DAVID Y. IGE GOVERNOR OF HAWAI'I





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 RESOURCES ENFORCEMENT ENGINEERING FORESTRY AND WILDLIFE HISTORIC RESERVATION KAHOOLAWE ISLAND RESERVE COMMISSION LAND STATE PARKS

#### STATE OF HAWAI'I DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621 HONOLULU, HAWAI'I 96809

Testimony of SUZANNE D. CASE Chairperson

Before the House Committee on FINANCE

## Friday, February 25, 2022 12:30 PM State Capitol, Conference Room 308, Via Videoconference

### In consideration of HOUSE BILL 1872, HOUSE DRAFT 1 RELATING TO SUSTAINABILITY

House Bill 1872, House Draft 1 proposes to require the Department of Land and Natural Resources (Department) to recognize that game mammals and game birds provide a food source and that striking an appropriate balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority. **The Department supports this measure and offers the following comments.** 

The Department agrees that sustaining native Hawaiian natural habitat areas can coexist with managing non-native game populations in appropriate non-native dominated areas. While introduced mammals such as pigs, goats, deer, and sheep provide a food source, these animals will also, if left unmanaged, create significant environmental degradation to both farmland and the natural environment. When considering food sustainability of game animal populations in appropriate hunting areas and at appropriate levels, the costs and threats to farming, public safety, forest, wildlife and near-shore fishery habitats should be considered.

The Department proposes the following amendment in yellow highlight, to page 1, line 13:

(3) Recognize that:

(A) Game mammals and game birds can provide a sustainable food source in appropriate areas that merits highquality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting; provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections;

Thank you for the opportunity to comment on this measure.

HB-1872-HD-1 Submitted on: 2/24/2022 12:16:23 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jason Omick	DLNR	Support	Yes

Comments:

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

Submitted on: 2/24/2022 12:39:20 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Robert K. Masuda	DLNR	Support	Yes

Comments:

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

#### HB-1872-HD-1 Submitted on: 2/23/2022 3:00:29 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Sydney Ross Singer	Good Shepherd Foundation	Comments	No

Comments:

Thank you for this opportunity to again comment on this Bill.

The intent of this proposed addition to HRS183D is to ensure that game animals are humanely treated by the DLNR and be allowed to live in ecosystems with adequate amounts of food and water to support their populations at numbers to ensure sustainable hunting, thereby maintaining an important local food source and cultural practice.

However, an amendment in this HD1 revision undermines the spirit of this bill, subordinating the interests of game animals to the preservation of native ecosystems, and without defining what constitutes a "native ecosystem".

The original Bill's wording for HRS183D(3)A was, "Game mammals and game birds can provide a sustainable food source that merits high-quality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting." To this was added by amendment, "provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections". The DLNR apparently suggested this qualification to the original wording.

What exactly is the definition of a "native ecosystem"? It is not included in the definitions at the beginning of HRS183D.

This question of definition is important, since much of Hawaii is composed, to varying degrees, of both native and introduced species. At what point is an ecosystem considered native, versus non-native? Is it when 50% of the species, if they are countable, are native? Is it when any native

species are found in an area? Or does Hawaii consist of native ecosystems which are at varying degrees of ecological disruption and need for restoration, which is achievable through eliminating non-native species, such as game animals?

If hunting and game animals, including goats, sheep, pigs, and birds, are to be promoted in Hawaii, as the DLNR is mandated to do, then there needs to be a guaranteed place for these animals to live, where there is plenty of food, water, and shelter. If native species are given preference in these areas, game animals could be excluded from environments that could otherwise sustain their populations, depending on the definition of a "native ecosystem".

The DLNR is in a bind between their mandate to protect game animals, which may live in native ecosystems, while following their mandate for protecting native ecosystems from game animals, which are considered invasive in the context of ecosystem restoration. It is understandable why the DLNR, in the testimony on this Bill, recommended the changes to this section mentioned above.

However, this inclusion of a disclaimer to the protection of game animals, giving primacy to native ecosystem protection, negates the intent of this Bill, which is to protect game animals. Fortunately, this amendment is redundant with other sections of the Hawaii Revised Statutes which address invasive species control.

The protection of native ecosystems and the management of invasive species is described in HRS194. The primacy of invasive species control over other considerations is stated in HRS194(4):

[§194-4 Relation of chapter to other laws.] "Notwithstanding any other law to the contrary, and in addition to any other authority provided by law that is not inconsistent with the purposes of this [chapter], a department is authorized to examine, control, and eradicate all instances of invasive species identified by the council for control or eradication and found on any public or private premises or in any aircraft or vessel landed or docked in waters of the State." (Underline added.)

It is therefore unnecessary and redundant for HRS183D(3)A to reiterate that game management will be subordinated to native ecosystem protection. HRS194 has already addressed that, along with its creation of the Invasive Species Council.

I, therefore, recommend that this Bill be returned to its original wording for this section, removing the statement, "provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections".

Efforts to protect native ecosystems must not supersede efforts to protect food resources. The DLNR must protect both, and set aside land for native ecosystems and for game animals.

Unfortunately, game animals have been inhumanely relegated unsuitable, arid, low-quality land, where they suffer and die. We should treat these animals with more respect and appreciation for the food they provide us. That is the purpose of this Bill, to emphasize this vital role of the DLNR.

Human needs and native ecosystem needs are often in conflict. There are many invasive species which are truly a nuisance and problem. But sheep, goats, pigs, birds, and other game animals are not a nuisance, even when they disturb native ecosystems. They are a food resource that is being left poorly managed, and need to be located where they have enough food, water, and shelter to healthfully live, reproduce, and raise their young.

Let's have some respect and Aloha for the animals who may someday feed us when the cargo ships stop sailing.

Respectfully,

Sydney Ross Singer

Director, Good Shepherd Foundation

#### HB-1872-HD-1 Submitted on: 2/23/2022 8:35:24 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Abraham Antonio sr	hawaii game management advisory commission	Support	Yes

### Comments:

Aloha chair and vice chair and comittee members thanks for hearing bill HB1872 i as chair of hawaii county game management advisory commission support this bill in it original form except for the word can may be removed also the amendments that DLNR has put in are unnessasary since for one its already in this bill section B witch states Proper management of game populations in 4 appropriate areas minimizes their impacts and 5 provides benefits, such as the reduction of grass 6 fire fuel and weed control to important watershed areas.

I have lived on hawaii island all my life grew up hunting and gathering from the mountain to the sea and i have seen the depletion and in some areas over population of our game resource do to the lack of a game management plan from the state and DLNR that has lead to the issues our game have today with this bill being passed it can give our game worth not just an invasive feral animal which alot of families use this valuable resource still do today that was taught threw generation, thanks for your time.

#### HB-1872-HD-1 Submitted on: 2/24/2022 6:48:40 AM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Brian Ley	Hawaii County GMAC	Support	No

Comments:

#### Aloha representative's

Brian Ley, vice chairman of County GMAC. We very strongly support HB 1872. It's a sad day that we have to force the DLNR through legislation to do their job and follow the state constitution in protecting and caring for our valued game species. They provide cultural and food security. All you have to do is look at the American Indian and horse's. The same is true here with our game animals. For hundreds and even maybe thousands of years these animals are apart of Hawaii. We depend on our wild food sustainability living on a island. Hawaii County sustainability council several years ago, determined that Hawaii island alone harvested 400,000 pounds of wild meat a year. And if the DLNR managed our animals like we have been asking them to do for years, we could easily double that amount yearly. Not counting economic boost to local economy. Hawaii receives around 8 million a year from the federal Pittman Robertson funds. Which is a special tax paid by the outdoor community in the purchase of sporting goods bought by hunters and fisherman. Please help us save our game animals for future generations.

second point, please remove the admendment from the DLNR. It's just another needless word game by the DLNR to not protect game animals. The DLNR already has the authority to protect our endangered species. The last thing they need is another excuse to ignore the law, and the state constitution.

so in conclusion GMAC and the hunting community, and all the families that depend on our game animals for food would greatly appreciate it if you passed HB 1872, in it's original wording, and remove the DLNR's admendment from this Bill.

mahalo for your time and consideration. Brian Ley, vice chairman county GMAC



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 24, 2022

### HEARING BEFORE THE HOUSE COMMITTEE ON FINANCE

#### TESTIMONY ON HB 1872, HD1 RELATING TO SUSTAINABILITY

Conference Room 309 & Videoconference 12:30 PM

Aloha Chair Luke, Vice-Chair Yamashita, 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 the intent of this bill to recognize the importance of game animals as a sustainable food source and respectfully suggests a simple amendment to also recognize the importance of *management of game animals in order to avoid the destruction of farm and pasture lands*, pursuant to the priorities articulated in article XI, section 3, and 10 of the Hawai'i State Constitution:

Section 3. The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands. The legislature shall provide standards and criteria to accomplish the foregoing.

Section 10. The public lands shall be used for the development of farm and home ownership on as widespread a basis as possible, in accordance with procedures and limitations prescribed by law.

As such, HFB respectfully requests the following on page 1, lines 12 through 16 and page 2, lines 1 through 2 be reworded as follows:

"(A) Game mammals and game birds can provide a sustainable food resource merits high-quality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting; provided that adverse effects to the environment and agriculture are sufficiently minimized or offset through native ecosystem protections;"

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



House Committee on Finance HEARING: February 25, 2022 at 12:30pm RE: HB1872 Relating to Sustainability

### The Hawaii Firearms Coalition SUPPORTS HB1872.

This bill will help to protect hunter's ability to obtain their own food and the management of healthy ecosystems. Hunting is a long-time tradition running alongside the right to keep and bear arms. Hunting provides a way for people to supplement their diets with an affordable source of protein and the donation of meat to the poor. This bill will provide another layer of protection against unnecessary aerial eradication of game mammals such as the goats in Waianae and sheep on Mauna Kea which leaves animal carcasses rotting on the land while the people struggle to survive. Instead, the resources should be better managed, and hunting promoted.

Mahalo,

Todd Yukutake Director Hawaii Firearms Coalition (808) 255-3066 todd@hifico.org LATE \*Testimony submitted late may not be considered by the Committee for decision making purposes.



COMMITTEE ON FINANCE Rep. Sylvia Luke, Chair Rep. Kyle T. Yamashita, Vice Chair

#### HB1872 HD1 RELATING TO SUSTAINABILITY

### Friday, February 25, 2022, 12:30 PM VIA VIDEOCONFERENCE

Chair Luke, Vice Chair Yamashita, 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 HB1872 HD1** to require the department of land and natural resources to recognize that game mammals and game birds provide a food source and that striking an appropriate balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority. 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 the state increasing their management of hunting on public lands by balancing management of game and sustainability of natural habitats.

Nicole Galase Hawaii Cattlemen's Council Managing Director



P.O. Box 934 • Hilo, HI 96721 • (808) 333-6755 • www.hicattle.org • office@hicattle.org

Submitted on: 2/23/2022 2:24:07 PM Testimony for FIN on 2/25/2022 12:30:00 PM

 Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Douglas Perrine	Individual	Oppose	No

Comments:

HB1872 proposes prioritizing hunting over conservation of Hawaii's natural resources, including a provision that "the department shall...import wildlife for the purpose of propagating and disseminating the same in the State and the waters.... Have we learned nothing from the past century of disastrous introductions of non-native invasive species such as roi and axis deer? This bill is a recipe for environmental suicide. To pass it would be a complete abdication of our kuleana to protect the unique natural treasures which have been endowed upon Hawaii alone in this entire universe, and which, in many cases, are already at dire risk of disappearing forever. Please leave natural resource management to the scientists who understand it, and kill this bill.

## HB-1872-HD-1 Submitted on: 2/23/2022 3:00:22 PM

Testimony for FIN on 2/25/2022 12:30:00 PM

Sub	mitted By	Organization	Testifier Position	Remote Testimony Requested
na	ni pogline	Individual	Support	No

Comments:

Aloha Legislators,

I support HB1872, with requests:

1. Amend in section 3 (A) by removing the word "can." Game animals do provide a food resource, as documented in the Hawaii County Food Sustainability Plan, Hawaii Island utilizes over 400,000 pounds of wild food resource annually. Being a user of wild game as a food resource and knowing communities who do also, I can contest to the fact.

2. Amend in section 3 (A) by removing "provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections." Native ecosystem consideration is already included in section 3 (B), "proper management of game populations in appropriate areas minimizes their impacts......to important watershed areas." This is redundant, and dilutes the original intent of the bill. Furthermore, HRS 194 already fully covers and prioritizes native species protection.

Mahalo nui loa,

Nani Pogline

Hawaii County Game Management Advisory Commission, Legislative Committee member

#### HB-1872-HD-1 Submitted on: 2/23/2022 4:15:33 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Grayson	Individual	Support	No

Comments:

### Hi: Please support HB1872

My name is Grayson Hashida and I am a Game Management Commissioner for District 6 on the Big Island and I was also raised on the Big Island. Growing up shore line fishing was how my family survived and put food on the table. Many families on the Big Island still rely on fishing and hunting for substsistence.

It is important for DLNR to recognize this and to acknowledge this and manage these game resources properly. On one extreme, eradicating game or on the other extreme not allowing hunting does not help. We need DLNR to manage this resource, somewhere in the middle, to make sure that this resource is there for our families today and in the future.

Specifcally, I am opposed to changing the language from "can" be a resource, because the ARE a precious and much needed resource on the Big Island.

And I am also opposed to DLNR's amendment related to "provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystems protections." Native ecosystem consideration is already in section 3 (B), "proper management of game populations in appropriate areas minimizes their impacts......to important watershed areas."

For too long, this type of language and attitude has been used to justify reducing hunting access and justify not properly managing game resources and in fact devaluing game resources.

Thank you.

HB-1872-HD-1 Submitted on: 2/23/2022 5:38:39 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Gerard Silva	Individual	Oppose	No

Comments:

Finaly something that makes cens!

HB-1872-HD-1 Submitted on: 2/23/2022 5:56:30 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitte	d By	Organization	Testifier Position	Remote Testimony Requested
Klayton H	Kubo	Individual	Support	Yes

Comments:

Support

# <u>HB-1872-HD-1</u>

Submitted on: 2/24/2022 9:06:56 AM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Stanley Mendes	Individual	Support	No

Comments:

I strongly support bill HB1872 but please remove DLNR Amendment 3A HRS194 already covers and prioritizes native species protection

Submitted on: 2/24/2022 9:45:42 AM Testimony for FIN on 2/25/2022 12:30:00 PM

 Submitted By	Organization	Testifier Position	Remote Testimony Requested
James D. O'Keefe	Individual	Support	No

Comments:

The game resources of Hawaii Island and the State have fed generation after generation of families with fresh, unadulterated meats. I have hunted sheep, goats, and pigs for over 50 years here, providing what has often been the centerpiece of 1st birthdays, wedding receptions, family celebrations of life, and many, many luaus for the joy of a big luau with family, friends, and neighbors.

There is a strain of eco-extremism in Hawaii that says that introduced game mammals have no place in the island's ecosphere, that the plant and animal life in Hawaii pre-contact have supremacy over all else, that even the most minimal threat cannot be countenanced and all offending animals need to be eradicated. There is, in this view, no balance, no consideration of a possible productive co-exsistance with native and non-native flora and fauna. "Pallia "über Alles" rules the mindset of these eco-extremists.

Experience has shown that drastically reducing the goat and sheep population from Mauna Kea has not brought the Palila populations back from the brink. On the contrary, the growing fuel load of unbrowsed, ungrazed grasses and weeds has only served to destroy vast swaths of Mamame from a huge fire, and to threaten future conflagrations with the consequent loss of threatened plant and animal species.

A proper game management plan, which recognizes the importance of games resources AND protection for endangered species, is the tool used by every other state to balance the needs of both people and the ecosystem. The State of Hawaii needs to recognize the value of game resources, land or marine based, to the public, and this bill is the first step in the process to balance the needs of all.

I respectfully ask for you affirmative vote on this measure.

James O'Keefe

Hilo

Submitted on: 2/24/2022 11:59:43 AM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Ryan Arakawa	Individual	Support	No

Comments:

I support this bill. My friends on Molokai & Maui heaviliy rely on game animals and fishing as food prices there are very expensive.

### HB-2276-HD-1

Submitted on: 2/24/2022 12:37:31 PM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Kapua Medeiros	Individual	Support	Yes

Comments:

Aloha Finance Chair and Committee members,

I am in SUPPORT of HB2276 HD1 as well as HB1872 HD1.

These Bills both offer viable solutions to help insure that our Natural Conservation and Preservation lands remain Sustainable and free from Desecration.

Mahalo for this opportunity.

Me ke aloha nui,

Kapua Medeiros

Waimānalo Raised Resident

Submitted on: 2/25/2022 6:31:48 AM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Remote Testimony Requested
Steve Robertson	Individual	Support	No

Comments:

Feral ungulates in Hawaii present both a big problem and a tremendous opportunity. They destroy native ecosystems but provide a important source of healthy meat for Hawaii residents, and a great sport for hunters. Wildlife belongs to the citizens of Hawaii, not to the landowner. Wildlife can be taken only as permitted by DLNR. Too often in Hawaii, the meat is not fully collected for human consumption. This would be illegal in most states, known as wanton waste. Why is this terrible waste endorsed so often here?

DLNR has multiple important responsibilities, including managing wildlife and recovering native ecosystems. These are both very important but incompatible on the same property. Therefore, an analysis on a property by property basis is needed to determine the highest and best use on a parcel by parcel basis. Some should be dedicated to wildlife and hunting, others to native ecosystem recovery. But perhaps not both.

Please support properly managed hunting and full utilization of the excellent quality meat to help feed the populace and reduce dependence on costly imported foods

Submitted on: 2/25/2022 7:58:50 AM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Robert A Okuda	Individual	Support	No

Comments:

Please reject the DLNR change that states "Clarifying that proper management of game populations in appropriate areas minimizes their impacts and provides benefits but that hunting of introduced, non-native game species may not fall within the scope of traditional and customary Native Hawaiian practices as set forth in the Hawaii State Constitution;"

This change hurts this bill by not protecting introduced animals such as deer, goats, and sheep along with game birds.

Submitted on: 2/25/2022 9:52:07 AM Testimony for FIN on 2/25/2022 12:30:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Jody M Green	Individual	Support	No

Comments:

I support this bill, Mahalo!