
HOUSE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND
WILDLIFE SERVICE TO WORK WITH AFFECTED PERSONS AND COUNTIES
IN ESTABLISHING CRITICAL HABITAT DESIGNATIONS FOR
ENDANGERED SPECIES IN THE STATE.

1 WHEREAS, the United States Fish and Wildlife Service has
2 recently proposed to designate 271,062 acres in Maui County as
3 critical habitat for endangered species, which is more than
4 double the amount of critical habitat already designated on the
5 islands of Maui, Molokai, Lanai, and Kahoolawe; and

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7 WHEREAS, on Maui, more than 190,000 acres are proposed for
8 Critical Habitat Designation, which is equivalent to about 41
9 percent of the total land area of Maui; and

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11 WHEREAS, the proposed Critical Habitat Designation has the
12 potential to adversely affect landowners and hurt the
13 relationship between the county and the federal government; and

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15 WHEREAS, some of the proposed areas for Critical Habitat
16 Designation are state-owned parcels that may be leased to
17 farmers and ranchers, and some are within irrigation water lease
18 areas, raising the concern about diminished availability of
19 irrigation water, which is especially important in this time of
20 severe drought; and

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22 WHEREAS, the economic impact to Maui County may have been
23 greatly underestimated by federal officials; and

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25 WHEREAS, even though significant portions of many Maui
26 County farms and ranches are being proposed for designation,
27 many of these farmers and ranchers were not adequately notified
28 of the proposed designation by the United States Fish and
29 Wildlife Service; and



1 WHEREAS, the process for Critical Habitat Designation under
2 the federal National Environmental Protection Act does not
3 require the conduct of an environmental assessment or
4 environmental impact statement equivalent to that which is
5 required in similar actions pursuant to Hawaii state law and,
6 therefore, the United States Fish and Wildlife Service did not
7 conduct such an assessment or file such a statement; and
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9 WHEREAS, in determining which properties are proposed for
10 Critical Habitat Designation, the United States Fish and
11 Wildlife Service has acknowledged that it did not make specific
12 determinations as to whether endangered species are located on
13 the properties or whether the properties have the biological
14 elements necessary to support endangered species; and
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16 WHEREAS, any conservation actions in this State should be
17 implemented in a way that does not impede local food production;
18 and
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20 WHEREAS, farmers, ranchers, hunters, and others who may be
21 affected by Critical Habitat Designation are not opposed to
22 designating critical habitat for endangered species in
23 appropriate areas such as public lands that are set aside to
24 provide for preservation or rehabilitation, or private lands
25 where the landowner voluntarily agrees to the designation; now,
26 therefore,
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28 BE IT RESOLVED by the House of Representatives of the
29 Twenty-seventh Legislature of the State of Hawaii, Regular
30 Session of 2013, the Senate concurring, that the United States
31 Department of the Interior Fish and Wildlife Service is
32 requested to work with affected persons and counties in
33 establishing Critical Habitat Designations for endangered
34 species in the State; and
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36 BE IT FURTHER RESOLVED that as part of its collaboration
37 with affected persons and counties, the Department of the
38 Interior Fish and Wildlife Service is requested to perform an
39 environmental assessment of its proposed Critical Habitat
40 Designation and, if the assessment reveals issues that merit
41 further investigation, prepare an environmental impact
42 statement; and



1 BE IT FURTHER RESOLVED that certified copies of this
2 Concurrent Resolution be transmitted to the members of Hawaii's
3 Congressional Delegation; Secretary of the United States
4 Department of the Interior; Governor; Mayor of the County of
5 Maui; Mayor of the City and County of Honolulu; Mayor of the
6 County of Hawaii; Mayor of the County of Kauai; Chairperson of
7 the Board of Land and Natural Resources; and Chairperson of the
8 Board of Trustees of the Office of Hawaiian Affairs.

