

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WAYS AND MEANS**

**Friday, February 18, 2022
10:00 AM**

State Capitol, Conference Room 211, Via Videoconference

**In consideration of
SENATE BILL 2616, SENATE DRAFT 1
RELATING TO SEARCH AND RESCUE**

Senate Bill 2616, Senate Draft 1, proposes to require government entities to seek reimbursement for search and rescue expenses for persons who require rescue after leaving a hiking trail to enter a prohibited area or hiking on a trail closed to the public. **The Department of Land and Natural Resources (Department) offers the following comments.**

There is a large segment of members of the public, both in state residents and out of state visitors, ignoring warning and closed area signs and the hours of operation for managed public access at the terminus of trails and park area boundaries.

This behavior has vastly proliferated due to social media that now promotes activities and features that are subject to closure or warning signage.

As an example, if you search Sacred Falls on the internet (which has been closed for two decades due to rockfall safety issues), there are 133,000,000 results. The first site leads with: Sacred Falls - The Most Beautiful but kapu Waterfall in Oahu. The Department's law enforcement division continuously cites people for ignoring the closed area signs and proceeding to hike to one of the most dangerous features on Oahu.

This bill does strictly apply this cost of reimbursement if the public knowingly goes out of bounds into a closed area, which is a fair balance of gratis rescue service for incidents in managed and open trails and applying a rescue fee for incidents in trails and park areas and locations that are off limits. These out of bounds locations tend to be more dangerous for both the public and the Fire Rescue staff due to remote locations and topography. In this case, the cost

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

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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
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LAND
STATE PARKS

may become a deterrent to reducing the violations, improving public safety, and mitigating the need for costly and dangerous rescue.

However, it is the role of the respective County Fire Rescue staff to engage in the costly and dangerous action of responding to distressed hikers who need aid or retrieval, so the cost burden rests with these municipal fire rescue agencies. The Department notes that testimony submitted on this measure by the respective counties in the previous hearing oppose the measure that a mandate to reimburse costs of rescue may discourage the public from seeking aid and exacerbate their injury or jeopardy and that there is no mechanism to collect the reimbursements.

The Department defers to and supports the respective counties on the potential adverse effect.

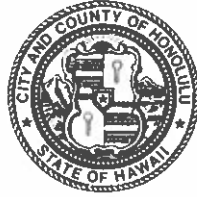
Thank you for the opportunity to comment on this measure.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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LATE

RICK BLANGIARDI
MAYOR



RADE K. VANIC
INTERIM CHIEF

OUR REFERENCE: GG-BKG

February 18, 2022

The Honorable Donovan M. Dela Cruz, Chair
and Members
Committee on Ways and Means
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Members:

SUBJECT: Senate Bill No. 2616, S.D. 1, Relating to Search and Rescue

I am Acting Captain Gabriel Gonsalves of the Specialized Services Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes Senate Bill No. 2616, S.D. 1, Relating to Search and Rescue. This bill requires government agencies to seek reimbursement for search or rescue expenses from certain persons, if the need for the search or rescue was caused by the person's disregard of posted warnings and closure signage. The HPD opposes this bill as there is no existing mechanism to seek reimbursement for these situations. In addition, it may deter or delay prompt notification of first responder agencies by persons who may need to be rescued. Such a delay in request for assistance could make the situation worse and further endanger the lives of those persons as well as the first responders responding.

The HPD respectfully opposes Senate Bill No. 2616, S.D. 1, Relating to Search and Rescue.

Thank you for the opportunity to testify.

Sincerely,


Gabriel Gonsalves, Acting Captain
Specialized Services Division

APPROVED:


Rade K. Vanic
Interim Chief of Police

Serving and Protecting With Aloha

LATE

SB-2616-SD-1

Submitted on: 2/18/2022 9:52:24 AM

Testimony for WAM on 2/18/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Claire Kamalu Carroll	Individual	Support	No

Comments:

Aloha,

I am in support of SN2616 SD1. I appreciate the opportunity to give my support and ask this committee to consider the same.

Mahalo,

Claire Kamalu Carroll

Resident of Hana Maui