

SB2875

SB2875



Submit Testimony

Measure Title: RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE.

Report Title: Endangered Species Recovery Committee Membership; Native Hawaiian Traditional and Customary Practices

Description: Amends the composition of the Endangered Species Recovery Committee by adding a member possessing a background in native Hawaiian traditional and customary practices.

Companion: [HB2325](#)

Package: Governor

Current Referral: WTL/ENE/HWN

Introducer(s): KIM (Introduced by request of another party)

Sort by Date		Status Text
1/23/2014	S	Introduced.
1/23/2014	S	Passed First Reading.
1/23/2014	S	Referred to WTL/ENE/HWN.
2/5/2014	S	The committee(s) on WTL/ENE/HWN has scheduled a public hearing on 02-12-14 1:15PM in conference room 225.

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 Committees on
WATER AND LAND
and
ENERGY AND ENVIRONMENT
and
HAWAIIAN AFFAIRS**

**Wednesday, February 12, 2014
1:15 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE BILL 2875
RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE**

Senate Bill 2875 proposes to establish a new member to Hawaii State's Endangered Species Recovery Committee, which consults to the Department of Land and Natural Resources (Department) and the Board of Land and Natural Resources on matters relating to endangered, threatened, proposed, and candidate species. **The Department strongly supports this Administrative bill.**

Currently, nearly all of the boards and commissions under the Department require a member with a background in native Hawaiian traditional and customary practices. Last session, legislation was enacted requiring such expertise for the Natural Area Reserves System Commission. The remaining Department boards and commissions that need such expertise are the Board of Land and Natural Resources and the Endangered Species Recovery Committee.

As the Department is obligated under the Hawaii Constitution and Hawaii statutory and case law to preserve and protect the exercise of traditional and customary native Hawaiian rights, it would provide great value to have a member on the Endangered Species Recovery Committee to have expertise in this area to provide guidance on natural resource protection and management decisions.

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

ESTHER KIA'AINA
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

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mjellings@hawaii.rr.com
Subject: *Submitted testimony for SB2875 on Feb 12, 2014 13:15PM*
Date: Thursday, February 06, 2014 9:10:33 AM

SB2875

Submitted on: 2/6/2014

Testimony for WTL/ENE/HWN on Feb 12, 2014 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Carl M Jellings Sr	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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State of Hawaii, 27th Legislature, Second Regular Session

SB2875

RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE

Senate Committees on Water and Land, Energy and Environment, and Hawaiian Affairs
Public Hearing – Wednesday February 12, 2014
1:15 p.m., State Capitol, Conference Room 225

By
Dave Penn, Private Citizen
February 11, 2014
COMMENTS ONLY

Aloha Chairs Solomon, Gabbard, and Shimabukuro; Vice Chairs Galuteria, Ruderman, and Hee;
Senators and other readers

I have over three years of recent, direct experience with the work of the Endangered Species Recovery Committee ("ESRC"), at first as part of the review team at the University of Hawaii Environmental Center ("ENVCTR"), and more recently as the ENVCTR's voting representative on the ESRC. If the legislature wishes to modify the make-up of the ESRC, I suggest that the legislature consider reassigning the responsibilities of the ENVCTR to a different University of Hawaii ("UH") unit and administrator, such as the Dean of the Manoa College of Natural Sciences (which houses the Biology and Botany departments) or the Director of the Pacific Biosciences Research Center (which houses the Center for Conservation Research and Training). In the face of ongoing changes to the name, functions, administration, staffing, and operations of the ENVCTR, it is increasingly evident that other UH units have much greater resources and expertise for providing the level of commitment and type of analysis that the ESRC needs to obtain from UH than does the Water Resources Research Center, the unit that currently oversees UH's performance of the legislatively mandated duties of an environmental center.

Thank you for considering this mana`o on SB2875.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB2875 on Feb 12, 2014 13:15PM*
Date: Thursday, February 06, 2014 2:01:44 PM

SB2875

Submitted on: 2/6/2014

Testimony for WTL/ENE/HWN on Feb 12, 2014 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: lynhowe1946@yahoo.com
Subject: *Submitted testimony for SB2875 on Feb 12, 2014 13:15PM*
Date: Wednesday, February 05, 2014 5:21:58 PM

SB2875

Submitted on: 2/5/2014

Testimony for WTL/ENE/HWN on Feb 12, 2014 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Lyn Howe	Individual	Support	No

Comments:

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HEARING ON 12 FEB 2014, 1:15 PM

COMMITTEES ON WATER AND LAND, ENERGY AND ENVIRONMENT, AND
HAWAIIAN AFFAIRS

Chairs Solomon, Gabbard and Shimabukuro and Committee Members

Re. SB 2875, RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE.

Dear Senators,

I urge you to kill this bill, and any others like it. The endangered species recovery committee (ESRC) consists of biological scientists and administrators all familiar with Hawaii's endangered species of plants, animals and their natural habitats and also the conditions of their endangerment. The members work within the contexts of the federal and state endangered species laws, dealing primarily with the take of specific endangered species by the activities of man in contemporary Hawaii, and how to compensate for it within the legal goal of the desired recovery of these species. The legal issues, scientific knowledge and deliberations of the ESRC have little or nothing to do with native Hawaiian traditional and customary practices, even though the organisms themselves were part of the material culture of traditional Hawaiians. The content of the state and federal endangered species laws are necessarily parallel where this subject matter is concerned, and a change in one might affect their correlation.

All the native species considered by the ESRC have declined to the point that they may fall into extinction like so many other native Hawaii species, and the discussions of the ESRC are technical and legal, not cultural. I would suggest that the proper place for cultural discussions regarding these species would be at the Department of Land and Natural Resources, where such discussions could inform and enlighten the state representatives who are attending the meeting. Perhaps an advisory committee could be formed, outside of the context and content of the state endangered species law to achieve this advisory role.

Thank you for your attention to this testimony,

Rick Warshauer, former ESRC member, Volcano