

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 Senate Committees on
WATER AND LAND
and
AGRICULTURE AND ENVIRONMENT**

**Wednesday, March 23, 2022
1:50 PM**

State Capitol, Conference Room 224, Via Videoconference

**In consideration of
HOUSE BILL 1872, HOUSE DRAFT 1
RELATING TO SUSTAINABILITY**

House Bill 1872, House Draft 1 proposes to require the Department of Land and Natural Resources (Department) to recognize that game mammals and game birds provide a food source and that striking an appropriate balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority. **The Department supports this measure.**

Thank you for the opportunity to comment on this measure.

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



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March 23, 2022

HEARING BEFORE THE
SENATE COMMITTEE ON WATER AND LAND
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON HB 1872, HD1
RELATING TO SUSTAINABILITY

Conference Room 224 & Videoconference
1:50 PM

Aloha Chairs Inouye and Gabbard, Vice-Chairs Keith-Agaran and Nishihara, and Members of the Committees:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau supports the intent of this bill to recognize the importance of game animals as a sustainable food source and respectfully suggests a simple amendment to also recognize the importance of *management of game animals in order to avoid the destruction of farm and pasture lands*, pursuant to the priorities articulated in article XI, section 3, and 10 of the Hawai'i State Constitution:

Section 3. The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands. The legislature shall provide standards and criteria to accomplish the foregoing.

Section 10. The public lands shall be used for the development of farm and home ownership on as widespread a basis as possible, in accordance with procedures and limitations prescribed by law.

As such, HFB respectfully requests the following on page 1, lines 12 through 16 and page 2, lines 1 through 2 be reworded as follows:

"(A) Game mammals and game birds can provide a sustainable food resource merits high-quality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting; provided that adverse effects to the environment **and agriculture** are sufficiently minimized or offset through native ecosystem protections;"

Thank you for the opportunity to provide our comments and thank you for your continued support of Hawai'i's agricultural community.

HB-1872-HD-1

Submitted on: 3/19/2022 6:08:19 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Sydney Ross Singer	Testifying for Good Shepherd Foundation	Support	Written Testimony Only

Comments:

Thank you for this opportunity to again comment on this Bill.

The intent of this proposed addition to HRS183D is to ensure that game animals are humanely treated by the DLNR and be allowed to live in ecosystems with adequate amounts of food and water to support their populations at numbers to ensure sustainable hunting, thereby maintaining an important local food source and cultural practice.

However, an amendment in this HD1 revision undermines the spirit of this bill, subordinating the interests of game animals to the preservation of native ecosystems, and without defining what constitutes a “native ecosystem”.

The original Bill’s wording for HRS183D(3)A was, “Game mammals and game birds can provide a sustainable food source that merits high-quality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting.” To this was added by amendment, “provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections”. The DLNR apparently suggested this qualification to the original wording.

What exactly is the definition of a “native ecosystem”? It is not included in the definitions at the beginning of HRS183D.

This question of definition is important, since much of Hawaii is composed, to varying degrees, of both native and introduced species. At what point is an ecosystem considered native, versus non-native? Is it when 50% of the species, if they are countable, are native? Is it when any native species are found in an area? Or does Hawaii consist of native ecosystems which are at varying degrees of ecological disruption and need for restoration, which is achievable through eliminating non-native species, such as game animals?

If hunting and game animals, including goats, sheep, pigs, and birds, are to be promoted in Hawaii, as the DLNR is mandated to do, then there needs to be a guaranteed place for these animals to live, where there is plenty of food, water, and shelter. If native species are given preference in these areas, game animals could be excluded from environments that could otherwise sustain their populations, depending on the definition of a “native ecosystem”.

The DLNR is in a bind between their mandate to protect game animals, which may live in native ecosystems, while following their mandate for protecting native ecosystems from game animals, which are considered invasive in the context of ecosystem restoration. It is understandable why the DLNR, in the testimony on this Bill, recommended the changes to this section mentioned above.

However, this inclusion of a disclaimer to the protection of game animals, giving primacy to native ecosystem protection, negates the intent of this Bill, which is to protect game animals. Fortunately, this amendment is redundant with other sections of the Hawaii Revised Statutes which address invasive species control.

The protection of native ecosystems and the management of invasive species is described in HRS194. The primacy of invasive species control over other considerations is stated in HRS194(4):

[§194-4 Relation of chapter to other laws.] "**Notwithstanding any other law to the contrary**, and in addition to any other authority provided by law that is not inconsistent with the purposes of this [chapter], a department is authorized to examine, control, and eradicate all instances of invasive species identified by the council for control or eradication and found on any public or private premises or in any aircraft or vessel landed or docked in waters of the State." (Bold added.)

It is therefore unnecessary and redundant for HRS183D(3)A to reiterate that game management will be subordinated to native ecosystem protection. HRS194 has already addressed that, along with its creation of the Invasive Species Council.

I, therefore, recommend that this Bill be returned to its original wording for this section, removing the statement, "provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections".

Efforts to protect native ecosystems must not supersede efforts to protect food resources. The DLNR must protect both, and set aside land for native ecosystems and for game animals.

Unfortunately, game animals have been inhumanely relegated unsuitable, arid, low-quality land, where they suffer and die. We should treat these animals with more respect and appreciation for the food they provide us. That is the purpose of this Bill, to emphasize this vital role of the DLNR.

Human needs and native ecosystem needs are often in conflict. There are many invasive species which are truly a nuisance and problem. But sheep, goats, pigs, birds, and other game animals are not a nuisance, even when they disturb native ecosystems. They are a food resource that is being left poorly managed, and need to be located where they have enough food, water, and shelter to healthfully live, reproduce, and raise their young.

Let's have some respect and Aloha for the animals who may someday feed us when the cargo ships stop sailing.

Respectfully,

Sydney Ross Singer
Director, Good Shepherd Foundation

Hawaii Sportsmen's Alliance

Supporting HB1872

THE SENATE, THE 31ST LEGISLATURE REGULAR SESSION OF 2022

Committee on Water and Land

Senator Lorraine R. Inouye-Chair

Senator Gilbert S.C. Keith-Agaran-Vice Chair

Committee on Agriculture and Environment

Senator Mike Gabbard, Chair

Senator Clarence K. Nishihara, Vice Chair

Committee Members

Conservation seeks the sustainable use of all our natural resources so that they can persist for future generations

We ask that you help us by requiring that the Department of Land and Natural Resources recognize that game mammals and game birds provide us with a sustainable food resource which feeds our families and supports native Hawaiian traditional and customary practices.

Please support HB1872 as it was originally written. This measure was originally drafted to protect our local food security. Wild game is a resource that must be managed as such.

The Hawaii County Food Self-Sufficiency Baseline 2012 realized that and included our game as a resource because of the importance it held in food sustainability and security. See link to complete study and reference pages 93-95. Over 400,000 pounds of wild food resources are harvest each year and that is only what is reported, thus the numbers are most likely much higher.

https://kohalacenter.org/wp/wp-content/uploads/2014/05/BASELINE_FOOD_SUSTAINABILITY_WEB.pdf

We Strongly support HB1872 in its original form

Mahalo,

Tony Sylvester,

Hawaii Sportsmen's Alliance

HB-1872-HD-1

Submitted on: 3/21/2022 1:31:10 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
ROBERT DUERR	Testifying for Wailoa River and Reeds Bay Boater and User Association Inc 501-C3	Support	Written Testimony Only

Comments:

Dear Legislators. Food security is critical. Price of food to feed working families is at all time highs and going higher. The Department of Boating and Ocean Recreation controls fisher's only access to the sea. DBOR has eliminated from HAWAII REGULATIONS their need to promote fishing. Instead their stated strategic plan is to incrementally privatize harbors for amenities to the real estate industry. You can't eat real estate. Protect and Support Food security. Support fisher and hunter sustainable management of natural resources. Mahalo, Robert Duerr. Hilo. Wailoa River and Reeds Bay Boater and User Association Inc 501-C3.



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER AND LAND
Senator Lorraine R. Inouye, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Senator Mike Gabbard, Chair
Senator Clarence K. Nishihara, Vice Chair

HB1872 HD1
RELATING TO SUSTAINABILITY

Wednesday, March 23, 2022, 1:50 PM
VIA VIDEOCONFERENCE

Chairs Inouye and Gabbard, Vice Chairs Keith-Agaran and Nishihara, and Members of the Committees

The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 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 over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

The Hawaii Cattlemen's Council **supports HB1872 HD1** to require the department of land and natural resources to recognize that game mammals and game birds provide a food source and that striking an appropriate balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority. Hawaii's ranchers have been addressing the invasive deer issue with the resources they have access to. This includes trapping, harvesting, managing access for hunting, installing deer fences, and working with neighboring ranches to coordinate these efforts. This has been at significant costs to the ranches, and any work done with these landowners should always be done at the discretion and permission of the landowner. We support a statewide initiative to address this issue, as what happens on one piece of property has ramifications on neighboring properties, and we support the state increasing their management of hunting on public lands by balancing management of game and sustainability of natural habitats.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director





Senate Committee on Water and Land
Senate Committee on Agriculture and Environment
HEARING: March 23, 2022 at 1:50pm
RE: HB1872 Relating to Sustainability

The Hawaii Firearms Coalition **SUPPORTS HB1872**

This bill will help to protect hunter's ability to obtain their own food and the management of healthy ecosystems. Hunting is a long-time tradition running alongside the right to keep and bear arms. Hunting provides a way for people to supplement their diets with an affordable source of protein and the donation of meat to the poor. This bill will provide another layer of protection against unnecessary aerial eradication of game mammals such as the goats in Waianae and sheep on Mauna Kea which leaves animal carcasses rotting on the land while the people struggle to survive. Instead, the resources should be better managed, and hunting promoted.

We ask that you amend the bill to remove the DLNR amendments and instead use the original language for a stronger law that benefits the people of Hawaii.;

Mahalo,

Todd Yukutake
Director
Hawaii Firearms Coalition
(808) 255-3066
todd@hifico.org



HAWAII FOREST INDUSTRY ASSOCIATION (HFIA)

P. O. Box 66 ❖ 'O'ōkala, HI 96774
Phone: 808-933-9411
Email: hfia@hawaiiiforest.org
Website: www.hawaiiiforest.org

Date: 3/21/22

TO: WAL Chair Lorraine Inouye, WAL Vice Chair Gilbert Keith-Agaran, AEN Chair Mike Gabbard, AEN Vice Chair Clarence Nishihara, WAL Senators Bennette Misalucha, Kurt Fevella, Gil Riviere, AEN Senators Laura Acasio, Kurt Fevella and Karl Rhoads

FROM: Hawai'i Forest Industry Association (HFIA)

SUBJECT: Testimony in Support for HB1872 HD1 Relating to Sustainability

Dear Hawaii Legislators,

On behalf of the Directors of the Hawai'i Forest Industry Association (HFIA), this testimony is in support of HB1872 HD1.

Hawai'i Forest Industry Association supports HB1872 in its original wording. HFIA has and continues to work towards actualizing Healthy and Productive Forests across the state of Hawaii. This must involve the appreciation for and management of game as a public resource on public lands, which are intended to provide hunting for the broader community. We believe that reemphasizing this reality is important and necessary. We also believe in the appropriate management of the State's land and forest resources as they have been designated.

Additionally, a balanced management of game minimizes their negative impacts on our native birds, forests and landscapes, and resources. Management of game populations will help to ensure the conservation of these resources, including both native such as our forests and forest birds, and non native such as game mammals, for future generations.

We hope you will support HB1872 in its original wording.

Mahalo,

Peter Simmons

Peter Simmons,
Hawai'i Forest Industry Association

Established in 1989, HFIA's is a nonprofit organization founded by people committed to sustainable forest management. HFIA's mission is to promote healthy and productive forests and a sustainable forest industry through management, education, planning, information exchange, and advocacy. HFIA has over 100 members including woodworkers, landowners, sawyers, foundations, foresters, growers, educators, environmentalists, architects, millers, ranchers, and others interested in HFIA's mission and goals.

HFIA Board of Directors

Officers: President Don Bryan, Vice-President Guy Cellier, Secretary Peter D. Simmons, Treasurer Wade Lee
Directors: Thomas Calhoun, Jeremy Campbell, Aaron Hammer, Nickolas Koch, Tai Lake, Gilles Lebbe, Michael Sowards, Irene Sprecher, Michael Tam, Jorma Winkler, Ron Wolfe, Aileen Yeh

HB-1872-HD-1

Submitted on: 3/18/2022 5:36:17 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Klayton Kubo	Individual	Support	Remotely Via Zoom

Comments:

Support

HB-1872-HD-1

Submitted on: 3/21/2022 6:02:41 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Ley	Testifying for hawaii county GMAC	Support	Remotely Via Zoom

Comments:

Aloha. Brian Ley vice chair, county GMAC. We strongly support HB 1872. The protection of our game animals Our game animals are a valuable resource that needs to be protected and nourished. Not only do they supply our islands with local sustainability of quality meat. They are important to control invasive grasses and weeds, which are huge problem for out of control wildfires. Please read DLNR Biologist, west side big island Kanalu Sprouts, presentation "Have your cake and eat it too". Preliminary studies show that our game birds, spread native plants. PTA game manager. And I also ask that the committee members remove the DLNR amendment to HB 1872. DLNR needs to come up with a working game management plan. Mahalo for your time and consideration. Brian Ley vice chair, county GMAC

HB-1872-HD-1

Submitted on: 3/22/2022 2:36:02 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Joel Nakamoto	Individual	Support	Written Testimony Only

Comments:

I am in favor of HB 1872 HD1 and ask for your support to get it passed. Thank you!

HB-1872-HD-1

Submitted on: 3/20/2022 6:19:01 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Douglas Perrine	Individual	Oppose	Written Testimony Only

Comments:

HB1872 is a prescription for environmental disaster. It actual requires the state to repeat the same errors that have caused grievous damage to our aina and kai in the past - by introducing alien species that are likely to have unanticipated negative consequences on our habitats and on our unique endemic species. Please relegate this bill to oblivion.

HB-1872-HD-1

Submitted on: 3/21/2022 7:41:01 AM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Keith Okamoto	Individual	Support	Written Testimony Only

Comments:

Aloha Chairs Inouye and Gabbard,

I strongly support HB1872 which is a step in the right direction. Much more is needed to support local hunters and their ability to provide a healthy food source for their tables, but this is a start.

There is so much potential on the big island to reduce our dependence on imported food supply. Hunting and game birds and mammals should be a part of the solution. Properly managed hunting, instead of just eradication, needs to be implemented for this solution to manifest in Hawaii.

Mahalo for your consideration.

Keith Okamoto

HB-1872-HD-1

Submitted on: 3/21/2022 10:32:26 AM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Stanley Mendes	Individual	Support	Written Testimony Only

Comments:

I strongly support HB 1872 for our sustainability and protection of our game animals.

HB-1872-HD-1

Submitted on: 3/21/2022 1:47:10 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
nani pogline	Individual	Support	Written Testimony Only

Comments:

Aloha Legislators,

On behalf of myself, and the Hawaii County Game Management Advisory Commission, we ask that you will support HB1872, and ask you will consider amendments that will return the bill to its original intent:

Page 1, line 12, we ask you consider removing the word "can." Game animals have and do provide a resource for local sustainability. Here on Hawaii Island many communities utilize wild meat as a food resource. Certainly, wild game could become more of a local resource for sustainability with promotion from the State, especially in these hard economic times.

Page 1, line 16, page 2, lines 1-2, we ask you consider removing "provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protection." Consideration of the environment is already included in page 2, lines 3-7, "proper management of game populations in appropriate areas minimizes their impacts and provides benefits....to important watershed areas."

HB1872 originated from hunting communities concerned for wild game resources. Wild game have been increasingly targeted for eradication. They are referred to as "invasive species," and "feral ungulate," rather than a valuable game resource, which has created a negative image in the public. Consequently wild game have suffered loss of habitat and blocked migration from fencing, often the reason for environmental and agricultural impact.

It is hoped HB1872 would restore recognition of our valuable game resources, and encourage creative and mutually beneficial solutions.

HB-1872-HD-1

Submitted on: 3/21/2022 5:36:31 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Andrea Quinn	Individual	Support	Written Testimony Only

Comments:

Dear Honorable Committee Members:

Please support HB1872.

Thank you for the opportunity to present my testimony.

Andrea Quinn

Kihei, Maui

LATE

HB-1872-HD-1

Submitted on: 3/22/2022 4:53:18 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Abraham Antonio sr	Testifying for Hawaii county game management advisory commission	Support	Written Testimony Only

Comments:

Aloha chair and vice chair

Thanks for allowing me this opportunity for testimony

I strongly support this bill in its original version we need to have value brought to our game resource it is such a free source of food that needs to be protected not just eradicated for our public lands. Also I stand on my previous testimony Thanks again.

Sincerely. Abraham Antonio sr.

LATE

HB-1872-HD-1

Submitted on: 3/22/2022 9:05:07 PM

Testimony for WTL on 3/23/2022 1:50:00 PM

Submitted By	Organization	Testifier Position	Testify
Godfrey Akaka	Testifying for Native Hawaiian Gathering Rights Association	Support	Written Testimony Only

Comments:

My name is Godfrey Akaka Jr. President for the Native Hawaiian Gathering Rights Association. I represent many families and Kupuna State wide. We support this Bill to emphasize the States onligation to protect the public trust in that our DLNR game management divission will stop irradicating our game animals and start devolping better strategies to support susstainable hunting for faimilies and individuals in utilizing our game animals for consumption.. Further DLNR needs to devope and implement game management in supporting a balance with game animals and our ecosystem, including strategies in promoting healthier game animals for sustainability for local families and the hunting industry. Also securing land and promoting hunting and education in sustainability and use of game animals. We thank you for considering this bill and ask that you also support and pass this bill. Mahalo.