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## A BILL FOR AN ACT

RELATING TO WILDLIFE EMERGENCY RESPONSE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Hawaii has the  
2 largest concentration of endangered and threatened species in  
3 the world, a majority of which are birds. Of more than one  
4 hundred types of endemic Hawaiian birds, more than two-thirds  
5 are already extinct and over eighty per cent of those that  
6 remain are threatened with extinction. Furthermore, more than  
7 fourteen million indigenous seabirds rely on habitats in the  
8 Hawaiian archipelago.

9           The legislature notes that there have been more than one  
10 hundred vessel groundings reported in the Hawaiian archipelago.  
11 State government shares statutory responsibility for the  
12 conservation of migratory birds and endangered species,  
13 including those impacted by contaminant spills. It is  
14 imperative that the State protect these endangered and endemic  
15 animals if an oil- or fuel-related disaster affecting native  
16 wildlife were to occur.



1 Oiled wildlife recovery is a key component of oil spill  
2 response. A purpose-built and operational oiled wildlife  
3 response facility is necessary to fulfill the best-response  
4 concept outlined in the Hawaii area contingency plan and is the  
5 standard set for highly successful emergency responses because  
6 it provides efficient, state-of-the-art wildlife care; provides  
7 control of animal and hazardous waste handling and tracking; and  
8 ensures the safety of everyone working with oiled wildlife. In  
9 addition, having a facility ready to respond to a critical  
10 vulnerability in Hawaii's contaminant spill response mechanism  
11 ensures that the State is following best practices for oil spill  
12 response as outlined by federal wildlife agencies. The  
13 legislature acknowledges that the original purpose of the  
14 environmental response revolving fund, known as the barrel tax,  
15 was to provide for emergency response funding.

16 The legislature further finds that the Hawaii Wildlife  
17 Center is the only indigenous wildlife emergency response and  
18 rehabilitation facility in the State and the only facility  
19 within the State that meets all federal and state standards for  
20 accommodating a large-scale rescue and rehabilitation effort  
21 targeting sick, injured, or oiled wildlife. Within the first



1 month of 2015, the center was placed on alert for two oil  
2 pollution events and in 2014 provided oiled wildlife response  
3 services.

4 The purpose of this Act is to support the operations of an  
5 environmental disaster standby and response facility to respond  
6 to oil- and fuel-related disasters affecting indigenous wildlife  
7 in the State through the environmental response revolving fund.

8 SECTION 2. Section 128D-2, Hawaii Revised Statutes, is  
9 amended by amending subsection (b) to read as follows:

10 "(b) Moneys from the fund shall be expended by the  
11 department for response actions and preparedness, including  
12 removal and remedial actions, consistent with this chapter;  
13 provided that the revenues generated by the environmental  
14 response, energy, and food security tax deposited into the  
15 environmental response revolving fund:

16 (1) Shall be used:

17 (A) For oil spill planning, prevention, preparedness,  
18 education, research, training, removal, and  
19 remediation; and

20 (B) For direct support for county used oil recycling  
21 programs; and



1 (2) May also be used to support environmental protection  
2 and natural resource protection programs, including  
3 [energy]:

4 (A) Support for operations of an environmental  
5 disaster standby and response facility in the  
6 State that shall be responsible for the recovery  
7 and rehabilitation of native wildlife that is  
8 sickened, injured, or contaminated as a result of  
9 an oil- or fuel-related disaster in the State;

10 (B) Energy conservation [~~and alternative~~];

11 (C) Alternative energy development[~~r~~]; and [~~to~~  
12 ~~address~~]

13 (D) Addressing concerns related to air quality,  
14 global warming, clean water, polluted runoff,  
15 solid and hazardous waste, drinking water, and  
16 underground storage tanks, including support for  
17 the underground storage tank program of the  
18 department and funding for the acquisition by the  
19 State of a soil remediation site and facility."

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



# H.B. NO. 1117

1 SECTION 4. This Act shall take effect on July 1, 2015.

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INTRODUCED BY: \_\_\_\_\_

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JAN 27 2015



# H.B. NO. 1113

**Report Title:**

Environmental Response Revolving Fund; Wildlife Emergency Response

**Description:**

Allows the environmental response revolving fund to be used to support the 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 an oil- or fuel-related disaster in the State.

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