

JAN 18 2019

A BILL FOR AN ACT

RELATING TO CONSERVATION.

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

1 SECTION 1. The legislature finds that human activities
2 have contributed to the fragility of local habitats, leading to
3 a current crisis in the survival of Hawaiian plants and animals
4 and impacting public and private land use. Chapter 195D, Hawaii
5 Revised Statutes, provides that the intended purpose of all
6 habitat conservation plans, safe harbor agreements, incidental
7 take licenses, and subsequent actions is to promote recovery of
8 Hawaii's threatened and endangered species.

9 The legislature further finds that effective implementation
10 of Hawaii's endangered species law, section 195D-4, Hawaii
11 Revised Statutes, requires resources for adequate staffing.
12 Currently, the department of land and natural resources division
13 of forestry and wildlife has three administrative positions to
14 manage statewide projects, plus additional staff supported by
15 grants to produce standalone habitat conservation plans. The
16 incidental take licenses currently issued or approved by the
17 board of land and natural resources for these plans and



1 agreements cover at least forty-five threatened or endangered
2 species on five islands, and the department of land and natural
3 resources is currently processing additional draft habitat
4 conservation plans and consulting on other potential projects
5 that will add at least fifteen more species. The State's
6 initiative to reach one hundred per cent renewable energy by
7 2045 is another factor that will likely result in more requests
8 for incidental take licenses. The legislature finds that
9 funding a state civil service position to draft rules that
10 implement and clarify the intent of chapter 195D, Hawaii Revised
11 Statutes, work with applicants for incidental take licenses to
12 develop their projects to minimize and mitigate incidental take
13 of threatened and endangered species to the maximum extent
14 practicable, and track and monitor funds and expenditures
15 related to each habitat conservation plan project would further
16 improve the implementation of chapter 195D, Hawaii Revised
17 Statutes. This would provide greater consistency in issuing
18 incidental take licenses, conducting follow-up monitoring for
19 development projects, and implementing and managing mitigation
20 and other projects that are extremely beneficial for the
21 recovery of Hawaii's threatened and endangered species.



1 SECTION 2. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2019-2020 and
 4 the same sum or so much thereof as may be necessary for fiscal
 5 year 2020-2021 for one full-time equivalent (1.0 FTE) state
 6 civil service position to draft rules that implement and clarify
 7 the intent of chapter 195D, Hawaii Revised Statutes, work with
 8 applicants for incidental take licenses to develop their
 9 projects to minimize and mitigate incidental take of threatened
 10 and endangered species to the maximum extent practicable, and
 11 effectively track and monitor funds and expenditures related to
 12 habitat conservation plans, conduct follow-up monitoring for
 13 development projects, and implement and manage mitigation and
 14 other projects that benefit the recovery of threatened and
 15 endangered species.

16 The sums appropriated shall be expended by the department
 17 of land and natural resources for the purposes of this Act.

18 SECTION 3. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:

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S.B. NO. 949

BTLS



S.B. NO. 949

Report Title:

Habitat Conservation Plans; Department of Land and Natural Resources; Staff Position; Appropriation

Description:

Appropriates funds for a state civil service position to draft rules that implement and clarify the intent of chapter 195D, Hawaii Revised Statutes, work with applicants for incidental take licenses to develop their projects to minimize and mitigate incidental take of threatened and endangered species to the maximum extent practicable, and effectively track and monitor funds and expenditures related to habitat conservation plans and perform other tasks to benefit the recovery of threatened and endangered species.

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