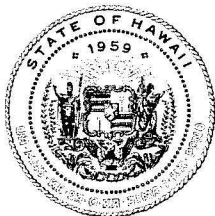
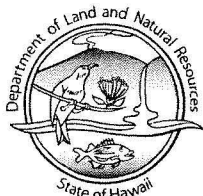


LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAOHOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

on House Bill 2956 – RELATING TO HUNTING

**BEFORE THE HOUSE COMMITTEE ON
FINANCE**

February 22, 2008

The Department of Land and Natural Resources (Department) strongly supports passage of House Bill 2596, which amends the powers and duties of the Department under Section 183D-2, Hawaii Revised Statutes, to give the Board of Land and Natural Resources (Board) the flexibility to set size and bag limits, hunting days, open and closed seasons, hunting gear to be used, and special conditions for hunting without going through the rulemaking process.

The Department proposes to implement a process for public input before making changes to hunting days, seasons, bag limits, and gear. Presently, staff meets with hunting advisory groups regularly on every district to discuss proposed changes to days, seasons, bag limits, and hunting gear. This will continue. Before the Board would take action at a regular meeting, the Department would provide notice to the public of the proposed changes at least 30-days before the board action and all comments received would be provided to the Board for their consideration.

Adjustments to the conditions set for hunting each year, and frequently during the year, are necessary and routine and serve to enhance hunting opportunities based on changing environmental conditions, and allow for the flexibility to increase hunting pressure in cases where animal numbers are high. The overall goal of the public hunting program is to maximize hunting opportunities where appropriate through proper management of the game resources. The Department conducts numerous game surveys throughout the year in order to assess the status of the game populations and uses that information to establish open seasons, bag limits, hunting days and conditions to hunt and therefore the amount of the game harvest. This process gives the Department the ability to provide more hunting opportunity when conditions warrant.

Similarly, game animal numbers occasionally become undesirably high in some areas and adjustments are needed to open areas and increase hunting pressure to allow for an increase in harvest. A recent example of this was seen last year when frequent complaints of pigs in the

Manoa area of urban Honolulu were reported. The Department was able to quickly establish special hunts to increase hunting pressure and harvest. Giving the Board the authority to set these conditions will provide the needed flexibility for adjustments and responses that will help control game and enhance hunting opportunities. It is not feasible to go through an administrative rule process every time a localized adjustment is needed in hunting bag limits, season or conditions. Under this measure, the changes that would be made in hunting conditions would be done by the Board at its duly noticed and regular meetings, and provide the public with an opportunity to provide input.

There are dozens of examples of recent and pending hunting opportunities across the state that would have been lost and will be lost if a formal rule change is needed for these. These include:

- Big Island – Spring Turkey Hunt. Among the most popular game bird hunts are turkeys. The Department strives to lengthen the season whenever possible to increase opportunities in productive years. This has been a very good year for the turkey population and the Department could have extended the season to make it 50% longer, giving the public additional hunting opportunities.
- Statewide – Private Land Owners. In cases where the Department manages hunting in partnership with private landowners, the Department must be able to respond to the landowner's requests to reduce numbers. In the past we have created special hunts to allow the public to remove goats rather than resorting to staff shooting of the animals. Recently, a landowner requested that we increase the bag limit for Mouflon to reduce numbers. Instead, the Department will need to use wasteful staff shooting to reduce numbers, rather than allowing the public to harvest those animals. Other landowner concerns that frequently need to be addressed are changes in boundaries and safety zones.
- Statewide – Annual bird season. Annual surveys in the July – August are used to open or close game bird seasons in November - January. When there are plentiful birds, additional days can be added to the hunting week or opening extra days on private landowners property.
- Maui – Polipoli Fire. A series of special hunts were created to reduce the game mammal populations, in order to replant and restore the forest. The alternative would have been staff shooting or fencing and eradication.
- Kauai – Kalalau Valley Goat Hunting. Department addresses high animal & damage problem by periodically limiting pedestrian traffic so that rifle shooting can reduce the goat population.
- Opening newly established hunting areas of Manana Valley, Moanalua Valley, and two new portions of the South Kona Forest Reserve. The Department aggressively seeks to create and open new areas throughout the year. Requiring a formal rule change every time a new area is open or closed is impractical and will result in numerous lost opportunities.

- Oahu – Manoa-Tantalus urban pig problems. The area is not open to public hunting due to safety concerns from heavy hiker traffic. Following numerous complaints from residents, the Department was able to quickly respond with special hunts that were effective and the complaints decreased.
- Big Island – Hilo Forest Reserve Cattle Hunts. The Department established a special season to reduce numbers.

Lastly, the Department of the Attorney General has brought to the attention of the Department that the introductory paragraph in SECTION 1 of this measure was inadvertently worded incorrectly. The Department respectfully requests that this paragraph be amended to read:

SECTION 1. *In Tanaka v. State of Hawaii, Department of Land and Natural Resources*, 2007 WL 4572956. (Haw.App. 2007), the Intermediate Court of Appeals reversed a decision of the circuit court and thereby indicated that the board of land and natural resources and the department of land and natural resources do not have flexibility and authority to take certain actions relating to hunting except through the rule making process.



CASTLE & COOKE RESORTS, LLC

L.I.F.E. – Lana'i Institute For the Environment

P.O. Box 630129
Lanai City, HI 96763
Phone 808-565-3218
Cell 808-559-0553
Fax 808-565-3325

February 21, 2008

To: Finance Committee
Fax: 808-586-6201
Email: FINtestimony@capitol.hi.gov

Re: Bill #2956
Date of Hearing – February 22, 2008
Position of Agenda - #1
Name of Testifier: Bryan Plunkett, Manager – Conservation / Natural Resources,
C&CR, LLC

To Whom It May Concern:

As the Conservation / Natural Resources Manager for Castle & Cooke Resorts, LLC on the Island of Lana'i, I am concerned about the management of the Game Management Area (GMA) by the Department of Land and Natural Resources (DLNR) on this island. Caring for the health of the land is directly related to the management of the feral ungulate population in the GMA. We would like the DLNR to have the **power to react quickly** to the changing circumstances of the feral ungulate (axis deer & mouflon sheep) population on the island of Lana'i. For example, the census conducted for mouflon sheep 2007 showed an alarming 89% increase in population and a noticeable amount of deformity among this population. Having the power to address this circumstance in a timely manner, without having to go through the rulemaking process, will ensure that the health of the mouflon sheep and the land will be protected. I strongly encourage the **passing of Bill #2956** and appreciate your consideration of my testimony.

Sincerely,

FINtestimony

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Wednesday, February 20, 2008 1:56 PM
To: FINtestimony
Subject: HB2956; FIN; 2/22; 10AM; Rm 308

Importance: High

HB2956, Relating to Hunting
FIN: Chair, Rep Oshiro

PLEASE KILL THIS BILL.

This bill is totally unnecessary. It removes safeguards in the processes of the DLNR that DLNR already tries to abuse. The part of the bill that says that the community has adequate opportunity to be heard at DLNR meetings is absolutely FALSE. DLNR DOES NOT LISTEN unless forced to by the legislature.

Please don't remove community safeguards that legislative rule-making allow.

Thank you.

Aloha, joel.

Dr. Joel Fischer, ACSW
President, 19-3, Democratic Party

Professor
University of Hawai'i, School of Social Work Henke Hall Honolulu, HI 96822

"It is reasonable that everyone who asks justice should DO justice."
Thomas Jefferson

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because one's conscience tells one that it is right."
Dr. Martin Luther King, Jr.

"Never, never, never quit."
Winston Churchill

FINtestimony

From: Hilodik@aol.com
Sent: Wednesday, February 20, 2008 11:44 AM
To: FINtestimony
Subject: 2/22/2008 HB2956 Agenda #1

Testimony in Support of HB 2956, Relating to Hunting
Committee on Finance Hearing, Friday, February 22, 2008
10:00 AM, Conference Room 308, Agenda #1

Dear Chair Oshiro, Vice-Chair Lee, and Members of the Committee on Finance:

I am a life-long hunter, currently working with the DLNR Division of Forestry and Wildlife to develop a Game Management Plan for the Island of Hawaii. I agree that the Department needs more flexibility in adjusting criteria for its seasonal hunting program, and that existing statutory requirements for administrative rule change present an unnecessary obstacle to effective game management.

It is believed that the revisions to HRS 183D proposed in this bill, coupled with an administratively defined procedure for public review and comment, will provide enhanced public hunting opportunities under adequate rule change oversight.

It is requested that the Committee pass HB 2956.

Respectfully,

Richard Hoeflinger
HCR 1 Box 5344
Keaau, Hawaii 96749

Delicious ideas to please the pickiest eaters. [Watch the video on AOL Living.](#)