

SB 2404

LINDA LINGLE
Governor



SANDRA LEE KUNIMOTO
Chairperson, Board of Agriculture

DUANE K. OKAMOTO
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
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TESTIMONY OF SANDRA LEE KUNIMOTO
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE COMMITTEE ON ENERGY AND ENVIRONMENT
February 12, 2008
2:45 P.M.

SENATE BILL NO. 2404
Related to Invasive Species

Chairperson Menor and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 2404. The purpose of this bill is to raise the service fee for inspection, quarantine, and eradication of invasive species and require that 50% of the service fees collected be allocated to the department of land and natural resources to support the Hawaii invasive species council pursuant to chapter 194. We strongly oppose this bill.

As you are aware, the department of agriculture has embarked on a strategic plan to implement the department's biosecurity program for Hawaii consisting of preclearance programs, port-of-entry inspections, post-entry control and eradication programs, and initiatives to spur the growth of agriculture in Hawaii to reduce Hawaii's dependence on imported agricultural products.

While control programs in conservation areas are critical, it should not be at the cost of a strong prevention system. The risk from the Asia-Pacific pathway is of increasing concern. We need to address the threats from the Brown Tree Snake from Guam as well as the Red Imported Fire Ant (RIFA) that is surrounding us from all sides. There have been many attempts to eradicate pests on the mainland, such as red imported fire ant, screw worm, malaria, etc. None of these were successful despite

hundreds of millions of dollars spent on the projects. All of these pests were widely distributed when the eradication began. In contrast, red imported fire ant was eradicated twice in New Zealand. Once at Auckland airport after a single colony of the ant was found. The other time at Napier port after an infestation was found covering about ¼ acre of land. Australia has spent over US\$58 million to eradicate red imported fire ant from 87,000 acres in the Brisbane area. This project has been ongoing for about five years and has yet to be successful.

The key to a successful eradication is to detect the pest early, before it has a chance to spread. Or better yet, prevent it from coming into the State.

Improved inspection and treatment facilities will provide better security to prevent invasive species from getting established and impacting our communities, farms and conservation areas. They also provide environmental mitigations so that the harbor improvements can occur safely.

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Laura H. Thielen
Chairperson
Board of Land and Natural Resources
Commission on Water Resource Management

Russell Y. Tsuji
First Deputy

Ken C. Kawahara
Deputy Director - Water

Aquatic Resources
Boating and Ocean Recreation
Bureau of Conveyances
Commission on Water Resource Management
Conservation and Coastal Lands
Conservation and Resources Enforcement
Engineering
Forestry and Wildlife
Historic Preservation
Kaohalaawe Island Reserve Commission
Land
State Parks

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

on Senate Bill 2404 – RELATING TO INVASIVE SPECIES

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

February 12, 2008

Senate Bill 2404 increases the fee for inspection and closes a loophole that limits cost recovery by the Department of Agriculture (DOA) to marine shipments by broadening the authority to collect the fee to include commercial air shipments. The bill also redirects 50% of the fees and charges collected to the Hawaii Invasive Species Council (Council). While the Department of Land and Natural Resources (Department) recognizes the need to provide a stable source of funding to the Council, the Department nonetheless opposes the fees proposed in this measure.

Preventing new invasive species from establishing in Hawaii provides the greatest long term protection for Hawaii and the Department supports stronger import quarantine measures. Fortunately, the Hawaii's islands provide a natural barrier and advantage that helps slow the interisland movement of invasive species.

DOA has developed and implemented key initiatives in their Biosecurity Strategy designed to reduce the import and spread of invasive species such as coqui and nettle caterpillar. The recent increase in permanent inspector positions and the establishment of the user fee under Act 9, Session Laws of Hawaii 2007, has been an important incremental step in the process of supporting a modernized and functional quarantine system to protect Hawaii from invasive species that threaten agriculture, the economy, our environment and way of life. New Zealand has developed a successful model that is flexible and annually reviews the cost of the program and increases or decreases the service fee per cargo unit to ensure cost recovery with out unfair charges to the shipping industry.

In Hawaii, over 432,000 - 20' equivalent containers are imported annually according to 2005 numbers recorded by the Department of Transportation. A similar number of containers are transported interisland each year. Allowing DOA to review detailed descriptions of the contents of the containers and prioritize them for inspection will allow the highest risk goods to be inspected for invasive species as the current DOA capacity allows while allowing the rest to move on to their destinations. Requiring detailed manifests will improve the State's response to future risk posed by new commodities such as the increased importation of building materials that may harbor invasive plants, insects or even larger animals such as snakes. Including

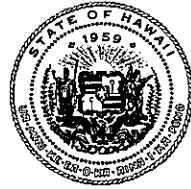
inspection and quarantine treatment in the State's transportation network and providing DOA with the resources and authority to improve interisland and import quarantine for Hawaii, protects the State's agricultural sector, tourism economy and environment.

The development of sustained, scalable funding for Hawaii's quarantine system was one of the priorities recognized by the 2002 Legislative Reference Bureau Report "Filling the Gaps in the Fight Against Invasive Species". In a poll carried out in Feb 2007 by Qmark, a division of Star Segal, done on behalf of the Coordinating Group on Alien Pest Species (CGAPS), nearly 75% of those polled supported a service fee to protect Hawaii from invasive species.

To support the comprehensive Hawaii Invasive Species Council, funding has shifted between existing general and special funds and between various invasive species and forest protection programs. Uncertain funding in past years has also caused layoffs in the Island Invasive Species Committees and a hiatus in the Hawaii Invasive Species Council's research grant program in 2007.

The Department recognizes that a sustainable stable funding source is needed for the important invasive species, watershed partnership and other Hawaiian forest conservation programs. The Department however is opposed to the fees proposed in this measure and will continue to work with affected partners to seek out other alternative sources of funding.

LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
INTERIM DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 12, 2008

TESTIMONY OF THE DEPARTMENT OF TRANSPORTATION

SB NO. 2404

COMMITTEE ON ENERGY & ENVIRONMENT

The Department of Transportation appreciates the opportunity to provide comments on this bill. SB No. 2404 proposes to increase the inspection, quarantine and eradication service fee and charge from \$1 to \$10 for each twenty-foot equivalent unit per marine container and will also impose the fee on air commercial container shipments on an appropriate unit per container.

The fees collected by the Department of Agriculture will be used to fund operations relating to pest inspection, eradication and monitoring programs as well as to carry out remedial measures when pests are detected in the course of inspections. We fully support enhanced efforts to protect our fragile island ecosystem and understand that user fees provide the means to implement these needed programs. Increases to such fees, however, must be balanced with other initiatives being taken by the State that may impact costs borne by the airline and maritime industries. In particular, the State is discussing tariff increases over a six year period with its key maritime users to support the debt service costs for harbor revenue bonds issued to finance priority capital improvements in the Harbor Modernization Plan.

We defer to the Departments of Agriculture and Land and Natural Resources on the revenue sharing proposed by the bill.



For the Protection of Hawaii's Native Wildlife

HAWAII AUDUBON SOCIETY

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TO: Senate Sergeant-At-Arms

**Committee on Energy and Environment, Tuesday, February 12, 2008, 2:45 P.M.,
Conference Rm. 414**

Testimony in Support SB2404

My name is George Massengale and I am the legislative Analyst for the Hawaii Audubon Society. Thank you for the opportunity to submit our testimony in support of SB2404, Relating to Invasive Species.

The Hawaii Audubon Society (HAS) was founded in 1939, and is Hawaii's oldest conservation organization. The Society's primary mission is the protection of Hawaii's wildlife and habitats. The Society is in strong support of increased fees that would be dedicated for invasive species inspection, quarantine, and eradication.

I'm sure that this committee is aware that in the last quarter of century, a substantial number of non-native animal and plant species have established themselves in Hawaii and in a number of instances have caused extensive harm of Hawaii's ecosystem. An ongoing funding stream would greatly facilitate efforts by the agencies involved in the control and eradication of invasive species and greatly reduce the need for special funding request from year to year for specific control efforts.

The Hawaii Audubon Society urges the committee's to pass this measure forward.
Thank you for allowing me to testify here today.

George S. Massengale, JD

Legislative Analyst

**SB 2404
RELATING TO INVASIVE SPECIES**

**PAUL T. OSHIRO
MANAGER – GOVERNMENT RELATIONS
ALEXANDER & BALDWIN, INC.**

FEBRUARY 12, 2008

Chair Menor and Members of the Senate Committee on Energy & Environment:

I am Paul Oshiro, testifying on behalf of Alexander & Baldwin, Inc. (A&B) and Matson Navigation Company, Inc. (a subsidiary of A&B) on SB 2404, "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

While we strongly support programs to control the spread of invasive species in Hawaii, we are very concerned that the present scope of the marine commercial container fee unfairly discriminates against the marine containerized cargo industry. In particular, we have concerns with the following aspects of the fee as presently contained in statute:

1. The fee is only imposed on marine container shipments that are brought into the State. No fee is imposed on other means by which invasive species can enter our State, such as via non-containerized marine cargo, non-containerized automobiles, and cargo brought into the State by air transportation.
2. Funds derived from this fee (imposed only on marine container shipments) may be used for invasive species programs that are unrelated to marine container shipments, such as the inspection of other modes of cargo transportation into the State.

PRESENT FEE IS ONLY APPLICABLE TO MARINE CONTAINER SHIPMENTS

Invasive species can enter Hawaii through several different means or pathways, including but not limited to ocean transportation (container, non-container, and automobile shipments; passenger baggage), air transportation (cargo shipments; passenger baggage), and the mail.

The present fee is imposed only on marine container shipments, despite several other possible invasive species entry modes into our State. In the cargo transportation marketplace, this directly increases the cost of marine container shipments while having no direct financial impact on any of the other modes of cargo transportation into the State of Hawaii despite the fact that they, too, could harbor invasive species. Not only is there the cost of the fee itself, but the affected marine companies also shoulder additional administrative costs to implement the fee system.

We believe that by assessing the present statutorily imposed fee only on marine container shipments, that this fee is discriminatory and results in an unfair burden and competitive disadvantage on entities that transport cargo to Hawaii via marine container shipments as opposed to entities that transport cargo to Hawaii via other modes of shipment and other modes of transportation.

PRESENT FEE MAY BE UTILIZED FOR OTHER MODES OF CARGO SHIPMENT

Use of funds derived from the present fee is targeted for the operation of pest inspection, quarantine, eradication, and monitoring programs, related facilities, and the execution of emergency remedial measures when pests are detected in the course of inspection and quarantine by the Department of Agriculture. However, the present law does not restrict the use of funds collected from this new marine container shipment fee

to only marine container related invasive species programs. Thus, these fees, derived solely from the transport of marine containers, could be used, for example, for the inspection and other invasive species programs for non-containerized marine cargo, non-containerized automobiles, and cargo/baggage shipped by air transportation—for which no fee is imposed. Thus, we do not believe that the present fee represents a comprehensive, fair, and equitable means of financing invasive species programs.

This bill proposes to expand the scope of the present invasive species fee to include containerized air cargo and to increase the amount of this fee from \$1.00 to \$10.00 per container. In addition to air and maritime containerized cargo, invasive species can also enter our State via non-containerized cargo. We respectfully recommend that this bill be amended to further broaden the scope of the invasive species fee to include non-containerized air and maritime cargo.

In addition, prior to increasing the amount of the fee for containerized air and maritime cargo, we also respectfully recommend that a comprehensive analysis be undertaken to determine the total amount of cargo that is shipped into the State from all modes of cargo transportation, including both containerized and non-containerized cargo shipments. With this information at hand, a fair and equitable schedule of invasive species fees could then be determined for the various modes of cargo transportation.

Thank you for the opportunity to testify.

testimony

From: randy ching [oahurandy@yahoo.com]
Sent: Saturday, February 09, 2008 9:06 AM
To: testimony
Subject: ENE: in support of SB 2404 - relating to invasive species

Senate Committee on Energy and Environment
Chair Ron Menor, Vice Chair Gary Hooser
In support of SB 2404 - relating to invasive species

Hearing: Tuesday, February 12, 2008 2:45 pm Room 414

Chair Menor, Vice Chair Hooser, and members of the committee,

Please support SB 2404. It will raise the inspection fee to help cover what is costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i.

The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent funding.

The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments.

Please pass SB 2404 out of committee. Thank you for the opportunity to testify.

Randy Ching
Sierra Club, Oahu Group chair
oahurandy@yahoo.com
942-0145

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testimony

From: Rene Siracusa [malamaopuna@yahoo.com]
Sent: Saturday, February 09, 2008 1:21 PM
To: testimony
Subject: SB 2404 - Inspection fee bill relating to invasive species

To: Sen. Ron Menor, Chair and members of the Senate Committee on Energy and the Environment

Aloha mai kakou:

Malama O Puna is an environmental nonprofit organization working on the Big Island. We are proud to have a membership base of over 1,450 households. Our motto is: preserving Hawaii's precious natural heritage.

Over the past 17 years we have worked on various large hands-on projects involving habitat protection and restoration, as well as invasive species eradication/control (Miconia and Coqui Frogs especially). So we know from first hand experience the terrible destruction that invasive species can cause, and how time-consuming, expensive and physically grueling eradication efforts can be. There is no doubt that it is much more cost-effective and there is less negative impact on our very special aina if we are proactive and work to prevent infestations - rather than trying to play catch-up after the fact. Very often if we wait too long we end up being saddled with the additional expense and effort of trying to restore an area once the invaders have been eliminated. More often it is impossible to completely eliminate them and we have to settle for controlling the spread of smaller populations.

That said, we are strongly in favor of Senate Bill 2404. We testified in favor of a previous bill to collect inspection fees for marine shipments. The passage of this bill will tighten the loop. A test done not too long ago proved that about 80% of all alien species on incoming freight could be avoided with additional inspectors, but that takes money. This bill addresses the problem and the solution.

We keep undesirable human aliens out of our country and our state. The federal government provides ample funding to INS to do a thorough job of it. But one female brown tree snake carrying fertilized eggs, for example, can ultimately do a lot more damage than one illegal immigrant. This bill is a wonderful tool to help us protect our shores and give ourselves the power and ability to determine what species we can greet with aloha and what ones we can deny entry to. Let's empower ourselves to make that determination by passing this bill.

Mahalo and aloha aina,
Rene Siracusa, President
Malama O Puna

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testimony

From: Waimea Williams [williamsw011@hawaii.rr.com]
Sent: Friday, February 08, 2008 10:50 PM
To: testimony
Subject: SB 2404

Testimony Submitted to the Senate Committee on Energy and Environment
Hearing: Tuesday, February 12, 2008 2:45 pm Room 414

Supporting SB 2404 Relating to Invasive Species

Good afternoon. My name is Waimea Williams of the environmental organization 'Ahahui Malama i ka Lokahi, and I support SB 2404 for the following reasons:

- 1) it would raise the fee to inspect shipments and prevent invasive species from entering Hawai'i, a necessity to cover costs.
- 2) it would establish permanent funding for Invasive Species Committees on each island, which work with private landowners and government agencies.
- 3) it would authorize inspection fees for air shipments, not only on marine shipments.

Please pass this bill out of committee. Thank you for the opportunity to testify.

testimony

From: Lizabeth Kashinsky [horsemedicine@gmail.com]
Sent: Saturday, February 09, 2008 8:29 AM
To: testimony
Subject: Testimony Submitted to the Senate Committee on Energy and Environment

Testimony Submitted to the Senate Committee on Energy and Environment
Hearing: Tuesday, February 12, 2008 2:45 pm Room 414

Supporting SB 2404 Relating to Invasive Species

Aloha,

My name is Lizabeth Kashinsky. I support SB 2404 for these reasons:

It will raise the inspection fee to help cover what it costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i.

The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent adequate funding.

The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments. Please pass this bill out of committee. Thank you for the opportunity to testify.

Sincerely,

Lizabeth Kashinsky

testimony

From: Diane Underwood [diane@islandarchitect.net]
Sent: Saturday, February 09, 2008 9:31 AM
To: testimony
Subject: Supporting SB 2404 Relating to Invasive Species
Importance: High

Testimony Submitted to the Senate Committee on Energy and Environment
Hearing: Tuesday, February 12, 2008 2:45 pm Room 414

Supporting SB 2404 Relating to Invasive Species

Aloha.

My name is Diane Underwood. I support SB 2404 for these reasons. It will raise the inspection fee to help cover the state and the taxpayers expenses to inspect shipments & prevent invasive species from entering Hawai'i. The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent adequate funding. The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments. Please pass this bill out of committee. Thank you for the opportunity to testify.

testimony

From: Alma McGoldrick [amcgoldrick@hawaii.rr.com]
Sent: Saturday, February 09, 2008 11:27 AM
To: testimony
Subject: invasive species bill SB2404

Aloha. My name is Alma McGoldrick I support SB 2404 for these reasons. It will raise the inspection fee to help cover what it costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i. The bill also establishes a permanent funding source for the Invasive Species Committees on each island, who work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent adequate funding. The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments. Too much of Hawaiian forests, reefs etc have been ruined already by invasive species, lets help to prevent more. Please pass this bill out of committee. Thank you for the opportunity to testify.

testimony

From: Kim Ramos [kimmerhi@yahoo.com]
Sent: Monday, February 11, 2008 10:12 AM
To: testimony
Subject: Supporting SB 2404 Relating to Invasive Species

Testimony Submitted to the Senate Committee on Energy and Environment
Hearing: Tuesday, February 12, 2008 2:45 pm Room 414

Supporting SB 2404 Relating to Invasive Species

Aloha. My name is Kim Ramos. I strongly support SB 2404 for the following reasons. Invasive species are a tremendous threat to Hawai'i's environment and economy. This bill will raise the inspection fee to help cover what it costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i. The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments.

The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent adequate funding.

Please pass this bill out of committee. Thank you for the opportunity to testify.

Kim L. Ramos
2510 Pacific Heights Road
Honolulu HI 96813
545-8045

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testimony

From: Norma Bustos [bustos_norma@yahoo.com]
Sent: Monday, February 11, 2008 10:39 AM
To: testimony
Subject: Testimony in support of SB 2404 Relating to Invasive Species

I would like to submit testimony in support of SB 2404 Relating to Invasive Species. This testimony is to be submitted to the Senate Committee on Energy and Environment, Senator Ron Menor, Chair. The hearing for this bill is scheduled for **Tuesday, February 12, 2008 2:45 pm Room 414.**

Dear Senator Menor,

I strongly urge you to vote in favor of SB 2404 Relating to Invasive Species. This bill would require 50% of the inspection, quarantine, and eradication service fees and charges collected be allocated to DLNR for the invasive species committees. In addition, it would also raises the fee for inspection, quarantine, and eradication of invasive species contained in any marine or air commercial container shipment from \$1 to \$10 per 20-foot equivalent unit per container or other appropriate unit per container.

As you may know invasive species pose an enormous threat to Hawaii's economy and to our way of life. Preventing the introduction of alien invasive species is the cheapest, most effective and most preferred option and should be the highest priority for the State. In our islands it has been estimated that at least two serious arthropod pests have arrived every year for the past 10 years, including the little fire ant, the Erythrina gall wasp, which is destroying native wiliwili trees, and the Varroa mite, a threat to the multimillion-dollar queen bee, honey and pollinating industry.

An increase in inspection fees and funding via the subsequent allocation of 50% of these fees to the DLNRs invasive species committees would greatly help to control the flood of alien invasive species finding their way into our State. That being said, I strongly urge you to support SB 2404. Please help to preserve our Aina and our way of life.

Mahalo,
Norma Bustos

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testimony

From: rhimoto@hawaii.rr.com
Sent: Monday, February 11, 2008 3:05 PM
To: testimony
Subject: Supporting SB 2404 Relating to Invasive Species

Testimony Submitted to the Senate Committee on Energy and Environment
Hearing: Tuesday, February 12, 2008 2:45 pm Room 414

Supporting SB 2404 Relating to Invasive Species

Aloha. My name is Roger Imoto. I support SB 2404 for these reasons. It will raise the inspection fee to help cover what it costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i. The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent adequate funding. The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments. Please pass this bill out of committee.

Thank you for the opportunity to testify.

testimony

From: cynthia vanderlip [cici55@hotmail.com]
Sent: Monday, February 11, 2008 3:07 PM
To: testimony
Subject: I support SB 2404

Aloha. My name is cynthia vanderlip. I support SB 2404 for these reasons. It will raise the inspection fee to help cover what it costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i. The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land. The Committees do very good work and need permanent adequate funding. The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments. Please pass this bill out of committee. Thank you for the opportunity to testify.

Cynthia Vanderlip
PO Box 6395
Kanaohe hawaii
97844
cell: (808) 352-6218

testimony

From: Julia Parish [farnaby719@gmail.com]
Sent: Monday, February 11, 2008 8:40 PM
To: testimony
Subject: Supporting SB 2404 Relating to Invasive Species

Aloha,

My name is Julia Parish, from Palolo Valley. I support SB 2404 for these reasons:

It will raise the inspection fee to help cover what it costs the state and the taxpayers to inspect shipments to prevent invasive species from entering Hawai'i

The bill also establishes a permanent funding source for the Invasive Species Committees on each island, which work with private landowners and government agencies to control invasive species mostly on private land

The Committees do very good work and need permanent adequate funding

The bill also authorizes inspection fees for air shipments. Currently, inspection fees are collected only on marine shipments

Please pass this bill out of committee. Thank you for the opportunity to testify.

Sincerely, Julia Parish

"We are what we believe we are." - CS Lewis -

We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect. - Aldo Leopold

How am I going to make it right? - Bjork