

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



**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**

**Wednesday, February 13, 2019  
2:01 PM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE BILL 1325, HOUSE DRAFT 1  
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES**

House Bill 1325, House Draft 1 proposes to require the Department of Land and Natural Resources to give prior notice to the Game Management Advisory Commission (GMAC) when establishing or amending watershed projects or management plans on state lands or pursuant to a water rights lease and suspend all aerial shooting activity until final adoption of watershed management rules that integrate GMAC recommendations. **The Department of Land and Natural Resources (Department) opposes this bill.**

SECTION 1 (2): This section is too broad, and will hamper the ability of the Board of Land and Natural Resources and the Department to carry out its statutory duties.

Since the GMAC was first convened, the Department has provided briefings on proposed watershed projects that impact public hunting and will continue to consult with the GMAC on all things hunting. For example, in 2017, the Department provided the GMAC with maps of the proposed watershed fences that overlap with public hunting areas that are part of the Sustainable Hawaii Initiative to protect 30% of priority watershed areas by 2030. The Department appreciates the opportunity to consult with the GMAC on these types of issues that affect public hunting areas, and has received many constructive recommendations on ways to improve the public hunting program. However, this measure reduces the Department's ability to protect areas of high biodiversity or watershed value. Giving the GMAC responsibility for managing watershed and biodiversity areas would be like giving the Natural Area Reserves Commission responsibility for managing the public hunting program – it is outside of the original purpose of the commission.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**M. KALEO MANUEL**  
DEPUTY DIRECTOR - WATER

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

*SECTION 3. Section 183-31, Hawaii Revised Statutes, is amended to read as follows:*

*183-31 Watershed areas* – most mauka lands have been designated “watershed” since 1903. Many are private or county lands, and not under the authority of the GMAC. The GMAC is already notified of pending Departmental actions, and the Department consults with GMAC on a regular basis.

The Department’s Division of Forestry and Wildlife (DOFAW) is responsible for managing over one million acres statewide, including important watershed forests that are vital to our future water security. Unfortunately, due to the proliferation of non-native grazing animals and wildfire, over half of Hawaii’s original forest has been lost. DOFAW works closely with the GMAC and seeks out their expert advice on hunting related issues reviews the Department’s watershed plans and projects that identify and address these concerns in a public forum. The GMAC’s current role is to advise the Board of Land and Natural Resources on game animal management matters.

SECTION 4 should be deleted in its entirety:

Aerial shooting is an established and cost-effective management tool for control of invasive grazing animals in otherwise inaccessible terrain. These same animals, in areas not considered high value watershed management areas, can be a recreational and subsistence resource, but maintaining them in areas designated for aerial shooting results in environmental degradation, and should not be under the purview of the GMAC. Doing so would endanger native plants and wildlife, and degrade valuable watershed lands.

Involvement of public hunters is standard policy for the Department. Public hunting is our first line of defense for feral animal control. It is by far the most widespread, encompassing 75% of DOFAW lands. The Department’s policy is to first allow 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.

Pursuant to Section 183D-4.5, HRS, the GMAC was established to serve exclusively in an advisory capacity to the Board of Land and Natural Recourses. The section clearly defines the role and responsibilities of the GMAC as well as the required qualifications of the commission members. Currently, the GMAC is comprised of individuals who have extensive backgrounds in hunting non-native game species. As such, they provide expert advice on hunting and hunting related issues across the state. However, they were not selected for their training or knowledge of watershed, endangered species, native forest protection, or general wildlife management practices. Therefore, the integration of the GMAC recommendations into some unidentified rules related to watershed management may unintendedly negatively impact the watersheds and their functions well into the future.

Thank you for the opportunity to comment on this measure.



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

**HB1325 HD1 OPPOSE!**

February 12, 2019

Committee on the Judiciary

February 13, 2019

Conference Room 325 to be held at 2:01 PM

House Bill HB1325-HD1

Dear Chair Lee, Vice Chair San Buenaventura

RE: HB1325

The Hawaii Hunting Association is in support of the ***INTENT OF THE ORIGINAL*** legislation regarding the necessity of DLNR to work, collaborate, consult and cooperate with the State Game Management Advisory Commission. The Department has a dismal record of working with its constituencies. To ***NOTIFY*** isn't the same as working with, consulting with or listening to the will of the people. This is what we have had for almost 4 decades and today, still, an unresponsive DLNR that dictates rather than collaborates. The people have an obligation to participate with DLNR. DLNR has an obligation to listen.

Our testimony is as follows. In Section 1 to read as follows

SECTION 1. Chapter 183, Hawaii Revised Statutes, is amended by adding a new section to part III to be appropriately designated and to read as follows: "**§183- Watershed project; watershed management plans; game management advisory commission. The department shall consult, collaborate and cooperate with the game management advisory commission established by section 183D-4.5 before:**

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

(1) Establishing a new watershed project or management plan on state lands; or

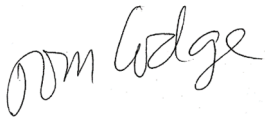
(2) Amending any existing watershed project or management plan for state lands."

Regarding SECTION 3.

SECTION 3. Section 183-31, Hawaii Revised Statutes, is amended to read as follows:

**"§183-31 Watershed areas.** The department of land and natural resources shall determine, after public hearing held in the same manner as provided in section 91-3, areas which are watersheds[-]; provided that the determination shall require prior **consultation, collaboration, and cooperation** with the game management advisory commission established pursuant to section 183D-4.5.

Much Aloha,



Tom Lodge,  
Admin.

BIISC  
23 E. Kawili St.  
Hilo, HI 96720  
(808) 933-3340  
[biisc@hawaii.edu](mailto:biisc@hawaii.edu)  
[www.biisc.org](http://www.biisc.org)



2/13/2019  
Attn: House Committee on Judiciary  
RE: HB1325



Aloha,

We at BIISC are concerned about how HB1325 will affect the critical management of watersheds in the islands. This bill as amended requires notification to GMAC by DLNR before the “start or amendment” of any watershed project. The vague language leaves much open to interpretation. As partners who often work on state lands to respond to injurious species such as gorse, cotoneaster, albizia, Rapid Ohi’a Death, and little fire ants, we are concerned about the implementation of such a law.

What specific actions are considered an “amendment” to a watershed protection project? Change of staff, expansion/reduction of area, new detections in previously unknown locations? Who is responsible for GMAC notification if a watershed partnership or ISC is working on a DLNR priority program or site? Are research projects considered under this law, adding additional hurdles for scientists from the University or federal research institutes? There are many questions left unanswered in this bill, any of which could have serious ramifications on conservation efforts in our watersheds and last remaining native ecosystems, home to the last of our native birds and insects.

In previous efforts to make major changes to projects affecting state land, administrative laws are generally structured with the bill so all parties are clear on the requirements and processes. We do not see that same level of clarity in HB1325. Our state constitution requires that DLNR manage our native plants and animals and water resources in trust for future generations. As invasive plants and animals continue to negatively impact more and more of our precious natural areas, it is incumbent upon all of us to ensure that the path to response and protection is as streamlined and as efficient as possible. We do not support HB1325, and ask that you carefully consider the unintended outcomes before voting.

Thank you for the opportunity to provide testimony on this matter.

Sincerely,

Franny Kinslow Brewer  
Communications Director



The Honorable Chris Lee, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
House Committee on Judiciary

State Capitol, Room 325  
Honolulu, Hawaii 96813

HEARING: Wednesday, February 13, 2019, at 2:01PM

RE: HB1325 HD1 Relating to the Department of Land and Natural Resources

Aloha Members of the House Committees,

The Hawaii Firearms Coalition SUPPORTS WITH AMENDMENTS HB1325 HD1

The watershed areas are important to hunters as they provide habitat for game animals. This bill ensures that the Game Management Advisory Commission (GMAC) is notified of changes and has the ability to provide input to the DLNR on watershed projects to protect hunting areas. This bill should be amended to include a way for the GMAC to be directly involved in decision making regarding hunting related matters. Hunting is a way of life and tradition to many and needs to be protected by the GMAC having an active role.

Hunting and conservation can coexist together and this bill will ensure both sides work together for mutual benefit.

For these reasons the Hawaii Firearms Coalition Supports with amendments HB1325 HD1. Thank you for your consideration.

Mahalo

Todd Yukutake  
Director, Hawaii Firearms Coalition  
PH. (808) 255-3066  
Email: todd@gmail.com

**HB-1325-HD-1**

Submitted on: 2/11/2019 9:33:16 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gerard Silva	Individual	Support	No

Comments:

**HB-1325-HD-1**

Submitted on: 2/11/2019 11:25:54 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicolai Barca	Individual	Support	No

Comments:

I support dlnc having to present new or changed watershed plans to gmac for their advice.



**HB-1325-HD-1**

Submitted on: 2/12/2019 7:26:19 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
steven a kumasaka	Individual	Support	No

Comments:

SUPPORT

**HB-1325-HD-1**

Submitted on: 2/12/2019 7:55:29 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joel Berg	Individual	Support	No

Comments:

I Support HB1325

It is a fundamental mismanagement of our resources to pay a professional to hunt game animals and leave their corpses to rot when local hunters have not been offered an opportunity to ethically and humanely harvest these animals. Many individuals particularly those who might otherwise be impoverished use hunting as a means to supplement their diet, their income, and to practice traditional values. Helicopter hunting is hardly ethical. An errant shot from an unstable helicopter can maim an animal who can then not be tracked on foot. This leaves the creature to die in agony over hours or days as its stomach acids digest its internal organs. This is WRONG.

**HB-1325-HD-1**

Submitted on: 2/12/2019 11:13:44 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Fred Delosantos	Individual	Support	No

Comments:

I support HB1325. Hunters should be given first opportunity before resorting to contractor aerial eradication.

**HB-1325-HD-1**

Submitted on: 2/12/2019 6:39:20 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Quentin Kealoha	Individual	Support	No

Comments:

I SUPPORT bill HB1325 HD1

**HB-1325-HD-1**

Submitted on: 2/12/2019 7:05:34 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ricky Ferreira Jr	Individual	Support	No

Comments:

**HB-1325-HD-1**

Submitted on: 2/13/2019 8:27:47 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kevin Kacatin	Individual	Support	No

Comments:

I am a firearms owner, but not a hunter, but I am in support of this measure.

**HB-1325-HD-1**

Submitted on: 2/12/2019 1:37:21 PM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
nani pogline	Individual	Oppose	No

Comments:

To pass a bill that allows the State to give "notice" rather than give acknowledgment of the advisory powers of the State Game Management Advisory Commission goes against prior Legislation that gave the State GMAC advisory powers. The DLNR is to serve the public, payed for by taxpayers. It should not be a dictatorship, with no checks or balances when making "watershed" decisions. This should be especially true when watershed lands are amiguous, leaving the public vulnerable. The DLNR is largely driven by a private organization called Nature Conservancy, rather than servants of the public in entirety, and needs balanced by the State GMAC, an extention of the public.

**LATE**

**HB-1325-HD-1**

Submitted on: 2/13/2019 9:37:15 AM

Testimony for JUD on 2/13/2019 2:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Franny Brewer	Individual	Oppose	No

Comments: