



RE: Testimony on SB3028

Dear Honorable Senators,

I appreciate the opportunity to testify on SB3028, “Relating to Conservation and Resources,” including native Hawaiian sandalwoods. I am the Founder and Executive Director of the 501(c)(3) charitable organization, the International Sandalwood Foundation based in California. We are dedicated to conservation of sandalwoods globally through scientific research and sustainable harvesting programs. I have over 10 years of experience researching the genetics, taxonomy, sustainability, and cultural history of sandalwoods in Hawaii and throughout the world.

I believe that this bill is a positive step towards a monumental goal of providing regulation in support of long-term conservation of native Hawaiian plants such as sandalwoods and creation of a sustainable industry. Native Hawaiian sandalwoods represent arguably the most ecologically, culturally, and economically valuable plants that exist in the Hawaiian Islands, and responsible and intelligent management of these resources is critical for both the health of the forests and of the economy of these islands. That said, I fully support the intent and objectives of SB3028, however I strongly recommend three amendments to the current draft, which are imperative to not only protect and conserve these wild forests, but also to ensure a positive and healthy commercial industry. These include:

- 1. Ban the import and growth of non-native sandalwood species, including but not limited to Indian (*Santalum album*), Australian, (*S. lanceolatum*, *S. leptocladum*, *S. spicatum*), and Pacific sandalwoods (*S. austrocaledonicum*, *S. insulare*, *S. yasi*).**

Sandalwoods readily hybridize between species and there is already evidence of viable hybrids across Hawaii. Hybridization between species has the ability to wipe out the genetic uniqueness of the six Hawaiian sandalwood species and could have untold consequences on the ecology of the ecosystems in which they live, should hybridization occur between non-native and Hawaiian species. Additionally, by allowing commercial plantations of non-native sandalwoods, this undermines the incentives that this bill proposes for local entrepreneurs to grow native Hawaiian sandalwoods. Lastly, it is *illegal* already to import and grow any sandalwood seed into the United States, as the entire sandalwood family, Santalaceae, is listed by the United States Department of Agriculture as a pest plant due to its parasitic nature.

I cannot emphasize how important this amendment is to the bill; allowing the growth of non-native sandalwoods in the Hawaiian Island will inevitably have drastic and negative effects on the future of these species and their ecosystems. Other Pacific Islands, particularly in Fiji, are currently experiencing the issues related to hybridization of their native species with introduced Indian sandalwood.

- 2. Provide incentives for harvesters of native Hawaiian resources such as sandalwood to export value-added products, such as oils, carvings, or other handicrafts.**

By providing incentives for harvesters to export value-added products, we ensure a more robust and sustainable industry, creating more economic development in the Hawaiian Islands. In India, where sandalwood is not even a native species (it was introduced there from Indonesia many centuries ago), sandalwood is so highly



protected that export of raw wood is strictly prohibited and *only* value-added products are allowed to be exported.

3. Permits should be given based on adherence to a “Sandalwood Management Manual”, to be created by objective experts in the field.

It is imperative for enforcement of the bill that experts who are unbiased and objective create a very clear and concise “Sandalwood Management Manual,” which outlines exactly the number of trees that can be felled, the number of trees that must be replaced, etc. Contractors, including members of the International Sandalwood Foundation, may be used to help the Department of Land and Natural Resources, in development of this Manual. This has already proven to be successful in other regions of the world. This Manual must include specific information to the Hawaiian species regarding their abundance, growth patterns, biology, etc. In order to get a permit to harvest sandalwood, the licensee must show an approved management plan consistent with this Manual and must be monitored to ensure that he/she is following the plan.

It is essential that a Manual be approved prior to the bill going into effect on July 1, 2012 so that those permit applicants with sustainable management plans be able to obtain a permit immediately and continue their operations. Alternatively, if a Manual has not yet been established, we suggest that a temporary license be granted to the applicant based on submission of a sustainable management plan and inspected by DLNR, a Contractor, or a member of the International Sandalwood Foundation, so that established commercial operations who are already engaged in sustainable practices can continue with their business and programs. It is imperative that this bill SB3028 is not used to penalize or hinder those organizations that are conserving and utilizing harvest resources in a responsible and sustainable way.

In conclusion, I support passing the proposed SB3028 with three amendments that I have outlined here. For questions or more information, please contact me at (510) 965-5310 or Danica@sandalwoodfoundation.org.

Sincerely,

Danica Harbaugh Reynaud, Ph.D.
Executive Director
International Sandalwood Foundation

Ha'loa Aina (JAWMIN LLC)
P.O. Box 1677
Honokaa, HI 96727
808-326-4888

Testimony on SB 3028
Dear Honorable Senators

Thank you for the opportunity to testify on SB3028.

I am Wade C. Lee a managing member of JAWMIN LLC (dba Ha'loa Aina) owner of 3,000 acres of presently managed sustainable native sandalwood forest on the Island of Hawaii.

We support the goals, objective and intent of SB3028 S.D. 1 (HB1793 S.D. 2). The current language in the bill however defeats "sustainable forests" as defined by the international forest community. A sustainable forest sustains itself **economically, environmentally and socially**.

We have created a model for sustainable sandalwood forest on the island of Hawaii and have at this time accomplished the Following in addressing sustainability.

Environmentally:

- Regenerated over 150,000 new Sandalwood trees, over 50,000 Koa and the same amount of other native species which are the host trees needed for the sandalwood to survive. This has all been done in the last 2 years.
- We harvest the dead and dying Iliahi trees and processed them into a commercially feasible product. Incorporating the whole tree utilization approach (as an example we collect the sawdust) If we fail to complete the Timber Stand Improvements the forest would continue to degrade.
- Reduced the fire fuel load (slash piles of dead wood) and created six new firebreaks.
- Remove ungulates (livestock, feral sheep, cows, horses) from eating native sandalwood seedlings.
- Rodent control from eating sandalwood seeds.
- Kikuyu Grass (nonnative exotic species) management.

Economic and Socially:

- Invested over \$13,000,000.00 into the project.
- \$5,000,000.00 directly into the Kailua-Kona Community.
- Created thirty new jobs of the island
- Supported multiple vendors (Trucker, bags supplied by the coffee industries, equipment rental companies, shippers, helicopters, luas, fuel suppliers, electricians, plumbers, mechanics, etc.)

- Revitalizing an industry started by Native Hawaiians
- Created a new tax base for the state

Issues and Concerns With The Bill:

The bill is void in structure as to definition and procedures. These are some of our issues and concerns but not all of them.

- “deemed in need of conservation” this term is ambiguous and we believe the intent is to protect Native Forest and Habitat, in order to do that the bill should be aimed at all “Endemic Native Hawaiian Forest Resources” this should include but not be limited to (i.e. Koa, Ohia, Iliahi, Awa, Maili, Kamani, Naio, Kou, Kawila and Milo)
- “for commercial purposes, harm, destroy or harvest” How do we deal with the bulldozing sandalwood trees putting in a highway, developers bulldozing sandalwood trees for residential subdivision, ranchers allowing cattle and other ungulates to graze on sandalwood trees. These situations are occurring today. We see an opportunity for these types of destruction to require these commercial operations to help finance the replanting into a sustainable forest project. “Scientists have concluded that the ecological impact from the sandalwood trade appeared to be insignificant compared to the introduction of ungulates (i.e. cattle, sheep and goats).” (Judd 1926)
- Enforcement; there are over 200,000 acres of sandalwood on the Island of Hawaii. The permit fees and fines should go to the DLNR for enforcement division on the island where the destruction is occurring. This would help offset some expenses incurred with the enforcement.
- “Unable to export raw and unprocessed” When does sandalwood go from raw to processed? Currently we process and use the entire tree also known as whole tree utilization with zero waste. We collect the sawdust from the chainsaws and sell it as well as bark for medicinal purposes and leaves for tea, all are processed.
- Permits should be based on proven scientific and international standards based Forest Management Principals. The FMP must be written by a professional with a Masters degree or higher from an accredited college in Ecology, Environmental Science, Forestry, Natural Resource Management or similar degree and have at least five years of experience in Tropical forestry management. The FMP must include the following:
 1. Mapping
 - a. Land Boundaries
 - b. Habitat Typing
 - c. Stand Delineation
 2. Cruise
 - a. Sample Size Estimation (stratified)
 - b. Sampling Design (Line-plot transects)
 - c. Data Collection
 1. Plot Sample Size
 2. Count Methodology
 3. Recorded Timber Attributes

4. Recorded Non-Timber Attributes
- d. Statistical Analysis
 1. Assumptions
 2. Analysis of Variance
 3. Volume Estimation (Confidence Limits)
- e. Operational Planning
 1. Past and current Forest Structure
 2. Future Forest Structure Desired
 3. Non-native plant species Control Program
 4. Timber Harvesting Operations
 5. Adaptive Management Protocol
3. Plan Implementation
 1. Timber Volumes (Continuous Forest Inventory)
 2. Chain of Custody
4. Harvest Analysis
5. Operator must maintain a \$1,000,000.00 professional liability insurance policy.

Conclusion:

We have established a native sandalwood forest including Koa, Mamane, Naio and other native species. We are working with third parties including Dr. Danica Harbaugh-Reynaud of the International Sandalwood Foundation, Dr. Randy Senock from Chico State University on potentials certification processes for our industry.

The International Sandalwood Symposium of 2012, that will be held at the East-West Center, University of Hawaii, will bring the foremost stakeholders and experts of the International Sandalwood Industry to discuss scientific research, conservation, ethno botany, commercialization and other aspects of sandalwood.

The bill creates no standards, definitions and/or procedures of a sustainable sandalwood forest. We recommend that this bill have adequate time to allow the State of Hawaii, Land Owners, Scientific community and other sandalwood industry expert's to cooperate in developing standards and definitions to make this bill more effective.

Recommendations for action:

- **This bill should be tabled to allow adequate time for cooperation from science experts, Foresters, Government Representatives, Land owners and stakeholders.**
- **The bill is passed with the effective date set For July 1, 2013. This would also allow adequate time for cooperation from science experts, Foresters, Government Representatives, Land owners and stakeholders.**
- **The bill is passed and allows ongoing sustainable forest projects to continue. If present operations are suspended out-planting, watering, ungulate protection, coppicing, seed collection and fire protection would cease and the efforts already in place would be lost. Tens of thousands of sandalwood trees would die and projects lost due to economic and social pressures.**

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: bbeaudet@parkerranch.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 8:44:34 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Brandi Beaudet
Organization: Parker Ranch
E-mail: bbeaudet@parkerranch.com
Submitted on: 2/27/2012

Comments:

Dear Sir/Madame,

I respectfully submit that Senate Bill 3028 is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

Sincerely,
Brandi Beaudet
Land Manager
Parker Ranch Inc

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: diamondbranchhi@aol.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 3:01:38 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Brendan Balthazar
Organization: Maui Cattlemens Assn
E-mail: diamondbranchhi@aol.com
Submitted on: 2/26/2012

Comments:

We already have enough laws protecting our forest. The management by our forestry dept. control over taking and reforestation . That should be left to them. There is not need to enact this law.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: dagmarroyer@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 9:53:33 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Dagmar Royer
Organization: Martin&MacArthur
E-mail: dagmarroyer@gmail.com
Submitted on: 2/26/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: jimmygomes@hawaii.rr.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 6:47:47 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: James Gomes
Organization: Ulupalakua Ranch
E-mail: jimmygomes@hawaii.rr.com
Submitted on: 2/27/2012

Comments:



HAWAII FOREST INDUSTRY ASSOCIATION

P. O. Box 66 ❖ 'O'ōkala, HI 96774
Phone: 808-933-9411
Email: hfia@hawaiiiforest.org
Website: www.hawaiiiforest.org

February 27, 2012

**TESTIMONY ON SB3028, SD1
RELATING TO CONSERVATION AND RESOURCES**

Dear Chair David Ige, Vice Chair Michelle Kidani and Members of the Senate Committee on Ways and Means,

Thank you for the opportunity to testify in opposition to SB3028, SD1 - Relating to Conservation and Resources, establishing DLNR policies regarding sandalwood and designating sandalwood as a native forest resource in need of conservation.

The mission of the Hawaii Forest industry Association is "healthy and productive forests". We support sustainable forestry practices which include regard for wildlife, watershed, non-commercial and native species as well as ecosystem restoration and native forest restoration. Since 1991 HFIA has have served as a gathering place for people concerned with the health and management of Hawaii's forest resources and has had a continued management role in numerous forest related projects.

Though we recognize that it is our shared responsibility to care for our environment, the language of this bill will impede progress. By regulating the landowner management of sandalwood one's own land, the bill will actually create strong disincentives to plant or nurture sandalwood. Landowners will look to other species. This bill was created with sandalwood in mind, but the implications for people who manage a variety of species are unacceptable.

Ideally we would like to shift attention from additional legislation to better management of lands now under adequate control. This means boosting private /public partnerships and actively managing lands with the goal of providing for the individual plants in question as well as providing employment for our industry. There are many ways to improve the health of our forests, eco-systems and our communities, and HFIA is ready to help with implementation.

We respectfully request that the committee hold this bill.

Sincerely,

Lloyd Jones
Legislative Chair



Fogelvik Furniture

Mats Fogelvik, Woodworker

P.O.Box 377475, Ocean View, HI 96737

Ph: 808-280-8405

email: mats@fogelvik.com, web: www.fogelvik.com



Opposing SB 3028

February 25, 2012

I respectfully submit that Senate Bill 3028 is over-reaching in requiring a permit for the harvesting of all “deemed” species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a “Sandalwood” bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

Sincerely,

Mats Fogelvik, owner and woodworker at Fogelvik Furniture.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: michael@martinandmacarthur.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Friday, February 24, 2012 3:23:58 PM
Attachments: [Testimony on SB3028.doc](#)

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: Yes
Submitted by: Michael A Tam
Organization: Martin and Macarthur Enterprises, Ltd.
E-mail: michael@martinandmacarthur.com
Submitted on: 2/24/2012

Comments:

I respectfully submit that Senate Bill 3028 is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger my own company (which employs over 100 people throughout the islands) as well as local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

26FEB2012

Senate Committee on Ways and Means

Testimony on **SB 3028, SD1**, 28FEB2012

Chairman Ige and Committee Members:

I support SB3028, SD1 and urge your committee to pass it without any amendments that would dilute or delay its intent and implementation.

The sad history of sandalwood in Hawaii is one of repeated foreign exploitation, export and complicity by local facilitators, a history that continues to this day. Sandalwoods were once widespread, and they are evolved into eight taxonomic entities over their ranges, but now only stragglers remain of these formerly common trees. It is sad enough that rough land use, ungulates, poachers and rats continue to deplete these trees, but the episodes of organized logging have caused additional severe losses, including the current destructive operations in mauka North Kona.

The testimonies opposing this bill in the previous committee hearing are self-serving and full of shibai, and those of their carpetbagging cohorts are just as shameless. I expect that they have sent you the same sort of misleading comments this time. Please do not be misled. Clearly, our beleaguered sandalwoods, like some many other things distinctly Hawaiian, need the modest protections that this bill begins to describe.

Please show empathy for these special Hawaiian trees and for this bill to end this greedy exploitation.

Thank you,

Rick Warshauer, conservation biologist

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: arndog@hawaii.rr.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 8:03:35 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Arnold McLain
Organization: Individual
E-mail: arndog@hawaii.rr.com
Submitted on: 2/27/2012

Comments:
Arnold K. McLain
68-1689 Nanala Court
Waikoloa, HI 96738

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

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In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: autumn@martinandmacarthur.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 7:49:17 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Autumn
Organization: Individual
E-mail: autumn@martinandmacarthur.com
Submitted on: 2/27/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: camholtey@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 8:48:40 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: C Campbell Holtey
Organization: Individual
E-mail: camholtey@gmail.com
Submitted on: 2/27/2012

Comments:

It is about business. This bill can deprive Hawai`i of a resource that can support jobs for thousands of residents and for which there is no substitution.

Charles K. Wakida
Hawaii Forestry and Wildlife Manager, Retired
PO Box 238
Volcano, HI 96785

February 25, 2012

My name is Charlie Wakida. I thank the committee for the opportunity to submit testimony in response to **H.B. No. 1793 H.D. 2/S.B. 3028 S.D. 1 Relating to Conservation and Resources.**

Since graduating from Oregon State University in 1962 with a B.S. Degree in Forest Management, I have been with the State of Hawaii Division of Forestry (DOF), which became the Division of Forestry and Wildlife (DOFAW), subsequent to the reorganization within the Department of Land and Natural Resources (DLNR), until retiring in 1994 from my position as Hawaii Branch Forestry and Wildlife Manager.

Since retirement, I have provided consultant services including forest management/restoration and fire management plans, and verification of Native Forest Classification (Hawaii County Code providing for the preservation of native forest). I also provide ungulate control/management services. My involvement in natural resources management in Hawaii extends nearly fifty years.

I heartily support the additional duties listed in **§183-A Native forest resources deemed in need of conservation; duties.** In particular, “(5) Provide incentives to local entrepreneurs to cultivate native species,…” and “(6) Provide support for programs that ensure the sustainability of commercial operations…” I also support the intent for establishing rules to assure responsible management of commercial native forest resources.

While the purpose of this legislation is to establish a mandate for DLNR to develop comprehensive rules for implementation, I am concerned that as written, it is too broad and will likely lead to unintended, but serious, negative consequences. My concern is based on my years of experience pertaining to both the regulatory and commercial management aspects of native forest resources.

A significant concern is that while there is expressed intent to support this sustainable management and use of native forest resources in 183-B, parts 183-B through 183-F are focused totally on regulatory issues—permits, restrictions, penalties, and fees. The failure to address incentives and support measures is a serious omission. At a minimum, landowners would expect assurance of harvesting and marketing rights before committing to long-term investments in reforestation and management.

Another concern is the statement in 183-D, “The board shall also develop a harvest and reforestation plan.” The board’s responsibility should be the disposition of plans developed by landowners/forest managers subsequent to review by foresters within

Testimony of C. Wakida/page 2

DOFAW. A requirement that DLNR (through DOFAW) designate a professional forester to provide consultation services in plan development would be a positive support function.

It is respectfully requested that any action on this bill be deferred for one year to make available a reasonable time for the drafting of a bill that will best meet the needs for facilitating native forest resources expansion and perpetuation. For sandalwood, which has emphasis in this bill, there are new scientific data and significant developments in the industry that will facilitate the process.

The environmental and economical benefits to be gained from the expansion and perpetuation of our native forest resources through responsible commercial management are of significant value. Any effort to realize that benefit must be deliberate and based on the best available information.

Thank you again for the opportunity to provide input.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: isouljahs@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 4:32:58 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Chris Bibler
Organization: Individual
E-mail: isouljahs@gmail.com
Submitted on: 2/25/2012

Comments:
Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: mahina@turse.org
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 2:07:08 PM
Attachments: [Opposition Testimony on SB3028.doc](#)

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Cynthia Turse
Organization: Individual
E-mail: mahina@turse.org
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all “deemed” species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law, which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species, which may be in decline.

Requiring permitting by the DLNR will be detrimental to the Koa industry for the following reasons:

- Permitting will limit the availability of Koa for use by craftsmen in Hawaii

- Permitting will discourage land owners from reforesting Koa, because there is no assurance that they could ever receive the permit to harvest it.

- The cost of permitting is undefined in this bill. It could be prohibitively expensive, further discouraging Koa reforestation.

- The timing it would take to submit and receive approval of a permit could further reduce the availability of Koa for use by Hawaii craftsmen. If no permits are granted, then no Koa will be available.

- This bill does not clearly define how the funds received from permitting will be used. Hence, these funds could be taken and used for any government shortfall, not simply conservation/reforestation efforts. You know what happened to our "Rainy Day Fund"!

To reiterate - I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. Estimates state that the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for our state. These jobs would be lost as would the revenue stream.

Sincerely,

Cindy Turse

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: koadave@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 8:58:16 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: David Wendt
Organization: Individual
E-mail: koadave@gmail.com
Submitted on: 2/27/2012

Comments:

"Koa" is one of the things that makes Hawaii Hawaii. I believe the HFIA has been working hard for many years to assure sustainable yield and reputable sourcing. What are you thinking?

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: kaimuki71@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 2:05:12 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Derrick M. Shimabukuro
Organization: Individual
E-mail: kaimuki71@gmail.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. I am currently employed by a retailer that is dependent on the Koa industry, and should SB 3028 pass, I may lose my job. This would have a trickle down effect on the economy for both myself and coworkers, who will also become unemployed in a difficult economy.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: kuhiobeach16@yahoo.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 11:00:35 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: dewey medeiros
Organization: Individual
E-mail: kuhiobeach16@yahoo.com
Submitted on: 2/25/2012

Comments:

"We the people of Hawai'i deserve the right to control our destiny, to nurture the integrity of our people and culture, and to preserve the quality of life we desire"..how much more shall you take from us?, the buisnesses that support our culture cannot exist with this kind of law against many organizations that use koa for cultural purposes and livelyhood, we then would go into further poverty..this is my life you are messing with and many others, put a stop and kill it...mr medeiros

My Name is Don Bryan. I am a professional forester, a conservationist, and CEO of Tradewinds Hawaiian Woods. Tradewinds Hawaiian Woods Opposes SB 3028. This Bill, which began life a Sandalwood conservation measure, has morphed into a far reaching and draconian measure posing significant threat to the emerging Forest Products Industry in Hawaii. Specific issues include:

- 1) There is no requirement or provision for scientific information in the declaration of “Species in Need of Conservation”. With Sandalwood as an example, we do not know what the population of any of the specific species are, what environment are required for their regeneration, what biological factors threaten the individual species, of what the rate of harvest or utilization is. At an absolute minimum, it must be the state’s responsibility to demonstrate a well reasoned case for locking up a species with ample provision for public and academic response.
- 2) The practice of allowing harvest “only by exception”. This means, obtaining a permit from a state wide board which meets for a few hours each month to handle all state wide resource matters. This board has shown little or no inclination to grant such permits. . If it is ultimately deemed that some control of harvest must be established, a far more even handed and reasoned approach is for the regulating agency to write the rules under which the species in question may be harvested with adequate opportunity input from those to whom the rules apply. Imagine a world in which you must appeal to a state wide board for permission
- 3) There is no provision in the Bill for compensation for such confiscations. Right of Eminent Domain is allowed by the Constitution only with the payment of market value to the landowner.
- 4) Because of the evolution of the bill, there has been virtually no opportunity for adequate public response to such far reaching legislation.
- 5) This law would create a profound disincentive for land owners to allow a questioned species to establish on their land. The State could more productively be thinking about how to encourage the establishment of species in question. Historically the most effective incentive is when the species in question has market value. For example, there are millions of acres more forest in the United States than there was 100 years ago. Why? Because growing trees make economic sense. That is why, worldwide, we now see over 200 million acres of tree planting annually.
- 6) In the specific case of Sandalwood, a symposium has been scheduled in the near future to consider the current situation and what constructive measures might be taken. Lawmakers would be well served to have the outcome of such a conference in hand before taking any further steps on this matter.

I urge you to vote against SB 3028.

Don Bryan
CEO,
Tradewinds Hawaiian Woods

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: hawaiiwoodturner@yahoo.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 3:53:53 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Donald Albrecht
Organization: Individual
E-mail: hawaiiwoodturner@yahoo.com
Submitted on: 2/26/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. The koa industry generates millions of dollars in tax revenues for the state and employs over 1,000 people throughout Hawaii.

The fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which I object.

I respectfully request that further action on this bill be deferred until all stake holders have had such an opportunity to analyze this bill and provide comments.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: ed@martinandmacarthur.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 1:10:57 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Ed Pasqualin
Organization: Individual
E-mail: ed@martinandmacarthur.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: eddie@martinandmacarthur.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 1:26:32 PM
Attachments: [Opposition Testimony on SB3028.doc](#)

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Eddie Toratani
Organization: Individual
E-mail: eddie@martinandmacarthur.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: dewar.greg@yahoo.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 2:03:41 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Gregory Dewar
Organization: Individual
E-mail: dewar.greg@yahoo.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

This letter is to let you know that I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system and goes well beyond the current law which, provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system. I truly believe that the current law provides a more than adequate way for protecting forest species which may be in decline. I am extremely concerned that SB 3028 could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of many local craftsmen, manufacturers, and retailers in every facet of the koa industry. It is estimated that the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state. In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object. Therefore, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

Sincerely,
Greg Dewar

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: pono@ponoholo.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 6:43:23 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Harry von Holt
Organization: Individual
E-mail: pono@ponoholo.com
Submitted on: 2/26/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: jmac808@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 1:50:56 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Jeremy McDown
Organization: Individual
E-mail: jmac808@gmail.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Therefore, I request that further action on this bill be deferred until all such parties have had such an opportunity.

Sincerely,
Jeremy McDown

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: lisakauai@yahoo.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 3:19:51 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Lisa Thelen
Organization: Individual
E-mail: lisakauai@yahoo.com
Submitted on: 2/27/2012

Comments:

This is unnecessary government control that will dissuade the reforestation of Hawaiian woods.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: Lon@haleiwasurfboard.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 3:24:28 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Lon Klein
Organization: Individual
E-mail: Lon@haleiwasurfboard.com
Submitted on: 2/25/2012

Comments:

This bill is ridiculous. It adds another layer of obtuse government bureaucracy to an already over-regulated scenario. PLEASE vote this nonsensical and potentially destructive legislation down.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: lorrytam@hawaii.rr.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 5:43:29 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Lorrin Tam
Organization: Individual
E-mail: lorrytam@hawaii.rr.com
Submitted on: 2/26/2012

Comments:

I oppose SB3028 because the language of this bill is so broad reaching to say that any "deemed resource" would require permitting by the DLNR. This bill goes far beyond Hawaii Statute 193D. Required permitting could have significant detrimental effects to the Koa industry because it is undefined as to how and if permits will be granted. Hence, it would be a disincentive for private landowners to reforest Koa. If these land owners do not know if they can get a permit to harvest it or how much the permit would cost, then there is no incentive to plant more Koa?

This bill should be re-written before it passes.

Lorrin Tam

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: marcuscastaing@aol.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 8:42:50 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Marcus Castaing
Organization: Individual
E-mail: marcuscastaing@aol.com
Submitted on: 2/26/2012

Comments:

I do not like the way this bill is written. I have several acres of high value hardwood trees I have planted on my property and I plan on planting more. I do not want the state involved in how I harvest my trees.

Aloha Marcus Castaing

RANDALL S. SENOCK, PhD
Associate Professor Geological and Environmental Sciences
California State University at Chico
400 West 1st Street, Chico, CA 95929-0205

My name is Randall S. Senock and thankful to the committee for the opportunity to submit testimony in response to S.B. 3028 SD1 Relating to Conservation and Resources.

I am currently an associate professor for the California State University at Chico in the Department of Geological and Environmental Sciences and director of the degree options in Applied Ecology and Atmospheric Science. Formally I was a research fellow with the University of Hawaii at Manoa in forestry and then an assistant professor of tropical forestry at the University of Hawaii at Hilo, College of Agriculture. My research on forests around the world has been directed towards understanding the ecology and sustainability of forest ecosystems.

The proposed legislation in its broadest context should be supported as a measure to aid in supporting sustainable land management in Hawaii. As proposed however, the legislation is too broad, over reaching and unsubstantiated at this point in time to ensure either the sustainability of the forest ecosystem or the proper role of government agencies in forest management practices on privately owned land. **There cannot be one single approach applied equally to the several Sandalwood species and varieties found throughout Hawaii. Each species in each of its own environments will likely require a different approach to ensure regeneration of the species for future generations to enjoy.** Given that a large majority of Hawaiian sandalwood resources are found on private land the role of government agencies should be to cooperatively work with landowners to ensure the sustainability of all forest resources. This need is directly acknowledged by the U.S. Forest Service who works cooperatively with non-industrial private landowners that manage over 40% of the nation's forest resources.

For this reason the testimony (SB3028 WLH/JDL) submitted by Mr. Lloyd Jones on behalf of the Hawaii Forest Industry Association (HFIA) should be thoughtfully considered as to the **affects on Hawaii's private forest landowners.** In the same regard, without proper incentives to sustainably produce endemic native sandalwood species landowners will consider other non-native sandalwood species that will then present the potential for hybridization and other biological/ecological impacts on Hawaii's sandalwood forests.

The current state of scientific knowledge, however concerning native Hawaiian Sandalwood species or their ecology is notably insufficient at this time to support legislation that would inadvertently restrict proper sustainable management of native forest containing sandalwood trees. What little is known is based on limited scientific information, antidotal observations and subjective interpretations.

This can be seen in the testimony (SB3028 WLH/JDL) given by Mr. Leigh-Wai Doo who states that only 2% of the original sandalwood resource remains and sandalwood trees are 500 years old with no regeneration possible. The original sandalwood resource in the State of Hawaii can only be estimated from ancillary historical information thus statements as to only a small percentage remaining are inaccurate as well. The vast majority of the current populations of *Santalum paniculatum* and *S. ellipticum* that range on the flanks of Mauna Loa and Hualalai from the Kau to North Kona and the Kohala districts are probably less than 150 years old. This situation and the current regeneration of sandalwood trees on the Ha'Loa Aina forest demonstrates clearly that *S. paniculatum* sandalwood has been and now again is being regenerated for the future forests of the Big Island.

What is currently known and generally accepted is that much of the Big Island dryland montane forest containing sandalwood trees (*Santalum paniculatum* and *S. ellipticum*) is in a state of severe continuing decline from several long term pressures that include deliberate land clearing, grazing animals, the introduction of non-native species, increased frequency and intensity of fires, climate change and **not** sustainable commercial harvesting of endemic Hawaiian sandalwood.

What is also now currently known is that the dry land montane forests of the Big Island containing sandalwood can be revitalized using proper forest management techniques that involve active land management including tree harvesting. This statement is based on direct field observations of several dryland montane forests and empirical measurements of the Ha'Loa Aina forest mauka of Kealahou.

Specifically field measurements indicate that:

- 1) The majority of trees in Ha'Loa Aina forests are less than 100 years old (based on counts of tree rings) and not "original old growth" in existence before the late 1700's as presented in previous testimony and in the local press.
- 2) The harvesting of a single *S. paniculatum* tree results in the stump coppicing and roots sprouting generally on the order of 10 new sprouts per tree.
- 3) Un-harvested trees exhibit virtually no new sprouts.
- 4) The height and diameter growth of the root sprouts is much greater than that of planted Sandalwood seedlings.
- 5) The survivability of new sprouts through low rainfall periods is greater than planted seedlings.

Based on the above the proposed legislation that contains language that would arbitrarily designate all species of Hawaiian sandalwood as a forest resource in need of conservation is justified. That this designation, however, might lead to burdensome governmental regulation and oversight on private lands is an issue of concern and the following wording should be amended.

SI83-B Harvesting of native forest resources deemed in need of conservation.

Subsection (d) Native Hawaiian sandalwood, including all *Santalum* species endemic to Hawaii, is hereby deemed a forest resource in need of conservation.

Establishing the ecological status of individual species is most easily done with individual plant counts or current range within potential historical habitat range. For native Hawaiian sandalwood species this information exists to various degrees depending on the particular species at issue. It is readily observable that the Hawaii Island sandalwood species, *S. paniculatum* and *S. ellipticum*, have a wide range that spans the flanks of Mauna Loa and Hualalai from the Kau to North Kona and the Kohala districts covering more than 200,000 acres with populations estimates in the several hundred thousand trees of each species over that area. These individual

tree numbers and wide geographical range are typically not characteristics of a species in decline and in need of restrictive governmental regulatory conservation efforts on private lands.

Based on the above stated reasoning concerning the current state of knowledge about much of Hawaii's native forest resources, and the need for all stakeholders, public and private, to be adequately engaged; **The proposed legislation should contain wording that allows for a time frame (equal to but not greater than two years) to develop proper management guidelines.**

The International Sandalwood Symposium in October 2012 will be held at the East-West Center, University of Hawaii, and will bring the foremost stakeholders and experts of the International Sandalwood Industry to discuss scientific research, conservation, ethnobotany, commercialization and other aspects of global sandalwood species and resources.

Please note the submitted testimony of Ms. Danica Harbaugh Reynaud, Executive Director of the International Sandalwood Foundation and her recommendations for developing a Sandalwood Management manual.

Based also on the above stated reasoning I believe wording within several sections of the proposed bill and definitions should be amended as follows:

Section 183-D Fees. (a) The board shall establish a processing fee for permits issued for the harvest of forest resources deemed in need of conservation. Such a permit will require an approved harvest and reforestation plan by the board of land and natural resources. The process for the development and approval of plans and permits will be defined in the rules.

(b) Fees collected for permits shall be deposited in the forest stewardship fund established under chapter 195F-4 to support forest management and restoration.

Subsection (a) amended so as to specifically state that the approved harvest and reforestation plan be developed with input from recognized scientific expertise representing both public and private stakeholders.

Subsection (b) amended to include "the fees collected to be specifically earmarked for the region\area for which the permit was issued.

This amendment will provide the necessary funding for implementation of the boards responsibilities and can specifically target each forest in their respective environment.

Section 183-F Definitions

Amended to include the definition of the word "Sustainable" as based on the Brundtland Commission of the United Nations 1987 conference which states that environmental, social and economic aspects equally define "sustainable" development.

Amended to include definition of the term “Sustainable Forests” include specifically the necessary regeneration of all component species required to perpetuate the presence of the species in the future forest type under management.

The following bill language should also be reconsidered given its potential issue within the violations outlined in the proposed legislation.

Section 183-5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows: " (c) In addition:

(1) A fine of up to \$10,000 per violation of section 183-17 or 183-B may be levied for each destroyed or harvested koa or sandalwood tree, or portion thereof, larger than six inches in diameter at ground level; and

(2) A fine of up to \$2,000 per violation of section 183-17 may be levied for each destroyed or harvested tree or plant, other than koa[?] and sandalwood, or portion thereof, larger than six inches in diameter at ground level.

The stipulation of both violation fines at their respective amounts are well beyond the current or even historical market value for any individual native Hawaiian forest tree species. This will inadvertently create situations of protracted litigation concerning valid resource yields and values in cases where actual violations have occurred.

In conclusion any governmental legislation should provide incentives and motivation to private land owners to properly manage the Hawaiian forests containing sandalwood trees so that future generations of Hawaiian children will have the opportunity to enjoy native Hawaiian forests.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: rcross@hawaii.rr.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 2:34:13 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Richard Cross
Organization: Individual
E-mail: rcross@hawaii.rr.com
Submitted on: 2/26/2012

Comments:
Dear Senators

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all deemed species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet in the koa industry.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: rita.mclain@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 7:12:54 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Rita McLain
Organization: Individual
E-mail: rita.mclain@gmail.com
Submitted on: 2/27/2012

Comments:
Rita L. McLain
68-1689 Nanala Court
Waikoloa, HI 96738
(808) 896-7413

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system. I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a "Sandalwood" bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

Sincerely,

Rita L. McLain

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: robtbyrnes@gmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 8:10:14 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Robert Byrnes
Organization: Individual
E-mail: robtbyrnes@gmail.com
Submitted on: 2/27/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: filiboxer@hotmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 2:13:15 PM
Attachments: [My Opposition Testimony on SB3028.doc](#)

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Russell Henson
Organization: Individual
E-mail: filiboxer@hotmail.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all “deemed” species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

I believe the current law provides an adequate mechanism for protecting forest species which may be in decline.

I am very concerned that SB 3028, if enacted, could be used to introduce a prohibitive permit system for koa wood. This would endanger the jobs of local craftsmen, manufacturers, and retailers in every facet of the koa industry. We estimate the koa industry employs over 1,000 people throughout Hawaii and generates millions of dollars in tax revenues for the state.

In discussing this matter with many of my colleagues, it appears that very few stake holders have had adequate opportunity to analyze this bill and provide comments. This is due to the fact that the bill originated as a “Sandalwood” bill and has only recently been amended to include the far reaching language to which we object.

Accordingly, we respectfully request that further action on this bill be deferred until all such parties have had such an opportunity.

Sincerely,

Russell Henson

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: savina@martinandmacarthur.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 5:12:56 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Savina Wendin
Organization: Individual
E-mail: savina@martinandmacarthur.com
Submitted on: 2/25/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: scott@martinandmacarthur.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 7:04:36 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Support
Testifier will be present: No
Submitted by: Scott Dempsey
Organization: Individual
E-mail: scott@martinandmacarthur.com
Submitted on: 2/27/2012

Comments:

Dear Senators,

I respectfully oppose Senate Bill 3028. This bill is over-reaching in requiring a permit for the harvesting of all "deemed" species and requiring DLNR to promulgate rules for such a permitting system. This goes well beyond the current law which provides for the conducting of appropriate studies and the adoption of rules, but does not impose a permit-based system.

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From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: sethgonzales@hotmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Monday, February 27, 2012 8:48:26 AM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: seth gonzales
Organization: Individual
E-mail: sethgonzales@hotmail.com
Submitted on: 2/27/2012

Comments:

As a professional fine woodworker working and living in Honolulu , Hawaii my job depends on the availability of Koa wood as a commercial species . I support sustainable management of koa trees , but I do not beleive there is any reasonable explanation for simply cutting off the supply of koa for commercial purposes .

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: sgeller@hotmail.com
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Saturday, February 25, 2012 8:10:48 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Stewart Geller
Organization: Individual
E-mail: sgeller@hotmail.com
Submitted on: 2/25/2012

Comments:

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: tai@tailake.net
Subject: Testimony for SB3028 on 2/28/2012 9:00:00 AM
Date: Sunday, February 26, 2012 1:16:54 PM

Testimony for WAM 2/28/2012 9:00:00 AM SB3028

Conference room: 211
Testifier position: Oppose
Testifier will be present: No
Submitted by: Tai Lake
Organization: Individual
E-mail: tai@tailake.net
Submitted on: 2/26/2012

Comments:

SB 3028 SD1 Oppose

My name is Tai Lake and I am a woodworker and conservationist. I have served as president of the Hawaii Wood Guild and am currently President of the Hawaii Forest Industry Association. I established and have managed a native forest restoration project in Kona since 1991. The mission of the Hawaii Forest industry Association is "healthy and productive forests" and the Wood Guild supports and promotes responsibly harvested and salvaged wood sources. We support sustainable forestry practices which include regard for wildlife, watershed, non-commercial and native species as well as ecosystem restoration and native forest restoration. Since 1991 HFIA has have served as a gathering place for people concerned with the health and management of Hawaii's forest resources and has had a continued management role in numerous forest related projects.

Though I recognize that it is our shared responsibility to care for our environment, the language of this bill will not only impede progress, but will actually create strong disincentives to manage our lands effectively. This bill was created with sandalwood in mind, but the broad language and implications for people who manage a variety of species are unacceptable.

Ideally I would like to shift attention from additional legislation to better management of lands now under adequate control. This means boosting private /public partnerships and actively managing lands with the goal of providing for the individual plants in question as well as providing employment for our industry. There are many ways to improve the health of our forests, eco-systems and our communities, and HFIA is ready to help with implementation.

I strongly oppose S.B. No 3028 S.D.1.

Respectfully submitted, 2/ 26/ 2012

Tai Lake

PO Box 584

Holualoa, HI

96725

