



**Department of Land and Natural Resources  
Aha Moku Advisory Committee  
State of Hawaii  
Post Office Box 621  
Honolulu, Hawaii 96809**

**Testimony of  
Winifred Basques  
Aha Moku Advisory Committee Member, Lana'i**

**Before the Senate Committee on  
WATER, LAND AND AGRICULTURE**

**Monday, February 01, 2016  
2:45 PM  
Conference Room 224**

**In consideration of  
SENATE BILL 2802  
RELATING TO HUNTING ON PRIVATE LANDS**

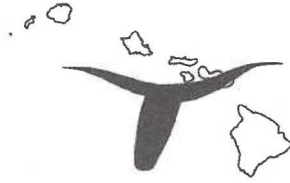
Senate Bill 2802 requires hunters to obtain written permission from landowners or occupiers or holders of private lands to hunt on private lands. **Aha Moku supports this measure.**

The Island of Lana'I has a long history of hunting and actually thrives on it. Because the majority of the island is owned by a single owner, it is important for the sustainability of the natural resources of the island that hunting is better controlled on the private lands. Further, all hunters must have a valid Hawaii State Hunters license.

We do have one concern: Must this written permission be done each time a person wishes to hunt, or does the written permission cover a certain time limit such as one year.

Thank you for the opportunity to testify on this bill.

**LATE**



**Hawaii Cattlemen's Council, Inc.**

**SENATE COMMITTEE ON WATER, LAND & AGRICULTURE  
SENATOR MIKE GABBARD, CHAIR  
SENATOR CLARENCE K. NISHIHARA**

DATE: Monday, February 1, 2016  
TIME: 2:45 PM  
PLACE: Conference Room 224

LATE

**SB 2802 – RELATING TO HUNTING ON PRIVATE LANDS.**

Requires hunters to obtain written permission from landowners or occupiers or holders of private lands to hunt on private lands.  
Effective July 1, 2016.

Chair Gabbard, Vice Chair Nishihara, and Members of the Committee:

My name is Dale Sandlin, and I am Managing Director of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 140+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council strongly supports SB 2802 in requiring written permission to hunt as the current laws regarding trespassing are ineffective in protecting the rights of property owners in Hawaii.

We appreciate the hunters that do the right thing and know that there are a few bad apples that spoil the bunch. Hunters and ranchers should work hand-in-hand in stewarding the land and legitimate hunters respect the combined duty to protecting and promoting good practices to ensure the future of the land for both recreation and industry.

This issue has become a major problem for ranchers across the state. Many ranchers feel the effects from the actions of careless and irresponsible hunters. These include the loss of cattle due to indiscriminate hunters, loss of cattle due to hunting dogs that have been left by their owners, cut fences, damage to infrastructure, vandalism and damage to farm infrastructure and theft of private property.

Ranchers often experience stretches of fence that have been cut or laid down to allow the careless hunters easier access to the rancher's property. Up to 800 feet of fence in one stretch has been found destroyed by the actions of these trespassers. At times these pastures can contain cattle or other livestock and the trespassers actions produce an access point for the livestock to get out. This can lead to other unintended consequences including an animal loose on the roadway or onto a neighboring residential property and could lead to a threat to the animal's safety and that of the public safety.



Many hunters in Hawaii use hunting dogs to track and take down wild game. In some cases, the hunter is unable to find their dogs at the end of the day and decide to leave them. These hunting dogs often join the feral dog population and since they have been trained to track and take down game, cattle and baby calves are often attacked and killed. This can be particularly costly for the rancher as the value of an average cow/calf pair is around \$2,500. Ranchers have also discovered cattle that have been killed by indiscriminate hunters and trespassers.

Damages to infrastructure can also be very costly. Many ranchers utilize gravity flow water systems with flexible pipe to serve remote water troughs for their cattle. Some ranchers have discovered these flexible pipes broken by trespassers, causing great expense to fix these issues. Our ranchers have also experienced theft of private property including gas cans, chains, spotlights, or anything that they can be easily removed. Ranchers and farmers have installed large and elaborate locking systems to secure their private property and protect themselves from theft and vandalism. Also, gates have been pulled down and boulders that were placed to prevent access have been removed hours after being installed.

Careless hunters have found that the penalties for trespassing carry little penalty and are difficult to prove. The burden of establishing the right to hunt should be placed on the hunter, not on the rancher. The simple act of gaining written permission to access the land could prevent many of these issues.

Our ranchers have good relationships with responsible hunters who get written permission and they have been helpful in assisting the police in finding those hunters who aren't responsible. If a hunter has verbal permission from the landowner, then securing written permission should not be difficult to obtain.

We ask this committee to pass this SB 2802 as this measure should help both enforcement of current trespassing law and prevent hunting without written permission.

Thank you for giving me the opportunity to testify on this important matter.

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**To:** [WLA Testimony](#)  
**Cc:** [NancySomersShaw@gmail.com](mailto:NancySomersShaw@gmail.com)  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 11:09:42 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Somers Shaw	Gay and Robinson, Inc.	Support	No

Comments: I fully support SB 2802. Landowners need to control the number of hunters in any given area at a particular time for hunters' safety. Without knowing who is on the land at any given time puts hunters and landowners at risk. Thank you.

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**To:** [WLA Testimony](#)  
**Cc:** [kaimiunger@gmail.com](mailto:kaimiunger@gmail.com)  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 7:26:31 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Keith	McCandless Ranch	Support	No

Comments: McCandless Ranch strongly supports SB2802. This measure clarifies existing laws regarding access and hunting on private property and provides a safer environment for landowners and their employees on their own property.

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**To:** [WLA Testimony](#)  
**Cc:** [jordan@haleakalaranch.com](mailto:jordan@haleakalaranch.com)  
**Subject:** \*Submitted testimony for SB2802 on Feb 1, 2016 14:45PM\*  
**Date:** Monday, February 01, 2016 7:36:22 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Jordan	Haleakala Ranch	Support	No

Comments:

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**gabbard2 - Donna**

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**Sent:** Monday, February 01, 2016 3:51 PM  
**To:** WLA Testimony  
**Cc:** pakala@aol.com  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM

**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Philip Keat	Individual	Support	No

Comments: I fully support SB 2802. Landowners need to control the number of hunters in any given area at a particular time for hunters' safety. Without knowing who is on the land at any given time puts hunters and landowners at risk. Thank you.

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**gabbard2 - Donna**

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**Sent:** Monday, February 01, 2016 2:30 PM  
**To:** WLA Testimony  
**Cc:** rswgc@yahoo.com  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM

**SB2802**

Submitted on: 2/1/2016  
Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
RS Weir	Individual	Comments Only	No

Comments: This is an important bill that protects private property owners. Please pass this critical piece of legislation. Sincerely, Randall S Weir 6332 Makana Road Kapaa, HI 96746 808 822-5863

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**To:** WLA Testimony  
**Cc:** duffyj002@hawaii.rr.com  
**Subject:** \*Submitted testimony for SB2802 on Feb 1, 2016 14:45PM\*

**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jim duffy	Individual	Support	No

Comments:

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**To:** WLA Testimony  
**Cc:** jsgreenwell@lanihau.net  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM

**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James S, Greenwell	Individual	Support	No

Comments: I strongly support this bill as a practical and functional way to document permission for access which will support hunters who have proper consents and facilitate policing of trespass laws against those that do not.

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**To:** [WLA Testimony](#)  
**Cc:** [wadelee@haloaaina.com](mailto:wadelee@haloaaina.com)  
**Subject:** \*Submitted testimony for SB2802 on Feb 1, 2016 14:45PM\*  
**Date:** Monday, February 01, 2016 7:43:16 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Wade Lee	Haloa Aina	Support	No

Comments:

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**To:** [WLA Testimony](#)  
**Cc:** [dssomers@juno.com](mailto:dssomers@juno.com)  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 11:52:35 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Somers	Individual	Support	No

Comments: I support the SB 2802. It is important for public and private landowners to control access to land designated for hunting. Written permission from landowners will insure the safety of all and lessen the problem with trespassing and the necessary security personnel needed to insure safety. Thank you.

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**Cc:** [shandrajm@gmail.com](mailto:shandrajm@gmail.com)  
**Subject:** \*Submitted testimony for SB2802 on Feb 1, 2016 14:45PM\*  
**Date:** Monday, February 01, 2016 11:28:19 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Shandra Macatee	Individual	Support	No

Comments:

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WLA

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**Cc:** [sabrina@ponoholo.com](mailto:sabrina@ponoholo.com)  
**Subject:** \*Submitted testimony for SB2802 on Feb 1, 2016 14:45PM\*  
**Date:** Monday, February 01, 2016 6:11:17 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sabrina White	Individual	Support	No

Comments:

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**To:** [WLA Testimony](#)  
**Cc:** [robinson011@hawaii.rr.com](mailto:robinson011@hawaii.rr.com)  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 12:11:53 PM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lori Robinson	Individual	Support	No

Comments: I support SB2802. For the safety and accounting of persons hunting in any given area of privately owned land it is imperative to know who is hunting and where. Not only is it important for the safety of hunters but for owners enjoying their land with family and other animals living on the property. It is dangerous to not know where hunters are shooting. It is frightening to come across pig dogs in a pack who may endanger people and pets.

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**To:** [WLA Testimony](#)  
**Cc:** [lbwood451@aol.com](mailto:lbwood451@aol.com)  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 10:24:02 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Wood	Individual	Support	No

Comments: As a member of Hawaii's Cattlemen's Council, I am in strong support of SB 2802. Responsible hunters are strong partners of ours, helping to control game numbers, notifying landowners of problems and being a positive presence in our lands. They are among the first environmental stewards and we welcome a working relationship with them. Please vote yes.

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**To:** [WLA Testimony](#)  
**Cc:** [leianarob@gmail.com](mailto:leianarob@gmail.com)  
**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 11:06:07 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Leiana Robinson	Individual	Support	No

Comments: Mahalo Nui Loa No keia pala ke KAKOO nei i na manao o keia bila 2802

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**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 7:28:47 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

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

Comments: As a land manager, I strongly support SB 2802. This measure clarifies existing laws in regard to access and hunting on private land and will create a safer environment for the landowner and employees on their own property.

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**Date:** Monday, February 01, 2016 7:28:44 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

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

Comments:

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**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Sunday, January 31, 2016 11:43:29 PM

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**SB2802**

Submitted on: 1/31/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau	Individual	Oppose	No

Comments: In full opposition to this legislation as it does not include language that was contested in the recent case, *State of Hawai'i v. Kui Palama*. It certainly is aimed at removing the protection of Native Hawaiian rights to continue traditional and customary practices in the areas that they had been practiced. By passing this legislation, the Committee would be effectively voting against the constitutional rights afforded to Native Hawaiians. I urge the Committee to oppose. Mahalo piha.

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1/31/16

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**To:** [WLA Testimony](#)  
**Cc:** [chris@ponoholo.com](mailto:chris@ponoholo.com)  
**Subject:** \*Submitted testimony for SB2802 on Feb 1, 2016 14:45PM\*  
**Date:** Monday, February 01, 2016 5:35:01 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Christopher English	Individual	Support	No

Comments:

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**Subject:** Submitted testimony for SB2802 on Feb 1, 2016 14:45PM  
**Date:** Monday, February 01, 2016 12:00:56 PM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
carol emberson	Individual	Support	No

Comments: I wholeheartedly support the right of the landowner to not allow hunters on their property without acceptance. If you allow anybody on your land without permission, how do you know where that hunter is at all times? If we allow our own hunters (with permission) to hunt in the same area as the "illegal" hunter; then accidents and death can certainly happen. Just as you do not want people on your property whenever they want--with a gun--and perhaps they have been drinking or doing drugs and have control of a gun--it is the same with private property owners. We cannot allow just anybody to hunt without permission on private lands, whomever owns it--private parties or the state. Thank you, Carol Emberson

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**Date:** Monday, February 01, 2016 11:10:59 AM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Bruce Robinson	Individual	Support	No

Comments:

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**Date:** Monday, February 01, 2016 1:42:31 PM

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

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

Comments: Kakoo owau keia bila.

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Bob Farias	Individual	Support	No

Comments:

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Alex Franco	Individual	Support	No

Comments:

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**gabbard2 - Donna**

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**SB2802**

Submitted on: 2/1/2016

Testimony for WLA on Feb 1, 2016 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
RS Weir	Individual	Comments Only	No

Comments: This is an important bill that protects private property owners. Please pass this critical piece of legislation. Sincerely, Randall S Weir 6332 Makana Road Kapaa, HI 96746 808 822-5863

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