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HAWAII



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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
JUDICIARY

Friday, January 22, 2016
2:00 PM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 799, HOUSE DRAFT 1
RELATING TO THE UNIFORM AERONAUTICS ACT

House Bill 799, House Draft 1 proposes to clarify the authority of the State, its employees, or its independent contractors, to remove animals by aerial means in furtherance of official State duties. **The Department of Land and Natural Resources (Department) prefers the original version of this measure.**

Purpose and Context. This bill seeks to clarify the State's authority to conduct routine aerial shooting missions. The original version clarifies the State's understanding of the existing law, which was enacted in 1923, that while the public may not conduct aerial shooting missions, the State may carry out such missions to accomplish its public trust purposes. We note that the 1923 legislation was enacted as a safety measure in alignment with standard nationwide legislation when airplanes first became available to the public.

Aerial shooting is a core tool to control invasive non-native ungulates that destroy native forest and associated watershed. The Department requires this tool to carry out its work pursuant to statutory, judicial and constitutional public trust mandates, to protect our forests, control erosion and protect endangered species. In many places aerial shooting is the only method to control hooved animals due to remote, steep, and dangerous terrain. Additionally, in many cases aerial control is the only effective method when thick vegetation and vast distances prohibit staff and the public from spotting and pursuing animals on the ground.

The State employs aerial shooting as part of a suite of tools to control destructive invasive animals. The Department's policy is to first allow and facilitate public hunting for hooved animal removal when safe, feasible and effective to reduce numbers as much as possible before

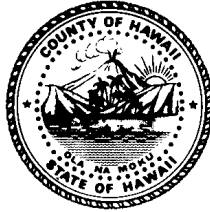
progressing to the use of other methods such as staff hunting, trapping and aerial shooting. When aerial shooting occurs, the State notifies the public and hunters, and where feasible retrieves many of the animals shot and gives the meat to the public.

This clarifying legislation is particularly important following action by the County of Hawaii, which in 2012 passed an ordinance making aerial control of animals unlawful. The State proposes that the Legislature clarify in this statutory amendment that the state public trust responsibility preempts county laws that would otherwise limit the State's ability to carry out this public trust work.

Need for original version. House Bill 799, House Draft 1 limits the State's aerial shooting efforts to remote, inaccessible, and hazardous areas. Rather than clarifying the State's authority, this limitation will leave the Department and its contractors vulnerable to legal challenges to define those vague terms. The Department requests that the language of the House Draft 1 that is bracketed and stricken below be deleted to follow the original version of this measure.

(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties [~~;/ provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life~~].

William P. Kenoi
Mayor



Walter K.M. Lau
Managing Director

Randall M. Kurohara
Deputy Managing Director

County of Hawai'i Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokalole Hwy., Bldg. C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

The County of Hawaii Game Management Advisory Commission

January 21, 2016

Committee on Judiciary
2:00 PM; Conference Room 325
01/22/2016

Dear Chair Rhodes, Vice Chair San Buenaventura, Honorable Members of the Committee on the Judiciary,

Regarding House Bill 799 – HD1 STRONGLY OPPOSES

STRONGLY OPPOSE UNLESS AMENDED!

DLNR has for decades been flying in violation of §263-10 in furtherance of eradication priorities, often over private property, and reportedly on numerous occasion, without notification to surrounding neighbors.

While no one disputes that there are some areas that are so inaccessible as to pose a risk of bodily injury or death, where if game resources need to be removed, aerial shooting would be appropriate. However even as the legislature opens, DLNR is out flying their slaughter without regard to HRS §263-10.

Hawaii Hunting Association would support HB799 with amendments that impose accountability upon DLNR, impose necessity for DLNR to collaborate with a State Game Commission on appropriateness and process leading to any control activities including adequate public disclosure.

Much Aloha,

Tom Lodge



7370 Kuamo'o Road • Kapa'a • Hawaii • 96746 • 808-821-1490 • www.kauaiisc.org

January 20, 2016

Testimony of Bill Lucey – Kauai Invasive Species Committee

Supporting With Amendments H.B.799 HD1 Relating to the Uniform Aeronautics Act

House Committee on Judiciary

Friday, January 22, 2015, 2:00PM, Room 325

I would like to offer this letter of support for clarifying the ability of the State of Hawaii to perform aerial shooting activities. The management of invasive species is a complex, difficult task that must have a full range of tools to employ in order to be successful. Taking away effective management options to perform control work is neither cost effective nor beneficial. The Kauai Invasive Species Committee is part of a statewide network employed to control and eradicate unwanted pests that impact both the economy and ecology of the state. We utilize all methods available to maximize the value of our efforts to achieve results on the ground for the benefit of the public. Aerial shooting is a globally proven technique with a strong success record.

Personally, as a lifelong hunter, I understand the concerns raised by other hunters who believe state sponsored ungulate control is taking away hunting opportunities. I also believe hunters are a key group helping to improve Hawaii's ecological health. However, I do not believe that the issue is numbers of game animals available but the access to those animals. The state already has an excellent track record providing hunting opportunities allowing access to 90% of its land for hunting.

Access restriction comes in two forms. The first is geographic, which is where aerial shooting is applied, managing feral herds on interior terrain too steep to safely hunt and recover shot animals or too remote for regular public hunting. The second restriction is property access. Large tracks of private land hold significant populations of feral animals that could be made available to the hunting public. What is needed is an increase in the state's private lands lease program which would serve two purposes: managing populations of feral animals on an island-wide scope while *increasing* hunting opportunities. This solves the real problem of hunter access while curtailing aerial shooting has little effect.

Sincerely,

Bill Lucey
Project Manager
Kauai Invasive Species Committee
University of Hawaii



**Testimony of O'ahu Invasive Species Committee Supporting With Amendments H.B. 799
Relating to the Uniform Aeronautics Act House Committee on Judiciary
Friday, January 22, 2016, 2:00PM, Room 325**

The O'ahu Invasive Species Committee supports H.B. 799 as originally introduced. H.B. 799 HD1 limits aerial shooting to remote, inaccessible, and hazardous areas. This will leave the Department vulnerable to legal challenges to define those vague terms. Therefore, we recommend returning to the original language of H.B. 799 by striking the following language from the HD1:

(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; ~~provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life.~~

HRS §263-10, which prohibits aerial hunting, was passed by the Territorial Legislature in 1923 as part of a larger Uniform Aeronautics Act being adopted in mainland states at a time when the military was urging states to standardize basic civilian flying regulations. There is no evidence that the Territorial Legislature passed H.R.S. § 263-10 with the intention of limiting State action or even with the expectation that controlling animals in this way would be an important tool for meeting the State's public trust responsibilities a century into the future.

In OISC's experience, surveying for invasive plants using a helicopter is substantially less expensive per acre than carrying out operations on foot, even with the expense of renting a helicopter. We assume the same is true for aerial shooting. Affirming DLNR's authority to carry out aerial shooting is the most efficient use of taxpayer dollars in protecting our watersheds and natural resources.

Control of animals from helicopters is a proven safe and humane management tool; with DLNR following training, safety protocols and certifications that follow rigorous federal standards. We believe that game mammals in Hawai'i can be managed so that hunting in the state may continue while still eliminating animals from the upper elevation watersheds. Passing HB 799 with the language changes suggested above is a step towards that goal.



23 E. Kawili St, Hilo, HI 96720 • Phone: (808) 933-3340

LATE

TESTIMONY OF THE BIG ISLAND INVASIVE SPECIES COMMITTEE
SUPPORTING, WITH AMENDMENTS, H.B.799 HD1
RELATING TO THE UNIFORM AERONAUTICS ACT
HOUSE COMMITTEE ON JUDICIARY
FRIDAY, JANUARY 22, 2015, 2:00PM, ROOM 325

The Big Island Invasive Species Committee is a partnership of private citizens and government agencies working to address invasive species issues on the island of Hawaii. Our mission is to prevent, detect, and control the highest risk invasive species threats to the Big Island environment, economy, and way of life.

BIISC SUPPORTS THIS MEASURE, AND OFFERS THE FOLLOWING COMMENTS:

As a state we have entrusted the Department of Land and Natural Resources to protect our state's water supply, our forests, our ocean and fresh water bodies and fisheries, and regulate hunting. Effective management of non-native, invasive animals requires a multi-faceted approach, which includes public hunting, staff hunting, live trapping, fencing and aerial shooting under strict safety protocols. Controlling animals from helicopters is no less humane and far more cost effective than other control methods. When the Department is required to comply with federal mandates and manage vast acreage that is inaccessible due to distance, terrain, or slope, aerial hunting may be the only feasible method to meet the objective while keeping state employees safe.

Make no mistake, whatever the value of these animals as a food source or recreational hunting target, they are introduced species, and are free from the natural limits imposed by native predators in other parts of the world. With the possible exception of the most popular and accessible hunting areas, the rate at which these animals reproduce in the wild far outpaces the efforts of the recreational and subsistence hunters in the state. We suggest that there is no conflict between the affirmation of DLNR's authority to conduct and contract aerial hunts, and the continuation of a vigorous recreational hunting community in our state.



Unfenced, unmanaged lands on the Big Island



On the other side of the fence: native plants thrive on acreage cleared using public hunts, animal drives, aerial shooting

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 4:11 AM
To: JUDtestimony
Cc: misc@hawaii.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/22/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Teya Penniman	Maui Invasive Species Committee	Comments Only	No

Comments: The Maui Invasive Species Committee (MISC) supports this bill as originally submitted, which would clarify and maintain the ability of the Department of Land and Natural Resources to use aerial hunting to control feral ungulates on public and private lands. MISC supports the original text. The language added to HD1 could create difficulties in interpretation. DLNR's past practice has shown that this tool is used in very limited situations and locations. The State has made and continues to make significant investments to protect our forested watersheds. According to scientists from the U.S. Department of Agriculture, the recent emergence of rapid ohia death, which is now affecting thousands of acres on the Island of Hawaii, underscores the importance of removing feral ungulates from our native lands as quickly as possible. DLNR needs this tool in its tool chest. Thank you for your consideration, Teya M. Penniman

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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WAILUKU WATER CO.

WAIKAPU IAO WAIHEHU WAIHEE

January 18, 2016

Na Wai Eha

Honorable Karl Rhodes, Chairperson House Judiciary Committee
Honorable Joy Buenaventura, Vice-Chairperson House Judiciary Committee

RE: Relating to the Uniform Aeronautics Act HB 799 HD1 IN STRONG SUPPORT w/
AMENDMENTS

Karl
Chair Rhodes and Representatives;

My name is Avery B. Chumbley, I am the President of Wailuku Water Company located on the Island of Maui, and I am unable to be present today for your hearing on this measure but wanted to lend my strong support for its passage by this committee with amendments as detailed below.

My company manages and maintains over 13,200 acres of forest reserve watershed lands in the West Maui Mountains, most if not all of it is inaccessible due to its steep topography except by helicopter. In cooperation with the West Maui Mountains Watershed Partnership we collectively protect over 50,000 acres of some of the most native pristine lands in our state. Feral ungulates such as pigs, goats and wild cattle have caused significant destruction to these lands for decades, as a Watershed Partnership we have finally been able to start a concentrated successful effort to protect these important lands.

In cooperation with the DLNR we have been successfully undertaking a strictly controlled aerial shooting program to eliminate these harmful ungllets from the watershed lands. The safety protocols and public notice procedures in place are working well and have resulted in reduction of these harmful animals while protecting the individuals who have been tasked to undertake this effort.

I will leave all of the positive reasons why this measure is so important to be explained by others and the DLNR, what I would stress to you today is that as a PRIVATE LANDOWNER this is a program that is working in partnership with the State government. The original passage of HRS 263-10 nearly 93 years ago never anticipated the beneficial use of helicopters for aerial shooting to protect our important forest reserves and watershed lands, the addition of this language in the new subsection (b) simply clarifies that this action is for a beneficial pubic purpose and not a malicious crime as currently stated.

Lastly, I would ask for your consideration in striking the ambiguous and vague language contained as the last sentence on lines 14 and 15, as proposed this language will only create more confusion and possible legal challenges in struggling to define what is "remote and inaccessible", as used this language would apply to ALL 13,200 acres of our private lands rendering this aerial shooting program doubtful and useless to our property.

I am happy to provide any additional information or clarification should the Chair or committee find it necessary and useful.

Regards,


Avery B. Chumbley
President



HALEAKALA RANCH

• EST. MAUI 1888 •

Testimony of Haleakala Ranch

Supporting H.B. 799 Relating to the Uniform Aeronautics Act

House Committee on Judiciary

Friday, January 22, 2016, 2:00 PM, Room 325

Haleakala Ranch Company (HRC) supports H.B. 799 as originally introduced.

H.B. 799 clarifies the authority of the State, its employees, or its independent contractors to remove animals by aerial means in furtherance of official State duties.

Un-managed and/or uncontrolled, non-native introduced wildlife are a major threat to the health of Hawaii's native forests, watersheds, unique and endangered species, and economy. On portions of Haleakala Ranch feral cattle destroy fences, mingle with domestic livestock, and oftentimes create out-migration of commercial cattle stock. In addition, wild cattle pose a very serious safety issue to Ranch staff and others in the field. Feral pigs, goats and Axis deer pose similar problems and also contribute significantly to increased erosion, sedimentation and direct damage to pasture forage and other crops.

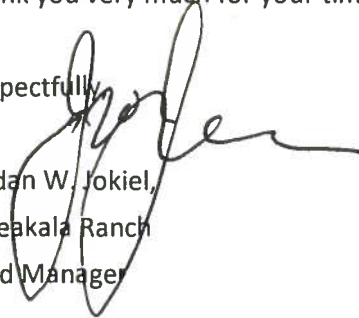
A multi-faceted approach to animal control which incorporates fencing, public and staff hunting, professional trapping, and a closely managed aerial shooting program has proven to be the most effective means of managing feral animals in Hawaii.

Aerial shooting for feral goats, pigs, and Axis deer was recently initiated by DLNR in Nakula Natural Area Reserve and Kahikinui Forest Reserve, both adjacent to Haleakala Ranch pastures with on-going active grazing operations. DLNR's aerial control efforts were very successful and, as a result, are expected to significantly reduce the problems associated with these feral species on the Ranch. Without this tool the Ranch would likely still be faced with many of the on-going operational challenges mentioned above, and DLNR would not be positioned to conduct the important watershed restoration efforts on the lands they are tasked with managing.

Again, Haleakala Ranch Company supports H.B. 799 as originally introduced. Aerial shooting, in both remote and accessible areas has been an effective and safe means of controlling feral animals in Hawaii for many years, and is a widely accepted and promoted practice by Wildlife Managers in many other states.

Thank you very much for your time and attention to this testimony.

Respectfully,



Jordan W. Jokiel,
Haleakala Ranch
Land Manager



Maui Land & Pineapple Company, Inc.

LATE

Friday, January 22, 2015
To: House Committee on Judiciary
From: Pu'u Kukui Watershed Preserve
Testimony Regarding House Bill 799, House Draft 1

Dear Committee,

As a private land owner, Maui Land and Pineapple Company (Pu'u Kukui Watershed Preserve) supports House Bill 799 as originally introduced. Aerial shooting as an ungulate management tool is vital for large scale land management efforts. To remove this tool from the state would set back conservation in Hawaii decades on both state and private lands as we have relied on the states expertise and partnership in this area. As the second largest privately owned nature preserve in the state Pu'u Kukui Watershed has steep valleys on West Maui and is home to many forest types and sensitive habitats. Given these conditions, every tool is necessary for active management including aerial shooting by the state which allow management for conditions that are not safe for preserve staff on the ground. Taking away aerial shooting or limiting it in some capacity due to legal language will reduce protection efforts, lead to massive erosion, kill reef, decrease water resources, alter landscapes and put people at risk. Therefore, ML&P (Pu'u Kukui Watershed Preserve) would like to see the original version of this bill remain intact. Mahalo for time and attention to this testimony.

Me ke aloha,
Pomaika'i Kaniaupio-Crozier
Pu'u Kukui Watershed Preserve Manager

Game Management Advisory Committee

Island of Hawaii

Advise county, state and federal agencies on issues related to our game resources.

Opposing H.B. 799 H.D.1

Committee on Judiciary
Chair Karl Rhoads, Vice Chair Joy A. San Buenaventura
Committee Members

Report Title: Relating to the uniform aeronautics act.

Description: Clarifies the authority of the State, its employees, or its independent contractors to remove birds or animals by aerial means in furtherance of official state duties.

Friday, January 22, 2016 at 2pm conference rm 325

GMAC and the residents of Hawaii Island, strongly oppose HB 799 as written. In fact, the residents of the county feel so strongly about the issue they have passed a county ordinance banning culling or eradicating animals from an airplane or helicopter.

Residents of Holualoa and Kohala have experienced these operations personally. Imagine looking down your street and seeing a helicopter firing shots very close to your neighborhood. You don't know if it is the police or military ... all you hope is the guys with the rifles shoot straight.

History has shown, time and time again, that DLNR has used very poor judgement when carrying out aerial culling or eradication efforts. This poor judgement forced the county to pass an ordinance banning the practice.

Currently HB799 provides absolutely no oversight to DLNR when carrying out these activities. In fact, it gives DLNR the freedom to decide when, where and how to use helicopters in animal control activities. To make matters worse, the BLNR which is supposed to act as an independent third-party, has opted out of any oversight responsibility and given DOFAW the freedom to make all decisions surrounding aerial shooting. I would suggest this set up has been anything but successful according to Big Island residents.

Most rational people can point to some instances where animal control via helicopters is a safe, logical option. These instances are rare. Without an objective, independent group of resource users in place to approve any DLNR aerial culling operation, residents of the Big Island will strongly oppose HB 799.

If HB 799 is to move forward, it needs to be amended to remove DLNR or DOFAW as the decision maker. Approval authority must move to an independent oversight group. I would submit, that since BLNR has relinquished its oversight duties in this matter, BLNR should NOT be allowed to grant approval for aerial operations in any future revisions.

HB 799 is not "fit" to move forward. The bill's current wording totally dismisses the Big Island's residents concern.

Please oppose HB 799

Mahalo,
Mark Bartell, GMAC member



REPRESENTATIVE KARL RHOADS, CHAIR
REPRESENTATIVE JOY A. SAN BUENAVENTURA, VICE-CHAIR
HOUSE COMMITTEE ON JUDICIARY

TESTIMONY REGARDING HOUSE BILL NO. 799, H.D. 1
RELATING TO THE UNIFORM AERONAUTICS ACT

January 22, 2016, 2:00 p.m.
Conference Room 325

Good afternoon Chair Rhoads, Vice-Chair San Buenaventura, and members of the committee:

My name is David Lane Henkin, and I am an attorney with Earthjustice. We appreciate the opportunity to testify regarding House Bill 799, House Draft 1, which seeks to clarify the authority of the State, its employees, or its independent contractors, to remove birds or animals by aerial means in furtherance of official State duties.

Aerial hunting is a vital tool in the fight to control alien, invasive species that are destroying Hawai'i's native ecosystems, pushing countless species closer to extinction. Thus, Earthjustice strongly supports the intent of the original version of HB 799, which unequivocally affirmed the authority of state employees and independent contractors retained by the State to use aerial hunting "in furtherance of official state duties."

Unfortunately, House Draft 1 added language that undermines the bill's original intent, restricting the use of this important conservation tool to only "remote and inaccessible areas, where access to wildlife may pose hazard to human life." This new language needlessly introduces uncertainty about when aerial hunts are permitted. What, after all, does it mean for an area to be "remote" or "inaccessible," and what potential hazard to human life is sufficient?

Requiring a risk to human life before state wildlife managers can employ aerial hunts would result in an unjustifiable waste of taxpayer dollars on inefficient ground-based operations, where aerial hunts would do the job more cheaply and better. In many cases, the more restrictive language would mean that essential wildlife management would not take place at all, resulting in the destruction of irreplaceable public trust resources.

As HRS § 263-10 is currently written, the prohibition on hunting from aircraft does not apply to game management by the State in the first place. Thus, adopting HB 799, HD 1 would make the situation **worse** than it is now. To ensure the State can continue to employ aerial hunts to carry out state policies and protect the public interest, we respectfully submit that either (1) HB 799 should be revised to restore its original language or (2) this bill should be held.

The Society for Hawaii Heritage Animals

OPPOSING HB799 HD1

HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

COMMITTEE ON JUDICIARY

Rep. Karl Rhoads, Chair
Rep. Joy A. San Buenaventura, Vice Chair
Committee Members

Friday, January 22, 2016 at 2:00pm Rm 325

Report Title: Relating to the uniform aeronautics act

Description: Clarifies the authority of the State, its employees, or its independent contractors, to remove birds or animals by aerial means in furtherance of official State duties.

Currently, as written and for the following reasons we strongly oppose HB799 HD1.

1. HRS 263-10 states the following: Any aeronaut or passenger who, while in flight in, across, or above the State, intentionally kills or attempts to kill any birds or animals shall be guilty of a misdemeanor and punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.
2. Under the DESCRIPTION of bill HB799 HD1, the department is asking the legislature to “**clarify**” the authority of the State, its employees, or its independent contractors, to remove birds or animals by aerial means in furtherance of official State duties. The Third Circuit Court of Hawaii, Judge Glenn S. Hara in Nov of 2014 CASE NO: FI-GV-0000-0-000752-0000 ruled that DLNR is **not exempt** from HRS 263-10. So why is the department asking for “**clarification**” under the description of bill HB799 HD1 and then in the bill itself under section 1 (b) are asking for an **exemption**?; “Notwithstanding any other law to the contrary”
3. The Judicial branch has “clarified” that DLNR is not exempt.
4. HB799 HD1 as written attempts to address two separate issues:
 - a) To **clarify** that the department is exempt from existing statute?
 - b) Or change a long standing statute to allow them to be **exempt**?
 - c) **Which one is it and is this even legal?**
5. Currently the department conducts aerial eradications and has been for decades in violation of HRS 263-10. Does this committee feel that the department is currently exempt from 263-10 despite a Court ruling? In fact they are aerial eradicating right now on Maui! If this committee sides with the Department and feels that the department is exempt then why have bill HB799 HD1 in the first place? The department has officially expressed that they are currently exempt and will continue to aerial eradicate.
6. If HB799 HD1 moves forward we respectfully request the following amendment:
 - a) A State Game Commission shall approve all non-federally mandated aerial eradication efforts in the State of Hawaii on a case by case basis before activities commence.

The department has proven not trust worthy, not transparent or collaborative when it comes to animal control activates and a third party must provide this platform.

Mahalo,
Tony Sylvester
Executive Director

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 11:44 AM
To: JUDtestimony
Cc: laurelee@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Laurelee Blanchard	Leilani Farm Sanctuary	Oppose	No

Comments: Leilani Farm Sanctuary of Haiku, Hawaii strongly opposes the aerial shoot of animals on the grounds of extreme cruelty. On behalf of our 5,700 supporters, we are asking you to please vote NO on this horrendous bill! Sincerely, Laurelee Blanchard, President

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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Conservation Council
for Hawai'i

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the House Judiciary Committee
Hearing: Friday, January 22, 2016 2 pm
Conference Room 325

Opposition to HB 799 HD 1 Relating to the Uniform Aeronautics Act

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee,

Aloha. Conservation Council for Hawai'i opposed HB 799 HD1, which clarifies the authority of the State, its employees, or its independent contractors, to remove birds or animals by aerial means in furtherance of official State duties.

This bill is unnecessary. The State already has the authority to utilize aerial means to control invasive species to protect essential watersheds, water quality, and habitats for rare and endangered species, in addition to human health and safety. We supported the original bill in 2015 because it simply clarified the State's authority. However, the amendment added by Rep. Yamane and the House Committee on Water and Land severely limits the State's use of aerial means to control invasive species.

Please do not take away this tool, which is essential for the State to protect our forests, watersheds, and other public trust resources for future generations. If you feel the need to clarify the State's authority to use aerial means to control invasive species, we urge you to strike the following language from the bill:

(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; ~~provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life.~~"

Introduced feral and game mammals pose significant threats to our watersheds and water quality, and contribute to the loss and decline of unique plants and animals found nowhere else in the world. Axis deer on Maui and goat herds on the highways in Kona and Kohala threaten human health and safety. Feral pigs – found just about everywhere they are not contained (including private property) – help spread diseases to humans and Hawaiian forest birds. These animals should be contained in appropriate game management areas and removed from all other locations.

Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler



Telephone/Fax: 808.593.0255 | email: info@conservehi.org | web: www.conservehi.org
P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave., Suite 220 | Honolulu, HI 96814

President: Hannah Kihalani Springer | Vice-President: Julie Leialoha | Treasurer: Bianca Isaki | Secretary: Wayne Tanaka
Directors: Rick Barboza | Ryan Belcher | Maka'ala Ka'aumoana | Koalani Kaulukukui
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



Conservation Council
for Hawai'i

Hawai'i's voice for wildlife

Kō Hawai'i / leo no nā holoholona lōhiu



SUPPLEMENTAL Testimony Submitted to the House Judiciary Committee
Hearing: Friday, January 22, 2016 2 pm
Conference Room 325
Opposition to HB 799 HD 1 and HB 1041 HD 1



Left to right: Kanea'a, Kohala, Hawai'i,
Mauna Kea, Hawai'i and Pelekane,
Kohala, Hawai'i.



East side of Wailau Valley, Moloka'i -
pigs and deer for at least 35 years



Oloku'i, west of Wailau Valley, Moloka'i - pig free



Feral pig damage in native rain forest, 'Ola'a and Kahuku, Hawai'i

Testimony of The Nature Conservancy of Hawai'i
Supporting With Amendments H.B. 799 Relating to the Uniform Aeronautics
House Committee on Judiciary
Friday, January 22, 2016, 2:00PM, Room 325

LATE

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 40,000 acres in 14 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects across the islands.

The Nature Conservancy supports H.B. 799 as originally introduced. H.B. 799 HD1 limits aerial shooting to remote, inaccessible, and hazardous areas. This will leave the Department vulnerable to legal challenges to define those vague terms. Therefore, we recommend returning to the original language of H.B. 799 by striking the last phrase from the HD1:

(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life."

HRS §263-10, which prohibits aerial hunting, was passed by the Territorial Legislature in 1923 as part of a larger Uniform Aeronautics Act being adopted in mainland states at a time when the military was urging states to standardize basic civilian flying regulations. There is no evidence that the Territorial Legislature passed H.R.S. § 263-10 with the intention of limiting State action or even with the expectation that controlling animals in this way would be an important tool for meeting the State's public trust responsibilities a century into the future.

We agree that introduced wildlife resources need to be wisely managed both for their benefits and, in some cases, for the risks they pose. Hawai'i has an important history of hunting game mammals for food and recreation that should be perpetuated and even enhanced, but it is a modern history. With the exception of the Hawaiian bat, Hawai'i has no native land mammals. Wild pigs were introduced from Europe and Asia after 1778. The smaller Polynesian pig brought by the first Hawaiians is gone (except on Ni'ihau), crowded out by these later introductions.

While an important resource, wild pigs, goats, sheep, deer, and cattle are also a major threat to the health of some of our most important native forests and watersheds. Centuries before the introduction of game mammals, Hawai'i's native plants and animals evolved in geographic isolation to form the unique ecosystems that make up these islands. In the absence of predators, native species did not develop defenses such as thorns or other mechanism to deter browsing or rooting animals. As a result, our native forests have no natural defenses against wild mammals. Left unmanaged, feral ungulates can strip large areas of forest bare, contributing to erosion, sedimentation harmful to coastlines and coral reefs, and impairing the natural absorptive function of watersheds. The areas disturbed by these animals also create open soil for weed invasions, further enhancing the decline of native ecosystems and watershed values.

Through years of research, experimentation, and experience, it has been shown that the most effective management strategy for these animals is a multi-faceted approach including fencing, public hunting, staff hunting, live trapping, snares, and aerial shooting under strict safety protocols. In some accessible locations, hunting and live trapping are sufficient for ungulate control. However, many areas of important native forest and watersheds are remote, mountainous, or so vast as to make standard animal control techniques dangerous, impractical and, in some cases, impossible. Control of animals from helicopters is a proven safe and humane management tool in these types of instances; with DLNR following training, safety protocols and certifications that follow rigorous federal standards.



LATE

Friday, January 22, 2015
To: House Committee on Judiciary
From: Maui Conservation Alliance
Subject: Testimony Regarding House Bill 799, House Draft 1

Dear Committee,

The Maui Conservation Alliance (MCA) supports House Bill 799 as originally introduced. House Bill 799, Draft 1 proposes to clarify the authority of the State, its employees, or its independent contractors, to remove animals by aerial means in furtherance of official State duties. However, proposed language limits aerial shooting to remote, inaccessible areas. This amendment could be difficult to interpret and leaves the State vulnerable to legal challenges.

Aerial shooting is a core tool to control invasive non-native ungulates. Introduced wildlife has long been known to threaten the health of Hawai'i's native forests, watersheds, unique and endangered species, and economy. Threats addressed through ungulate removal include destruction of native vegetation, erosion, sedimentation on coral reefs, degraded watershed function, and potential spread of diseases such as rapid 'ōhi'a death. The State has been very effective at managing feral animals in using a multi-faceted approach; including fencing, hunting, trapping, and closely managed aerial shooting. Hunting and live trapping can be sufficient for ungulate control in some situations. However, many areas of important native forest and watersheds are too dangerous or distant as to make standard animal control techniques feasible. Control of animals from helicopters is a proven safe and humane management tool in these types of instances.

Restricting the State's ability as proposed may have significant long-term effects. Therefore, the Maui Conservation Alliance would like to see the original version of this bill remain intact.

Thank you for time and attention to this testimony.

Sincerely,

Adam Radford
Chairperson
Maui Conservation Alliance

Alison Cohan
Vice Chairperson
Maui Conservation Alliance

Maui Conservation Alliance Partners:

Maui Invasive Species Committee
Leeward Haleakalā Watershed Restoration Partnership
East Maui Watershed Partnership
Haleakalā National Park
Pu'u Kukui Watershed Preserve
US Fish & Wildlife Service
Hawai'i Islands Land Trust

The Nature Conservancy
West Maui Mountains Watershed Partnership
Haleakalā Ranch
State of Hawai'i – DOFAW
County of Maui
USDA – NRCS
Tri-Isle RC&D

The Maui Conservation Alliance (MCA) is a cooperative partnership of government, private, and non-profit organizations who are leaders in the management of Maui's native ecosystems. MCA is committed to accelerating conservation management and focusing on the highest priority conservation needs. Should you have questions or need further information please contact Adam Radford at aradford@hawaii.edu or (808) 264-0404.



LATE

Friday, January 22, 2015
To: House Committee on Judiciary
From: Maui Conservation Alliance
Subject: Testimony Regarding House Bill 799, House Draft 1

Dear Committee,

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Restricting the State's ability as proposed may have significant long-term effects. Therefore, the Maui Conservation Alliance would like to see the original version of this bill remain intact.

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Sincerely,

Adam Radford
Chairperson
Maui Conservation Alliance

Alison Cohan
Vice Chairperson
Maui Conservation Alliance

Maui Conservation Alliance Partners:

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Leeward Haleakalā Watershed Restoration Partnership
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US Fish & Wildlife Service
Hawai'i Islands Land Trust

The Nature Conservancy
West Maui Mountains Watershed Partnership
Haleakalā Ranch
State of Hawai'i – DOFAW
County of Maui
USDA – NRCS
Tri-Isle RC&D

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Shaping the future for birds

LATE

Testimony of American Bird Conservancy
SUPPORTING H.B. 799, Relating to the Uniform Aeronautics Act
State of Hawai'i, House Committee on Judiciary
Friday, 22 January 2016

The American Bird Conservancy (ABC) **strongly supports** HB 799, permitting State employees and contractors to conduct aerial shooting as part of their official duties. Hawaiian forests are internationally renowned for their unique and precious native species, especially their birds. One of the biggest threats to Hawaiian forests, and the critical watersheds they protect and sustain, is the destructive impacts of introduced wildlife. Numerous scientific studies have shown that Hawaiian forests are especially susceptible to damage from introduced ungulates, such as sheep, goats, and deer. None of our native species evolved in the presence of these ungulates, and Hawaiian plants have no natural defenses against these new mammals. The damage caused by these browsing and grazing mammals facilitates invasion by non-native weeds which further degrades and damages the native ecosystems.

Safely and properly conducted aerial shooting operations are critical to protecting our native forests and all the native species that depend upon them, as well as the watersheds that the citizens of Hawai'i depend upon. While in some areas hunting, trapping, or snares are sufficient, some areas are so remote, or vast, that these methods are inadequate to properly manage the natural resources. Aerial shooting from helicopters is a vital tool, and needs to be available for land managers in the state. However, defining the terms and conditions where aerial shooting is necessary beforehand is very difficult, and the current language in HD1 is vague and subject to interpretation. Therefore, we recommend adopting the original language from HB 799, and striking the following language from HD1:

~~(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life."~~

Hawai'i is the bird extinction capital of the world, but ABC and its partners are working to prevent further extinctions. ABC has many programs in Hawai'i, and we are supporting and cooperating on forest restoration and habitat protection with partners throughout the state. Approving this bill would provide necessary support to the State and ensure their personnel are permitted to use a critical tool in protecting our native forests. Mahalo for the opportunity to provide testimony on this important decision.

George E. Wallace, Ph.D.
gwallace@abcbirds.org
Vice President, Oceans & Islands Division
540-253-5780

Chris Farmer, Ph.D.
cfarmer@abcbirds.org
Science Coordinator, Hawaiian Birds
808-987-1779

LATE



**THE HUMANE SOCIETY
OF THE UNITED STATES**

January 22, 2016, 2pm

To: Honorable Chair Rhoads, Vice-Chair San Buenaventura and Judiciary Committee Members

From: Inga Gibson, Hawaii State Director, The Humane Society of the United States-Humane Society International, PO Box 89131, Honolulu, HI 96830, igibson@humanesociety.org

RE: HB 799; Relating to the Uniform Aeronautics Act

Thank you for your consideration of this testimony. The Humane Society of the United States believes that in the vast majority of situations aerial hunting is inefficient, ineffective and inhumane. Animals, especially herd animals exhibiting collective flight response behaviors, who are shot from aircraft are often non-mortally wounded and thus subjected to unnecessary and prolonged suffering. Furthermore, if death is not verified (most often performed during carcass retrieval) it is impossible to know how many animals may have simply been injured or wounded, only to ultimately die of infection, starvation, shock, blood loss or dehydration, days or even weeks after being initially shot.

We acknowledge that there are limited occasions when aerial hunting, performed *only* by trained professionals for demonstrated public health or safety reasons, or for limited conservation purposes to protect threatened and endangered species in imminent harm, is arguable as a condition of last resort. There are many places throughout the islands where the terrain is inaccessible, the impacts to threatened and endangered plants and animals too severe, and the resources too limited for our conservation agencies to be able to use any other strategy to help conserve our treasured natural resources. Most importantly, we realize that in some circumstances other control methods employed, such as unattended snares or poisoning, would result in a far less humane death for the targeted animals.

We also know that hunting alone does not solve the larger feral animal over-population problem. Therefore, should the Committee decide to move this measure forward we appreciate your consideration of the below amendments. These amendments reference language currently in the federal Airborne Hunting Act, below, and attempt to address our greatest concerns regarding the possibility of unnecessary animal suffering due to non-mortal wounding which may occur during aerial control related activities.

I have also included 2 photos of cattle who were shot during a 2009 aerial control hunt in Hualalai, which created much concern within the Hawaii Island community. Given that humans were able to access this area other methods of removal should have been considered.

SECTION 1. Section 263-10, Hawaii Revised Statutes, is amended to read as follows:

"§263-10 **Hunting from aircraft; penalty.** (a) Any aeronaut or passenger who, while in flight in, across, or above the State, intentionally kills or attempts to kill any birds or animals shall be

guilty of a misdemeanor and punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill ~~or attempt to kill~~ any wildlife in furtherance of official state duties provided that actions taken under this section;

(1) shall be limited to

(a) remote and inaccessible areas, where non-aerial access to wildlife may pose hazard to human life and;

(b) the protection of public health or safety or the protection of threatened or endangered species in imminent harm

(2) Shall only occur when all other methods of removal have been documented and proven ineffective

(3) wherever possible, carcasses shall be removed and death verified to ensure wildlife has not escaped non-mortally wounded

(4) live wildlife cannot be captured and released to another location for subsequent removal

(5) all aerial control activities shall be posted to the public by the department at least XX days in advance of any activity

(6) in addition to section (2) the department shall retain records regarding the type and number of wildlife removed and make such information available to the public upon request

(7) the department shall file reports for any permits issued to or by the state for aerial control activities with the Secretary of the Interior

Airborne Hunting Act (See: <https://www.fws.gov/laws/lawsdigest/AIRBORN.HTML>)

This Act, Public Law 92-159, approved November 18, 1971 (85 Stat. 480) and subsequently amended by P.L. 92-502, approved October 28, 1972 (86 Stat. 905) added to the Fish and Wildlife Act of 1956 a new section 13 ([16 U.S.C. 742j-1](#)), which is commonly referred to as the Airborne Hunting Act or Shooting from Aircraft Act, prohibits shooting or attempting to shoot or harrasing any bird, fish, or other animal from aircraft except for certain specified reasons, including protection of wildlife, livestock, and human life as authorized by a Federal or State issued license or permit. States authorized to issue permits are required to file reports with the Secretary of the Interior containing information on any permits issued.

Thank you for your consideration of these amendments



***Hawaii Hunting Association
To Protect & Promote Sustainable
Public Hunting in Hawaii***

HB799– HD1

January 21, 2016

House of Representatives
The Twenty Eighth Legislature
Regular Session of 2016
HB799-HD1
Friday January 22, 2016; 2:00 PM Room 325

Judiciary Committee
Karl Rhodes, Chair
Joy San Buenaventura, Vice Chair
Committee Members

Hawaii Hunting Association **STRONGLY OPPOSES HB799-HD1**

STRONGLY OPPOSE UNLESS AMENDED!

DLNR has for decades been flying in violation of §263-10 in furtherance of eradication priorities, often over private property, and reportedly on numerous occasion, without notification to surrounding neighbors.

While no one disputes that there are some areas that are so inaccessible as to pose a risk of bodily injury or death, where if game resources need to be removed, aerial shooting would be appropriate. However even as the legislature opens, DLNR is out flying their slaughter without regard to HRS §263-10.

16-1596 Keaau Paho Road; Keaau, Hi 96749
hawaiihuntingassociation@hawaiiantel.net
(808) 982-4747

Hawaii Hunting Association would support HB799 with amendments that impose accountability upon DLNR, impose necessity for DLNR to collaborate with a State Game Commission on appropriateness and process leading to any control activities including adequate public disclosure.

Much Aloha,

A handwritten signature in black ink that reads "Thomas Lodge". The signature is written in a cursive, flowing style.

Tom Lodge

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:45 AM
To: JUDtestimony
Cc: kfurus@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
kyle furutani	Hawaii sportsman's alliance	Oppose	No

Comments: No aerial shooting statewide! Period!

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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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 12:17 PM
To: JUDtestimony
Cc: makani.christensen@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
makani	Hunting Farming and Fishing Association	Oppose	No

Comments: We would like to recommend the bills' content be revised as follows: "b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; provided that actions taken under this section, shall be approved by a State Game Commission. Public notification containing maps, days, and hours of operation shall also be provided no later than 90 days prior to conducting any aerial shooting operations and produce a public report of the operation no later than 90 days after completion. Provided the above revisions, or similar, the Alliance may support. The Alliance understands the value of the aerial removal and its necessity in very inaccessible and hazardous areas. However, we disagree that the DLNR shall have the sole authority to use this last resort tool at their own discretion. Aerial shooting can be a highly publicly visible operation, poses potential public relations and safety concerns, and by current statute, illegal. If indeed this is to be treated as a "last resort" tool, it should be expressly shown that the department has done all they can to avoid this situation by collaborating with all stakeholders in the process. Wildlife on public lands are considered public trust resources and shall be treated as such especially when the public has an interest in them. Destroying what some in the public consider a resource is not an action that should be taken unilaterally by the department. The Alliance will support the department in finding more community accepted methods for removal should the opportunity and need arise. Past history of aerial shooting operations by the department and contractors have garnered public concern and distrust. In some events, notifications were not given and stakeholders were left out of the process. That history should not be repeated.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 10:56 AM
To: JUDtestimony
Cc: rangien2010@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Puanani Rogers	Ho`okipa Network - Kauai and Aha Moku o Kauai	Oppose	No

Comments: I stand in strong opposition to aerial eradication. Please kill this measure.
Mahalo, Puanani Rogers

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:51 AM
To: JUDtestimony
Cc: voggymtn@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Willie-Joe Camara	National Wild Turkey Federation	Oppose	No

Comments: The Volcano Island chapter of the National Wild Turkey Federation Strongly Opposes HB 799. The DLNR has proven time and time again that they cannot be trusted. Just as recent as Yesterday Jan. 20th they have been conducting arial shooting for Cattle,deer, and pigs on the Island of Maui, all while knowing that Hrs 263-10 makes that illegal. How is it that DLNR can continue to be above the laws of our State?? How can we allow them to continue the slaughter of these animals that are valued to the people of our state as a food source. Allowing them free choice to fly and shoot will be devastating to many Communities across this great state.

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LATE

January 21, 2016
House of Representatives
The Twenty Eighth Legislature
Regular Session of 2016
HB799-HD1
Judiciary Committee
Karl Rhodes, Chair
Joy San Buenaventura, Vice Chair
Committee Members
Hawaii Chapter of the National Wild Turkey Federation
STRONGLY OPPOSES HB799-HD1 UNLESS AMENDED!

The DLNR has for decades been flying in violation of §263-10 in missions of eradication and often fly over private property.

We do not disagree that there are some areas that are so inaccessible to hunters if game resources need to be removed to acceptable numbers (not eradicated to zero), aerial shooting would be appropriate. However even as the legislature opens, DLNR is out flying their slaughter without regard to HRS §263-10.

The Hawaii Chapter of the National Wild Turkey Federation would support HB799 with amendments that impose accountability upon DLNR, impose necessity for DLNR to collaborate with a State Game Commission on any game population control activities and must include adequate public disclosure.

Mahalo and Aloha,

Jon Sabati – Chapter President

Hawaii Chapter, National Wild Turkey Federation

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 11:24 PM
To: JUDtestimony
Cc: hogdog44@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dominic Souza	Grey Boar Wildlife Services LLC	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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LATE

House Committee on
JUDICIARY
Rep. Karl Rhoads (Chair)
Rep. Joy A. San Buenaventura (Vice Chair)
Friday, January 22, 2016
Room 325, 2:00PM
House Bill 799

CONSERVATION | TRADITION | SUSTAINABILITY

The Hawaii Sportsmen's Alliance **OPPOSES HB 799** as currently drafted.

We would like to submit for consideration the bills' content be revised as follows:

*"b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; provided that actions taken under this section, shall be **approved by a State Game Commission. Public notification containing maps, days, and hours of operation shall also be provided no later than 90 days prior to conducting any aerial shooting operations and produce a public report of the operation no later than 90 days after completion.**"*

Provided the above revisions, or similar, the Alliance may support.

The Alliance understands the use of aerial shooting and its necessity in very inaccessible and hazardous areas. However, we disagree that the DLNR shall have the sole authority to use this last resort tool at their own discretion without some level of public process. Aerial shooting can be a highly publicly visible operation, poses potential public relations and safety concerns, and by current statute is illegal. If indeed this is to be treated as a "last resort" tool, it should be expressly shown that the department has done all they can to avoid this situation by collaborating with all stakeholders in the process and providing sound publicly-accepted game or wildlife management plans so this practice can be minimized into the future.

Wildlife on public lands are considered public trust resources and shall be treated as such especially when the public has an interest in them. Destroying what many in the public consider a resource is not an action that should be taken unilaterally by the department. The Alliance will support the department in finding more community accepted methods for removal should the opportunity and need arise.

Past history of aerial shooting operations by the department and contractors have garnered public concern and distrust. In some events, notifications were not given and stakeholders were left out of the process. That history should not be repeated.

Mahalo,
Ryan Kohatsu | *Hawaii Sportsmen's Alliance* | Hilo, Hawaii

<https://www.facebook.com/groups/hawaiisportsmensalliance/>
Email : RYANKOHATSU@GMAIL.COM

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 19, 2016 12:04 AM
To: JUDtestimony
Cc: byroni@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Byron Ito	Club Huikuahiwi	Oppose	No

Comments: I feel the use of aerial shooting of wild game in Hawaii is major waste of our taxpayers monies, that could be much better used in game management. By eliminating wild game in that manner took away oppertunities that our avid hunters in Hawaii could have taken advantage of. Taking away hunting of these animals that generations have done in the past and will not be able to pass on to generations in our future. Hunting teaches our youth responsibility, game management, and the value of harvesting game for food that feeds our families. Aerial shooting shows our youth and community, how the mentality of some individuals with funding can influence others to do things which is totally against our morals and beliefs. Hunting has been a way for people to keep our youth away from temptation of drugs, alcohol and crime and lets them focus their attention and time to thr passion of the outdoors. Eliminating hunting could result in a increase of down time and boredom, which makes our youth vulnerable to temptation and peer pressure to crime/drugs.

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HUI KUAHIWI

-HUI KUAHIWI-----

Opposing H.B. 799 H.D.1

Committee on Judiciary
Chair Karl Rhoads, Vice Chair Joy A. San Buenaventura
Committee Members

Report Title: Relating to the uniform aeronautics act.

Description: Clarifies the authority of the State, its employees, or its independent contractors to remove birds or animals by aerial means in furtherance of official state duties.

Friday, January 22, 2016 at 2pm conference rm 325

As a resident of Hawaii Island for sixty seven years, I strongly oppose HB 799 as written. I reside in Keopu at about the twenty five hundred feet elevation. The mauka side of our property borders State Property (undeveloped forest lands). There are some wild cattle that roam the forest. If HB 799 goes through and becomes law, I fear for my family's safety. DLNR has shot from helicopters to try to eradicate the wild cattle in the pass. They've killed and wounded a lot of cattle very close to our neighborhood. TOO CLOSE!

DLNR has used very poor judgement in carrying out aerial eradication efforts in the pass. Letting HB 799 pass into law and allowing DLNR to continue aerial shooting without any oversight would be a grave mistake.

Please oppose HB 799

Mahalo,

Alan Taniyama
Club Hui Kuahiwi

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, January 16, 2016 6:12 PM
To: JUDtestimony
Cc: kreed@ssialaska.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/16/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Keith T Reed	Hui Kuahiwi	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 5:22 PM
To: JUDtestimony
Cc: ilojerry@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jerry Ilo	Babooze Bowstrings	Oppose	No

Comments: Strongly opposed to this measure. This is simply against all our traditional values. The population of Palila have NOT increased in the 30+ years aerial shooting has been going on. Zero facts to say any native bird species has benefited from any eradication of hoofed animals. Laying waste or eliminating a food source is not Pono!

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Cc: gokawaz@hotmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James S Kawasaki	Individual	Oppose	No

Comments:

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HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ricky Ferreira Jr	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 19, 2016 12:51 PM
To: JUDtestimony
Cc: tcuyo@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tyrel Cuyo	Individual	Oppose	No

Comments: I VERY STRONGLY OPPOSE this bill!! I've grown up hunting on the big island especially around Mauna Kea and seen the heavy decline to a VALUABLE resource, our sheep, goats and pigs. Numbers have dwindled of these animals because of the fact they are trying to save native birds yet being an outdoorsman/hunter we notice no change in the numbers of these native birds. I have children of my own now and can only tell them stories instead of teaching them the responsibility of being a active member of society within the hunting scene. Aerial shooting has caused most of the decline of this resource, it's a no brainer!! Enough is enough!!!

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To: JUDtestimony
Cc: kawasakie001@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Edward Kawasaki	Individual	Oppose	No

Comments:

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Sent: Tuesday, January 19, 2016 11:12 AM
To: JUDtestimony
Cc: troy.samura@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
troy samura	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: mlinden@atsu.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew C. Linden	Individual	Oppose	No

Comments: I oppose this bill due to this statement present in the bill "Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life." This bill should ban all ariel killing of any wildlife. The reason I believe ariel killing should not be allowed is that it is an expensive method of population control resulting in the waste of a sustainable resource of which many people (although a minority) depend upon to counteract the ever increasing living expenses here in Hawai'i. The money used to fund ariel killing should be used to research more sustainable and suitable methods of protecting endangered species, while taking into consideration the views of all parties effected.

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To: JUDtestimony
Cc: robert@okudametal.com
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HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Okuda	Individual	Oppose	No

Comments:

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Cc: jaquino003@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Justice K.L Aquino	Individual	Oppose	No

Comments: I strongly oppose the use of aerial eradication, i think its an inhumane way of hunting game by mass execution. There has to be a better way to control our animal population.

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Cc: lv2hnt808@hawaii.rr.com
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HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tad Araki	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: jmattos@kiuc.coop
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/18/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
john h mattos	Individual	Oppose	No

Comments: LEGISLATORS YOU ARE A SAD BUNCH !! HEVA !!

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Sent: Friday, January 15, 2016 10:07 PM
To: JUDtestimony
Cc: matt.htfa@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/15/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew Ross	Individual	Comments Only	No

Comments: Please listen to the hunting community when considering this bill. Hunting is a way of life for many in Hawaii, and the elimination of public hunting grounds through game eradication will harm the livelihoods of countless people. Conservation and balanced resource management are what Hawaii needs, not absolute preservation and elimination of public access.

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Sent: Thursday, January 14, 2016 3:12 PM
To: JUDtestimony
Cc: colin_miura@ktasuperstores.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/14/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Colin Miura	Individual	Oppose	No

Comments: I am opposed to this bill and feel that hunters be way used to game manage and maintain populations of animals and birds. These animals were brought over by or given to the early Hawaiians and have been here for many generations. The focus should be on far more problematic invasive species such as fire ants, coqui frogs, Madagascar Lizard, rats, wild cats, Beetle Bore, Ohia Fungus, Denge, etc Thank you

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Sent: Tuesday, January 19, 2016 4:16 PM
To: JUDtestimony
Cc: w.king14@hawaiiantel.net
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William King	Individual	Oppose	No

Comments: DLNR is being run by radical "environmentalists" who want to restrict and if possible curtail hunting in the state. I strenuously oppose this measure and hope that the state establishes the game commission in order to include stakeholders in the population of game animals in the state in the process. Aerial hunting is a waste of resources. The state should encourage the expanded use of the animals as a food source.

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Regarding housebill 799. To whom it may concern

In a nutshell the DLNR wants to have unrestricted killing of animals using aerial means.. This means flying a helicopter and terrorizing animals so they panic and run then shooting them with firearms until they can be eliminated. Does this sound third world to you? Its terrible. Wild donkeys were rounded up and collected humanely in the Waikoloa area and redistributed. They were a problem and the situation was solved without killing from helicopters. The only area that is allowed is in the palila bird sanctuary area on mauna kea. Now the DLNR has access to all of the state lands for aerial killing..There are many more humane ways to control animals but aerial killing is not one of them.

Hunters can harvest them. Well planned fencing can also help. Management of the land and the animals within needs to be considered. We do have a portion of the public that does hunt and want to see the animals controlled in a humane and sane manner.. Therefore I am totally against the unrestricted killing of animals using aerial means. Please consider our point of view.

Guy M. Sasaki lifelong hunter and sportsman

Wednesday, January 20, 2016

I, Alan Nakagawa, strongly oppose HB 799. This amendment to the HRS will remove accountability for unauthorized or unsafe aerial shooting by the State. This puts both the general public and state employees at risk as the State has proven to be incompetent in matters related to aerial shooting. This has been evident in their lack of concern over public outcry over aerial shooting of cattle (specifically in Kona) and goats over Kohala on Hawaii Island. The State (DLNR) alone is not only ill equipped to effectively and safely conduct aerial shooting, there are many other more economically feasible and safe methods of managing wildlife in our public lands.

Once again I strongly oppose this bill.

Thank you for your consideration.

Alan Nakagawa
65-1156 Spencer Road
Kamuela Hawaii 96743

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:51 AM
To: JUDtestimony
Cc: mandiah23@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Amanda Hardman	Individual	Support	No

Comments: The native hawaiian forest is in dire need for this tool to be made available to land managers. The legislature has a responsibility to the people to provide the required resources in order to care for and manage the land so that future generations may experience the native flora and fauna that is so intrinsic to the hawaiian culture and experience.

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January 20, 2016

TO: Hawai'i State Legislature, House Committee on Judiciary

FROM: Mary Ikagawa, Kailua

RE: HB799 HD1, support with modifications

Aloha members of the committee:

A world-renowned natural resource specialist has named Hawai'i's lack of aerial shooting "the biggest downfall of conservation in Hawai'i".

Aerial control is one of the most cost-effective animal control methods available. By severely limiting aerial animal control, the State of Hawai'i has vastly increased the cost and reduced its ability to protect its rapidly declining native species and watershed forests from the ravages of non-native animals such as deer, feral goats, sheep, and others that cannot be managed through hunting alone.

Because game mammals reproduce much faster than hunting can remove them, it makes no sense to limit the aerial control tool to only places where hunters cannot walk ("where access to wildlife may pose hazard to human life"). This places a burden on the state and on our precious forests by pointlessly limiting use of a cost-effective animal control tool. It would also force overburdened state employees to waste work hours analyzing the level of difficulty of ground access to areas that are being damaged by animals. Therefore the language in version HD1 should be removed that states: "provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life".

Hawaii is widely reported as the endangered species capital of the world. This trend cannot be reversed without serious steps to reverse the prioritization of game mammals over native species and their habitat that currently prevails in our statutes and administrative rules.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:17 AM
To: JUDtestimony
Cc: nathanmdube@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Dube	Individual	Support	No

Comments:

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To: JUDtestimony
Cc: ezeisenpress@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Zoe Eisenpress	Individual	Support	No

Comments: Testimony of Zoe Eisenpress Supporting With Amendments H.B.799 HD1 Relating to the Uniform Aeronautics Act House Committee on Judiciary Friday, January 22, 2015, 2:00PM, Room 325

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To: JUDtestimony
Cc: joshuapc@hawaii.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Pang-Ching	Individual	Oppose	No

Comments: The public and the general hunting community should be a bigger part of the eradication process. I do not dismiss the need to remove ungulates from our precious environments, with emphasis on areas of biological importance. However, if the public were allowed to be key players in the eradication process (e.g. public cattle hunt program on the Big Island) then more of the community will be compliant with eradication events.

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To: JUDtestimony
Cc: mtn2c_bgisle@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Shindo	Individual	Oppose	No

Comments: This needs more clarification and using this means of animal control has to be looked at and passed on an individual case(s). Not a blanket to allow the division (DLNR) authority to do as they please.

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HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Leo A Millan	Individual	Oppose	No

Comments: The should NOT be able to make these decisions w/out public opinion first, they need to follow the laws like everyone else!

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To: JUDtestimony
Cc: chad-0@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Toyomura	Individual	Oppose	No

Comments: Please stop the aerial killing!

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To: JUDtestimony
Cc: dluay@aol.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Donn Yanagisawa	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: rileydemattos@gmx.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Riley De Mattos	Individual	Oppose	No

Comments: I strongly oppose this bill.

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To: JUDtestimony
Cc: lisandonn@aol.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Yanagisawa	Individual	Oppose	No

Comments:

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Cc: melsrts@aol.com
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HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Sakanashi	Individual	Oppose	No

Comments:

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HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Sakanashi	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: kelliek@hawaiiantel.net
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kellie Kurashige	Individual	Oppose	No

Comments: I am a member of Hui Kuahiwi on the Big Island. I oppose bill HB799. This bill removes accountability from the DNLR as to where and when they want to fly and shoot animals. It does not differentiate between State and private lands.

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To: JUDtestimony
Cc: fonga004@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew R. Fong	Individual	Oppose	No

Comments: I oppose bill HB799. I live on the Big Island and am a member of the hunting club Hui Kuahiwi. This bill removes accountability of the DLNR and does not allow for public input especially hunters. This also allows for waste of animals since many of the killed animals cannot be harvested and this adversely affects the move to sustainability. This bill also does not differentiate between private versus State lands. There are better ways for animal management- increase access to hunters.

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Sent: Tuesday, January 19, 2016 7:21 PM
To: JUDtestimony
Cc: lo112773@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Logan Okamoto	Individual	Oppose	No

Comments:

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HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jaslyn Okamoto	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 19, 2016 7:20 PM
To: JUDtestimony
Cc: lo112773@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Loretta Okamoto	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: lo112773@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Okamoto	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 19, 2016 6:47 PM
To: JUDtestimony
Cc: midyrvt@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Pine	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: hi_fireman@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ty Medeiros	Individual	Oppose	No

Comments: I strongly oppose HB799

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 19, 2016 5:28 PM
To: JUDtestimony
Cc: rydersouza@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/19/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ryder Souza	Individual	Oppose	No

Comments: I do not agree with the use of aerial shooting upon the sensitive and special landscapes of our island. It is costly and not humane; more effort should be done to implement more efficient and available public hunting.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 12:36 PM
To: JUDtestimony
Cc: Mauiowens@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Darleen Owens	Individual	Oppose	No

Comments: I oppose the bill and what you are trying to pass by it. Shooting animals out of helicopters is inhumane, most of the time it does not kill the animal and they may suffer for days before dying. Who do you think you are to enact something like this, these are God's creatures just as you are and they deserve to live just as you do. Do you kill babies because we as humans need food? Same principle if you look at it.

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January 20, 2016

To: Representative Karl Rhoads, Chair, and Rep. Joy A. San Buenaventura Vice Chair,
and Committee Members, Committee on Judiciary

From: Patrick Conant, Volcano, Hawaii Island

Subject: Testimony regarding H.B. 799 Relating to the Uniform Aeronautics Act

Thank you for the opportunity for the public to submit testimony on this very important Bill. I strongly encourage you to reinstate the original language from HB 799 (rather than that in HD 1), namely Section 1: Part b of Section S263-10, as underscored in the second paragraph of HB799. I am opposed to HB799 HD 1 as currently worded. It is too vague and that may cripple the intent of the Bill, via legal challenges regarding defining where aerial shooting can be used.

Wild ungulates have been causing damage to Hawaii's forests, watersheds and even reefs (via silt) since their introduction by Captains Cook and Vancouver in the late 1700's. It has only gotten worse over the many decades. Public hunting does very little to reduce their numbers and many hunters prefer high numbers of animals to guarantee successful hunts. Bag limits set by the State also reduces the effectiveness of citizen hunting in ungulate control. Many areas where ungulates reach the highest and most damaging populations are in very remote areas, too far away and too difficult to get to for hunting. Therefore, there is a clear need for the State of Hawaii DLNR or independent contractors to legally engage in aerial shooting to reduce populations of wild ungulates, including deer, goats, sheep and feral cattle.

The new threat of Rapid Ohia Death (ROD or *Ceratocystis fimbriata*) disease makes such control work even more critical, since we may see our dominant watershed ohia trees sharply reduced in numbers. We need to protect as much of our forest as we can, or our future water needs in the State may surpass the already shrinking capacity of our watersheds to capture rainfall. El Nino drought events such as we are experiencing now will surely exacerbate the problem.

You may be aware that wild pig numbers in many States on the mainland have exploded in recent decades and they are causing extensive damage to crops and natural areas from Florida to California and as far North as New York in a total of at least 40 States so far. Several States are using aerial shooting to reduce the economic and environmental damage, such as Texas, Kansas, Oregon, New York, Missouri, Georgia, Louisiana, New York, Pennsylvania and probably others. Other States are considering it as a necessary tool.

In closing, please use the original language in HB 799 to pass a badly needed bill, so that feral ungulates can be controlled and our forests and watersheds protected to weather the looming threats presented by global warming.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 11:34 AM
To: JUDtestimony
Cc: sd3@hawaii.rr.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Douglas	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 10:56 AM
To: JUDtestimony
Cc: pottishl001@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Pottish	Individual	Oppose	No

Comments: I oppose aerial shooting because it is often inaccurate & causes intense suffering for animals who sometimes take hours or days to die.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 10:45 AM
To: JUDtestimony
Cc: jillw@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jill Wagner	Individual	Support	No

Comments: This is very important. Give DLNR the ability to do aerial shooting and take care of the problem before it gets out of control on Hawaii Island.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 9:50 AM
To: JUDtestimony
Cc: autaylor5@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Taylor Au	Individual	Oppose	No

Comments: I oppose the eradication of wild game. If sheep populations are reduced, invasive plants will overtake native plants, resulting in the deaths of native birds. Sheep don't kill birds, feral cats do.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 1:07 PM
To: JUDtestimony
Cc: nanihawaii@aol.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
nani pogline	Individual	Oppose	No

Comments: Serving as a commissioner on the Hawaii County Game Management Advisory Commission, I oppose this bill. Given the severity of Aerial shooting, the guide lines are too wide open. In lines 12-15, who defines "remote," "inaccessible," and "hazard to human life?" Many historical trails have not been maintained, yet experienced hunters know them, and are able to traverse without incident. They should be consulted. Decisions should not be left for a few, behind closed doors. Not only is the practice of aerial shooting an extreme and controversial practice, its wasteful and risky for the environment. Rotting carcasses cause stench, flies, and disease, entering into waterways. Furthermore, noise and wind from helicopters has proven to cause native birds to abandon their nests.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 1:05 PM
To: JUDtestimony
Cc: naia96708@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nadine NEWLIGHT	Individual	Oppose	No

Comments: Animals are sentient beings. Aerial shootings result in injuries which are frequently not or near fatal, resulting in intense and prolonged suffering of innocent animals. HI has enough suffering already. Have mercy, please! REJECT THIS BILL.

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 4:41 PM
To: JUDtestimony
Cc: jfischer@hawaii.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
joel fischer	Individual	Oppose	No

Comments: PLEASE KILL THIS BILL, MAKE, DIE, DEAD! I AM HORRIFIED TO THINK THAT THE LEGISLATURE WOULD CONSIDER A BILL LIKE THIS. I UNDERSTAND THAT IN SOME AREAS, THERE IS A CONCERN ABOUT FERAL ANIMALS. BUT IN ALMOST EVERY CASE THAT I HAVE EXPLORED, THE CONCERNS ARE WAY OVER DONE, EXAGGERATED TO AROUSE PUBLIC APPREHENSION, LEADING TO TERRIBLE BILLS LIKE THIS. THE USE OF AIRCRAFT TO FERRY AROUND ANIMAL KILLERS IS THE MOST BRUTAL, UNREGULATED, DISASTROUS FORM OF ANIMAL MURDER THAT EXISTS. JUST AS ONE EXAMPLE, WHAT HAPPENS TO ANIMALS THAT ARE WOUNDED? WITH AERIAL SLAUGHTER, THERE IS NO WAY TO STOP THE SUFFERING OF THE ANIMALS. IN FACT, EXAMINING AERIAL ANIMAL SHOOTING IN OTHER CONTEXTS REVEALS MOST ANIMALS ARE NOT KILLED, BUT ONLY WOUNDED, DUE TO THE SHAKING OF THE PLANE AND THE UNCERTAINTY OF AIMING FROM PLANES. PLEASE DON'T ALLOW THIS TRAGEDY. THERE ARE SO MANY OTHER WAYS OF CONTROLLING FERAL ANIMALS THAT DO NOT REQUIRE KILLING. LET'S NOT SHOOT AND ASK QUESTIONS AFTERWARDS. THANK YOU. ALOHA, JOEL FISCHER Dr. Joel Fischer Professor (Ret.) University of Hawai`i, School of Social Work

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 4:46 PM
To: JUDtestimony
Cc: reneenoheak@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
renee n katada	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 1:42 PM
To: JUDtestimony
Cc: nolans@hawaii.rr.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
nsimeon	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 1:27 PM
To: JUDtestimony
Cc: brf@maui.net
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce R. Faulkner	Individual	Oppose	No

Comments: I strongly oppose this bill. All aerial shooting of game mammals should be banned. There has never been one single endangered species removed from the list as a direct result of the killing of our game mammal from the air or ground. This is an inhumane and unethical practice and should not be allowed. Many of these areas are accessible to the hunting community who value the animals as a resource. The State needs to better manage all of our resources and stop their bias & discriminatory treatment of game animals.

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Members of the Legislature,

The purpose of this letter is to express my vehement opposition to H.B. 799, which will allow state employees and contractors to conduct aerial eradication without restrictions.

My first issue with this bill is the vague language regarding the statement that flying “shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life.” Eradication is currently being conducted in areas that clearly do not meet these criteria.

It also appears that this will allow flight over privately owned lands, which is clearly a violation of landowner’s right to privacy and poses a hazard to human life. Helicopters can and do crash in Hawaii on a regular basis. The type of aggressive flight performed during aerial shooting is exceedingly dangerous to those in the air and on the ground, in addition to being outrageously expensive. Better alternatives exist.

Finally, there is the issue of animal cruelty and wanton waste. These animals are a high value food resource in one of the most isolated places on earth. When shot from the air, poorly placed shots and wounded animals will occur at a significant level. When the animals are recovered and brought to a staging area for public consumption they have often been gut shot and/or have been deceased for hours before recovery. This makes the meat poor in quality or unsalvageable.

Please refrain from passing this deeply flawed legislation .

Respectfully Submitted,

John P Bunnell DDS

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 1:15 PM
To: JUDtestimony
Cc: ddckylec@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
kyle T Cheng	Individual	Oppose	No

Comments: Aerial shooting is a waste of money and resources. Responsible Hunters can be part of the solution in areas that need eradication.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 1:05 PM
To: JUDtestimony
Cc: j.yoshina@umiami.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
J Yoshina	Individual	Oppose	No

Comments: I am writing in opposition to this bill.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 12:20 PM
To: JUDtestimony
Cc: davidnorris@me.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Norris	Individual	Oppose	No

Comments: I totally oppose HB799. I have seen the waste and suffering the aerial shooting produces. So many animals are wasted and are mowed down inhumanely by the DLNR shooting them from the air. On Mauna Kea and Hualalai heritage sheep and cattle that have been here for hundreds of years and were given to and approved by King Kamehameha as a food source for his people are being wasted. The DLNR needs to manage these resources not slaughter them. Aerial shooting will allow the DLNR to neglect management and promote complete eradication of one of the best food sources the state has.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 11:42 AM
To: JUDtestimony
Cc: Jeepinhi04@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lydel Cardoza	Individual	Oppose	No

Comments: There needs to be another solution than herding all this mammals in a corner, then laying them to rest with an semi automatic/automatic weapon while they are helpless and can't even fend for themselves. I hope there isn't a day that someone gets hit or even killed by using this type of means and methods.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 10:57 AM
To: JUDtestimony
Cc: dakujakuj001@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Conrad Dakujaku	Individual	Oppose	No

Comments: I am a concerned resident from Hawaii that opposes HB 799. Authorizing personnel to shoot from any motorized vehicle is simply dangerous, inhumane for the animal and just plain wrong. I feel that this Bill is just a hasty correction to an already illegal act. Trying to make it legal is an insult to our civilized society. In an era that we live in, to have to result to such practices is simply shameful. This bill should not be passed.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 10:54 AM
To: JUDtestimony
Cc: bbailey7@hawaii.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Braxston Bailey	Individual	Oppose	No

Comments: I do not support any type of aerial shooting in the State of Hawaii.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 10:48 AM
To: JUDtestimony
Cc: corykk@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Kaizuka	Individual	Oppose	No

Comments:

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I am writing to submit testimony to oppose HB799

I strongly oppose bill HB799 for multiple reasons. First off, we all know, it is illegal to shoot any wildlife from a moving vehicle, aircraft, etc...in Hawaii county. The people of Hawaii county has voiced their opinions & voted to enact this law. There should be no one who will be exempt. If one can't shoot from moving vehicles, aircraft, etc. we all shouldn't be able to, regardless of who you are or where you work.

Secondly, shooting animals from the air, wounding them and leaving them to waste away is not only a waste of good nourishing food but is also a cruel death for the animal. How can the government, sierra club, NARS, etc... be ok with gunning down these animals from an advantage point in the sky? They sacrifice one to save another? That's not right! Instead, they need to find a way to have all animals co-exist in nature with good management. So, by right, they should all be arrested for animal cruelty.

Third, flying helicopters and shooting from them in remote and dangerous terrain is dangerous for the people on board. Last thing we need is a rescue mission on the mountains using state funds because the state couldn't figure out a better way to do things.

Fourth, the people of Hawaii want to keep the Hawaiian tradition of hunting and gathering around for generations to come. There is a reason we passed the law of no shooting from vehicles & aircraft.

I ask for your support to please oppose HB799

Mahalo,

JoAnne Dakujaku
Hilo, Hawaii

Date: 1/21/16

To: Representative Karl Rhoads, Chair
Representative Joy A. San Buenaventura, Vice Chair
Committee Members

RE: Public Testimony in **OPPOSITION** of:
HB799 HD1 – Hunting from aircraft.

I am **OPPOSED** to HB 799 HD1 because I believe the key language is broad and subject to wide interpretation and more importantly I believe it is premature in that additional legislation should first be enacted that deals with the entire issue of game animal eradication through a public process.

ISSUE 1-BROAD LANGUAGE: The phrase “shall be limited to remote and inaccessible areas...” can be interpreted differently depending on the individual and although it seems there is a specific intent, I am concerned that the law could potentially be applied more broadly than intended because of the non-specific language. It would be preferable to have this law state that aerial killing be allowed only when recommended by the Department after a public input and information gathering process is performed and all impacts (both environmental and socio-economic/cultural/etc) have been assessed and mitigated. This ties in to my second and more important point.

ISSUE 2-PUBLIC INVOLVEMENT PROCESS FOR GAME ERADICATION: All wildlife in the State of Hawaii is considered a resource for the people, and this includes game animals. Furthermore HRS 183D-2 paragraph (12) requires that DLNR “Preserve, protect, and promote public hunting”. Therefore, any eradication of game animals should have a public involvement component to consider the impacts of the game removal to the people of Hawaii as such actions are contrary to HRS 183D-2. Currently there is no such process and I am aware of several instances where game animal resources have been removed through aerial killing on Hawaii Island without the public’s prior knowledge. I understand that there are environmental justifications that drive the desire for aerial killing of game animals but it is time that the impact to the people at least be heard and considered, through a official State process, when such decisions are made. I also believe that eradication, if deemed necessary, should be mitigated by provision of replacement hunting areas or enhancement to existing areas or game populations to maintain consistency with existing State law.

In summary, I do not believe it is prudent to enact any law with language that is so subjective and open to wide interpretation. In order to make a tighter law, I believe additional work must be done to provide specific conditions under which aerial killing is allowed, as determined by a process that has a public involvement component. To pass such legislation now would only serve to sidestep such a process and would not be fairly fulfilling the State’s duties under HRS 183D.

Thank you for your consideration,
Joel Nakamoto

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 9:51 AM
To: JUDtestimony
Cc: jparish@hawaii.edu
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Julia Parish	Individual	Support	No

Comments: House Committee on Judiciary Friday, January 22, 2015, 2:00PM, Room 325 Testimony of Julia Parish I strongly support H.B.799 HD1 Relating to the Uniform Aeronautics Act. Aerial hunting is an essential natural resource management tool for DLNR.

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JUDtestimony

From: Teriitavae Perez
Sent: Wednesday, January 20, 2016 7:38 AM
To: JUDtestimony
Subject: Testimony for HB1041 and HB799

Aloha,

Sending testimony below for Hawaii Island constituent.

Ms. Teri Perez
Administrative Service Officer to
Representative Cindy Evans
808-586-8510

From: mayline kirihara [mailto:maylinek@gmail.com]
Sent: Tuesday, January 19, 2016 8:57 PM
To: Colin Onaka <huikuahiwi@gmail.com>
Cc: Teriitavae Perez <t.perez@capitol.hawaii.gov>
Subject: Re: Terii Perez

I'm a big island resident, 59 year old.. I started hunting and fishing at the age of 10. It has been a lifestyle for me and our family for decades, I have seen a lot of changes in the decrease of hunting areas and game animals. We need to have a STATE GAME COMMISSION to benefit the future generations. Please support Bill 1041.

Thank you,
Wesley Kirihara
Huikuahiwi member

(Please oppose Bill 799 aerial shooting on public and private land)

JUDtestimony

From: Teriitavae Perez
Sent: Wednesday, January 20, 2016 7:39 AM
To: JUDtestimony
Subject: FW: Testimony in opposition of HB 799

Forwarding testimony for a Hawaii Island constituent.

Ms. Terii Perez
Administrative Service Officer to
Representative Cindy Evans
808-586-8510

-----Original Message-----

From: Casey Kiriara [mailto:ckiriharapainting@gmail.com]
Sent: Tuesday, January 19, 2016 9:17 PM
To: Teriitavae Perez <t.perez@capitol.hawaii.gov>
Subject: Testimony in opposition of HB 799

Hi,

My name is Casey Kiriara and I am from the Hui Kuahiwi Club. I oppose the aerial shooting on state and private land on the island of Hawaii.

Thank You

Sent from my iPhone

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 9:43 AM
To: JUDtestimony
Cc: paul.bueltmann@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Bueltmann	Individual	Oppose	No

Comments: Aloha I have seen the waste and the damage done by this wholesale aerial slaughter. The damage done to the landscape here on the Big Island. Nature always finds a balance tilting the scales as the State has done time and time again has never resulted in quantifiable improvements. The fire weed and the invasive plants dominate the landscape here now. We need to be less driven by what Federal monies we can qualify for and look more towards having programs self funded and community driven. Mahalo Paul Bueltmann

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 9:35 AM
To: JUDtestimony
Cc: bhunter808@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Stanley Mendes	Individual	Oppose	No

Comments: Strongly oppose

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Testimony of James Jacobi Supporting With Amendments H.B. 799

My name is James Jacobi and I am testifying as a private citizen. I fully support H.B. 799 as it was originally introduced, deleting the following language:

(b) Notwithstanding any other law to the contrary, state employees and independent contractors retained by the State may, while in flight in, across, or above the State, intentionally kill or attempt to kill any wildlife in furtherance of official state duties; ~~provided that actions taken under this section, shall be limited to remote and inaccessible areas, where access to wildlife may pose hazard to human life.~~"

The impacts of uncontrolled populations of feral and wild ungulates (goats, deer, pigs, sheep species, and cattle) on Hawai'i's unique natural biological resources have been well documented. While conventional control measures, including fencing and ground hunting, are viable control measures in many areas, aerial shooting by certified State employees and independent contractors retained by the State is a critical component of effective control of these animal populations. Control of these animals from helicopters is a proven safe management tool for DLNR provided strict training and safety protocols are followed.

James Jacobi
PO Box 265
Volcano, HI 96785

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 9:11 AM
To: JUDtestimony
Cc: Lhipakane@aol.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Lyle Omoto	Individual	Oppose	No

Comments: Aerial Shooting is wrong. The bill states that aerial shooting will be limited to only areas that are inaccessible. Who will regulate that? When the Aerial shooting is being done, the public is not allowed on the mountain. Who is to say that the shooting is only being done in inaccessible areas? Who determines what is accessible and inaccessible? There are Commercials from PETA about animal cruelty and aerial shooting is just that. How can a shooter accurately kill an animal while in motion? Pictures are shown of the animals that are brought down for meat salvage and the animals are shot all over. I'm sure the animals suffered a slow death by the bad shots. Worse yet, the animals are left to rot on the mountain. A small percentage of the animals killed are retrieved. There are issues about feeding the less fortunate and helping by donating food. Well, the animals that are rotting could be food for these people. In the mainland the hunters go out and do damage control hunts and the animals shot are cleaned and donated to homeless shelters to feed the homeless. This cannot happen if the shooting is being done from the air. NO AERIAL SHOOTING!!!!

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 9:03 AM
To: JUDtestimony
Cc: voggymtn@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Willie-Joe Camara	Individual	Oppose	No

Comments: I strongly OPPOSE this bill! Allowing the DLNR to be exempt from HRS263-10 will be a devastating blow to many families who depend on our Game resources as a food source. The DLNR has proven to not be able to manage our resources responsibly, so to allow them to use Arial shooting as their means of "Managing" our game resources is not the answer. They have proven that they are not to be trusted with such an important part of our states culture. They have been flying Illegally for years now knowing that they are not exempt from the rule. Just this week they are flying over the Island of Maui and slaughtering animals. How can we allow this to continue???

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:46 AM
To: JUDtestimony
Cc: brianLey0522@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Ley	Individual	Comments Only	No

Comments: We need to put a end to this arial shooting. It's a waste of money and resources The hunting community are more than willing to help manage our resources Managed properly this could be a source of income with mainland hunting tourists. Look how much money some states make just on out of state hunters. Instead eradicating our resources, manage them for the community, not the special interest groups

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:42 AM
To: JUDtestimony
Cc: meedolly@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
taylor sumida	Individual	Oppose	No

Comments: I am against the use of helicopters for animal removal, these people have changed the rules to fit themselves and as we see in history, the books are always changed. I feel that this is a bad idea and will be widely abused.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:24 AM
To: JUDtestimony
Cc: keetoburrito@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Keith Okamoto	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:03 AM
To: JUDtestimony
Cc: rjciriako@aol.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Randall Ciriako	Individual	Oppose	No

Comments: I oppose the ariel shooting of birds and animals. It's not the most humane way to put down an animal. It is not a guarantee kill. You could shoot a mother and leave the baby to die because the baby wasn't weened off the mother. And the ones that gets wounded dies a slow death and the animal dies for nothing. That animal gets wasted.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 7:35 AM
To: JUDtestimony
Cc: stokeshi@twc.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Sandra Tokeshi	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 5:22 AM
To: JUDtestimony
Cc: oesim@hawaiiantel.net
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
glenn fukuda	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 11:29 PM
To: JUDtestimony
Cc: hogdog44@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Donald Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Denton Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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Sent: Wednesday, January 20, 2016 11:28 PM
To: JUDtestimony
Cc: hogdog44@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Souza Jr	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 11:27 PM
To: JUDtestimony
Cc: hogdog44@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Davenette Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rosetta Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 11:26 PM
To: JUDtestimony
Cc: hogdog44@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Hayden Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Harmony Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Harley Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Hunter Souza	Individual	Oppose	No

Comments: I strongly oppose HB 799. Is it responsible to allow the State to aerially shoot wildlife unregulated? Wildlife, particularly on State public lands are, by law, a resource held in the public trust. It would not be prudent to grant the State powers to forever destroy a public resource without any sort of public process. AERIAL SHOOTING CAN POSE AN UNNECESSARY PUBLIC SAFETY RISK. The DLNR has demonstrated itself incapable of self-regulating the use of aerial shooting in the past. Residents of Kona Mauka and Kohala, on the Big Island, were witness to the DLNR and contractors aerially shooting wild cattle and goats in unacceptable proximity to residences. Residents were given no notice by the department. This prompted the County Council of Hawaii to enact an ordinance banning aerial shooting. This past December the DLNR attempted to overturn the County of Hawaii's ordinance and have a Judge grant them injunctive relief from State law HRS 263-10. The case was dismissed and till today the DLNR does not want to engage in any public process for using aerial shooting. There is no threat of lawsuit if the State is not allowed to aerial shoot outside of critical habitat. The Endangered Species Act does not mandate methods of killing animals. It is the State's responsibility to find publicly acceptable management methods.

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Sent: Wednesday, January 20, 2016 11:14 PM
To: JUDtestimony
Cc: arnoldy.ryan@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ryan Arnoldy	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: dhmrepair@hawaii.rr.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Murasaki	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 10:14 PM
To: JUDtestimony
Cc: surferg@aloha.net
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cleon Bailey	Individual	Oppose	No

Comments: I strongly oppose HB 799 HB1 I have participated, as a recipient to salvage meat in many of DLNR's aerial eradication shoots on Mauna Kea. In my opinion, the Interim Chair Person for the DLNR: Charty S. Chang has made misleading testimony in stating that DOFAW retrieves many of the animals shot during aerial missions. Furthermore, I can assure you the Chair person is dead wrong in stating to this committee that clean shots are being implemented in this modality of aerial eradication. The Chair person is also being disingenuous when giving testimony to this Committee that aerial eradication by helicopters reduces the amount of time the target animals are pursued. Consequently, the ungulates being dispatched are relentlessly driven up and down the terrain by the helicopter pilot until they are exhausted; in turn, are inhumanly shot up like rag dolls. Without question a pathetic thing to witness, yet they sleep at night by convincing themselves that these wild animals are no more than large rodents; what a rat race we live in on the Islands of Hawaii, no.

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To: JUDtestimony
Cc: fshtales@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Sakamoto	Individual	Oppose	No

Comments:

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Sent: Wednesday, January 20, 2016 10:01 PM
To: JUDtestimony
Cc: churkel@msn.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Hurt	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 9:25 PM
To: JUDtestimony
Cc: ulua_hunter@hotmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Grant Kow	Individual	Oppose	No

Comments:

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To: JUDtestimony
Cc: dkt426@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Darryl K. Turner	Individual	Oppose	No

Comments: I am and have always been DEEPLY OPPOSED to aerial shooting/killing of animals on any of Hawaii's islands.....I have witnessed this process do no good on Mauna Kea for decades, it only helped boost the high 5 for those who pulled the trigger amongst other negative wasteful end to our animals lives...the recent effort to have the carcasses used as food is better than what was, however it totally shows a disconnect for what many hunters take to the field, the outdoors for....its the process, the whole process, not only the meat....much to learn, clarity needs to be shared.... Darryl K. Turner 808-937-7407 Darryl K. Turner

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 9:15 PM
To: JUDtestimony
Cc: eleele_home_girl@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Leilani	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:51 PM
To: JUDtestimony
Cc: tmlapera@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Lapera	Individual	Oppose	No

Comments:

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January 20, 2016

To Whom It May Concern:

I am writing in opposition of Bill HB799 HD1 which allows the state to kill any wildlife from any aircraft, for state duties. All hunters must abide by the original statute that prohibits the killing of any wildlife from an aircraft. The state should have no exemption simply because they are the governing system of Hawaii. The act of amendment to the statute is conveyed as a "bullying" tactic as it gives special treatment to one entity and not the other. Moreover, I believe this bill to be vague in the description of "remote and inaccessible areas". As an example, the state should not have the right to kill any wildlife, freely, from an aircraft, on private land without first acquiring written owner approval. This bill does not specify killing of animals being limited to state lands. In addition, there is no specific definition of "remote and inaccessible areas". What constitutes such areas and what entity will supervise and ensure that the State will follow the ambiguous guidelines. Moreover, no mention of a limit on the number of animals killed is provided or required. This is an issue for many reasons but none more simply described than the fear that all game animals will be eradicated in any certain area. I believe Bill HB799 HD1 to be too vague in description of killing of animals from an aircraft in remote areas and it should not be supported and passed by the legislature without further detailed clarification pertaining to the points above.

Mahalo for your time,

Mike Silva
MSCP Counseling Psychology
Member of Hui O Kuahiwi –Hawai'i Island

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:48 PM
To: JUDtestimony
Cc: autofreeann@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ann Kobsa	Individual	Support	No

Comments: It is very important that the DLNR be able to continue with all due haste in eradicating the feral sheep, mouflon, axis deer, goats and hogs that threaten native ecosystems. I urge you to approve this measure.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:45 PM
To: JUDtestimony
Cc: mmadriral@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James Madrigal	Individual	Oppose	No

Comments: I would like to see the aerial shootings stopped. The animals are a valuable resource for myself and the next generation. We live isolated on an island, it seems crazy to eradicate a food source.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:23 PM
To: JUDtestimony
Cc: kalanipacheco3@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kalani Pacheco	Individual	Oppose	No

Comments: To whom it may concern, As a registered voter, tax paying, law abiding, hard working citizen of this community, I strongly oppose this bill...

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:15 PM
To: JUDtestimony
Cc: kalanipacheco3@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kalani Pacheco	Individual	Oppose	No

Comments: To whom it may Concern, As a registered, law abiding, tax paying, hard working individual in this community, I strongly oppose this bill. It is not in the best interest on behalf of my beliefs....

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 8:10 PM
To: JUDtestimony
Cc: paul_leopoldino@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
paul	Individual	Oppose	No

Comments:

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Sent: Wednesday, January 20, 2016 8:10 PM
To: JUDtestimony
Cc: shanna.sato@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shanna Sato	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 7:38 PM
To: JUDtestimony
Cc: yamaguchd009@hawaii.rr.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dennis Yamaguchi	Individual	Oppose	No

Comments: Aerial hunting is taking away food for hunters and their families. There are families who are very dependent on game for their food supply.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 7:06 PM
To: JUDtestimony
Cc: shonvanzandt@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shon Van Zandt	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 6:52 PM
To: JUDtestimony
Cc: kabel.g@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
kabel gebeke	Individual	Oppose	No

Comments: Eradication of any species is detrimental to our Eco system as a whole and the ability for the state to do it without public oversight takes away our rights to choose our way of life as well as the future lifestyles of our children.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 20, 2016 6:01 PM
To: JUDtestimony
Cc: aandrea99@aol.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Oppose	No

Comments: Please do not pass this bill. It would allow the DLNR to shoot ungulates from helicopters. Aerial shooting is inaccurate and often causes intense suffering for animals who sometimes take hours or days to die.

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Sent: Wednesday, January 20, 2016 5:03 PM
To: JUDtestimony
Cc: bfunai@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brian F. Funai	Individual	Oppose	No

Comments:

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Sent: Wednesday, January 20, 2016 4:58 PM
To: JUDtestimony
Cc: uluaz2damax@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/20/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Yoshida	Individual	Oppose	No

Comments: The State shouldn't be allowed to conduct aerial shooting activities. No formal study has been done to investigate the effects of low flying/hovering, aircraft like the ones used in the eradication efforts, on the immediate area where such efforts occur. Low hovering helicopters and the downdrafts they create seem like they would be severely disruptive to native plants and animals, especially nesting birds. The concept of shooting from a moving vehicle, even a "hovering helicopter" also seems like a dangerous prospect.

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 2:16 PM
To: JUDtestimony
Cc: jktaxidermyhawaii@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Katada	Individual	Oppose	No

Comments:

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Sent: Thursday, January 21, 2016 2:13 PM
To: JUDtestimony
Cc: psull.007@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Sullivan	Individual	Support	No

Comments: As a natural resource manager in Hawaii I am acutely aware of the damage to natural ecosystems caused by non-native ungulates. I urge the committee to pass this measure so that professionals in the field may conduct their duties in the most efficient and effective manner possible. The natural heritage of Hawaii has suffered enough. Listen to the scientific/conservation community. Thank you.

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Sent: Thursday, January 21, 2016 2:01 PM
To: JUDtestimony
Cc: hokulani_66@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM



HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
ROBERT CREMER JR	Individual	Oppose	No

Comments: It is unjust to just Kill and Waste Our Natural Resources.

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:23 PM
To: JUDtestimony
Cc: Abrahamantoniosr@yahoo.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Abraham Antonio sr	Individual	Oppose	No

Comments:

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Sent: Thursday, January 21, 2016 8:16 PM
To: JUDtestimony
Cc: octopus@maui.net
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rene Umberger	Individual	Oppose	No

Comments:

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 10:50 PM
To: JUDtestimony
Cc: pohiki808@hotmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David	Individual	Oppose	No

Comments: The all game animal are a natural resource an I'm against eradication and it not right, we spend money on hunting gear guns bows an time. go up an hunt an only to get nothing no we need a Game Management

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 21, 2016 8:46 PM
To: JUDtestimony
Cc: davetoyo@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/21/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
David Toyomura	Individual	Oppose	No

Comments: I am opposed to this bills as is currently written. Aerial shooting should be a tool with the specific goal of maintaining, protecting, or improving the quality of game mammal, bird or live stock populations. Aerial shooting should be an effective tool to control predation by targeting feral dogs, and cats. Language must be included to expressly prohibit the use of Aerial shooting for the sole purpose of eradication.

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LATE

Dear Committee,

I support the original introduced House Bill 799 which maintains the ability for the State's Department of Land and Natural Resources employees and/or contractors to remove non-native feral animals by aerial means on public and private land. This action is important for the management of natural resources in Hawaii and the protection of our watershed and agricultural resources.

Aerial non-native ungulate control is vital for protecting watershed areas and controlling the spread of priority invasive species. Watershed protection, including invasive species management, and agricultural resources both are critical for environmental and economic well-being for Hawaii. Watershed protection and invasive species management have both received significant investment from the State, Counties and federal governments as well as significant private contributors. Why put all this at risk of degradation with a draft revision that restricts the State's ability to conduct aerial controls and could have significant long-term effects on the State's natural resources. In addition, there are ambiguities in the proposal that could lead to potential misinterpretations and legal challenges.

Aerial control of non-native feral ungulates as a tool has been proven to be safe and humane. It is an especially important means to control existing isolated and remote populations from further spread into watershed areas.

Please keep this tool available for protection and management of Hawaii's natural resources.

Mahalo for your consideration,

Erica von Allmen

LATE

Seth Judge
P.O. Box 76
Keaau, HI 96749

I would like to voice my **strong support** for HB 799, permitting State employees and contractors to conduct aerial shooting in order to control feral ungulates in the State of Hawaii.

I value native habitat and directly benefit from the services that a healthy and intact watershed provide. Ungulates, especially feral pigs, goats and sheep degrade the understory and contribute to erosion. Valuable topsoil is washed off downstream where it can degrade the health of our beautiful coral reefs. Ungulates introduce and spread weedy species that outcompete native flora that many rare Hawaiian honeycreepers depend on for foraging and nesting habitat.

The State of Hawaii offers numerous hunting opportunities in Forest Reserves, Game Management areas and other public and private holdings. Protecting native habitat in a small number of areas does not compromise hunting availability or hunt culture in total.

Please allow land managers to conduct feral ungulate control in the most time and cost effective manner in remote areas by aerial shooting from helicopters.

Sincerely,

Seth Judge

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 12:06 PM
To: JUDtestimony
Cc: andrea@lhwrp.org
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/22/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea M Buckman	Individual	Support	No

Comments: Aloha, I support HB 799, which clarifies and maintains the ability of the Department of Land and Natural Resources to use aerial hunting to control feral ungulates on public and private lands, as it was originally introduced. Feral ungulates directly threaten the health of our native forests, watersheds, and agricultural lands. The State has demonstrated the practice of aerial shooting is a safe and efficient way to manage invasive animals, especially in areas that are remote or inaccessible. Aerial shooting is an effective complement to ground hunts and enables the last animals to be removed from areas where ground hunting has been exhausted. Allowing highly trained professionals to conduct aerial animal control provides an important tool for conservation efforts intended to protect our precious natural resources. I appreciate your consideration. Andrea Buckman

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 11:23 AM
To: JUDtestimony
Cc: shyla.moon@ymail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/22/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Shyla Moon	Individual	Oppose	Yes

Comments: I strongly oppose. HB799 HD1 Hunting Farming Fishing Association Strongly Opposes HB 799 HD1 Report Title: Uniform Aeronautics Act January 22, 2016 Hearing 2:00 p.m. House Conference Room 325 Hawaii Statutue 263-10 Hunting from aircraft; penalty. I speak as a member of the Hunting Farming and Fishing Association, as a concerned resident of Kauai, and as a friend of the Ahupuaa Puba Moku of Kauai. If the State was illegally eradicating animals why aren't they being penalized? Again accountability is needed within the State. If we can't trust them to obey laws who can we trust? It is disturbing. Hunting ethics- Be sure of your target and what is beyond. How will DLNR know for sure what is beyond? Will they have full control over closing off access to these areas? There's too much room for error and it is not worth it. This proposal is a Reckless Endangerment to those around the eradication areas. How does the neighborhoods in proximity to these areas feel about this? I know I wouldn't want this near my home, it's a known fact that bullets fly far and they cause harm. Why chance this? I strongly oppose this bill. Thank you, Shyla Moon Board Member Hunting Farming Fishing Association Phone: 809-652-0913 E-mail: shyla.moon@ymail.com

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 10:53 AM
To: JUDtestimony
Cc: hksacher@gmail.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/22/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Heiko Sacher	Individual	Oppose	No

Comments: Aerial shooting is inappropriate and unethical in the context of Hawaii's wildlife management. A more strategic approach that involves communities, conservationists and hunters is required before such drastic measures are taken into consideration. I truly believe that an effective wildlife and public hunting management strategy - which seems to be absent in Hawaii - could solve the problem better.

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LATE

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 10:38 AM
To: JUDtestimony
Cc: cbrosius@yahoo.com
Subject: Submitted testimony for HB799 on Jan 22, 2016 14:00PM

HB799

Submitted on: 1/22/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

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

Comments: Please support this bill AS ORIGINALLY SUBMITTED by DLNR so that they may continue in an effective manner. The language added to HD1 could create difficulties in interpretation and diminished effectiveness. It is critically important to support the use of aerial shoots to control invasive animals which threaten forest and watershed resources. Without the use of this tool as originally proposed, protection measures may become inadequate leading to further loss of natural resources, potentially more dangerous to staff and costly to tax payers.

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 10:16 AM
To: JUDtestimony
Cc: jameslp@hawaii.edu
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/22/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

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

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 10:04 AM
To: JUDtestimony
Cc: tgieder@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/22/2016

Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Gieder	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 22, 2016 5:25 PM
To: JUDtestimony
Cc: nacnudnad@gmail.com
Subject: *Submitted testimony for HB799 on Jan 22, 2016 14:00PM*

HB799

Submitted on: 1/22/2016
Testimony for JUD on Jan 22, 2016 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Duncan	Individual	Oppose	No

Comments:

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