

To: **Senator Clayton Hee, Chair**
Senator Russell Kokubun, Vice-Chair & Members of the
Committee on Water and Land

From: **Darrell Tanaka,**
Haiku, Maui, Hi, 96708

Re. **Hearing on SB2755—Relating to public hunting areas.**

February 11, 2008 at 2:30pm.

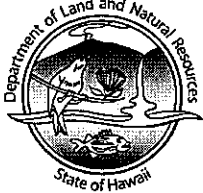
Conference Room 414, State Capitol

Testimony in Support,

Dear Chair Hee and committee members, thank you for hearing my testimony regarding public access. I wholeheartedly support the public's privilege to access to beaches and hunting areas, please pass this bill.

Sincerely,
Darrell Tanaka

LINDA LINGLE
GOVERNOR OF HAWAII



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

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Chairperson
Board of Land and Natural Resources
Commission on Water Resource Management

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Kaihoolawe Island Reserve Commission
Land
State Parks

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

**On Senate Bill 2755 – RELATING TO PUBLIC HUNTING AREAS
BEFORE THE SENATE COMMITTEE ON WATER AND LAND**

February 11, 2008

Senate Bill 2755 directs the Department of Land and Natural Resources (Department) to identify and establish rights of way to public lands, exercise its powers of eminent domain, and appropriate unspecified funds to the Department for these purposes. While the Department supports the intent of this measure, it nonetheless has concerns that the bill requires the use of eminent domain where it is not necessary and has concerns with the budgetary implications this bill will have on the Executive Supplemental Budget request.

The reduction of public access to specific mauka public lands for hunting and other passive recreational is a prevalent issue, particularly in rural areas of the State where the shut down of agriculture and the closing of the network of four-wheel drive service roads has resulted in the loss of public access to mauka lands and created land-locked parcels of public land.

The Department has recognized this trend and has been attempting to identify locations and evaluate methods to restore public access along many of these pre-existing but informal access routes. Due to liability concerns of adjacent landowners and the cost of access road management and maintenance, it is legally and fiscally challenging to restore public access.

The 2007 restoration of public hunting and hiking access to the Poamoho Trail and Public Hunting Area on Oahu took several years of negotiation with the private landowner and over \$75,000 of various funds to ensure safe, managed access to the satisfaction of the landowners. This was along only two miles of access road. This effort and expenditure was justified due to exceedingly limited public access to mauka lands available in central Oahu. To accomplish this statewide, particularly on Hawaii, where there are hundreds of miles of informal access routes would require significant increases in funding for dedicated staff to identify access routes and work with landowners to resolve liability issues, and then provide for the perpetual management and maintenance to ensure public safety.

The Department also has concerns with the language of the bill that mandates the use of the Department's powers of eminent domain. The Department prefers to work cooperatively with landowners to negotiate and establish access agreements or other workable relationships, and not have to resort to its powers of eminent domain unless absolutely necessary and in the public interest.

The Department suggests that the language in SECTION 2, §171-26(b), be amended to read,

(b) With regard to privately held property located adjacent to public hunting areas, the board of land and natural resources [~~shall~~] may lay out and establish over such lands a reasonable number of rights-of-way from established highways to the public hunting areas in order that the right of the people to utilize the public hunting areas [~~shall~~] may be protected.

The department of land and natural resources [~~shall~~] may exercise its eminent domain powers to acquire such rights-of-way where necessary. The costs of such rights-of-way and any fencing that may be required shall be borne by the State."

testimony

From: Joel Fischer [jfischer@hawaii.edu]
Sent: Friday, February 08, 2008 3:51 PM
To: testimony
Subject: SB2275; WTL; 2/11; 2:30PM; Rm 414
Importance: High

LATE TESTIMONY

PLEASE KILL THIS BILL.

We need MORE limitations on hunters and hunting rather than even fewer restrictions. This bill would not only take away certain landowners' rights, it could endanger the entire community.

The perfect example was what happened in Manoa when DLNR gave pig hunters and their vicious packs of dogs free reign over the trails two days per week. People were terrorized. The dogs went onto private property and killed beloved pets. The trails were completely unusable on the days the hunters were there.

And now there's an effort to allow hunters to cross private property and INCREASE these dangers?

This is a very bad, very dangerous idea.

Thank you for considering this testimony.

Aloha, joel

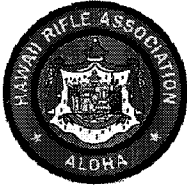
Dr. Joel Fischer, ACSW
President, 19-3, Democratci Party

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



Hawaii Rifle Association

State Affiliate of the National Rifle Association

Founded in 1857

Feb 10, 2008

WTL TESTIMONY

TESTIMONY ON SB 2755 IN SUPPORT

Before WTL Monday, February 11, 2008, 2:30pm, Rm 414

Honorable Chair and Members,

HRA supports improving access to public hunting areas. Access and landowner liability are key issues in providing hunter opportunity and controlling animal populations.

Thank you for the opportunity to testify for HRA.

Maxwell A. Cooper,
Legislative Co-chair
225-6944