

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 Senate Committee on
WATER & LAND

Wednesday, February 02, 2022
1:00 PM

State Capitol, Via Videoconference, Conference Room 229

In consideration of
SENATE BILL 3179
RELATING TO WILDLIFE

Senate Bill 3179 proposes to require the Department of Land and Natural Resources (Department) to establish a pilot program which will issue funds to licensed hunters for feral herd population management for the islands of Maui, Molokai, and Lanai. Furthermore, the bill is directing the Department to establish rules regarding what lands hunters can operate on, gender, size and species that can be targeted, bag limits, and time periods. **The Department of Land and Natural Resources supports this measure and offers amendments.**

Hunting in Hawaii and specifically Maui Nui has been very productive over the last 5-10 years with hunters harvesting large numbers of animals on public and private lands. One strategy currently in place to address the large number of feral animals is to increase hunting and harvest opportunities. This includes removing certain hunting restrictions, which The Department's Division of Forestry and Wildlife (DOFAW) will be proposing now that the authority for adaptive management was provided by the Legislature via Act 49, Session Laws of Hawaii 2021. DOFAW's newly released hunter mobile application will provide real-time monitoring of success rates and help inform future hunting regulations. DOFAW is already loosening certain restrictions across the State via issuing permits for feral wildlife control, for example adding hunting days on Kauai for COVID -19 food access. Other recent examples include a collaboration with the National Park Service to salvage goats in Pu'u Honua O Hōnaunau which removed almost 500 animals, special cattle hunts in the Hilo Forest Reserve, and a grant DOFAW was awarded from the United States Department of Agriculture to connect farmers needing pig control with local hunters and to develop improved pig trapping methods.

While DOFAW manages approximately a quarter of Hawaii's land area (over 900,000 acres) as public hunting lands, access to these lands is a major limitation. Oftentimes, these public hunting lands are located *mauka* of privately-owned residential areas. DOFAW needs additional capacity to counter the statewide trend of lands being sold and public access blocked off. The Game Management Advisory Commission recommends priority areas to establish or restore access to land-locked areas, and there are tools available to implement these goals. For example, the Division has negotiated with private landowners to provide public access through private lands, established Cooperative Game Management Areas to create public hunting on private lands, and purchased lands outright to provide hunting areas for the public.

In the past fifteen years, more than 17,000 acres of new lands available for hunting have been added to DOFAW's managed lands inventory and an additional 28,000 acres are in the process of being added to serve the 11,500 licensed hunters in Hawaii. DOFAW is familiar with the opportunities and multiple funding sources available to purchase and manage land and access. However, DOFAW is severely limited in capacity to pursue new opportunities, maintain roads and trails, and negotiate access agreements. For example, the recurring general funds provided to LNR 804 (Forest and Outdoor Recreation) do not fully cover payroll costs and provide minimal operational funds for the program.

Instead of funding for a pilot program for feral heard management, the Department recommends that funding be provided for the implementation of existing management plans. This includes the following requests in the Executive budget:

- CIP: Add \$4,000,000 for Watershed Protection and Initiatives, Statewide
- Operating: Add funds for LNR 804 personnel and operating budget shortfall (\$300,000 personnel; \$400,000 operating, A); restore LNR 804 positions defunded or eliminated the past session, per the Governor's budget request, which will assist with hunter access projects.

Additionally, a position could be established to pursue opportunities for additional hunting access, provided it does not replace or adversely impact priorities indicated in the Executive Supplemental Budget request. This new position would assist the process authorized by Act 49, SLH 2021 for adaptive natural resource management to allow more flexible changes to hunting rules and pursue grant opportunities for land and easement acquisitions. The position would also help implement the existing plans for improved feral animal management and consult with the Game Management Advisory Council and other hunters to prioritize projects. The Department notes that these projects are ongoing, benefitting the Forest and Outdoor Recreation Program generally, and a commitment of recurring funding is necessary to achieve these goals.

The Department recommends amending page 1, lines 11-16; page 2, lines 1-20; and page 3, lines 1-2, as follows:

SECTION 1. The legislature finds that the overpopulation of axis deer poses a significant threat to the ecological security and the health of local communities on several islands, especially in Maui County. Axis deer overpopulation

and drought conditions on Maui, Molokai, and Lanai have led to widespread numbers of axis deer, which in turn has created a nuisance and threat to the local community.

The legislature further finds that better integration of state management efforts and local hunting practices would allow for a more effective response to axis deer overpopulation.

The purpose of this Act is to establish ~~[a pilot program]~~ one full-time equivalent (1.0 FTE) natural resource management specialist position for the department of land and natural resources division of forestry and wildlife ~~[to issue funds to licensed hunters for feral herd population management]~~ to assist with projects related to feral herd management and public access projects.

SECTION 2. The department of land and natural resources division of forestry and wildlife shall ~~[conduct a pilot program]~~ develop planning efforts for feral herd management on the islands of Maui, Molokai, and Lanai state-wide with this newly established position pursuant to the following:

~~[(1) The division of forestry and wildlife shall issue funds to licensed hunters at a per unit rate to be determined by the division;~~

~~(2)]~~ (1) The division of forestry and wildlife shall establish rules regarding:

- (A) Lands on which hunters may operate in cooperation with private land-owners.
- (B) Gender, size, condition, and species that may be targeted.

~~[(C) Bag limits for hunters to claim per unit rates;~~

~~(D)]~~ (C) Time periods in which hunters may operate;

and

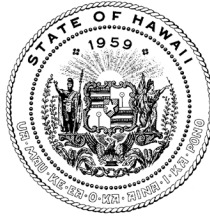
~~[(E)]~~ (D) Any other parameters as necessary; and

- (3) The division of forestry and wildlife shall consult with the department of agriculture.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2022-2023 for the division of forestry and wildlife to establish a position dedicated to access and feral herd population management [~~pilot program on the islands of Maui, Molokai, and Lanai.~~] Statewide

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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Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

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

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

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 SENATE COMMITTEE ON WATER AND LAND
ON
SENATE BILL NO. 3179

February 2, 2022
1:00 p.m.
Room 229 and Videoconference

RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

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

Senate Bill No. 3179 establishes a pilot program to manage the feral herd population on the islands of Maui, Moloka'i, and Lāna'i and appropriates \$500,000 in general funds for FY 23 to be expended by the Department of Land and Natural Resources for the pilot program.

B&F notes that 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.



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

FEBRUARY 2, 2022

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 3179
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Conference Room 229 & Videoconference
1:00 PM

Aloha Chair Inouye, Vice-Chair Keith-Agaran, and Members of the Committee:

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

The Hawaii Farm Bureau strongly supports SB 3179, which directs the Department of Land and Natural Resources to establish a feral herd management program under the Division of Forestry and Wildlife to manage axis deer populations in Maui County.

Across the State, various invasive species are creating havoc in agriculture as well as the ecosystems in which they exist. Maui County's axis deer population is a good example of nature getting out of control with populations exploding due to abundant forage following rainfall events. They continue to destroy crops and pasture lands by devouring any living vegetation as they continue to spread. The loss of forage for livestock and the production of crops is a likely outcome. While fences help, pressure is increased on other areas and in extreme cases, fences do not stop starving deer.

Population reduction of the Axis Deer is needed and this measure provides an important tool that is part of a larger comprehensive management plan. Hunting is one solution. There are areas where hunting is not possible and solutions for those remote areas are also needed.

The Hawaii Farm Bureau respectfully requests your support of this measure as part of a comprehensive management plan to address the protection of agriculture, natural resources, and our communities

Thank you for the opportunity to testify on this measure.



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

SB3179
RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES

Wednesday, February 2, 2022, 1:00 PM
VIA VIDEOCONFERENCE

Chair Inouye, Vice Chair Keith-Agaran, and Members of the Committee,

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 SB3179 with comments** to direct the Department of Land and Natural Resources to establish a feral herd management program under the Division of Forestry and Wildlife to manage axis deer populations in Maui County. 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 DLNR increasing their management of hunting on public lands. There must be a coordinated effort to remove deer on State managed land (DLNR & DHHL), and the Department of Land and Natural Resources should manage public hunting efforts to address the issue on these state lands.

We also question whether providing funds to hunters is the most prudent use of state funds. While hunting is a tool for removing animals from the land, a larger scale culling effort is necessary to make a meaningful impact and remove enough deer to let the land heal. We appreciate the opportunity to testify on this measure.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



LATE

Aloha Chair Inouye, Vice Chair Keith-Agaran and Members of the Committee:

Maui County Farm Bureau supports SB 3179 to encourage hunting of feral axis deer herds as a population management tool.

Out of control populations of axis deer on Maui County are causing damage to our agriculture and ecosystems. Climate change impacts are exacerbating the impacts and recent storms followed by lush vegetative growths foretell further increases in herd sizes creating stress on feedstocks as inevitable droughts return in the summer. Loss of forage for livestock and production of crops is highly probable. While fences help, pressure is increased on other agricultural production areas.

Population reduction is needed and this measure provides a tool important as part of a larger comprehensive management plan. Hunting is one solution. There are areas in which hunting is not possible and solutions for those areas are needed.

However, MCFB has several areas of concern. Private landowner liability should be clearly addressed in the rules. Is this a bounty system and is this a plan for depopulation?

We respectfully request your support of this measure and consideration of our comments as part of a comprehensive management plan to address the protection of agriculture, natural resources and communities.

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 1, 2022

TO: Honorable Lorraine R. Inouye, Chair
Senate Committee on Water and Land

FROM: Alice L. Lee
Council Chair

DATE: February 1, 2022

SUBJECT: **SUPPORT OF SB 3179, RELATING TO THE DEPARTMENT OF LAND
AND NATURAL RESOURCES**

Thank you for the opportunity to testify in **SUPPORT** of this important measure. The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources to establish a feral herd management program under the Division of Forestry and Wildlife to manage axis deer populations in Maui County.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I **SUPPORT** this measure for the following reasons:

1. Axis deer overpopulation poses a significant threat to the ecological security and health of local communities in Maui County.
2. Axis deer overpopulation and drought conditions in Maui County have had a detrimental impact on pasture management for cattle ranchers and crop management for farmers.
3. This bill would appropriate funds to licensed hunters for axis deer herd population management.

For the foregoing reasons, I **SUPPORT** this measure.

ocs:proj:legis:22legis:22testimony:sb3179_paf22-018(9)a_lma

SB-3179

Submitted on: 2/1/2022 11:20:21 AM

Testimony for WTL on 2/2/2022 1:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Faith Tuipulotu	Individual	Support	No

Comments:

I support SB 3179.

I manage the livestock operation at Ulupalakua Ranch on Maui, and we are dealing with the axis deer overpopulation on a daily basis. It has affected every aspect of our business, from an over 30% reduction in livestock numbers just over the last few years, to forcing us to install high fencing simply to preserve the dwindling forage resources and protect soil cover. While I support SB 3179, I do want to offer some comments to guide the intent of the measure.

We support the DLNR and DFWS implementing and expanding public hunting programs on public lands. We observe the large herds of deer that migrate through all of our properties and know that these herds need to be managed on both on state and private lands in order for any of our control efforts to have a real impact. Ulupalakua Ranch has had a managed hunting program in place for decades, and we operate it at our own expense because we know the value of the game as a food resource and a part of the culture. This provides hunting opportunities for members of the public that are part of our managed program and allow us to run it in a safe way that benefits both the ranch and the hunters. We currently operate our program at full capacity, and would not be able to safely add any more hunters without creating a dangerous situation for our employees, hunters, or the general public which lives in the vicinity of the ranch land. We also work with a USDA inspected venison harvest program that provides meat for sale and donation. Through all of these efforts, thousands of deer are removed from the ranch every year.

I would encourage a deer management program on state land, as we boundary these properties in several areas and observe that the deer are using these (often overgrown) areas to hide during the day, while coming out to graze on our pastures during the evening and nighttime. I would caution any language in this measure that encourages hunting on private lands that is not part of the landowners managed program and at their discretion, as this sets up a very dangerous situation for everyone.

Thank you for your time,

Kristin Mack Almasin
Livestock Manager
Ulupalakua Ranch