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SB 318
RELATING TO ENDANGERED FLORA AND FAUNA

Statement for
Senate Committee on
Agriculture and Environment
Public Hearing - February 9, 1989

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SB 318 would amend Section 195 D-4 of Hawaii Revised Statutes by:

- a) replacing "man made" with "nonnatural" (page 2, line 8);
- b) declare as endangered under State law species listed as Category 1 potentially endangered in the Federal Register (page 2, paragraph d);
- c) identify critical habitats of all endangered species (page 3, lines 12-14)
- d) specifies the nature of the petition and procedures for review of petitions to list or delist species as endangered or threatened.
- e) specifies that the Department of Land and Natural Resources shall function as a clearinghouse of all information relating to endangered species in the State.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

We concur with the intent of most of the proposed amendments to improve the ability of DLNR to better manage and protect the endangered and threatened species of Hawaii. Particularly attractive in this bill would be the protection afforded by the designation as endangered all federal category 1 species. The advantage of this provision is that it would afford protection far sooner than the present listing process. We have some reservations about the clearing house provisions for DLNR. There should be some guarantee that any information gathered on endangered or threatened species is made readily available to those outside of DLNR.

However, it is our understanding that the Department of Land and Natural Resources is currently working closely with the Natural Resources Defense Council (NRDC) to review and identify, in a comprehensive manner, what statutory or regulatory changes are needed to assure improved and necessary protection for Hawaii's endangered species. Assuming that these efforts will be completed in an expeditious manner it may be more appropriate to wait for their recommendations rather than provide changes to 195 D-4 now. A resolution setting forth the needs for increased protection of endangered and threatened species and a recognition of the urgency for action by DLNR may be the more appropriate approach at this time.

A word of caution is added. Time is of the essence with regard to protection of endangered and threaten species. If more effective protection cannot be assured in the immediate future, it may be well to carry forth the amendments proposed by SB 318 and revise them if necessary following completion of the pending studies.