



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2013**

ON THE FOLLOWING MEASURE:

H.B. NO. 625, H.D. 1, RELATING TO LANDOWNERS' LIABILITY.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY

DATE: Tuesday, February 26, 2013 **TIME:** 2:05 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Robin M. Kishi, Deputy Attorney General

Chair Rhoads and Members of the Committee:

The Department of the Attorney General strongly supports the portion of this bill pertaining to the amendment of section 520-2, Hawaii Revised Statutes (HRS), to include government lands by deleting "other than lands owned by the government" in the definition of "land."

Chapter 520 of the Hawaii Revised Statutes is often referred to as the "Recreational Use Statute." The purpose of this chapter is to encourage landowners to make their land available to the public for recreational purposes by limiting the landowners' liability to persons who enter the land for those purposes.

As originally drafted and enacted in 1969, the Hawaii Recreational Use Statute made no distinction between lands owned by private landowners and lands owned by the government, and therefore, the government, as landowner had the same statutory protection under chapter 520, as a private landowner had.

In fact, the federal appellate court in Proud v. U.S., 723 F.2d 705 (9th Cir. 1984), held and reaffirmed that the Hawaii Recreational Use Statute afforded the protection of the statute to government landowners (in that case the federal government) as well as to private landowners.

At the insistence of plaintiffs' advocacy groups and their attorneys, chapter 520 was amended in 1997. Among the amendments was to exclude "lands owned by the government" from the protection of the statute.

The State has in excess of 33,000 acres within its parks system upon which people hunt, fish, swim, camp, hike, study, picnic, and otherwise recreate. The total acreage under the Department of Land and Natural Resource is in excess of one million acres.

However, as the result of the amendment governmental entities, which are the landowners with the largest acreage that have the most scenic natural beauty that the public seeks to use for recreational purposes, are the very landowners that have no protection under the statute.

Under section 662-2, HRS, of the State Tort Liability Act, the State may be sued and held liable in the same manner and to the same extent as private individuals under like circumstances. Sadly, it is ironic and perverse that because and since that amendment excluding lands owned by the government from the protection, unlike private landowners, the State has not been able to invoke the same defenses to and limitations on liability when sued by persons who sustain injury or death while recreating on its lands.

If the State is permitted to be sued for tort liability the same as private individuals under the same circumstances, then the State should have the same defenses to and limitations on liability as private individuals. Without the amendment, the State and its taxpayers will continue to be at risk for large judgments awarded by judges arising out of accidents in which local residents and visitors recreate on state land -- accidents for which no private landowner in similar circumstances would be liable. At the very least, the State and its taxpayers will continue to be forced to settle cases arising out of such accidents, and continue to fund the litigation costs for those cases, because of the risk of large judgments.

This is illustrated by a recent decision in Brem, et al. v. State of Hawaii, Civil No. 07-1-0176, Fifth Circuit Court, State of Hawaii, in which the court found the State 100 percent at fault for the deaths of two tourists who attempted to climb down to the waterfall at Opaekaa Falls on Kauai. The path the tourists took was not an official trail maintained by the State. Instead, it was an area that had been left by the State in its natural condition. Last year, the State settled this case for nearly than \$15,500,000.00, \$5,460,000 of which was paid from general funds and nearly \$10,000,000 from the State's excess insurance carrier.

The State has now officially closed this site to the public, and has posted signs to that effect. Notwithstanding the closure, people continue to access the site and climb to the bottom of the falls. Because of the terrain at the site, installation of a permanent fence is not practical.

Just last year, a number of accidents occurred while residents and visitors were recreating on State lands. One person sustained severe brain injury in a rock fall incident. In addition, there were three separate hiking/climbing fatalities, and another hiking/camping fatality on state lands.

The State will continue to be sued for injuries or deaths that occur on its lands, and will continue to pay for judgments, settlements, and litigation expenses. One-by-one, the Board of Land and Natural Resources will continue to post warnings signs at each site and close or fence off such sites where feasible. Some of these areas may also have cultural and religious significance, and be used by native Hawaiians as traditional bathing, fishing and gathering sites. Eventually, there will be little left of the “natural scenic, historic and wildlife values [of the park system] for the use and enjoyment of the public” that the State was mandated to preserve under section 184-6, HRS.

The public will continue to seek adventures on state land. However, because many will fail to exercise due care, injuries and deaths will continue to occur. The State will be forced to close its most beautiful natural sites one-by-one, thereby reducing the available lands on which the public may recreate. Eventually, the only land on which the public will be able to use will be privately owned land.

Some states expressly include governmental entities within the definition of the protected landowner, e.g., Alabama, Illinois, and Ohio. Other states have gone beyond their recreational use statutes and enacted specific recreational liability immunity legislation specifically for their governmental entities, e.g., Virginia, Kansas, and Minnesota. Others, such as California have expressly provided immunity to governmental entities in their state tort claims act.

The decline of sovereign immunity in other states has led them to seek protection by way of separate governmental immunity acts. In Hawaii, although our courts have been eroding and narrowing the application and availability of the State’s sovereign immunity for the exercise of its discretionary function, our State has not enacted a separate governmental immunity act. Ironically instead, against and contrary to the trend in other states to provide more protection

from liability to governmental entities, in 1997, chapter 520 was amended to afford less protection to the government.

This bill is necessary to ensure that the State and counties, as landowners, can make their land available to the public for recreational purposes by limiting the State's and counties' liability to persons who enter the land for those purposes, thus fulfilling the original intent and purpose of chapter 520. It will also return the State to equal-footing and protection, with private landowners, as originally intended and drafted, by returning to the original definition of "land" in chapter 520, specifically in section 520-2.

We respectfully request that this bill be passed.

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
JUDICIARY**

**Tuesday, February 26, 2013
2:05 PM
State Capitol, Conference Room 325**

**In consideration of
HOUSE BILL 625, HOUSE DRAFT 1
RELATING TO LANDOWNERS' LIABILITY**

House Bill 625, House Draft 1 proposes to amend Chapter 662, Hawaii Revised Statutes (HRS), to limit government liability for mountain climbing, rock climbing, rappelling and bouldering, and to amend Section 520-2, HRS, to include government lands by deleting "other than lands owned by the government" in the definition of "land." The Department of Land and Natural Resources (Department) strongly supports this measure.

The purpose of Chapter 520, HRS, is to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes. Because the definition of "land" excludes "lands owned by the government", the benefits of this statute are not currently available to government entities that own and control most recreational lands. If this measure is passed, it would remove one of the concerns and impediments for government entities to open and keep government recreation lands open to the public. Even minor liability concerns can be a factor in decisions to regulate access and uses of public lands. If passed, this measure will provide an atmosphere to encourage government agencies to make lands available for public recreation.

This bill also clarifies that no public entity or public employee shall be liable to any person for injury or damage on government land when engaged in mountain climbing, rock climbing, rappelling and bouldering.

There has been an increasing trend in public recreation throughout the United States and Hawaii to pursue the activity of bouldering, rock climbing, rappelling and related activity that requires special skills, equipment and specific geologic features with unique qualities. In addition, the advent of indoor climbing gyms and mobile climbing walls, where the recreationalists can practice on engineered walls in a secure environment with ancillary safety equipment, has led to an increased desire to then test skills in an exterior, unmanaged environment subject to variation

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

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

and additional exposure to environmental hazards. Due to the Internet and other social media, the proliferation of information on this activity and the method by which the public gains information on climbing opportunities located in remote unmanaged areas to practice these skills, is rapidly increasing.

While Hawaii lacks the unique geology on a wide scale basis to support or promote this recreational activity – there are isolated outcroppings of specific rock features throughout the State that are alluring for rock climbing. This activity may occur on both public and private land. As the Department has jurisdiction of approximately 1.3 million acres of land and staff have no programs or training on the activity nor are knowledgeable of all possible statewide locations and current ancillary use, regulating or managing this activity is untenable. However, as it has been occurring virtually for decades in various locations and with a growing degree of participation, and rather than attempt to regulate or prohibit and subsequently enforce against the activity, absent any expertise on the subject, providing government with liability relief associated with its use is a prudent measure.

The Department suggests that the following definitions be added to SECTION 1 of this measure:

Section 662-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

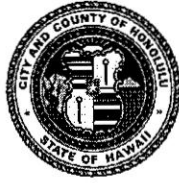
““Bouldering” refers to a style of rock climbing undertaken outdoors without rope and normally done on large natural boulders.

“Rock climbing” means any activity involving the use of rope to ascend or descend rock.”

The Department is in strong support of passage of this bill.

DEPARTMENT OF THE CORPORATION COUNSEL
CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 110 * HONOLULU, HAWAII 96813
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KIRK CALDWELL
MAYOR



DIANE T. KAWAUCHI
ACTING CORPORATION COUNSEL

February 25, 2013

The Honorable Karl Rhoads, Chair
and Members of the Committee on Judiciary
State House of Representatives
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads and Committee Members:

Subject: House Bill 625, H.D.1, Relating to Landowners' Liability

The City and County of Honolulu ("City") supports the intent of H.B. 625, H.D.1 which amends the State Tort Liability Act, Chapter 662, Hawaii Revised Statutes, to grant the State of Hawaii immunity from liability for injuries or damages sustained on State land when individuals are engaged in mountain climbing, rock climbing, rappelling and bouldering. However, the City requests that the same immunity granted to the State be extended to the counties which face the same liability exposure and share the concerns faced by the State as owners of developed and undeveloped mountainous property.

The City owns many parcels of developed and undeveloped mountainous property which are accessed by the public for mountain climbing and rock climbing purposes. We have had instances where individuals have attempted to climb the rocky areas abutting Waimea Beach Park. Numerous rescues as well as injuries have occurred while individuals attempt to climb the mountainous areas abutting the Haiku Stairs and the Koko Head Crater rim. Climbers also access Waihee Valley Nature Park, Waikane Nature Preserve, and Heeia Kea Valley Nature Park, all undeveloped City park properties which are currently closed to the public.

Similar to the State, the City does not have the funding resources necessary to monitor all of its developed and undeveloped mountainous property to ensure the safety of trespassers. Therefore, the City faces the same liability

The Honorable Karl Rhoads, Chair
and Members of the Committee on Judiciary
February 25, 2013
Page 2

concerns faced by the State and requests that the same immunity granted to the State be extended to the counties. We request that the following new section revising Hawaii Revised Statutes Chapter 46 to extend the liability protection to the counties be incorporated into H.B. 625, H.D.1:

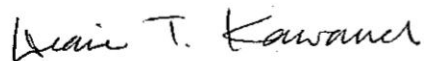
"SECTION __. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§46- Counties' limited liability for mountain climbing, rock climbing, rappelling, and bouldering. No public entity or public employee shall be liable to any person for injury or damage sustained on government land when engaged in mountain climbing, rock climbing, rappelling, and bouldering."

For these reasons, we respectfully request your support in amending H.B. 625, H.D.1 to extend the immunity granted to the State to the counties

Thank you for the opportunity to provide our comments on this bill.

Very truly yours,



DIANE T. KAWAUCHI
Acting Corporation Counsel

DTK:ey

TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO H.B. NO. 625, HD 1

Date: Tuesday, February 26, 2013

Time: 2:05 pm

To: Chairman Karl Rhoads and Members of the House Committee on Judiciary:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in OPPOSITION to H.B. No. 625, HD 1 Relating to Landowners' Liability.

There are two distinct provisions in this bill. There is an attempt to amend HRS Chapter 662 as well as HRS Chapter 520. I will address the amendment to Chapter 520 first.

Chapter 520, known as the Recreational Use law, grants private landowners limited liability from injuries and deaths that occur on private property if they open their lands to the public for recreational use at no charge. The purpose of the recreational use law is to encourage private landowners to open private lands to the public that would otherwise be unavailable for public use. It does not apply to government lands because public land is already open to the public and the additional incentive offered by the recreational use law is not needed.

Sound public policy requires that all landowners, private and governmental, exercise reasonable care in maintaining their property in a safe condition for those reasonably expected to be on the property for the safety of the general public. The recreational use exception was created to offset the loss of private property rights relinquished when landowners agree to open their property to the general public at no

charge. It is a different story with government because maintaining public lands for public use is a core governmental function.

There are already statutory exceptions for specific circumstances where the burden or cost to the government outweighs the public's safety. For example, (1) government liability is limited in parks and recreational areas when adequate warning signs are posted pursuant to Act 82 (2003); (2) government liability is limited at beaches when adequate warning signs are posted pursuant to Act 190 (1996); (3) government liability is limited for injuries at public skateboard parks pursuant to Act 144 (2003); and (4) the State's liability is limited for injuries from unexploded ordnance on Kahoolawe and the surrounding ocean under Act 218 (2002).

If there are specific circumstances that merit exceptions to government's responsibility to properly design and maintain public premises, they should be addressed on their merits and dealt with individually as has been done in the past.

Regarding the attempt to amend HRS Chapter 662, the proponents of the measure, are attempting to persuade DLNR to open a particular site for rock climbing and other activities. Although the title to this new section states "Limited liability ...", this particular provision gives government absolute immunity from any injuries that happen on public lands. It is broad and conflicts with other laws already passed and in particular, Act 82 above mentioned.

With regard to Act 82, the law provides, in part:

"(c) The State or a county shall have no duty to warn of dangerous natural conditions on unimproved public lands."

“(d) If a warning sign, device, or system is posted or established in accordance with this section on unimproved lands, the posting or establishment of the warning sign, device, or system shall not create a duty on the part of the State or county to warn of other dangerous natural conditions on unimproved lands or to place or establish an additional warning sign, device, or system in other locations on the unimproved lands.”

. It clearly states that the state has no duty in the situation which is one of the elements of a negligence claim and which is the subject of this bill. HAJ is of the opinion that the DLNR has over reacted in closing a particular site to rock climbers. Further it can post a sign that will give it the protection it needs and allow the rock climbing community to participate in their sport.

Further, the proponents stated in testimony on a bill heard in the Senate that there is an insurance program available which could indemnify the state in the event there is an injury and the injured person decides to bring a claim.

There are clearly alternative to granting absolute immunity which creates bad public policy especially where there have been no lawsuits filed against the state by rock climbers for any injuries sustained and there does not appear to be a crisis in this regard.

HAJ would also like to refer to a study on tort law done several years ago where the task force made this finding as part of its report:

HAJ requests that this bill be held and that DLNR look to other alternatives and open the subject land to rock climbers. Thank you very much for allowing me to testify in OPPOSITION to this measure. Please feel free to contact me should you have any questions or desire additional information.



Protect America's Climbing

February 25, 2013

Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

RE: Access Fund Testimony in Support of HB 625

Dear JUD Committee Members,

I, R.D. Pascoe, Policy Director for the Access Fund, am writing in support of House Bill 625. The Access Fund is the only national advocacy organization whose mission keeps climbing areas open and conserves the climbing environment. A 501(c)3 non-profit supporting and representing over 2.3 million climbers nationwide in all forms of climbing—rock climbing, ice climbing, mountaineering, and bouldering—Access Fund is the largest US climbing organization with over 11,000 members and affiliates. We currently hold memorandums of understanding with the Bureau of Land Management, National Park Service, and Forest Service to help define rules for how climbing will be managed on federal land.¹ The Access Fund works with public land managers and local climbers across the country to develop and implement management strategies to alleviate concerns over liability and resource conservation. Many of our members regularly climb in Hawaii. For more information about the Access Fund, visit www.accessfund.org.

TESTIMONY

HB 625 is a reasonable means to address the Department of Land and Natural Resources' (DLNR) fear of liability associated with allowing rock climbing on State lands. However, HB 625 should be amended to remove the provision related to general liability protection for the State under Section 520 (Landowner Liability). This provision was combined with the rock climbing specific provision in an earlier committee hearing and each provision should be discussed separately given the difference in their intent and scope. Although, bringing State lands under the protections of Section 520 (Landowner Liability) may be a worthwhile idea, it is one that needs independent discussion and assessment. Thus, the Access Fund is specifically supporting the provision regarding Section 662 (State Tort Liability Act) of HB 625, which only pertains to limiting State liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering.

Based on my experience working with land managers and local climbers from across the country, climbing's popularity is rising throughout the US. Hawaii's climbing resources are unique and draw local, mainland, and international climbers from near and afar. Outdoor

recreation is an important economic force nationally and for individual states. According to the Outdoor Industry Association's report *The Outdoor Recreation Economy 2012*² outdoor recreation provides: 6.1 million direct American jobs; \$646 billion in direct consumer spending each year; \$39.9 billion in federal tax revenue; and \$39.7 billion in state/local tax revenue. According to OIA's *State Recreation Economy Reports*,³ in Hawaii outdoor recreation generates: \$67 billion in consumer spending; 65K direct Hawaiian jobs; \$2.1 billion in wages and salaries; and, \$478 million on state and local tax revenue.

In addition to its economic value, outdoor recreation connects people to the natural world in a healthy and positive manner. People who recreate care deeply for the places they use and are often the best stewards. HB 625 provides DLNR the protection they feel is necessary to re-open Oahu's public lands to climbing. Given the budget constraints and disperse nature of rock climbing on Oahu, it is difficult for DLNR to manage climbing without some assurance that they will not be held liable for the inherent risk knowingly encountered by all climbers.

Overview of Landowner Immunity Statutes

In today's litigious society, private landowners and public land managers must concern themselves with the issue of liability. The fear of a lawsuit is often enough to prevent private landowners from opening their land to recreation even though they would like to share their land with the public. Public land managers must also deal with the issue of liability and may even use it as one reason to restrict access, such as DLNR has done. Most states have enacted laws that greatly limit both private and public landowner liability. On the private side, these laws are called Recreational Use Statutes. For public land, the governing law is usually the state's Governmental Immunity Act or State Tort Claims Act.

These laws are important for the future of outdoor recreation as they shift the burden of responsibility to recreationists and away from private landowners and public land managers. Private landowners and public land managers are more likely to welcome recreational activities such as climbing if they are protected from liability. Access Fund has always stressed personal responsibility for climbing and this notion is supported by these laws and HB 625. While most states currently have laws that limit landowner liability, these laws can vary greatly from state to state. The purpose of the following information is to provide a general picture of how these laws work regarding public landowner liability.

Public Landowner Liability

Liability is a concern for public landowners (e.g. city or state owned parks), however the laws affecting their liability are more complex and less consistent on a state by state basis than those concerning private landowners. In recent decades, the very old doctrine of "sovereign immunity" has been abolished in almost every state. The idea of sovereign immunity dates back to the English notion that "the King can do no wrong." Therefore, under the doctrine of sovereign

immunity, an injured party could not bring a negligence lawsuit against federal, state, or to a limited extent, local governments.

Unfortunately, the demise of sovereign immunity coupled with record numbers of people using public land has resulted in more and more lawsuits against public parks and recreation sites. Public land managers are therefore acutely aware of liability and necessarily take steps to minimize their chances of being sued. This can ultimately result in restricting access to recreationists as public land managers seek ways to avoid potential injuries and subsequent lawsuits. Fortunately, there are laws in each state that define the scope of governmental liability.

Laws affecting public landowner liability

In the absence of sovereign immunity, every state has enacted some form of a State Tort Claims Act or Governmental Immunity Act which serves as the primary basis for tort liability for municipal, county, school, and state governmental bodies. On the federal level, the Federal Tort Claims Act serves as a basis for liability. Many state Tort Claims Acts follow the same format as the federal one. What this basically means is that each state has enacted a law that outlines the limit or extent of its liability. In other words, some states are "always subject to liability unless", while others are "never subject to liability unless..." To further confuse the issue, some state courts have held that the state Recreational Use Statute was applicable to governmental entities so as to relieve the government of liability for injuries sustained by users of recreational areas. Whether or not a Recreational Use Statute applies to public land depends on the language of the statute and on the case law of each individual state.

State Tort Claims Acts (Governmental Immunity Statutes)

A state's tort claims act defines the scope of governmental liability (usually on a state, county, and municipal level). Some states follow the Federal Tort Claims Act and hold public agencies to the same negligence standards as private individuals. (e.g. Nebraska, New Jersey, North Dakota, Ohio, Pennsylvania) In these states, it is likely that the courts have interpreted this to mean that public entities are entitled to the same legal defenses that a private property owner would have in the same circumstances including the state's Recreational Use Statute. Therefore, in some states, public agencies may use recreational use statutes and governmental immunity statutes to escape liability for recreation user injuries.

Some states, however, do not hold public entities to the same standards as private individuals. For instance, some courts reject the applicability of recreational use statutes to public entities if the Recreational Use Statute is inconsistent with other statutes that specifically limit or extend landowner liability to public entities. In other words, if there is a specific statute (i.e. a State Tort Claims Act) that addresses public landowner liability, it will most likely be interpreted to govern even if a recreational use statute also seems to provide liability protection to a public landowner. If the Recreational Use Statute is silent on the issue, the State Tort Claims Act may control. Again, this varies from state to state.

Some states have gone beyond the Recreational Use Statute and enacted recreational liability immunity legislation specifically for public agencies. (e.g. Virginia, Kansas, Minnesota) Similarly, California's State Tort Claims Act specifically provides immunity on public unimproved lands and was the basis of another bill due in front of this committee, SB 1285. Public landowner liability undoubtedly affects all users of public land. Most governmental immunity statutes address recreational users as a whole without singling out climbing. Colorado, Tennessee, Alabama, Vermont, Virginia, Washington, New Hampshire, and Wisconsin specifically list rock climbing in their recreational use statute.

Conclusion

Unfortunately, Hawaii's recreational use statute specifically excludes state lands and therefore provides DLNR with no protection against suits. Although HB 625 brings state lands under the protection of Hawaii's recreational use statute by striking language in SECTION 2, Section 520-2 (Landowners Liability), this measure may need independent review. However, the provision of HB 625 that provides addition language to SECTION 1, Chapter 662 (State Tort Liability Act) is an effective measure that will allow DLNR to re-open public lands to climbing. Passing the rock climbing specific provision of HB 625 will not change the State or Counties current duties, it will simply clarify the types of injuries that are not reasonable for the State or Counties to protect against while providing a means for reducing the cost of defense, which can be substantial. HB 625 is a reasonable measure that will allow DLNR to re-open public lands to climbing and will bring Hawaiian law up to date with other states that all generally allow rock climbing on state lands.

Please feel free to utilize the Access Fund as a resource as HB 625 moves forward.

Best Regards,



R.D. Pascoe
Policy Director
Access Fund

¹ http://www.accessfund.org/site/c.tmL5KhNWLrH/b.5000797/k.40E2/Collaboration_with_federal_agencies.htm

² http://www.outdoorindustry.org/research/economicimpact.php?action=detail&research_id=167

³ <http://www.outdoorindustry.org/advocacy/recreation/economy.html>

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Morgan	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HB625

Submitted on: 2/24/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Benjamin Lim	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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February 25, 2013

Testimony in Support of House Bill 625

To: Chair Rhoads, Vice Chair Har and members of the Judiciary Committee

Submitted by: Chris Farrar, Individual and Resident of Honolulu

Dear Committee Members,

This bill seems like a “no-brainer.” Climbers will climb, just as surfers will surf. They do it because they absolutely love to do it. Why not protect the State from liability from this recognizably risky activity, just as has been done with surfing and skateboarding? It just seems to make sense. The climbers want it. It would benefit the State. The only people that are opposed to the bill seem to be a group of lawyers that would personally benefit financially from lawsuits filed against the State down the road. Please... for the sake of all that is sensible, please pass this bill.

Sincerely,

Chris Farrar

I, Daniel Langdon, *STRONGLY SUPPORT* HB 625 regarding landowner liability.

As I understand it, this bill will protect the state and other landowners from liability resulting from people participating in various activities including climbing, hiking, paragliding, and sky-diving.

In particular, this bill is critically important for securing public access to public lands on which these activities are undertaken.

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dawn Bruns	Individual	Support	Yes

Comments: I am writing to ask you to support HB625, relating to Chapter 622, HRS, limiting State liability related to rock climbing on government land. Last year, Governor Abercrombie's administration closed the world-class Mokuleia rock climbing area near my home on the North Shore of Oahu due to liability concerns and it is my understanding that climbing would be permitted at Mokuleia if this bill (and its Senate companion bill SB 1186, which has been unanimously approved by all the necessary Senate committees) is passed into law. Before its closure, I used to spend Sunday afternoons up at the Mokuleia rock climbing area with my climbing friends. I'm a biologist and my weekly Sunday afternoon rock climbing friends include an archaeologist, an event planner at an exclusive resort, a UH professor, a KTUH DJ, an appliance repair man, a home inspector, a couple of retired people, a building contractor, a handful of Army men and women, a registered nurse, a professional dancer, a cancer lab pathologist, and others. I live on the North Shore for its world class rock climbing and my husband, a local windsurfer and towsurfer, has owned a home at Sunset Beach for 25 years. I'm a top roper (the rope is always supporting my harness so the rope catches me and I hang without falling, safe). Climbing at the Mokuleia crag is a safe and enjoyable. I assume the risks inherent to rock climbing. The Mokuleia crag is so clean and well-maintained and rivals the safety record of any crag in the world. We live on the North Shore because of the world class climbing and surfing. Closure of the rock climbing area has severely affected the way of life for many long-time residents and we really appreciate your assistance with this rock climbing liability bill. I am writing to ask you to pass HB625 in favor of the 500 local climbers and 1000+ worldwide climbers who fly here to climb, whose lives are adversely affected by the Governor's closure of the Mokuleia climbing area, and in favor the State, which should be protected from liability (as other states are) by a reasonable up-to-date liability law such as this one. Thank you very much for scheduling time to assist us.

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Feb 26, 2013 Testimony in Support of HB 625

To: Chair Rhoads, Vice Chair Har and members of the Judiciary Committee

Submitted by Debora Halbert Individual and Resident of Honolulu

I am writing in support of **HB 625** because it is my hope that sensible legislation like this bill will address the Department of Land and Natural Resources' (DLNR) fear of liability stemming from the possibility of someone getting injured while rock climbing on State lands. I respectfully request that the committee **amend the current HB 625 to remove Section 2 related to general liability protection for the state under Section 520.**

These sections were combined from two independent bills in earlier committee hearings and I believe they should be discussed separately given the difference in intent and scope of the legislation under consideration. While the more general revision of 520 may be a worthwhile idea, it is one that needs independent discussion and assessment. Thus, my support is specifically for Section 1 of the current version of HB 625 which specifically pertains to limiting State liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering.

In addition to my testimony, I am attaching the initial two petitions signed by over 1200 people requesting that the DLNR re-open climbing on Oahu. While the comments are not attached to the names, those who did comment were clear that they understood the inherent risks of rock climbing and strongly supported allowing climbers to climb.

I respectfully request that Section 2 of the current version of HB625 be replaced with the following language to better clarify the activities for which we seek liability protection for the State:

SECTION 2. Section 662-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

""Bouldering" refers to a style of rock climbing undertaken outdoors without rope and normally done on large natural boulders.

"Rock climbing" means any activity involving the use of rope to ascend or descend rock."

Activities such as rock climbing deserve to be treated similarly to Hawaii's skateboarding, watersport, and ocean activities, all of which have statutes limiting State liability for these hazardous recreational uses. We believe it is important to offer such protection for a number of critical reasons including: the legal climate in Hawaii, the inherent risk of rock climbing (much like the inherent risk involved in skateboarding or surfing), DLNR's admission that they lack the staff and expertise to manage and oversee climbing sites, and the ongoing DLNR practice of closing public lands out of fear of litigation.

Furthermore, HB 625 should be passed because it is a **win-win situation**. Why do I believe this?

1) By passing this bill, the legislature will add no additional expense to the DLNR's already meager budget. Indeed, the measure will save DLNR money because they would not be compelled to manage the sport and thus passage of this bill supports the status quo prior to the closure of the area. The Oahu climbing community numbering approximately 500 individuals, already does a great job of managing its climbing areas. In the 22 year history of climbing on the island, Oahu's rock climbers have maintained the climbing trails, picked up trash in and around the climbing areas, including the nearby roads and beaches, maintained all the climbing routes with the same standards used worldwide in other tropical localities, invested in thousands of dollars into safety equipment, including rescue litters and spare helmets at its climbing sites, and much more. These activities have been done voluntarily and privately over the last 20 years and passage of this legislation will allow for the status quo arrangement to continue.

2) The measure will potentially save taxpayers money in the event someone is injured while engaging in this inherently dangerous sport. The DLNR budget and staff are already stretched thin and DLNR supports this legislation, as well as more comprehensive liability reform. Hawaii offers a bountiful array of recreational activities, and we as a society must accept that reasonable people who pursue these activities (such as mountain climbing, rock climbing, rappelling, and bouldering) accept all natural and inherent risks that come along with them. Whenever someone participates in these climbing activities, there are immediate and obvious risks that are essential qualities of the sport that cannot be entirely removed or mitigated; there should be no legal grounds for holding the State liable for damages resulting from such risks. Furthermore, it is a longstanding ethic in climbing communities that each individual is responsible for all aspects of their well-being. One climbs at one's own risk, as is stated at the beginning of all guidebooks. Banning participation in these activities (as the DLNR has done at most Oahu sites) cannot be the solution.

3) The historical safety record of rock climbing in Hawaii is nearly impeccable. Mr. Robert Turan, National Park Service Ranger, (who submitted testimony in support of SB1168, the companion to this bill to this legislation), has suggested that no other climbing area on the mainland has maintained a better safety record than that of the Mokuleia climbing site on Oahu. Additionally, Mr. Turan, who is a Rescue Ranger with safety oversight at several mainland climbing areas on Federal lands, clearly identified the variety of safety measures that Oahu rock climbers have voluntarily emplaced at our climbing sites as factors for this amazing safety record. As he said in his testimony,

"I visited the North Shore of Oahu the spring of 2012, specifically to rock climb at the Mokuleia Crag, an incredible basalt cliff that I had heard so much about from friends in the climbing community and in various magazine articles. Everything about the Mokuleia rock climbing crag, from the hike in, to the quality and texture of the smooth basalt, to the unique and safe top roping system, is of a world-class nature. I absolutely loved climbing at The Moke. I was very impressed that a cache was on site with safety equipment including a litter, helmets, rope and so forth. I have never seen such dedication placed into an area, nor such thorough attention to safety and on-site preparedness for a carry out operation in the event of an injury. The effort the Hawaii climbers have made to be safe, and to be self-sufficient in performing a carry out is

unparalleled in my extensive experience. In addition, the very well-maintained bolts and “string system” the local climbers have developed at the Mokuleia crag enables ropes, for top-roping, to be put into place from the ground, without any of the environmental damage that often occurs along the top of climbing cliffs. Because of this system, climbers at the Mokuleia wall don’t have to access the fragile environments above the solid basalt crag. The Mokuleia crag’s rock quality, measures for safety, thoroughness of maintenance, and attention to ensuring adverse impacts to the environment are avoided are, in my professional opinion, world class. The Mokuleia Crag’s safety record is superior – 20+ years with only one serious injury (which resulted in the Crag’s closure last spring) is excellent.”

I challenge anyone to identify a single other sport with a better safety record than that of the rock climbing community. However, fear of liability has undermined our efforts and our ability to pursue our passion for rock climbing.

4) The rock quality upon which climbers climb in Hawaii is no more dangerous than other climbing areas on the mainland. Many residents erroneously believe that Hawaii lacks suitable cliffs and rock substrate for rock climbing. However, rock climbing on Oahu occurs on what is known as ‘blue rock’ basalt cliffs comprised of the same extremely hard and dense ‘blue rock’ stone that has been used for decades as curbsides along our streets and roadways and as building materials past and present. A quick stroll through Chinatown or past many of Honolulu’s historic buildings will attest to the structural integrity of Hawaii’s ‘blue rock’ stone, the same which rock climbers utilize for their sport in Hawaii.

5) The National Park Service considers rock climbing a “welcomed and historic use of public lands” and the State of Hawaii should take a similar stance as its own Na Ala Hele program does toward the maintenance and protection of trails, historic and otherwise. As a very active member of the climbing community, I can assure you that the sport of rock climbing has and is increasingly growing in importance to the concept of Hawaii as a fun and healthy place to recreate for both visitors and residents. Currently, Oahu’s 500 rock climbers have nowhere to climb, and the roughly 1,000 annual visitors that travel to Oahu to climb are going elsewhere. While rock climbing is a drop in the bucket compared to Oahu’s surfing industry or its surfing ‘attractiveness’, eliminating options for recreation is bad business. Rock climbing is an important component of the overall Oahu ecotourism industry and to suggest otherwise indicates an uninformed opinion.

The current climate of fear brought on by the failure of the state to revise Hawaii’s tort laws related to hazardous recreational use over the last decade has meant that DLNR’s has been reduced to closing areas once an individual is injured or killed instead of continuing to offer the opportunity for locals and visitors alike to enjoy the outdoors. Given the changing nature of recreational use across the country, such a practice will continue put recreational users at odds with state policy in greater numbers. Recall the 1980s bumper stickers “skateboarding is not a crime,” the same thing applies to rock climbing in Hawaii in the 21st century.

So while DLNR's fear of liability is not due to any reasonable expectation (based upon our historical safety record) that climbers will be seriously injured climbing, it is not unreasonable for DLNR to fear liability itself (recall the \$15.4 million Brem case) because our liability laws are out of date and favor Hawaii's trial attorneys. The fact that only the Hawaii Association for Justice opposes this bill speaks volumes.

As members of the Judiciary are perhaps aware, Hawaii's recreational use statutes have not been revised since initially promulgated in the 1960s. We feel that this piece of legislation is a step in the right direction towards more comprehensive hazardous recreational use reform.

To: Office of the Chairperson, William J. Aila Jr, DLNR, Guy H. Kaulukukui, Deputy to the Chair, DLNR, Daniel S. Quinn, Administrator, DLNR, and Barry Cheung, DLNR

Subject: **Re-Open Access to Climbing at Mokuleia**

Letter: Greetings,

I just signed the following petition addressed to: Hawaii Department of Land and Natural Resources.

Open Access to Climbing on Oahu

In June of 2012 the DLNR closed the most significant climbing area on Oahu in reaction to an accident. Given that Mokuleia is virtually the only climbing area of quality on the Island, is relied upon by local and visiting climbers alike, is maintained voluntarily and has had few accidents in its 20 year existence, the reaction of the DLNR is excessive and should be rescinded. We are asking that the DLNR restore access to Mokuleia to climbers. Climbers in turn seek to be involved in the rule making procedures that will ensure long term access to public lands for hiking and climbing well into the future.

Sincerely,

Signatures

Name	Location	Date
Debora Halbert		2012-07-14
Eva Bosch	Honolulu, HI, United States	2012-07-16
Peter Plotzeneder	Honolulu, HI, United States	2012-07-16
joe leismer	Columbus, OH, United States	2012-07-16
Sayar Kuchenski	Honolulu, HI, United States	2012-07-16
Wendy Gibson	Honolulu, HI, United States	2012-07-16
Douglas Noyes	Honolulu, HI, United States	2012-07-16
Joseph Mazarella	Wahiawa, HI, United States	2012-07-16
Shannon Halbert	GRAHAM, WA, United States	2012-07-16
Michael Bishop		2012-07-16
Elizabeth Barney	Honolulu, HI, United States	2012-07-16
Dawn Greenlee	Waialua, HI, United States	2012-07-16
Lisa Ellsworth-Johnson	Honolulu, HI, United States	2012-07-16
David Dominguez	Lakewood, CO, United States	2012-07-16
Jean Juliano	San Francisco, CA, United States	2012-07-16
Patrick Jones		2012-07-16
Jennifer Eck	honolulu, HI, United States	2012-07-16
Ariel Ramos	Aiea, HI, United States	2012-07-16
matt stelmach	Haleiwa, HI, United States	2012-07-16
Lenni Duncanson	Boulder, CO, United States	2012-07-16
Mike Hilbert	Tucson, AZ, United States	2012-07-16
Benjamin Lim	Honolulu, HI, United States	2012-07-16
Steven Cogburn	Honolulu, HI, United States	2012-07-16
Joseph Shacat	Honolulu, HI, United States	2012-07-16
Gabriel Da Rosa	Haleiwa, HI, United States	2012-07-16
jennifer harkness	Seattle, WA, United States	2012-07-16
Christopher Bruns	Haleiwa, HI, United States	2012-07-16
Alexandra French	Honolulu, HI, United States	2012-07-16
Kenneth McKell	Honolulu, HI, United States	2012-07-16
Colleen Fox	Honolulu, HI, United States	2012-07-16

Name	Location	Date
Lee Paiva	thornton, CO, United States	2012-07-16
Rhiannon Burk	Boulder, CO, United States	2012-07-16
Lisa Privitera	Kaneohe, HI, United States	2012-07-16
Christin Shacat	Honolulu, HI, United States	2012-07-16
Jennie Zhu	Waianae, HI, United States	2012-07-16
Jamie Ahlman	Kailua, HI, United States	2012-07-16
britton warfield	Kailua, HI, United States	2012-07-16
Eric Phillips	honolulu, HI, United States	2012-07-16
Jerrold Cavasin	Henderson, TN, United States	2012-07-16
Benjamin Botelho	Albany, NY, United States	2012-07-16
david thompson	harrison, AZ, United States	2012-07-16
Ben Gordon	La Canada, CA, United States	2012-07-16
Alex Davis	Carlsbad, CA, United States	2012-07-16
Steve Tocco	Erie, CO, United States	2012-07-16
Bob Gray		2012-07-16
David Stallard	Oakland, CA, United States	2012-07-16
Jonathan Bitter	Waco, TX, United States	2012-07-16
Kenneth Noyce	Mentone, CA, United States	2012-07-16
Matthew Kievlan	Pearl City, HI, United States	2012-07-16
Marsh Flint	Salt Lake City, UT, United States	2012-07-16
Roland Deschain	Midway, KY, United States	2012-07-16
Keith Zittle	Boulder, CO, United States	2012-07-16
Brian Kincher	Fort Collins, CO, United States	2012-07-16
jonathan dickey	half moon bay, CA, United States	2012-07-16
Greg Previte	Brick, NJ, United States	2012-07-16
Jeff Broussard	Boulder, CO, United States	2012-07-16
Josh Kornish	Missoula, MT, United States	2012-07-16
Alex McIntyre	Tucson, AZ, United States	2012-07-16
Jordan Searchfield	Alabaster, AL, United States	2012-07-16
Jon Barlow		2012-07-16
Duc Ong	Honolulu, HI, United States	2012-07-16
Ryan Chang	Honolulu, HI, United States	2012-07-16

Name	Location	Date
Ken Clark	State College, PA, United States	2012-07-16
Matt Roberts	Worthington, OH, United States	2012-07-16
beau Elliott	Mililani Town, HI, United States	2012-07-16
Olaf Mitchell	Paia, HI, United States	2012-07-16
Rita Scott	Honolulu, HI, United States	2012-07-16
Kari Clark	State College, PA, United States	2012-07-16
Kiley Borrevik	Columbia City, OR, United States	2012-07-16
Ryan Nevius	San Luis Obispo, CA, United States	2012-07-16
Jessica Ensign	Bakersfield, CA, United States	2012-07-16
William Winford	Florence, KY, United States	2012-07-16
Eric Hoover	Golden, CO, United States	2012-07-16
Devon Ayres	Del Mar, CA, United States	2012-07-16
Sam Bingner	Mililani Town, HI, United States	2012-07-16
Sue Donaldson	Denver, CO, United States	2012-07-16
Maria Christina Patricia Quiason	Honolulu, HI, United States	2012-07-16
Carla Shearon	Bloomfield, NE, United States	2012-07-16
Lyndsi Schuesler	Salem, MA, United States	2012-07-16
Aaron Rough		2012-07-16
Hang Boge	Honolulu, HI, United States	2012-07-16
Jonah Thompson	Pittsburgh, PA, United States	2012-07-16
Franco Gallardo	Honolulu, HI, United States	2012-07-16
Cynthia Yoshimoto	Honolulu, HI, United States	2012-07-16
Fumi Richardson	Honolulu, HI, United States	2012-07-16
Reid Sueyoshi	Honolulu, HI, United States	2012-07-16
Olly Scott-Dye	Kailua, HI, United States	2012-07-16
Matt Lutey	Haleiwa, HI, United States	2012-07-16
Karl Vorwerk	Honolulu, HI, United States	2012-07-16
Andrew Sletten		2012-07-16
Melissa Wagner	Cincinnati, OH, United States	2012-07-16
Jonathan Ramirez	Corvallis, OR, United States	2012-07-16
Patrick Pyo	Waipahu, HI, United States	2012-07-16
Aaron Efferson	Honolulu, HI, United States	2012-07-16

Name	Location	Date
Mark Slivka	Honolulu, HI, United States	2012-07-16
Mark Mueller	Flagstaff, AZ, United States	2012-07-16
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Ben Mahaffey	Duluth, MN, United States	2012-07-16
Shannon Morgan	Honolulu, HI, United States	2012-07-16
Patrick Mulligan	Reno, NV, United States	2012-07-16
Mac Mccaleb	Phoenix, AZ, United States	2012-07-16
Raymond Ilagan	Chicago, IL, United States	2012-07-17
Robert Boller	Honolulu, HI, United States	2012-07-17
Dana Hada	Waipahu, HI, United States	2012-07-17
Rosanna Ho	Honolulu, HI, United States	2012-07-17
Kelly Yeates	Mililani, HI, United States	2012-07-17
Steven Nedorolik	Divide, CO, United States	2012-07-17
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Baron Yamamoto	Mililani Town, HI, United States	2012-07-17
Nancy Sanders	palatine, IL, United States	2012-07-17
Rikki Hickey	Mililani, HI, United States	2012-07-17
Randy Glidden	Honolulu, HI, United States	2012-07-17
Jake Bartell	Phoenix, AZ, United States	2012-07-17
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Kitt Turner	Honolulu, HI, United States	2012-07-17
Jeffrey Bishop	Broomfield, CO, United States	2012-07-17
chris summit	santa rosa, CA, United States	2012-07-17
Benny Kong	San Francisco, CA, United States	2012-07-17
joanna rasmussen	San Francisco, CA, United States	2012-07-17
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Jeremy Yee	Martinez, CA, United States	2012-07-17
Curt Shannon	Gilbert, AZ, United States	2012-07-17
Denise Tucker	Santa Rosa, CA, United States	2012-07-17
Jeff McCloud	Kapolei, HI, United States	2012-07-17
Edgar Gongora	Kapolei, HI, United States	2012-07-17
Kristin Halbert	Mililani, HI, United States	2012-07-17

Name	Location	Date
Shay Schiefelbein	kenmore, WA, United States	2012-07-17
Cory Yap	Honolulu, HI, United States	2012-07-17
kevin reichenthaler	Huntington beach, CA, United States	2012-07-17
Joshua Cook	Broomfield, CO, United States	2012-07-17
Ian McGarraugh	Quartz Hill, CA, United States	2012-07-17
Bryan Gall	New Castle, CO, United States	2012-07-17
Luke Maechler	Bozeman, MT, United States	2012-07-17
Christopher Norwood	Fallbrook, CA, United States	2012-07-17
Mike Whipple	Emeryville, CA, United States	2012-07-17
Sina Wong	Campbell, CA, United States	2012-07-17
Doug McGraw		2012-07-17
Kyle Merlic	Los Angeles, CA, United States	2012-07-17
Todd Hammond	KANEOHE, HI, United States	2012-07-17
Ilan Rubin		2012-07-17
miki Marvel	San Francisco, CA, United States	2012-07-17
amy popplewell	San Rafael, CA, United States	2012-07-17
Al Provorse	Lincoln, NE, United States	2012-07-17
Michael Schneider	Glenwood Springs, CO, United States	2012-07-17
Karina Abrams	Honolulu, HI, United States	2012-07-17
Lee Brinckerhoff	Albuquerque, NM, United States	2012-07-17
robin halbert		2012-07-17
Matt Samet	Boulder, CO, United States	2012-07-17
Steve Richey	Kailua, HI, United States	2012-07-17
James Darden	Temecula, CA, United States	2012-07-17
Jerry Dodrill	Sebastopol, CA, United States	2012-07-17
Amy Forsyth		2012-07-17
Chad Snyder	Kailua, HI, United States	2012-07-17
Rajan Ponnappan	MOUNTAIN VIEW, CA, United States	2012-07-17
Chess Pettengill		2012-07-17
Emmanuel Lacoste	Westlake Village, Cambodia	2012-07-17
Nick Milan	Kaneohe, HI, United States	2012-07-17
Michael Boutet	Cincinnati, OH, United States	2012-07-17

Name	Location	Date
Cody Yafuso	Aiea, HI, United States	2012-07-17
Satish Bardewa	Gangtok, India	2012-07-17
patrick murphy	Aiea, HI, United States	2012-07-17
Paul Cavallaro	Honolulu, HI, United States	2012-07-17
Grant Hashimoto	Honolulu, HI, United States	2012-07-17
Marcus Griego	Honolulu, HI, United States	2012-07-17
Julieann Pruet	Waianae, HI, United States	2012-07-17
Jade Rodrigues	Kapolei, HI, United States	2012-07-17
Magnus Johnson	Edinburgh, United Kingdom	2012-07-17
Peter Korade	Waipahu, HI, United States	2012-07-17
Cory Rothwell	Honolulu, HI, United States	2012-07-17
malcolm jitam	Kuching, Malaysia	2012-07-17
Christine Kozelka	Brainerd, MN, United States	2012-07-17
Charissa Terada	Waipahu, HI, United States	2012-07-17
Larry Day	Honolulu, HI, United States	2012-07-17
Kehaunani Llanos	Mililani, HI, United States	2012-07-17
Christine Miyasaki	Ewa Beach, HI, United States	2012-07-17
sophia pelekai		2012-07-17
Lawrence Housley	Hamilton, OH, United States	2012-07-17
Dominic Metcalf	Prescott, AZ, United States	2012-07-17
malieka landis	Reno, NV, United States	2012-07-17
Patrick Walsh	Natick, MA, United States	2012-07-17
Celeste Decker	Rohnert Park, CA, United States	2012-07-17
Jason Miller	Schaumburg, IL, United States	2012-07-17
Chris Hannes	Kenosha, WI, United States	2012-07-17
Ryan Culp	prospect, KY, United States	2012-07-17
Simone Nicolo	Boulder, CO, United States	2012-07-17
Mark Nelson	Conifer, CO, United States	2012-07-17
Andrea Prantner	Boulder, CO, United States	2012-07-17
ben brown	atlanta, GA, United States	2012-07-17
Ryan Montgomery	Santa Cruz, CA, United States	2012-07-17
Trevor Schlossnagle	Phelps, NY, United States	2012-07-17

Name	Location	Date
Cody Hanson	Napa, CA, United States	2012-07-17
Andrew Cassidy	Bozeman, MT, United States	2012-07-17
Jason Burd	Carnelian Bay, CA, United States	2012-07-17
Michael Lee	Honolulu, HI, United States	2012-07-17
Colin Brochard	Pinole, CA, United States	2012-07-17
Donn Viviani		2012-07-17
Greg Khng	College Place, WA, United States	2012-07-17
Vicki Nakata	Honolulu, HI, United States	2012-07-17
Robert Heverly	Glenville, NY, United States	2012-07-17
Dan MacNeill	Honolulu, HI, United States	2012-07-17
Steve Dew	Arvada, CO, United States	2012-07-17
Alexis Sonnenfeld	Joshua Tree, CA, United States	2012-07-17
Michael Cabus	United States	2012-07-17
Brian Bilsky	Honolulu, HI, United States	2012-07-17
ashley lukens	Honolulu, HI, United States	2012-07-17
Lisa Sheridan	Lihue, HI, United States	2012-07-17
Azusa Barber	Bellingham, WA, United States	2012-07-17
Rebecca Simpson	Honolulu, HI, United States	2012-07-17
nicholas bowman	waiialua, HI, United States	2012-07-17
Tobias Friedrich	Honolulu, HI, United States	2012-07-17
Jason Hogan	Stateline, NV, United States	2012-07-17
Somemr Davis		2012-07-17
Ferdinand Buquing	Waipahu, HI, United States	2012-07-17
Nancy Lee	Bozeman, MT, United States	2012-07-17
Bruce Morris	Belmont, CA, United States	2012-07-17
Sandra Powers	sarasota, FL, United States	2012-07-17
Elizabeth Robnett	Kailua, HI, United States	2012-07-17
Lynda Wacht		2012-07-17
Corie Beer	Haleiwa, HI, United States	2012-07-17
Yoram Baxter		2012-07-17
Rob Hunter	New Albany, OH, United States	2012-07-17
Gina Pusateri	Olmsted Falls, OH, United States	2012-07-17

Name	Location	Date
Lisa Horkin	Columbus, OH, United States	2012-07-17
Seth Reiss	Honolulu, HI, United States	2012-07-18
Phillip Katzman	Kailua, HI, United States	2012-07-18
James Kraemer	Salem, MA, United States	2012-07-18
Marco Reynaga	Salt Lake City, UT, United States	2012-07-18
Ian Francis	Alexandria, VA, United States	2012-07-18
Benoit Lavallée	Montréal, Canada	2012-07-18
Sankaran Krishna	Honolulu, HI, United States	2012-07-18
Ashley Davis	Lahaina, HI, United States	2012-07-18
Dylan Herrmann	Northridge, CA, United States	2012-07-18
giuseppe cavallo	new hope, PA, United States	2012-07-18
Jay Perry	Chattanooga, TN, United States	2012-07-18
Andrew Blease	Wilson, NC, United States	2012-07-18
severine Busquet	Honolulu, HI, United States	2012-07-18
Jake Dunn	Minneapolis, MN, United States	2012-07-18
Forrest Lundstrom	Littleton, CO, United States	2012-07-18
Michael Manni	Phila, PA, United States	2012-07-18
Doug Halbert	Redmond, WA, United States	2012-07-18
Derrick Krause	Palatine, IL, United States	2012-07-18
Mostafa Noori	Las Vegas, NV, United States	2012-07-18
George Bracksieck		2012-07-18
David Chatsuthiphan	Honolulu, HI, United States	2012-07-18
Mikel Cronin	Rapid City, SD, United States	2012-07-18
Damien Ternes	Littleton, CO, United States	2012-07-18
Thomas Carter	Wheat Ridge, CO, United States	2012-07-18
Robert Anderson	Waipahu, HI, United States	2012-07-18
Stephanie Smith	rockville, MD, United States	2012-07-18
Laura Ramos	Wheat Ridge, CO, United States	2012-07-18
Jeffrey Johnson	Aiea, HI, United States	2012-07-18
Del Brown	Honolulu, HI, United States	2012-07-18
June Huang	Sunnyvale, CA, United States	2012-07-18
Garret Murayama	Mililani, HI, United States	2012-07-18

Name	Location	Date
Keith Okuna	Honolulu, HI, United States	2012-07-18
Eugene tschudy	Aiea, HI, United States	2012-07-18
anthiny ambuehl	San Francisco, CA, United States	2012-07-18
Alex Colby	Hauula, HI, United States	2012-07-18
Jennifer Mui	Honolulu, HI, United States	2012-07-18
Christoph Lagger	Seeboden, Austria	2012-07-18
Caron Ling	Honolulu, HI, United States	2012-07-18
Gustav Larson	Årsta, Sweden	2012-07-18
Joe Orn	Canton, OH, United States	2012-07-18
Alex Garcia	San Jose, CA, United States	2012-07-18
Terry Drengson	Tempe, AZ, United States	2012-07-18
Andrew Carson	Wilson, WY, United States	2012-07-18
Ian Bohannon	Westville, IN, United States	2012-07-18
Gary Dunn	Baltimore, MD, United States	2012-07-18
James Evans	Cleveland, OH, United States	2012-07-18
Brian Havri	Winnipeg, Canada	2012-07-18
David Germer	Omaha, NE, United States	2012-07-18
James Berry	Oakville, Canada	2012-07-18
Mark Foster	Austin, TX, United States	2012-07-18
Dustin Drake		2012-07-18
Jeffrey Chrabaszcz	College Park, MD, United States	2012-07-18
Andrew Dotson	Severna Park, MD, United States	2012-07-18
Bryce Lord	Lexington, KY, United States	2012-07-18
Andrew Tittle	Louisville, CO, United States	2012-07-18
Jason Haas	Broomfield, CO, United States	2012-07-18
Matthew Lavoie	Overland Park, KS, United States	2012-07-18
Gary Newmeyer	Durango, CO, United States	2012-07-18
Amanda Dunn	Acworth, GA, United States	2012-07-18
Daniel Cucci	Tucson, AZ, United States	2012-07-18
Kyle Nottingham	Englewood, CO, United States	2012-07-18
Joe Stangel	Cincinnati, OH, United States	2012-07-18
Genevieve Netter	TUCSON, AZ, United States	2012-07-18

Name	Location	Date
Matt Clarke	Las Vegas, NV, United States	2012-07-18
John Hannam	Aiea, HI, United States	2012-07-18
Kyle Mansoor	Lawrence, KS, United States	2012-07-18
Jim Simmons	Waianae, HI, United States	2012-07-18
Frances Fierst	Denver, CO, United States	2012-07-18
Kurt Arend	Blue Diamond , NV, United States	2012-07-18
Kyle Coleman	St Thomas, Virgin Islands, U.S.	2012-07-18
Robert Rebel	Boulder, CO, United States	2012-07-18
Ryan Sadowski	Scottsdale, AZ, United States	2012-07-18
Jessica Killian	Ithaca, NY, United States	2012-07-18
Lucas Anaya	Tempe, AZ, United States	2012-07-18
Erick Barros	Marietta, GA, United States	2012-07-18
Michael Fujioka	Honolulu, HI, United States	2012-07-18
cindy parker	Waimanalo, HI, United States	2012-07-18
Ashley Chen	Cupertino, CA, United States	2012-07-18
Rachel Routson	Seattle, WA, United States	2012-07-18
mike yi	waiialua, HI, United States	2012-07-18
roland christopher Arsons	Hau'ula, HI, United States	2012-07-18
Thomas Therrien	Kailua, HI, United States	2012-07-18
Mac Stecko		2012-07-18
Jeff Butler	Ann Arbor, MI, United States	2012-07-18
Keala Fung	Haleiwa, HI, United States	2012-07-18
Rick Burison	Kansas City, MO, United States	2012-07-18
Daniel Hayes	Aurora, CO, United States	2012-07-18
James Denavit	Denver, CO, United States	2012-07-18
Christopher Richardson	Kailua, HI, United States	2012-07-18
Laurent Pool	Haleiwa, HI, United States	2012-07-18
Edyta Franczak	Hauula, HI, United States	2012-07-18
Preston Dominy	COPPELL, TX, United States	2012-07-18
David Taratko	Kailua, HI, United States	2012-07-18
Bonita Hobson	Kaneohe, HI, United States	2012-07-18
Lorna Havey	Klamath Falls, OR, United States	2012-07-18

Name	Location	Date
Andy Librande	Denver, CO, United States	2012-07-18
Dan Plinska	United States	2012-07-18
Ryan Henderson		2012-07-18
Scott Sinor		2012-07-18
Collin Petty	Fairfax, VA, United States	2012-07-18
Morgan Ross	Tucson, AZ, United States	2012-07-18
Dylan Richmond	RANCHO SANTA MARGARITA, CA, United States	2012-07-18
Jason Young	Los Alamos, NM, United States	2012-07-18
Pollyanna Fisher-Pool	Honolulu, HI, United States	2012-07-18
Jarib Porter		2012-07-18
Mark Lewis	Holladay, UT, United States	2012-07-18
Vaughn Engler	Boulder, CO, United States	2012-07-18
matthew ware	Syracuse, NY, United States	2012-07-18
Katherine Castle	Honolulu, HI, United States	2012-07-18
chris pliska		2012-07-18
Megan Merenda	Reno, NV, United States	2012-07-18
Rodolf Pan	Fairfax, VA, United States	2012-07-18
Steve Sosa	Los Angeles, CA, United States	2012-07-18
Nick Evans	athens, GA, United States	2012-07-18
Thomas Prindle	Kailua, HI, United States	2012-07-18
Luke Douglas	Snowbird, UT, United States	2012-07-18
Beatriz Fisher	Córdoba, Mexico	2012-07-18
Dennis Shaffer	waipahu, HI, United States	2012-07-18
Ryan Ford	San Diego, CA, United States	2012-07-18
John Chung	Honolulu, HI, United States	2012-07-18
Michele Sonen	Honolulu, HI, United States	2012-07-18
richard oleson	Honolulu, HI, United States	2012-07-19
Arnold Yago		2012-07-19
Yoshio Akaha	Honolulu, HI, United States	2012-07-19
Grace Singleton	Mililani, HI, United States	2012-07-19
Michael Johnson		2012-07-19

Name	Location	Date
Kevin Nesnow	Honolulu, HI, United States	2012-07-19
Steven Fortson	Fort Payne, AL, United States	2012-07-19
chris gensler	Mililani Town, HI, United States	2012-07-19
Robert Singleton	Mililani Town, HI, United States	2012-07-19
Derick Hada	Honolulu, HI, United States	2012-07-19
Krystalee Krey	Haleiwa, HI, United States	2012-07-19
Jason Drogowski	Kihei, HI, United States	2012-07-19
David McLaren	Pearl City, HI, United States	2012-07-19
Lake Gibby		2012-07-19
Allan Carmichael	Honolulu, HI, United States	2012-07-19
Claude Phillips	Kailua, HI, United States	2012-07-19
Sophia Simone	Honolulu, HI, United States	2012-07-19
Jason Halladay	Los Alamos, NM, United States	2012-07-19
giulia may	Kailua, HI, United States	2012-07-19
Jon Murrell	Waipahu, HI, United States	2012-07-19
Glenn Krause	Kaneohe, HI, United States	2012-07-19
June Akers	Honolulu, HI, United States	2012-07-19
Stewart Matthiesen	LEAVENWORTH, WA, United States	2012-07-19
steven bishop	Longmont, CO, United States	2012-07-19
Andre Lazelle	Wellington, New Zealand	2012-07-19
Jessie Evans	Honolulu, HI, United States	2012-07-19
Clifton Hashimoto	Kaneohe, HI, United States	2012-07-19
Charmay Jacobs	Makakilo City, HI, United States	2012-07-19
Sean Casey		2012-07-19
William Sankey		2012-07-19
Tim McCeery	Waiau, HI, United States	2012-07-19
Devin Moody	Kailua, HI, United States	2012-07-19
Jeffrey Stephan	Saugus, CA, United States	2012-07-19
Laura Baker	Honolulu, HI, United States	2012-07-19
Gregory Carlisle	Kings Beach, CA, United States	2012-07-19
Jeremy Kreis	Pearl City, HI, United States	2012-07-19
Sumner Ohye	Kailua, HI, United States	2012-07-19

Name	Location	Date
Chris Gongora		2012-07-19
Matt Martin	Littleton, CO, United States	2012-07-19
Eric Patterson	Nederland, CO, United States	2012-07-19
Craig Harris	Elk Grove, CA, United States	2012-07-19
Morgan Patterson	Norwalk, CT, United States	2012-07-19
Clement Poisson	Saint Helena, CA, United States	2012-07-19
Monica Parise	Honolulu, HI, United States	2012-07-19
Jared Meister	columbus, OH, United States	2012-07-19
Jason Lee	Honolulu, HI, United States	2012-07-19
anthony lee	Honolulu, HI, United States	2012-07-19
dave hatchett	homewood, CA, United States	2012-07-19
joshua smith	asheville, NC, United States	2012-07-19
Harold Lampasso	Colorado Springs, CO, United States	2012-07-19
Jonathan Hillis	Goleta, CA, United States	2012-07-19
Mark Heyman	Mays Landing, NJ, United States	2012-07-19
Brian Mackintosh	Honolulu, HI, United States	2012-07-19
joe mckeown	Santa Cruz, CA, United States	2012-07-19
Michael DeWitt	Sacramento, CA, United States	2012-07-19
Refael Klein	Honolulu, HI, United States	2012-07-19
Jeff Shaw	Emeryville, CA, United States	2012-07-19
Vladimir Sofiyev	Berkeley, CA, United States	2012-07-19
Meagan Suzuki	Honolulu, HI, United States	2012-07-19
Aaron Dieringer	Honolulu, HI, United States	2012-07-19
Jon Arvin	Schenectady, NY, United States	2012-07-19
Thomas Bosch	Glen Burnie, MD, United States	2012-07-19
Karen Hild	Sykesville, MD, United States	2012-07-19
Ken Kawauchi	Honolulu, HI, United States	2012-07-19
Matt Elletson	Columbia, MD, United States	2012-07-19
Kevin Bean	Jessup, MD, United States	2012-07-19
Lindsey Stevens	Severna Park, MD, United States	2012-07-19
Mia Molfino	Ellicott City, MD, United States	2012-07-19
Eric LaFleur	Sparks, NV, United States	2012-07-19

Name	Location	Date
Tiffany Vega	Aiea, HI, United States	2012-07-19
Mark Saladino	San Francisco, CA, United States	2012-07-19
Kris Kalisuch	San Diego, CA, United States	2012-07-19
Chuck Fujita	Honolulu, HI, United States	2012-07-19
Kelly Myers	Kailua, HI, United States	2012-07-20
Rebecca Yeates	La Grande, OR, United States	2012-07-20
Elise Curatilo	Staten Island, NY, United States	2012-07-20
Gordon Jonas	ALLENTOWN, NJ, United States	2012-07-20
ADRIENNE LaFleur	Sparks, NV, United States	2012-07-20
EmmaVee McMillin	novato, CA, United States	2012-07-20
Lara Matsumoto	Honolulu, HI, United States	2012-07-20
Chad Umbel	Blue diamond, NV, United States	2012-07-20
Tracy Roach	Littleton, CO, United States	2012-07-20
May Huang	Honolulu, HI, United States	2012-07-20
Lucas Dunklee	Honolulu, HI, United States	2012-07-20
Lisa Curtis	Albuquerque, NM, United States	2012-07-20
William Sherman	Newbury Park, CA, United States	2012-07-20
Seth Weisbrook	Olathe, KS, United States	2012-07-20
Reanne Solomon	Honolulu, HI, United States	2012-07-20
Noel Blanco	Kapolei, HI, United States	2012-07-20
Jonathan Smith	Honolulu, HI, United States	2012-07-20
Jason Dow	Honolulu, HI, United States	2012-07-20
Chris Bayer	Kamuela, HI, United States	2012-07-20
Jeremy Percich	Kailua, HI, United States	2012-07-20
David Saucedo Eichelmann	Honolulu, HI, United States	2012-07-20
Mariana Mendoza	Louisville, KY, United States	2012-07-20
Neil Rodriguez	Kaneohe, HI, United States	2012-07-20
Fiona Langenberger	Honolulu, HI, United States	2012-07-20
brian jones	Mililani Town, HI, United States	2012-07-20
Lynette Scott	San Diego, CA, United States	2012-07-20
Trish Ang	Oakland, CA, United States	2012-07-20
bob tyson	waimanalo, HI, United States	2012-07-20

Name	Location	Date
Miguel Casar	Santa Monica, CA, United States	2012-07-20
Jennifer White	Honolulu, HI, United States	2012-07-20
michael wendt	honolulu, HI, United States	2012-07-20
Emily Burrows	Aiea, HI, United States	2012-07-20
Michael Cole	Waipahu, HI, United States	2012-07-20
Michael Richardson	Honolulu, United States Minor Outlying Islands	2012-07-20
Michael Chamberlain	Honolulu, HI, United States	2012-07-20
Florian Sulzmaier	Honolulu, HI, United States	2012-07-20
Jesse Carr	mililani, HI, United States	2012-07-20
Ryan Sears	Germantown, MD, United States	2012-07-20
zac chamberlain	scottsdale, AZ, United States	2012-07-20
Eric Varley	Santa Maria, CA, United States	2012-07-21
Sarah Chamberlain	Honolulu, HI, United States	2012-07-21
Peter Gleason	San Francisco, CA, United States	2012-07-21
Lottie Portelli	Kailua, HI, United States	2012-07-21
Ronald Love	Honolulu, HI, United States	2012-07-21
Tess Cochran	Kaneohe, HI, United States	2012-07-21
Joshua Ross	Oxnard, CA, United States	2012-07-21
Peter Linscheid	Haleiwa, HI, United States	2012-07-21
Gumero Garcia	Honolulu, HI, United States	2012-07-21
Rob Rayo	San Mateo, CA, United States	2012-07-21
croda mariella	florence, Italy	2012-07-21
Sean Amore	Honolulu, HI, United States	2012-07-21
Isaik Mathiesen	Ewa Beach, HI, United States	2012-07-21
joseph mathiesen	ewa beach, HI, United States	2012-07-21
John Guris	waipahu, HI, United States	2012-07-22
Neil Randall Castor	Honolulu, HI, United States	2012-07-22
Donna Therrien	Kailua, HI, United States	2012-07-22
John Stockton	Honolulu, HI, United States	2012-07-22
Jacob Thompspon	Aiea, HI, United States	2012-07-22
Mikiye Lamansky	Tempe, AZ, United States	2012-07-22

Name	Location	Date
Michele Barnes	Seneca Rocks, WV, United States	2012-07-22
Rebecca Sainato	Kailua, HI, United States	2012-07-22
Jeremy Fleming	Kailua, HI, United States	2012-07-22
josh fleming	newport, NC, United States	2012-07-22
james schneider	san francisco, CA, United States	2012-07-22
Evelin Montealegre	Waipahu, HI, United States	2012-07-22
Paul Klett	Honolulu, HI, United States	2012-07-22
Joe Conerton	Cascade, WI, United States	2012-07-22
John McCrone	Sierra Vista, AZ, United States	2012-07-22
Justin Ridgely	Honolulu, HI, United States	2012-07-22
Leslie Haddock	St. Roberts, MO, United States	2012-07-22
justin hunt	Waipahu, HI, United States	2012-07-22
Julia Reynolds	Haleiwa, HI, United States	2012-07-23
Raymond Stegman	Leesville, LA, United States	2012-07-23
John Nelson	Honolulu, HI, United States	2012-07-23
Stefanie Weaver	Honolulu, HI, United States	2012-07-23
John Torkelson	Denver, CO, United States	2012-07-23
Chip Lewis	Kailua, HI, United States	2012-07-23
Jonathan White	Honolulu, HI, United States	2012-07-23
colby whitehill	Bagram Airfield, Afghanistan	2012-07-23
jim beckley	Bethesda, MD, United States	2012-07-23
Jeannie Mutrais	Cypress, CA, United States	2012-07-23
james bandos	Honolulu, HI, United States	2012-07-23
Cara Pyle	kaneohe, HI, United States	2012-07-23
Seila Kim	Honolulu, HI, United States	2012-07-24
david griffith	kaneohe, HI, United States	2012-07-24
Stephanie Appel	Forest Grove, OR, United States	2012-07-24
Jennie Berghuis	Hilo, HI, United States	2012-07-24
Jesse McMillin	Novato, CA, United States	2012-07-24
Israella Samonte	Honolulu, HI, United States	2012-07-24
Erin Smith	Kapolei, HI, United States	2012-07-24
Patrick Phang	Vancouver, Canada	2012-07-24

Name	Location	Date
Robert McCord	Kapaa,, HI, United States	2012-07-24
Reid Olmstead	Brooklyn, NY, United States	2012-07-24
Adam Hoover	WAHIAWA, HI, United States	2012-07-24
Alissa LaChance	Whitefish, MT, United States	2012-07-24
Ashley Van Horn	Mokuleia, HI, United States	2012-07-24
Dawn Soger	Boise, ID, United States	2012-07-24
masahide kato	Kaneohe, HI, United States	2012-07-25
Daniel Nguyendo	Upland, CA, United States	2012-07-25
alex lebon	waiialua, HI, United States	2012-07-25
Joshua Lee	kailua, HI, United States	2012-07-25
yvette osborne	Aiea, HI, United States	2012-07-25
Erik Schmidgall	Silverton, OR, United States	2012-07-25
kevin hardy	Courtenay , Canada	2012-07-25
Jamie McMillin	Novato, CA, United States	2012-07-26
Priscilla Rendon	El Paso, TX, United States	2012-07-26
Benjamin Morgan	Bellingham, WA, United States	2012-07-26
Christina Lee	Kaneohe, HI, United States	2012-07-26
Trevor Becker	Saratoga Springs, UT, United States	2012-07-27
Nani Woollings	Canmore, Canada	2012-07-27
Will Hummel	Honolulu, HI, United States	2012-07-27
Jessica Tronoski	Schwenksville, PA, United States	2012-07-27
Dan Lubbers	Louisville, KY, United States	2012-07-27
Daniel Cummings	Scottsdale, AZ, United States	2012-07-27
Drea Horne	Honolulu, HI, United States	2012-07-27
Christine Cauble	Las Vegas, NV, United States	2012-07-27
Joe Segal	waiialua, HI, United States	2012-07-27
Colette McInerneu	Colorado Springs, CO, United States	2012-07-27
Leland Brown	Wahiawa, HI, United States	2012-07-27
Joshua Nelson	Aiea, HI, United States	2012-07-27
Janet Murayama	Mililani, HI, United States	2012-07-27
Cindy Ng	Honolulu, HI, United States	2012-07-27
Aengus McMillin	Novato, CA, United States	2012-07-27

Name	Location	Date
Brooke Eustis	Mount Shasta, CA, United States	2012-07-27
August Smith	Honolulu, HI, United States	2012-07-27
Christopher Bordoy	Yellowstone National Park, WY, United States	2012-07-27
Michael Caralos	Ewa Beach, HI, United States	2012-07-27
Pete Clines	Honolulu, HI, United States	2012-07-27
Cori Takesue	Kaneohe, HI, United States	2012-07-27
Delana Thompson	Santa Cruz, CA, United States	2012-07-27
Tiffany Geiger	Honolulu, HI, United States	2012-07-27
marta Czajkowska	kaneohe,, HI, United States	2012-07-27
Gino Teves	Ewa, HI, United States	2012-07-28
Jay Shipp	honolulu, HI, United States	2012-07-28
Mary Curry	Roseville, CA, United States	2012-07-28
hawkins biggins	Honolulu, HI, United States	2012-07-28
Brett Miller	Honolulu, HI, United States	2012-07-28
Brian McCombs	Aiea, HI, United States	2012-07-28
Richard Cardinale	Kailua, HI, United States	2012-07-28
Jon LeGalley	Mililani, HI, United States	2012-07-28
Jani Harada	Kaneohe, HI, United States	2012-07-28
Breanne Nill	Kailua, HI, United States	2012-07-28
sophie kobuch	Kailua, HI, United States	2012-07-28
Adam Thompson	Sherwood, AR, United States	2012-07-28
macy johnson	Kailua, HI, United States	2012-07-28
Robyn Inouye	Honolulu, HI, United States	2012-07-28
Spencer Toyama	Honolulu, HI, United States	2012-07-28
Renee Inouye	Mililani Town, HI, United States	2012-07-28
max jacobs	san francisco, CA, United States	2012-07-28
Trevor Belnap	Kaneohe, UT, United States	2012-07-28
bryce jacobson	honolulu, HI, United States	2012-07-28
Carlos Trenary	Nashville, TN, United States	2012-07-28
Graham Risch	Kaneohe, HI, United States	2012-07-28
terra wight	Honolulu, HI, United States	2012-07-28

Name	Location	Date
Cayce Wallace	El Paso, TX, United States	2012-07-28
Lance McMullan	Honolulu, HI, United States	2012-07-28
Erika Au	Aiea, HI, United States	2012-07-28
Kara Kelai	Honolulu, HI, United States	2012-07-28
jesse keough	kapolei, HI, United States	2012-07-28
Jennifer Hee	Honolulu, HI, United States	2012-07-28
Sara McDowell	Redmond, WA, United States	2012-07-28
Chase Norton	Kaneohe, HI, United States	2012-07-28
Brendan Till	Crystal Lake, IL, United States	2012-07-29
Bailey Miller	Honolulu, HI, United States	2012-07-29
Patrick Kirkland	honolulu, HI, United States	2012-07-29
Edward Gilman	Hauula, HI, United States	2012-07-29
Anthony Xie	Irvine, United States Minor Outlying Islands	2012-07-29
Jerrauld Ma	Waialua, HI, United States	2012-07-29
Richard Thompson	Honolulu, HI, United States	2012-07-29
Philip Chai	Kaneohe, HI, United States	2012-07-29
randall ayers	twentynine palms, CA, United States	2012-07-29
Andy Lau	Honolulu, HI, United States	2012-07-29
Stephanie Thompson	Aiea, HI, United States	2012-07-29
Kirk Smith	Brookhaven, MS, United States	2012-07-29
Christian Wieninger	Teisendorf, Germany	2012-07-29
Renee Tillotson	Kaneohe, HI, United States	2012-07-29
Daniel Coutts	Calgary, Canada	2012-07-29
Lance Foust	Laie, HI, United States	2012-07-29
Phuong Ma	Honolulu, HI, United States	2012-07-29
Martin Howard	Hermosa Beach, CA, United States	2012-07-29
Joseph Baiera	Honolulu, HI, United States	2012-07-29
Lucas Arnold	Honolulu, HI, United States	2012-07-29
AngelSky Capriles	Honolulu, HI, United States	2012-07-29
Rodrigo Covarrubias	Kahuku, HI, United States	2012-07-29
Raymond Tung	Norfolk, VA, United States	2012-07-29
Darren Tang	Ottawa, Canada	2012-07-29

Name	Location	Date
Alan Oda	Mililani, HI, United States	2012-07-29
miles kreisberg	honolulu, HI, United States	2012-07-29
Nathan Malinoski	Honolulu, HI, United States	2012-07-29
michael dea	Great Neck, NY, United States	2012-07-30
hau chow	New York, NY, United States	2012-07-30
Daniel Zurmuhlen	Ewa Beach, HI, United States	2012-07-30
Andrew Wilhite	Wahaiwa, HI, United States	2012-07-30
Steve Rohrmayr	Waianae, HI, United States	2012-07-30
Jude Chamberlain	Stow, OH, United States	2012-07-30
Thea Ferentinos	Honolulu, HI, United States	2012-07-30
Roger Meier	Honolulu, HI, United States	2012-07-30
Evelyn Lu	Bayside, NY, United States	2012-07-30
Jonathan Wayne White	Wesson, MS, United States	2012-07-30
Gregory Tang Ming	Port of Spain, Trinidad and Tobago	2012-07-30
Robert McAllaster	Kailua, HI, United States	2012-07-30
daniel sherlock	honolulu, HI, United States	2012-07-30
Zelda Pinol	honolulu, HI, United States	2012-07-30
Marina Batham	Kula, HI, United States	2012-07-31
Edward Agius	Bremerton, WA, United States	2012-07-31
Thomas Henderson	honolulu, HI, United States	2012-07-31
Paul Aumer-Ryan	Honolulu, HI, United States	2012-07-31
Giovanni Acosta	Austin, TX, United States	2012-08-01
meghan taylor	Honolulu, HI, United States	2012-08-01
Lisa Dagulo	Aiea, HI, United States	2012-08-01
Kim Virtudazo	Ewa Beach, HI, United States	2012-08-01
mark metzger	Wahiawa, HI, United States	2012-08-01
Natalie Waters	Honolulu, HI, United States	2012-08-01
Jeffrey Hill	Kailua, HI, United States	2012-08-01
Tom Wedlick	Baltimore, MD, United States	2012-08-02
mark ferri	Kailua, HI, United States	2012-08-02
Allicia Parke	Ewa Beach, HI, United States	2012-08-02
Jenny Quill	Lake Bluff, IL, United States	2012-08-02

Name	Location	Date
Mark Trejtnar	Albuquerque, NM, United States	2012-08-02
Nalyn Siripong	Carrboro, NC, United States	2012-08-03
Andrew Maeda	Kailua, HI, United States	2012-08-03
Grier Fricks	Kailua, HI, United States	2012-08-03
porsha prlce	Grovertown, IN, United States	2012-08-03
Kevin BARON	lyon, France	2012-08-03
Christopher Sellman	Honolulu, HI, United States	2012-08-04
jacqueline frisina	Honolulu, HI, United States	2012-08-04
Shannon Forbes	Haleiwa, HI, United States	2012-08-04
Asuncion Briscoe	Haleiwa, HI, United States	2012-08-04
Kaoru Kohashigawa	Honolulu, HI, United States	2012-08-04
Lyndsy Meyer	Honolulu, HI, United States	2012-08-04
steven Poor	Haleiwa, HI, United States	2012-08-04
Tyler Gatsche	Honolulu, HI, United States	2012-08-04
Nancy Nguyen	Kailua, HI, United States	2012-08-05
Cindy Rosen	Pine Bush, NY, United States	2012-08-05
Kai Hyde	Honolulu, HI, United States	2012-08-05
Haydn Huntley	Makawao, HI, United States	2012-08-06
Stephen Mohr	MAKAWAO, HI, United States	2012-08-06
Robert Lambert	Chattanooga, TN, United States	2012-08-06
Justin Sanger	Honolulu, HI, United States	2012-08-06
Scott Higgins	Honolulu, HI, United States	2012-08-07
Becky F	Haleiwa, HI, United States	2012-08-07
Scott Bowling	Kailua, HI, United States	2012-08-07
Eric Yamabayashi	Aiea, HI, United States	2012-08-07
Bryson Wong	Honolulu, HI, United States	2012-08-08
Nick Mastley	Kailua, HI, United States	2012-08-10
Bryan Stewart	Honolulu, HI, United States	2012-08-10
Noah Gershon	Kaneohe, HI, United States	2012-08-10
brian seitz-beldyga	kaaawa, MI, United States	2012-08-11
Jacqueline Little	Honolulu, HI, United States	2012-08-11
Catherine Walker	Honolulu, HI, United States	2012-08-12

Name	Location	Date
Margaret Walker	Honolulu, HI, United States	2012-08-12
Harvey Zemaitis	Honolulu, HI, United States	2012-08-12
Jordan Winston	Honolulu, HI, United States	2012-08-12
Kristen Hughey	Honolulu, HI, United States	2012-08-12
Beverly White	Wesson, MS, United States	2012-08-13
David Zbin	San Jose, CA, United States	2012-08-14
Nancy Stoner	Newtown, PA, United States	2012-08-14
Michael Paulding	Honolulu, HI, United States	2012-08-14
Sydney Tong	Palmdale, CA, United States	2012-08-14
Kekoa Stanton	Laie, HI, United States	2012-08-15
Jesse Palmer	Appleton, WI, United States	2012-08-15
Naithan Alva	waiialua, HI, United States	2012-08-15
Carlos Taranto	Waialua, HI, United States	2012-08-15
Jefferson LeCates	Salt Lake City, UT, United States	2012-08-15
Anthony Denzer	Haleiwa, HI, United States	2012-08-15
Greg Seivert	Pahoa, HI, United States	2012-08-15
Ephraim Temple	Pago Pag, American Samoa	2012-08-15
Eliza Elkington	Laie, HI, United States	2012-08-15
Derek Foley	Kapaa, HI, United States	2012-08-15
John Speed	Kailua, HI, United States	2012-08-15
Ezekiel Enos	Laie, HI, United States	2012-08-15
Bonnie Sorensen	Huntington Beach, CA, United States	2012-08-15
ethan levine	Honolulu, HI, United States	2012-08-15
Scott Harada	honolulu, HI, United States	2012-08-16
Christian Palmer	Santa Cruz, CA, United States	2012-08-16
Gary Fritts	Haleiwa, HI, United States	2012-08-16
Amber Goldsberry	Ogden, UT, United States	2012-08-16
Neil Stotts	Makawao, HI, United States	2012-08-16
Corey Fugate	Honolulu, HI, United States	2012-08-16
Cliff Tillotson	Kaneohe, HI, United States	2012-08-16
Jeremy Baker	VANCOUVER, WA, United States	2012-08-16
Greg Houston	Monrovia, CA, United States	2012-08-16

Name	Location	Date
Brandon Schmidgall	Salem, OR, United States	2012-08-16
Summer Schmidgall	Silverton, OR, United States	2012-08-16
Timy Fairfield	Albuquerque, NM, United States	2012-08-16
Gary Gluck	Haleiwa, HI, United States	2012-08-16
Eduard Martinez	Kekaha, HI, United States	2012-08-16
Joshua Pressley	Portsmouth, NH, United States	2012-08-16
Natalia Prima	Makawao, HI, United States	2012-08-16
Kat Whistance	Lee's Summit, MO, United States	2012-08-16
John Kear	Albuquerque, NM, United States	2012-08-16
Melinda Presson	Charleston, MO, United States	2012-08-16
Brett Porter	Overland Park, KS, United States	2012-08-16
Tom Adams	Clearfield, UT, United States	2012-08-16
Michael Kurilich	Slat Lake City, UT, United States	2012-08-16
Tara Sedor	Salem, OR, United States	2012-08-16
david chambers	Ashland, OR, United States	2012-08-16
kristopher huff	salt lake city, UT, United States	2012-08-16
Russ Clune	new paltz, NY, United States	2012-08-16
Megan Harding Willbanks	SLC, UT, United States	2012-08-16
Miles Burkart	Los Angeles, CA, United States	2012-08-16
Ray Elam	Santa Fe Springs, CA, United States	2012-08-16
Jerry Hicks	Salt Lake City, UT, United States	2012-08-16
James Marc Beverly	Albuquerque, NM, United States	2012-08-16
Charles Blackwell	Arroyo Grande, CA, United States	2012-08-16
Allen Sanderson	Salt Lake City, UT, United States	2012-08-16
Dave Cepeda	pasadena, CA, United States	2012-08-16
Bruce Hart	Chico, CA, United States	2012-08-16
Troy Gustafson	Los Angeles, CA, United States	2012-08-16
SCOTT KEITH	MEDFORD, OR, United States	2012-08-16
Robert Pasoce	boulder, CO, United States	2012-08-16
Barbara Wolther	SALT LAKE CITY, UT, United States	2012-08-16
Natascha Coelho	Honolulu, HI, United States	2012-08-16
Danny Jessee	Pearl City, HI, United States	2012-08-16

Name	Location	Date
Ted Hansen	yosemite, CA, United States	2012-08-16
Bernice Hwang	Hilo, HI, United States	2012-08-16
Scott Wallace	Houston, TX, United States	2012-08-16
Briana Kobor	Oakland, CA, United States	2012-08-16
marc Samuel	San Francisco, CA, United States	2012-08-16
John DiCuollo	Carbondale, CO, United States	2012-08-16
Jeffrey Freeman	San Luis Obispo, CA, United States	2012-08-16
Chris Bersbach	San Luis Obispo, CA, United States	2012-08-16
catie st john	henderson, NV, United States	2012-08-16
Kristin Horowitz	San Luis Obispo, CA, United States	2012-08-16
Austin Moore	Atascadero, CA, United States	2012-08-16
Shaun Van't Hul	Fremont, CA, United States	2012-08-16
Chris Farrar	Kaneohe, HI, United States	2012-08-16
Aaron Fox	Salt Lake City, UT, United States	2012-08-16
Mike Adrian	Paia, HI, United States	2012-08-16
terry imus	henderson, NV, United States	2012-08-16
Bryan Chen	San Luis Obispo, CA, United States	2012-08-16
Stein Pratt	Port Townsend, WA, United States	2012-08-16
Charlie Barrett	Mammoth Lakes, CA, United States	2012-08-16
Carolyn Parker	Albuquerque, NM, United States	2012-08-16
Larry Arthur	Carmel, CA, United States	2012-08-17
John Robb	Kawasaki-shi, Japan	2012-08-17
Michelle Furukawa	Los Angeles, CA, United States	2012-08-17
danny burkhead	portland, OR, United States	2012-08-17
amy pickering	New Paltz, NY, United States	2012-08-17
Chris Hinds	san diego, CA, United States	2012-08-17
Ian Brightbill	Mililani, HI, United States	2012-08-17
Daniel Langdon	San Antonio, TX, United States	2012-08-17
Aicacia Y	Austin, TX, United States	2012-08-17
Cody Howell	San Luis Obispo, CA, United States	2012-08-17
Ecaterina Burton	Kailua, HI, United States	2012-08-17
Sean Walter	Haleiwa, HI, United States	2012-08-17

Name	Location	Date
Ashley Taylor	Saint Augustine, FL, United States	2012-08-17
Marc Lovell	Huntington Beach, CA, United States	2012-08-17
john shultz	Indianapolis, IN, United States	2012-08-17
Brandi Proffitt	Albuquerque, NM, United States	2012-08-17
Billy Sprague	Albuquerque, NM, United States	2012-08-17
Nicholas Fuller	Campbell, CA, United States	2012-08-17
jay dufresne	SLC, UT, United States	2012-08-17
Leo Horochowski	Albuquerque, NM, United States	2012-08-17
William Canning	Corrales, NM, United States	2012-08-17
Jacob Berban	San Luis Obispo, CA, United States	2012-08-17
Rebecca Crago	Albuquerque, NM, United States	2012-08-17
Jesse Arneson	Albuquerque, NM, United States	2012-08-17
Justin Peterson	San Antonio, TX, United States	2012-08-17
Owain Phillips	Placitas, Japan	2012-08-18
Travis Aborn	Honolulu, HI, United States	2012-08-18
kenny furgason	schofield barracks, HI, United States	2012-08-18
Zachery Knoebel	Menomonee Falls, WI, United States	2012-08-19
alec fotsch	Lisbon, WI, United States	2012-08-19
Francisco Gomez	San Luis Obispo, CA, United States	2012-08-19
Ryan Johns	Kapolei, HI, United States	2012-08-19
Kirstie Yeager	Fort Collins, CO, United States	2012-08-20
Derek Green	Kapaa, HI, United States	2012-08-20
Casey Dominguez	Royse City, TX, United States	2012-08-20
Justin Gougeon	Livingston, MT, United States	2012-08-20
Tim Jones	salt lake city, UT, United States	2012-08-20
Ashliegh Scott	Dayton, OH, United States	2012-08-20
Alex Ylen	Brooklyn, NY, United States	2012-08-20
James Pullum	Atlanta, GA, United States	2012-08-20
Katherine Stone	Sacramento, CA, United States	2012-08-20
Emil Briggs	Raleigh, NC, United States	2012-08-20
John Harlacker	Albuquerque, NM, United States	2012-08-20
Rosangela Souza	Rio de Janeiro, Brazil	2012-08-20

Name	Location	Date
Laura Harbison	St. Louis, MO, United States	2012-08-20
Jason Hurwitz	Stone Ridge, NY, United States	2012-08-20
Travis Dustin	Derry, NH, United States	2012-08-20
Thomas Dupré	Idar-Oberstein, Germany	2012-08-20
Jeremy Bowler	Seattle, WA, United States	2012-08-20
Eric Wright	Winona , MN, United States	2012-08-20
amanda maze	birmingham, AL, United States	2012-08-20
John Fawcett	Throop, PA, United States	2012-08-20
Justin Roth	Salt Lake City, UT, United States	2012-08-20
Jeremy Pounds	Fort Collins, CO, United States	2012-08-20
Brian Wilcock	Rocky Hill, CT, United States	2012-08-20
Cody Ramsey	Austin, TX, United States	2012-08-20
john gassel	Mansfield, MA, United States	2012-08-20
Gram Parker	Saint Paul, MN, United States	2012-08-20
John Wilder	Las Vegas, NV, United States	2012-08-20
Cory Johnson	King, NC, United States	2012-08-20
Heather Bartlett	bonners ferry, ID, United States	2012-08-20
George Hughbanks	Spokane, WA, United States	2012-08-20
Paul Winkler	Albuquerque, NM, United States	2012-08-20
Zachery Converse	Boulder, CO, United States	2012-08-20
Paloma Sanchez	Albuquerque, NM, United States	2012-08-20
Amy Dall	Holladay, UT, United States	2012-08-20
Daniel Bell	chelmsford, United Kingdom	2012-08-20
Devin Farnsworth	Stateline, NV, United States	2012-08-20
Patricia Fisher	Carrollton, TX, United States	2012-08-20
Juneko Grilley-Olson	Pittsboro, NC, United States	2012-08-21
Matthew Rutherford	Trumbull, CT, United States	2012-08-21
steven mullen	kailua, HI, United States	2012-08-21
Richard Gibson	Honolulu, HI, United States	2012-08-21
eric potter	Ewa Beach, HI, United States	2012-08-21
William Belcher	Mililani, HI, United States	2012-08-21
Steve Thompson	Wahiawa, HI, United States	2012-08-21

Name	Location	Date
Marc Fekkes	Thousand Oaks, CA, United States	2012-08-21
Kerri Ehnes	Mililani Town, HI, United States	2012-08-21
Jobincio Rellin	Waianae, HI, United States	2012-08-21
Wayne Belcher	Henderson, NV, United States	2012-08-21
Jane Blakemore	Honolulu, HI, United States	2012-08-21
David Haines	Del Mar, CA, United States	2012-08-21
Sasha Cherry	San Diego, CA, United States	2012-08-21
Alex Schwid	Sussex, WI, United States	2012-08-21
Kat Runyan	Boise, ID, United States	2012-08-21
Nathan Toothman	Waialua, HI, United States	2012-08-21
Joseph Newburg	Honolulu, HI, United States	2012-08-21
Lisa Gnade	Sandy, UT, United States	2012-08-21
Kenneth Capes	Waialua, HI, United States	2012-08-21
Caitlin Makary	New York, NY, United States	2012-08-21
kevin jones	brooklyn, NY, United States	2012-08-21
Dana Chan	Flushing, NY, United States	2012-08-21
genevieve griffiths	honolulu, HI, United States	2012-08-21
adam stone	schofield barracks, HI, United States	2012-08-21
CAROLE MAKARY	Lowell, MA, United States	2012-08-21
Angela Young	Honolulu, HI, United States	2012-08-22
Erinn Makary	Lowell, MA, United States	2012-08-22
Justing Young	Honolulu, HI, United States	2012-08-22
Melanie Yeates	LaGrande, OR, United States	2012-08-22
jon esmilla	marlboro, NJ, United States	2012-08-22
Jillian Campbell	Sulphur Springs, TX, United States	2012-08-22
Cynthia King	Honolulu, HI, United States	2012-08-22
Christopher Baze	Honolulu, HI, United States	2012-08-22
Hiroki Matsubara	Shiamda, Japan	2012-08-22
Kathy Karlo	Brooklyn, NY, United States	2012-08-22
Dawn Dominy	Benton, PA, United States	2012-08-23
Glen Scruggs	Portland, OR, United States	2012-08-23
Warren Bucher	Mililani, HI, United States	2012-08-23

Name	Location	Date
Bob Dole	Honolulu, HI, United States	2012-08-23
Brandon Adams	Independence, OR, United States	2012-08-23
Pete Gross	Honolulu, HI, United States	2012-08-23
Taqi Raza	Honolulu, HI, United States	2012-08-23
Michael Cawdery	Honolulu, HI, United States	2012-08-23
Ernest Diophanti	Ewa Beach, HI, United States	2012-08-23
chiara Tarantino	Trieste, Italy	2012-08-23
bruce taylor	Honolulu, HI, United States	2012-08-23
Robert Ready	Rochester, NY, United States	2012-08-23
sunday howe	great falls, MT, United States	2012-08-23
kathleen conway	mendota heights, MN, United States	2012-08-23
David Barbour	Charlotte, NC, United States	2012-08-23
Laura Sanders	Redlands, CA, United States	2012-08-23
Rick Reed	Loma linda, CA, United States	2012-08-23
Randy Tootell	Riverside, CA, United States	2012-08-23
Ronald Morton	Redlands, CA, United States	2012-08-23
Edward Gerety	Miami, FL, United States	2012-08-23
Justin Hartford	Redwood City, CA, United States	2012-08-23
kelsey reddoch	riverside, CA, United States	2012-08-23
Kai Miyamoto	Kapolei, HI, United States	2012-08-23
Randy Faulk	Las Vegas, NV, United States	2012-08-23
Elizabeth Seiffert	Honolulu, HI, United States	2012-08-23
Patti Jacobsen	Redlands, CA, United States	2012-08-23
Greg Alen	Austin, TX, United States	2012-08-23
Wolfgang Schweiger	boulder, CO, United States	2012-08-23
Debbie Freitas	Waipahu, HI, United States	2012-08-23
peter patten	haleiwa, HI, United States	2012-08-23
Kasi Phanara	Milwaukee, WI, United States	2012-08-23
Shane Makary	dracut, MA, United States	2012-08-24
Patricia Kelly	marlboro, MA, United States	2012-08-24
Scott Coryell	Lees Summit, MO, United States	2012-08-24
Nicole David	Pearl City, HI, United States	2012-08-24

Name	Location	Date
Larry Hartford	Laguna Niguel, CA, United States	2012-08-24
Alexander Jepas-Blumenstetter	Pearl City, HI, United States	2012-08-24
Clifton Quitevis	Mililani, HI, United States	2012-08-24
Julie Hawke	Laie, HI, United States	2012-08-24
Caitlyn Nalder	Idaho Falls, ID, United States	2012-08-24
Matthew Roberts	LAIE, HI, United States	2012-08-24
Taylor Rippy	Rancho Santa Fe, CA, United States	2012-08-24
Maggie Bowler	Laie, HI, United States	2012-08-24
Lielymar Bell	Waianae, HI, United States	2012-08-24
DEBBIE KATZ	ONTARIO, CA, United States	2012-08-25
Hiroshi Watanabe	waiialua, HI, United States	2012-08-25
Karynn Hoberecht	Bozeman, MT, United States	2012-08-25
Laura Britton	St Augustine, FL, United States	2012-08-25
Erik Spahr	Nashua , NH, United States	2012-08-25
Allison Hanabusa	Waianae, HI, United States	2012-08-25
Shawn Patrick	Monroe, LA, United States	2012-08-26
Nancy Rosales	Houston, TX, United States	2012-08-26
Tim Cigrand	North Liberty, IA, United States	2012-08-26
Christy Aumer	North Liberty, IA, United States	2012-08-26
Michael Zubelewicz	Albuquerque, NM, United States	2012-08-26
Dante Harmony	sedona, AZ, United States	2012-08-27
ethan burke	Kailua, HI, United States	2012-08-27
Egor Astakhov	Brooklyn, NY, United States	2012-08-27
boris itin	new york, NY, United States	2012-08-27
Yulia Borukhina	Arlington, MA, United States	2012-08-27
HILLARY CLINTON	honolulu, HI, United States	2012-08-27
sarah-may crudo	ewa beach, HI, United States	2012-08-27
Rebecca Rohr	Albuquerque, NM, United States	2012-08-27
Eily Schroeder	Albuquerque, NM, United States	2012-08-28
Levi kallio	Albuquerque, NM, United States	2012-08-28
Jason Tharp	Columbus, OH, United States	2012-08-28
ruth turner	Columbus, OH, United States	2012-08-28

Name	Location	Date
Kevin Piver	Cary, NC, United States	2012-08-28
Leif Voeltz	Mount Shasta, CA, United States	2012-08-28
Courtney Bryan	Columbus, OH, United States	2012-08-28
Caitlyn Brown	Waterville, OH, United States	2012-08-28
Barry Brinkley	Columbus, OH, United States	2012-08-28
Yuen Hann Kwok	baton rouge, LA, United States	2012-08-28
Jacqueline Rohr	Chagrin Falls, OH, United States	2012-08-28
Alex Yeates	Baker City, OR, United States	2012-08-28
tom donnelly	San Diego, CA, United States	2012-08-28
Colleen McKiernan	Somerville, MA, United States	2012-08-29
conrad newfield	haleiwa, HI, United States	2012-08-29
Raymond Justice	Honolulu, HI, United States	2012-08-29
Eric Aoyama	Mililani Town, HI, United States	2012-08-29
doug hearon	Durango, CO, United States	2012-08-29
Jill MacRitchie	Carrollton, VA, United States	2012-08-30
Lindsay Riggs	Columbus, OH, United States	2012-08-30
Izabela Zubelewicz	Los Alamos, NM, United States	2012-08-30
Sara Hughes	Westerville, OH, United States	2012-08-30
Jamie Robison	Albuquerque, NM, United States	2012-08-30
lawrence grabowski	Chicago, IL, United States	2012-08-30
Clifford Syner	Wahiawa, HI, United States	2012-08-30
James Dolan	Mililani, HI, United States	2012-08-30
Heather MacInnes	Albuquerque, NM, United States	2012-08-30
Brenton Elisberg	Albuquerque, NM, United States	2012-08-30
ROb Aumer	Grand Island, NY, United States	2012-08-30
donald grunden	Columbus, OH, United States	2012-08-30
John Miller	Honolulu, HI, United States	2012-08-31
Gregory Howe	Honolulu, HI, United States	2012-08-31
heidi Keller	Haleiwa, HI, United States	2012-08-31
Agnieszka Zubelewicz	Sugar Land, TX, United States	2012-08-31
Bryan Pletta	Cedar Crest, NM, United States	2012-08-31
Katie Jerina	Chagrin Falls, OH, United States	2012-08-31

Name	Location	Date
Jon Dela	Santa Fe, NM, United States	2012-08-31
Harry Pappas	Albuquerque, NM, United States	2012-08-31
Nicholas Coffey	Honolulu, HI, United States	2012-09-01
carlo torres	Los Alamos, NM, United States	2012-09-01
Becky Rohr	Chagrin Falls, OH, United States	2012-09-01
Hans Rohr	Chagrin Falls, OH, United States	2012-09-01
Amanda Gray	Albuquerque, NM, United States	2012-09-01
Randy Crawford	Columbus, OH, United States	2012-09-01
Adam Wise	Albuquerque, NM, United States	2012-09-01
Katie Medved	New York, NY, United States	2012-09-01
Jen Bollinger	Columbus, OH, United States	2012-09-01
Wayne Sears	Albuquerque, NM, United States	2012-09-01
Leah Taylor	Columbus, OH, United States	2012-09-01
William Canning	Albuquerque, NM, United States	2012-09-01
Mike Davis	Albuquerque, NM, United States	2012-09-01
Aleksander Zubelewicz	Los Alamos, NM, United States	2012-09-01
Michael Pham	Sugar Land, TX, United States	2012-09-01
Jennifer Gillette	Albuquerque, NM, United States	2012-09-01
Johannes Rohr	South Russel, OH, United States	2012-09-01
Charlotte Rohr	South Russel, OH, United States	2012-09-01
Larissa Martinez	Albuquerque, NM, United States	2012-09-02
Meg Medved	Manchester, NH, United States	2012-09-02
Joe Medved	Manchester, NH, United States	2012-09-02
Brian Melville	Albuquerque, NM, United States	2012-09-02
Ryan Carmer	Albuquerque, NM, United States	2012-09-02
Cale Carmer	albuquerque, NM, United States	2012-09-02
Dominique Davis	Albuquerque, NM, United States	2012-09-02
Kaitlyn Chavez	Los Lunas, NM, United States	2012-09-02
chelsea Clem	Albuquerque, NM, United States	2012-09-02
Michael Davis	albuquerque, NM, United States	2012-09-02
Tyler Tilseth	Albuquerque, NM, United States	2012-09-02
Ed Visarriagas	Rio Rancho, NM, United States	2012-09-02

Name	Location	Date
Andrew Purcell	Rio Rancho, NM, United States	2012-09-02
Tanya Garcia	Albuquerque, NM, United States	2012-09-02
shane carmer	abq, NM, United States	2012-09-02
Che McCarthy	Albuquerque, NM, United States	2012-09-02
Diana Torres	Los Alamos, NM, United States	2012-09-02
Scott Golubic	Columbus, OH, United States	2012-09-02
Kasandra Phanara	milwaukee, WI, United States	2012-09-03
Jeremy P. Jones	Phoenix, AZ, United States	2012-09-03
blanca Fernandez	Phoenix, AZ, United States	2012-09-03
jayme blue	phoenix, AZ, United States	2012-09-03
Erick Johnson	Pheonix, AZ, United States	2012-09-03
Terence Mullan	Phoenix, AZ, United States	2012-09-03
adrienne cruz	vernon, AZ, United States	2012-09-03
Cecilia Trinh	st thomas, VI, United States	2012-09-03
Jacqueline Harmony	Sedona, AZ, United States	2012-09-03
laura safranski	waimanalo, HI, United States	2012-09-03
Tova Holloway	Tempe, AZ, United States	2012-09-03
Tara Williams	Mesa, AZ, United States	2012-09-03
Paul May	Albuquerque, NM, United States	2012-09-04
dylan liebert	Santa Rosa, CA, United States	2012-09-04
Camille alexander	Waialua, HI, United States	2012-09-04
Kyle Wakayama	Honolulu, HI, United States	2012-09-04
Jes Neal	Santa Rosa, CA, United States	2012-09-04
Eric Jerome	Finksburg, MD, United States	2012-09-05
Brian QUITER	Oakland, CA, United States	2012-09-05
Jeremiah Calvert	Oklahoma city, OK, United States	2012-09-05
robert abbott	la jolla, CA, United States	2012-09-05
Abbey Smith	Los Angeles, CA, United States	2012-09-05
krystal ishii	wahiawa, HI, United States	2012-09-06
Justin Hedani	Honolulu, HI, United States	2012-09-06
Mark Pistor	Kailua, HI, United States	2012-09-06
Raymond Chun	Honolulu, HI, United States	2012-09-06

Name	Location	Date
Jamie Ritharom-Umbra	Hollywood, CA, United States	2012-09-06
Jason Sickmiller	Kailua, HI, United States	2012-09-06
Gen Boyer	Honolulu, HI, United States	2012-09-07
Brandon Lang	Honolulu, HI, United States	2012-09-07
Pocho Nieves	Pearl City, HI, United States	2012-09-07
Daniel Alexander	Honolulu, HI, United States	2012-09-07
Kelby Mann	Honolulu, HI, United States	2012-09-07
Allen Borsky	Honolulu, HI, United States	2012-09-07
Richard Anderson	Waipahu, HI, United States	2012-09-07
David Gibbons	Simi Valley, CA, United States	2012-09-07
Ramsay Sandelin	Honolulu, HI, United States	2012-09-08
Jonathan Nikaido	Honolulu, HI, United States	2012-09-08
Kristopher Wee	Honolulu, HI, United States	2012-09-08
Rebecca Barker	New Auckland, Australia	2012-09-08
Tony Ramos	Honolulu, HI, United States	2012-09-08
Melanie T	kandersteg, Switzerland	2012-09-08
Jeremy Werlin	Cedaredge, CO, United States	2012-09-08
ray m	Honolulu, HI, United States	2012-09-08
Travis Fallon	Honolulu, HI, United States	2012-09-08
susieYY wood	kailua, HI, United States	2012-09-09
Marlon Solorzano	Aiea, HI, United States	2012-09-09
Dolores Smith	Chapel Hill, NC, United States	2012-09-09
Jason Cook	Crawford, CO, United States	2012-09-09
French Clark	Knoxville, TN, United States	2012-09-09
Erica Cortez	Aiea, HI, United States	2012-09-10
John Wright	Kamuela, HI, United States	2012-09-10
Daniel McDowell	Columbia, MD, United States	2012-09-10
helen Gibson	camberley, United Kingdom	2012-09-11
Noel Anderson	WAIPAHAU, HI, United States	2012-09-12
James Koivunen	Haleiwa, HI, United States	2012-09-13
Aaron Malone	Mililani, HI, United States	2012-09-13
Marshall Ehlinger	Mansfield, PA, United States	2012-09-13

Name	Location	Date
Joshua Arntzen	Acworth, GA, United States	2012-09-13
Max Maclaren	Brighton, MA, United States	2012-09-13
Don Springford	Delta, Canada	2012-09-14
David Tam	Surrey, Canada	2012-09-14
Ben McGhie	North Vancouver, Canada	2012-09-14
Cheryll Forge	Vancouver, Canada	2012-09-14
Aaron Eden	Burlington, Canada	2012-09-14
kinchen packer	albuquerque, NM, United States	2012-09-15
Erin Wilde	Honolulu, HI, United States	2012-09-16
Alex Demers	Surrey, BC, Canada	2012-09-17
Derek Yuan	San Francisco, CA, United States	2012-09-18
Jonathan Morgan	Kandersteg, Switzerland	2012-09-19
Anthony R. Johnson	Ewa Beach, HI, United States	2012-09-20
steve babits	lander, WY, United States	2012-09-21
Tyler Bennett	Millis, MA, United States	2012-09-23
jeff juett	Hauula, HI, United States	2012-09-23
Joshua Blair	Honolulu, HI, United States	2012-09-29
Joanna Carroll	Wahiawa, HI, United States	2012-09-29
Justin R	honolulu, HI, United States	2012-10-01
Tom Dickey	Strongsville, OH, United States	2012-10-03
Gary Hollander	Springfield, OH, United States	2012-10-03
Kelley Timothy	North Royalton, OH, United States	2012-10-03
Eric Edmiston	Macedonia, OH, United States	2012-10-03
Halona Leung	Berkeley, CA, United States	2012-10-03
Michael Girolamo	Burton, OH, United States	2012-10-03
Joe Platko	Lyndhurst, OH, United States	2012-10-03
marina byrko	Akron, OH, United States	2012-10-03
Eugene Kruler	Solon, OH, United States	2012-10-04
Michael Genauer	Denver, CO, United States	2012-10-04
Jack Santo	Chagrin Falls, OH, United States	2012-10-05
Vern Martin	Barberton, OH, United States	2012-10-05
Lauren Krysa	Cuyahoga Falls, OH, United States	2012-10-05

Name	Location	Date
Ross Ladley	Cleveland, OH, United States	2012-10-05
Erik Walker	cleveland, OH, United States	2012-10-05
Michael Costich	Concord, OH, United States	2012-10-05
Craig Baxter	Wadsworth, OH, United States	2012-10-05
gina richardson	Cleveland, OH, United States	2012-10-05
Sarah Bever	Lakewood, OH, United States	2012-10-05
Robert Zigmont	Wadsworth, OH, United States	2012-10-05
Bill Davis	Cleveland, OH, United States	2012-10-05
Tino Go	Elyria, OH, United States	2012-10-07
Erik Sterbentz	Waipahu, HI, United States	2012-10-08
Sakura Gasser	los angeles, CA, United States	2012-10-09
James stewart	Australia	2012-10-09
Lindsay Gonzalez	Golden, CO, United States	2012-10-10
Trey Lohr	Grapevine, TX, United States	2012-10-10
Frank Francone	Lakewood, CO, United States	2012-10-10
Liba Hardekopf	Montrose, CO, United States	2012-10-10
George Lowe	Golden, CO, United States	2012-10-11
Kylie Coonse	Honolulu, HI, United States	2012-10-11
Steph Johnson	Littleton, CO, United States	2012-10-11
Eric Meudt	Flagstaff, AZ, United States	2012-10-11
Chris Wright	Denver, CO, United States	2012-10-13
rama jon	sedona, AZ, United States	2012-10-14
Emily Weninger	Honolulu, HI, United States	2012-10-14
chris ricci	Denver, CO, United States	2012-10-14
Nikki Layton	Vancouver, Canada	2012-12-21
cindy andison	North Vancouver, Canada	2012-12-21
Ron Horwood	North Vancouver, Canada	2012-12-24
Cameron Cowden	Westfield, NJ, United States	2012-12-25
Mark Murawski	Glenville, NY, United States	2012-12-25
Quentin Trollip	Kelowna, Canada	2012-12-26
David Kider	Brooklyn, NY, United States	2012-12-27
Laura Saxon	morrison, FL, United States	2012-12-31

Name	Location	Date
Benjamin Lee	Marine City, MI, United States	2013-01-01
Jonathan Stoughton	Schofield Barracks, HI, United States	2013-01-02
Arthur Smith	Knoxville, TN, United States	2013-01-02
Avery Smith	Knoxville, TN, United States	2013-01-02
Sean Murphey	Austin, TX, United States	2013-01-04
Laura Margolies	Philadelphia, PA, United States	2013-01-06
Matt Perry	River Heights, UT, United States	2013-01-06
Haruko Koike	Honolulu, HI, United States	2013-01-06
Laef Hosking	Australia	2013-01-07
Ben Evans	seattle, WA, United States	2013-01-08
Greg Ernst	Seattle, WA, United States	2013-01-08
Melissa Kranzler	Bellingham, WA, United States	2013-01-09
Talley Cook	Naples, FL, United States	2013-01-12
Andrew Hoover	Durham, NC, United States	2013-01-15
Robert Alexander	Richardson, TX, United States	2013-01-15
Yolanda Chen	Washington, MO, United States	2013-01-20
Nichole Hansen	Kailua, HI, United States	2013-01-20
Rodney Hansen	Kailua, HI, United States	2013-01-20
Lise Gautron	Banff, Canada	2013-01-22
Michael Daignault, MD	Brooklyn, NY, United States	2013-01-24
Charles Kessner	Honolulu, HI, United States	2013-01-25
Bryan Wardlow	Honolulu, HI, United States	2013-01-25
Grant Monson	Portland, OR, United States	2013-01-25

To: Governor Abercrombie, William Aila, DLNR , and Russell Y. Tsuji

Subject: **Re-Open Access for Climbers to Climb on State Lands**

Letter: Greetings,

Re-Open Access for Climbers to Climb on State Lands

As advocates for all forms of outdoor recreation, Oahu's 500+ climbers are writing to put full support behind legislation recently brought to you by the DLNR that would waive State liability for recreational activities on State land, including rock climbing, mountaineering, bouldering, and rappelling. Such legislation is needed because despite virtually no injuries in the 22 years residents and visitors have climbed at Mokuleia and other areas on Oahu, a single injury in June of 2012 has motivated the DLNR to essentially ban all climbing, impose harsh financial and criminal penalties, and confiscate community-owned safety equipment that had been donated and in-place at our climbing areas for community use.

We hope very much to see such legislation introduced in the next session so that we can resume climbing, which to us is as important as surfing is to surfers. We wish to extend our full support to help get this legislation passed. Over 1,000 people have already signed a petition requesting that the DLNR reopen the area and we believe we can generate even greater support in favor of these bills.

While we have not seen the text of the draft legislation, we have been apprised of its general themes. As we understand it, there are two measures. The first is a general change to the recreational use statute that would provide the state with a waiver for liability from injuries on State land. It was introduced as HB 2464 in the previous session, but did not make it out of the judiciary committee. The same is true for the Senate companion bill. The second is regarding Section 662 and is intended to specifically waive liability for rock climbing and associated sports. We are fully in support of a specific limit on liability for rock climbing in Hawaii, something that would be consistent with how 45 other States approach this recreational activity.

While we await the passage of this legislation, we would also encourage you to request that the DLNR immediately reopen Mokuleia and other popular climbing sites located in the mountains above and accessed through Kaena State Park. The

Access Fund, a national rock climbing advocacy group, has offered to enter into a management agreement for these climbing sites with the DLNR that would provide some liability insurance coverage for the DLNR while we work out the legislative issues. The goal of this offer is to allow the areas to be re-opened immediately while the climbing community and the DLNR work out a viable and long-term plan. So far, the DLNR has been unwilling to even discuss this possibility with us, but we would hope you could convince them to do so.

Furthermore, instead of banning climbing outright, we seek your support in convincing the DLNR to remove the monetary and criminal penalties for climbing. We feel that the warning signs at the bottom of the trail informing hikers and climbers of the dangers of possible rock fall are sufficient to absolve the State from liability similar to DLNR's use of Chapter 82 in placing warning signage in other State locales. It makes no sense that the State would criminalizing outdoor adventurers because they enjoy the natural environment. It is our understanding that current rules regarding the provision to recreational users with fair warning are sufficient.

While climbing is not entirely risk-free, climbing is at least as safe as other State-approved outdoor activities such as surfing, kiteboarding, or paragliding. Indeed, our climbing areas have been voluntarily maintained and we have self-imposed safety measures not seen in any other climbing area in the world. Certainly, minor accidents do happen, yet when compared to the accidental death and injury rate occurring in the oceans almost daily, there is no significant threat from rock climbing in Hawaii. Hawaii does have the second highest drowning rate in the nation and yet the beaches remain open to water activities. It is unclear why a different approach would be taken with a far less dangerous activity in the mountains. Imagine the uproar of the surfing community if the State closed Sunset Beach and Pipeline - Oahu's climbers feel no less passionately about access to Mokuleia and our other Northshore climbing sites. The unilateral closure of all of our Oahu climbing sites has been devastating to our climbing community.

We understand we live in a litigious world where everyone is afraid of lawsuits. However, we also live in a world where people seek to explore, push their physical limits, and live outside the boundaries of personal safety. The State's solution should not be to close public lands to public access because of a fear of liability or injury. The laws and policies in Hawaii should be framed in such a way that assumed risk is clearly emphasized and the State's job ought to be to ensure the basic maintenance of our public trails and park systems.

Since the early 1990s, Oahu's climbing community has carefully stewarded our few climbing sites, emplaced world-renown safety measures at these sites, coordinated with the local fire department and external experts on review of our safety measures, and coordinated with DLNR regarding our activities while

seeking approval. Climbers in Hawaii and around the world are an avid and dedicated community – it is as much a lifestyle as it is a sport. To be in the mountains and to climb is more than a physical exercise - it is a spiritual awakening to the flow of mind and body. To be deprived of access does direct and personal harm to those of us who depend upon climbing to free our minds and bodies amid the wonder that is our natural world.

We urge you to introduce the legislation, direct DLNR to open climbing again with the insurance policy offered by the Access Fund, and also to invite climbers to play a role in developing management plans for recreational use.

We would like very much to meet with you to discuss these issues in more detail.

Sincerely,

The Oahu Climbing Community

Signatures

Name	Location	Date
Debora Halbert	Honolulu, HI, United States	2012-12-20
Matt Stelmach	Makawao, HI, United States	2012-12-20
Vicki Nakata	Honolulu, HI, United States	2012-12-20
Patrick Pyo	Waipahu, HI, United States	2012-12-20
Keith Okuna	Honolulu, HI, United States	2012-12-20
Michael Richardson	Honolulu, HI, United States	2012-12-20
justin ridgely	waipio, HI, United States	2012-12-20
Rita Scott	Honolulu, HI, United States	2012-12-20
ryan carvalho	Las Vegas, NV, United States	2012-12-20
Kevin Nesnow	Honolulu, HI, United States	2012-12-20
Abbey Smith	Los Angeles, CA, United States	2012-12-20
Zachary Widel	Romeoville, IL, United States	2012-12-20
Garret Murayama	Mililani, HI, United States	2012-12-20
Paul Ryan	Honolulu, HI, United States	2012-12-20
Ryan Chang	Honolulu, HI, United States	2012-12-20
Fumi Richardson	Honolulu , HI, United States	2012-12-20
George Vuong	Honolulu, HI, United States	2012-12-20
Vivian Kwong	VANCOUVER, Canada	2012-12-20
Christopher Baze	Honolulu, HI, United States	2012-12-20
Jeff Hoskins	Honolulu, HI, United States	2012-12-20
David Chatsuthiphan	Honolulu, HI, United States	2012-12-20
Chase Norton	Honolulu, HI, United States	2012-12-20
Dennis Shaffer	Waipahu, HI, United States	2012-12-20
Michael Bishop	Haleiwa, HI, United States	2012-12-20
Duc Ong	Honolulu, HI, United States	2012-12-20
Joyce Kim	San Francisco, CA, United States	2012-12-20
alejandro briceno	honolulu, HI, United States	2012-12-20
Jackson Marsten	Squaw Valley, CA, United States	2012-12-20
Tiana Igarashi	Honolulu, HI, United States	2012-12-20
Jeremy Carr	San Francisco, CA, United States	2012-12-20

Name	Location	Date
Kenneth Capes	Waialua, HI, United States	2012-12-20
Olly Scott-Dye	Kailua, HI, United States	2012-12-20
Bryson Wong	Honolulu, HI, United States	2012-12-20
William Kennelly	Honolulu, HI, United States	2012-12-20
Michael Chamberlain	Honolulu, HI, United States	2012-12-20
Sean Amore	Honolulu, HI, United States	2012-12-20
Ryan Reid	Colorado Springs, CO, United States	2012-12-20
Maria Ly	San Francisco, CA, United States	2012-12-20
Angie Macabeo	Honolulu, HI, United States	2012-12-20
Larry Day	Honolulu, HI, United States	2012-12-20
Abigail Tuke	Wyomissing, PA, United States	2012-12-20
Yoshio Akaha	Honolulu, HI, United States	2012-12-20
john hook	mililani, HI, United States	2012-12-20
Kahala Howser	HONOLULU, HI, United States	2012-12-20
Randy Glidden	Honolulu, HI, United States	2012-12-20
Jennie Zhu	Waianae, HI, United States	2012-12-20
Theodore Rhoades	Kapolei, HI, United States	2012-12-20
Louie Agbayani Jr.	Honolulu, HI, United States	2012-12-20
Eric Phillips	Honolulu, HI, United States	2012-12-20
Rob Eddolls	Dartmouth, Canada	2012-12-20
Christine Miyasaki	Ewa Beach, HI, United States	2012-12-20
Mike Davidson	honolulu, HI, United States	2012-12-20
Eva Bosch	Honolulu, HI, United States	2012-12-20
David Saucedo Eichelmann	Honolulu, HI, United States	2012-12-20
Dawn Greenlee	Waialua, HI, United States	2012-12-20
Randy Reyes	temecula, CA, United States	2012-12-20
Geoff Britten	Honolulu, HI, United States	2012-12-20
John Hester	San Francisco , CA, United States	2012-12-20
zachariah chamberlain	scottsdale, AZ, United States	2012-12-20
Christy Aumer	North Liberty, IA, United States	2012-12-20
Byron Wolter	bloomington, IN, United States	2012-12-20
Rob Turan	Chattanooga, TN, United States	2012-12-20

Name	Location	Date
Leniebelle Gallardo	Honolulu, HI, United States	2012-12-20
Jonathan Alexander	San Francisco, CA, United States	2012-12-20
Scott Bowling	Kailua, HI, United States	2012-12-20
Dan Foreman	mililani, HI, United States	2012-12-20
Grant Thomp[son	Kihei, HI, United States	2012-12-20
Mitchell Masuda	Sunnyvale, CA, United States	2012-12-20
Thomas Engle	Honolulu, HI, United States	2012-12-20
Todd Snyder	San Francisco, CA, United States	2012-12-20
Miguel Casar	santa monica, CA, United States	2012-12-20
Spenser Tang-Smith	Kensington, CA, United States	2012-12-20
Kris Wee	Honolulu, HI, United States	2012-12-20
Scott Strong	DALLAS, TX, United States	2012-12-20
Zachary Liibbe	Salt Lake City, UT, United States	2012-12-20
Benjamin Lim	Gaithersburg, MD, United States	2012-12-20
terry keller	isla vista, CA, United States	2012-12-20
conrad newfield	haleiwa, HI, United States	2012-12-20
Tim DeGraw	San Francisco, CA, United States	2012-12-20
Tony Evans	South Pasadena, CA, United States	2012-12-20
Ben Sheppard	Granite Falls, WA, United States	2012-12-20
David Carbacio	Kaneohe, HI, United States	2012-12-20
Sterling Higa	Honolulu, HI, United States	2012-12-20
Austin Clark	CHULA VISTA, CA, United States	2012-12-20
david griffith	kaneohe, HI, United States	2012-12-20
Jana Moore	Honolulu, HI, United States	2012-12-20
Paul Cavallaro	Honolulu, HI, United States	2012-12-20
Nicole Belle Isle	Mountain View, CA, United States	2012-12-20
Jason Fratis	Haleiwa, HI, United States	2012-12-20
Del Brown	Honolulu, HI, United States	2012-12-20
Kyle Gerschutz	Kaneohe, HI, United States	2012-12-21
Ian Huber	Austin, TX, United States	2012-12-21
teralyn siller	arlington, TX, United States	2012-12-21
Wendy Gibson	Honolulu, HI, United States	2012-12-21

Name	Location	Date
JESSE SAPP	KANEOHE, HI, United States	2012-12-21
Angela Saucedo Warren	Honolulu, HI, United States	2012-12-21
Steven Cogburn	Honolulu, HI, United States	2012-12-21
Sou Phouthavong	Honolulu, HI, United States	2012-12-21
Neil Stotts	Makawao, HI, United States	2012-12-21
Kitt Turner	Honolulu, HI, United States	2012-12-21
chris bruns	haleiwa, HI, United States	2012-12-21
Natnan Nachtigall	Kailua, HI, United States	2012-12-21
Michele Sonen	Honolulu, HI, United States	2012-12-21
Kevin Shen	Philadelphia, PA, United States	2012-12-21
Janet Murayama	Mililani, HI, United States	2012-12-21
Jason Dow	Honolulu, HI, United States	2012-12-21
Alvin Takara	Honolulu, HI, United States	2012-12-21
Kyle Morgan	Kailua, HI, United States	2012-12-21
Cory Yap	Aiea, HI, United States	2012-12-21
bryan stewart	fort worth, TX, United States	2012-12-21
Kevin Yoshioka	Honolulu, HI, United States	2012-12-21
Cindy/ Wai Yi Ng	Honolulu, GA, United States	2012-12-21
Jennifer Carrel	Moore, OK, United States	2012-12-21
Jason Kershner	Ewa Beach, HI, United States	2012-12-21
Joyce Fang	Honolulu, HI, United States	2012-12-21
Chris Pride	San Francisco, CA, United States	2012-12-21
Trish Ang	Oakland, CA, United States	2012-12-21
Rosanna Ho	Honolulu, HI, United States	2012-12-21
Rosanna Ho	Honolulu, HI, United States	2012-12-21
Brendan Till	wahiawa, HI, United States	2012-12-21
phoumi Xayasone	Honolulu, HI, United States	2012-12-21
Clay Bryant	Aiea, HI, United States	2012-12-21
Douglas Baker	Waipahu, HI, United States	2012-12-21
Kevin Weingarten	Jefferson City, MO, United States	2012-12-22
Krayton Brox	Grayslake, IL, United States	2012-12-22
Jennifer Mui	Bronx, NY, United States	2012-12-22

Name	Location	Date
William Bylund	Virginia Beach, VA, United States	2012-12-22
marcie encinas	franklin park, NJ, United States	2012-12-22
Lisa Dagulo	Honolulu, HI, United States	2012-12-22
Patrick Phang	Vancouver, Canada	2012-12-22
N. Tarnia Chaigit	Honolulu, HI, United States	2012-12-22
Marianna Shkolnik	Kailua, HI, United States	2012-12-22
Samuel Yim	Honolulu, HI, United States	2012-12-22
Michael Cregge	Kailua, HI, United States	2012-12-22
L.Steve Rohrmary	Waianae, HI, United States	2012-12-22
roland christopher Arsons	Hau'ula, HI, United States	2012-12-22
Kevin Nace	Barrigada, Guam	2012-12-22
Kelly Wyatt	Han Dong, Chiang Mai, Thailand	2012-12-22
Mark Deger	EI Portal, CA, United States	2012-12-22
Derrick Krause	Inverness, IL, United States	2012-12-22
Elizabeth Barney	Honolulu, HI, United States	2012-12-22
Jonah Thompson	Pittsburgh, PA, United States	2012-12-22
Lisa Privitera	Kaneohe, HI, United States	2012-12-22
Kelly Bates	Littleton, CO, United States	2012-12-22
Joshua Lambus	KAILUA KONA, HI, United States	2012-12-22
ARNO ILGNER	LA VERGNE, TN, United States	2012-12-22
sheela sharma	honolulu, HI, United States	2012-12-22
Gumero Garcia	Honolulu, HI, United States	2012-12-22
Kevin Stacy	Wahiawa, HI, United States	2012-12-22
Justin Wong	Honolulu, HI, United States	2012-12-22
Randall Castor	Honolulu, HI, United States	2012-12-23
chris summit	santa rosa, CA, United States	2012-12-23
jon goldsmith	croton on hudson, NY, United States	2012-12-23
Aron Quiter	Berkeley, CA, United States	2012-12-23
Bruce Morris	Belmont, CA, United States	2012-12-23
Greg Longfellow	Kailua, HI, United States	2012-12-23
Melissa Wette	San Diego, CA, United States	2012-12-23
max Maclaren	brighton, MA, United States	2012-12-23

Name	Location	Date
Tim Beccue	Westlake Village, CA, United States	2012-12-23
Paul Kusisto	Fort Wayne, IN, United States	2012-12-23
Rohan Jadhav	San Diego, CA, United States	2012-12-23
daniel sherlock	honolulu, HI, United States	2012-12-23
gael Whettnall	albuquerque, NM, United States	2012-12-23
Logan Dean	Omaha, NE, United States	2012-12-23
Lovena Harwood	Bradford, MA, United States	2012-12-23
Scott Barron	Los Angeles, CA, United States	2012-12-23
Jay Arling	cleveland, OH, United States	2012-12-23
Kenna Foster	Seattle, WA, United States	2012-12-23
Noah Kaufman	Minden, NV, United States	2012-12-23
Joel Cabrera	Longmont, CO, United States	2012-12-23
Erika Au	Aiea, HI, United States	2012-12-23
Sandra Fedler	Buford, GA, United States	2012-12-23
Rett English	Bowling Green, KY, United States	2012-12-23
Scott Harada	Honolulu, HI, United States	2012-12-23
Alexander Brooks	Mooresville, NC, United States	2012-12-23
Eric Templin	West Lafayette, IN, United States	2012-12-23
meghan taylor	Honolulu, HI, United States	2012-12-23
Sean Hobin	Longmeadow, MA, United States	2012-12-23
Vincent Wu	Berkeley, CA, United States	2012-12-23
John McNee	Vancouver, Canada	2012-12-23
Andrew Wilhite	Wahiawa, HI, United States	2012-12-23
Bruce Taylor	Honolulu, HI, United States	2012-12-23
Camille Alexander	Waialua, HI, United States	2012-12-23
Owen Nachtigal	Brooklyn, NY, United States	2012-12-23
Elise Rumpf	Honolulu, HI, United States	2012-12-23
amie libut	dasmarrinas city, Philippines	2012-12-23
Sam Bingner	Mililani, HI, United States	2012-12-23
Mitchell Medlin	Honolulu, HI, United States	2012-12-23
David Meehan	Corvallis, OR, United States	2012-12-23
Dan Lin	Davis, CA, United States	2012-12-23

Name	Location	Date
Will Schira	Madison, WI, United States	2012-12-23
Caitlin Homes	Wahiawa, HI, United States	2012-12-23
Stephanie Richardson	Wahiawa, HI, United States	2012-12-23
Sean Rivera	Honolulu, HI, United States	2012-12-23
Neil Simpson	Solana Beach, CA, United States	2012-12-23
Terence Kudo	Honolulu, HI, United States	2012-12-23
amie gonzales	Columbus, GA, United States	2012-12-23
Gwynnelle Nishimura	Honolulu, HI, United States	2012-12-23
Don Springford	Delta, Canada	2012-12-23
John-Mark Toth	Redford, MI, United States	2012-12-23
miki Marvel	San Francisco, CA, United States	2012-12-23
Sean Canterbury	Tucson, AZ, United States	2012-12-23
Jason Drogowski	kihei, HI, United States	2012-12-23
David Armendariz	el paso, TX, United States	2012-12-23
Toby Butterfield	Boulder, CO, United States	2012-12-23
Cody Hanson	Napa, CA, United States	2012-12-23
Zach Shepherd	Cambridge, MA, United States	2012-12-23
Kerr Fleming	Dunoon, United Kingdom	2012-12-23
Robin Rosales	honolulu, HI, United States	2012-12-24
Anthony Britton	Honolulu, HI, United States	2012-12-24
Curt Wexel	Arlington, VA, United States	2012-12-24
Laura Britton	St. Augustine, FL, United States	2012-12-24
Cooper Roberts	Los Angeles, CA, United States	2012-12-24
Andrew Bryant	philadelphia, PA, United States	2012-12-24
Edgar Gongora	Kapolei, HI, United States	2012-12-24
Ashton Flinders	Honolulu, HI, United States	2012-12-24
Zachery Knoebel	Kaneohe, HI, United States	2012-12-24
Eliot Carlsen	Sonoma, CA, United States	2012-12-24
Jacob Esmael	Elk Grove Village, IL, United States	2012-12-24
Corey Jamieson	Pasadena, CA, United States	2012-12-24
brandon souza	kailua, HI, United States	2012-12-24
Keala Fung	haleiwa, HI, United States	2012-12-24

Name	Location	Date
Erick Barros	Marietta, GA, United States	2012-12-24
Mark Murawski	Glenville, NY, United States	2012-12-24
John Brooksbank	Marine, MN, United States	2012-12-24
Seth Gammache	Collegeville, PA, United States	2012-12-24
Duncan Rover	Monterey, CA, United States	2012-12-24
Zeshan Chisty	Honolulu, HI, United States	2012-12-24
Randy Vogel	Laguna Hills, CA, United States	2012-12-24
patrick murphy	aiea, HI, United States	2012-12-24
Bec Barker	United States	2012-12-24
Eric Chen	San Francisco, CA, United States	2012-12-25
ryan riggins	Kapolei, HI, United States	2012-12-25
jiovanne pasco	Wahiawa, HI, United States	2012-12-25
Tim Roller	Honolulu, HI, United States	2012-12-25
Devlin Gandy	thousand oaks, CA, United States	2012-12-25
Michael Taylor	Mililani, HI, United States	2012-12-25
nicholas marumoto	honolulu, HI, United States	2012-12-25
Samantha Marumoto	Honolulu, HI, United States	2012-12-25
Gabriele Jamain	Honolulu, HI, United States	2012-12-25
Stephen Snell	Bellingham, WA, United States	2012-12-26
RUSTYBOAR DOTCOM	HILO, HI, United States	2012-12-26
jo chan	honolulu, HI, United States	2012-12-26
James Stacy	Cullman, AL, United States	2012-12-26
B Soong	Silver Spring, MD, United States	2012-12-26
Iolani Lewis	Honolulu, HI, United States	2012-12-26
Maxwell Schipper	Sterling, VA, United States	2012-12-26
Jacinda Elias	Kaneohe, HI, United States	2012-12-27
Laura Saxon	morrison, FL, United States	2012-12-27
Rhonda Hutchinson	Honolulu, HI, United States	2012-12-27
Stefanie Weaver	Pearl City, HI, United States	2012-12-27
Sheina Sim	South Bend, IN, United States	2012-12-27
Sandra Mann	Wahiawa, HI, United States	2012-12-27
Thomas Boulogne	TONGEREN, Belgium	2012-12-27

Name	Location	Date
kevin shannon	springfield, VA, United States	2012-12-27
Joshua Lee	kailua, HI, United States	2012-12-27
French Clark	Honolulu, HI, United States	2012-12-27
Sandro Mächler	Döttingen, Switzerland	2012-12-27
Tyler Miller	Columbus, OH, United States	2012-12-27
Brendan Gough	Santa Ana, CA, United States	2012-12-27
Raymond Werts	Greenville, SC, United States	2012-12-27
lisa blair	Scottsdale, AZ, United States	2012-12-27
Ryan Powell	Kihei, HI, United States	2012-12-28
Tim Anderson	Honolulu, HI, United States	2012-12-28
Damien bell	Honolulu, HI, United States	2012-12-28
Violet Holbrook	Springfield, MO, United States	2012-12-28
Daniel Gordon	Honolulu, HI, United States	2012-12-28
Jonathan Stoughton	Schofield Barracks, HI, United States	2012-12-28
Brenda Burnett	Mililani, HI, United States	2012-12-28
michael Dutton	Ballwin, MO, United States	2012-12-28
Caitanya Logan	Honolulu, HI, United States	2012-12-28
Omeo Fan	Honolulu, HI, United States	2012-12-28
Angelita Cagat	Ewa Beach, HI, United States	2012-12-29
Sarah Vinson	Honolulu, HI, United States	2012-12-29
Govinda Logan	kailua, HI, United States	2012-12-29
Aisha Heredia	Haleiwa, HI, United States	2012-12-29
Mark Baker	Kailua, HI, United States	2012-12-29
Martin Keller	Siebnen, Switzerland	2012-12-29
James Fitch	Kailua, HI, United States	2012-12-29
Elise Baker	Kailua, HI, United States	2012-12-29
Luke hansen	kailua, HI, United States	2012-12-29
Kaiser Nonales	Honolulu, HI, United States	2012-12-29
Julie Nordquist	San Jose, CA, United States	2012-12-29
Karina Abrams	Honolulu, HI, United States	2012-12-30
Celine Logan	Kailua, HI, United States	2012-12-30
Jacque Brown	West Lawn, PA, United States	2012-12-30

Name	Location	Date
Benjamin Shaya	Cambridge, MA, United States	2012-12-30
MAI LUONG	KAILUA, HI, United States	2012-12-31
Jen Hill	Mililani, HI, United States	2012-12-31
Dallas Dean	Peachtree City, GA, United States	2012-12-31
Sue Donaldson	Honolulu, HI, United States	2012-12-31
Gina Sakai	Aiea, HI, United States	2012-12-31
Mark Heckman	Kailua, HI, United States	2012-12-31
Daniel Wahlstrom	Honolulu, HI, United States	2013-01-01
athena wahlstrom	Honolulu, HI, United States	2013-01-01
James Lee	cochrane, Canada	2013-01-01
Philip Chai	Honolulu, HI, United States	2013-01-02
Stephanie Asahan	Kapolei, HI, United States	2013-01-02
aurelien vierin	France	2013-01-02
david rivas	honolulu, HI, United States	2013-01-02
Matt Lutey	Haleiwa, HI, United States	2013-01-02
Vit Hradecky	Stamford, CT, United States	2013-01-02
Kyle Dahl	Irvine, CA, United States	2013-01-02
John Klebes	Raymond, NH, United States	2013-01-02
Ron Cenicola	Honolulu, HI, United States	2013-01-02
Kaala Souza	Kaillua, HI, United States	2013-01-02
Thomas Watson	Honolulu, HI, United States	2013-01-02
Albert Potwin	Littleton, CO, United States	2013-01-02
Roxanne Fleischer	crestview, FL, United States	2013-01-02
Mark Slivka	Honolulu, HI, United States	2013-01-03
Colby Johnson	Santa Ana, CA, United States	2013-01-03
James DeBerry	Honolulu, HI, United States	2013-01-03
jason francisco	Pacifica, CA, United States	2013-01-03
Jessica Flicstein	Kailua, HI, United States	2013-01-03
Christopher Waters	Mays Landing, NJ, United States	2013-01-03
Melissa Logan	Santa Ana, CA, United States	2013-01-03
Dillon Arndt	Laguna Hills, CA, United States	2013-01-03
RD pascoe	Boulder, CO, United States	2013-01-03

Name	Location	Date
Dustin Stephens	Lexington, KY, United States	2013-01-03
dan mcnerthney	portland, OK, United States	2013-01-03
Karis Puruncajas	Seattle, WA, United States	2013-01-03
Charlie Trouba	Avondale, PA, United States	2013-01-03
Chad Burdyslaw	Signal Mtn, TN, United States	2013-01-03
Galen MacDougall	Santa Barbara, CA, United States	2013-01-03
Kris Moulton	Rush City, MN, United States	2013-01-03
Thomas Lukas	Boulder, CO, United States	2013-01-03
Jeffrey Chrabaszcz	College Park, MD, United States	2013-01-03
Ian Kirk	New Albany, OH, United States	2013-01-03
Desiree Stewart	Birmingham, AL, United States	2013-01-03
Sarah Walls	Murfreesboro, TN, United States	2013-01-03
Max Deisch	Houston, TX, United States	2013-01-03
Denise Millon	Atlanta, GA, United States	2013-01-03
Richard Wilson	Austin, TX, United States	2013-01-03
Maura Hahnenberger	Sandy, UT, United States	2013-01-03
Andrew Foy	Houston, TX, United States	2013-01-03
Amanda Littell	San Marcos, TX, United States	2013-01-03
Charles Dokmo	Somerville, MA, United States	2013-01-03
Jean-François L'Heureux	Québec, Canada	2013-01-03
Ren Barrus	Layton, UT, United States	2013-01-03
Tim Watkins	Nashville, TN, United States	2013-01-04
Peter Minearo	San Diego, CA, United States	2013-01-04
Brenden Nogosek	Elk Grove, CA, United States	2013-01-04
Rachel Sherman	Honolulu, HI, United States	2013-01-04
chris erickson	West Jordan, UT, United States	2013-01-04
James Columbia	Bakersfield, CA, United States	2013-01-04
Michelle Fegley	fort wayne, IN, United States	2013-01-04
Abigail Snyder	Churubusco, IN, United States	2013-01-04
Edward Kim	Denver, CO, United States	2013-01-04
richard ellison	seattle, WA, United States	2013-01-04
Andrew Husen	Fort Wayne, IN, United States	2013-01-04

Name	Location	Date
Michael Fields	Boulder, CO, United States	2013-01-04
Fred Maki	Lakeside, CA, United States	2013-01-04
John Neill	Albuquerque, NM, United States	2013-01-04
Michael Dorame	San Francisco, CA, United States	2013-01-04
Jovel Crisostomo	Irvine, CA, United States	2013-01-04
Sara Jane Flowers	Signal Mountain, TN, United States	2013-01-04
Giedre Milutyte	Willowick, OH, United States	2013-01-04
daniel arnold	st petersburg, FL, United States	2013-01-04
marc ia maurycy	schenectady, NY, United States	2013-01-04
Jesse Martin	New York mills, NY, United States	2013-01-05
Matthew Castellon	Fair Oaks, CA, United States	2013-01-05
Amanda Hutchinson	Honolulu, HI, United States	2013-01-05
Cody Yafuso	Aiea, HI, United States	2013-01-05
Christelyn Bernabe	Honolulu, HI, United States	2013-01-06
Tracy Thomas	Honolulu, HI, United States	2013-01-06
Dara Hanegraaf	Honolulu, HI, United States	2013-01-06
Terry Stone	Phenix city, AL, United States	2013-01-06
Gabriel Bedell	Oakland, CA, United States	2013-01-07
Lorna Ang	San Jose, CA, United States	2013-01-07
Jennie De Jesus	San Jose, CA, United States	2013-01-07
Caden Picard	El Cerrito, CA, United States	2013-01-07
Dana Chan	Flushing, NY, United States	2013-01-07
Cherie DeHaven	Kailua, HI, United States	2013-01-07
Sev Tomas	Kapolei, HI, United States	2013-01-07
Kristine Lee	Sacramento, CA, United States	2013-01-07
Adam Davis	Houston, TX, United States	2013-01-08
Jennifer White	Honolulu, HI, United States	2013-01-08
Daniel Nishiguchi	Honolulu, HI, United States	2013-01-09
Cristina Milan	Honolulu, HI, United States	2013-01-09
Daniel Langdon	San Antonio, TX, United States	2013-01-09
Nathan Prado	Honolulu, HI, United States	2013-01-09
Rosalia Dagdag	Waipahu, HI, United States	2013-01-10

Name	Location	Date
Scott Young	Honolulu, HI, United States	2013-01-10
R. Lisa Nishiyama	Honolulu, HI, United States	2013-01-11
Tony Stevens	Aiea, HI, United States	2013-01-12
Anahi Carozzi	chicago, IL, United States	2013-01-12
Catherine Walker	Honolulu, HI, United States	2013-01-13
Margaret Walker	Honolulu, HI, United States	2013-01-13
Dawn Dominy	Benton, PA, United States	2013-01-13
William Haines	Saddle River, NJ, United States	2013-01-13
Fernando Franchina	Argentina	2013-01-14
susieYY wood	kailua, HI, United States	2013-01-15
gabrielle arle	honolulu, HI, United States	2013-01-15
Lucas Arnold	Honolulu, HI, United States	2013-01-15
Karla Kasdan	Jamaica Plain, MA, United States	2013-01-15
Steve Kiaie	Daly City, CA, United States	2013-01-16
Brian Balidio	Honolulu, HI, United States	2013-01-16
Marie Pastor	San Francisco, CA, United States	2013-01-17
Rafael Reigosa	Aiea, HI, United States	2013-01-17
Nick Dagdag	Waipahu, HI, United States	2013-01-18
Rebecka Day	Honolulu, HI, United States	2013-01-19
Grant Ogata	Mililani, HI, United States	2013-01-19
Alyssa Houston	Honolulu, HI, United States	2013-01-21
Sheri Park	Redwood City, CA, United States	2013-01-22
matt grummer	st louis, MO, United States	2013-01-23
Dan Caywood	Kailua, HI, United States	2013-01-24
beatrice Bruno	Kailua Kona, HI, United States	2013-01-25
Megan Kenny	Vienna, VA, United States	2013-01-25
Stacia Morenos	Aiea, HI, United States	2013-01-27
Jophiel Gordon	Waialua, HI, United States	2013-01-28
Melissa Viray	Saint Louis, MO, United States	2013-01-28
Joel Palmer	florissant, MO, United States	2013-01-28
Jacob Cantrell	Saint Louis, MO, United States	2013-01-28
Haydn Huntley	Makawao, HI, United States	2013-01-29

Name	Location	Date
Meadow Monioz	Rocklin, CA, United States	2013-01-29
Marina Batham	Kula, HI, United States	2013-01-29
Stuart Berg	Honolulu, HI, United States	2013-01-29
CiCi Baker	Gardnerville, NV, United States	2013-01-30
Trey Bell	Georgetown, DE, United States	2013-01-30
Danny Hickey	Ossining, NY, United States	2013-01-30
Tawny Gorbutt	Laie, HI, United States	2013-01-31
Leena Kilpelainen	Laie, HI, United States	2013-01-31
Spencer Carlson	Laie, HI, United States	2013-01-31
Nico Rihood	Paia, HI, United States	2013-02-04
Marc Antosch	Paia, HI, United States	2013-02-04

My name is Duc Ong. I am a high school math teacher at Kaiser High School. As a resident tax-payer and employee of the state, I would like to make the following statement.

As advocates for all forms of outdoor recreation, Oahu's 500+ climbers are writing to put full support behind legislation recently brought to you by the DLNR that would waive State liability for recreational activities on State land, including rock climbing, mountaineering, bouldering, and rappelling. Such legislation is needed because despite virtually no injuries in the 22 years residents and visitors have climbed at Mokuleia and other areas on Oahu, a single injury in June of 2012 has motivated the DLNR to essentially ban all climbing, impose harsh financial and criminal penalties, and confiscate community-owned safety equipment that had been donated and in-place at our climbing areas for community use.

I hope very much to see this bill pass in the next session so that I can resume climbing, which to us is as important as surfing is to surfers. I wish to extend our full support to help get this legislation passed. Over 1,000 people have already signed a petition requesting that the DLNR reopen the area and I believe I can generate even greater support in favor of these bills. I am fully in support of a specific limit on liability for rock climbing in Hawaii, something that would be consistent with how 45 other States approach this recreational activity.

While I await the passage of this legislation, *I would also encourage you to request that the DLNR immediately reopen Mokuleia and other popular climbing sites located in the mountains above and accessed through Kaena State Park.* The Access Fund, a national rock climbing advocacy group, has offered to enter into a management agreement for these climbing sites with the DLNR that would provide some liability insurance coverage for the DLNR while I work out the legislative issues. The goal of this offer is to allow the areas to be re-opened immediately while the climbing community and the DLNR work out a viable and long-term plan. So far, the DLNR has been unwilling to even discuss this possibility with us, but I would hope you could convince them to do so.

Furthermore, instead of banning climbing outright, I seek your support in convincing the DLNR to remove the monetary and criminal penalties for climbing. I feel that the warning signs at the bottom of the trail informing hikers and climbers of the dangers of possible rock fall are sufficient to absolve the State from liability similar to DLNR's use of Chapter 82 in placing warning signage in other State locales. It makes no sense that the State would criminalize outdoor adventurers because they enjoy the natural environment. It is our understanding that current rules regarding the provision to recreational users with fair warning are sufficient.

While climbing is not entirely risk-free, climbing is at least as safe as other State-approved outdoor activities such as surfing, kiteboarding, or paragliding. Indeed, our climbing areas have been voluntarily maintained and I have self-imposed safety measures not seen in any other climbing area in the world. Certainly, minor accidents do happen, yet when compared to the accidental death and injury rate occurring in the oceans almost daily, there is no significant threat from rock climbing in Hawaii. Hawaii does have the second highest drowning rate in the nation and yet the beaches remain open to water activities. It is unclear why a different approach would be taken with a far less dangerous activity in the mountains. Imagine the uproar of the surfing community if the State closed Sunset Beach and Pipeline - Oahu's climbers feel no less

passionately about access to Mokuleia and our other Northshore climbing sites. The unilateral closure of all of our Oahu climbing sites has been devastating to our climbing community.

I understand I live in a litigious world where everyone is afraid of lawsuits. However, I also live in a world where people seek to explore, push their physical limits, and live outside the boundaries of personal safety. The State's solution should not be to close public lands to public access because of a fear of liability or injury. The laws and policies in Hawaii should be framed in such a way that assumed risk is clearly emphasized and the State's job ought to be to ensure the basic maintenance of our public trails and park systems.

Since the early 1990s, Oahu's climbing community has carefully stewarded our few climbing sites, emplaced world-renown safety measures at these sites, coordinated with the local fire department and external experts on review of our safety measures, and coordinated with DLNR regarding our activities while seeking approval. Climbers in Hawaii and around the world are an avid and dedicated community – it is as much a lifestyle as it is a sport. To be in the mountains and to climb is more than a physical exercise - it is a spiritual awakening to the flow of mind and body. To be deprived of access does direct and personal harm to those of us who depend upon climbing to free our minds and bodies amid the wonder that is our natural world.

I urge you to pass the legislation, direct DLNR to open climbing again with the insurance policy offered by the Access Fund, and also to invite climbers to play a role in developing management plans for recreational use.

Sincerely,

Duc Ong

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Houston	Individual	Support	No

Comments:

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HB625

Submitted on: 2/24/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Mui	Individual	Support	No

Comments: I support this bill. I would like to see legislation passed that would define and limit the State's liability for injuries and accidents that occur from hiking, climbing and other similar activities. Having this legislation in place would protect the State from lawsuits and would remove the need to close down trails as an only means of protection. I also support lifting the current ban on rock climbing in Hawaii. This ban is as ridiculous as banning surfing in Hawaii. It is time to pass these bills; they are long overdue.

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HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
julie dagenais	Individual	Support	No

Comments:

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HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
justin ridgely	Individual	Support	Yes

Comments: February 25, 2013 Testimony in Support of House Bill 625 To: Chair Rhoads, Vice Chair Har and members of the Judiciary Committee Submitted by: [Justin Ridgely, Individual and Resident of Honolulu I am writing in support of HB 625 because it is my hope that sensible legislation like this bill will address the Department of Land and Natural Resources' (DLNR) fear of liability stemming from the possibility of someone getting injured while rock climbing on State lands. I respectfully request that the committee amend the current HB 625 to remove Section 2 related to general liability protection for the state under Section 520. These sections were combined from two independent bills in earlier committee hearings and I believe they should be discussed separately given the difference in intent and scope of the legislation under consideration. While the more general revision of 520 may be a worthwhile idea, it is one that needs independent discussion and assessment. Thus, my support is specifically for Section 1 of the current version of HB 625 which specifically pertains to limiting State liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering. I respectfully request that Section 2 of the current version of HB625 be replaced with the following language to better clarify the activities for which we seek liability protection for the State and to better synchronize HB625 with its Senate companion bill SB1168: SECTION 2. Section 662-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows: ""Bouldering" refers to a style of rock climbing undertaken outdoors without rope and normally done on large natural boulders. "Rock climbing" means any activity involving the use of rope to ascend or descend rock." Activities such as rock climbing deserve to be treated similarly to Hawaii's skateboarding, watersport, and ocean activities, all of which have statutes limiting State liability for these hazardous recreational uses. We believe it is important to offer such protection for a number of critical reasons including: the legal climate in Hawaii, the inherent risk of rock climbing (much like the inherent risk involved in skateboarding or surfing), DLNR's admission that they lack the staff and expertise to manage and oversee climbing sites, , and the ongoing DLNR practice of closing public lands out of fear of litigation. Furthermore, HB 625 should be passed because it is a win-win situation. Why do I believe this? 1) By passing this bill, the legislature will add no additional expense to the DLNR's already meager budget. Indeed, the measure will save DLNR money because they would not be compelled to manage the sport and thus supports the status quo prior to the closure of the area. 2) The measure will potentially save taxpayers money in the event someone is injured while engaging in this inherently dangerous sport. The Oahu climbing community numbering approximately 500 individuals, already does a great job of managing its climbing areas. In the 22 year history of climbing on the island, Oahu's rock climbers have maintained the climbing trails, picked up trash in and around the

climbing areas, including the nearby roads and beaches, maintained all the climbing routes with the same standards used worldwide in other tropical localities, invested in thousands of dollars into safety equipment, including rescue litters and spare helmets at its climbing sites, and much more. These activities have been done voluntarily and privately over the last 20 years and passage of this legislation will allow for the status quo arrangement to continue. The DLNR budget and staff are already stretched thin and DLNR supports this legislation, as well as more comprehensive liability reform. 3) The historical safety record of rock climbing in Hawaii is nearly impeccable. Mr. Robert Turan, National Park Service Ranger, (who submitted testimony in support of SB1168, the companion to this bill to this legislation), has suggested that no other climbing area on the mainland has maintained a better safety record than that of the Mokuleia climbing site on Oahu. Additionally, Mr. Turan, who is a Rescue Ranger with safety oversight at several mainland climbing areas on Federal lands, clearly identified the variety of safety measures that Oahu rock climbers have voluntarily emplaced at our climbing sites as factors for this amazing safety record. As he said in his testimony, "I visited the North Shore of Oahu the spring of 2012, specifically to rock climb at the Mokuleia Crag, an incredible basalt cliff that I had heard so much about from friends in the climbing community and in various magazine articles. Everything about the Mokuleia rock climbing crag, from the hike in, to the quality and texture of the smooth basalt, to the unique and safe top roping system, is of a world-class nature. I absolutely loved climbing at The Moke. I was very impressed that a cache was on site with safety equipment including a litter, helmets, rope and so forth. I have never seen such dedication placed into an area, nor such thorough attention to safety and on-site preparedness for a carry out operation in the event of an injury. The effort the Hawaii climbers have made to be safe, and to be self-sufficient in performing a carry out is unparalleled in my extensive experience. In addition, the very well-maintained bolts and "string system" the local climbers have developed at the Mokuleia crag enables ropes, for top-roping, to be put into place from the ground, without any of the environmental damage that often occurs along the top of climbing cliffs. Because of this system, climbers at the Mokuleia wall don't have to access the fragile environments above the solid basalt crag. The Mokuleia crag's rock quality, measures for safety, thoroughness of maintenance, and attention to ensuring adverse impacts to the environment are avoided are, in my professional opinion, world class. The Mokuleia Crag's safety record is superior – 20+ years with only one serious injury (which resulted in the Crag's closure last spring) is excellent." I challenge anyone to identify a single other sport with a better safety record than that of the rock climbing community. However, fear of liability has undermined our efforts and our ability to pursue our passion for rock climbing. 4) The rock quality upon which climbers climb in Hawaii is no more dangerous than other climbing areas on the mainland. Many residents erroneously believe that Hawaii lacks suitable cliffs and rock substrate for rock climbing. However, rock climbing on Oahu occurs on what is known as 'blue rock' basalt cliffs comprised of the same extremely hard and dense 'blue rock' stone that has been used for decades as curbsides along our streets and roadways and as building materials past and present. A quick stroll through Chinatown or past many of Honolulu's historic buildings will attest to the structural integrity of Hawaii's 'blue rock' stone, the same which rock climbers utilize for their sport in Hawaii. 5) The National Park Service considers rock climbing a "welcomed and historic use of public lands" and the State of Hawaii should take a similar stance as

its own Na Ala Hele program does toward the maintenance and protection of trails, historic and otherwise. As a very active member of the climbing community, I can assure you that the sport of rock climbing has and is increasingly growing in importance to the concept of Hawaii as a fun and healthy place to recreate for both visitors and residents. Currently, Oahu's 500 rock climbers have nowhere to climb, and the roughly 1,000 annual visitors that travel to Oahu to climb are going elsewhere. While rock climbing is a drop in the bucket compared to Oahu's surfing industry or its surfing 'attractiveness', eliminating options for recreation is bad business. Rock climbing is an important component of the overall Oahu ecotourism industry and to suggest otherwise indicates an uninformed opinion. 6) Hawaii offers a bountiful array of recreational activities, and we as a society must accept that reasonable people who pursue these activities (such as mountain climbing, rock climbing, rappelling, and bouldering) accept all natural and inherent risks that come along with them. Whenever someone participates in these climbing activities, there are immediate and obvious risks that are essential qualities of the sport that cannot be entirely removed or mitigated; there should be no legal grounds for holding the State liable for damages resulting from such risks. Furthermore, it is a longstanding ethic in climbing communities that each individual is responsible for all aspects of their well-being. One climbs at one's own risk, as is stated at the beginning of all guidebooks. Banning participation in these activities (as the DLNR has done at most Oahu sites) cannot be the solution. The current climate of fear brought on by the failure of the state to revise Hawaii's tort laws related to hazardous recreational use over the last decade has meant that DLNR's has been reduced to closing areas once an individual is injured or killed instead of continuing to offer the opportunity for locals and visitors alike to enjoy the outdoors. Given the changing nature of recreational use across the country, such a practice will continue put recreational users at odds with state policy in greater numbers. Recall the 1980s bumper stickers "skateboarding is not a crime," the same thing applies to rock climbing in Hawaii in the 21st century. So while DLNR's fear of liability is not due to any reasonable expectation (based upon our historical safety record) that climbers will be seriously injured climbing, it is not unreasonable for DLNR to fear liability itself (recall the \$15.4 million Brem case) because our liability laws are out of date and favor Hawaii's trial attorneys. The fact that only the Hawaii Association for Justice opposes this bill speaks volumes. As members of the Judiciary are perhaps aware, Hawaii's recreational use statutes have not been revised since initially promulgated in the 1960s. We feel that this piece of legislation is a step in the right direction towards more comprehensive hazardous recreational use reform. I wish to thank the House Judiciary Committee members for their time in consideration of this testimony and urge the Committee to support and pass HB625. Sincerely, Justin Ridgely Volcanic Rock Gym LLC

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HB625

Submitted on: 2/24/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Fowler	Individual	Support	No

Comments:

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To: Committee on Judiciary

From: Kitt Turner

Hearing: February 26, 2013, 2:05 PM Conference Room 325

RE: HB 625

Dear Committee on Judiciary,

As someone who has experienced the joy of rock climbing for many years, I STRONGLY SUPPORT the passage of HB 625. This legislation will help reduce the states liability pertaining to rock climbing related injuries sustained on state land. The passage of the legislation will help to reopen safe rock climbing areas for everyone to enjoy.

As an avid climber I understand that I must assume risk for my own welfare when engaging in potentially hazardous recreational activity. The climbing community on Oahu is quite large, and for many of us a way of life. We have unfortunately seen the closure of our most beloved climbing areas due to liability concerns, and it is in best interest of everyone to pass HB 625.

I urge you to pass this legislation to make the state safer from overly litigious residents and visitors who should understand that they assume risk for their personal safety when leaving the confines of their homes.

Sincerely,

Kitt Turner

Hello,

I am writing in support of this measure, which hopes to open the rock climbing areas across Hawai'i. Being raised in Colorado, a state that has effectively implemented their natural rock climbing resources into their overall repertoire to further promote tourism, climbing has been an important part of my life since high school.

But more than merely being an ever present phenomenon, it has allowed me to avoid certain negative habits and, in turn, allowed me to pursue more positive lifestyle choices. The truth is, as many of my friends in high school pursued a path that leant itself to substance abuse, I chose the path of rock climbing. The fact that this was a viable option allowed me to avoid the aforementioned negative lifestyle and give me the strength to develop my personality in a more responsible manner. I very much believe that without the positive alternative of rock climbing I would not be where I am today – finishing up an MA at the University of Hawai'i and planning to continue on to the University of Chicago for my PhD. It speaks to the character of rock climbing, as well as those who participate in it, that it can provide a path for a radically different approach to life and values.

I sincerely believe that Hawai'i would be doing a disservice to its youth, as well as its public more broadly, if they continue to ban rock climbing.

Thank you very much for your time.

Sincerely,

Kyle Peters

HB625

Submitted on: 2/24/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Marcus Griego	Individual	Support	No

Comments:

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HB625

Submitted on: 2/24/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Lawrence	Individual	Support	No

Comments:

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HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Stelmach	Individual	Support	No

Comments:

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This bill is important to allow access to those of us who participate in climbing, bouldering, canyoneering, etc. These are outstanding pioneer markets for eco-tourism and a great low impact way to add value to our natural resources. There are climbers and outdoor enthusiasts all over the world who would support our natural resources if they were allowed to enjoy them.

Additionally, there is a strong history of climbing in Hawaiian culture. The phrase "Kau i uka o Nihoa" or "climbing the cliffs of Nihoa" has long been a term for overcoming adversity. Climbing the cliffs of Nihoa was also one of the trials faced by practitioners of Lua, the Hawaiian fighting art. Climbing on Lanai, climbing author John Long found an altar placed on the top of a spire which was so hard he couldn't climb it, yet Hawaiians had free soloed it carrying enough rock to build the altar!

Climbing has a rich history in Hawaii and we, the climbing community would like to continue that tradition.

February 25, 2013 Testimony in Support of House Bill 625

To: Chair Rhoads, Vice Chair Har and members of the Judiciary Committee

Submitted by:

Sayar Kuchenski, Climbing Resident Group Leader

Neil Stotts

Eric Phillips

Jacinda Elias

I am writing in **SUPPORT** of HB 625 because it is my hope that sensible legislation like this bill will address the Department of Land and Natural Resources' (DLNR) fear of liability stemming from the possibility of someone getting injured while rock climbing on State lands. I respectfully request that the committee **amend the current HB 625 to remove Section 2 related to general liability protection for the state under Section 520**. These sections were combined from two independent bills in earlier committee hearings and I believe they should be discussed separately given the difference in intent and scope of the legislation under consideration. While the more general revision of 520 may be a worthwhile idea, it is one that needs independent discussion and assessment. Thus, my support is specifically for Section 1 of the current version of HB 625 which specifically pertains to limiting State liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering.

I respectfully request that Section 2 of the current version of HB625 be replaced with the following language to better clarify the activities for which we seek liability protection for the State and to better synchronize HB625 with its Senate companion bill SB1168:

SECTION 2. Section 662-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

""Bouldering" refers to a style of rock climbing undertaken outdoors without rope and normally done on large natural boulders.

"Rock climbing" means any activity involving the use of rope to ascend or descend rock."

Activities such as rock climbing deserve to be treated similarly to Hawaii's skateboarding, watersport, and ocean activities, all of which have statutes limiting State liability for these hazardous recreational uses. We believe it is important to offer such protection for a number of critical reasons including: the legal climate in Hawaii, the inherent risk of rock climbing (much like the inherent risk involved in skateboarding or surfing), DLNR's admission that they lack the staff and expertise to manage and oversee climbing sites, , and the ongoing DLNR practice of closing public lands out of fear of litigation.

Furthermore, HB 625 should be passed because it is a **win-win situation**. Why do I believe this?

1) By passing this bill, the legislature will add no additional expense to the DLNR's already meager budget. Indeed, the measure will save DLNR money because they would not be compelled to manage the sport and thus supports the status quo prior to the closure of the area.

2) The measure will potentially save taxpayers money in the event someone is injured while engaging in this inherently dangerous sport. The Oahu climbing community numbering approximately 500 individuals, already does a great job of managing its climbing areas. In the 22 year history of climbing on the island, Oahu's rock climbers have maintained the climbing trails, picked up trash in and around the climbing areas, including the nearby roads and beaches, maintained all the climbing routes with the same standards used worldwide in other tropical localities, invested in thousands of dollars into safety equipment, including rescue litters and spare helmets at its climbing sites, and much more. These activities have been done voluntarily and privately over the last 20 years and passage of this legislation will allow for the status quo arrangement to continue. The DLNR budget and staff are already stretched thin and DLNR supports this legislation, as well as more comprehensive liability reform.

3) The historical safety record of rock climbing in Hawaii is nearly impeccable. Mr. Robert Turan, National Park Service Ranger, (who submitted testimony in support of SB1168, the companion to this bill to this legislation), has suggested that no other climbing area on the mainland has maintained a better safety record than that of the Mokuleia climbing site on Oahu. Additionally, Mr. Turan, who is a Rescue Ranger with safety oversight at several mainland climbing areas on Federal lands, clearly identified the variety of safety measures that Oahu rock climbers have voluntarily emplaced at our climbing sites as factors for this amazing safety record. As he said in his testimony,

“I visited the North Shore of Oahu the spring of 2012, specifically to rock climb at the Mokuleia Crag, an incredible basalt cliff that I had heard so much about from friends in the climbing community and in various magazine articles. Everything about the Mokuleia rock climbing crag, from the hike in, to the quality and texture of the smooth basalt, to the unique and safe top roping system, is of a world-class nature. I absolutely loved climbing at The Moke. I was very impressed that a cache was on site with safety equipment including a litter, helmets, rope and so forth. I have never seen such dedication placed into an area, nor such thorough attention to safety and on-site preparedness for a carry out operation in the event of an injury. The effort the Hawaii climbers have made to be safe, and to be self-sufficient in performing a carry out is unparalleled in my extensive experience. In addition, the very well-maintained bolts and “string system” the local climbers have developed at the Mokuleia crag enables ropes, for top-roping, to be put into place from the ground, without any of the environmental damage that often occurs along the top of climbing cliffs. Because of this system, climbers at the Mokuleia wall don't have to access the fragile environments above the solid basalt crag. The Mokuleia crag's rock quality, measures for safety, thoroughness of maintenance, and attention to ensuring adverse impacts to the environment are avoided are, in my professional opinion, world class. The Mokuleia Crag's safety record is superior – 20+ years with only one serious injury (which resulted in the Crag's closure last spring) is excellent.”

I challenge anyone to identify a single other sport with a better safety record than that of the rock climbing community. However, fear of liability has undermined our efforts and our ability to pursue our passion for rock climbing.

4) The rock quality upon which climbers climb in Hawaii is no more dangerous than other climbing areas on the mainland. Many residents erroneously believe that Hawaii lacks suitable cliffs and rock substrate for rock climbing. However, rock climbing on Oahu occurs on what is known as 'blue rock' basalt cliffs comprised of the same extremely hard and dense 'blue rock' stone that has been used for decades as curbsides along our streets and roadways and as building materials past and present. A quick stroll through Chinatown or past many of Honolulu's historic buildings will attest to the structural integrity of Hawaii's 'blue rock' stone, the same which rock climbers utilize for their sport in Hawaii.

5) The National Park Service considers rock climbing a "welcomed and historic use of public lands" and the State of Hawaii should take a similar stance as its own Na Ala Hele program does toward the maintenance and protection of trails, historic and otherwise. As a very active member of the climbing community, I can assure you that the sport of rock climbing has and is increasingly growing in importance to the concept of Hawaii as a fun and healthy place to recreate for both visitors and residents. Currently, Oahu's 500 rock climbers have nowhere to climb, and the roughly 1,000 annual visitors that travel to Oahu to climb are going elsewhere. While rock climbing is a drop in the bucket compared to Oahu's surfing industry or its surfing 'attractiveness', eliminating options for recreation is bad business. Rock climbing is an important component of the overall Oahu ecotourism industry and to suggest otherwise indicates an uninformed opinion.

6) Hawaii offers a bountiful array of recreational activities, and we as a society must accept that reasonable people who pursue these activities (such as mountain climbing, rock climbing, rappelling, and bouldering) accept all natural and inherent risks that come along with them. Whenever someone participates in these climbing activities, there are immediate and obvious risks that are essential qualities of the sport that cannot be entirely removed or mitigated; there should be no legal grounds for holding the State liable for damages resulting from such risks. Furthermore, it is a longstanding ethic in climbing communities that each individual is responsible for all aspects of their well-being. One climbs at one's own risk, as is stated at the beginning of all guidebooks. Banning participation in these activities (as the DLNR has done at most Oahu sites) cannot be the solution.

The current climate of fear brought on by the failure of the state to revise Hawaii's tort laws related to hazardous recreational use over the last decade has meant that DLNR's has been reduced to closing areas once an individual is injured or killed instead of continuing to offer the opportunity for locals and visitors alike to enjoy the outdoors. Given the changing nature of recreational use across the country, such a practice will continue put recreational users at odds with state policy in greater numbers. Recall the 1980s bumper stickers "skateboarding is not a crime," the same thing applies to rock climbing in Hawaii in the 21st century.

So while DLNR's fear of liability is not due to any reasonable expectation (based upon our historical safety record) that climbers will be seriously injured climbing, it is not unreasonable for DLNR to fear liability itself (recall the \$15.4 million Brem case) because our liability laws are out of date and favor Hawaii's trial attorneys. The fact that only the Hawaii Association for Justice opposes this bill speaks volumes.

As members of the Judiciary are perhaps aware, Hawaii's recreational use statutes have not been revised since initially promulgated in the 1960s. We feel that this piece of legislation is a step in the right direction towards more comprehensive hazardous recreational use reform.

I wish to thank the House Judiciary Committee members for their time in consideration of this testimony and urge the Committee to support and pass HB625.

Sincerely,
Sayar Kuchenski

I am writing as a long-term climber and avid hiker who had from one to four times a month at Mokuleia for the last two years, until its closure. The state's actions directly impact my life and well being in Hawaii. Up until last summer, climbing had been a central component of my life here on Oahu, being my primary source of weekend enjoyment and exercise. The climbing community on Oahu has deeply enriched my experience here, as do all the hikes into the mountains that are possible. As a result, I am deeply affected by the closures and write to express how important it is that the area remain open for climbing and that any future rules protect access to the climbing and hiking trails on the Islands. In fact, I believe this should be an opportunity for the state to more fully support its trail systems, which are a part of the eco-tourism that many come to Hawaii to experience and that are enjoyed by those of us who live here.

As a climber, I understand that rock climbing is overall a safe sport, and that like all outdoor activities, there are inherent risks involved as well. A respect for nature, and understanding and use of proper gear and protection equipment help to mitigate those risks. Please take the time to look nationally, or internationally at the rates of injuries, you will see that there are few if any lawsuits by climbers regarding injuries suffered while climbing. Furthermore, the state of Hawaii sent a geologist to examine the Mokuleia rock climbing area in the year 2000 and subsequently gave its approval that the area was safe for public use.

I believe that closing the area was an overreaction and a mistake.

Given how important climbing as a sport and lifestyle is to me, I am deeply disappointed with the way the state has chosen to react to this incident. I request that the following be done.

First, open all climbing at Ka'ena Point back up to climbers as soon as possible. The state has been provided with adequate documentation from local climbers (and the Access Fund) regarding the management of climbing sites across the nation. By following these models, a long-term, sustainable solution is easily obtainable.

Second, pass legislation that will provide liability protection for the county and state, and allow access to public lands for those seeking recreational use (climbing, hiking, etc.). I urge you to do whatever is necessary to insure bills are not only heard, but kept alive, and made into law.

Climbers around the world are an avid and dedicated community – it is as much a lifestyle as it is a sport. To be in the mountains and to climb is more than a physical exercise, it is the opportunity to engage in a community and lifestyle that is larger than one person. **To be deprived of access does me direct and personal harm.** The members of this community are strongly motivated to secure access to and provide stewardship for the lands we use.

As a community, our hearts ache for the little girl who was injured at Mokuleia. **Closing access to us all is not the appropriate response.** Please rescind the closure and engage

the climbing community in a planning process that can enhance yet another type of activity that will draw people to the Islands instead of imposing more restrictive measures that make life all the less enjoyable. Please do not keep this invaluable natural resource from being safely enjoyed by the climbers of Oahu for generations to come.

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rob Turan	Individual	Support	No

Comments: My name is Rob Turan and I would like to submit testimony in support of HB625 (which I believe is a companion bill to SB1168) which would update rock climbing liability protection in the State of Hawaii. I have been a National Park Service law enforcement Park Ranger and the Climbing Park Ranger for 30 years at National Parks including Grand Canyon, New River Gorge, Obed Wild and Scenic River, and Sunset Rock, Lookout Mountain, Tennessee. As the primary staff person dealing with all aspects of climbing management at these National Parks, from policy, anchor replacement, resource impact and mitigation, and search and rescue, my overall experience is without peer. In addition I have been an active rock climber since 1978. I helped institute the very first anchor replacement initiative to occur within federally managed land and this in turn set precedence for all other climbing parks to do the same to preserve rim ecosystems. I am the National Park Service's rock climbing rescue lead instructor. There are very few people who have more experience and expertise with rock climbing and crag management than I do and I provide this testimony on that basis. I visited the North Shore of Oahu the spring of 2012, specifically to rock climb at the Mokuleia Crag, an incredible basalt cliff that I had heard so much about from friends in the climbing community and in various magazine articles. Everything about the Mokuleia rock climbing crag, from the hike in, to the quality and texture of the smooth basalt, to the unique and safe top roping system, is of a world-class nature. I absolutely loved climbing at The Moke. I was very impressed that a cache was on site with safety equipment including a litter, helmets, rope and so forth. I have never seen such dedication placed into an area, nor such thorough attention to safety and on-site preparedness for a carry out operation in the event of an injury. The effort the Hawaii climbers have made to be safe, and to be self-sufficient in performing a carry out is unparalleled in my extensive experience. In addition, the very well-maintained bolts and "string system" the local climbers have developed at the Mokuleia crag enables ropes, for top-roping, to be put into place from the ground, without any of the environmental damage that often occurs along the top of climbing cliffs. Because of this system, climbers at the Mokuleia wall don't have to access the fragile environments above the solid basalt crag. The Mokuleia crag's rock quality, measures for safety, thoroughness of maintenance, and attention to ensuring adverse impacts to the environment are avoided are, in my professional opinion, world class. The Mokuleia Crag's safety record is superior – 20+ years with only one serious injury (which resulted in the Crag's closure last spring) is excellent. I notice a group of Hawaii personal injury lawyers is working

to oppose this bill and while I sympathize with their concern that passage of this bill into law could, some far day in the future, result in one of them foregoing a sizeable payout from the State's funds, I hope that you will rule in favor of the State and the public good by ensuring this bill passes into law. In addition to the objective safety of this crag and the objective need the State has for updated liability law, the subjective is also worth mentioning here: the ocean scenery when on a rope on the Mokuleia crag is breathtaking. There is no cliff anywhere in the world that offers the combination of view and quality of the rock climbing the Mokuleia Crag offers. I most heartedly endorse preserving The Moke as a world class climbing destination. Please update Hawaii law to enable DLNR to keep the Mokuleia crag open so that climbers from across the planet can enjoy the best of Hawaii as I did. Thank you and please contact me if I can answer any questions or provide additional information.

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Testimony in SUPPORT of HB625 HD1

I am writing to support HB625 HD1 which pertains to limited liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering. These activities deserve to have limited liability in line with Hawaii's skateboarding, watersport, and ocean activity statutes for a number of critical reasons including: the legal climate in Hawaii, the inherent risk of rock climbing activities, the total inability of the State to oversee them, and the ongoing DLNR practice of closing public lands out of fear of litigation.

First, landowner liability laws in Hawaii are drastically in need of clarification to keep pace with the types of outdoor recreation that are rapidly burgeoning throughout the islands. Gaps in the Hawaii Revised Statutes continue to allow tax dollars to hemorrhage out of the general fund due to lawsuits. The legal climate that has been engendered by consumer lawyers has allowed these lawsuits to persist and to succeed. Many of these judgments against the State seem utterly ludicrous and can only be seen as results of the prodigious cleverness of the lawyers who continue to pilfer the State's coffers. The legislature must take action to protect the rights of recreationists to utilize public lands as they choose, rather than protecting the ability of trial lawyers to sue the State every time someone is injured or killed.

Additionally, Hawaii offers a bountiful array of recreational activities, and we as a society must accept that reasonable people who pursue these activities (such as mountain climbing, rock climbing, rappelling, and bouldering) accept all natural and inherent risks that come along with them. Whenever someone participates in these climbing activities, there are immediate and obvious risks which are essential qualities of these activities that cannot be entirely removed or mitigated; there should be no legal grounds for holding the State liable for damages resulting from such risks. Banning participation in these activities (as the DLNR has done at a number of areas) cannot be the solution; rock climbing is a "welcomed and historic use" of public lands according to the National Park Service, and we must seek to protect it as such.

The nature of mountain climbing, rock climbing, rappelling, and bouldering are such that the practitioners of these activities will always be seeking out new areas to explore and enjoy. This completely precludes any attempts by DLNR to regulate or oversee these activities; the climbers will always be two steps ahead, often establishing self-maintained trails and climbing areas well off the beaten path. Potential proposed solutions of posting signage or setting up permitting programs are completely untenable unless we wish to see thousands of new signs throughout the islands, and establish paperwork for every new climbing site that is established. DLNR doesn't have the resources or staff to enact such programs, and the public doesn't want government oversight of rock climbing areas. By maintaining the stance that climbing is allowed but not regulated, the State will not need to pursue such wasteful measures.

This brings us to the final critical point regarding rock climbing liability: the DLNR's actions. Since a rockfall injury occurred in June of 2012 at a climbing wall in Mokuleia, the DLNR has closed down the two largest, most well-developed climbing areas on the island of Oahu; their actions prompted the DHHL to close down a third extremely popular climbing site as well. In more than twenty years of organized rock climbing in Hawaii there has never been a lawsuit filed against the State as a result of rock climbing activities; these area closures are purely the result of paranoid speculation. As long as the threat of unrighteous lawsuits exists, the DLNR will not allow rock climbing at these areas. This intractable position has led to eight months of efforts by local climbers to try to regain access to these public lands, including: appealing to neighborhood boards, repeated offers the by

national nonprofit organization the Access Fund to insure the State against climbing injuries, and requests from local climbers to assume stewardship and land management of the climbing areas; all these efforts have been endlessly stymied by DLNR officials.

Action by the legislature is required to solve this patently absurd situation wherein a “welcomed and historic use” of public lands has been banned, and a whole community has been disenfranchised due to the threat of lawsuits arising from participation in an inherently dangerous activity. We the people need the legislature to remove the threat of lawsuits from the Hawaiian legal climate so that DLNR can rescind its draconian stance toward a safe, healthy, and fulfilling activity and way of life and allow Hawaii's climbers to regain and maintain access to the public lands they treasure. Please pass HB625 HD1 to resolve this situation. Thank you for allowing me to present this testimony.

Sincerely,

Rosanna Ho

My name is Scott Bowling and I am a climber and a hiker. I have lived in Kailua for 11 years. During that time I have seen access to climbing and hiking areas erode. I strongly support HB625. I think it would strategically be a good move for the state. The current situation is that the closure of many of the areas/trails is ineffective. The state lacks the resources to enforce the closures.

Rather than trying to close recreational areas, they should be viewed as a valuable resource. For example, the improved parking areas at Makapu'u. Access to the mountains should be preserved like access to the beach and passing this bill would go a long way to help that.

Sincerely,

Scott Bowling

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Severine Monnerat	Individual	Support	No

Comments:

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Chair Rhoads, Vice Chair Har and Members of the House Judiciary Committee
JUD Hearing in Room 325 of the State Capitol
Tuesday, February 26th at 2:05 p.m.
Regarding House Bill 625

TESTIMONY IN SUPPORT

Aloha Chair Rhoads, Vice Chair Har, and members of the House Judiciary Committee. Thank you for allowing me to present this testimony in SUPPORT of HB 625.

My name is Michael Bishop and, as some of you may know, I have been tirelessly working to support a handful of bills pertaining to landowner liability. I am honored to be one of a handful of unofficial spokespeople for the Hawaii rock climbing community; I'm also an extremely avid hiker, diver, surfer, and outdoor enthusiast. I was born here on Oahu, but have spent considerable portions of my life away from Hawaii; each time I left, I felt the irresistible gravity of the islands drawing me home. Upon my latest return home, I was greeted with a vibrant rock climbing community and some of the finest, most beautiful, and safest climbing areas I have ever seen.

When I moved back to Oahu from Colorado two and a half years ago, I started visiting a climbing area my cousin told me about. That area was the Mokuleia wall, an area that she climbed at in its early days, some twenty years ago, with the climbers who were pioneering the sport of rock climbing in Hawaii. I quickly found an amazing group of climbing friends who frequented the Mokuleia wall, and who eased what can often be a difficult transition back to life in Hawaii. My extensive climbing experience (18 years) and knowledge allowed me to shepherd many of my other friends into the climbing world; most of them were immediately hooked on the physical and mental challenges presented by rock climbing and now, 2 years later, all of them can attest to the profound personal development that rock climbing can engender. Building my circle of friends through climbing gave me a sense of community and of belonging to something greater than myself; indeed, climbing is a way of life for many people here in Hawaii, just as surfing, or paddling, or diving, or waterfall hiking, or any other number of activities are for countless residents of the islands. Currently however, there aren't any places to go climbing that haven't been closed out of liability concerns.

These liability concerns came to light last June, when a 12 year-old girl was tragically injured by falling rocks while on a climbing trip to the Mokuleia wall. I was sickened with grief for the young girl, her family, and for the Camp Erdman guide who was leading the trip. However, I was utterly shocked when DLNR closed down the climbing area overnight and posted signage indicating a \$2000 fine for using the trail up to the cliffs. There was no discussion or input from the community, and many of us were nonplussed that the area had been closed entirely - instead of just being signed as having dangerous rockfall potential. In all my years of climbing, I have never witnessed such a reaction to an injury.

I quickly realized that the sport of rock climbing is not very well understood in Hawaii, and that many state officials (and members of the public, for that matter) thought that we were participating in some egregiously dangerous daredevil sport. These claims could not be further from the truth. A number of peer-reviewed medical studies have shown that rock climbing should not be characterized as a high-risk sport; that the incidence of injuries is very low (particularly for sport climbing and bouldering - the two most prevalent types of climbing in Hawaii); and that the vast majority of injuries consist of strains, sprains, and breaks - predominantly in the lower extremities. Conclusive, objective data to support the contention that rock climbing is a 'high-risk' sport simply doesn't exist.

These studies can be found here:

<http://www.ncbi.nlm.nih.gov/pubmed/20632737>

<http://www.ncbi.nlm.nih.gov/pubmed/21913158>

<http://www.ncbi.nlm.nih.gov/pubmed/22824837>

<http://www.ncbi.nlm.nih.gov/pubmed/19666157>

Rock climbers, out of necessity, are extraordinarily safety conscious, many of us even obsessively so; we seek out professional training and more experienced climbers to mentor us, we use the finest technical gear that brilliant engineers can come up with, and we always watch out for our partners or anyone who may be around us while we climb. Ultimately though, even obsessive attention to safety isn't enough to take the risk of injury or death out of rock climbing; it is an essential quality of the sport and gives it much of its tantalizing allure. This is made clear to climbers every time they seek any type of climbing instruction, use any indoor climbing facility, or purchase any type of climbing equipment. This immediate and

obvious inherent risk of the sport is repeatedly stressed to us so much that it has become a part of the consciousness of every climber.

The awareness of the risks contained in rock climbing may be one reason there is a dearth of lawsuits stemming from rock climbing injuries. There is usually no legal 'hook' to go after landowners when injured during the course of an inherently dangerous sport. Even after injury occurs at newly developed or previously unknown areas, appropriate warning signs should ameliorate liability concerns. Here in Hawaii this has proven not to be the case. Despite the fact that the young girl's family hasn't sued the State, DLNR has maintained that they cannot reopen any of the closed climbing areas without liability limitations. The overly litigious legal climate here in Hawaii, in conjunction with massive judgments against the State (including, of course, Brem) during the tenure of current leadership at DLNR, has led to the paralyzing fear of lawsuits. Even if this fear seems unreasonable (on the grounds that whatever lawsuits stem from rock climbing will likely be frivolous), the cost of defending against such suits is a tangible financial concern.

A handful of potential solutions to the closures include: requiring waivers similar to those for beach weddings, management of climbing areas by DLNR, establishing permitting requirements to go rock climbing at specific sites, or passing liability limiting legislation. In terms of effort, cost, and efficiency, the first three options are all rendered nonsensical by the very straightforward and prudent option of passing legislation to limit State liability. It's not only impractical for the State to try to locate every climbing site across the islands and post appropriate warning signage, it would also result in the rather unsightly marring of pristine wilderness areas with excessive signage. Additionally, it would be a waste of State funds to have to engage in a game of cat-and-mouse to put up new signs at every new area that is developed; it would also be an unnecessary use of DLNR manpower, which is already stretched very thin.

Immunity legislation must be enacted to get the State out of the difficult position of having to choose between two awful options: (1) being exposed to lawsuits requiring costly legal defense or, worse yet, paying out huge settlements; or (2) having to close down public recreation areas, post signs, provide DOCARE agents to enforce the closures, and upsetting the public. HB 625 will solve this dilemma for rock climbing and hiking alike. This measure will

positively benefit the State's finances and has already been deemed to have practical merit by the previous committees that have heard it.

There are two mutually exclusive outcomes for the stance that the legislature chooses to take regarding these liability issues. First, the legislature can strike down the attempts to limit landowner liability; maintaining the status-quo of DLNR enacted land closures, upset recreationists, and lawsuits against the State. Alternately, the legislature can adopt the stance that sometimes, in very specific circumstances, limited liability legislation is not only appropriate, but absolutely necessary; thereby allowing the natural resources of the islands to be returned to the people of Hawaii, supporting an entire statewide community of thousands of hikers and climbers, and eliminating the threat of lawsuits that arise from inherently dangerous activities.

I have followed the progress of many landowner liability bills throughout the 2013 session, have testified both in person and online at relevant hearings, have discussed these bills with their primary opposition, and have extensive knowledge of the rock climbing community and environment here in Hawaii. I will make myself available in whatever capacity I can be useful (in person and/or via phone or email), to each and every one of you, if you have any hesitations or questions about these bills.

In the previous hearing for this bill by WAL, the rock-climbing-specific language was taken from HB 937 (which was deferred) and inserted as an amendment. I support both the attempts by HB 625 to provide broad liability protection by modifying chapter 520, and the specific protections offered by modifying chapter 662, but would like to see both issues considered separately. The Senate WAM committee has recently passed the companion bill of HB 937 from which the rock climbing language was taken and I would like the House JUD committee to consider using the same language as SB 1168, which has also been modified to define rock climbing and bouldering.

After everything climbing has given me upon my return to my beloved homeland, I must implore you to please do whatever you can to allow me and my community to pursue life, liberty, and happiness as we love to do here in Hawaii.

With the utmost sincerity,

Michael Bishop

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Travis Aborn	Individual	Support	No

Comments: To whom it may concern, Why should climbing in Hawaii be allowed for the public to take part in? One of the biggest reasons I believe is that it brings an appreciation for the beauty found in Hawaii. So often can a person carry on their life working a 9 to 5 job, going home, and not experience the outdoors. We can lose touch with the nature that surrounds us. Rock climbing, like surfing or hiking, is an intimate experience encourages awareness to the nature throughout the islands. This sport can be used as a tool to help the public want to take ownership of Hawaii by taking care of its beauty. Rock climbing is an important part of life for some of us, and we would like to be given the opportunity to continue to do what we enjoy. Thank you for your time and have a wonderful day. Travis

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HB625

Submitted on: 2/25/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Elizabeth Barney	Individual	Support	No

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February 25, 2013 Testimony in Support of House Bill 625

To: Chair Rhoads, Vice Chair Har and members of the Judiciary Committee

Submitted by:

Sayar Kuchenski, Climbing Resident Group Leader

Neil Stotts

Eva Bosch

Eric Phillips

Jacinda Elias

Lucas A. Arnold

Douglas Noyes

Michael Richardson

Keith Okuna

Robert Singleton

I am writing in **SUPPORT** of HB 625 because it is my hope that sensible legislation like this bill will address the Department of Land and Natural Resources' (DLNR) fear of liability stemming from the possibility of someone getting injured while rock climbing on State lands. I respectfully request that the committee **amend the current HB 625 to remove Section 2 related to general liability protection for the state under Section 520**. These sections were combined from two independent bills in earlier committee hearings and I believe they should be discussed separately given the difference in intent and scope of the legislation under consideration. While the more general revision of 520 may be a worthwhile idea, it is one that needs independent discussion and assessment. Thus, my support is specifically for Section 1 of the current version of HB 625 which specifically pertains to limiting State liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering.

I respectfully request that Section 2 of the current version of HB625 be replaced with the following language to better clarify the activities for which we seek liability protection for the State and to better synchronize HB625 with its Senate companion bill SB1168:

SECTION 2. Section 662-1, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

"Bouldering" refers to a style of rock climbing undertaken outdoors without rope and normally done on large natural boulders.

"Rock climbing" means any activity involving the use of rope to ascend or descend rock."

Activities such as rock climbing deserve to be treated similarly to Hawaii's skateboarding, watersport, and ocean activities, all of which have statutes limiting State liability for these hazardous recreational uses. We believe it is important to offer such protection for a number of critical reasons including: the legal climate in Hawaii, the inherent risk of rock climbing (much like the inherent risk involved in skateboarding or surfing), DLNR's admission that they lack the staff and expertise to manage and oversee

climbing sites, , and the ongoing DLNR practice of closing public lands out of fear of litigation.

Furthermore, HB 625 should be passed because it is a **win-win situation**. Why do I believe this?

1) By passing this bill, the legislature will add no additional expense to the DLNR's already meager budget. Indeed, the measure will save DLNR money because they would not be compelled to manage the sport and thus supports the status quo prior to the closure of the area.

2) The measure will potentially save taxpayers money in the event someone is injured while engaging in this inherently dangerous sport. The Oahu climbing community numbering approximately 500 individuals, already does a great job of managing its climbing areas. In the 22 year history of climbing on the island, Oahu's rock climbers have maintained the climbing trails, picked up trash in and around the climbing areas, including the nearby roads and beaches, maintained all the climbing routes with the same standards used worldwide in other tropical localities, invested in thousands of dollars into safety equipment, including rescue litters and spare helmets at its climbing sites, and much more. These activities have been done voluntarily and privately over the last 20 years and passage of this legislation will allow for the status quo arrangement to continue. The DLNR budget and staff are already stretched thin and DLNR supports this legislation, as well as more comprehensive liability reform.

3) The historical safety record of rock climbing in Hawaii is nearly impeccable. Mr. Robert Turan, National Park Service Ranger, (who submitted testimony in support of SB1168, the companion to this bill to this legislation), has suggested that no other climbing area on the mainland has maintained a better safety record than that of the Mokuleia climbing site on Oahu. Additionally, Mr. Turan, who is a Rescue Ranger with safety oversight at several mainland climbing areas on Federal lands, clearly identified the variety of safety measures that Oahu rock climbers have voluntarily emplaced at our climbing sites as factors for this amazing safety record. As he said in his testimony,

“I visited the North Shore of Oahu the spring of 2012, specifically to rock climb at the Mokuleia Crag, an incredible basalt cliff that I had heard so much about from friends in the climbing community and in various magazine articles. Everything about the Mokuleia rock climbing crag, from the hike in, to the quality and texture of the smooth basalt, to the unique and safe top roping system, is of a world-class nature. I absolutely loved climbing at The Moke. I was very impressed that a cache was on site with safety equipment including a litter, helmets, rope and so forth. I have never seen such dedication placed into an area, nor such thorough attention to safety and on-site preparedness for a carry out operation in the event of an injury. The effort the Hawaii climbers have made to be safe, and to be self-sufficient in performing a carry out is unparalleled in my extensive experience. In addition, the very well-maintained bolts and “string system” the local climbers have developed at the Mokuleia crag enables ropes, for top-roping, to be put into place from the ground, without any of the environmental damage that often occurs along the top of climbing cliffs. Because of this system, climbers at the Mokuleia wall don't have to access the fragile environments above the

solid basalt crag. The Mokuleia crag's rock quality, measures for safety, thoroughness of maintenance, and attention to ensuring adverse impacts to the environment are avoided are, in my professional opinion, world class. The Mokuleia Crag's safety record is superior – 20+ years with only one serious injury (which resulted in the Crag's closure last spring) is excellent.”

I challenge anyone to identify a single other sport with a better safety record than that of the rock climbing community. However, fear of liability has undermined our efforts and our ability to pursue our passion for rock climbing.

4) The rock quality upon which climbers climb in Hawaii is no more dangerous than other climbing areas on the mainland. Many residents erroneously believe that Hawaii lacks suitable cliffs and rock substrate for rock climbing. However, rock climbing on Oahu occurs on what is known as 'blue rock' basalt cliffs comprised of the same extremely hard and dense 'blue rock' stone that has been used for decades as curbsides along our streets and roadways and as building materials past and present. A quick stroll through Chinatown or past many of Honolulu's historic buildings will attest to the structural integrity of Hawaii's 'blue rock' stone, the same which rock climbers utilize for their sport in Hawaii.

5) The National Park Service considers rock climbing a “welcomed and historic use of public lands” and the State of Hawaii should take a similar stance as its own Na Ala Hele program does toward the maintenance and protection of trails, historic and otherwise. As a very active member of the climbing community, I can assure you that the sport of rock climbing has and is increasingly growing in importance to the concept of Hawaii as a fun and healthy place to recreate for both visitors and residents. Currently, Oahu's 500 rock climbers have nowhere to climb, and the roughly 1,000 annual visitors that travel to Oahu to climb are going elsewhere. While rock climbing is a drop in the bucket compared to Oahu's surfing industry or its surfing 'attractiveness', eliminating options for recreation is bad business. Rock climbing is an important component of the overall Oahu ecotourism industry and to suggest otherwise indicates an uninformed opinion.

6) Hawaii offers a bountiful array of recreational activities, and we as a society must accept that reasonable people who pursue these activities (such as mountain climbing, rock climbing, rappelling, and bouldering) accept all natural and inherent risks that come along with them. Whenever someone participates in these climbing activities, there are immediate and obvious risks that are essential qualities of the sport that cannot be entirely removed or mitigated; there should be no legal grounds for holding the State liable for damages resulting from such risks. Furthermore, it is a longstanding ethic in climbing communities that each individual is responsible for all aspects of their well-being. One climbs at one's own risk, as is stated at the beginning of all guidebooks. Banning participation in these activities (as the DLNR has done at most Oahu sites) cannot be the solution.

The current climate of fear brought on by the failure of the state to revise Hawaii's tort laws related to hazardous recreational use over the last decade has meant that DLNR's has been reduced to closing areas once an individual is injured or killed instead of

continuing to offer the opportunity for locals and visitors alike to enjoy the outdoors. Given the changing nature of recreational use across the country, such a practice will continue put recreational users at odds with state policy in greater numbers. Recall the 1980s bumper stickers “skateboarding is not a crime,” the same thing applies to rock climbing in Hawaii in the 21st century.

So while DLNR’s fear of liability is not due to any reasonable expectation (based upon our historical safety record) that climbers will be seriously injured climbing, it is not unreasonable for DLNR to fear liability itself (recall the \$15.4 million Brem case) because our liability laws are out of date and favor Hawaii’s trial attorneys. The fact that only the Hawaii Association for Justice opposes this bill speaks volumes.

As members of the Judiciary are perhaps aware, Hawaii’s recreational use statutes have not been revised since initially promulgated in the 1960s. We feel that this piece of legislation is a step in the right direction towards more comprehensive hazardous recreational use reform.

I wish to thank the House Judiciary Committee members for their time in consideration of this testimony and urge the Committee to support and pass HB625.

Sincerely,
Sayar Kuchenski

LATE

To: House Committee on Water and Land
From: Larry Day, MD, individual
Hearing: February 26, 2013, 2:05PM, House conference room 325
RE: HB 625

Dear Committee on Water and Land,

I STRONGLY SUPPORT HB 625 in its efforts to limit government liability for accidents on public lands involving rock climbing and related outdoor activities. This bill expands upon existing Hawaiian legislation where government liability is limited in parks, recreational areas and beaches when adequate warning signs are posted pursuant to Acts 82 (2003) and 190 (1996). Additionally, comparable liability protection exists in most other states where rock climbing takes place through government immunity and tort claims acts, recreational use statutes, landowner liability acts, assumption of risk and attractive nuisance doctrines, and state common law.

Despite no litigation related to injuries in over twenty years climbing at the main crags on Oahu, several areas have been closed by the State in response to an accident last year. Unfortunately an unhelmeted minor sustained head trauma from falling rock during a climbing outing at Mokuleia. To my knowledge, this is the only serious injury to occur in the existence of sport climbing at the crag. Though all accidents cannot be prevented, risk is mitigated through individual precautions (including the wearing of helmets) and stewardship of climbing areas by the local community. The latter includes maintenance of bolts and anchor materials, a system which allows securing rope without climbing atop the cliffs and an emergency rescue basket to facilitate evacuation of injured climbers.

Although climbing is portrayed to the lay public as “extreme” and death-defying, the dearth of climbing-related injuries on Oahu does not support these characterizations. Moreover, Hawaiian rock is not intrinsically unstable, comparable to volcanic basalt found in other climbing areas throughout the world.

It is important to understand the majority of serious accidents occur amongst big wall climbers, free soloists and high-altitude alpinists, not sport climbers as found at Oahu’s climbing areas. Indeed, objective data suggests sport climbing is comparable in risk to other activities protected by current Hawaiian statutes.

In the largest retrospective study of climbing injuries by Schoffl et al., entitled *Evaluation of injury and fatality risk in rock and ice climbing*¹, the authors conclude (emphasis added):

Bouldering (ropeless climbing to low heights), sport climbing (mostly bolt protected lead climbing with little objective danger) and indoor climbing (climbing indoors on artificial rock structures), showed a small injury rate, minor injury severity and few fatalities. As more objective/external dangers exist for alpine and ice climbing, the injury rate, injury severity and fatality were all higher. **Overall, climbing sports had a lower injury**

¹ Schoffl et al. Sports Med 2010 Aug 1;40(8):657-79.

incidence and severity score than many popular sports, including basketball, sailing or soccer; indoor climbing ranked the lowest in terms of injuries of all sports assessed.

Access to public lands is important to all outdoor enthusiasts, but current restrictions prevent Oahu's climbing community and visiting climbers from partaking in activities they love. Meanwhile, other pastimes with at least equivalent accident risk and greater absolute numbers of injuries and deaths, especially water sports, are allowed in Hawaii. Additionally hiking despite threat of rockfall continues on public trails, including the Kealia Trail along the base of the cliff band contiguous with the Mokuleia wall. Liability protection afforded to the State by the aforementioned statutes allows these activities to proceed unfettered, with signs serving to warn the public of dangers. HB 625 will allow climbers similar freedom to enjoy the outdoors.

As it is impossible to eliminate all risk associated with outdoor activities, the State cannot be held liable for every accident that occurs on public lands. Nor should the government arbitrarily dictate which activities are acceptably "safe". Rather, responsible citizens should be able to pursue outdoor recreation, including climbing, with an understanding that accidents can happen. Whether these occur due to human error or inherent dangers of the activity/environment, the individual must be responsible for their actions. Bill such as HB 625 underscore this idea while freeing the State from liability resulting from such accidents.

Thank you very much for allowing me to testify in SUPPORT of this measure. Please feel free to contact me should you have any questions or desire additional information.

Sincerely,
Larry Day

25 FEBRUARY 2013

LATE

ATTENTION:

COMMITTEE CHAIR KARL RHOADS

AND MEMBERS OF THE COMMITTEE ON JUDICIARY
STATE HOUSE OF REPRESENTATIVES

HAWAII STATE CAPITOL

415 SOUTH BERETANIA STREET

HONOLULU, HAWAII 96813

RE: HB625 HD1, RELATING TO LANDOWNERS' LIABILITY

TESTIMONY OF SUPPORT

Dear Committee Chair and Committee Members,

I, Robert M. Anderson, STRONGLY SUPPORT HB625 HD1, which seek to apply limits on liability under chapter 520, Hawaii Revised Statutes, to government-owned land. The bill would also exempt public agencies and employees from liability for injury or damage sustained on government land in the course of mountain climbing, rock climbing, rappelling, or bouldering.

I have been participating in outdoor activities in our great state of Hawaii for the entire 13 years I have lived here. I hike in our forests, swim in our oceans, and play in our parks on a regular basis, enjoying the wonderful environment and natural beauty of our islands. One of my favorite ways to spend an afternoon is rock climbing at the Mokuleia Crag in Kaena Point State Park. However, this joy and personal liberty has recently been taken away from me and many other outdoor enthusiasts with the closure of this area by the State Department of Land and Natural Resources (DLNR). It is also important to note that this closure not only affects rock climbers, but any and all user groups. So whether one would like to go hiking, rock climbing, paragliding, or pay homage to their ancient Hawaiian relatives anywhere mauka of Farrington Highway past the end of Dillingham Airfield, the iron fist of the DLNR states a resounding "NO!"

Furthermore, this closure was enacted without any sort of public meeting or hearings, and no official statements, notices, or press releases have been dispersed. Park users were simply left to hopefully hear the news through the grapevine, or risk running into an enforcement officer and receiving a costly citation (as several of our climber friends had happen to them). This very draconian action and stance by DLNR is not only terrible public policy, but also a completely unprofessional way to run an official government department. Since the closure, it has been

nearly impossible and totally fruitless trying to work with DLNR to get Mokuleia reopened, as the efforts of our group, the North Shore Neighborhood Board, and other folks have all been met with cold shoulders.

As I have always seen and understood it, the mission of the DLNR is to facilitate the safe and effective usage, as well as the good stewardship, of our treasured environmental resources. Their objective should NOT be to close areas, restrict access, and enforce hefty fines for violations of their unreasonable regulations. The closure of Mokuleia is a dangerous precedent to set in realm of public policy. If the DLNR's actions are allowed to stand, will they then be able to close any and all public lands on a whim, whenever the mood strikes them and they arbitrarily decide a place in "too dangerous for the public?" Already one other location on Oahu, the popular Mariner's Ridge hike, has been inexplicably closed by the DLNR. What public recreation area is next?

I understand that fear of liability is at the root of many of their recent actions, but many of these concerns could be alleviated if there were better liability protection legislation in place. Without comprehensive consideration and passage of liability legislation, the State and its agencies keep the doors open to the public for frivolous, lengthy, and often costly lawsuits. It is because the state legislature has failed to enact adequate protections for the DLNR and other state entities that the DLNR has been driven to such extreme closures and restrictions. I have rock climbed in dozens of other places from Colorado, Utah, and New Mexico, to New Hampshire and Oregon. I've ice climbed in Alaska and even Switzerland. All of these places have found a way to limit liability so that the people of that area can enjoy the natural environment around them. Why has Hawaii not? We have here in the islands an extensive list of liability protection for the State when it comes to waterborne activities, but not for those involving land. We never hear of the families of drowned surfers or divers suing the State for damages, but we annually pay millions of dollars from state coffers to lawsuits from injured hikers and park users. Just recently, we paid \$15.4 million dollars for an accident involving the deaths of two hikers on Kauai. How much could we have done with \$15.4 million to improve our parks, rather than to let it float through the cracks of faulty legislation, never to be seen by the State of Hawaii again? And again, all these closures and wasted money happen simply because the legislature fails to act. This is an issue every single taxpayer and voter in Hawaii has a right to be furious about.

For many, the Mokuleia closure has also had extensive consequences greater than deprivatation of outdoor adventure. I, as well as many of my friends and outdoor industry colleagues, have seen a drastic decline in business since the closures began last summer. Several outdoor gear stores, including local entrepreneurships Climb Aloha and SoulTrex, have seen profits drop significantly. Local gas stations, convenience stores, and restaurants such as Cholo's, the Otake Store, Paalaa Kai Bakery, and the Coffee Gallery (all local, homegrown

businesses located on the road to Mokuleia) have all surely seen a few dozen less familiar faces in their shops over the last couple months. I have spoken with several families and individuals who have chosen not to vacation in Hawaii solely because of restricted rock climbing and outdoor recreation access. These people will not be staying in our hotels, shopping in our stores, or even recommending visiting Hawaii to their friends because of the bitter taste left in their mouths by DLNR's actions. All of these lost business profits mean less taxes being paid (taxes that could be used to maintain our parks), compounding and translating to tens, if not hundreds, of thousands of dollars a year in lost income for the State of Hawaii.

It is the hope of myself and the rest of the Hawaii climbing community that the passage of HB625 HD1 will help lead to the reopening of the Mokuleia Crag for climbing access, and the rest of Kaena State Park to all recreational users. While HB625 HD1 is not a magical "silver bullet" needed to solve all liability and climbing access concerns, we strongly believe it is a solid step in the right direction. There is no reason why the State of Hawaii, the DLNR, or any other entity for that matter would want to, or be capable of regulating and micro-managing rock climbing in the islands. The passage of HB625 HD1 would relieve the State of the burden and responsibility of that additional liability. By limiting liability for the State of Hawaii and closing some of the open doors for frivolous lawsuits from the public, state agencies should be able to relax and lessen some of their restrictions. This is could only be described as a win-win situation for both the State and outdoor enthusiasts. All this will lead to not only better land management practices, but more people being able to safely enjoy all the beautiful natural resources our state has to offer.

For these reasons, I STRONGLY SUPPORT HB625 HD1, and urge its passing during this session of the Hawaii State Legislature. Thank you immensely for your time and consideration.

Sincerely,

Robert M. Anderson
Independent Rock Climber, Outdoor Enthusiast, and Concerned Citizen
Voting Member of Senate District 18, Vice-Chair Kidani's District

(808) 358-9439

LATE

HB625

Submitted on: 2/25/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jay Feldman	Hawaiian Trail and Mountain Club	Comments Only	No

Comments: The Hawaiian Trail and Mountain Club strongly supports any bill that diminishes or releases private or public land owners from any and all liability for incidents that may occur during hiking or other sports or recreational activities. Jay Feldman President Hawaiian Trail and Mountain Club

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LATE

HB625

Submitted on: 2/26/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Melita Among	Individual	Support	No

Comments: I would like to ask you to support the passing of this bill HB625. I am a keiki o ka aina and enjoy the natural beauty that Hawaii beholds. I am saddened when there is some accident by a hiker, tourist or kamaaina and then the area is closed. Hawaii is a natural beauty and should be open for the enjoyment of it's people and visitor's alike. This bill will set aside any liabilities to government-owned land from liability for injury or damage sustained on government land in the course of mountain climbing, rock climbing, rappelling, or bouldering. I am an avid hiker and would like to ask you to support this bill so that the people of Hawaii and it's visitors can continue to enjoy the natural beauty of Hawaii's great outdoors. Mahalo, Melita Among

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LATE

February 25, 2013 Testimony in Support of House Bill 625

To: Chair Rhoads, Vice Chair Har and members of the Judiciary Committee

Submitted by:
Karina Abrams
Sue Donaldson
Keala Fung

I am writing in **SUPPORT** of HB 625 because it is my hope that sensible legislation like this bill will address the Department of Land and Natural Resources' (DLNR) fear of liability stemming from the possibility of someone getting injured while rock climbing on State lands. I respectfully request that the committee **amend the current HB 625 to remove Section 2 related to general liability protection for the state under Section 520**. These sections were combined from two independent bills in earlier committee hearings and I believe they should be discussed separately given the difference in intent and scope of the legislation under consideration. While the more general revision of 520 may be a worthwhile idea, it is one that needs independent discussion and assessment. Thus, my support is specifically for Section 1 of the current version of HB 625 which specifically pertains to limiting State liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering.

I respectfully request that Section 2 of the current version of HB625 be replaced with the following language to better clarify the activities for which we seek liability protection for the State and to better synchronize HB625 with its Senate companion bill SB1168:

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"Rock climbing" means any activity involving the use of rope to ascend or descend rock."

Activities such as rock climbing deserve to be treated similarly to Hawaii's skateboarding, watersport, and ocean activities, all of which have statutes limiting State liability for these hazardous recreational uses. We believe it is important to offer such protection for a number of critical reasons including: the legal climate in Hawaii, the inherent risk of rock climbing (much like the inherent risk involved in skateboarding or surfing), DLNR's admission that they lack the staff and expertise to manage and oversee climbing sites, , and the ongoing DLNR practice of closing public lands out of fear of litigation.

Furthermore, HB 625 should be passed because it is a **win-win situation**. Why do I believe this?

1) By passing this bill, the legislature will add no additional expense to the DLNR's already meager budget. Indeed, the measure will save DLNR money because they would

not be compelled to manage the sport and thus supports the status quo prior to the closure of the area.

2) The measure will potentially save taxpayers money in the event someone is injured while engaging in this inherently dangerous sport. The Oahu climbing community numbering approximately 500 individuals, already does a great job of managing its climbing areas. In the 22 year history of climbing on the island, Oahu's rock climbers have maintained the climbing trails, picked up trash in and around the climbing areas, including the nearby roads and beaches, maintained all the climbing routes with the same standards used worldwide in other tropical localities, invested in thousands of dollars into safety equipment, including rescue litters and spare helmets at its climbing sites, and much more. These activities have been done voluntarily and privately over the last 20 years and passage of this legislation will allow for the status quo arrangement to continue. The DLNR budget and staff are already stretched thin and DLNR supports this legislation, as well as more comprehensive liability reform.

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“I visited the North Shore of Oahu the spring of 2012, specifically to rock climb at the Mokuleia Crag, an incredible basalt cliff that I had heard so much about from friends in the climbing community and in various magazine articles. Everything about the Mokuleia rock climbing crag, from the hike in, to the quality and texture of the smooth basalt, to the unique and safe top roping system, is of a world-class nature. I absolutely loved climbing at The Moke. I was very impressed that a cache was on site with safety equipment including a litter, helmets, rope and so forth. I have never seen such dedication placed into an area, nor such thorough attention to safety and on-site preparedness for a carry out operation in the event of an injury. The effort the Hawaii climbers have made to be safe, and to be self-sufficient in performing a carry out is unparalleled in my extensive experience. In addition, the very well-maintained bolts and “string system” the local climbers have developed at the Mokuleia crag enables ropes, for top-roping, to be put into place from the ground, without any of the environmental damage that often occurs along the top of climbing cliffs. Because of this system, climbers at the Mokuleia wall don't have to access the fragile environments above the solid basalt crag. The Mokuleia crag's rock quality, measures for safety, thoroughness of maintenance, and attention to ensuring adverse impacts to the environment are avoided are, in my professional opinion, world class. The Mokuleia Crag's safety record is superior – 20+ years with only one serious injury (which resulted in the Crag's closure last spring) is excellent.”

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I wish to thank the House Judiciary Committee members for their time in consideration of this testimony and urge the Committee to support and pass HB625.

Sincerely,
Sayar Kuchenski

LATE

HB625

Submitted on: 2/26/2013

Testimony for JUD on Feb 26, 2013 14:05PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ken Capes	Individual	Support	No

Comments: I am asking that HB625 be passed. As an avid rock climber, an outdoorsman, and an environmentalist (one who helps care for the mountain land and many state lands), I wish to continue enjoying this recreation in Hawai'i beautiful environment. Please support this bill.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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