

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

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
WATER & LAND

Thursday, February 3, 2022
9:30 AM

State Capitol, Via Videoconference, Conference Room 430

In Consideration of
HOUSE BILL 1656
RELATING TO TRAILS

House Bill 1656 proposes to appropriate moneys for the establishment of a permanent full-time equivalent land and access specialist position and a permanent full-time equivalent abstractor position within the Department of Land and Natural Resources (Department), Division of Forestry and Wildlife Nā Ala Hele program for the protection and expansion of public trail access statewide. **The Department supports this measure and provides the following comments.**

The land and access specialist position will be a vital component of the administrative staff, serving to coordinate planning and environmental and cultural compliance efforts statewide. Currently, the bulk of current funding for the program comes via the Federal Highways Administration's Recreational Trails Program and is used primarily for maintenance. Working with our federal partners, we are using this funding for new recreational trail development and enhancing current recreational opportunities while protecting natural and cultural resources. This new effort requires compliance with myriad state and federal laws. This position will fill this role.

The Nā Ala Hele program currently has one (1) full-time abstractor position statewide, whose responsibility is to conduct title research to document historic trails and protect the public trust as it pertains to land ownership relating to such historic trails and roads. The workload is staggering. The addition of a second abstractor position will double the Department's capacity to carry out this critically important resource protection function.

The Department and the community at large recognizes the State's current diminished capacity to manage and maintain existing forest recreation resources. We would encourage the Legislature to, as additional funds become available, appropriate funding for additional staff positions for the Nā

Ala Hele program to generate enhanced capacity to develop and maintain trails and associated infrastructure, creatively recruit and manage volunteer groups, and address action items identified in the island-based Destination Management Action Plans, developed in coordination with the Hawai'i Tourism Authority, to promote regenerative tourism for the protection of Hawai'i's natural and cultural resources as a means to provide a high quality recreational experience for all users.

In addition to enhanced funding for staffing, we would respectfully request an additional one-time appropriation of \$2,000,000 in operating funding to address a severe backlog in deferred maintenance on trails and other forest and outdoor recreation resources to include enhanced facilities and support infrastructure in areas impacted by escalating recreational use. Trails across state have seen an unprecedented increase in traffic, driven in part by social media exposure, resulting in trail degradation due to heavy use and minimal maintenance. Staff reductions have hampered the Department's ability to properly maintain recreational facilities and features and the impact to adjacent natural areas. Recent surveys indicate a desire on the part of the public for additional parking, restroom facilities, maintenance of existing trails, and availability of new trails. We respectfully ask that as funding becomes available this committee strongly consider our request to help protect our natural and cultural resources and provide enhanced outdoor recreation opportunities in a way that is respectful of adjacent communities.

Thank you for the opportunity to comment on this measure.

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Thank you for the opportunity to comment on this measure.

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GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON WATER & LAND
ON
HOUSE BILL NO. 1656

February 3, 2022
9:30 a.m.
Room 430 and Videoconference

RELATING TO TRAILS

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 1656 provides resources to support the Na Ala Hele statewide trail and access program by appropriating \$167,383 in general funds for FY 23 and establishes a permanent Land and Access Specialist position and a permanent Abstractor position to support the Na Ala Hele program.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

HB-1656

Submitted on: 2/2/2022 9:43:36 AM

Testimony for WAL on 2/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Toni Withington	Ka Makani O Kohala Ohana	Support	No

Comments:

We strongly support this bill to create positions to the Na Ala Hele Trail System. Our organization has been working for 45 years to create and maintain public access and trails in North Kohala. Our success is helped enormously by the NAH staff. During this time of shrinking opportunities for our residents to seek recreation, fishing and hunting on our coasts and mountains, we need more help to do this important work.

Please support this bill.

Toni Withington, president, Ka Makani O Kohala Ohana

HB-1656

Submitted on: 2/2/2022 10:04:04 AM

Testimony for WAL on 2/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Elizabeth Roney deYoung	Individual	Support	No

Comments:

As a Hawaii Island resident and a long-time hiker in Pololu Valley, I want to support this bill. The program to educate people using the trail has been an enormous success with both the visitors and the residents of Kohala.

Having ambassadors that explain "Malama Aina" and the context and history of the place makes all users of the trails and our natural spaces educated and much more likely to want to be respectful and honor the place. This also transfers to their use of other trails and natural resources.

Also addressed in this bill is the abstractor. On Hawaii Island we are fortunate that some of our historically significant trails are still available to protect and the abstractor is absolutely essential to get this data, make it available to developers or land owners BEFORE these precious historical places are destroyed. Most land owners will work with the state if there are facts and want to preserve these cultural places.

Please support this bill to increase the effective delivery of "Malama Aina" message beyond branding, and protect and enhance our historical trails.

Mahalo

HB-1656

Submitted on: 2/2/2022 3:45:35 PM

Testimony for WAL on 2/3/2022 9:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Diane Ware	Individual	Support	No

Comments:

Dear Committee Chair and Members,

As an avid hiker here for 30+ years and outings chair for Sierra Club Hawai'i Island I strongly support this bill and funding appropriations. In 1998 I hiked much of the trail with E mai NA Ala Hele group to scout the trail possibilities and conditions and have been involved ever since. There has been some progress but very little of the 175 mile trail has been opened as such.

Hawaii statewide trail and access program, known as nā ala hele, was established in 1988 in response to public concern about the loss of public access to certain trails and the threat to historic trails from development pressure. Nā ala hele addresses trail management and regulatory issues across the State. The legislature notes that according to the Hawai'i State Comprehensive Outdoor Recreation Plan 2015 Update, there are two areas regarding public hiking identified for improvement:

- (1) Demand for more trails or access to mauka lands; and
- (2) The need for trail facilities and maintenance.

The legislature further finds that Hawaii county faces a particularly acute deficit of trails and public land access. There are currently only three legal hiking trails for non-hunters in west Hawaii, as compared to forty-one on Oahu, thirty-five on Kauai, and nineteen on Maui. Many of the most popular trails in Hawaii county, listed in guidebooks and increasingly publicized on social media, involve trespassing across private property. Statewide, in these areas lacking public access to trails, the public often resort to trespassing across private lands. This poses challenges to public access, safety, and landowner liability.

“Appropriates moneys for the establishment of a permanent full-time equivalent land and access specialist position and a permanent full-time equivalent abstractor position within the na ala hele program for the protection and expansion of public trail access statewide.”

I strongly urge you to support funding during this time of positive budget numbers. DLNR has been strangled by lack of funding for way too long.

Aloha 'aina,

Diane Ware

99-7815 Kapoha

Volcano HI 96785