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GOVERNOR OF HAWAII



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LAND
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**TESTIMONY OF THE CHAIRPERSON
OF THE BOARD OF LAND AND NATURAL RESOURCES**

on House Bill 2517, House Draft 1 – RELATING TO INVASIVE SPECIES

**BEFORE THE HOUSE COMMITTEE ON
ENERGY & ENVIRONMENTAL PROTECTION**

February 21, 2008

House Bill 2517, House Draft 1 grants the Department of Agriculture (DOA) authority to develop rules to prevent the sale of State listed noxious weeds and to restrict the importation of plants and plant parts that may harbor pests and diseases. The Department of Land and Natural Resources (Department) supports this measure and defers to DOA as to the specific language required to reduce the continued introduction of invasive plants along with pests and diseases into the state.

Preventing new invasive species from establishing in Hawaii provides the greatest long term protection for Hawaii and the Department supports stronger import quarantine measures. A recent example of a new disease introduction was the discovery in April 2005 on Oahu, of a single strain (rose apple pathotype) of *Puccinia psidii* that primarily attacks rose apple and Melaleuca, and occasionally attacks 'ohi'a lehua (*Metrosideros polymorpha*) the dominant tree in our forest. It has spread throughout the State. Other strains occur in Florida and the American tropics. It is important to keep other strains of this rust out of Hawaii to prevent new or altered pathogens or hybridization and the potential increase in virulence, host and range distribution. The Board of Agriculture approved an interim rule August 28, 2007 banning the import of material that could carry this rust into the state to protect native forest and eucalyptus plantations across the State. This measure would speed that process.

Currently Section 150A-6.1(c), Hawaii Revised Statutes, prohibits the sale of only three species of recognized weeds. There is no prohibition against the sale and planting of noxious weeds. Having the ability to restrict the sale of noxious weeds will improve the efficacy of the State's invasive species programs. There are many species of plants currently being controlled to prevent their spread that are not listed as noxious weeds. The Department supports updating the list of noxious weeds as soon as possible.

It is also possible to evaluate noxious plant species by using a risk assessment. The Hawaii Invasive Species Council has funded a Hawaii Weed Risk Assessment screening process. To date, the risk assessment has been completed for 620 species (http://www.botany.hawaii.edu/faculty/daehler/wra/full_table_d.asp). The Kauai Landscape

Industry Council, the Oahu Nursery Growers Association, Lyon Arboretum and others have adopted “Codes of Conduct” to voluntarily stop selling invasive species based on information provided by this screening. The weed risk assessment can be used with other screening reviews to identify species for listing purposes.

The Department supports this measure to update statutes and administrative rule making to reduce the risk that imported plants or plant parts will introduce pests and diseases, make the sale of noxious weeds illegal, and update the official lists of noxious weeds.



For the Protection of Hawaii's Native Wildlife
HAWAII AUDUBON SOCIETY

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TO: Committee on Energy & Environmental Protection
Representative, Hermina Morita, Chair and Representative Mele Carroll, Vice Chair

HEARING: February 21, 2008; 11:00 A.M., Conference Rm. 312

Re: HB2517 HD1, Relating to Invasive Species

Testimony in Support with Amendment

Chair Morita, Vice Chair Carroll and members of the Committee on Energy & Environmental Protection. My name is George Massengale, I am member of the Hawai'i Audubon Society and during session I serve as their Legislative Analyst. Thank you for the opportunity to submit our testimony in support of HB2517, which would prohibit the sale of plants designated as restrictive plants or noxious weeds.

The Hawaii Audubon Society was founded in 1939, and is Hawaii oldest conservation organization. The Society's primary mission is the protection of Hawaii's native wildlife and habitats. This includes protecting our ecosystems from invasive species. Once established, invasive plants crowd out endemic (native) plants. The sad fact is that Hawai'i has the highest number of listed threatened and endangered species in the nation. There are 394 threatened and endangered species in the State of Hawai'i, of which 294 are plants. Invasive plants have led to the extinction of 55 species of plants in the State with another 42 possibly extinct. This extinction, along with the introduction of non-endemic animals has lead to the extinction 24 bird species and is endangering another 32.

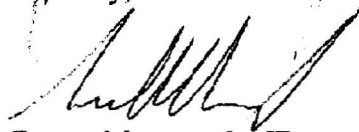
Hawaii Audubon Society believes that HB2517 HD1 is a good measure. We previously testified on this bill before the Committee on Agriculture, and on the Senate version, SB2523. We would strongly urge this committee to incorporate language found in the Senate version which

mandates a permit for plant sales and a fine for violations. [SECTION 3. Section 152-3, of SB2523]

Amending HB2517 HD1, would add "teeth" to the measure, thus having greater deterrence on the sale a spread of restricted plants.

Thank you for the opportunity testify here today.

Sincerely,



George Massengale, JD
Legislative Analyst



Conservation Council for Hawai'i

Testimony Submitted to the House Committee Energy & Environmental Protection

Hearing: Thursday, February 21, 2008
11 am
Room 312

Support for HB 2517 HD 1 Relating to Invasive Species

Aloha. The Conservation Council for Hawai'i supports HB 2517 HD 1. We recommend that the Hawai'i Department of Agriculture also be required to update the list of restricted plants and the list of noxious weeds at regular and reasonable intervals. We understand that these lists have not been updated in over 10 years. It might be easier to restrict or control the flow of invasive species to Hawai'i if these lists were updated more frequently.

Also, we are not sure why the provision for sale of such plants would be allowed with a permit. We cannot think of any circumstances where the sale of a restricted plant or noxious plant would be justified.

Mahalo nui loa for the opportunity to testify.

Sincerely,

Marjorie Ziegler



Working Today for the Nature of Tomorrow!

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Hawai'i Affiliate of the National Wildlife Federation

President: *Julie Leialoha* • Vice-President: *Nelson Ho* • Secretary/Treasurer: *Kim Ramos* • Directors: *Fred Kraus, Ph.D.* • *Douglas Lemerson,*
George Robertson • *Claire Shimabukuro* • *Helene Takemoto* • *Mashuri Weite* • Executive Director: *Marjorie Ziegler*

Representative Hermina M. Morita, Chair
Representative Mele Carroll, Vice Chair
Committee On Energy & Environmental Protection

Harbor Neighbors.

Thursday, February 21, 2008

Support of HB 2263, Relating to Harbors

The Superferry at pier 19 in Honolulu has on board the vessel several extremely noisy generators. Repeated requests for a permanent solution to the noise nuisance has been ignored by the Superferry. Requests to DOH, DOT, Harbors and Gov. Lingle have all been dismissed as well. The never ending generator noise is very low frequency so it travels far. The noise is causing sleep deprivation and it is increasing the risk for other health related problems. No one is willing to take responsibility and no one is stepping up the effort to provide a solution to this environmental nuisance. It is frustrating that vessels docked at State harbors are allowed to generate noise pollution and violate another's right to peace and enjoyment of their home and there is nothing the victim can do about it. Harbor related noise needs to be enforced. This is why we urge the committee to pass HB 2263. Thank you for this opportunity to testify.



The House of Representatives
Committee on Energy & Environmental Protection
Thursday, February 21, 2008
11:00 a.m., Conference Room 312
State Capitol

Testimony in Support of HB 2517, HD1

Aloha Chair Morita, Vice Chair Carroll, and Members of the Committee,
The Coordinating Group on Alien Pest Species (CGAPS) **supports HB 2517, HD1** *Relating to Invasive Species*.

In Hawai'i, the spread of invasive plant species is easy to see. From ivy gourd smothering other plants along our roads and highways, to fireweed blooming yellow and poisoning pastures on the Big Island, to fountain grass in West Hawai'i and Diamond Head, these invasive plants are disturbingly obvious once you learn to identify them. They are everywhere, and despite the money and efforts expended to control these listed State Noxious Weeds, it is still legal to sell these invasive plants.

HB 2517, HD1 would correct this by making it illegal to sell plants listed as State Noxious Weeds.

HB 2517, HD1 also works to address the Plant Import Rules—the current wording is limited to listing plants that have a potential to carry an invasive insect or disease, and there are no rules to protect Hawai'i from new plants that are or have the high probability of becoming invasive if allowed to be imported and planted in Hawai'i. CGAPS has participated in meetings with plant industry leaders, HDOA and conservation groups to work on ways to safely import new plant species for nurseries, farmers, industry and enthusiasts, while adding precautionary measures that have a good chance at preventing the importation of the next ivy gourd, fountain grass, or miconia. Although perhaps 10,000 species of plants have been introduced to Hawai'i already, there are more than 250,000 plant species in the world and experts believe that 10% of these would be invasive if planted in Hawai'i. This wording change is necessary if we are ever going to be able to prevent new plant species that are known to be invasive elsewhere but are not yet present in Hawai'i.

For these reasons, CGAPS asks for your support of HB 2517, HD1. Mahalo.

CGAPS--Coordinating Group on Alien Pest Species
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