

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



JADE T. BUTAY
DIRECTOR

WILLIAM G. KUNSTMAN
DEPUTY DIRECTOR

STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHANA
830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.labor.hawaii.gov

January 31, 2023

The Honorable Linda Ichiyama, Chair
Committee on Water and Land
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Ichiyama:

Subject: House Bill (HB) 847 Relating to Search and Rescue

I am Kazuo Todd, Chair of the State Fire Council (SFC). The SFC offers comments regarding HB 847, which requires government entities to seek reimbursement for all or a portion of search and rescue expenses for persons who require rescue after leaving a hiking trail to enter a prohibited hiking area on a trail closed to the public.

The SFC believes the reimbursement requirement specified by HB 847 may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. Such a delay in requesting for assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers.

In addition, there is no existing mechanism to seek reimbursement for these situations. Development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

Public safety and property protection remain priorities of the SFC.

Should you have questions, please contact SFC Administrative Specialist Gary Lum at 808-723-7169 or glum@honolulu.gov.

Sincerely,

KAZUO TODD
Chair

KT:GL



Ka Moku'aina 'O Hawai'i Aha Moku O Pae'Aina

State of Hawai'i Aha Moku

P. O. Box 621

Honolulu, Hawaii 96809

Testimony of the Hawaii State Aha Moku

Before the House Committee on

Water and Land

Thursday, February 2, 2023

9:30 a.m.

Conference Room 430 & Videoconference

IN SUPPORT of House Bill 847

Relating to Hiking Trails; Search and Rescue; Trespassing; Reimbursement

House Bill 847 requires government entities to seek reimbursement for all or a portion of search and rescue expenses for persons who require rescue after leaving a hiking trail to enter an area closed to the public or hiking on a trail closed to the public.

The Hawaii State Aha Moku (Aha Moku) supports this measure.

Attached to the Department of Land and Natural Resources (DLNR), the Aha Moku supports any and all rescue efforts to preserve the life of individuals who hike trails where the beauty and ambiance of Hawaii's public natural and cultural resources can be shared safely. The trails are not only on land, but those that are connected to the ocean, rivers and streams on each island. DLNR provides listings of all trails on public lands stressing that hikers stay on the designated areas for their own safety. They also stress the importance of staying away from hazardous rivers, streams and coastal areas especially during rainy seasons. However, unfortunately there are those who do not adhere to the signage that keeps them safe. The result is usually catastrophic and forces first responders to risk their own lives to save those in danger at great expense to the State of Hawaii. This is not fair to the people of Hawaii who only want to share the beauty of their home with visitors, or to residents who should know better.

Seeking reimbursement for search and rescue expenses from persons who require rescue by not staying on a public hiking trail either on land or close to a dangerous coastal area will discourage dangerous practices. We ask that this committee adopt H.B. 847.

Respectfully,

Leimana DaMate, Luna Alaka'i/Executive Director

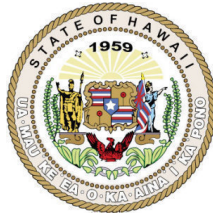
Hawaii State Aha Moku

808-640-1214

Leimana.k.damate@hawaii.gov

Pae'Aina: Moku O Keawe, Moku O Piilani, Moku O Kanaloa, Nana'i Kaula, Moloka'i Pule O'o, Moku O Kakuhihewa, Manokalanipo, Ka'Aina O Kawelonakala

JOSH GREEN
GOVERNOR



JORDAN LOWE
DIRECTOR

MICHAEL S. VINCENT
Deputy Director
Administration

STATE OF HAWAII | KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'opalekana Lehulehu

1177 Alakea Street
Honolulu, Hawaii 96813
(808) 587-2562

Vacant
Deputy Director
Law Enforcement

No.

TESTIMONY ON HOUSE BILL 847
RELATING TO SEARCH AND RESCUE
Before the House Committee on Water & Land
Thursday, February 2, 2023; 9:30 a.m.
State Capitol Conference Room 430
Testifiers: Jordan Lowe or Michael Vincent

Chair Ichiyama, Vice Chair Poepoe, and members of the Committee:

The Department of Law Enforcement (DLE) strongly supports House Bill 847.

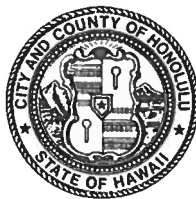
This bill changes the circumstances when an agency may seek reimbursement for search and rescue costs by providing guidance on when such costs can be recovered and requiring agencies to seek reimbursement.

State law enforcement is regularly called upon to participate in search and rescue operations for people who have ignored posted warnings, left defined hiking trails, and ventured into closed areas that have been posted. These situations are not the standard search and rescue of lost or injured persons which are anticipated and part of expected operations of first responders. These are situations created by reason of an individual's choice to ignore warnings and efforts of government agencies or private landowners to keep them safe. When first responders are called upon to engage in these types of extensive search and rescue operations, ongoing operations must be put on hold and agencies often incur additional unbudgeted costs and expense. Requiring agencies to pursue reimbursement in these situations is a reasonable requirement.

Thank you for the opportunity to testify in support of this bill.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu.org



RICK BLANGIARDI
MAYOR

ARTHUR J. LOGAN
CHIEF

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS

OUR REFERENCE SP-BKG

February 2, 2023

The Honorable Linda Ichiyama, Chair
and Members
Committee on Water and Land
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 430
Honolulu, Hawaii 96813

Dear Chair Ichiyama and Members:

SUBJECT: House Bill No. 847, Relating to Search and Rescue

I am Major Shellie Paiva of the Specialized Services Division of the Honolulu Police Department (HPD), City and County of Honolulu.


The HPD opposes House Bill No. 847, Relating to Search and Rescue. This bill requires government agencies to seek reimbursement for search or rescue expenses from certain persons if the need for the search or rescue was caused by the person's disregard of posted warnings and closure signage. The HPD opposes this bill as there is no existing mechanism to seek reimbursement for these situations. In addition, it may deter or delay prompt notification of first responder agencies by persons who may need to be rescued. Such a delay in a request for assistance could make the situation worse and further endanger the lives of those persons as well as first responders.

The HPD urges you to oppose House Bill No. 847, Relating to Search and Rescue.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,



Arthur J. Logan
Chief of Police

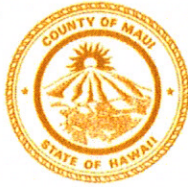

Shellie Paiva, Major
Specialized Services Division

RICHARD T. BISSEN, JR.
Mayor

KEKUHAUPIO R. AKANA
Acting Managing Director

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
www.mauicounty.gov

February 1, 2023

The Honorable Linda Ichiyama, Chair
Committee of Water and Land
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Ichiyama:

SUBJECT: HOUSE BILL (HB) 847 RELATING TO SEARCH AND RESCUE

I am Bradford K. Ventura, member of the State Fire Council (SFC) and Fire Chief of the Maui Fire Department (MFD). The SFC offers comments regarding HB 847, which requires government entities to seek reimbursement for all or a portion of search and rescue expenses for persons who require rescue after leaving a hiking trail to enter a prohibited hiking area on a trail closed to the public.

The SFC believes the reimbursement requirement specified by HB 847 may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. A delay in requesting for assistance may exacerbate the situation, further endangering the lives of persons involved and their potential rescuers.

In addition, there is no existing mechanism to seek reimbursement for these situations. Development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

Public safety and property protection remain priorities of the SFC.

If you have any questions or concerns, please contact SFC Administrative Specialist Gary Lum at (808) 723-7169 or glum@honolulu.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. Ventura".

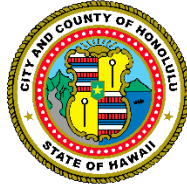
BRADFORD K. VENTURA
Fire Chief

HONOLULU FIRE DEPARTMENT

CITY AND COUNTY OF HONOLULU

636 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI
MAYOR



SHELDON K. HAO
FIRE CHIEF

JASON SAMALA
DEPUTY FIRE CHIEF

January 31, 2023

The Honorable Linda Ichiyama, Chair
Committee on Water and Land
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chair Ichiyama:

Subject: House Bill (HB) 847 Relating to Search and Rescue

I am Sheldon K. Hao, Fire Chief of the Honolulu Fire Department (HFD). The HFD offers comments regarding HB 847, which requires government entities to seek reimbursement for all or a portion of search and rescue expenses for persons who are required to be rescued after leaving a hiking trail to enter a prohibited hiking area on a trail closed to the public.

The HFD believes the reimbursement requirement specified by HB 847 may deter or delay prompt notification of first responder agencies by persons in the aforementioned situation. We believe a delay in requesting for assistance may exacerbate the situation further, thus endangering the lives of persons involved and their potential rescuers.

In addition, there is no existing mechanism to seek reimbursement for these situations. Development and implementation of a reimbursement mechanism will require significant administrative effort by the four county fire departments to establish and maintain.

Public safety and property protection remain priorities of the HFD.

Should you have questions, please contact Administrative Specialist Gary Lum at 808-723-7169 or glum@honolulu.gov.

Sincerely,

SHELDON K. HAO
Fire Chief

SKH/GL:cn

HB-847

Submitted on: 1/31/2023 8:05:24 PM

Testimony for WAL on 2/2/2023 9:30:00 AM

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

Comments:

I'm sensitive to the argument that first responders don't want to discourage people needing help from making emergency calls, but those make a choice to enter prohibited trails need to pay for their rescue.

HB-847

Submitted on: 2/1/2023 6:42:44 PM

Testimony for WAL on 2/2/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill.

HB-847

Submitted on: 2/1/2023 11:10:36 PM

Testimony for WAL on 2/2/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Brent Teraoka	Individual	Support	Written Testimony Only

Comments:

Aloha. I am writing in support of Bill HB847. My family and I live in an area that is impacted by illegal hikers trespassing 24/7. I witness several helicopter rescues every year. All of these rescues involve inconsiderate individuals who knowingly embark on the illegal hike. I've literally seen people read the "No Trespassing" sign and proceed to climb over the fence. Then a few hours later, we see the same individuals clutching to a rescue rope as the yellow HFD helicopter plucks them off the mountain. Social media and hiking sites are encouraging this behavior. Sites such as alltrails.com have message boards where people publicly advertise their plans to hike Haiku Stairs, Sacred Falls, and many other illegal trails around the state. These posters will include their full name, email, phone number, and day/time they plan to hike. They include this information without any fear of repercussions. So why do we have to pay the bill for those who make a mockery of our laws?

I believe this bill will go a long way to help mitigate the illegal trespassing because it introduces a substantial financial consequence. And for those who suggest that this will prevent folks from seeking emergency assistance, I would beg to differ. These distressed hikers are already calling 911 on themselves and risking the possibility of getting arrested and fined. They assume the risk the moment they approach the "No Trespassing" signs. The moment they encounter angry residents telling them not to proceed. The moment they try to evade the police officers patrolling the area. Hopefully this bill will cause folks to think twice before they make another ill-advised decision. Mahalo.

HB-847

Submitted on: 2/2/2023 8:52:35 AM

Testimony for WAL on 2/2/2023 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dr. Lilinoe Darlene Yong	Individual	Support	Written Testimony Only

Comments:

Remove Haiku Stairs for the following reasons, (1) Kaneohe Police Department Lietenant was assaulted while on duty at the Haiku Stairs along with fellow officers who witnessed it. If hikers assault police while it is ILLEGAL, they will not abide by the rules when it is open. (2) Many hikers get rescued because of heart attack, FEAR, or want a joy ride on helicopter. This cost \$15,000 per rescue. They should be fined. In addition, they go during inclement weather putting both their LIVES and RESCUE LIVES AT RISK(3) I have been assaulted twice. My daughter was physically assaulted by a Kaneohe Marine Base officer. Our neighbors also get verbally assaulted. This disturbs the PEACE and sets a poor example for our elders and future generations who witness this daily disrespect for the law, for the residents. (4) Hikers trespass through our yards to get there. They POST videos that are ABETTING or teaching others to break the law. They challenge their friends on social media to break the law because it is a challenge, but the result is dangerous. (5) Ubers drop people off all hours of the night. This disturbs our need for rest and privacy. (6) Even if it is on State, Federal, or City & County lands, it destroys the INTEGRITY FOR PRIVACY, SAFETY, LOITTERING, DRUNKENESS, SEX TRAFFICKING, and HOMELESSNESS IN HOKULULU SUBDIVISION by having this access adjacent or near a City & County residential subdivision. (7) When patients ESCAPE FROM THE KANEOHE STATE HOSPITAL adjacent to Hokulele Subdivision and Haiku Stairs, it will be UNSAFE for others. (8) When PEOPLE COMMIT SUICIDE by jumping off the H3 it is UNSAFE for others but DETRIMENTALLY HORRIFIC to witness. (9) Hiker can COMMIT SUICIDE and BLAME THE STATE. (10) Kamakau School is also adjacent to Haiku Stairs access and children have testified STRANGE HIKER ADULTS ON SCHOOL GROUNDS and IN THEIR BATHROOMS. Remove Haiku Stairs. I have lived in Hokulele Subdivision next to Board of Water Supply Road since 1987 and have witnessed firsthand all of these things I mentioned above. I see when rescuers go up the road to SCRUB & REMOVE DEAD BODY. I am a Native Hawaiian. This is NOT how Hawaii is intended to be. This is not RESPECT for the PEOPLE who PAY TAXES and call Hawaii their homeland. REMOVE HAIKU STAIRS.