1987, at least 19 seabirds were reported as oiled. In the same year, 127,000 gallons of JP5 jet fuel were released into Pearl Harbor from a Chevron pipeline. This spill affected habitat for endangered waterbirds, oiling six birds, at least three of which died. Also nine active Hawaiian stilt nests were abandoned after the fuel release. During a 1998 oiled wildlife response to the Single Point Mooring Spill off of Barber's Point, Oahu, over 50 seabirds were recovered from multiple islands and many more were observed oiled in seabird colonies. In all, fourteen species of

seabirds have been reported oiled in the archipelago to date.

Why was the Kohala site chosen for the HWC?

Several considerations factored in this decision. Surety Kohala Corporation made the land available for the facility without charge. The Kohala community has strongly supported the project. The facility is adjacent to Kohala Middle School, creating a strong foundation for education programs. The site is easily accessed by road and by air (Kona, Waimea, Upolu Pt airports). The largest populations of native forest birds, koloa, Nene, 'Io and Pueo are found on Hawaii Island. Perhaps most importantly, given the distribution of native wildlife there is no single location that provides substantially better solution than any other.

How will birds be transported to the HWC?

Depending on the location of an "event" that impacts one or more birds, the most appropriate means of transportation will be utilized. Birds can be transported by air (commercial, military or private) to Kona, Waimea or Upolu airports and by vehicle to the HWC.

Why was a permanent facility constructed instead of stockpiling supplies and equipment on different islands?

A permanent facility designed specifically to rehabilitate wildlife will ensure the most effective event response and the highest quality of professional, state-of-the-art care for injured, contaminated or diseased wildlife. Mobile trailers with equipment necessary to stabilize affected wildlife can play an important role in an oil spill response, but they will not be adequate to provide treatment and longer term care.

Would it be possible to rapidly construct a new facility or modify an existing building at an "event site"?

The primary objective at an "event site" would be to capture and stabilize birds in preparation for shipment to the HWC for rehabilitation and extended care. It would not be practical to build or convert an available structure at this site.

What facility standards must be met to rehabilitate wildlife?

Any rehab facility must meet Federal and State permit standards that derive, in turn, from the "Minimum Standards" of the National Wildlife Rehabilitators Association. These standards govern the minimum care requirements, disease control, animal house and release. The facility requirements in 50 CFR 21.31 set by the Fish and Wildlife Service establish minimal standards of care. It is critical that spill responders and pre-spill planners recognize the degree of effort and complexity required to implement a migratory bird response and establish an adequate facility. At present, no facility in the State of Hawaii fully meets these standards. Once fully operational, the HWC will be the only facility in the State that meets these standards.

What is the geographic scope of the HWC's work?

The HWC, once fully operational, will be the only permitted and equipped native wildlife rehabilitation facility in the Pacific islands. The geographic scope of the HWC will include the entire Hawaiian archipelago and other Pacific islands under US jurisdiction.

Who will attend training sessions at the HWC or by HWC staff at field locations?

Training will be available for agency staff, interns, volunteers, docents and others.

How many birds do you expect to care for at the HWC?

Agency managers estimate that several hundred birds will be treated annually when there are no major events. However, several thousand birds will likely be treated if there is a major contaminant spill or disease related event.

What percentage of the birds taken in at HWC will be expected to survive until release?

Survival will depend upon the magnitude and type of event, the number and species of birds impacted and the number of trained staff utilized in the response. Past results from oil spill events indicate that survival may exceed 90% when a fully operational and adequately equipped rehabilitation facility is used.

What level of funding will be necessary to fully operate the HWC?

$400,000 annually provides for the bare minimum to keep the HWC doors open. It does not provide for the stockpiling and maintaining of response supplies, nor for the full staffing of response personnel, training courses or participation in exercises.

How will the HWC be funded once it is fully operational?

A portion of the funding will derive from Foundation grants, private donors, research grants, gift shop sales, veterinary intern programs and partnerships with local businesses. In addition, Federal law mandates that responsible parties provide for clean up and wildlife rehabilitation funding, on a reimbursable basis. Service contracts in support of wildlife conservation agencies will also be developed.

What role will existing rehabbers play once the HWC is operational?

Permitted rehabilitators, using facilities that meet Federal and State standards, may participate in the rehabilitation, care and release of wildlife affected by contamination, injury or disease. At the moment, there are no facilities in the Hawaiian Islands (other than HWC) that meet these criteria. A centralized oiled wildlife response facility is the standard set for highly successful responses as it provides efficient, state-of-the-art wildlife care, control of animal and hazardous waste handling and tracking, and ensuring the safety of everyone working with oiled wildlife.

What are the State and Federal roles in oil spill response?

In the event of an oil spill, trust responsibilities for migratory birds and their habitats are clearly given to the U.S. Fish and Wildlife Service through several federal legislative statutes including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Clean Water Act (CWA), National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the Migratory Bird Treaty Act (MBTA), and the Endangered Species Act (ESA). States also have trust responsibilities for migratory birds within their state boundaries under various state statutes. Because of these shared trust responsibilities, both federal and state agencies are required to respond to spills, or potential spills, that may impact migratory birds. To facilitate efficient and effective coordination during a migratory bird response, federal and state agencies may consider developing Memorandums of Agreement (MOA's) or Memorandums of Understanding (MOU's) that pre-designate regional primary points of contact, establish lead representatives, and define roles for natural resource emergency situations.

What percentage of the work at HWC will be related to oil spills?

We estimate that approximately 60% of the rehabilitation work at the HWC will be oil spill related.

What is the barrel tax?

In 2010, the state legislature passed a bill raising the tax on each barrel of petroleum product from $0.05 to $1.05. Of this total, $0.60 goes into the general fund. The rest is split between the State Department of Health, DBEDT and DOA. The DOH share of $0.05 is directed into the Environmental Response Revolving Fund.

HRS128D-2 directs that money from the fund to be spent on "removal or remedial actions consistent with Chapter 128D to deal with oil spill and hazardous substances releases," for "oil spill planning, prevention, preparedness, education, research, training, removal and remediation" and for oil recycling and environmental protection programs. Revenue to the ERRF during FY2010 totaled $3,233,480.

Do you believe that the HWC should receive a portion of the barrel tax? If so, why?

To date, no funds from the ERRF have been allocated to support wildlife rehabilitation facilities, operations or staffing to rehabilitate wildlife affected by oil releases. It would be appropriate and prudent to direct a portion of the barrel tax revenues to support the spill-related activities of the HWC, consistent with HRS 128D.

Are there other states that use barrel tax funds for oiled wildlife response facilities, training and contingency planning?

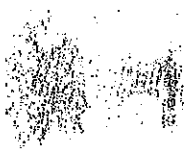
Yes, California, Maine, Massachusetts, Alaska are some of the states that we are aware of that utilize this type of funding for oiled wildlife response preparedness. The California example represents the best achievable oiled wildlife response capabilities with the use of barrel tax funds to construct and operate two permanent year around oiled wildlife response centers, in addition to funding a department to coordinate, enhance and provide training to a network of 30 other existing rehabilitation facilities, provide for stockpiled response equipment and supplies, and actively train and drill response personnel.

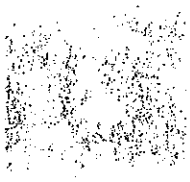
Who are the Federal and State "trustees" with authority to protect, rescue and rehabilitate fish and wildlife harmed, or likely to be harmed, by an oil spill?

The Trustees in Hawaii are the U.S. Fish and Wildlife Service (Department of the Interior) and the State of Hawaii Department of Land and Natural Resources.

Is there an official Memorandum of Agreement to facilitate collaboration between the HWC and agencies having statutory responsibility for native wildlife?

Yes, there is an MOA dated December 2009 between the HWC, the Fish and Wildlife Service (Department of the Interior) and the State of Hawaii Department of Land and Natural Resources.





February 8, 2012

To Committee Chair Chang, Committee Chair Coffman, and Committee Members:

I am a Californian who was raised partly in Hawaii. My father and stepmother live on the Big Island. My father, Rob Shallenberger, is the Board Vice President for the newly constructed Hawaii Wildlife Center (HWC), the first and only facility in the Pacific Islands designed to provide recovery and rehabilitation services for native wildlife harmed by major oil spills and natural disasters. I am writing to express my strong support for HB2094, proposed legislation that, if enacted, will require a portion of the barrel tax to be allocated to fund ongoing HWC operations.

HWC is a critically important resource for Hawaii, a state which has more endangered species per square mile than anywhere else in the world -- and which gets more than 90 percent of its energy from oil. Nearly 700 oil tankers enter Hawaiian waters each year, and there have been more than 100 documented groundings and sinkings. Hawaii is also vulnerable to natural disasters that can affect wildlife populations. Under the leadership of founder, Board President and director Linda Elliott, trained staff and volunteers at HWC will respond 7 days a week to wildlife needs throughout the archipelago. The center will also provide valuable science education and cultural programs for the local community.

HWC founders raised over $2 million in donations and grants (including donated materials) to build the state of the art facility, which will open for business in May 2012. However, additional funds are needed to keep the center operational beyond year one. State and federal governments have statutory responsibility for the conservation of migratory birds and endangered species. If HB2094 is passed and a portion of the barrel tax is allocated to HWC, the center will have a fully operational, licensed and professionally staffed facility.

Similar funding mechanisms for the ongoing operations of wildlife rescue and rehabilitation centers have proved effective in other states. For example, California's Lempert-Keene Seastrand Oil Spill Prevention and Response Act (OSPRA) requires, among other things, the establishment and funding of a network of rescue and rehabilitation facilities for seabirds, sea otters, and other marine wildlife. Barrel tax funds are used to construct and operate two permanent year-round oiled wildlife response centers, as well as to fund a department to

coordinate, enhance and provide training and supplies for a network of over two dozen existing rehabilitation facilities.

California has cared for thousands of oiled birds and mammals by providing for the establishment and operations of oiled wildlife response facilities managed by nonprofit wildlife organizations and funded by a portion of the state tax on petroleum. Hawaii should do no less for its native wildlife populations. It is incontrovertible that HWC is poised to play a vital role in responding to the needs of Hawaii's astonishing--and vulnerable--array of native wildlife species. It is incumbent upon Hawaii state government to fulfill its statutory responsibility and support HWC's mission and efforts by securing a funding stream for the center's ongoing operations through the passage of HB2094. I urge you to support this bill.

Thank you,

Jill Shallenberger

TESTIMONY OF JASON UMEMOTO
IN SUPPORT OF H.B. 2094
RELATING TO ENVIRONMENTAL DISASTER RESPONSE.
February 8, 2012

UMEMOTO
DESIGN CORPORATION
CASSANDRO
970 North Kalaheo Avenue
Suite A-306
Kailua, Hawaii 96734
808-254-8702 FAX: 808-254-0813

Re: HB 2094 Hearing
Friday, February 10, 2012
9:00 a.m.
Conference Room 325
State Capitol
415 South Beretania Street

Chairperson Coffman and members of the Committee on Energy and Environmental Protection:

Chairperson Chang and members of the Committee on Water, Land, and Ocean Resources:

I am in support of H.B. 2094 relating to environmental disaster response.

I write as a member of the Board of Directors at the Hawaii Wildlife Center and as a concerned citizen, professionally involved with a private business in the landscape and environmental industry. I wish to express my professional and personal support for enacting the proposed bill which increases the environmental response, energy, and food security tax by 2 cents per barrel and deposits the increase into the wildlife recovery and rehabilitation special fund.

Hawaiian wildlife species are among the most critically threatened species on the planet. Most of their habitats have been altered or destroyed by conversion for economic use and the introduction of non-native and invasive plants and animals. Our native wildlife species include those that can be found nowhere else (endemic) and those species that are found naturally in Hawaii and elsewhere (indigenous). Protection of these species is important and critical to their survival. However, equally important is how to address threats to native wildlife such oil spills, related contamination, disease and injury.

Although Hawaii has no offshore oil platforms, it receives more than 40 million barrels of petroleum oil and products each year, in nearly 700 tanker or tanker barge trips. Much of this oil is moved throughout the main islands in an extensive network of tanks and pipelines on Oahu and between the islands on many smaller vessels. Nearly 18,000 sea vessels travel within the islands, including longline fishing boats, commercial fishing vessels, Navy ships and submarines, cargo vessels, tugboats, and cruise liners. In excess of 12,000 pleasure and recreational craft also share these waters. In addition, oil can also impact native wildlife from other sources, such as bilge discharges at sea, transfer operations and onshore storage and refining.

In the recent past, we have seen the Exxon Houston grounded of Oahu in 1989 with 490,000 barrels of fuel on board and the Star Connecticut followed in 1990 with 250,000 barrels on board. Between 1900 and 1996, the Coast Guard's National Response Center recorded as average of 102 reported oil releases in Hawaii. There is clearly an ever present threat to our environment and native wildlife, every day from these activities that our economy and lifestyle depend upon.

Astonishingly, to date, no funds from the ERRF have been allocated to support wildelife rehabiliatation facilities, operations or staffing to rehabitate wildelife affected by oil releases. It would be appropriate and prudent to direct a portion of the barrel tax revenues to support the spill-related activities of the HWC, consistent with HRS 128D

Therefore, I further support establishing the wildlife recovery and rehabilitation special fund to support the operations of a facility in Hawaii to respond to oil and fuel-related disasters affecting native wildlife. We must ensure that there is an operational capacity to care for Hawaii's 15 million seabirds, shorebirds, and water birds in the event of an oil spill or other wildlife related disaster.

Listed below are reasons why it is important to support a wildlife rehabilitation center for the care and treatment of native Hawaiian wildlife affected by contamination, disease, and injury; and to provide for their subsequent release into the wild:

- In the event of an oil spill or wildlife related disaster, trained personnel will be needed to manage the wildlife-related response, including assessment, field training, mobilization, supervision, equipment/facilities management, wildlife capture, handling, stabilization and transportation. Personnel will also need to provide translocation project management, equipment prep, training, wildlife capture, captive care, translocation and release.

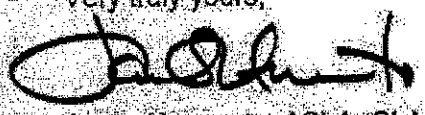
- More than 15 million seabirds spend all or part of each year in the Hawaiian archipelago. Most nest on remote islands and atolls, typically in densely populated colonies. They are threatened by habitat conversion, colony disturbance, pollutant spills and introduced plant and animal species. They are highly vulnerable to changes in the condition and distribution of their food source and to rising sea levels related to climate change. The wide distribution of nesting colonies together with the limited human presence and infrastructure, makes it very difficult to detect and respond effectively to catastrophic events, both natural and man-made

- A permanent facility designed specifically to rehabilitate wildlife will ensure the most effective event response and the highest quality of professional, state-of-the-art care for injured, contaminated or diseased wildlife. Mobile trailers with equipment necessary to stabilize affected wildlife can play an important role in an oil spill response, but they will not be adequate to provide treatment and longer term care.

- Agency managers estimate that several hundred birds will be treated annually when there are no major events. However, several thousand birds will likely be treated if there is a major contaminant spill or disease related event.

I urge you to support H.B. 2094. Thank you for your time and consideration.

Very truly yours,



Jason Umemoto, ASLA, CLARB
President, Umemoto Cassandro Design
Member, Board of Directors, Hawaii Wildlife center