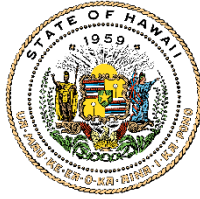


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

**Testimony of
DAWN N.S. CHANG
Chairperson**

**Before the House Committee on
WATER AND LAND**

**Thursday, March 14, 2024
10:00 AM**

**Via Videoconference, Conference Room 430 State Capitol
415 South Beretania**

**In consideration of
SENATE BILL 2546 SD1
RELATING TO HUNTING GUIDES**

Senate Bill 2546 SD1 proposes to require any hunting guide to obtain and submit to the Department of Land and Natural Resources (Department) written permission from any private landowner upon whose land the guide is hunting. The Department supports this bill and offers the following comments.

Current laws already prohibit trespassing, vandalism, property damage, and poaching on private lands, regardless of whether the perpetrator is claiming to be hunting legally. The Department's hunting rules, found in Hawai'i Administrative Rules Chapters 13-122 and 13-123, which implement Hawai'i Revised Statutes Chapter 183D, require landowner's approval to hunt on private lands. The Department supports measures to increase the enforceability of trespass laws on private land, including hunting without permission, but urges an approach that does not deter legal and courteous hunting guides following the rules from participating. Requiring "written permission" may burden many guides with good working relationships with private landowners where obtaining written permission may be difficult.

Thank you for the opportunity to testify on this measure.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

DEAN D. UYENO
ACTING 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



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER & LAND

Rep. Linda Ichiyama, Chair

Rep. Mahina Poepoe, Vice Chair

SB2546 SD1

RELATING TO HUNTING GUIDES

Thursday, February 14, 2023, 10:00 AM

Conference Room 430 & Videoconference

Chair Ichiyama, Vice Chair Poepoe, and Members of the Committee,

The Hawaii Cattlemen's Council **supports SB2546 SD1** which requires hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate. It also requires hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports to the Department of Land and Natural Resources.

Hunting access is important as a food source, recreation, and to remove unmanaged ungulates from the land. However, proper management of hunting is paramount. While this bill requires written permission of the hunting guide, all hunters should also be required to obtain written permission before hunting on lands. It is already a requirement to have permission to hunt on lands, and this is outlined in the DLNR Hunter's Education Course and required by law, but broadening this proposed bill to extend written permission to all hunters is prudent. This requirement will help farmers and ranchers to manage responsible access on the lands that they produce on.

We also urge the legislature to implement a path to prosecuting those who do not follow the rules. While hunting is welcome, poachers are not. We need to be strong in our stance against rule breakers to deter anyone from attempting to trespass. On a daily basis, our ranchers have are faced with trespassers, poachers, and irresponsible behavior on the land that they are raising cattle. This poses a threat to both the cattle and the rancher.

In an incredibly tragic incident on Oahu on February 17th, Cranston Pia lost his life when confronting trespassing poachers. This was a responsible, respected rancher who will be missed in the community. We need to protect our producers so that they can focus on producing food and taking care of the land, rather than living in fear of dangerous situations. Deterring poachers and trespassers requires actual prosecution so criminals think twice before breaking the law.

Thank you for the opportunity to testify on this matter. The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the four 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.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



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March 14, 2024

HEARING BEFORE THE
HOUSE COMMITTEE ON WATER & LAND

TESTIMONY ON SB 2546, SD1
RELATING TO HUNTING GUIDES

Conference Room 430 & Videoconference
10:00 AM

Aloha Chair Ichiyama, Vice-Chair Poepoe, and Members of the Committee:

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 SB 2546, SD1, which requires hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate, and requires hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports to the Department of Land and Natural Resources.

Unpermitted hunting on private land is extremely dangerous for both the landowner and the hunter. Over the last several years, incidents of livestock slaughtering, theft, vandalism, crop destruction, and poaching have become commonplace on farms and ranches on every island. These illegal activities must be stopped. Criminals have learned that there is no practical enforcement of the laws to prevent armed thieves and vandals from trespassing, stealing, and destroying others' livelihoods. If caught, these miscreants claim to be hunters and state they had verbal permission to be on the property.

The burden should never be on the rancher or farmer to prove that they did not give permission to a gun-wielding trespasser to access his property. Without knowing the intent of an armed trespasser on his property, a farmer or rancher may reasonably believe that the trespasser is there to steal their equipment, livestock, or crops. They may even think that their home and family are threatened, and this could lead them to take steps to protect them. This scenario is just too dangerous for both a legitimate hunter and the farmer, and it can be avoided by the simple act of obtaining prior permission in writing, so there is no confusion or misunderstanding.

A legitimate, law-abiding hunter would not object to this simple requirement since they are already required by law to have permission from the landowner. For many years, HFB

has worked with police, prosecutors, and the DLNR to find a solution to trespass, theft, and vandalism problems. SB 2546, SD1, will help clarify and help enforce the current laws that ALREADY prohibit trespass and hunting without permission.

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

SB-2546-SD-1

Submitted on: 3/14/2024 6:14:25 AM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Kristin Mack Almasin	Ulupalakua Ranch	Support	Written Testimony Only

Comments:

We support SB2546 because requiring written permission from hunting guides is a necessary first step in protecting local farmers and ranchers. We need trespassing to be taken seriously, particularly when it involves someone carrying a firearm. We deal with poachers multiple times a week, and they have become brave enough to hunt during the day when we are out in the fields working or hunting with our families. We even have had instances of people shooting rifles from the road during the daytime. It is only a matter of time before we have another instance of someone injured or killed by a trespasser.

SB-2546-SD-1

Submitted on: 3/11/2024 4:15:03 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jimmy Greenwell	Individual	Support	Written Testimony Only

Comments:

i concur with the testimony presented by the Hawaii Cattlemen's Council

SB-2546-SD-1

Submitted on: 3/11/2024 4:51:37 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Cabral	Individual	Support	Written Testimony Only

Comments:

strong support

SB-2546-SD-1

Submitted on: 3/11/2024 5:21:31 PM

Testimony for WAL on 3/14/2024 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jimmy Gomes	Individual	Support	Written Testimony Only

Comments:

I am in support of bill SB2546