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KIRK CALDWELL
MAYOR



DIANE T. KAWAUCHI
ACTING CORPORATION COUNSEL

March 8, 2013

The Honorable Cindy Evans, Chair
and Members of the Committee on Water and Land
The Honorable Faye P. Hanohano, Chair
and Members of the Committee on Ocean, Marine
Resources and Hawaiian Affairs
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Evans, Hanohano, and Committee Members:

Subject: Senate Bill 1168, S.D.1, Relating to Limited Liability for Mountain Climbing, Rock Climbing, Rappelling and Bouldering on Government Land

The City and County of Honolulu ("City") supports the intent of S.B. 1168, S.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

The Honorable Cindy Evans, Chair
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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 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 S.B. 1168, S.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 S.B. 1168, S.D.1 to extend the immunity granted to the State to the counties

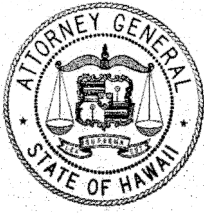
Thank you for the opportunity to provide our comments on this bill.

Very truly yours,



DIANE T. KAWAUCHI
Acting Corporation Counsel

DTK:ey



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

ON THE FOLLOWING MEASURE:

S.B. NO. 1168, S.D. 1, RELATING TO LIMITED LIABILITY FOR MOUNTAIN CLIMBING, ROCK CLIMBING, RAPPELLING, AND BOULDERING ON GOVERNMENT LAND.

BEFORE THE:

HOUSE COMMITTEE ON WATER AND LAND

DATE: Tuesday, March 11, 2013

TIME: 9:30 a.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
Caron Inagaki, Deputy Attorney General

Chair Evans and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill amends chapter 662, Hawaii Revised Statutes, to clarify that no public entity or public employee shall be liable to any person for injuries sustained on government land when engaged in mountain climbing, rock climbing, rappelling, and bouldering.

The State of Hawaii Department of Land and Natural Resources has jurisdiction over approximately two million acres of land, a significant portion of which is not developed or maintained and remains in its pristine state. The mountain and rock climbing areas are often in remote areas, sometimes only available for access through private property. It would not be possible, feasible, or, indeed, desirable, for the State to erect fences, post signs, or limit access to all of the potential remote and unmanaged areas that members of the public may use to engage in climbing activities.

Because of the dangers inherent in climbing activities, injuries and accidents are inevitable and the State will continually be open to lawsuits. Without this bill, the only option following an accident or injury may often be to permanently close off the area and prevent any access by the public because there is no way for the State to eliminate all risk of injury. This is clearly not what anyone wants. Moreover, members of the public will likely continue to access the area regardless of whether the area is closed off.

There is a community of enthusiasts that engage in mountain and rock climbing and other related activities. These activities are becoming increasingly popular, and the more challenging

the climb, the more attractive it likely becomes to climbing enthusiasts. However, as evidenced by the testimony of the climbing community, they are willing to assume the risk of any dangers inherent in these activities.

The solution is not to close off sites, prohibit access, and impose fines when the public access a prohibited area, but there may not be much choice if the State can be sued for every injury that occurs as a result of these climbing activities. Rather, this bill limits the State's unfettered liability for injuries and accidents that it cannot control or prevent and relies on the willing members of the climbing community to exercise personal responsibility and to assume the risk of what they know to be an inherently dangerous activity.

We respectfully request that this bill be passed.

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO S.B. NO. 1168, SD 1**

Date: March 11, 2013

Time: 9:30 o'clock am.

To: Chairperson Cindy Evans and Members of the House Committee on Water and
Land:

My name is Bob Toyofuku and I am presenting these comments on behalf of the Hawaii Association for Justice (HAJ) in OPPOSITION to S.B. No. 1168, SD 1 Relating to Limited Liability for Mountain Climbing, Rock Climbing, Rappelling, and Bouldering on Government Land.

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. HAJ is not against those who want to rock climb. However, 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 and HAJ opposes this concept of immunity for government.

The justification sheet attached to this bill implies that government would be liable even where an injury occurred on unimproved land in remote unmanaged areas owned by government. Public, like private, landowners are liable only when they have a duty to any third person who may be injured. That duty is to follow a standard of care that a reasonable person must use under the circumstances to prevent harm to others. This is the essence of the concept of negligence in tort law. In other words, the public and private landowner must not act in a negligent manner. **There is no legal obligation**

that a landowner protects against every risk or be liable for every injury. The state already has substantial protection from liability in connection with natural conditions on unimproved lands under Act 82.

Act 82, Session Laws of Hawaii 2003 which was enacted in response to the tragedy at Sacred Falls on Oahu, 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 alternatives 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, in part, in its report:

- Immunity should be granted sparingly in recognition of the strong public policy in favor of compensating victims of tort; and
- The Legislature should attempt to approach immunity issues in a comprehensive manner, instead of on a piecemeal basis.

HAJ has always maintained that proponents of an immunity bill should at least provide the legislature with the data that clearly indicates the number and type of lawsuits that have been filed against government for personal injuries or property damage because of rock climbing on unimproved lands, any resulting judgment against the government, and the circumstances under which the government landowner was found to be negligent. To the best of our knowledge, we know of no lawsuits that have been filed against the state or counties for injuries sustained due to rock climbing or bouldering as set forth in this bill. We have always maintained that the legislature should have all of the facts and data before a major shift in public policy is made. This bill is not in the public interest and would be creating bad public policy.

Thank you for the opportunity to comment on this bill. HAJ respectfully requests that this bill be held in committee.



Protect America's Climbing

March 10, 2013

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

RE: Access Fund Testimony in Support of SB NO. 1168, SD 1, SSCR 782

Dear WAL Committee Members,

I, R.D. Pascoe, Policy Director for the Access Fund, am writing in support of Senate Bill No. 1168, S.D. 1, SSCR 782 (SB 1168). 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

Based on my experience, 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 typically are healthier, happier, and care deeply for the places they use, which makes them the best stewards. SB 1168 provides DNLR 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 DNLR to manage climbing without some assurance that they will not be held liable for the inherent risk knowingly encountered by all climbers.

Act 82, SLH 2003 is inadequate because it fails to provide the State immunity against the full spectrum of inherent risks that climbers deliberately and voluntarily expose themselves to each time they climb. Equipment failure, human error, and objective hazards (i.e. dangerous natural conditions) are all potential sources of injury while rock climbing. Act 82 only applies to dangerous natural conditions (i.e. inherent risks on public lands), where properly vetted signage is posted. The unfortunate injury that lead to climbing bans would not necessarily fall under the protection afforded by Act 82. SB 1168 provides protection for the State against the full spectrum of risks inherent in rock climbing, mountain climbing, bouldering, and rappelling.

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 DNLR 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 SB 1168. 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 against "hazardous recreational" activities on public unimproved lands and was the basis of another bill 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 DNLR with no protection against unreasonable suits. Further, Act 82 was not intended to protect against specific recreational activities such as rock climbing and thus does not cover the inherent risks associated with climbing. SB 1168 provides additional language to SECTION 1, Chapter 662 (State Tort Liability Act) of Hawaii Revised Statutes that states: "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." SB 1168 is a reasonable measure that will allow DNLR 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 SB 1168 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>

March 9, 2013

From: Rob Turan, Nationally-Recognized Rock Climbing Ranger

To State of Hawaii House of Representatives, Representative Cindy Evans, Chair, House Committee on Water and Land

Dear Representative Evans and Members of the Committee:

My name is Rob Turan and I would like to submit testimony in support of 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/volcanic cliff that I had heard so much about from friends in the climbing community and in various magazine articles. I also bouldered at two other ocean-front areas on State land and these were spectacular also. In particular, I would like to point out that 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.

Rob Turan
rob_turan@nps.gov

March 9, 2013

Dawn B. Bruns, Rock Climber
58-044 Kapuai Place
Haleiwa, HI 96712

Representative Cindy Evans, Chair, House Committee on Water and Land
Representative Nicole E. Lowen, Vice Chair, House Committee on Water and Land
And Members of the House Committee on Water and Land, Hawaii State Legislature

Dear Representatives:

I am writing to ask you to **support SB1168**, relating to limiting State liability related to rock climbing. Thank you very much for addressing this important piece of legislation. It is my understanding that 46 of the 50 States allow rock climbing on State lands and 16 of those states have broad liability protection (for rock climbing and many other outdoor activities) to protect the States from exposure to law suits. Last year, Governor Abercrombie's administration closed the world-class Mokuleia rock climbing area near my home on the North Shore of Oahu in addition to other climbing areas on improved and unimproved State lands on Oahu (closed areas account for more than 80% of Hawaii's rock climbing sites) due to liability concerns and it is my understanding that climbing would be permitted again if this bill is passed into law. Before its closure, I used to spend almost every Sunday afternoon up at the Mokuleia rock climbing area with my climbing friends and friends who used to visit me from the mainland to climb here. 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 who are less familiar to me. Loss of access to climbing has significantly affected my lifestyle, finances (because now I need to fly to the mainland to climb) health (because I'm not training for climbing I'm not going to as many yoga classes, to the gym, or eating as well). I live on the North Shore for its world class rock climbing and my husband is a local windsurfer who's lived on the North Shore for almost 40 years. We enjoy recreation and we understand risks are inherent in outdoor activity.

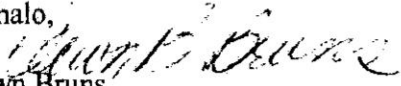
SB1168 is necessary because Act 82 does not adequately address the State's liability concerns for the following reasons that I know of: 1.) Act 82 does not afford the State liability protection for the rock climbing areas located on improved lands; 2.) Act 82 addresses natural hazards such as rock fall, but if the rock fall is associated with a fellow climber, or if the climbing injury is related to something other than a natural hazard, Act 82 does not protect the State; 3.) Act 82 entails the use of signage to warn of natural hazards – The State is underfunded (in part, it should mention, because of law suits related to outdoor recreation) and the additional workload associated with identifying the locations of all of the rock climbing areas, posting signate at these areas, and maintaining the signs would require significant additional State funding.

The only opposition I'm aware of to SB1168 comes from the representative of a group of 121 personal injury lawyers, which, in itself, indicates to me that Act 82 leaves room for the State to

be sued by a rock climber. The involvement of the personal injury lawyer lobbyist indicates to me that in this day and age, the State is exposed to a potential law suit unless this type of law is put into place to protect the State.

I am writing to ask you to pass SB1168 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 (and Counties), which should be protected from liability (as other states are) by a reasonable up-to-date liability law such as this one.

Mahalo,


Dawn Bruns

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 8:13 PM
To: waltestimony
Cc: severine.monnerat@seattlebiomed.org
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Severine Monnerat	Individual	Support	Yes

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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To: Chair Evans, Vice Chair Lowen, and members of the House Water and Land Committee

Re: Senate Bill 1168 hearing by WAL on Monday, March 11th in room 325 at 9:30 AM

From: Michael Bishop (constituent of Representative Fale)

Testimony in SUPPORT of Senate Bill 1168

My name is Michael Bishop and I am testifying in support of SB 1168 as one of several unofficial representatives of the Oahu climbing community. I have been very involved with all of the legislation seeking to limit landowner liability this session, and I would like to make myself available to the committee for any questions they may have about rock climbing activities in Hawaii.

The WAL committee has seen the language from SB 1168 already this session in the form of HB 937. At that time, the climbing-specific language of HB 937 was inserted into HB 625 (a broader attempt at addressing landowner liability issues) which was ultimately killed by the House Judiciary committee - due to concerns that the State might already have legal protection in the form of Act 82, SLH 2003. However, DLNR maintains that Act 82 was never intended to protect the State from the specific risks presented by any specific recreational activity. This matter is still being collaboratively investigated/discussed by House JUD, DLNR, and the Attorney General.

Since WAL has already expressed their support for the intent of SB 1168 (in the form of HB 625/937), I would like to urge Chair Evans and the members of WAL to pass this bill on to JUD where the legal technicalities can ultimately be sorted out.

Practical justification for SB 1168 is based on the fact that mountain climbing, rock climbing, rappelling, and bouldering deserve to have limited liability in line with Hawaii's skateboarding, watersport, and ocean activity statutes. Critical reasons for limiting liability using SB 1168 include: 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 by the 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 Senate Bill 1168 to resolve this situation. Thank you for allowing me to present this testimony.

Once again, please feel free to contact me with any questions you may have about rock climbing activities in Hawaii.

Sincerely,
Michael Bishop

March 10, 2013

To: Committee Members

From: Sayar Kuchenski, Resident Group Leader

Sub: SB1168

Dear Committee Members,

I am writing on behalf of over 500 Hawaii residents in SUPPORT of SB1168. In essence, SB1168 provides limited liability mitigation to the State for rock climbing related activities on State land. Residents of Hawaii desperately need SB1168 because the State has systematically closed down large portions of public land for recreational usage in fear of lawsuits arising from injuries sustained on State land from rock climbing activities. Without some form of liability protection, the State will not reopen these areas.

Some may claim that the State already has protection from liability under Act 82. Act 82 does not protect the State from climbing-related injuries for three reasons: it only applies to improved trails (all climbing locations are off unimproved trails,) the State does not recognize vertical climbing as hiking (Act 82 only applies to hiking), and DLNR does not recognize Act 82 as an appropriate form of liability mitigation. Furthermore, AB1168 does not provide complete immunity to the State. It only provides the State with protection against one sport in which they cannot possibly manage or mitigate risk. It does not make any logical sense to hold the State responsible for injuries arising from an activity that they cannot possibly manage or mitigate.

Others may claim that the State has a duty to protect its citizens from danger. The State cannot protect rock climbers from the inherent risks of rock climbing, just as they cannot protect skydivers or surfers from the risks involved in those activities. Furthermore, the State is not qualified to manage rock climbing. They have openly admitted that they know nothing about climbing. Rock climbing is inherently

risky and it is not possible for the State to mitigate all possible risks. Neither the State nor the climbers want each other to be involved with rock climbing.

Do not be lead into the fallacy that this bill is not in the best interest of the public. Another testimony submitter has submitted two petitions with a combined 1,700 signatures on them urging for the passage of this type of liability protection, and the reopening of Oahu's rock climbing areas. As is clear from the abundance of supportive testimony, this bill is in the best interest of the public.

With Deepest Respects,

Sayar Kuchenski

March 3, 2013

To: Rep. Cindy Evans, Chair and the Committee on Water and Land

From: Debora Halbert, Individual

Hearing: March 11, 2013, 9:30 AM Conference Room 325

RE: Support for SB 1168, SD1 – Related to Limited Liability for Rock Climbing

As a member of Oahu's 500+ climbing community I am writing in support of SB 1168. The committee has already heard our initial testimony on why this bill is necessary during the earlier hearing of the companion bill and I do not want to repeat that information here. I will instead address some of the specific questions that have emerged during the legislative process.

First, during the hearing on the companion house bill a month ago, Representative Coffman expressed concerns regarding rock climbing on state land. Representative Coffman's concerns seemed to be directed at the use of state land for any type of hazardous recreational use and suggested that the state should limit access to individuals seeking out adventure on state land. While I could have misinterpreted his reservations, I would like to say a few words about rock climbing and hazardous recreational use more generally.

I understand that many people are afraid of heights and cannot conceive of what would inspire a person to climb rocks. The same could be true of surfing or skateboarding, each of which are dealt with already in the Hawaii Revised Code and for which the state is removed from liability. There is no doubt that some forms of rock climbing are inherently dangerous, like surfing or skateboarding. People like myself voluntarily assume the risk of rock climbing, of the possibility of rock fall, and of the possibility of injury because the joy of climbing is a significant part of our lives. I have climbed for over 20 years and it is as much a part of my identity as my professional title.

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 has 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.

As the DLNR testimony in support of this bill noted, recreational patterns of Americans in general has changed dramatically since Hawaii enacted its statutes regarding recreational activity. People are drawn to activities like hiking, rock climbing, and surfing in numbers greater than ever before. People want to experience the natural beauty of the islands and thus will put themselves in a position of risk. The state's job is not to protect all residents from harm and we should avoid whenever possible the creation of a nanny state that sees its job as protecting individuals from their own actions. As a climber and a citizen of this state, I find it deeply problematic that the state has only limited protection from the actions of individuals who are unwilling to assume the risk for the hazardous activities in which they participate.

This legislation is targeted to a specific type of activity for which the state should not be liable if there is to be an injury. It would follow after the same exact provision protecting the state from injury in skateboard parks. Thus, it should be enacted.

Second, questions have emerged during the discussion of the bill as to why it is needed given the provisions of Act 82 should cover the state from liability. We feel that specific legislation focused on rock climbing remains necessary and is compatible with Act 82. One important reason comes from the fact that Act 82, at the moment, remains subject to a sunset clause. This could mean that after 2014 the state will revert to having no protection regarding liability. Additionally, Act 82 is meant to cover natural hazards that might be expected on trails and in the mountains. However, it is not designed to protect against any type of human created hazard (like climbing). Despite the existence of Act 82, the DLNR has still not re-opened Sacred Falls, evidence that they do not see Act 82 as being sufficient coverage for known dangers. As a result, there is little reason to believe it will help where climbing is concerned.

While climbers see how Act 82 might be useful, the DLNR has adamantly claimed that Act 82 is not sufficient for their purposes and thus additional legislation is needed. Furthermore, Act 82 signs are posted only *after* an accident has already happened because the DLNR cannot possibly find and put a sign on every voluntary trail that exists on state lands (and thus SB 1007 should also be passed). Thus, the state may still be liable for the initial harm because there were no warning signs. While rock climbers have never sued the state for an injury related to rock climbing, the DLNR remains fearful of lawsuits because of the outcome of the Brem case and the \$15 million paid out to the family of a woman who fell off a cliff after following a voluntary trail on Kauai.

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.

Attached again is the petition with signatures from just over 400 individuals sent to the Governor and signatures of over 1200 people sent to the DLNR requesting this legislation be introduced. This petition demonstrates the breadth of our support base for this legislation and for doing what is necessary to gain access to climbing in Hawaii.

We urge you to pass this legislation.

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
Mitch Markey	Arcata, CA, United States	2012-07-16
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
Jeffrey West	Pine Beach, NJ, United States	2012-07-17
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
Karen Dinan	Long Beach, NY, United States	2012-07-17
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
Ihisa babu		2012-07-17
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-Umbras	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	El 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

March 10, 2013 Testimony in Support of SB1168

submitted by:
Michael Richardson, resident of Honolulu
2241 Noah St.
Honolulu, HI 96816
(808) 387-7825
bugman@climbaloha.com

Justification for SB 1168 relating to limited liability for mountain climbing, rock climbing, rappelling, and bouldering

Definitions: “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. (*Taken from SB1168 SD 1*)

Rock climbing is a safe, healthy, and historically welcomed use of public lands

- Hawaii has experienced 22+ years of rock climbing history with only one serious injury. Rock climbing is unfairly portrayed as a reckless, dangerous, high-risk sport - mainly by Hollywood media. Objective data to support this portrayal does not exist in Hawaii or elsewhere.
- The common misconception that all of Hawaii’s rock is poor quality, crumbly, and dangerous is in fact untrue. On Oahu alone, climbers have established approximately 15 distinct climbing sites featuring exceptionally safe and stable rock. The high-quality rock which climbers use in these areas is basalt lava, known locally as ‘blue rock;’ it’s the same rock that has been widely used for construction for decades on all the islands because of its density and structural integrity. This same rock comprises many of our street curbs throughout Oahu and is readily visible in historical buildings in downtown Honolulu and Chinatown. The basalt rock used by Hawaii climbers is no different than at dozens of similar mainland climbing areas.
- Climbing has facilitated the development of a vibrant, close-knit, and socially-conscious community in Hawaii. Local climbers have demonstrated capable responsibility in maintaining the fixed hardware and cleanliness of all the climbing areas in Hawaii. Since DLNR officials have repeatedly stated that they lack the expertise, the staff, and the funding to manage climbing areas and activities in Hawaii, climbers are happy to collaborate with State agencies to address any concerns that might arise regarding the ecological or cultural impacts of their activities.
- The National Park Service describes climbing as a “welcomed and historic use” of public lands, a viewpoint compatible with the spirit of Hawaii’s public policy. Our State has gone to great lengths to protect the rights of the public to pursue outdoor recreation as they choose. Rock climbing is not a “fringe” or “extreme” sport; indeed, it has become quite mainstream throughout the country and throughout the world. Rock climbing in Hawaii is here to stay.

Act 82 was never intended to address rock climbing or any specific recreational activity – the intent was to address hazards that cannot be mitigated, i.e., flash flooding or naturally occurring rock fall (not climber-induced rock fall, for example)

From Act 82: “Uncertainty regarding the standard of care that must be exercised by the State or counties to prevent costly lawsuits may result in public recreational assets being closed.” Act 82 was an attempt to remedy this situation.

- This goal of Act 82 has failed, as evidenced by ongoing closures of several distinct rock climbing sites (including DLNR-owned Mokuleia Wall and Jungle Canyon, and DHHL-owned Makapu'u Cliff) as well as a climbing ban within all of Ka'ena Point State Park (including numerous other climbing and bouldering sites). These closures have crippled the sport of climbing on Oahu.

The Attorney General and DLNR cannot publicly testify about the weaknesses of Act 82

- Various JUD committee members have asked specific questions concerning the grey areas surrounding Act 82. Since Act 82 does provide DLNR with a great deal of protection from many complaints and lawsuits, publicly identifying its weaknesses would provide a blueprint for those who might wish to sue the State in the future. Neither the Attorney General nor DLNR are likely to address legislators' questions with a detailed analysis of Act 82 in a public forum. This has led to uncertainty about the necessity of SB 1168.

Act 82, SLH 2003 provisions are inadequate to protect the State from climbing injuries /deaths

Act 82 is inadequate because it fails to provide immunity for the full spectrum of inherent risks that climbers deliberately and voluntarily expose themselves to each time they climb. Equipment failure, human error, and objective hazards (i.e. dangerous natural conditions) are all potential sources of injury while rock climbing. Act 82 only applies to dangerous natural conditions (i.e. inherent risks on public lands), where properly vetted signage is posted. The unfortunate injury that lead to climbing bans would not necessarily fall under the protection afforded by Act 82. SB 1168 provides protection for the State against the full spectrum of risks inherent in rock climbing, mountain climbing, bouldering, and rappelling.

Consider the following *hypothetical* case: While bouldering upon a natural rock arch within a State Park, a climber (perhaps an up-and-coming partner in a prestigious law firm) and several bystanders are severely injured when portions of the arch collapse.

Act 82 would not protect the State in this case because: (1) no warning signs were posted before the accident (nor do appropriate warning signs exist within the current purview of Act 82), and (2) the event occurred on improved public lands (according to the Act 82 definition). While this alone is certainly no indication of State liability, it is a clear indication of the inadequacy of Act 82 to protect the State.

Climbing areas exist on both unimproved public lands and improved public lands

- Several climbing areas, particularly bouldering sites, are found in State Parks, Forest Reserves, County Beach Parks, etc. throughout the islands (on improved public lands). Act 82 provides no protection at these sites until the appropriate procedures have been undertaken for signing improved public lands. Even then, the only signs currently available under Act 82 are: rock fall, hazardous cliff, flash flood, and submerged object – none of which are explicitly intended for rock climbing.
- Unless the legislature wishes to require the Act 82 Risk Assessment Working Group to design new types of signs for mountain climbing, rock climbing, rappelling, and bouldering and to place those signs at every climbing site they discover on improved public lands, the State will lack liability protection from Act 82. Furthermore, Act 82 is designed to sunset in 2014, so there is no guarantee that the State can rely on it to provide liability protection beyond next year.

Please pass SB 1168 to address “the best interests of the public”

From Act 82: *“The legislature finds that it is in the best interests of the public to provide the State and counties with a conditional protection from liability arising from the inherent risks on public lands under their jurisdiction, that strikes an equitable balance between the personal responsibility of individuals engaged in recreational pursuits on public lands, and the government's duty to protect its citizens from harm. The legislature further finds that allowing the State and counties to manage their risks on public lands will encourage the State and counties to take reasonable steps to protect their citizens from harm, and will also help to avoid the closure of recreational public lands.”*

Ongoing uncertainty about the requisite standard of care has been exacerbated by the specific risks associated with rock climbing that are not addressed by Act 82. Specific legislation in the form of SB 1168 is needed to address this issue and provide the State with the confidence to allow rock climbing in Hawaii without being exposed to liability. We appreciate your support on SB 1168.

For more information, to ask further questions, or to meet with climbing community representatives, please contact:

Michael Bishop 808-312-9993 michaelbishop1981@gmail.com,

Debbie Halbert 808-295-4228 debbie.halbert@gmail.com, or

Mike Richardson 808-387-7825 bugman@climbaloha.com

R.D. Pascoe 970-222-3378 rd@accessfund.org

I appreciate your time in consideration of this matter and urge you to support SB1168.

Sincerely,

Michael S. Richardson

To: Committee Members

From: Eva Bosch RN, Individual Rock Climber

Hearing: March 11, 2013, 9:30am Conference Room 325

RE: SB1168

Dear Committee Members,

As an avid rock climber and outdoor adventurer, I am writing this letter in support of the passage of SB1168, which limits liability of rock climbing, mountain climbing, bouldering and rappelling for our state. I had climbed weekly at Mokuleia for the last five years, until its closure. The state's actions directly impact my life and well being in Hawaii. I work as an RN in the neonatal intensive care unit and am a homeowner in Hawaii. My entire family climbs regularly and internationally, and it is an essential part of our lives

I believe that it is important for outdoor enthusiasts to understand the risks nature present and not hold the state accountable for activities they choose to engage in. A trail that is maintained regularly may still fail. Rocks and dirt move as does the ocean. The state should not be responsible for paying out settlements to people that choose to venture outdoors. Our state just paid a 15.4 million dollar settlement to the families of two hikers that have died on a Kauai trail. Unfortunately this is not an isolated incident. The money that the state pays out eventually filters back to the taxpayers. I believe the lawyers group in opposition of amending chapter 520 at the last session has a fair bit of personal interest in keeping it written as is due to monetary incentives. In a post published on Bostwick&Peterson, LLP it reads, "oftentimes warning and closures happen too late – after someone has been seriously injured or dies while hiking an unsafe trail. If you or a loved one has been injured – or if you have lost a loved one in a hiking accident - it is important to seek the advice of an experienced Hawaii personal injury attorney right away."

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 led the DLNR to ban all climbing on the North Shore, 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. As a climber, I understand that we assume risk for our welfare when engaging in hazardous recreational activity. Across the nation, rock climbers rarely if ever sue for injuries sustained by rock climbing or mountaineering. However, given that not all people who try rock climbing are avid climbers, I also recognize the state's need to explicitly limit liability. Thus, I am in full support of this legislation and the DLNR's efforts to avoid unnecessary regulation of unencumbered state lands.

While climbing is not 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, 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 has 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.

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 this legislation, along with the other bills introduced to achieve these goals and 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,

Eva Bosch

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 6:16 PM
To: waltestimony
Cc: omgitsadam@gmail.com
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Brown	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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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 7:11 AM
To: waltestimony
Cc: agw5fc@mail.umsl.edu
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Wirth	Individual	Support	No

Comments: The Hawaiian landscape is perfect for outdoor sports. This sport will bring even more tourism, jobs, and competitions to Hawaii if allowed. The safety precautions that climbers take almost always outweigh the ones in any other sport. We climbers are a smart, safe, and friendly community and deserve to not have hinderances on our sport. If you have to get rid of something dangerous, get rid of guns. Those take way more lives in a day than climbing ever does in a year.

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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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 8:45 PM
To: waltestimony
Cc: thatbenm@hotmail.com
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

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

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 11:20 AM
To: waltestimony
Cc: brad.clymer@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bradley Clymer	Individual	Support	No

Comments: Climbing brings tourist dollars to any state which features it. Remove liability to open this revenue stream.

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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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 5:59 AM
To: waltestimony
Cc: brennenzinckgraf@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brennen Zinckgraf	Individual	Support	No

Comments: With the climbing areas in Hawaii closed, I do not have any interest in visiting the state. Hawaii has been known as a world class climbing destination for years, and should remain that way.

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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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 6:29 PM
To: waltestimony
Cc: bwong13@punahou.edu
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM
Attachments: testimony .docx

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bryson	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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I'm favor of this bill as high school student, who has taken classes with Climb Aloha and enjoys recreational rock climbing. I've taken my friends out on a couple occasions and I'd like to add that rock climbing is a growing sport and I'm glad this bill recognizes this and is moving to addressing some of the legal issues.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 8:43 PM
To: waltestimony
Cc: clbdesigns@hawaii.rr.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Bruns	Individual	Support	No

Comments: My family enjoys climbing and we have friends who used to visit Hawaii specically to climb. Lack of liability protection and the potential for law suits adversely affect the State's budget (exposing my tax dollars to a personal injury case) so in this day and age, liability protection is necessary. Closure of rock climbing adversely affects tourism and the local North Shore economy that I and so many of my friends and neighbors rely on. Please give your full support to SB1168 so it is passed into law and rock climbing is reopened without delay. Thank you, Chris

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 2:23 PM
To: waltestimony
Cc: madnessboy@yahoo.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Jacobsen	Individual	Support	No

Comments: This bill needs to make it through. Hawaii would benefit greatly by approving this bill.

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I, Daniel Allen Langdon, **STRONGLY SUPPORT** SB1168, in regards to climbing, bouldering, rappelling, etc. on public land.

These activities are entail risk that cannot be entirely mitigated, and I understand that this bill limits the state's liability in the event that a person is injured while undertaking these activities on public land. As a climber, I support this legislation because I want these activities to be allowed on public lands without having to be concerned that taxpayer money will be spent defending costly litigations.

Furthermore, if access to activities such as climbing is limited, the state discourages people who climb from visiting Hawaii, and as I climber, I will testify that Hawaii has several very ideal climbing spots on public land.

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 10:19 AM
To: waltestimony
Cc: koprend@my.uwstout.edu
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Danny Kopren	Individual	Support	No

Comments: I was just talking last night about how i want Hawaii to be my next trip, but all my trips revolve around some amount of climbing. Upon discovering this issue, I will postpone visiting till climbing is allowed. (not to mention i'm 26 and all my friends are getting married and seek me out for vacation advice.)

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 9:25 AM
To: waltestimony
Cc: armendarizd56@yahoo.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Armendariz	Individual	Support	No

Comments: Don't shut down Hawaii climbing areas. Thousands of people each year visit hawaii strictly for the rock climbing, and if that is taken away from them, then the state of Hawaii will potentially lose hundreds of thousands of dollars in tourist revenue.

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To: Chair Ige, Vice Chair Kidani, and members of the Senate Ways and Means Committee

Re: Senate Bill 1168 decision making by WAM

From: Dr. Paul Ryan, Rita Ryan

Testimony in SUPPORT of Senate Bill 1168

I am writing to support SB 1168 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 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 Senate Bill 1168 to resolve this situation. Thank you for allowing me to present this testimony.

Sincerely,
Dr. Paul Ryan
Rita Ryan
41-042 Kaulu Street
Waimanalo, HI 96795

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 10:40 AM
To: waltestimony
Cc: kalani.math@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM
Attachments: testimony.pdf

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Duc Ong	Individual	Support	No

Comments:

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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

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 3:55 PM
To: waltestimony
Cc: danny_kumite@Yahoo.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Duong Nguyen	Individual	Support	No

Comments: I would love to visit Hawaii again. I would love to rock climb there. Thank you for allowing climbers to enjoy Hawaii, too.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 6:51 AM
To: waltestimony
Cc: shockeyfunke@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Eugene Funke	Individual	Comments Only	No

Comments: I was planning on a trip to Hawaii this winter/spring, but it's quite expensive for me. I'm not a pro climber or anything, far from it, but I was planning on enjoying a few days on the craig. The inability to climb was a deal breaker for me. I'm not gonna spend all that money if one of my favorite activities wont be available. I might as well just go to Mexico.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 1:17 PM
To: waltestimony
Cc: james.gregory.ucsd@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James Gregory	Individual	Support	No

Comments: Access to the exemplary cliffs in Hawaii would be a great benefit to the tourism industry. Climbers travel all over the world to see and climb the best and most beautiful routes.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 12:47 PM
To: waltestimony
Cc: james.griffith@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James Griffith	Individual	Support	No

Comments: I'm a rock climbing enthusiast, and I would be much more likely to travel to Hawaii if I knew it were a climber friendly state. While there, I would, of course, patronize Hawaiian hotels, restaurants, grocery stores and a variety of other local small businesses. Thank you for your consideration, James Griffith Cambridge, MA

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 12:27 AM
To: waltestimony
Cc: kokuna@me.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Okuna	Individual	Support	No

Comments: Rock climbing is a safe activity that has the potential to bring in tourism dollars. The government is not liable for accidents that occur at the beach, or on hikes. Climbing should be no different.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 4:31 AM
To: waltestimony
Cc: kwshen@gmail.com
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

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

Comments:

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To: Committee on Water and Land

From: Kitt Turner

Hearing: March 11, 2013, 9:30 AM Conference Room 225

RE: SB 1168

Dear Committee on Water and Land,

As someone who has experienced the joy of rock climbing for many years, I STRONGLY SUPPORT the passage of SB 1168. 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 SB 1168.

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

March 9, 2013

To: House Committee on Water & Land

sendige@capitol.hawaii.gov

From: Mrs. Lovena Harwood, Individual

lovena.harwood@gmail.com

RE: SB1168, SD1 – Related to Limited Liability for Rock Climbing

Dear Sirs,

I am writing in support of SB 1168 which pertains to limited liability for the activities of mountain climbing, rock climbing, rappelling, and bouldering in Hawaii. I was born and raised on O'ahu and have enjoyed many years of swimming and body surfing in Hawaii's ocean. Although I am no longer a resident, my husband and I do plan to retire to Hawaii. Since I've lived here on the east coast I have come to enjoy the outdoors that Massachusetts, Maine and the White Mountains of New Hampshire have to offer. I have become an avid solo hiker, mountain climber, rock/ice climber and rappeller, partaking in those activities on land that is both privately and publically owned. These states, by the way, have recreational liability laws in place.

In a visit to my ohana just this past holiday season, I was able to enjoy and celebrate the New Year's Day by hiking to Koko Crater with the Hawaiian Trail & Mountain Club. And I was able to hike several other trails throughout the island as well. I had also planned to rock climb while visiting, but I was shocked to find that two of the major rock climbing crags on O'ahu, Mokulei'a and Makapu'u, were closed! And I was saddened to find out why the rock climbing crags were closed.

Mountain climbing, rock climbing, rappelling, and bouldering activities deserve to have limited liability just the same as skateboarding, watersports, and other ocean activity statutes. I take personal responsibility when I participate in these activities and am in full support for liability protection. I urge you to protect current and future taxpayers of Hawaii. I urge you to pass Senate Bill 1168 in order to provide that liability protection for both the county and state.

Mahalo for allowing me to present my testimony.

Sincerely,

Mrs. Lovena Harwood

Bradford, MA

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 11:57 AM
To: waltestimony
Cc: peganator@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mat Mitchell	Individual	Support	No

Comments: I would not visit Hawaii if knew climbing had been what amounts to banned outdoors, I support this bill.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 2:48 AM
To: waltestimony
Cc: matt.w.stelmach@gmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM
Attachments: MstelmachTestimony.docx

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM 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.

To: House Committee on Water and Land

Re: Bill 1168 decision on Monday, March 11 in room 325 at 9:30 AM

From: Paul D. Cavallaro

Testimony in SUPPORT of Senate Bill 1168

I am writing to support SB 1168 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 by the 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 Senate Bill 1168 to resolve this situation. Thank you for allowing me to present this testimony.

Sincerely,
Paul D. Cavallaro

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 11:21 AM
To: waltestimony
Cc: peterdearborn@gmail.com
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Dearborn	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 10:04 AM
To: waltestimony
Cc: richardwalker91@hotmail.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

Testimony for WAL on Mar 11, 2013 09:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Walker	Individual	Support	No

Comments: If I'm going on a vacation to somewhere I will want to do rock climbing there. I wont be going to Hawaii while I'm not allowed to rock climb there.

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To: Chair Ige, Vice Chair Kidani, and members of the Senate Ways and Means Committee

Re: Senate Bill 1168 decision making by WAM

From: Dr. Paul Ryan, Rita Ryan

Testimony in SUPPORT of Senate Bill 1168

I am writing to support SB 1168 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 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 Senate Bill 1168 to resolve this situation. Thank you for allowing me to present this testimony.

Sincerely,
Dr. Paul Ryan
Rita Ryan
41-042 Kaulu Street
Waimanalo, HI 96795

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 5:48 PM
To: waltestimony
Cc: samuel_yim@hmc.edu
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Samuel Yim	Individual	Support	No

Comments:

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To: House Committee on Water and Land

Re: Senate Bill 1168 SD1

From: Rosanna Ho

Testimony in SUPPORT of SB1168 SD1

I am writing to support SB1168 SD1 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.

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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 to 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 SB1168 SD1 to resolve this situation. Thank you for allowing me to present this testimony.

Sincerely,

Rosanna Ho

lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 3:49 AM
To: waltestimony
Cc: tbajo5591@yahoo.com
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Tony Bajo	Individual	Comments Only	No

Comments: I grew up in Hawaii in the 70's, Freedom to hike,climb and roam the Hawaii terrain where Authorized was a breat adventure to me. Please let the next generation do so.

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 10:28 AM
To: waltestimony
Cc: trevorolson@gmail.com
Subject: *Submitted testimony for SB1168 on Mar 11, 2013 09:30AM*

SB1168

Submitted on: 3/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Trevor Olson	Individual	Support	No

Comments:

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lowen1-Kyli

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 09, 2013 4:53 PM
To: waltestimony
Cc: tmatheney@davenport.edu
Subject: Submitted testimony for SB1168 on Mar 11, 2013 09:30AM

SB1168

Submitted on: 3/9/2013

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Submitted By	Organization	Testifier Position	Present at Hearing
Tylet Matheney	Individual	Support	No

Comments: Rock climbing is inherently dangerous and it is logical to be weary of the damage that could be done to both the physical world and the physical body. Rock climbers in general, however, tend to consider themselves stewards of the land that they climb on and in every instance that ive been a part of a climbing group enjoying the wilderness and the rocks, the first thing on everyones mind is safety and the second is leaving the place you climb in a better condition than we found it in. This bill is a way to enjoy the beautiful places the state has to offer as well as improve those places by opening them to people who deeply care about them. People will always get hurt climbing, but people also will always get hurt driving a car or swimming in the ocean. Those things are not going to be taken away from people, why should climbing. We care about the rocks and we appreciate and understand the concerns that are being brought up. This is definitely a way to keep everyone happy. Please pass this bill.

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NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

**Before the House Committee on
WATER & LAND**

**Monday, March 11, 2013
9:30 AM
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 1168, SENATE DRAFT 1
RELATING TO LIMITED LIABILITY FOR MOUNTAIN CLIMBING, ROCK
CLIMBING, RAPPELLING, AND BOULDERING ON GOVERNMENT LAND**

The Department of Land and Natural Resources (Department) is in strong support of Senate Bill 1168, Senate Draft 1, an Administration proposal which 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 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 two 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

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

activity, absent any expertise on the subject, providing government with liability relief associated with its use is a prudent measure.

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