

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
FINANCE

Thursday, February 21, 2013
11:00 a.m.
State Capitol, Conference Room 308

In consideration of
HOUSE BILL 1330
RELATING TO THE
DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT

House Bill 1130 proposes to appropriate funds to restore the general fund budget of the Department of Land and Natural Resources' (Department) Division of Conservation and Resources Enforcement (DOCARE). **While the Department appreciates the overall concept of this bill as it includes initiatives supportive of our goals and objectives, the Department is nonetheless concerned about the cost implications it will have on the Administration's Biennium Budget Request.**

In 2009, due to economic decline, DOCARE's general fund budget was reduced from \$1.7 million dollars to approximately \$500,000, a reduction of about 2/3 of the general fund budget. This resulted in the elimination of eighteen (18) positions, reductions in funds for overtime and current expenses, and the elimination of funding for equipment and motor vehicle replacements. Seven (7) more positions were abolished in July 2010. As a result, DOCARE was left with an operating budget of \$540,000 to patrol the lands under the Department's jurisdiction on six islands, which reach from the top of the mountains to three miles out to sea. This jurisdiction encompasses nearly 1.3 million acres of State lands and 3 million acres of ocean and coastal waters, as well as 750 miles of coastline. It includes state parks, historic sites, forests and forest reserves, aquatic life and its sanctuaries, game management areas, public hunting areas, and natural area reserves. It also includes protecting the public's safety when using natural and cultural resources under the Department's jurisdiction.

In addition to the cost cutting measures (mandating furloughs, implementing hiring freezes, etc) mandated by the Governor, a directive was issued by the Department's Chair at that time, which directed each division including DOCARE to reduce total cost differentials (overtime, night differential, compensatory time, pay adjustments) by 50% from the prior fiscal year. Coupled with the Governor's measures, this directive had a devastating effect on DOCARE's operations.

WILLIAM J. AILA, JR.
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

In order to meet these cost cutting measures, DOCARE was forced to adopt the following:

- Scheduling officers to work during the hours of 6 am to 6 pm, thus eliminating work that created night differential pay.
- Eliminating regular and holiday overtime unless the overtime was reimbursed by other agencies.
- Assigning two officers per vehicle, per shift, to reduce motor vehicle gas/oil/repair costs. While aimed at cutting costs, this measure also limited patrol coverage, response to complaints and requests for service from the public.
- Cutting non-essential programs and services. For example, the after hours live answering service was eliminated as officers were not able to respond to complaints after 6 pm.
- Delaying the purchase of vehicles and equipment (body armor, communications, equipment, ammunition) that are critical to public and officer safety.

Through the generosity of the Legislature, DOCARE received funds from supplemental budget requests approved by the Legislature to purchase body armor for officers and to purchase radio equipment to comply with the Federal narrow banding requirement. DOCARE also received \$250,000 to partially restore its operating budget, however, this amount was not enough to restore the operating budget as a whole.

The Department recognizes that the restoration of DOCARE's general fund budget is essential, so that the Department can continue to enforce Hawaii's natural and cultural resources laws to the fullest extent possible. The Department will continue to pursue federal funding opportunities and explore partnerships with other state agencies, public/private partnerships, and county/state partnerships.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 1:48 PM
To: FINTestimony
Cc: bsager42@gmail.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Bill Sager	Environmental Caucus of the HI Dem Party	Support	No

Comments: Our near shore fishery is in trouble. Today, these same resources are estimated to contribute \$800 million in annual revenue to the state, with an added recreational, amenity, fishery, biodiversity, and educational value of \$364 million per year. The Division of Conservation and Resources Enforcement (DOCARE) is the only agency focused on enforcing laws that protect our natural and cultural resources. Everyone know DOCARE is woefully underfunded. Lack of enforcement is a subject brought up at every DLNR rules hearing I have attended. Given this broad scope of responsibility, and the large amount and variety of equipment, training, and manpower needed to effectively carry out DOCARE's mission, it is clear that DOCARE has been critically underfunded for many years.[4] A review of budget worksheets from the last ten years indicates past legislative appropriations for DOCARE have ranged from \$6 to \$8 million dollars annually; by contrast, the Honolulu Police Department – tasked with enforcing state and county laws in Honolulu county only, and primarily in developed or municipal areas – reported a budget of \$224 million in 2010 alone.[5] Clearly, much greater investment is necessary to ensure that DOCARE has the resources to ensure that the laws protecting our natural and cultural resources have actual teeth, and to relieve mounting community concerns regarding the lack of support for DOCARE's important mission. By restoring lost funding to DOCARE, this bill therefore provides a small but critical step in the right direction for investing in the conservation and protection of the resources that the Native Hawaiian community and the larger public rely upon.

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Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 1330 Relating to Division of Conservation and Resources Enforcement
House Committee on Finance
Thursday, February 21, 2013, 11:00AM, Room 308

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands 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.

The Nature Conservancy supports H.B. 1330.

There is widespread agreement amongst a variety of stakeholders that Hawaii's fragile environment is in need of improved compliance, enforcement and prosecution of violations of our State natural resource laws. A 2006 State Auditor's report concludes that DLNR Division of Conservation and Resources Enforcement (DOCARE) officers are spread too thin and lack the equipment they need to do their jobs. In a better economy, the Legislature had been able to provide some relief with financial support and an increase in the number of trained officers and equipment but budgets have been reduced during the economic downturn.

Against this backdrop, a number of communities across the state have been organizing themselves to become more directly involved in the care and management of their natural resources, particularly in coastal and near shore areas. Some communities have partnered with DOCARE to raise awareness of natural resource laws and to improve compliance with those laws. With increased community involvement in marine resource management and enforcement, it will help DLNR, DOCARE, and community-based managers to have additionally general funding to support their critical programs.

Thank you for this opportunity to offer our support for this measure.

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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 12:13 PM
To: FINTestimony
Cc: mz@conservehi.org
Subject: *Submitted testimony for HB1330 on Feb 21, 2013 11:00AM*

HB1330

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Marjorie Ziegler	Conservation Council for Hawai'i	Support	No

Comments:

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Sent: Wednesday, February 20, 2013 7:22 AM
To: FINTestimony
Cc: Coralfish@hawaiiintel.net
Subject: *Submitted testimony for HB1330 on Feb 21, 2013 11:00AM*

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Coral Fish Hawaii	Coral Fish Hawaii	Support	No

Comments:

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finance1-Christie

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Sent: Tuesday, February 19, 2013 10:10 AM
To: FINTestimony
Cc: tabraham08@gmail.com
Subject: *Submitted testimony for HB1330 on Feb 21, 2013 11:00AM*

HB1330

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments:

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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 10:17 AM
To: FINTestimony
Cc: lakimura@hotmail.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Lance Kimura	Individual	Support	No

Comments: Hello, I would like to show my support for HB 1330. There is a big need for DOCARE enforcement. Too often do we see illegal activity occurring from mauka to makai. For example, on a recent trip to Maui's Ahihi Kinau Natural Area Reserve, I expected to see beautiful coral and tons of fish. However, I was sorely disappointed. What I did see was fish with parts missing from spears as well as numerous hooks protruding out of their mouths. Not to mention yards and yards of monofilament line, sinkers and hooks littered on the reef heads. Is this how a protected area supposed to look? If this is how bad a marine reserve is, you can only imagine how bad it is in the areas where people CAN fish. Please support this bill which would enable DOCARE to better monitor our precious resources.

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Sent: Wednesday, February 20, 2013 2:23 PM
To: FINTestimony
Cc: bob@hiadventures.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Hajek	Individual	Support	No

Comments: These guys need all the funds you can allocate them. So many of the "non problems" that the press likes to invent, would disappear with a strong law enforcement presence out there patrolling our waters on a regular basis.

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Sent: Wednesday, February 20, 2013 2:26 PM
To: FINTestimony
Cc: hahalalu@aol.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Karen M. Yamada	Individual	Support	No

Comments: Hawaii's most precious resource is its land and its ocean. Too few are responsible to monitor such a vast area....I favor restoring positions not filled in the past. Future needs to create more positions!

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finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 11:20 AM
To: FINTestimony
Cc: seebartj001@hawaii.rr.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
John Seebart	Individual	Support	No

Comments: Please pass HB 1330. Restoring funds to support DOCARE is a good first step to funding a critical organization for the preservation of Hawaii's natural resources. DOCARE is spread far too thin, in my opinion, as a Makai Watch volunteer, at Kahekili Herbivore Fisheries Management Area, KHfMA. There is a concensus among the KHfMA volunteers that, because DOCARE is so understaffed,they cannot respond to violation reports from Makai Watch volunteers in real time. We feel that this is a tragic waste, as our presence and observations would mean more if we could get an officer on scene while violations are occuring. As it is we are much less effective for the lack of officers to respond. Makai Watch has the potential to multiply the strength of DOCARE, because we can observe and report. Here in Hawaii, the natural environment is in large part the basis of our biggest industry, tourism. DOCARE is one of the main things that stands between the protection and destruction of the environment. Please pass HB 1330 now, and consider more funding in the future. Our environment is our economy. Mahalo, John Seebart

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finance1-Christie

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Sent: Tuesday, February 19, 2013 4:33 PM
To: FINTestimony
Cc: sunshineorchids@gmail.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Darrell Tanaka	Individual	Support	No

Comments: please note, this is money that was taken away from them, not new money...DOCARE is currently crippled without these funds and poaching has been increasingly worse because people know DOCARE cannot patrol at night effectively. Turtle poaching has also become an issue. thank you.

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February 19, 2013

From:

Rebecca Most

PO Box 1354

Hilo, HI 96721

rebeccamost@gmail.com

808-741-4584

I would like to submit this written testimony in support of HB 1330, related to restoring funds to the Hawaii DOCARE agency. The DOCARE office has had many challenges meeting their job requirements, which have limited their successful enforcement of laws protecting the natural resources of Hawaii. I have directly observed DOCARE enforcement being unable to respond to reported violations due to lack of personnel or resources to pursue citations. The lack of enforcement personnel is widely known throughout the islands, and therefore many violators are not concerned with getting caught. Without adequate enforcement, laws protecting natural resources are useless. In order for DOCARE to improve their enforcement ability and improve perception within the community, it is imperative that funding be restored to this critical agency.

Mahalo for considering this testimony in your decision.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Most". The signature is written in black ink and is positioned below the word "Sincerely,".

Rebecca J. Most

finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 19, 2013 7:05 PM
To: FINTestimony
Cc: GlennShiroma@hotmail.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/19/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Glenn Shiroma	Individual	Support	No

Comments: Strongly support HB1330. (Emphasis Added)

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finance1-Christie

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To: FINTestimony
Cc: holter@maui.net
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/19/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Lance	Individual	Support	No

Comments: Hawaii's Environment is our economy. This is the economic engine of our Tourism Industry. The Environment is why Hawaii is the No 1 destination in the world. It's not hotels, or urban blight and development, but it is the beautiful unique ecosystems and iconic heritage that exist nowhere else on the planet. DOCARE protects all of this. Not only do we need to adequately fund DOCARE we need to INCREASE the funding. If you want to invest in Hawaii's future, invest in our children's future and their children's future you must invest in preserving the best and greatest natural wonders still existing on Earth, Hawaii. Please support DOCARE and the men and women that take the responsibility of protecting our unique Hawaii home as a personal investment into the future. Aloha, Lance Holter, Paia-Maui

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finance1-Christie

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Sent: Wednesday, February 20, 2013 7:20 AM
To: FINTestimony
Cc: mmmmahalo2000@aol.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Moran	Individual	Support	No

Comments: please support these guys who are trying to preserve our natural resources which have been neglected for much too long.

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February 20, 2013

Chairperson Luke and Committee Members,

Please pass HB 1330 and restore funds for DOCARE. I am a full time commercial fisherman and support the enforcement efforts of the DLNR. Having the financial means to do their job will greatly affect DOCARE's ability to care for the natural resources of Hawaii now and in the future.

Thank you.

Dennis Yamaguchi

finance1-Christie

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 20, 2013 9:26 AM
To: FINTestimony
Cc: DOCARE205@aol.com
Subject: Submitted testimony for HB1330 on Feb 21, 2013 11:00AM

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Harold "BUZZ" Hubert	Individual	Support	No

Comments: This funding is necessary, if not for anything else just to keep Hawaii, Hawaii.

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finance1-Christie

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Sent: Wednesday, February 20, 2013 12:24 AM
To: FINTestimony
Cc: wetpetshi@yahoo.com
Subject: *Submitted testimony for HB1330 on Feb 21, 2013 11:00AM*

HB1330

Submitted on: 2/20/2013

Testimony for FIN on Feb 21, 2013 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Leslie Parker	Individual	Support	No

Comments:

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