

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

**Before the House Committee on  
FINANCE**

**Wednesday, February 24, 2020  
11:00 AM  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 2193, HOUSE DRAFT 1  
RELATING TO WILDLIFE**

House Bill 2193, House Draft 1 proposes to require all habitat conservation plans to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area. **The Department of Land and Natural Resources supports this measure and offers comments.**

Section 195D-21 (2) (C), Hawaii Revised Statutes, requires that each habitat conservation plan shall identify the steps that will be taken to minimize the impact of any incidental take to the maximum extent practicable. A service agreement with a stand-by response facility capable of providing emergency medical and rehabilitation services may help to fulfill that requirement in the event of injured wildlife.

Possible language changes (highlighted in yellow) on page 5, lines 5-10 might include the following:

(G) Include [an agreement] a requirement to enter into and maintain an annual service [contract] agreement with a stand-by [and] response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the plan area;

Thank you for the opportunity to comment on this measure.

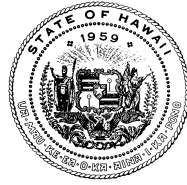
**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
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ENGINEERING  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
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**WRITTEN  
TESTIMONY  
ONLY**

**Testimony in SUPPORT of HB2193 HD1  
RELATING TO WILDLIFE.**

REP. SYLVIA LUKE, CHAIR  
HOUSE COMMITTEE ON FINANCE

Hearing Date: February 24, 2020

Room Number: 308

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health supports the intent of HB2193 HD1, but  
3 defers to the Department of Land and Natural Resources on details of implementation.

4 Hawaii's ecosystem is under constant threat by natural and manmade causes ranging from  
5 infrastructure strikes and chemical spills to severe weather and sea level rise. In addition to  
6 preserving and restoring native species populations that contribute to Hawaii's uniqueness,  
7 maintaining the balance of wildlife and their habitat fosters a healthy environment and may  
8 promote resilience in the face of climate change-related human health adaptation, e.g. control of  
9 vectors.

10 Thank you for the opportunity to testify.

11



**Hawai'i Wildlife Center**  
P.O. Box 551752 • Kapa'au, HI 96755

**TESTIMONY OF LINDA ELLIOTT,  
PRESIDENT AND CENTER DIRECTOR  
HAWAII WILDLIFE CENTER**

**PRESENTED TO THE  
COMMITTEE ON FINANCE**

**DATE: Monday, February 24, 2020**

**TIME: 11:00 a.m.**

**PLACE: Conference Room 308  
State Capitol, 415 South Beretania Street**

**TESTIMONY IN SUPPORT OF HB 2193, Relating to Wildlife**

To the honorable Representative Sylvia Luke, Chair, Representative Ty Cullen, Vice Chair, and members of the Committee:

I am submitting testimony in **strong support** of HB 2193. Thank you for the opportunity to provide comment.

HB 2193 Requires all habitat conservation plans (HCPs) to include an agreement for plan participants to enter into and maintain an annual service contract with a stand-by and response facility available to provide emergency medical and rehabilitation services to native wildlife affected by activities undertaken within the scope of the plan. Since the costs would be incorporated into the fees already being paid by entities that are required to have a Habitat Conservation Plan, this does not raise taxes or require State funding.

This amendment would require a thorough and proper response procedure for indigenous and endemic wildlife species covered by HCPs when individuals of these species are found injured, as well as a clear means of support for such response actions. At present HCPs do not require an adequate response plan that 1) outlines the procedures and protocols that need to be followed should injured wildlife be found and 2) sets forth an agreement with and funding support for a permitted response organization to ensure response resources are available for injured wildlife treatment and rehabilitation expertise when needed. Funding support should be provided as a measure to prepare for injured wildlife response and to keep resources available, instead of being made available only when a response event is needed/occurs.

Of the agreements we reviewed, all have failed to cover this specific response need and instead focus mainly on habitat improvements (i.e. in planting, invasive weed control) and population protection methods (i.e. predator control, re-introduction of species, captive breeding programs). Although those conservation programs are also important, the inclusion of the

process for funding the response to injured wildlife covered by HCPs provides a missing piece necessary to fully respond to protected wildlife species and creates more robust protection of native wildlife throughout the year.

From previous discussions with wildlife agencies, we have gathered that:

— Indigenous and endemic wildlife is under the responsibility of the Department of Land and Natural Resources. DLNR administrative rules mandate that if indigenous wildlife is injured, it must be brought to a permitted entity for care. Additionally, Hawai'i's indigenous wildlife is protected by federal Migratory Bird Act and or the Endangered Species Act. State or Federal wildlife agencies are not able to provide wildlife rehabilitative care services and therefore rely on partnerships with other organizations to fulfill this role.

— Current HCP requirements only focus on quantifying and mitigation for dead wildlife, while wildlife that are injured and still alive - wildlife that have the possibility of recovering and returning to their wild populations - are neglected because there are no statutory mandate requiring action and follow through.

— Providing concrete language to build the necessary avenues for wildlife response will help wildlife agencies follow through on their mandate to protect indigenous wildlife without creating much additional work for the agencies.

— By supporting wildlife response organizations via these agreements the benefits may also include:

- Net population benefits as the year-around operations of wildlife rehabilitation programs will treat other indigenous and endemic wildlife patients of the same species of concern adding to the number returned to the wild populations
- Preparedness for emergency response services (i.e. contaminants spill response, disease out breaks) with the trained experienced staff and a fully operational facility from the response organizations supported in part by these agreements.

Requiring entities needing an HCP agreement to also procure a support agreement with a qualified and permitted response and rehabilitation organization would also provide for first response training for the entity's staff, a supplies and equipment list to perform a response, and create procedures to consult on injured wildlife and assist in the transport of injured wildlife to the response organization(s). This support agreement would cover the costs for readiness to respond year-round and for the treatment and medical care of wildlife species covered by the agreement.

The Hawai'i Wildlife Center provides professional, state-of-the-art treatment for native Hawaiian wildlife affected by contamination, disease and injury. HWC staff members have the experience and capability to manage 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 also provides emergency response training for agency staff, interns, students and volunteers.

HWC has a Memorandum of Agreement between the Center, the Fish and Wildlife Service and the State Department of Land and Natural Resources. However, while this MOA provides a framework for effective collaboration, it does not ensure that resources are available to keep the Center open and ready to respond to injured wildlife.

We have been open for animal care since September 2012, and have already received nearly 1,000 patients (majority are birds, with some bats) representing over 40 different native species. In order to keep our critical services available, we need a predictable and consistent source of operational funding. HB 2193 will help ensure that permitted, professionally staffed, wildlife response resources are prepared to help native wildlife adversely affected by human activities as well as help satisfy the statutory responsibility of the State.

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

**HB-2193-HD-1**

Submitted on: 2/22/2020 9:10:00 PM

Testimony for FIN on 2/24/2020 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr Diane Dorazio	Hawaii Wildlife Center	Support	No

Comments:

I started volunteering at the Hawaii Wildlife Center in 2017 when my husband and i purchased our retirement home in Hawi. Prior to retiring in 2018, I was the veterinarian for the Southwest Virginia Wildlife Center(SWVWC), the only licensed veterinary hospital in southwest Virginia. Like the Hawaii Wildlife Center, the SWVWC receives no financial support from state or local govt. agencies, however, it provides a service to the public that is invaluable to the agencies by providing care to injured and orphaned native wildlife and providing education programs that promote conservation. I am in full support of Bill HB2193 because the Hawaii Wildlife Center has the facility, expertise, and trained staff to provide a centralized service to state and local agencies, private conservation organizations, and the public throughout the Hawaiian islands. The state is not being asked through this bill to financially support this service, however, the benefits to the state are enormous. As natural habitat disappears, there will be more and more human wildlife encounters. The public expects the state of Hawaii to have in place resources for handling injured and orphaned wildlife when such encounters occur. The Hawaii Wildlife Center is willing and able to be the centralized facility that government and private agencies rely on for native wildlife emergencies. I ask you to please support Bill HB2193. Mahalo!

**HB-2193-HD-1**

Submitted on: 2/21/2020 3:23:03 PM

Testimony for FIN on 2/24/2020 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michelle Cabalse	Individual	Support	No

Comments:

I have volunteered with various wildlife rescue organizations, and I understand the importance of a stable network structure. This bill will contribute to a better operational foundation for volunteers and organizations.



**HB-2193-HD-1**

Submitted on: 2/22/2020 8:55:30 AM

Testimony for FIN on 2/24/2020 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cheri Johnston	Individual	Support	No

Comments:

I would like to submit my strong support for the funding of the Hawai'i Wildlife Center. The emergency medical services and rehabilitation services they provide for our native species is exemplary.

Since moving to the island 4 years ago, I have been involved with the center as a volunteer. I initially enjoyed being a part of the center due to my love for wildlife. I became more vested when I realized how committed they are to their patients and how they are the only entity that provides their service for hundreds of miles. Their medical services and rehabilitation programs are vitally important to the survival of our native species.

I have also been a part of fund-raising efforts for the center and realize how very challenging it is to acquire the funds necessary for them to continue to operate a quality facility and to continue their outreach and educational programs. In the 4 years I have known them, their excellence has never waived, even with their non-profit financial challenges. As an Hawai'i taxpayer, the Wildlife Center is the type of program I appreciate, and would expect, my taxes to support.