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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
WATER & LAND

Thursday, March 18, 2021
8:30 AM

State Capital, Via Videoconference, Conference Room 430

In consideration of
**HOUSE CONCURRENT RESOLUTION 69 / HOUSE RESOLUTION 58
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
SUBMIT A PETITION TO LIST THE OAHU PUEO AS A THREATENED OR
ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT.**

House Concurrent Resolution 69 / House Resolution 58 requests that the Department of Land and Natural Resources (Department) petition the United States Secretary of the Interior, through the United States Fish and Wildlife Service (USFWS), to protect the O'ahu pueo, also known as the Hawaiian short-eared owl (*Asio flammeus sandwichensis*) as a threatened or endangered species; and that certified copies of the concurrent resolution be transmitted to Chairperson of the Board of Land and Natural Resources and the Program Manager of the Endangered Species Recovery Committee. **The Department provides the following comments.**

The Department lists the population of pueo on the Island of O'ahu as endangered under Hawaii Administrative Rules Chapter 13-124. Although no population census of the species has occurred to date, records from the Hawaii Audubon Christmas Bird Counts and anecdotal evidence have demonstrated a potential decline of the species in the Hawaiian Islands. Extensive loss of habitat owing to development, and conversion of large tracts of undeveloped pastureland to residential and recreational uses, especially on O'ahu, are thought to be contributors to the species decline. In addition to habitat destruction, the introduction of mammalian predators including cats, dogs, pigs, and mongoose are potential threats to this ground-nesting species.

The Department believes that listing the pueo as a threatened or endangered species by the USFWS would increase protections for the species and align the protections afforded to pueo by both Federal and State governments. However, the Department notes that the USFWS must consider best available science and data to determine if there are significant factors that preclude the

species' continued existence throughout all or a significant portion of its range. For USFWS to list only the O'ahu population of pueo as threatened or endangered, this population would need to meet the definition of a "distinct population segment" as defined in the 1996 joint USFWS-National Marine Fisheries Service policy (61 FR 4722: February 7, 1996). The Department further notes that the population of pueo on O'ahu has not been recognized as a genetically distinct population segment from the other Hawaiian Islands and no population estimates have been conducted to date. Reliable population estimates for a low-density species, such as the pueo, are difficult to ascertain and requires significant effort. Further, the Department notes that relatively little information is available about the biology, habitat needs, greatest threats, or distribution of the pueo. Without the data to support the O'ahu population as a distinct population segment and supporting evidence of the decline of the species, the USFWS may find the petition not warranted due to the lack of substantial information.

Therefore, the Department recommends further studies be conducted on the pueo to increase our understanding on the population trends, distribution, genetics, and threat assessment, so that an informed petition on its Federal listing can be made. At this time, the lack of information and data is our greatest challenge in the conservation of this species.

Thank you for the opportunity to comment on these measures.



2021
BOARD OF
DIRECTORS

March 16, 2021

Elizabeth Reilly
President

Committee on Water & Land
Hawaii State House of Representatives
Hearing on March 18, 2021 at 8:30 a.m.
Conference Room 430/Videoconference

Allen Tateishi
Vice President

Dianne Gleib
Secretary

RE: Support for HCR69 / HR58

Marian Grey
Treasurer

Dean Takebayashi
Director

Aloha Chair Tarnas, Vice Chair Branco, and WAL Committee Members,

Gary Weller
Director

Livable Hawaii Kai Hui **strongly supports** HCR69 and HR58 to direct the Department of Land and Natural Resources to petition for the O'ahu pueo's inclusion in the Endangered Species Act.

Kendrick Chang
Community Outreach

The Hui emphasizes conservation of Hawai'i's natural and cultural resources. Naturally, this extends to local biodiversity and our beloved pueo. The O'ahu pueo, sometimes spotted flying across our East Honolulu home, is not only an endemic species with a dwindling population, but it is also a prominent figure in Hawaiian culture and an 'aumāku of many Hawaiian families.

Dylan Ramos
Communications &
Operations

Website

www.hawaiikaihui.org
www.kaiwicost.org

As residents of Maunaloa, we strive to stem the ecological and cultural impacts of ongoing development over our natural spaces. This is especially important when it comes to protecting the pueo, which can occupy a variety of habitats but are elusive to scientific studies of their breeding biology. Such uncertainty, paired with a clear trend of population decline, makes conservation efforts all the more important.

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Livable Hawaii Kai Hui
Aloha Aina O Kamilo Nui
Ka Iwi Coast

The Endangered Species Act would provide much-needed protections and incentives to save the O'ahu pueo before it is too late.

Livable Hawaii Kai Hui is a 501c(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources and upholding the integrity of the East Honolulu Sustainable Communities Plan.

Mahalo piha,

Dylan Ramos
Communications & Operations
Livable Hawaii Kai Hui

TESTIMONY IN SUPPORT OF HR 58/HCR 69
REQUESTING THE DEPARTMENT OF LAND AND NATURAL
RESOURCES TO SUBMIT A PETITION TO LIST THE OAHU PUEO AS A
THREATENED OR ENDANGERED SPECIES UNDER THE ENDANGERED
SPECIES ACT

Committee on Water & Land
Rep. David A. Tarnas, Chair
Rep Patrick Pihana Branco, Vice Chair
Rep. Sonny Ganaden, Rep. Bertrand Kobayashi, Rep. Sam Satoru Kong,
Rep. Dee Morikawa, Rep. Takashi Ohno, Rep. Bob McDermott, members

Hearing: March 18, 2021, 8:30 a.m.

Aloha,

Please support HR 58/HCR69. An endemic species of Hawaii, the endangered Pueo is located on all islands in the Pae’aina. It holds a special place in the culture of the Hawaiian people and is most closely associated with ‘aumakua, spiritual embodiments of kupuna and ancestors of different families.

Since 2016, measures at the legislature have been introduced to protect the Pueo, including adopting a resolution calling for a study by DLNR and the University of Hawaii. In 2017, an interim study report was provided to the legislature. That study contained a strong recommendation that further studies be conducted on distribution, biological threats and life history traits for this species. Estimated cost for a one-year state-wide inventory of Pueo was \$333,950; and \$165,188 for biological and cultural studies.

Since then, several bills were introduced to get appropriations for the study, with at least one reaching the conference stage, but unfortunately all bills failed. This year is not promising since the legislature is challenged with the impact of COVID-19 on state financial resources.

Thus, I appreciate HR58 and HCR69. Perhaps recognition by the United States Secretary of the Interior, through the United States Fish and Wildlife Service, to protect the O’ahu pueo, will lead to the availability of federal funding to conduct the necessary study on Pueo in order to derive solutions to their survival.

I note that the resolution is limited to Pu‘eo on O‘ahu. **Please consider amending to include all Pueo, whether on this or the neighbor islands. Note, the DLNR/UH interim study acknowledged that, “Pueo are known to exist throughout the State with very little information on habitat needs and occupancy.”**

Respectfully

Leimomi Khan