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SUZANNE D. CASE
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LAND
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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 Committees on
WATER & LAND
and
AGRICULTURE

Tuesday, March 22, 2022
8:30 AM

State Capitol, Conference Room 325, Via Videoconference

In consideration of
SENATE BILL 3320, SENATE DRAFT 1
RELATING TO FERAL PIG CONTROL PERMITS

Senate Bill 3320, Senate Draft 1 proposes to codify certain administrative rules of the Department of Land and Natural Resources (Department) regarding permits to destroy or control feral pigs. **The Department offers the following comments and proposed amendments.**

The bill as written does not add any authority to Section 183D-61, Hawaii Revised Statutes (HRS), but clarifies that no permits are needed for feral mammal control on private land during daylight hours when the action is otherwise in compliance with Section 183D-61, HRS, a point that current language in the statute is not clear to many laymen. The proposed revision also codifies the process for obtaining a control permit. The Department believes that this language is best left in rulemaking for maximum flexibility in addressing feral pig control on private lands. The Department suggests that the time period for issuing a permit should perhaps be reduced from 180 days to 90 days to be more responsive to nuisance situations.

The Department recommends the following changes (in grey highlight) to the bill:

"§183D-61 **Permits to take wild birds, game birds, and game mammals.** (a) Notwithstanding the provisions contained in this chapter, the department may adopt rules pursuant to chapter 91:

(1) Authorizing the taking and collecting of wild birds,

game birds, and game mammals for scientific and educational purposes, or for the purpose of distributing wild birds to different localities in the State pursuant to this title;

- (2) Authorizing the keeping of wild birds in captivity for the protection, treatment for injury or disease, propagation, and other similar purposes consistent with the preservation, protection, and conservation of wild birds;
- (3) Authorizing the taking and destruction of those wild birds, game birds, and game mammals, including feral pigs, the department may have found after investigation to be destructive to crops or to other game birds and game mammals or otherwise harmful to agriculture or aquaculture, or to constitute a nuisance or a health hazard; [~~or~~] [or]
- (4) Authorizing without requiring permits or reports, the destruction within a district of wild birds, game birds, and game mammals, including feral pigs, which are generally destructive to crops or otherwise harmful to agriculture or aquaculture, or constitute a nuisance or a health hazard within the district[~~]~~.
- (5) Notwithstanding the provisions in this section, no permit or report shall be required to destroy or control game mammals, including feral pigs, during daytime hours on privately owned land when the action is otherwise in compliance with department rules adopted pursuant to section 183D-3.

~~[(b) The department shall issue permits for the destruction or control of game mammals, including feral pigs, that have caused or are likely to cause damage to privately owned land, agricultural or aquacultural crops, indigenous plants or wildlife, or that pose a threat to human health and safety; provided that:~~

- ~~(1) An authorized agent of the department shall investigate a complaint regarding game mammals, including feral pigs, that have caused or are likely to cause damage to privately owned land and, if the authorized agent is satisfied that damage has occurred or is likely to occur, a permit shall be granted;~~
- ~~(2) An authorized agent shall have no more than one hundred eighty days to investigate the complaint and issue the permit or notify the applicant why the permit was not issued after the complaint has been made;~~
- ~~(3) Applicants may appeal the decision of the authorized agent to the department if the permit is not issued within one hundred eighty days;~~
- ~~(4) Permits shall state the species and may specify the number to be destroyed and the method of control to be used; and~~
- ~~(5) Permits may include other terms and conditions as the department deems to be necessary and appropriate.]~~

~~[(b)]~~ (c) Except as provided in subsection (a) (4) [7] and (a) (5)], the rules shall require the person or persons seeking authority to apply for and obtain a written permit from the department. The permits may prescribe terms and conditions the

department deems necessary to prevent abuse of the authority granted thereby, and may be canceled by the department, after notice and hearing, for the violation of any term or condition."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2050.

Thank you for the opportunity to comment on this measure.

SB-3320-SD-1

Submitted on: 3/20/2022 10:45:07 PM

Testimony for WAL on 3/22/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Omick	DLNR	Comments	Remotely Via Zoom

Comments:

I am available for questions to DLNR. Please allow me Zoom access.



Email: communications@ulupono.com

HOUSE COMMITTEES ON WATER & LAND AND AGRICULTURE
Tuesday, March 22, 2022 — 8:30 a.m.

Ulupono Initiative supports SB 3320 SD 1, Relating to Feral Pig Control Permits.

Dear Chair Tarnas, Chair Hashem, and Members of the Committees:

My name is Micah Munekata, and I am the Director of Government Affairs at Ulupono Initiative. We are a Hawai'i-focused impact investment firm that strives to improve the quality of life throughout the islands by helping our communities become more resilient and self-sufficient through locally produced food; renewable energy and clean transportation; and better management of freshwater and waste.

Ulupono supports SB 3320 SD 1, which codifies certain administrative rules of the Department of Land and Natural Resources (DLNR) regarding permits to destroy or control harmful feral pigs; requires the authorized agent of the DLNR to issue or deny permits for complaint-based destruction or control of game mammals within one hundred eighty days; and, allows applicants to appeal permit decisions if a permit is not issued within one hundred eighty days.

Ulupono supports the streamlined control of feral pigs for agriculturalists across the State. Feral ungulates, such as pigs, pose one of the biggest, unchecked threats to local agriculture. While there may be solutions such as fencing, feral pigs have the ability to infiltrate fence lines, trample healthy soils, and demolish fresh crops.

At the end of 2021, Ulupono reached out to various partners including federal and state agencies, agricultural organizations, and active local producers to determine which Federal programs are beneficial to local producers and how we can capitalize advocacy for the 2023 Farm Bill. In these conversations, we learned about several producer needs that are not being addressed, mostly due to lack of funding or burdensome eligibility requirements. One of the most mentioned concerns from producers was the ability to obtain resources to effectively control feral ungulates. This bill provides help to local farmers and ranchers by streamlining some of the solutions for much needed control. We appreciate this committee's efforts to support the agricultural industry with more tools to address this devastating issue.

Thank you for the opportunity to testify on this measure.

Respectfully,

Micah Munekata
Director of Government Affairs

Investing in a Sustainable Hawai'i



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

March 22, 2022

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER & LAND
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON SB 3320, SD1
RELATING TO FERAL PIG CONTROL PERMITS

Conference Room 325 & Videoconference
8:30 AM

Aloha Chairs Tarnas and Hashem, Vice-Chairs Branco and Perruso, 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 strongly supports SB 3320, SD1, which codifies certain administrative rules of the Department of Land and Natural Resources regarding permits to destroy or control harmful feral pigs, requires the authorized agent of the Department of Land and Natural Resources to issue or deny permits for complaint-based destruction or control of game mammals within one hundred eighty days, and allows applicants to appeal permit decisions if a permit is not issued within one hundred eighty days.

Across the State, various invasive species are creating havoc in agriculture as well as the ecosystems in which they exist. Feral pigs damage crops by consuming them or by their rooting and trampling of crops. They will eat almost any crop. Feral pigs damage pasture grasses, killing desired plant species and often encouraging the growth of undesired weed species. They can also devastate orchards by consuming fruit, citrus, and nuts and their rooting can severely damage, or even kill saplings, shrubs, and vines directly or by facilitating the spread of soil-based fungal diseases. Feral pigs can also break irrigation lines, rip or tear nets, drying racks, and other agricultural structures and equipment.

These and other feral populations can pose a danger, especially as populations grow and their health is put into jeopardy due to inadequate food. Diseases that they normally tolerate will become serious debilitating illnesses that could put our domestic livestock

industry in jeopardy. Such fears are not unreasonable, as incidences such as the bovine tuberculosis spread from feral pigs have been documented in Molokai.

Hawai'i's farmers and ranchers are working to provide Hawai'i with an increased level of self-sufficiency, but will not be able to do so if their products are consumed or damaged by feral animals. Axis Deer, feral pigs, rose-ringed parakeets, and other invasive species can cause major damage to property, agriculture (crops and livestock), Hawai'i's native species and ecosystems, and Hawai'i's cultural and historic resources. They can also threaten the health of people, wildlife, pets, and other domestic animals. As Hawai'i's feral animal populations continue to expand, these damages, costs, and risks will only keep rising

Each of Hawai'i's four Counties is being impacted by feral animal damage whether it be, deer in Maui County, pigs on every major island, and various bird species on Oahu and Kauai. Reactive actions by the Counties and the State focus on short-term solutions such as fencing, livestock feed replacement, and other programs. The State needs to develop a long-term management plan, that includes input from stakeholders, to address this ever-growing problem.

Thank you for the opportunity to testify on this measure.