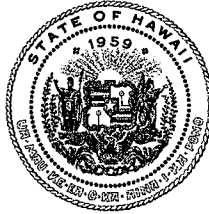


TESTIMONY
HCR96

LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
LAURA H. THIELEN
Chairperson**

**Before the Senate Committee on
WATER, LAND, AGRICULTURE, AND HAWAIIAN AFFAIRS**

**Monday, April 27, 2009
2:00 PM
State Capitol, Conference Room 224**

**In consideration of
HOUSE CONCURRENT RESOLUTION 96
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES,
DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT, TO
CONTINUE TO PROVIDE LIMITED ENFORCEMENT AT KANEOHE BAY**

House Concurrent Resolution 96 requests that the Department of Land and Natural Resources (Department), Division of Conservation and Resources Enforcement (DOCARE), provide limited enforcement services at night on a regular basis and to continue to provide enforcement services on weekends and holidays at Kaneohe Bay. The Department acknowledges the intent of this resolution and will continue to provide law enforcement services to the Kaneohe Bay areas as manpower and funding permits.

DOCARE like most other private and government agencies has been hard hit by the current international financial crisis. This means that the Division has been forced to make necessary cuts to our operating budget and adjustments to all aspects of daily operations. DOCARE's holiday and regular overtime budgets are fixed and once spent, the Division does not have any other sources of funds to draw upon. At this time DOCARE has overspent its allotment for overtime and has no choice but to restrict activities that would constitute overtime hours. The Department notes that this is not new practice, as DOCARE has had to restrict overtime in the past, although never discussed publicly.

The DLNR-DOCARE hotline (643-3567), however, continues to receive complaints after-hours and on all holidays. Complaints that are received on holidays are screened by the Division's administrative staff; and depending on the circumstances, staff will call a DOCARE officer back to duty to respond as necessary. This is less than the Division would prefer, but the best that the Division can provide at this time.

**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
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS**

At the current time, DOCARE's Oahu Branch, has assigned one field supervisor and six conservation and resources enforcement officers to patrol Oahu's windward coast designated as District IV. Makapuu Lighthouse sits at the southern boundary of this district and Kawela Bay on Oahu's north shore marks the northern most boundary of this diverse district. The seven officers assigned to this District are responsible for all activities both onshore and offshore. Patrol of Kaneohe Bay is included in this scheduling of coverage for the District.

Periodically, the Oahu Branch marine patrol unit augments the District's staffing levels with on the water patrol and enforcement activities. Please note that District IV like the rest of Oahu is comprised of a variety of locations where natural, cultural and historic resource interactions occur seven days a week, twenty-four hours daily, each day of the year. Weekend patrol however limited, has not been eliminated. When time off for training, report writing, court attendance, sick, injury, vacation and other authorized leave is taken into consideration, the Division's overall patrol time within District IV becomes very limited. Oahu patrol District IV manpower staffing is not unique and is no different from all of our many other patrol districts throughout the Hawaiian Islands.

In the past, restrictions on overtime were implemented and rescinded as funding allowed. DOCARE intends to approach it in the same manner in this situation.

TESTIMONY
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(END)