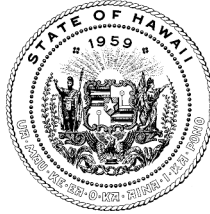


**SB3001**

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 Senate Committee on  
JUDICIARY AND LABOR**

**Thursday, February 09, 2012  
9:30 AM  
State Capitol, Conference Room 016**

**In consideration of  
SENATE BILL 3001  
RELATING TO WILDLIFE**

Senate Bill 3001 proposes to prohibit the transport the interisland transport of game mammals and wild mammals and establishes penalties for violations. The Department of Land and Natural Resources (Department) strongly supports this measure and suggests amendments to clarify the applicability of the measure to wild or feral animals and not domestic animals or pets.

Introduced species negatively affect Hawai'i's environment and indigenous species in a variety of ways, including but not limited to direct predation on indigenous species, spread of pathogens and diseases, competition with native species for limited food resources, destruction of native vegetation and habitat utilized by native species, erosion, alteration of hydrologic processes, and increases in standing water that may promote mosquitoes and other disease vectors. With no natural predators, the population sizes and densities of introduced species in Hawai'i may vastly exceed those found within a given species' native range, often outcompeting Hawai'i's indigenous species populations. While many introductions occur as a result of accidents, others may be purposeful and prohibitions are urgently needed to deter activities that may result in introductions that harm indigenous wildlife and their habitats. The proposed measure will provide a needed deterrent to the purposeful spread of animals within the state.

The Department notes, however, that some of Hawaii's game mammal species are feral animals derived from domestic stock. For example, feral goats, pigs, and sheep that are designated as game mammals are the same species that a landowner may maintain on his or her property as livestock or pets. The department suggests that the legitimate transport of such animals as part of their husbandry should not be prohibited. This potential uncertainty can be addressed by identifying that the prohibition applies to wild or feral mammals. This would include game mammals and preclude the need to identify them specifically. In addition, a definition of, and prohibition against, the release of any such animals would ensure that even in cases where the

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transported animal is domestic, the release and associated impacts on natural resources would be prohibited.

The Department strongly supports this measure with the following amendments:

1. SECTION 2, Line 8 should read: “knowingly, or recklessly transfer or release after transport through”
2. SECTION 2, Line 9 should read: “interisland movement any wild or feral mammal;”
3. Add a new definition to §183D-1 Definitions to read:  
“Release” means to free an animal from effective confinement or restraint.



The Senate  
Committee on Judiciary and Labor  
Thursday, February 9, 2012  
9:30 a.m., Conference Room 16  
State Capitol

### **Testimony in Support of SB 3001**

Aloha Chair Hee, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **supports SB 3001**, *Game mammals; wild mammals; interisland transportation*, which would prohibit the interisland transportation of live game or wild mammals, with exceptions, and established mandatory fines.

The smuggling of axis deer to Hawai'i island highlighted a number of issues for agencies. The lack of clear language, stiff penalties, and the existence of loopholes for introduction of game or wild mammals to private property in the existing statutes are some of those issues. SB 3001 would address these three issues, and we ask for your support. Mahalo for your consideration.

Aloha,

Christy Martin  
Coordinating Group on Alien Pest Species (CGAPS)  
Ph: (808) 722-0995

Testimony of The Nature Conservancy of Hawai'i  
Supporting S.B. 3001 Relating to Wildlife  
Senate Committee on Judiciary and Labor  
Thursday, February 9, 2012, 9:30AM, Room 016

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*The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of Hawaii's native plants, animals, and ecosystems. The Conservancy has helped to protect nearly 200,000 acres of natural lands for native species in Hawai'i. Today, we actively manage more than 32,000 acres in 10 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.*

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The Nature Conservancy supports S.B. 3001 that would amend the State wildlife statute to prohibit interisland transportation of live game mammals and wild mammals.

Invasive animals, weeds, insects, diseases, and other pests are some of the greatest threats to Hawaii's economy, agriculture, natural environment, and the health and lifestyle of its people. Evidence from Hawai'i and around the world shows that preventing new pest establishment is exponentially more economical than eradicating a pest or, even worse, controlling it indefinitely once it becomes established.

Where established in Maui county, Axis deer are causing great damage to native habitat and agricultural crops, and are a danger to vehicle traffic on roadways. Unfortunately, the Department of Land and Natural Resources and the Department of Agriculture have not had the legal tools and authorities necessary to rapidly respond to the recent discovery of Axis deer on Hawai'i island. Clearly, these deer did not arrive on Hawai'i island under their own power. This bill will provide enforceable statutory authority prohibiting people from moving such animals between islands.

Thank you for the opportunity to testify.

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Senate Committee on Judiciary and Labor

Testimony on **SB 3001**, 8FEB2012

Chairman Hee and Committee Members:

I urge you to **pass** this bill that is meant to combat and respond to the unfortunate transportation of wild mammals interisland. Such activity threatens the receiving island's agricultural potential, its native wildlife and watershed values, and quality of life in general. This bill is in response to the recent multiple introductions of axis deer to the Big Island, but also pertains to potential transportation of other wild mammals interisland, the results of which could be disastrous when transported mammals breed and spread.

The main deterrent presented in this bill is the requirement for a convicted violator to pay for the cost of eradicating his transported wild mammal. Such a penalty is appropriate—to reverse the illegal action—but is difficult to estimate the monetary cost of the task. The bill's fines alone offer mere nuisance-level penalties to the persons that are serious about introducing a wild mammal to an island. The conspiracy that resulted in repeated introductions of multiple deer by helicopter would cost the perpetrators far more than the fines, and might just be taken as part of the cost of doing business without the eradication requirement. A less sophisticated event would likely cost less to reverse.

The cost to residents of an island having to bear the consequences of such an illegal wild mammal introduction is likely to be much, much larger than the cost of eradication. Using Maui as an example, fifty years after the introduction of axis deer to the island, we now have a rapidly expanding population of deer that is long past the point of eradication, that has spread over much to most of the island, and that has caused considerable economic impact to agriculture, golf courses, back yards, conservation activities (all conservation fences become ineffective due to the deer's high-jumping abilities) and more. There is also an ever growing realized risk of collisions with autos on Maui's highways and roads. An example to indicate potential collisions: currently 20% of all human-caused mortality of the hunted, native deer in Pennsylvania is caused by deer-auto collisions (100,000 collisions a year, or 6-7% of the deer population). On Maui these collisions are a real expense and risk to motorists (somebody has to pay, but it is the victims who do so), while it is also an ambiguous legal liability issue (who really owns those deer, or the ones released to the Big Island?). Let us prevent more such mistakes by passing this bill.

I would like to suggest an amendment. In line 6 on the first page, add the words "**and/or intraisland**" between the words "Interisland" and "transportation of live game mammals or wild mammals". The intent of such a prohibition would be to curtail or prevent the spread of animal diseases and parasites with the transported mammals and also from one established population of animals to another on the same island. Such would be analogous to the movement restrictions of banana plants on the Big Island to limit the spread of banana disease. A mammal disease example would be the local populations of feral pigs that harbor brucellosis pathogens, a threat to husbanded populations of hogs elsewhere.

Thank you for considering my comments,

Rick Warshauer, Volcano