

**JOSH GREEN, M.D.**  
Governor

**SYLVIA LUKE**  
Lt. Governor



**SHARON HURD**  
Chairperson, Board of Agriculture

**MORRIS M. ATTA**  
Deputy to the Chairperson

State of Hawai'i  
**DEPARTMENT OF AGRICULTURE**  
KA 'OIHANA MAHI'AI  
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**TESTIMONY OF SHARON HURD  
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT**

**MARCH 29, 2023  
ROOM 224  
1:01 P.M.**

**SENATE CONCURRENT RESOLUTION 75/SENATE RESOLUTION 67**

**REQUESTING THE DEPARTMENT OF AGRICULTURE TO IDENTIFY EXISTING  
DEPARTMENTAL LANDS THAT ARE UNSUITABLE FOR AGRICULTURAL USE BUT  
MAY BE UTILIZED AS PET ANIMAL SANCTUARIES**

Chairperson Gabbard and Member of the Committee:

Thank you for the opportunity to testify on SCR 75/SR 67. This measure requests the Department of Agriculture to identify existing Departmental lands that are unsuitable for agricultural use but may be utilized as pet animal sanctuaries. The Department of Agriculture respectfully opposes this measure.

All lands under the jurisdiction of the Department under the Agricultural Parks (Chapter 166), Non-Agricultural Park Lands (Chapter 166E), and Agricultural Enterprise (Chapter 141D) are specifically identified and set aside for the growth and/or production of food and agricultural products. Governor's executive orders transferring the management authority to the Department include a provision that returns the land to the Department of Land and Natural Resources if it is determined to be unsuitable for agricultural use. To reiterate and clarify this statement, the Department does not maintain *any* land in inventory that is unsuitable for agricultural use.

Additionally, a pet animal sanctuary, especially for feral cats, would be an inappropriate, and potentially unsafe use adjacent to food crops or production facilities and farmers may have difficulty meeting food safety certifications. Additionally, security on agricultural lands is a major concern. Restricted access is key to reduce already high levels of theft and vandalism.



We respectfully offer an alternative option by possibly looking into a grant to an animal interest organization to identify and purchase or lease lands more suitable for this purpose.

Thank you for the opportunity to testify on this measure.

March 26, 2023

The Honorable Mike Gabbard, Chair  
Senate Committee on Agriculture and Environment  
Hawaii State Capitol  
415 S. Beretania St.  
Honolulu, HI 96813

RE: SR 67 and SCR 75 (Lee) – “Pet Animal Sanctuaries”

POSITION: OPPOSE

Dear Chairman Gabbard and Members:

On behalf of Alley Cat Allies and our thousands of supporters in Hawaii, I urge you to vote NO on **SR 67 and its companion resolution, SCR 75, both titled “Pet Animal Sanctuaries.”** If passed by the legislature, **SR 67 and SCR 75** would request the state Department of Agriculture to identify existing departmental lands unsuitable for agricultural use that may be leased or used as pet animal sanctuaries. These resolutions would ignore the reality that so-called sanctuaries are not a viable option for managing Hawaii’s cats.

Alley Cat Allies is the leading international advocacy organization dedicated to protecting and improving the lives of all cats. We have promoted sound and compassionate programs for cats since our founding in 1990. We work with lawmakers, shelters and the public to change attitudes, launch new programs and advance lifesaving laws and policies that serve the best interests of cats.

So called sanctuaries have been tried before, but they simply do not work. It would be prohibitively expensive to round up all the cats from a local area, much less an entire state, into enclosures.<sup>1</sup> These funds would be better spent supporting low-cost spay and neuter services, including Trap-Neuter-Return (TNR). Furthermore, sanctuaries typically do not have the resources or staff to meet cats’ needs.

Communities that may attempt a low-budget sanctuary would instead create an inhumane prison. Cats in such cramped spaces would be vulnerable to disease and suffer mental anguish, similar to what they experience in shelters prior to being killed. Relocation, which is required to bring cats to a sanctuary, is stressful and potentially dangerous for community cats - unowned cats who live outdoors.

Removing community cats from their outdoor homes will also lead to a well-known phenomenon known as the Vacuum Effect. Cats remaining in the vicinity will move in to take advantage of the newly available food and territory. The Vacuum Effect has been observed in many species.<sup>2</sup>

For socialized cats who are friendly toward people, sanctuaries bring additional problems. The lack of human contact and being around unfamiliar cats can both be extremely stressful. If sick cats are not separated from healthy cats in the enclosure, disease will spread quickly.

In advocating for this policy, SR 67 and SCR 75 include serious inaccuracies.

Despite claims to the contrary in the proposed resolutions, scientific evidence consistently exonerates the domestic cat species of being a major threat to wildlife populations.<sup>3</sup> Leading biologists, climate scientists and environmental watchdogs agree that climate change, habitat destruction and development are the leading causes of species loss. Attempting to pin the blame on cats conveniently ignores the reality that the solutions to species loss lie squarely in our hands.

<sup>1</sup> <https://www.alleycat.org/resources/cat-sanctuaries-not-an-easy-fix/>

<sup>2</sup> [https://www.researchgate.net/publication/11928411\\_Sex-biased\\_dispersal\\_and\\_a\\_density-independent\\_mating\\_system\\_in\\_the\\_Australian\\_brushtail\\_possum\\_as\\_revealed\\_by\\_minisatellite\\_DNA\\_profiling](https://www.researchgate.net/publication/11928411_Sex-biased_dispersal_and_a_density-independent_mating_system_in_the_Australian_brushtail_possum_as_revealed_by_minisatellite_DNA_profiling)

<sup>3</sup> <https://www.alleycat.org/wp-content/uploads/2015/04/Human-Impact.pdf>

The exaggerated claim of 2.4 billion birds being killed by cats each year has been widely discredited in the scientific community. This faulty statistic has its origins in the book "Cat Wars." To arrive at this claim, the book relied on previous studies, most of which were over 60 years old at the date of publication.<sup>4</sup> The authors of the book went further to advocate for removing all cats who live in the outdoors in the name of "conservation," which is both impractical and immoral. One reviewer of the book even pointed to the same author's separate claim that 1 billion birds are killed each year from building collisions, and yet the total number of birds in the U.S. is only estimated at a little over 3 billion.<sup>5</sup> The claims simply don't add up.

Finally, the resolutions invoke the common scare tactic of referring to toxoplasmosis. Here are the facts: Most cases of toxoplasmosis stem from undercooked food,<sup>6</sup> not cats, and especially not feral cats who avoid human contact. Cooking food to safe temperatures and changing the litter box daily are simple prevention techniques recommended by the Centers for Disease Control.<sup>7</sup>

The only humane and effective approach to community cat populations is TNR, in which cats are humanely trapped, spayed or neutered, vaccinated, eartipped for identification, and returned to their outdoor homes. TNR is evidence-based, sound public policy. It effectively and humanely addresses the community cat population, can reduce shelter intake and killing, and reduces calls to animal services, which saves taxpayer dollars.<sup>8</sup> Published scientific studies demonstrate that TNR ends the breeding cycle, meaning no new kittens are born, while improving the lives of community cats and their relationships with people who live near them.<sup>9</sup>

TNR is a proven approach to community cats, embraced by communities throughout the U.S. in every possible landscape. Inhumane, expensive enclosures, on the other hand, have never proven to work. For these reasons, please vote NO on **SR 67 and SCR 75**.

Sincerely,  
Coryn Julien  
Director of Communications  
Alley Cat Allies

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<sup>4</sup> <https://www.alleycat.org/alley-cat-allies-statement-about-journal-of-conservation-biology-article/>

<sup>5</sup> Joan Schaffner, "Cat Wars – The Devastating Consequences of a Dangerous Book," Journal of Animal Ethics, Vol. 8, No. 2, p. 239

<sup>6</sup> <https://www.avma.org/resources/pet-owners/petcare/toxoplasmosis>

<sup>7</sup> <https://www.cdc.gov/parasites/toxoplasmosis/prevent.html>

<sup>8</sup> <https://www.alleycat.org/our-work/trap-neuter-return/>

<sup>9</sup> <http://alleycat.wpengine.com/resources/trap-neuter-return-research-compedium/>



# PŌPOKI PLACE O'AHU CAT SANCTUARY



Testimony to the  
COMMITTEE ON AGRICULTURE AND ENVIRONMENT  
Wednesday, March 29, 2023, 1:01 PM  
Conference Room 224 & Videoconference

SCR 75 / SR 67, Relating to  
Department of Agriculture; Feral Cats; Pet Animal Sanctuaries

Dear Chair Gabbard, Vice Chair Richards and members of the Committee,

Thank you for the opportunity to submit testimony in **SUPPORT** of this resolution, SCR 75/SR67.

For decades, cats have been roaming the landscape of every island in the state without adequate human intervention. This has led to an explosion of feral free-roaming cats. Some residents are adding to the problem by trapping and dumping cats into other colonies far away from their homes making reunification with owners impossible. Other residents have been abandoning their cats and dumping them in the colonies also because they know they will be fed by well-meaning cat colony caregivers. Sadly, when people in Hawaii can't afford their pets anymore or lose their pet-friendly housing, they don't want to take their cat to a shelter because they fear it will be euthanized (and it might.) Without a safe place to surrender cats, people will continue to release their pet cats into the wild. This has caused and will continue to cause the cat population to reach astronomical numbers.

Now, as noted in this resolution, ALL cats are being blamed for everything and every death of birds or sea mammals, even though humans need to take their share the blame. Cats have now been labeled as an "invasive" species and last year, a bill was presented hoping to use state funds to cull them using horrific poisons and cruel methods. This was met with fierce opposition and thankfully stopped.

This year, a bill to help fund the Trap-Neuter-Release program was met with stiff opposition by the Bird supporters because they don't want the cats returned after trapping and neutering. The same bird people DO support putting cats in a sanctuary though.

The people of this state have been discussing this issue for years now and very little has been done. But now, we, at Popoki Place, have a plan to help make a serious dent in the problem.

Modeled after the very successful Lana'i Cat Sanctuary, now in its 14th year, we are planning to build Popoki Place O'ahu Cat Sanctuary. **We need land to do it.**

We feel that the state should partner with us to help us solve this important issue by providing the land.

Of course, we realize that land in Hawaii is very precious and extremely expensive. We also agree that as much agricultural land as possible should be used for growing food – if there are farmers willing to work the land. Currently, there are, however, acres and acres of vacant agricultural land all over the island that sits vacant year after year because there aren't enough farmers to work it.

We understand the Department of Agriculture's reluctance to give up land. However, we are not asking for ALL the available agricultural land, just a small portion. We know we need a minimum of 5 acres

Popoki Place O'ahu Cat Sanctuary  
P.O. Box 732 Kailua, HI 96734  
<https://popokiplace.org/>

because the Lanai Cat Sanctuary has 4 acres, and they are almost full at 700 cats. They do have the ability to expand, if needed. We will potentially have hundreds more cats than they do, so we know we need at least 5 acres to start and hope to secure up to 15 acres so we can grow and accept more animals as our funding and staff grows. **Remember that once we take these cats into our sanctuary, they will live there for the rest of their lives, removing them from the landscape, which will help to save the lives of birds and monk seals, as well as the cats.** We know that more than one sanctuary around the island might be necessary to adequately address the large population. In fact, we need cat sanctuaries like Popoki Place O'ahu Cat Sanctuary on every island!

All across the country, people have tried eradication and it doesn't work. What does work is Community Cat Programs (CCP), and we have a robust CCP here on O'ahu. There is a strong network of thousands of dedicated individuals who spend all their free time, and money, going out night after night trapping cats for sterilization, which WILL, over time, help to reduce the overall cat population.

**Now we need a dedicated sanctuary**, the missing piece in the plan to address the cat crisis.

Popoki Place O'ahu Cat Sanctuary is ready to create that sanctuary, which is designed with a succession plan, so it will be sustainable and available for as long as it is needed. We can't promise miracles. But we can promise that the problem will continue to get worse if we don't try.

**We believe that you don't kill one species to save another. You find a way to save them ALL. A sanctuary is the right and next step to do just that!**

**We need the land and a commitment to let us use it, as long as there is a need.**

We strongly urge you to pass this resolution. Thank you for your time and consideration. Thank you for supporting this resolution.

Mahalo for your consideration,  
Holly



Holly Holowach  
President and Founder  
Popoki Place O'ahu Cat Sanctuary



a Win for the Cats ~ a Win for Wildlife ~ a Win for the Community  
a 501c3 nonprofit organization

<https://popokiplace.org/>

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[Holly@PopokiPlace.org](mailto:Holly@PopokiPlace.org)

**SCR-75**

Submitted on: 3/26/2023 2:45:27 PM

Testimony for AEN on 3/29/2023 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dr. Linde Keil	Individual	Support	Written Testimony Only

Comments:

We support the resolution because we are ready and willing to create a CAT SANCTUARY to remove cats that are a threat to birds and monk seas.

We just need land and hope the state will partner with us to help solve this críticas issue.

Dr. Linde Keil, director, Board of

POPOKI PLACE OAHU



**SCR-75**

Submitted on: 3/27/2023 4:06:18 PM

Testimony for AEN on 3/29/2023 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carole R. Richelieu	Individual	Support	Written Testimony Only

Comments:

I support the following only: BE IT RESOLVED by the Senate of the Thirty—second Legislature of the State of Hawaii, Regular Session of 2023; the House of Representatives concurring, that the Department of Agriculture is requested to identify existing departmental lands unsuitable for agricultural use that may be leased or used as pet animal sanctuaries.

Sanctuaries will provide needed support for and augment the existing and effective spay trap neuter programs. What is also needed is massive education of the public to prevent animal abandonment which is growing worse in Hawaii, as well as enforcement of this law as a crime including the use of cameras.

Please note that I do not support the prefatory whereas clauses of which there are many. "Whereas" means "given that the fact that". These clauses are less than fact based.

Mahalo.

This letter is in support of the intent of **Senate Resolution #67** (and concurrent resolution **#75**), requiring the Department of Agriculture (DOA) to create an inventory of existing departmental lands that it would approve as suitable for pet animal sanctuaries.

Cat lovers in Hawaii all understand that felines in the wild are invasive animals which, unchecked, can damage our endangered wildlife in many ways. The State already has programs intended to mitigate invasive plants and insects. However, many studies and decades of experience have proven that the problem of feral animals cannot be controlled with the “big hammer” of pure eradication. You can’t simply spray them with chemicals or drop poison bait.

Mitigation is only possible with an organized program which begins with trapping and neutering, but then continues with enclosures which manage the location of the animals for the rest of their lives. A massive network of volunteers already exists, who actively manage a program of trapping, and neutering, to interrupt the reproductive cycle of feral cats. To truly mitigate the problem going forward, the State must step up to allow and provide animal sanctuaries on small parcels of land which is otherwise of marginal value, from their existing inventory of croplands.

Since the adoption of the most recent State Constitution in 1978, the State has a mandate to identify Important Agricultural Lands (IAL) to preserve for farms and crops. At the start of the millennium the Lingle Administration charged the Department of Land and Natural Resources (DLNR) with identifying any parcels in their inventory of preservation land which could be used for agriculture, and transfer control of them to the DOA. Surely, there are many acres which are not considered “Important” agricultural lands, which are marginal, not allowing the growth of crops with ease.

On Oahu, the City and County of Honolulu (C&C) is moving forward quickly with adoption and implementation of Bill 10, which further supersedes and clarifies the rough categories of the Hawaii Land Use zoning system, which presently exist in **Section 21-3.50**. which have traditionally revolved around Animal Husbandry of cattle, horse, pigs, goats, sheep rabbits, poultry and fowl.

Within the Ordinances of Bill 10, in the new **Section 21-5.70 (g) (2) A**, Animal care is defined as: “**Grooming, training, boarding or keeping of household pets. Includes animal shelter.**” On Page 6, the Land Use table **Section 21-5.30**, under Commercial Uses, Personal Services, Animal Care (Major), that use is permitted on land zoned **AG-2** and **Country**.

The DOA should already have a very good idea of exactly which lands might be considered as “Unimportant Agriculture Lands.” All that an animal sanctuary would require would be reasonably flat acreage, with direct access or easements to the existing County and State road network. The most important utility needed for survival is access to potable water. All other utilities could be maintained off-grid, as has been demonstrated by the Lanai Cat Sanctuary, an excellent proof-of-concept demonstration which has been in existence for 14 years now.

The land should be situated where water runoff could NOT easily reach existing watercourses which drain into the ocean, to mitigate possible transmission of toxoplasmosis. Windward areas would be ideal for animals, as they are cooler than the more desert-like climate of Leeward side, but not too wet, to minimize respiratory illnesses.

It should be possible, using already existing inventory records and minimal human resources, to quickly create a list of properties zoned AG-2 or Country, which the DOA could approve as suitable for animal sanctuary use. From that point, it could be very quick to first, establish programs to trap, neuter and relocate feral cats which threaten certain parts of the ‘aina, near beach and parks. Mitigation efforts would be equal to or greater than existing programs to control Miconia and Coqui. At Kaena Point, predator fencing has proven effective in protecting shorebirds by keeping predators OUT. Cat sanctuaries would use a similar type of fencing to keep predators IN. But first, land must be identified, and the State has a responsibility to the citizens and wildlife of Hawaii to step up and fulfill their kuleana of stewardship.

Tom Holowach - [holowach@hawaii.edu](mailto:holowach@hawaii.edu)

478 Iana Street, Kailua, HI 96734

(808) 864-2647

**Committee:** Senate Committee on Agriculture and Environment  
**Bill Number:** SCR 75 / SR 67, Relating to Dept of Ag; Feral Cats;  
Pet Animal Sanctuaries  
**Hearing Date & Time:** March 29, 2023 at 1:00pm  
**Re:** Testimony of Malia Wisch **in Support of SCR 75 / SR 67**

Aloha Chair Gabbard, Vice Chair Richards, III, and Committee Members:

Thank you for this opportunity to testify **in support** of SCR 75 / SR 67.

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**Multiple govt agencies have been stymied by opposition** to their proposals to use culling to bring the feral cat population under control.

Whereas various animal and wildlife agencies passionately disagree between TNR and extermination, **everyone agrees on enclosures.**

The Hawaiian Humane Society, the Department of Forestry and Wildlife, and the American Bird Conservancy, parties who would normally be at an impasse about how best to control feral cat populations ***all support enclosures.***

Indeed, in their testimony against TNR bill SR998 the American Bird Conservancy recommended to:

“Change the purpose of the fund to **exclusively support the establishment and management of cat-proof enclosures (i.e., cat sanctuaries)**, in which stray and feral cats can be safely sheltered, cared for, and monitored.

**“This strategy eliminates harms to Hawai‘i’s native wildlife, protects communities from nuisances and disease risks, keeps cats safe, and is based on the proven success of the Lana‘i Cat Sanctuary.”**

Who will actually do it? Popoki Place Oahu Cat Sanctuary is a local 501c3 standing by to operate a site of enclosures following the Lanai Cat Sanctuary model. We will also be a source of desperately needed public education about responsible pet ownership and protecting our fragile native ecosystem.

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**Mahalo nui loa for hearing this resolution.**

Sara Malia Wisch  
629 Hanale Place, Kailua HI 96734  
808-341-4543  
[malia@wisch-design.com](mailto:malia@wisch-design.com)

**SCR-75**

Submitted on: 3/28/2023 12:39:20 PM

Testimony for AEN on 3/29/2023 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sara Armstrong	Individual	Support	Written Testimony Only

Comments:

I volunteer for Love a Cat Charity and we TNR. at a large colony and we have a good foster program where volunteers sign on to raise and eventually adopt out kittens to INDOOR homes. we see that the need is great and although we work with the Humane Society, Cat Friends and Aloha Kitty TNR we know so much more is needed.

Please set aside land for a Cat Sanctuary to help with the Cat Problem that people have created.