

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAI'I | KA MOKUAĀINA 'Ō HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
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DEPUTY DIRECTOR - WATER

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CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
JUDICIARY

Thursday, February 19, 2025
9:45 AM

State Capitol, Conference Room 016 and Via Videoconference

In consideration of
SENATE BILL 849, SENATE DRAFT 1
RELATING TO WILDLIFE CONSERVATION

Senate Bill 849, Senate Draft 1 proposes increasing penalties and fees for taking and killing indigenous species of aquatic life, wildlife, and land plants that are native to the state. It designates penalties for the taking, harming, or killing of an 'io. **The Department of Land and Natural Resources (Department) supports this measure.**

'Io are listed as endangered birds under Exhibit 2 of Chapter 13-124, Hawai'i Administrative Rules. Therefore, intentional taking, harming, or killing of an 'io is prohibited and subject to penalties outlined in HRS §195D-9. SD1 of this bill would provide added protection of 'io in case the Department determines it is warranted to remove 'io from the endangered birds list. On February 3, 2020, 'io were delisted under the federal Endangered Species Act of 1973, but do receive federal protection from intentional take under the Migratory Bird Treaty Act. It should be noted, that if the Department determines it is warranted to remove 'io from the endangered bird list, this bill protects 'io from intentional take but project operators would not be required to avoid, minimize, and mitigate take of 'io if take occurs incidentally because of the normal operation of a project.

As described in this bill, the penalty for violating terms of Chapter 195D, Hawai'i Revised Statutes, would be increased from a misdemeanor for all offenses to a class C felony for a second or subsequent offenses. The bill also increases administrative fines the Department or a court may impose and includes an option for rehabilitative community service. The Department supports this portion of the bill because we consider offenses to threatened and endangered species to be severe and we expect that higher fines would deter violations of Chapter 195D, Hawai'i Revised Statutes. The Department also supports using

rehabilitative community service as a remedial tool where it is warranted to teach compassion towards Hawai'i's native species.

Mahalo for the opportunity to provide testimony in support of this measure.

SB-849-SD-1

Submitted on: 2/17/2025 8:24:52 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Inga Gibson	Testifying for For the Fishes, Pono Advocacy	Support	Written Testimony Only

Comments:

Senate Committee on Judiciary

RE: SUPPORT SB849 Relating to Wildlife Conservation

Dear Chair Rhoads and Committee Members,

Thank you for the opportunity to share our support for SB849, to increase fines and penalties for the illegal take of threatened and endangered species. This bill would increase fines to deter such illegal takings and also provide a felony offense for repeat offenses or offenses involving multiple incidents or animals.

Often, federal wildlife agencies such as NOAA and the USFWS would need to lead an investigation and subsequent prosecution into wildlife crimes in order to enact meaningful penalties. This bill would allow DOCARE, our state wildlife law enforcement agency, to seek higher penalties in serious offenses involved the take of protected wildlife.

Thank you for the opportunity to testify.

Inga Gibson

For the Fishes

SB-849-SD-1

Submitted on: 2/14/2025 10:39:07 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Support	Written Testimony Only

Comments:

Mrs Ruth Love

SB-849-SD-1

Submitted on: 2/16/2025 6:03:05 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Rylen Navarro	Individual	Support	Written Testimony Only

Comments:

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

February 19, 2025

9:45, CR 106

Hawaii State Capitol

Support for S.B. No.849

Aloha Senator Rhoads and Senator Gabbard,

My name is Rylen Navarro and I am a student at Mililani High School. I am testifying in support of S.B. No.849

I am advocating for this bill because Hawaii is home to a plethora of native plants and animals that can only be found on our islands, therefore the implementation of this bill is necessary to protect these species. As time goes on, animals like the honeycreeper, 'io, and the Hawaiian Monk Seal continue to be killed by humans, placing them on the endangered species list, or possibly even making them extinct. Additionally, according to the Department of Land and Natural Resources, more than 100 plant taxa have gone extinct, and over 200 are endangered in the state of Hawaii. The extinction of these plants and animals that are native to Hawaii will cause great harm to the integrity of our ecosystem, which is why they need to be preserved and protected. Current laws that are in place to

protect animals like the 'io are not doing enough, and are being actively disregarded by humans who do not care about the future of Hawaii.

I strongly believe that increasing the severity of penalties for killing or endangering these indigenous species is the most effective way to sustain the wildlife of our state and to preserve the diversity of the islands. Thank you for the opportunity to testify.

Sincerely,

Rylen Navarro

Mililani High School

SB-849-SD-1

Submitted on: 2/16/2025 10:46:15 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Katelynn Orr	Individual	Support	Written Testimony Only

Comments:

Senator Rhoads

Senator Gabbard

Senate Judiciary Committee

2/19/25 9:45 AM

Senate Conference Room 016

In Support of SB849

Hello Senators Rhoads and Gabbard I am Katelynn Orr. I am a junior at Mililani High School and I am testifying in support of SB849, Relating to Wildlife Conservation.

I am testifying in support of this bill because it supports wildlife and protects native species. We need to have more harsh punishments for people who break the law and harm or kill wildlife that are under protection. After reading this bill I agree with many of its proposals and claims. Hawai'i is home to a rich biodiversity of plants and animal species that need to be under tighter protection or we will lose them forever. These large sums of money that must be paid if people break these laws in my opinion is a good choice of punishment. These people who will be trying to break the law are mostly doing it for money so if they get fined these large amounts it will hopefully scare them away from breaking the law because of how money focused they are. The protection of these species such as the Hawaiian Hawk are vital to keeping this ecosystem we have balanced. Without our predators we will have an increase in prey which will overrun our native plants and

cause our delicate system to fall to ruin. So we must protect all of our native species if we want to keep our island safe and preserve our natives for years to come.

I really hope you consider passing this bill because it will help preserve our ecosystem and stop these bad people from trying to kill all these important animals and plants. Thank you for taking the time to read my testimony.

Respectfully,

Katelynn Orr

Mililani High School

Representative Rhoads, Senator
Representative Gabbards, Senator
Senate Judiciary Committee

Support for HI SB849

Tuesday, February 18, 2025
9:45 AM, Senate Conference Room 016

Aloha, Senators and members of the Senate Judiciary Committee,

My name is Irene Kim, and I am a student at Mililani High School. I am testifying **in support of** HI SB849.

I am testifying specifically in support of increasing the penalties and fees for taking and killing indigenous species of aquatic life, wildlife, and land plants that are native to the State. I am sure you are aware of the circumstances and the importance of conserving and protecting these species to ensure the survival of their heritage. By passing this bill, we will continue to maintain the biodiversity of the ecosystem, maintaining these strong links to our state.

I hope you will consider passing HI SB849 because it is a necessity to preserve our indigenous species as best as we can. Mahalo for the opportunity to testify.

Sincerely,

Irene Kim
Mililani High School

SB-849-SD-1

Submitted on: 2/17/2025 11:29:38 AM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Reynn Oshita	Testifying for Mililani High School	Support	Written Testimony Only

Comments:

Senator Rhoads

Senator Gabbard

Senate Judiciary Committee

Tuesday, February 19, 2025

9:45 am

Hawaii State Capitol

Support for SB849

Aloha, Senate Judiciary Committee,

My name is Reynn Oshita, and I am a senior at Mililani High School. I am testifying in support of SB849.

I am testifying specifically in support of increasing penalties on killing indigenous species that are native to our home. I believe it is necessary to implement this bill in order to maintain biodiversity within ecosystems on our islands. These indigenous species are crucial to our lands for aspects like keeping food chains as consistent as possible. If these innocent lives of indigenous species are taken because of humans, they need to be rightfully punished. Many Hawaii residents carelessly kill or harm these animals in various ways, and do not receive consequences for their inhumane actions, I believe more needs to be done on this issue.

I hope you will consider passing SB849 because I find it necessary to penalize those who kill indigenous species that are native to our home, Hawaii. Mahalo for the opportunity to testify.

Sincerely,

Reynn Oshita

Mililani High School

SB-849-SD-1

Submitted on: 2/17/2025 1:10:43 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Tasman Kekai Mattox	Individual	Support	Written Testimony Only

Comments:

Our wildlife is part of what makes Hawaii so special. Please increase penalties for those who harm our wildlife.

Representative Karl Rhoads, Chair
Representative Mike Gabbard, Vice Chair
House Committee on Agriculture

2/19/25

9:45AM, House conference room 016
Hawaii State Capitol

Support for H.B. No.2083

Aloha, Chair Gates and Members of the House Committee on Agriculture,

My name is Bree Kochi and I am a student at Mililani High School. I am testifying in favor of SB849.

Indigenous wildlife holds rich historical significance to the environment, so allowing people to take their lives goes against sustainability and conservation. They're in charge of maintaining our ecosystem and keeping it balanced. Without these species, we would lose our cultural identity. Threats such as illegal hunting and habitat destruction will cause irreparable damage to our environment. I believe that stronger restrictions are necessary to care for our ecosystems and preserve culture. Without stricter laws, these harmful actions will soon endanger species and destroy the environmental balance.

I highly encourage you to take action in passing SB849 which secures a sustainable future for our Indigenous species. Thank you for the chance to testify.

Sincerely,

Bree Kochi
Mililani High School

Senator Gabbard
Senator Rhodes
Senate Judiciary Committee

Wednesday, February 19, 2025
9:45AM, Senate Conference Room 016

Support for S.B. No. 849

Aloha, Chair Gates and Members of the Senate Judiciary Committee,

My name is Mailee Rhayne Bumanglag and I am a senior at Mililani High School. I am testifying in **support** of S.B. No. 849.

I am testifying in support of charging higher penalties to those who harm indigenous species of wildlife, and plants native to the islands of Hawai'i. The 'Io, or Hawaiian Hawk, is listed as endangered by the Hawai'i Department of Land and Natural Resources. This native bird plays a vital role in our state's unique ecosystem. The 'Io is also recognized as an 'aumākua, family god, by native Hawaiians. The decline of this species will not only disrupt the ecological balance on our islands, it will also greatly affect Hawaiian culture.

This bill calls for increasing penalties and fees for harming this indigenous species to our state. Without this bill, we would lessen the opportunity for future generations to experience the beautiful 'Io and many other sacred species that are only found on our islands. In addition, the populations of our sacred species will decline, leading to severe and irreversible damage to the structure of our ecosystem. Their absence creates a flaw in the food chain, wrecking the flow of nutrients and energy. Without their presence, many other organisms and their livelihoods will also be impacted.

I hope you will consider passing S.B. No. 849, as it is essential to protect the culture and nature of Hawai'i. Thank you for this opportunity to testify.

Sincerely,

Mailee Rhayne Bumanglag
Mililani High School

SB-849-SD-1

Submitted on: 2/17/2025 7:19:36 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Megan Stover	Individual	Support	Written Testimony Only

Comments:

Senator Rhodes, Chair

Senator Gabbard, Vice Chair

Senate Judiciary Committee

Wednesday, February 19, 2025

9:45 A.M. Senate Conference Room 016

Support for S.B. No. 849

Aloha, Chair Gates and Members of the Senate Judiciary Committee. My name is Megan Stover, and I am a senior at Mililani High School. I am testifying in support of S.B. No. 849.

I am testifying in support of the employing greater penalties for harming native species section of the bill. I believe it is necessary to implement this part of the bill for the health of the environment and ecosystem and endangered species like the 'io. Punishing people for harming indigenous species will hopefully protect culture and tradition in Hawaii as many of the species hold great significance to the Hawaiian people. Without a higher price to pay for harming and contributing to the eventual extinction of these species, people will continue their dangerous practices. An assertive punishment for taking and killing indigenous species is a bare minimum standard that needs to be introduced to protect the integrity of both the ecosystem as well as Hawaii's vast culture and heritage. The long term benefits far outweigh the short-term potential inconvenience some may feel by implementing this change onto the current system.

I hope you will consider passing S.B. No. 849 because it is necessary to keep our native species and ecosystem safe in the long run. Mahalo for the opportunity to testify.

Sincerely,

Megan Stover

Mililani High School

SB-849-SD-1

Submitted on: 2/17/2025 7:28:45 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Kalen Toguchi	Testifying for Mililani High School APES Class	Support	Written Testimony Only

Comments:

Aloha esteemed members of the Judiciary Committee,

I am writing to express my strong support for SB849, which looks to enhance protections for Hawaii's indigenous species by increasing penalties and fees for their unauthorized taking and killing. This legislation is crucial for preserving our unique ecosystems and cultural heritage.

Hawaii's native species, such as the 'io, play vital roles in maintaining balance in our ecosystems. The 'io, as an apex predator, helps control populations of rodents and other invasive species that threaten our native species. Unfortunately, these species face significant threats from overexploitation, habitat destruction, and environmental degradation. The current penalties for harming them are not enough

I respectfully urge the committee to pass SB849 to ensure the continued protection of our native species and the preservation of Hawaii's natural and cultural legacy.

Mahalo for considering my testimony.

SB-849-SD-1

Submitted on: 2/17/2025 9:01:04 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Camryn Kunihisa	Individual	Support	Written Testimony Only

Comments:

Senator Rhoads

Senator Gabbard

Senate Judiciary Committee

Wednesday, February 19, 2025

9:45AM, Senate Conference Room 016

Hawaii State Capitol

Support for SB849

Aloha, Senate Judiciary Committee,

My name is Camryn Kunihisa, and I am a senior at Mililani High School. I am testifying in support of SB849.

I am testifying specifically in support of increasing penalties on killing indigenous species that are native to our home. I believe it is necessary to implement this bill in order to protect our native species from harm. These native species play an important role in maintaining the balance of the ecosystems and biodiversity. Native species are already at harm due to the increasing amount of invasive species that are being introduced, so humans should be punished for harming these species. Many Hawaii residents carelessly kill or harm these animals in various ways, and do not receive consequences for their inhumane actions, I believe more needs to be done on this issue.

I hope you will consider passing SB849 because I find it necessary to penalize those who kill indigenous species that are native to our home, Hawaii. Mahalo for the opportunity to testify.

Sincerely,

Camryn Kunihisa

Mililani High School

SB-849-SD-1

Submitted on: 2/18/2025 1:00:02 AM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Draven Amor	Individual	Support	Written Testimony Only

Comments:

Representative Kirstin Kahaloa, Chair
Representative Matthias Kusch, Vice Chair
House Committee on Agriculture & Food Systems
Wednesday, February 18, 2025
1:00 AM, House Conference Room 325
Hawaii State Capitol

Support for S.B. No. 849

Aloha, Chair Kahaloa and Members of the House Committee on Agriculture & Food Systems,

My name is Draven Amor, and I am testifying in support of S.B. No. 849.

Hawaii’s indigenous wildlife is an irreplaceable part of our ecosystem, culture, and natural heritage. Increasing penalties for the illegal taking and killing of native species is a crucial step toward strengthening conservation efforts. The Io (Hawaiian hawk) and other endemic species face ongoing threats due to habitat destruction and human activities, making stronger enforcement measures essential.

By implementing stricter penalties, this bill will serve as a deterrent against harmful actions and reinforce the importance of protecting Hawaii’s biodiversity. I urge you to pass S.B. No. 849 to safeguard our unique wildlife for future generations.

Mahalo for the opportunity to testify.

Sincerely,
Draven Amor

LATE

SB-849-SD-1

Submitted on: 2/18/2025 3:43:34 PM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Awai	Individual	Support	Written Testimony Only

Comments:

I support SB849.SD1. protecting and implementing the penalties of endangerment to indigenous species, such as the Hawaiian Hawk, or I'o. Everyone especially the visitors to our islands need to know these laws and the penalties for breaking them. Even dogs used for hunting need to have responsible owners that know the laws. But it is difficult to train feral cats, mongoose and other predators to obey the laws made by man!

LATE

SB-849-SD-1

Submitted on: 2/19/2025 7:50:06 AM

Testimony for JDC on 2/19/2025 9:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryley Agsalda	Individual	Support	Written Testimony Only

Comments:

To whom it may concern, my name is Ryley Agsalda, I am a student at Mililani High School. I am writing to you today in concern for pushing forward the bill on increasing penalties for killing native wildlife. From my classes' experience working with groups like the Waianae Watershed, we have learned and seen the detrimental effects of not having necessary native plants on parts of our island. This can be anything from water retention, to outright preventing the spread of wildfires. Hawai'i is uniquely situated in the middle of the Pacific, rich with vast wildlife, some of which can't be found anywhere else in the world. To the bill I might add that some individuals don't harm native species by intention. As such, we must consider an education aspect for locals and tourists alike so there is incentive and knowledge behind the action of not harming native species.