

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
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 Senate Committees on
WATER AND LAND
and
AGRICULTURE AND ENVIRONMENT

Wednesday April 12, 2023
2:00 PM
State Capitol, Conference Room 229

In consideration of
HOUSE CONCURRENT RESOLUTION 50
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
PROVIDE UPDATED STATISTICS AND FACTS RELATING TO THE DECLINE OF
PALILA ON MAUNA KEA AND INVESTIGATE THE FACTORS CAUSING THE
DECLINE OF THE PALILA POPULATION.

House Concurrent Resolution 50 requests the Department of Land and Natural Resources (Department) to investigate causes of palila (*Loxioides bailleui*) decline, update facts and statistics on palila, and provide a report to the Legislature. **The Department supports this measure.**

The following is a summary of current and planned efforts by the Department to monitor and manage palila. Annual palila population surveys are conducted by the Department and the Pacific Cooperative Studies Unit (PCSU), University of Hawai'i, and other partners. A recent report published by the Department, PCSU, and United States (U.S.) Geological Survey showed that palila continue to decline on Mauna Kea, with population estimates of 1,432, 1,312, and 678 in 2019, 2020, and 2021, respectively (Genz et al. 2022, <https://dspace.lib.hawaii.edu/handle/10790/6858>). The 2021 population estimate of 678 palila is the lowest estimate since annual surveys began in 1998. The Department began conducting quarterly palila population surveys in 2022 to more closely monitor the palila population, and funding is being sought to analyze the resulting data collected in 2022 and 2023.

The Department has applied for funding from the U.S. Department of Defense to conduct a demographic study on palila to better understand causes of population decline and plan recovery actions for palila. If funded, this project will commence in Fiscal Year (FY) 24 and include

DAWN N.S. CHANG
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

monitoring of palila nests to determine whether invasive predators such as cats are implicated in the decline. Further funding to research sources of palila population decline is being sought from the U.S. Fish and Wildlife Service.

Three to four aerial shooting operations are conducted annually by the Department to remove the remaining sheep within Palila Critical Habitat. Approximately 25 “Judas” sheep with radio-transmitters are used to locate and target the remaining sheep herds. In 2022, 267 sheep were removed via four aerial shoots. There are around 4,000 acres of Department of Hawaiian Home Lands within the Palila Critical Habitat fence that the Department is unable to access to complete animal control.

There remains approximately 7.7 miles of Palila Critical Habitat fence to be replaced. Capital Improvement Funds (CIP) awarded in 2020 and 2021 at \$500,000 per year for two years are currently being used to complete the remaining five miles of fence replacement along the Parker Ranch border. That fencing work is under contract. A CIP request for \$200,000 awarded in the FY 23 supplemental budget will be used to purchase materials to complete the 2.7 mile fence replacement on the Kukaiau Ranch border. The existing new and old fence continues to be maintained to address ongoing vandalism, damage from washouts, and gates being left open allowing sheep and goat ingress.

The Mauna Kea Forest Restoration Project continues to carry out reforestation in key areas within Palila Critical Habitat, as well as predator control and invasive plant management to benefit palila. Since 2007, the project has planted approximately 230,000 trees to restore and improve habitat conditions for palila. Plots are surveyed to monitor the forest recovery.

The Palila Hui is currently finalizing an action plan that outlines recovery actions for palila for the period 2023 to 2027.

Mitigating the risk of wildfire is another critical management action for palila. Fuel breaks and fire breaks continue to be maintained. The Department is in the process of expanding these fuel breaks to minimize the risk of a major fire in the region. We are seeking funding from U.S. Department of Defense to increase this effort and to maintain water sources for firefighting.

Mahalo for the opportunity to provide testimony in support of this measure.

HCR50

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Senate Committee on Water and Land
Senate Committee on Agriculture and Environment

April 12, 2023

2:00 PM

Room 415

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HCR50, which requests the Department of Land and Natural Resources (DLNR) to provide updated statistics and facts relating to the decline of the palila bird on Mauna Kea and to investigate factors causing the palila population decline.

Hawai‘i is the “endangered species capital of the world,”¹ where biodiversity is continuously threatened by invasive species and habitat destruction. In 2021, the United States Fish and Wildlife Service removed nine native species to Hawai‘i (eight of the nine are native birds) from the Federal Lists of Endangered and Threatened Wildlife and Plants due to extinction.²

OHA hopes that this measure will play a crucial role in igniting the necessary catalyst for effective policymaking to better protect Hawai‘i’s biodiversity for present and future generations. OHA emphasizes that delays in the deployment of necessary safeguards as well as inadequate funding have largely contributed to many missed opportunities to reverse species extinction.

OHA, as the principal public agency in the State responsible for the performance, development, and coordination of programs and activities relating to Native Hawaiians,³ has a vested interest in the preservation, protection, and conservation of native plant and wildlife species. This interest also extends to the conservation of critical habitats that are necessary for the survival of native species, lands such as the wao kele (upland forests) of Mauna Kea. These lands are of extra interest to OHA as they are Crown and Government lands of the

¹ U.S. Fish & Wildlife Service, *Hawai‘i: ‘Paradise’ Also Known as Endangered Species Capital of the World*, May 2016, available at: <https://www.fws.gov/story/2016-05/hawaii-paradise-also-known-endangered-species-capital-world#:~:text=To%20the%20millions%20of%20tourists,species%20capital%20of%20the%20world>.

² Federal Register, *Endangered and Threatened Wildlife and Plants; Removal of 23 Extinct Species From the Lists of Endangered and Threatened Wildlife and Plants*, Sep. 2021, available at: <https://www.federalregister.gov/documents/2021/09/30/2021-21219/endangered-and-threatened-wildlife-and-plants-removal-of-23-extinct-species-from-the-lists-of>.

³ HRS §10-3.



SCR104 SD1

URGING HAWAII'S CONGRESSIONAL DELEGATION TO RE-INTRODUCE AND SUPPORT THE PASSAGE OF THE HAWAIIAN HOME LANDS PRESERVATION ACT, H.R. RES. 9614, 117TH CONG. (2ND SESS. 2022), TO LOWER THE REQUIRED MINIMUM BLOOD QUANTUM FOR CERTAIN DEPARTMENT OF HAWAIIAN HOME LANDS SUCCESSOR LESSEE BENEFICIARIES FROM ONE-QUARTER NATIVE HAWAIIAN BLOOD TO ONE THIRTY-SECOND
House Committee on Judiciary & Hawaiian Affairs

Hawaiian Kingdom, often referred to as “Ceded Lands” of the Public Land Trust corpus, and are continuously held in trust for the betterment of the conditions of Native Hawaiians.⁴

OHA wishes to emphasize that the protection of ‘āina as a necessary means to protect endangered species also serves to protect Native Hawaiian culture, traditions, and identity.

OHA appreciates the opportunity to provide testimony on this measure and respectfully urges the Legislature to **PASS HCR50**. Mahalo nui loa.

⁴ Pub. L. 86-3, 73 Stat. 4; Hawai'i Admissions Act of 1959.

HCR-50

Submitted on: 4/11/2023 12:17:58 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Ley	Testifying for County GMAC	Support	Written Testimony Only

Comments:

Aloha Brian Ley , Distric 4 GMAC commissioner.

We strongly support HCR 50. The DLNR has had over 40 years trying to bring up the Pallia bird population. In that time the Pillia population has done nothing but steadily decline. instead of looking into the real reason for the decline, they have spent millions of dollars that should have been spent studing the decline of the Pallia, instead of fencing and eradication on Mauna Kea. All they have done is ignore basic fire science, and have created a massive fire hazard that will push the Pallia birds into extinction, not if but when a WHEN the wildfire goes through mauna Kea.. thank you for your time and considderation

Brian Ley Distric 4 GMAC commissioner



HAWAI'I FOREST INDUSTRY ASSOCIATION (HFIA)

7192 Kalaniana'ole Highway
Suite A-143A, #249
Honolulu, HI 96825-1849
Email: hfia@hawaiiiforest.org
Website:
www.hawaiiiforest.org

Date: 04/10/23

TO: WTL Chair Inouye, WTL Vice Chair Elefante, AEN Chair Gabbard, AEN Vice Chair Richards, WTL Committee Members and AEN Committee Members

FROM: Hawai'i Forest Industry Association (HFIA)

SUBJECT: Testimony in Support for HCR50

Dear Chair Inouye, Chair Gabbard and WTL/AEN Committee Members,

On behalf of the Directors and members of the Hawai'i Forest Industry Association (HFIA), I request that you support HCR50.

The Palila issue is complex and efforts to protect the endangered species have not been successful. Over the years it's been understood that the Palila eat māmane seeds exclusively, and the overpopulated, unmanaged sheep and goats on the mountain weren't healthy for the māmane forests' survival because they were consuming and destroying the tree. From this thought, it was concluded erroneously that the sheep and goats were the cause of the Palila's demise. The reality is that sheep and goats have been killed, and there is more māmane on the mountain now than at earlier times, but not more Palila. Why? Now we know that thin egg shells, rats, cats, toxoplasmosis and some māmane leaves that aren't palatable to the birds are also to be considered as causes.

Hawai'i hunters and residents want an accounting of what's happened and paths forward guided by science. The management of Mauna Kea's slopes, which māmane and Palila call home, need a fresh approach. It may well be that a certain number of grazing sheep can be compatible with improving māmane conditions and that the ecosystem services of lowering the flashy fuel load and providing protein for local families may not add to the burden of the Palila's recovery.

HFIA advocates for Hawai'i's forests and their resources and working toward healthy and productive forests. This requires standing for real management advantaged by rigorous science. For these reasons, we believe that the decline of Palila needs to be investigated and possible new paths forward explored. We cannot take the same roads we've previously traveled and expect to arrive at a new destination. Please support HCR50.

Mahalo,

Guy Cellier

Guy Cellier, President
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 130 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 Guy Cellier, Vice-President Guy Irene Sprecher, Secretary Taylor Coons, Treasurer Wade Lee
Directors: Jeremy Campbell, Aaron Hammer, Nickolas Koch, Michael Sowards, Aileen Yeh

HCR-50

Submitted on: 4/10/2023 12:33:10 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ROBERT DUERR	Testifying for Albatross News	Support	Written Testimony Only

Comments:

Strongly Support HCR 50 Palila. The palila is a critically endangered native bird living on the slopes of Mauna Kea. The palila is heading towards extinction.

To avoid extinction they were first listed as endangered in 1967. In 1979 with a palila population of 7,000 a federal court ordered that sheep, causing damage to the palila's food source mamane trees, should be eradicated. After 40 years of eradication and 22,538 animals removed from 1987 to 2016 the situation is a mitigated disaster.

Mamane trees are flourishing and the palila population is a devastating 300 birds. The sheep numbers are at 100. Certainly in 1979 there was a sheep population that was not managed. This unruly herd became a ecosystem problem. However, after 40 years the sheep population has not been successfully brought to a court mandated zero population. What has happened is that alien weed plants have taken over palila habitat.

This noxious fire fuel is kindling for a potential forest fire that will further impact the palila's chance of survival. Conservationists and hunters have been asking for remedy for the palila's survival. The State has no game management plan. A game management plan would address the issue of sheep and the positive impact of a controlled sheep population on palila forest fire fuel.

Have DLNR and Division of Forestry and Wildlife lead a coordinated effort with the University of Hawaii and Federal wildlife agencies, and the public to understand why after 40 years of effort the palila population is fast approaching extinction.

HCR-50

Submitted on: 4/6/2023 5:24:21 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cathy Goeggel	Testifying for Animal Rights Hawai'i	Support	Written Testimony Only

Comments:

After the expenditure of millions of taxpayer dollars and the cruel extermination of over 25,000 ungulates, the Palila populations are still declining. This wasteful slaughter has not been successful, as many who opposed the wholesale murder of animals had strongly advised years ago.

Animal Rights Hawai'i urges that any new decisions made regarding protecting the Palila include a broad spectrum of stakeholders. The wrong decision made by DLNR has not adequately protected the birds nor adequately complied with the federal lawsuit. Wholesale extirpation of sentient animals is not pono, nor supported by a large number of Hawai'i residents.

Mahalo

HCR-50

Submitted on: 4/6/2023 5:14:06 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this resolution.

Mahalo nui,

Cards Pintor

HCR-50

Submitted on: 4/6/2023 6:15:20 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Davlantes	Individual	Support	Written Testimony Only

Comments:

Hawaii`s native birds are under threat from myriad sources, not the least of which is the threat to their habitat. They need all the help they can get and the state needs to give it to them.

HCR-50

Submitted on: 4/6/2023 6:29:51 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Barry	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this important legislation!

Mahalo,

HCR-50

Submitted on: 4/6/2023 8:17:04 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dana Keawe	Individual	Support	Written Testimony Only

Comments:

Support with reservations.

No more aerial shooting of goats and sheep which are left to rot on the ground or are severely injured but still alive to suffer until they die. This is INHUMANE.

No removing of 35 acres of Mamane which is the Palila's natural habitat to create fire breaks.

Create natural firebrakes without removing native trees.

Allow hunters to hunt for substance.

HCR-50

Submitted on: 4/8/2023 1:03:20 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dylan P. Armstrong	Individual	Support	Written Testimony Only

Comments:

Committee on Water and Land
The Honorable Lorraine Inouye, Chair
The Honorable Brandon Elefante, Vice Chair

Committee on Agriculture and Environemnt
The Honorable Mike Gabbard, Chair
The Honorable Tim Richards, Vice Chair

Aloha mai kākou:

RE: Senate Concurrent Resolution 50

I write in support of SCR 50, establishing a working group to determine by investigation the nature and causes of the decline in palila on Mauna Kea.

Like much of Hawai'i's ecosystem components, Palila are in danger of disappearing forever, and must be stablized long before the population crashes to a few scattered individuals in remnant populations. History is a forewarning on population crash. I appreciate the consideration and the effort and better integration and coordination supported by the measure.

Thank you for your consideration.

Best,
D.P. Armstrong

HCR-50

Submitted on: 4/10/2023 6:48:01 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

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

Comments:

For far too long, sheep have been blamed for the decline of palila. Hunters continue to loose a valuable resource for local sustainability to a failed agenda and routine aerial firing squad. It's time to find out the real reason for palila decline, and restore a managed population of sheep to mitigate grass fire fuel danger.

HCR-50

Submitted on: 4/11/2023 11:21:53 AM

Testimony for WTL on 4/12/2023 2:00:00 PM

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

Comments:

I strongly support HCR50 we need DLNR to tell us what is happening to the Palila why the drastic decline in spite of all the killing off of our food (sheep and goats) from our mountain. We the public has the right to know.

HCR-50

Submitted on: 4/11/2023 1:57:16 PM

Testimony for WTL on 4/12/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Don Fujimoto	Individual	Support	Written Testimony Only

Comments:

After so many years and millions of dollars spent to protect the palila, their population has continued to plummet. Obviously the strategy is not working. It is critical that research be done to determine why the palila are disappearing and a new strategy to save them be developed.

The eradication of grazing animals has resulted in a huge amount of fire fuel, much of it taller than me. As a resident of Waikoloa Village that was evacuated during the Mana Road fire, I can tell you that we are terrified of the possibility of a fire in the protected habitat that would result in a much more intense and dangerous fire than the Mana Road fire that spread mainly over pasture lands.