

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
WATER, LAND, AND OCEAN RESOURCES**

**Monday, February 7, 2011
9:00 A.M.
State Capitol, Conference 325**

**In consideration of
HOUSE BILL 1334
RELATING TO FERAL ANIMALS**

The Department of Land and Natural Resources (Department) supports the goal of House Bill 1334 to better control feral animals and the negative impacts they can have on our environment and private and public property in a manner supported by the community. However, we do not support this proposed approach because we believe that a statewide feral animal council is not the best approach for dealing with the unique environmental, community and landowner situations that are involved in most feral animal problems. Additionally we also have concerns with where the added costs of staff and resources needed to support and implement this initiative will come from.

Hawaii's watersheds, ecosystems, and cultural sites are among the most threatened in the world. Impacts from feral animals have resulted in degradation of watersheds, forest reserves, conversions of native ecosystems, reduction of native plant and animal abundance, extinctions of numerous plants and animals found nowhere else in the world, damage to coral reefs and the fisheries resources they support, and damage to Hawaiian cultural sites. Recognition of the problem and control efforts has been going on for over a hundred years. Early foresters excluded and removed tens of thousands of sheep, cattle and goats from forests and watersheds in the early 1900's and that is the reason we have forests today. Exclusion and control of feral animals from our watersheds is a primary and consistent goal of the Department and our watershed partnerships across the state.

The Department's current management policy is one of no introduction of feral animals into new areas, and elimination of them from watersheds and pristine native areas. Our policy is to involve public hunters when controlling feral animals on our lands and we encourage that approach with other landowners. Different communities have different and often conflicting values in goals and approaches to controlling feral animals. The environmental community advocates for complete removal from forests and areas with native habitat, plants and animals;

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

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STATE PARKS

the hunting community advocates for sustain or increasing numbers for future; many rural communities advocate for maintaining hunting access and use of meat; urban communities advocate for animal removal out of concern for public safety and to prevent damage to property; and animal rights groups advocate for no-control or use of measures that do not harm or kill animals.

Balancing these conflicting values is difficult. For example, on Mauna Kea, where the Department is under a federal court order to conduct aerial shooting and completely remove all sheep and goats. We open the hunting season year round with no bag limits to allow the public to remove as many sheep and goats as possible, and when we do conduct aerial shooting we allow the public to salvage the meat when it can be done safely. In Manoa where pigs are coming down into urban areas that are not in a public hunting area, we try to connect private landowners with local hunting clubs to control pests on their private lands, and issue control permits to hunt public lands on specific days and times to safely allow the hunting community to help solve the problem.

There are already many existing advisory committees and partnerships working on feral animal control issues. The Natural Area Reserves System Commission, Watershed partnerships, community conservation groups, and local hunting clubs across the state all deal with this issue. Efforts to protect natural resources and public and private lands from the impacts of feral animals are expensive and difficult to implement successfully without coordinated efforts and support of affected local communities. It would take a significant increase in staff and resources for the state to assume and solve these problems for all landowners. Rather than establishing a statewide Council, we would urge more community based management approaches on a regional basis that involve partnerships and cooperation between the local landowners - private and public, hunters, conservation, recreationist and forest users to identify and implement local solutions. Additional support and resources will be needed even for that basic approach.

Testimony of The Nature Conservancy of Hawai'i
Supports the Intent of H.B. 1334 Relating to Feral Animals
House Committee on Water, Land & Ocean Resources
Monday, February 7, 2011, 9:00AM, Rm. 325

The Nature Conservancy supports the intent H.B. 1334.

Feral ungulates, including pigs, goats, sheep, deer, and wild cattle, are one of the biggest threats to the health of our native ecosystems and critical watershed areas. While Hawai'i has an important history of hunting game mammals for food and recreation, it is a modern history. With the exception of the Hawaiian bat, Hawaii has no native land mammals. Wild pigs were introduced from Europe and Asia after 1778. The smaller Polynesian pig brought by the first Hawaiians is gone (except on Ni'i'hau), crowded out by these later introductions.

Centuries before the introduction of game mammals, Hawaii's native plants and animals evolved in geographic isolation to form the globally unique ecosystems that make up these islands. In the absence of predator species, native species did not develop defenses such as thorns or other mechanism to deter browsing or rooting animals. As a result, our native forests have no defenses against wild mammals that consume and destroy forest understory plants and native seedlings.

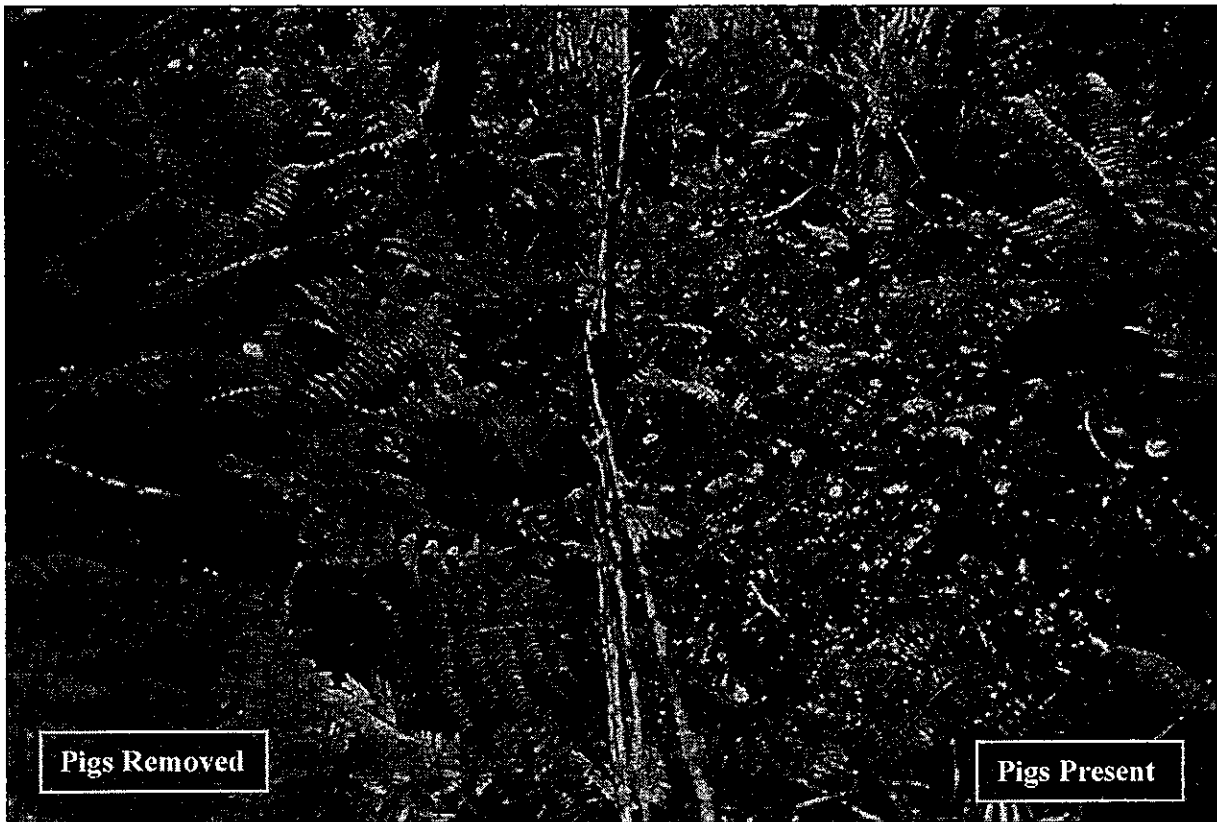
As you can see from the attached photos, left unmanaged, feral ungulates can strip large areas of forest bare thereby contributing to erosion, runoff, damage to coastal areas and coral reefs, and impairing the natural absorptive function of watersheds. The areas disturbed by these animals create open soil for the invasion of weed species, further enhancing the decline of native ecosystems and watershed values. Pig wallows are a breeding ground for non-native mosquitoes that carry and spread avian pox and malaria to our fragile native bird populations. A native bird inflicted with avian pox suffers as lesions slowly eat away at the bird's feet and beak until it can no longer perch or seek food for its young. Urine and feces from ungulates contaminate our streams contributing to health threats like leptospirosis, trichinosis, brucellosis, and tuberculosis.

BOARD OF TRUSTEES

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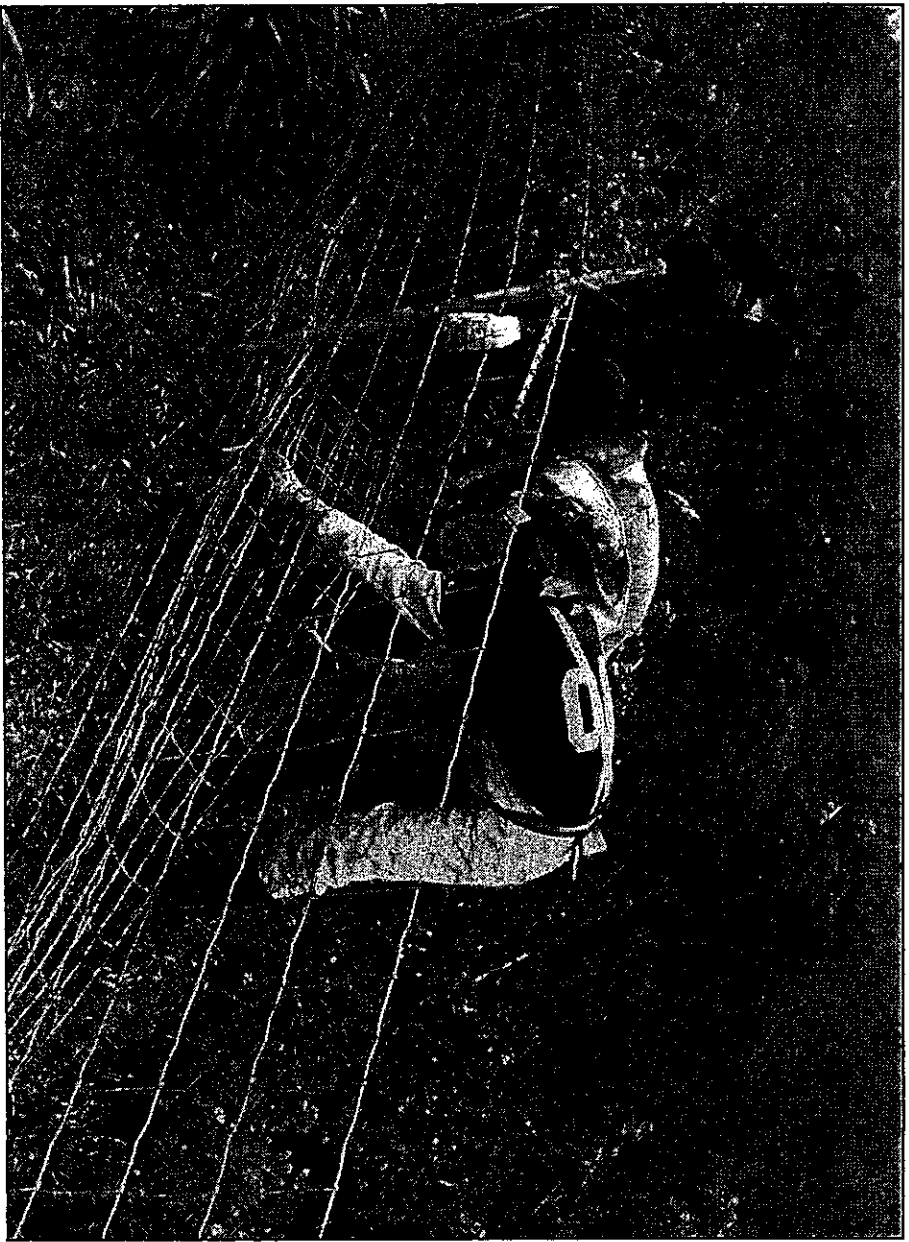


April 2009: 50 wedge-tailed shearwaters (*'ua'u kani*) killed at Molokai's Mo'omomi Preserve by this loose dog (note collar). Dog was not claimed when turned over to County shelter.



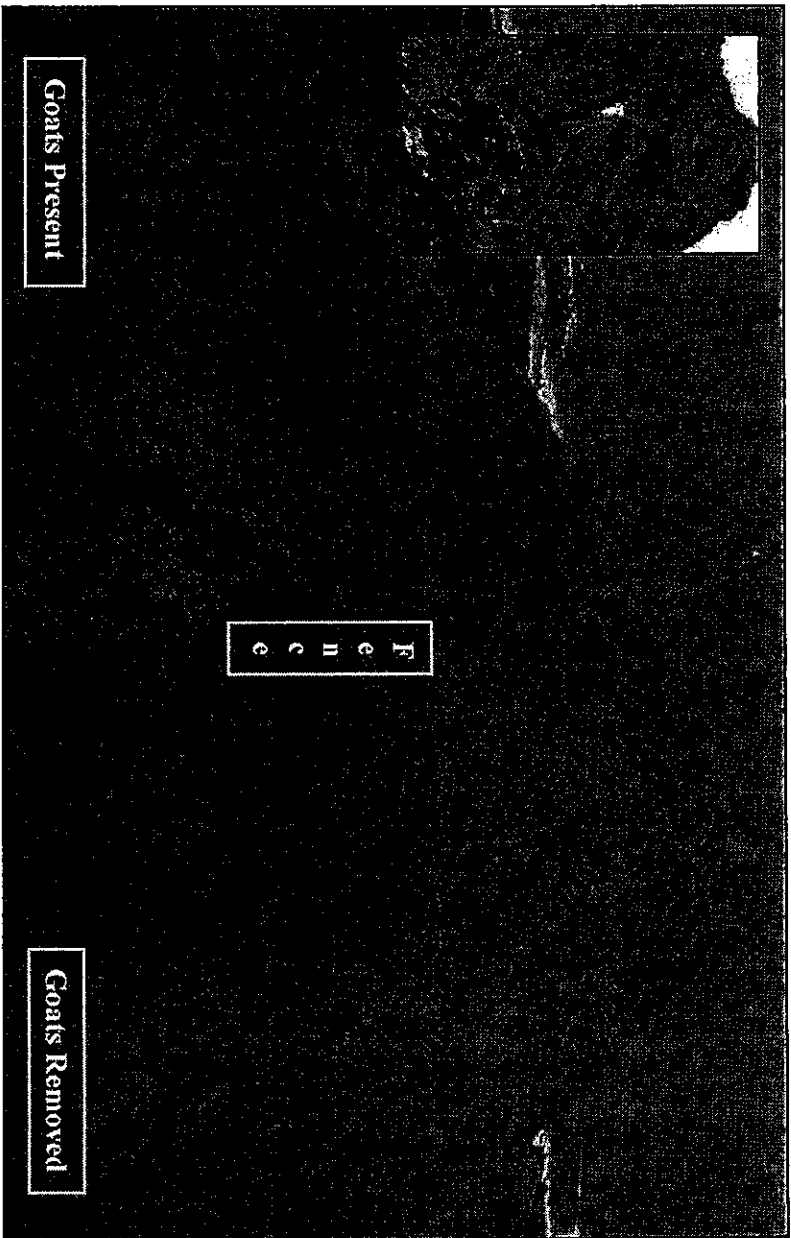
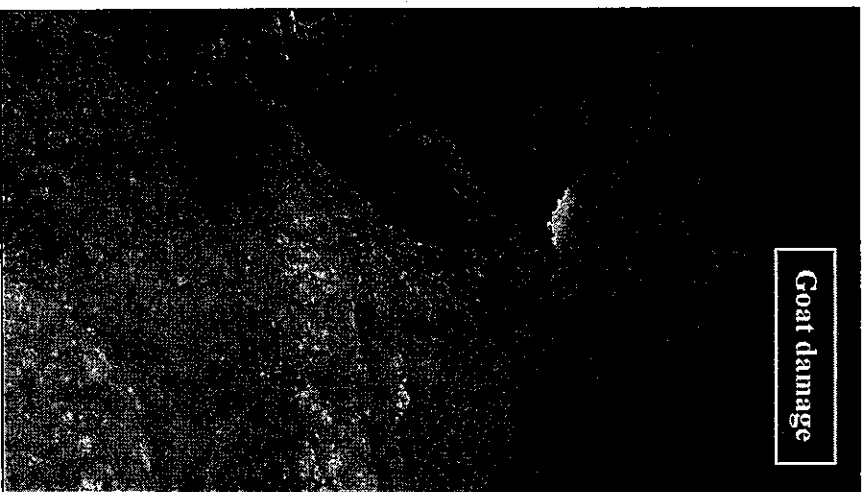
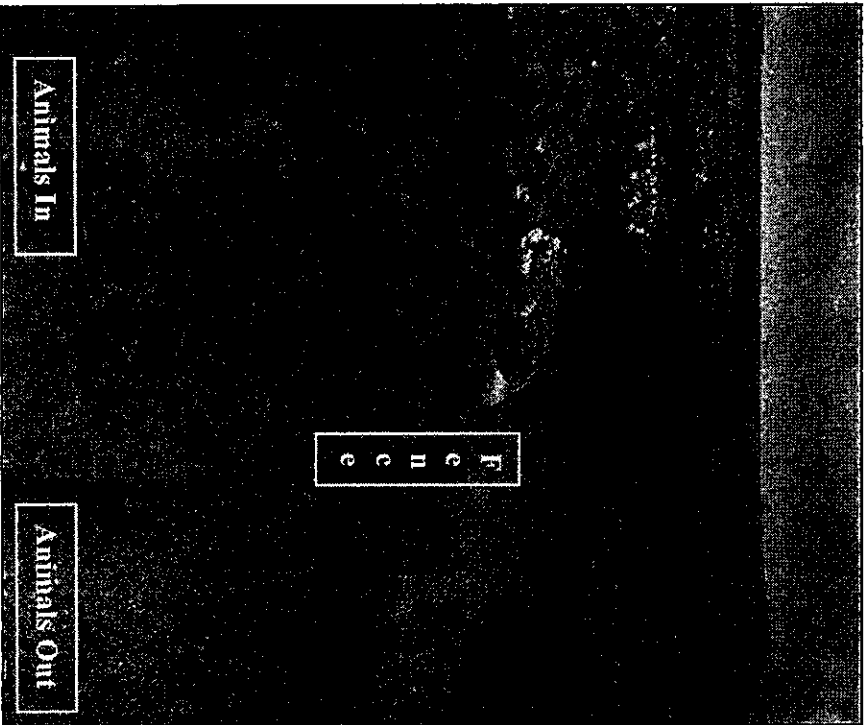
Pigs Removed

Pigs Present



Pig Wallow







**THE HUMANE SOCIETY
OF THE UNITED STATES**

TO: Honorable Chair Chang, Vice-Chair Har and Committee Members

Water, Land and Ocean Resources Committee, Monday, February 7, 9:00am Rm 325

RE: Testimony in OPPOSITION to HB 1334; Feral Animal Council

Submitted by: Inga Gibson, Hawaii State Director, The Humane Society of the United States,
P.O. Box 89131, Honolulu, HI 96830, igibson@hsus.org, 808-922-9910

Dear Honorable Chair Chang, Vice-Chair Har and Committee Members,

On behalf of our more than 49,000 members and supporters in Hawaii, we thank you for the opportunity to express our concerns with HB 1334.

While we support the intent of creating a feral animal council to bring private, local, state and federal agencies together to discuss and potentially collaborate on feral animal issues, the bill has some far-reaching potential negative implications which include:

- As drafted “feral” mammal could apply to dogs, horses, donkeys and other animals, and potentially conflicts with existing protections for “pet” animals as defined in HRS 711-1100.
- The proposed “council” fails to include representation from veterinary professionals and other animal welfare/non-animal control organizations who may provide expertise and resources in the humane management of feral animals.
- The bill provides potentially broad authority for the council to enter private property to remove or relocate animals deemed feral; but fails to address under what circumstances feral animals would be removed or relocated, and what methods or criteria would be used to make such determinations.
- The bill provides no funding mechanism for the creation of the “council” to carry out its stated objectives.

For these reasons we urge you to oppose this measure and instead encourage the adoption of a Resolution to form a more balanced, fair and practical Feral Animal Working Group.

Thank you again for the opportunity to share our serious concerns regarding this measure.

har3 - Megan

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 5:37 PM
To: WLOtestimony
Cc: puaa@hawaii.rr.com
Subject: Testimony for HB1334 on 2/7/2011 9:00:00 AM

Testimony for WLO 2/7/2011 9:00:00 AM HB1334

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Cathy Goeggel
Organization: Animal Rights Hawai'i
Address: PO Box 10845 Honolulu, HI 96816
Phone: 808.721.4211
E-mail: puaa@hawaii.rr.com
Submitted on: 2/6/2011

Comments:
ANIMAL RIGHTS HAWAI'I
ADVOCATING FOR ANIMALS SINCE 1975
PO BOX 10845
HONOLULU, HI 96816
ANMALRIGHTSHAWAII.ORG

HOUSE COMMITTEE ON Water, Land and Ocean Resources Rep. Jerry Chang, Chair Rep. Sharon Har, Vice Chair

Monday February 7 , 2011
9:00am
Conference Room 325
State Capitol

HB1334
Position: oppose

I am Cathy Goeggel, President of Animal Rights Hawai'i, the oldest Animal Rights organization in Hawai'i.

This bill would give extraordinary power to a very few who want to restore Hawai'i to a time before non-native animals were brought here.

The proposed "Feral Animal Council would demonize any "land mammal living in the wild or free ranging state not under domestication" excepting cats, and of course, humans.

This proposed council would be given free rein over the lives and cruel deaths of thousands of animals; Certain participants are guaranteed a voice, but the many voices of taxpayers who care about sentient non-human beings will most probably be ignored, since participation is to be by invitation only.

Language such as: [the Feral Animals Council shall] "perform any other function necessary to effectuate the purposes of this chapter" as well as "a department may enter the premises to control- read - kill "is troubling.

More recently, this kind of language was used in the ethnic cleansing in the Balkans, and earlier in the Third Reich. Whatever era, it is disturbing.

I hope that you will hold this bill.

Respectfully submitted,

Cathy Goeggel

Anika Glass, Waikoloa, South Kohala, HI
Committee on Water, Land and Ocean (WKO I am is opposed to HB1334.
Hearing 02-07-11 9:00AM in House conference room
HB1334
I am OPPOSED TO THIS BILL

Aloha Honorable Chairman Chair Chang, Vice Chair Har, and Committee Members,

I am Founder of Malama Waikoloa Nightingales (MWN), a grass roots, volunteer hui that has been working hard for over 2 years to implement a humane solution to the feral donkey population explosion in Waikoloa HI. We have been achieving great success, having involved the community, animal rights organizations. Our efforts have been the subject of 3 open public meetings plus broad media coverage, including many television stations on Honolulu and the Island of Hawaii. For details of our efforts visit Malama Waikoloa Nightingales.blogspot.com.

MWN is opposed HB1334. Our key concerns are:

1. "Feral Animal means any land mammal living in wild..."

Defines all mammals (other than cats) as potentially feral. Donkeys, horses can be labeled feral and be targets for removal by many means.

2. Allows unauthorized entry to private property by the State.

To remove feral animals, the State may enter private land, or, at its own option:

3. Requires landowners and Hawaii County to "control" or "relocate" or to pay for control or relocation of animals by the State, even though the animals were dumped on their property.

4. Allows ill advised and un-defined "relocation" and "control" measures.

"Relocation" is without requirement to sterilize all males and/or administer birth control to females. Property owners and the County may relocate feral and fertile animals anywhere, without fences, spreading the feral animals to new and possibly unsuited location. Even if the animals were originally dumped on your property by others or unknown parties. This is the reason we have feral donkeys in Waikoloa in the first place.

"Control" is not defined and can include killing animals, capturing for slaughter, terrorizing them, and risking their health

This legislation was introduced by Representative Cindy Evans of Kohala, with absolutely no input from anyone involved in our many community efforts to address donkey overpopulation and public safety: no animal rights groups, no South Kohala Traffic Safety Committee, no veterinarian, no Island equine sanctuaries, no adopters, no other volunteer, even though we have been requesting to see it since November, 2010. What constituency may have asked for such sweeping legislation is unknown to me. It is specifically aimed at donkeys in Waikoloa, but the wording is such that someone might not recognize that. No one involved in our successful and effective humane programs got to see it until it was introduced, by daily monitoring Bills as they were introduced. I am categorically opposed to it and there are not enough amendments in the world to make it acceptable to Malama Waikoloa Nightingales.

Respectfully,

Anika Glass
Founder, Malama Waikoloa Nightingales
waikoloaNightingale@gmail.com and 808 937 2309.

har3 - Megan

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 04, 2011 5:37 PM
To: WLOtestimony
Cc: Mprice@hawaii.rr.com
Subject: Testimony for HB1334 on 2/7/2011 9:00:00 AM

Testimony for WLO 2/7/2011 9:00:00 AM HB1334

Conference room: 325
Testifier position: oppose
Testifier will be present: No
Submitted by: Mike Price
Organization: Individual
Address: 68-1794 Auhili Loop; POB 383375 Waikoloa, HI 96738
Phone: 808 883-2918
E-mail: Mprice@hawaii.rr.com
Submitted on: 2/4/2011

Comments:
REF 2/7/2011 HB 1334 hearing at WLO in House Conference Room 325

Testimony;

I am opposed to HB 1334 because it would allow spreading feral animals to new areas. This happened in Hawaii County when the donkeys were moved to Waikoloa Village.

I am also opposed to HB 1334 because it covers "all mammals except cats", including equines, dogs, humans and other primates, and other non-game animals, including those we don't know about yet. Poorly written!

I am opposed to HB 1334 because it places a financial burden on Counties without providing any funding to Counties. This is poorly written and ineffective. Just a way to fund another unproductive committee at taxpayer expense.

OPPOSE!

HB1334
(FERAL ANIMALS POLICY COUNCIL ESTABLISHMENT)
Monday, February 7, 2011, 9:00 a.m.
State Capitol, Rm. 325

WATER, LAND, & OCEAN RESOURCES COMMITTEE (WLO)

Rep. Jerry L. Chang, Chair
Rep. Sharon E. Har, Vice Chair

Dear Representatives:

What a creepy suggestion HB1334 is. I strongly OPPOSE it for the following reasons:

1. It is **redundant**, creating even **more layers in government** at a time when streamlining is best served. There are already guidelines regarding feral animal control in DLNR, Dept. of Agriculture, Health Dept., Animal Control, etc. without the creation of an additional "council."
2. It **places all opinion, power, & decision-making into the hands of a few** who appear to be cut from the same hunting cloth.
3. It **lacks diversity & public** (as well as private) **opinion & participation**.
4. It **impinges on private property/ownership rights**, allowing hunters, now renamed "feral animals policy council", all access to private homes with/without the consent of the owners.
5. It is **unclear on fiscal matters** mentioning just briefly that it will "be placed within DLNR for administrative purposes only". Yet that doesn't stop them from being able to "advise the governor & legislature on budgetary issues", "review state agency mandates and commercial interests",
6. It is **vague and/or misleading** on specifics including the definition of what a "feral animal" is. (Except for those incarcerated, just about anybody can fall into their **catch-all category of "feral animal"** even us as we, too, are "land mammals living in a wild, free-ranging state not under domestication.")

Essentially, what we have here is a **ridiculous proposal full of unrealistic & grandiose scheme** creating nothing beneficial but **more work for everybody** involved. All so hunters can engaged in blood sports with a state-funded budget under the cover of "feral control."

Please toss this bill! Mahalo ~

Anjie Pham
Honolulu, Hawaii

TO: Rep. Jerry L. Chang, Chair
Rep. Sharon E. Har, Vice Chair
House Committee on Water, Land, and Ocean Resources

FROM: Mary Ikagawa, Kailua

RE: HB 1334, Establishes the feral animals council. Scheduled to be heard by WLO on
Monday, 02-07-11 9:00AM in House conference room 325

Strongly support

Hawaii has significant problems with feral animals — problems that cry out for our attention. We badly need a body like the feral animal council described in this bill. Since the Hawaii Invasive Species Council was formed, there have been significant strides made in addressing incoming and yet-to-be established pests. The same type of treatment is needed to begin systematically addressing the islands' overwhelming problems with feral animals. Our farms, watersheds, and native species are under siege by enormous populations of feral animals that are being managed in a piecemeal, ad hoc fashion, due in large part to the lack of clear, consistent policy and cabinet-level direction.

Since many of the same kinds of policy changes need to be made for all feral animals, I recommend that **feral cats be included among the council's duties.**

If this bill is not supported by the Departments, it is likely due to the lack of human resources needed to fulfill the council's duties. However, without the type of support to be had from a cabinet-level council, those resources already being allocated to feral animal management cannot be spent in the most effective manner.

Therefore I would like very much to see this bill passed, and continuing efforts made to bring in additional resources to support the proactive agricultural and conservation management that best positions Hawaii for a prosperous future.