

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
ENERGY & ENVIRONMENTAL PROTECTION**

**Tuesday, April 1, 2014
8:30 AM
State Capitol, Conference Room 325**

**In consideration of
SENATE BILL 2347, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO INVASIVE SPECIES**

Senate Bill 2347, Senate Draft 2, House Draft1 proposes to require owners of nursery stock to treat plants for pests prior to intrastate movement. This draft also proposes to establish a comprehensive intrastate quarantine program, including the regulation of movement of certain articles from quarantine areas established by the Hawaii Department of Agriculture (HDOA). **The Department of Land and Natural Resources (Department) supports this measure.**

Minimizing the risk of interisland or intrainland movement of invasive species in nursery stock is critical to effectively containing and controlling nursery pests in Hawaii. The measure describes in particular the coqui frog and little fire ant, but also applies to any other pest designated pursuant to Section 141-3 Hawaii Revised Statutes, which to date includes approximately 50 species and 3 genera of insects, 4 species of mites, 8 "other pests", and 26 plant diseases. Regulation of the movement of these species in nursery stock would be beneficial to Hawaii's environment, agriculture, and economy, and the Department supports a requirement to treat for these species on nursery and landscape properties and commodities. The Department defers to the HDOA on specific recommendations for how these new regulations are best implemented.

With regard to establishing an intrastate quarantine system, the Department supports the intent of this measure to strengthen Hawaii's intrastate biosecurity and defers to the HDOA on the most practical way to implement and enforce these regulations, and whether these programs can be achieved with current staff capacity.

The Department appreciates the opportunity to testify on this measure.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE SOUKI
FIRST DEPUTY

WILLIAM M. TAM
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
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

NEIL ABERCROMBIE
Governor



SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

KEN H. KAKESAKO
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

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

**TUESDAY APRIL 1, 2014
8:30 A.M.
CONFERENCE ROOM 325**

**SENATE BILL NO. 2347 SD2 HD1
RELATING TO INVASIVE SPECIES**

Chairperson Lee and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill No. 2347 SD 2 HD 1 relating to invasive species. This bill makes regulated articles subject to pest inspection, treatment and destruction and allows the designation of quarantine areas and the establishment of compliance agreements for transportation of certain articles. The Hawaii Department of Agriculture (HDOA) appreciates the intent of this bill but would ask that the bill be deferred to allow for more discussion with affected industries to come up with a comprehensive approach that will mitigate the effects on industry while still preventing the spread of invasive species.

Regulation of intrastate movement of commodities to monitor for invasive species is a vast responsibility that will require the coordination of various departments including, but not limited to the Department of Transportation, the Department of Land and Natural Resources, the Department of Health, and federal partners such as the USDA Animal and Plant Health Inspection Service. It will also involve input from industry as to measures that can be implemented that will curtail the spread of invasive species without being overly onerous.



The Hawaii Invasive Species Council (HISC) is one such multi-agency group that brings together various governmental agencies and non-profit groups with the common cause of addressing invasive species issues. The HISC has already begun coordinating a multi-agency response to the growing number of invasive species that are being detected at points of entry and exit. Called Mamalu Poepoe, this initiative is pooling the expertise and resources of the Department of Transportation, the Department of Land and Natural Resources, the Department of Health and the HDOA to increase screening at our airports and ports to stop the spread of invasive species before they can be established in our islands. The Department of Transportation has already committed resources to this effort and we feel that further support of this initiative would be the best approach.

Requirements for intrastate movement of any regulated article that may carry pests should be practical while maintaining necessary safeguards and precautions to minimize the further spread of pests and the Department wishes to dialogue with industry to better understand the impact of any new regulations.

Thank you for the opportunity to submit testimony.

SB2347

Submitted on: 3/31/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Boyd Ready	Landscape Industry Council of Hawaii	Oppose	No

Comments: Dear legislators: Everyone's glad there are no snakes naturalized in Hawaii. Why is that still true? Vigilant searches for stow-aways on Air Force and commercial flights from Guam! This bill should be sent back for rewrite for two reasons: 1) it duplicates laws already on the books; 2) harsh penalties over-criminalize what needs to be a cooperative effort. The reason we have these problems has been lack of funding for inspection at ports of entry and transport. Seven out of eight opportunities to catch invasive species occur during transit and at ports of entry. Yet this bill focuses on eighth way only, and makes criminals of those involved, involved very often unwittingly. To solve this problem INSPECT INTERNATIONAL SHIPMENTS and INCREASE AND MAKE ROUTINE A THOROUGH VIGILANCE AT GOVERNMENT-CONTROLLED PORTS AND TRANSPORT HUBS. Existing laws already cover much of this bill's initiatives and they have gone unenforced. Legislation is not always the answer to a problem. Send this back for a re-think. Respectfully, Boyd Ready Director Emeritus Landscape Industry Council of Hawaii

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



P.O. Box 253, Kunia, Hawai'i 96759
Phone: (808) 848-2074; Fax: (808) 848-1921
e-mail info@hfbf.org; www.hfbf.org

April 1, 2014

HEARING BEFORE THE
HOUSE COMMITTEE ON ENERGY AND ENVIRONMENTAL PROTECTION

**TESTIMONY ON SB 2347, HD1
RELATING TO INVASIVE SPECIES**

Room 325
8:30 AM

Chair Lee, Vice Chair Theilen, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,832 farm family members statewide, and serves as Hawaii's voice of agriculture to protect, advocate and advance the social, economic and educational interests of our diverse agricultural community.

The Hawaii Farm Bureau **strongly objects to SB2347HD1, an effort that appears to address invasive species but rather causes significant unintended consequences detrimental to the State's policy of increased self sufficiency and sustainability. This measure places an unfair burden on private individuals and businesses and exposes them to fines and penalties for circumstances that are often beyond their control.**

HFB strongly supports the control of invasive species. Since the original version that was problematic, this measure has been amended numerous times. Attempts to address concerns has created additional issues that are detrimental to the State and the agricultural industries that will be impacted by passage of this legislation. This bill exemplifies the damage that can occur when issues such as invasive species are handled in a piecemeal manner instead of the comprehensive plan as identified in HRS 150A-51 to 56. The most damaging aspects of this measure in its current form are:

- 1) **The preamble** includes reference to an unidentified list of pests to be controlled. Attached is first page of the State's official list of designated pests referenced in HAR 49-69. You will see that the list is extensive including insects such as honeybees and Chinese rose beetle commonly found in backyards. Given this list, significant resources will be spent with questionable returns. Agriculture is and will be the most impacted industry by this legislation. Hawaii Farm Bureau has serious concerns about what pests are regulated in these proposed sections; specifically with numerous references to "any pest". Certainly agricultural enterprises cannot be held

responsible for the transportation of any and all pests. Industry needs to be made aware of what pests are covered, and the criteria for including the pest so that it may respond to this legislation. Moreover, credence and emphasis should be given to the underlying causes that led to the introduction of these pests to Hawaii in the first place.

It's unfair for the State to impose control functions upon an industry without identifying what they must control, and control must be within the realm of possibility. Disclosure AFTER passage of this measure is unfair to the regulated parties.

- 2) **Intrastate inspection and Establishment of prohibited transportation and possession:** This is duplicative law creating an unfunded mandate. HRS150A-52(1) identifying the objectives of the biosecurity program reads:
Establish a multi-dimensional system to prevent the entry into the State and interisland movement of pests and prohibited or restricted organisms without a permit

The intent of this section is already covered in the existing Hawaii Biosecurity Plan. Creating duplicative language is unwarranted.

- 3) **Quarantine Areas:** This sections is also duplicative to existing law:

HRS150A-52 (3)

Develop, implement, and coordinate post-entry measures to eradicate, control, reduce, and suppress pests and, as appropriate, eradicate or seize and dispose of prohibited or restricted organisms without a permit that have entered the State;

- (3) **Compliance Agreement** This section duplicates HRS 150A-53 which not only includes provisions associated with this proposed chapter but further elaborates the implementing actions. These measures have been demonstrated with the development of electronic manifests with shippers such as Matson and this body will do well by hearing directly from HDOA and Matson how these measures are being implemented and have facilitated cargo movement.

[§150A-53] General actions to achieve objectives. To achieve the objectives of the biosecurity program, the department shall plan for and, within available legislative appropriations, implement the following:

(1) Work with government agencies and agricultural commodity exporters of other states and countries to establish pre-entry inspection programs under which inbound cargo into the State is inspected at the ports of departure or other points outside the State;

(2) Establish, operate, or participate in operating port-of-entry facilities where multiple government agencies may inspect, quarantine, fumigate, disinfect, destroy, or exclude as appropriate, articles that may harbor

pests or exclude articles that are prohibited or restricted without a permit, with the goals of:

(A) Performing inspections in an efficient, effective, and expeditious manner for the government agencies involved and for cargo owners, carriers, and importers; and

(B) Providing for the proper and safe storage and handling of cargo, especially agricultural and food commodities, awaiting inspection;

As described above, this measure duplicates measures already in law and the steps to implementing the program have been reported to the Legislature every year up to the 2013 session. HDOA as well as organizations such as HISC are familiar with the Program. **If there are deficiencies, than the deficiencies should be addressed rather than creating an unfunded mandate that will not yield results.**

Passage of this measure will place an unfair burden on farmers and ranchers for control of invasive species. This will place Hawaii's crop producers at a further competitive disadvantage in comparison to our mainland counterparts. When farmers and ranchers are dealing with a host of issues that drive up cost and risks, it is unfair to saddle invasive species control largely and squarely on our shoulders. Increase costs and risks work against other food security and sustainability efforts while driving young people away from careers in agriculture.

The aforementioned Biosecurity Program includes a funding mechanism. Control via implementation of aspects of the program has already been demonstrated such as the Little Fire Ant when it was initially discovered on Maui. During a time of competing fiscal needs, implementation of a comprehensive plan to ensure that it is not just the "squeaky wheel" that gets the attention is vital. Prior to the reduction in force impacting the Plant Quarantine's inspectors, significant progress was achieved in the control of invasive species movement into and within the state with supporting documentation. This process does not need to be reinvented.

Further, this measure does NOT address development nor funding of control measures and leaps to penalties. Many of our farming areas are surrounded by State DLNR lands infested with invasive species. Farmers and ranchers are extremely troubled by this fact. These issues must be addressed along with other issues created by this proposed legislation. If this body wishes to make a meaningful difference in the control of coqui, little fire ants and other high visibility invasives, adoption of a parallel to the noxious weed free zones as required in HRS 152-5(A) would be helpful.

§152-5 Designation of areas declared free or reasonably free of noxious weeds. *The department may declare the entire State, an island, or a section of an island as free or reasonably free of a specific noxious weed. The department shall take necessary measures to restrict the introduction and establishment of specific noxious weeds in areas declared free or reasonably free of those noxious weeds*

In most cases farmers and ranchers are not authorized to control pests on State DLNR lands. DLNR's website opens with the following statement:

The Department of Land and Natural Resources, headed by an executive Board of Land and Natural Resources, is responsible for managing, administering, and exercising control over public lands...

The land division further states:

The Land Division is responsible for managing State-owned lands in ways that will promote the social, environmental and economic well-being of Hawaii's people

Implying that it is their responsibility to control invasive on their lands to ensure the economic well being of our farmers and ranchers.

As farmers and ranchers are held responsible for pest control on their lands, likewise should the State. Punitive focus on farmers and ranchers, and if taken as written, this measure includes that the general public will be exposed to fines and penalties if they possess or transport invasives when sharing plants and other material with friends and family on neighbor islands.

We strongly suggest that this measure be replaced with a measure that seeks to designate invasive species free zones on state land surrounding farm and ranch lands. To wit:

171- Designation of public land areas declared free or reasonably free of invasive species. The department in consultation with the Department of Agriculture shall identify areas around active farm or ranch lands to be designated as invasive species free zones. The department shall take necessary measures to restrict populations of invasive species in areas designated as invasive species free zones.

Additionally, funding HDOA appropriately toward the implementation of the biosecurity measure already defined in law is paramount. HB1932 seeks to address this and is widely supported by farmers and ranchers. **Therefore, we respectfully request your support of HB1932.**

We respectfully request that this measure be held or amended to create invasive species free public lands surrounding farms and ranches and the provisions of HB1932 be supported as an implementing action.

Thank you for the opportunity to offer testimony on this important measure.

List of Insects, Mites, Other Pests, and Plant Diseases
Designated as Pests
for Control or Eradication Purposes by the
Hawaii Department of Agriculture

December 16, 2008

INSECTS

<u>Scientific Name</u>	<u>Common Name</u>
<u>Adoretus sinicus</u>	Chinese rose beetle
<u>Anastrepha</u> spp.	an exotic fruit fly species
<u>Acirocanthus woolumi</u>	citrus blackfly
<u>Atopolepis longipes</u>	longlegged ant
<u>Aphis gossypii</u>	cotton/melon aphid
<u>Apis mellifera</u>	honey bee
<u>Aspidiella hartii</u>	turmeric scale
<u>Bactrocera correctus</u>	guava fruit fly
<u>Bactrocera cucurbitae</u>	melon fly
<u>Bactrocera dorsalis</u>	oriental fruit fly
<u>Bactrocera latifrons</u>	solanaceous fruit fly
<u>Bactrocera tryoni</u>	Queensland fruit fly
<u>Bemisia tabaci</u>	sweetpotato whitefly
<u>Ceratitls capitata</u>	Mediterranean fruit fly
<u>Cosmopolites sordidus</u>	banana root borer
<u>Coccus viridis</u>	green scale
<u>Cryptophlebia illepidia</u>	koa seedworm

<u>Cryptophlebia ombrodelta</u>	litchi fruit moth
<u>Darna pallivitta</u>	nettle caterpillar
<u>Delia radicum</u>	cabbage maggot
<u>Diatraea saccharalis</u>	sugarcane borer
<u>Dysmicoccus alazon</u>	a mealybug
<u>Dysmicoccus brevipes</u>	pineapple mealybug
<u>Elasmopalpus lignosellus</u>	lesser cornstalk borer
<u>Frankliniella occidentalis</u>	western flower thrips
<u>Heteropsylla cubana</u>	leucaena psyllid
<u>Hypothenemus hampei</u>	coffee berry borer
<u>Hypothenemus obscurus</u>	tropical nut borer
<u>Keiferia lycopersicella</u>	tomato pinworm
<u>Liriomyza spp</u>	agromyzid leafminers
<u>Metamasius callizona</u>	bromeliad weevil
<u>Monolepta australis</u>	redshouldered leaf beetle
<u>Myndus crudus</u>	American palm cixiid
<u>Myzus persicae</u>	green peach aphid
<u>Nezara viridula</u>	southern green stink bug
<u>Oryctes rhinoceros</u>	coconut rhinoceros beetle
<u>Ostrinia nubilalis</u>	European corn borer
<u>Pentalonia nigronervosa</u>	banana aphid
<u>Pheidole megacephala</u>	bigheaded ant
<u>Phoracantha semipunctata</u>	eucalyptus longhorned beetle

<u>Plutella xylostella</u>	diamondback moth
<u>Pogonomyrmex</u> spp.	harvester ants
<u>Popillia japonica</u>	Japanese beetle
<u>Pseudonirvana rufofascia</u>	two-spotted leafhopper
<u>Sipha flava</u>	yellow sugarcane aphid
<u>Solenopsis invicta</u>	red imported fire ant
<u>Thrips palmi</u>	melon thrips
<u>Toxotrypana curvicauda</u>	papaya fruit fly
<u>Trialeurodes vaporariorum</u>	greenhouse whitefly
<u>Vespula pensylvanica</u>	western yellowjacket
<u>Wasmannia auropunctata</u>	little fire ant
<u>Xylosandrus compactus</u>	black twig borer

MITES

<u>Scientific Name</u>	<u>Common Name</u>
<u>Acarapis woodi</u>	honey bee tracheal mite
<u>Polyphagotarsonemus latus</u>	broad mite
<u>Tetranychus cinnabarinus</u>	carmine spider mite
<u>Varroa jacobsoni</u>	varroa mite

OTHER PESTS

<u>Scientific Name</u>	<u>Common Name</u>
<u>Coenobita clypeatus</u>	land hermit crab
<u>Corbicula fluminea</u>	freshwater clam

<u>Dreissena polymorpha</u>	zebra mussel
<u>Eleutherodactylus coqui</u>	coqui frog
<u>Helix aspersa</u>	brown garden snail
<u>Megalabulimus oblongus</u>	giant South American snail
<u>Pomacea canaliculata</u>	apple snail
<u>Theba pisana</u>	white garden snail

PLANT DISEASES

<u>Causal Organism</u>	<u>Common Name</u>
<u>Pseudomonas solanacearum</u> (banana, Strain D)	Bacterial wilt of heliconia
Banana bunchy top virus	Banana bunchy top disease
<u>Mycosphaerella fijiensis</u> var. <u>difformis</u>	Black Sigatoka of banana
A viroid	Cadang cadang disease of coconuts
<u>Xanthomonas campestris</u> p.v. <u>citri</u>	Citrus canker or bacterial canker of citrus
<u>Colletotrichum coffeanum</u>	Coffee berry disease
<u>Hemileia vastatrix</u>	Coffee rust
<u>Peronosclerospora maydis</u>	Downy mildew(s) of corn
<u>Peronosclerospora</u> <u>philippinensis</u>	
<u>Peronosclerospora sacchari</u>	
<u>Peronosclerospora sorghi</u>	
<u>Sclerophthora macrospora</u>	

Sclerophthora rayssiae var.
zeae

Sclerospora graminicola

Fusarium oxysporum f.sp.
cubense

Fusarium wilt of banana
(Panama disease)

Fusarium oxysporum f.sp.
koae

Koa disease

A mycoplasma-like organism

Lethal yellowing of coconuts

Maize chlorotic mottle virus

Maize chlorotic mottle
disease

Pseudomonas solanacearum
Race 2 (banana, Strain B)

Moko disease of banana

Coleosporium bletiae

Orchid rust diseases

Sphenospora kevorkianii

Sphenospora mera

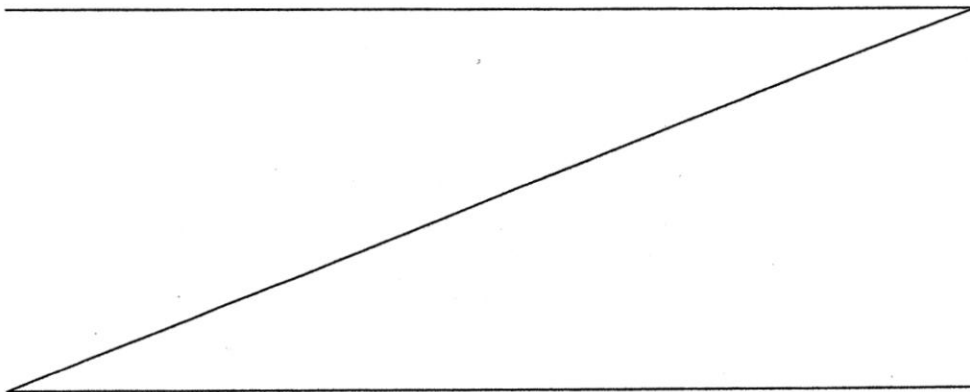
Sphenospora saphena

Uredo behnickiana

Uredo nigropuncta

A virus

Papaya ringspot virus



SB2347

Submitted on: 3/30/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
John R. Gordines	Individual	Oppose	No

Comments: Aloha my name is Johnny Gordines and I am the Regulatory Chair for Hawaii Floriculture and Nursery Association (HFNA), Kauai Director and President of Hawaii Tropical Flowers and Foliage Association -Kauai(HTFFA). We oppose this bill and strongly urge you to kill it! This bill will destroy Hawaii agriculture will destroy all of Hawaii Agriculture. The remedy is to immediately launch the HDOA Biosecurity program with Pest management plan, hire more inspectors and work together with USDA to guard our gates. The emphasis needs to be to control invasive and support production agriculture to encourage sustainability/profitability for our farmers.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Testimony of The Nature Conservancy of Hawai'i
Supporting S.B. 2347 HD1 Relating to Invasive Species
House Committee on Energy and Environmental Protection
Tuesday, April 1, 2014, 8:30AM, Room 325

The Nature Conservancy of Hawai'i is a private non-profit conservation organization dedicated to the preservation of the lands and waters upon which life in these islands depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. Today, we actively manage more than 35,000 acres in 11 nature preserves on Maui, Hawai'i, Moloka'i, Lāna'i, and Kaua'i. We also work closely with government agencies, private parties and communities on cooperative land and marine management projects.

The Nature Conservancy supports S.B. 2347 HD1 to help prevent the movement of designated pests between islands and locations within islands.

Invasive weeds, insects, diseases, snakes, and other pests are one of the greatest threats to Hawaii's economy, agriculture, natural environment, and the health and lifestyle of its people. With favorable conditions and limited competition, non-native species arrive in the Hawaiian islands to find an easy environment in which to thrive. Indeed, the colonization rate of introduced insects and mites in Hawai'i has been estimated at 500 times the rate of the continental United States.

Evidence from Hawai'i and around the world shows that preventing new pest establishment and movement between islands is exponentially more economical than eradicating a pest or, even worse, controlling it indefinitely once it becomes established.

BOARD OF TRUSTEES

Alan H. Arizumi Christopher J. Benjamin Anne S. Carter Richard A. Cooke III Peter H. Ehrman Kenton T. Eldridge
Thomas M. Gottlieb James J.C. Haynes III Mark L. Johnson Dr. Kenneth Y. Kaneshiro Eiichiro Kuwana
Duncan MacNaughton Wayne K. Minami A. Catherine Ngo James C. Polk H. Monty Richards Chet A. Richardson
Jean E. Rolles Scott C. Rolles Crystal K. Rose Dustin E. Sellers Dustin M. Shindo Nathan E. Smith James Wei Eric K. Yeaman

Chair: Kenton T. Eldridge *Chair Emeriti:* Samuel A. Cooke (co-founder; chair 1980-1991), Herbert C. Cornuelle (co-founder),
Bill D. Mills (1991-1995), Jeffrey N. Watanabe (1995-2004), David C. Cole (2004-2008), Duncan MacNaughton (2008-2011)

SB2347

Submitted on: 3/31/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dean J. Okimoto	Individual	Oppose	No

Comments: my name is Dean J.Okimoto, president of Nalo farms, Inc. I strongly oppose SB2347, as I feel this puts all the onus of controlling invasive species on the farmers, who are not the ones responsible for having these invasives here in the first place! I believe these types of punitive measures will lead to further problems, as farmers will not want to report if they have the problem for fear of retribution. Furthermore, you are not attacking the problem of future invasives coming into the state. I believe the state needs to put more money into the Dept. of Agriculture to hire more inspectors to help control the initial introduction of invasives into our state as well as check for interisland transmission of these invasives. I understand that we want to control these invasives, but the more you place on the farmers,the less farmers want to farm and less viable you make agriculture as an industry. Put more money into controlling the introduction of invasives into our state, not take it out on farmers just trying to make a living!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

TESTIMONY FROM PAUL MAYEDA (NURSERYMAN) WITH BUSINESS LOCATIONS
ON OAHU AND ISLAND OF HAWAII

TO BE HEARD BY THE HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL
PROTECTION

SCHEDULED HEARING ON APRIL 1, 2014 8:30AM IN HOUSE CONFERENCE ROOM
325

SB2347 SD2 HD1 RELATING TO INVASIVE SPECIES

Good morning Chairperson Lee and committee members,

My name is Paul Mayeda and I have been a nurseryman since March 1973. I have complied with many rules and laws that allowed my company to ship to California and to other states in the union. I have also shipped to Canada and other foreign countries over the years all with different laws. I have a very good reputation for quality in the products that I have shipped and have had a very clean quarantine record with California and Canada which regulations are enforced by joint agreements with the State of Hawaii Department of Agriculture Plant Quarantine Division. This clean quarantine record comes with a significant cost and training of employees.

I strongly oppose SB2347 SD2 HD1. I have fought with Coqui frogs since the beginning around the mid 90's. I wrote letters on November 3, 2004 to then Governor Linda Lingle and Department of Agriculture Chairperson Sandra Lee Kunimoto asking for help. This is already 9 years since the frogs were found in Mountain View on the Island of Hawaii. What prompted these letters was a meeting with then Plant Quarantine Chief Neil Reimer on an Interisland Inspection Protocol for Coqui frogs and penalties of being quarantined if shipments were found to contain frogs. The spread of the Coqui frogs were starting to increase everywhere. My nursery is located in the Panaewa Forest at 720 Kealakai Street in Hilo, Hawaii. I am sharing a ¼ mile common boundary with DLNR conservation lands and I asked for some kind of help to curtail the spread of

the frogs throughout the conservation lands mauka of my property so I could maintain a clean production area to comply with coming regulations. The response for both letters was that I could borrow the State's sprayer that was purchased to spray citric acid and caffeine to kill the frogs and labor and chemicals would have to be supplied by my company. How can the State of Hawaii impose more regulations to keep invasive species out and make business owners responsible when the biggest source of these pest are coming from State, Federal and county lands. I was told I could not treat any conservation lands to push the frogs back. So productive lands would have to be sacrificed to create a buffer zone and an unending source of frogs would keep coming onto our lands and more money is spent trying to eradicate a pest, entrenched and proliferating on government lands. This does not seem logical. Just recently we are having to fight and push back the Little Fire Ant. This bill will impact a lot of middle income people which are small business owners and employees of these farms. A great deal of families depend on agriculture in one form or another on the Island of Hawaii. These are voters and future voters that are going to be hurt.

Thank you for your time for letting me submit testimony.

SB2347

Submitted on: 3/31/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bernadette Rasay	Individual	Comments Only	No

Comments: My name is Bernadette Rasay and I live on the Big Island. I've worked for a nursery for 14 years in their shipping department and I've helped a friend with his plant nursery in Panaewa that is surrounded by government conservation land. So I've been around to see these invasive species that SB 2347 is trying to contain. I've also witnessed first hand how these nurseries spend thousands of dollars a year to control these pests in order to ship clean plants. SB 2347 targets nurseries for the spread of these pests. But these nurseries are not the only carriers. Let's take the fire ants as an example, they are found on wood (lumber yards, Home Depot, HPM, etc.) containers (Matson, FedEx, Air Cargo's, etc.) they can easily walk into luggages, backpacks, etc. and go undetected because of their size. The list goes on..... The nurseries that SB 2347 targets are the very ones who take precautionary measures to prevent the spread. What are the other businesses doing to help stop the spread? SB 2347 is not even looking in this direction. WE HAWAII have a problem and a serious one. But SB 2347 is not the answer. SB 2347 merely wants to stop the spread, not help eradicate the problem. So they will be spending millions to shut down nurseries (quarantine them) preventing them from selling which means no income, that will lead to people out of work, that forces them out of their homes because they can no longer pay their mortgage or rent, creating a larger homeless population. SB 2347 has loop holes. If this bill is passed, it will not help the problem. I see it as a BIGGER ONE. We need to kill this bill and create one that benefits everyone.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

SB2347

Submitted on: 3/31/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Chris Dacus	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

SB2347

Submitted on: 3/31/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Joey Silva	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

SB2347

Submitted on: 3/31/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Frederick M. Mencher	Individual	Oppose	No

Comments: SB 2347 would punish farmers for "harboring" pests, when farmers are the ones most harmed by those pests. It would do nothing substantive to help the farmers or the DOA to control the pests. Please do not pass SB 2347. Thank you, Fred Mencher

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Oceanside Landscaping
P.O. Box 5
Waimanalo, HI 96795
(808) 295-1904



To Whom It May Concern:

The bill SB2347 will have a dramatically negative impact on both the farming and nursery businesses.

One of the primary concerns I have with it is the States authority to quarantine operations that are in proximity to the little fire ant (LFA) or other pests listed in the bill.

If we are unable to market our commodities for an indefinite amount of time the potential for bankruptcy or business failure will increase significantly. This is especially true for family owned or small businesses that have a limited supply of capital.

It is my opinion that the answer to the invasive species problem is prevention, treatment, and education of both the public and industries affected.

The fact that the LFA is present on Oahu means that we are already in need of a treatment program implemented by the State of Hawaii in cooperation with the farm and nursery businesses.

A biological method of fighting these pests needs to be developed. In the meantime a chemical program thru application of pesticides, granules, and baits should be set up.

Native birds are at risk from LFA, as well as domestic pets and livestock. In addition, people and their habitats will be at risk.

Prevention is an important factor to invasive species as far as identifying pests and minimizing re-infestation.

Finally, education in regard to proper testing and identification of invasive pests is very important.

I hope this bill will not make it any further along on its way to becoming a law.

Sincerely,

Glenn Griffin



Hawaii Floriculture and Nursery Association

Testimony for the Twenty Seventh Legislature, 2014
State of Hawaii

COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

Rep. Chris Lee, Chair

Rep. Cynthia Thielen, Vice Chair

April 01, 2014
8:30 am
Room 325
State Capitol
415 South Beretania Street

A bill for an act
SB 2347, SD2 HD1 RELATING TO INVASIVE SPECIES
Strongly Oppose SB 2347

My name is Eric S. Tanouye and I am the President for the Hawaii Floriculture and Nursery Association. HFNA is a statewide umbrella organization with approximately 300 members. Our membership is made up with breeders, hybridizers, propagators, growers, shippers, wholesalers, retailers, educators, and the allied industry, which supports our efforts in agriculture.

We **Strongly Oppose** SB2347 Relating to Invasive Species. This measure comes across as Draconian, unreasonable and punitive and may not only devastate the economy of Hawaii County, but devastate the livelihoods of more than two thousand farming families and those who are employed by them.

Since their accidental introduction on the island of Hawaii in the early 1990s, coqui frogs have spread across the island of Hawaii. In early 1992, there were only sporadic sightings of coqui frogs. In 1998, there were eight reported occurrences. In 2001, over eighty-five occurrences were documented and another sixty-five occurrences that were undocumented. In 2007, there were over one hundred fifty firmly established specific coqui frog sites on the island of Hawaii alone. In response to this threat on the island of Hawaii, the Mayor of the County of Hawaii issued a Declaration of Emergency in February, 2004. The County of Hawaii, Hawaii Department of Agriculture, University of Hawaii at Hilo, University of Hawaii at Manoa, United States Department of Agriculture's Wildlife Services Division and the National Wildlife Research Center formed the coqui frog working group and produced the coqui frog working group



Hawaii Floriculture and Nursery Association

incident action plan to combat this invasive species. This plan focused on three primary areas: eradication and control, research, and community education and support. HISC, which had just been established, and DLNR were virtually absent from this control effort.

In their 2009 Legislative Report (Oct 2008), DLNR stated, “A high priority for management is to prevent their establishment into high value natural areas and keep them off islands where they are not yet established. A coordinated approach to coqui frog management is outlined in the Hawaii’s Coqui Frog Management, Research, and Education Plan. The main goal of the Big Island is to keep pristine natural areas free of the frogs, and to help the community control frogs around residential areas. Clearly, with so much land on the Big Island (see map), the efforts to control frogs are only practical in a limited number of sites.”

In contrast, in 2008, HDOA was implementing pest management programs into our certified nurseries and forcing uncertified nurseries and landscapers to treat before shipping plants from the island of Hawaii to other islands in the State. In 2012, HDOA funded Dr. Arnold Hara, UH CTAHR to start a systems approach to disinfest nurseries.

Now, our businesses are at risk of being shut down via quarantine due to this bill and also because DLNR and HISC have failed in controlling coqui frogs and little fire ants in the forested state lands surrounding our production areas. These areas are re-infesting our farms and nurseries. The State has not even managed state lands adjacent to our harbors and airports. We are forced to question the fairness of blaming agriculture for the prevalence of pests in Hawaii and their spread.

There is no way this bill should pass or be implemented as long as it discriminates against agriculture and **only** agriculture. Clearly stated, we see this as another “anti-agriculture” bill meant to hurt or even kill agriculture. We cannot consider this an invasive species bill with goal of reducing the amount of invasive species, when all the inspectors will be focusing on pests moving **within** the State and not focusing on invasive pests that could be coming **into** the State. We need to do **both**. Instead this bill will be causing more **new invasive species** to take hold in Hawaii, as agriculture in the State of Hawaii is slowly diminished and killed leading to 100% of agricultural products being imported.

We do not see a compromise. There is no funding being provided to assist us. There is no funding being supplied for more inspectors. There are no requirements for HISC or any other state entity to reduce pests under their management. There is no



Hawaii Floriculture and Nursery Association

meaningful communication between HDOA and our industry to explain how they intend to implement or what their action plan would be.

We don't believe another task force is a solution, not when there was a coqui frog working group previously and then a Bio-security program. We need to fully implement our Bio-security program and hire back our PQ inspectors.

We **Strongly OPPOSE** this bill and ask you to consider other measures that can better help all of Hawaii's Agriculture. If you have any questions at this time, I would be happy to discuss them and can be reached by phone at 808-959-3535 ext 22, cell 960-1433 and email gpn@greenpointnursery.com.

Supporting Agriculture and Hawaii,

Eric S. Tanouye
President

Hawaii Floriculture and Nursery Association

LATE



We Grow 93% of Hawaii Island Agriculture Crops

~ 625,000 acres of land in production ~ \$194 Million in Revenue ~

March 31, 2014 ~ Sb 2347 ~ Relating to Invasive Species

Founding Association Members

Hawaii Papaya Industry Association (HPIA)

Hawaii Cattlemen's Council

Big Island Banana Growers

Hamakua, Hilo & Kohala Farm Bureau Counties

Hawaii Floriculture & Nursery Association

Supporting Partners

Hawaii Coffee Association

Hawaii Farm Bureau

Hawaii Island Economic Development Board

Hawaii Macadamia Nut Association

Hawaii Leeward Planning Conference (HLPC)

Grassroots Council

Ross Sibucan

Oliver English

Eric Tanouye

Judi Houle

Eric Weinert

Jason Moniz

Chris English

Richard Ha

Peter Houle

Michael Madamba

Dennis Gonsalves, PhD

Lorie Farrell, Coordinator

Committee on Energy and Environmental Protection
Representative Chris Lee, Chair

Dear Committee Chair Lee and Committee Members,

We **Oppose this Bill.**

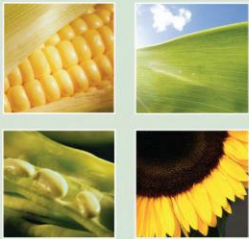
We are Hawaii Farmers and Ranchers United; a group formed to Protect our Freedom to Farm. At an annual value of \$194 million, we produce almost all of the island's agriculture – 93 percent of the agricultural products grown and raised on the Big Island.

We support the intent of protecting agriculture from invasive species yet we find the language confusing. The issues involving invasive species and biosecurity are complex yet adding language to further confuse will not improve the situation.

The control and quarantine of production agriculture is not the only solution. In order to control invasive species we need adequate inspection personnel and biosecurity facilities Statewide.

Mahalo,
Hawaii Farmers & Ranchers United





Hawaii Crop Improvement Association

Growing the Future of Worldwide Agriculture in Hawaii

LATE

Testimony from Alicia Maluafiti, Executive Director

In Opposition to SB 2347 SD 2 HD 1
Relating to Invasive Species

House Committee on Energy and Environmental Protection
April 1, 2014, 8:30 a.m., Room 325

Aloha Chair Lee and members of the committee,

My name is Alicia Maluafiti, Executive Director of the Hawaii Crop Improvement Association, and we are in strong opposition to SB 2347.

It's no doubt to anyone in the agricultural community that the little fire ant could be one of the most catastrophic invasive species to hit Hawaii. Farmers are the first to experience the economic damage that invasive species can have on their operations.

But this bill makes very little sense because it uses a "hammer" to try to control a pest without holding any other entity or industry to the same level of accountability. It represents a knee-jerk reaction to a problem that has not been fully vetted by the various stakeholders who have the most to lose if the LFA takes hold in the islands.

Ironically, SB 2920 (to be heard in House Finance on April 2) establishes and appropriates funds for a little fire ant pilot project, canine detection team pilot project, and public awareness and education campaign to address the little fire ant threat in Hawaii. So here we have two very divergent proposals to address the same problem when in fact there should be a more strategic and integrated legislative approach that ensures coordination and engagement by the private and public sector.

We strongly recommend that the State Legislature bundle the various LFA bills, appropriate the necessary funding for short term action and long term planning, and engage the stakeholders in a unified solution instead of a piecemeal approach that penalizes only Hawaii farmers. We all care about this issue but we don't think the "hammer" is the solution.

HCIA 2012-2014 Board of Directors

President
Mark Phillipson

Vice President
Kirby Kester

Secretary
Melissa Zeman

Treasurer
Scott McFarland

Directors At Large

David Gilliland
Cindy Goldstein
Adolph Helm
Steve Lupkes
Grant Manning
Fred Perlak
Mark Stoutemyer
Alan Takemoto

Past President
Fred Perlak

Executive Director
Alicia Maluafiti

91-285 Fort Weaver Rd.

Ewa Beach, HI 96706

Tel: (808) 224-3648

director@hiaonline.com

www.hiaonline.com



Hui Kū Maoli
Ola
Hawaiian Plants
and
Landscaping
Services

46-403 Ha'ikū Rd.
Kaneohe, HI 96744

Nursery: (808) 235-
6165

Rick Barboza
Cel: 295-7777

Matt Schirmer

LATE

Aloha Chair, and members of the Committee,

First off, I applaud your initiative to hear SB 2347 as it relates to the Invasive Species and I am in full SUPPORT of it. This bill is long over due and people's lack of knowledge of our own Hawaiian flora and fauna is evidence of that. As residents, we commonly use the phrase "Lucky we live Hawaii", which is true, but are "we" reciprocating it? Is Hawai'i lucky that we live here? The answer is a flat out NO!

Due to our actions and mismanagement of this 'āina we allowed Hawaii to become the Extinction Capitol of the World! Literally, there is no place in the entire World that has more extinct and endangered species within the same land area than we do! Yet we've managed to fill the gaps by introducing thousands of alien species that do nothing but expedite the extinction rate of Hawai'i's endemic species, and dramatically hurt our economy and island lifestyles. Every time a native plant or animal goes extinct, so does the cultural practice that is associated with it. How can we expect to maintain our revenue from tourism when we are losing everything that makes Hawaii unique and introduce invasive pests that

could make people not want to come here?

As a nursery owner, I regularly transport plants in between islands, in fact we supply most of the Home Depots in the State, soon all of the WalMarts as well. In addition, we ship plants to other nurseries and landscapers in-land on a weekly basis. This bill will definitely make it more time consuming to get our native plants across to other islands but that's NOT AS IMPORTANT AS PROTECTING THIS 'ĀINA IS. The whole reason I started this company was to bring awareness to the rest of the State on how beautiful our native flora is and how important they are to our native fauna. I'm also more aware of the impacts of invasive species than most other nursery owners. For example, I used to regularly import Hapu'u from a very specific location on Hawaii island but instilled our own protocols to ensure that no coqui frogs were unintentionally shipped over with our hapu'u...now that the Little Fire Ant has been known to nest in hapu'u (thankfully none have come in on our shipments) I stopped bringing in Hapu'u all together just to be extra safe.

Currently the State DOT makes us wait a half an hour during our plant inspections prior to shipping so that they can do the peanut butter stick test for LFA...over time that can add up but we've fully accepted that additional cost since the cause is SOOOO important.

Nurseries will oppose this at first but they will conform as we do currently. Don't let a few LAZY nurseries or Big Box stores get away with spreading the plague of harmful invasive species throughout this State...we have enough ecological problems as it is, we don't need more.

I wish I could submit this testimony in person but I'm unavailable tomorrow morning. Please feel free to contact me if you have any questions

Respectfully Submitted,
Rick Barboza, Owner
Hui Ku Maoli Ola, LLC
Native Hawaiian Plant Nursery and Landscaping Services
se

LATE

SB2347

Submitted on: 4/1/2014

Testimony for EEP on Apr 1, 2014 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
William Durston	Leilani Nursery	Oppose	No

Comments: Farmers/nurserymen are the eyes of our beautiful Hawaii. We look at the plant in the corner at movies and not the actor. We support State Ag and stopping new invasive sp. We support funds to stop new introductions immediately. Stopping movement of all ag related inter-island products will hurt our economy and our aura of a unified set of islands that welcome tourist locals and our future. This bill will not stop the spread of new pest. We need to work together Don't undue the farmers efforts to make Hawaii self supporting and grow local Mahalo Bill Durston

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

LATE

ON THE FOLLOWING MEASURE:

S.B. NO. 2347, S.D. 2, H.D. 1, RELATING TO INVASIVE SPECIES.

BEFORE THE:

HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

DATE: April 1, 2014

TIME: 8:30 a.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): David M. Louie, Attorney General, or
David L. Williams, Deputy Attorney General

Chair Lee and Members of the Committee:

The Department of the Attorney General has a concern as to section 2, the fifth new section titled, "Penalties," on page 5, lines 1-4.

The fifth new section titled, "Penalties," imposes a fine on commercial entities that transport designated pests in violation of the preceding new sections being added to part III of chapter 150A, Hawaii Revised Statutes (HRS). On page 5, lines 3-4, the amount of the proposed fine is the "value of the shipment" or a blank amount to be determined, "whichever is greater."

The concern is whether the Legislature is intending to treat the proposed fine as a part of a criminal offense or otherwise. Currently, section 150A-14, HRS, will be the controlling penalty section to this bill as currently written. Section 150A-14, HRS, sets forth in pertinent part:

"(a) Any person who violates any provision of this chapter other than sections 150A-5, 150A-6(3), and 150A-6(4) . . . shall be guilty of a misdemeanor and fined not less than \$100. . . . [T]he maximum fine shall be \$10,000. For a second offense committed within five years of a prior offense, the person or organization shall be fined not less than \$500 and not more than \$25,000."

(Emphasis added). Thus, because the proposed penalty wording of this bill still renders the new sections in this bill subject to section 150A-14, HRS, then the amount equal to the "value of the shipment" on page 5, line 4, could potentially conflict with section 150A-14, HRS, because "value of the shipment" is an unknown amount until the violation occurs. Also, the Legislature's "amount to be determined" on page 5, line 4, could potentially conflict with section 150A-14, HRS, if not carefully designated.

If the Legislature intends to treat a violation of this proposed bill as a civil or administrative fine only and not a criminal offense, it is recommended the Legislature utilize wording that would clearly designate it as such, thus avoiding conflict with section 150A-14, HRS. The following is one example of the wording that could be utilized:

“Notwithstanding section 150A-14, any commercial entity that transports interstate a designated pest or an article diseased or infested with such a pest in violation of sections 150A- , 150A- , 150A- , and 150A- , (four preceding sections of this proposed bill) shall be subject to a (civil or administrative) fine equal to the value of the shipment or \$, whichever is greater.”

LATE

PO Box 42
Waimanalo, HI 96795-0042
<http://waimanaloag.com>

Phone: (808) 281-1111
Fax: (808) 259-1111
E-mail: waa@hawaii.gov

Waimanalo Agricultural Association

April 1, 2014

Representative Chris Lee
EEP Committee Chair
State Capitol #436
Honolulu, HI 96813

Aloha Rep. Lee,

The Waimanalo Agricultural Association is reminding you of your assurance to kill SB2347 by pulling it from the Finance Committee and getting it into your EEP committee. You attended an emergency meeting that was called to discuss this bill and you told us that you would sit on the bill and kill it. We are holding you to your word.

We feel there should be:

- **NO COMPROMISE**
- **NO SUGGESTIONS**
- **NO TASK FORCE**
- **NO FURTHER STUDY**

We would appreciate you doing what you said you would and kill the bill. It's a bad bill and **should** be killed. We should work on other solutions and not accuse and penalize the agricultural community for something that is not their fault. It is the State's responsibility to inspect imports and exports and the DOA failed this duty. Now they blame the agricultural community? Food shipments, Christmas trees, imported flowers, etc. have brought in many invasive species so we should recognize that this not agriculture's fault.

Instead of SB2347, funding should be concentrated on the DOA's Biosecurity program. It is a successful comprehensive plan (if funded). Instead of cutting funds and inspectors, it should be expanded to encompass the pre-entry/port-of-entry/post-entry approach which will help the growth of agriculture as our Hawaii State Constitution mandates.

Mahalo,



Clifford Migita
President WAA

David Fell Sunshine Nursery

* Vectors of LFA and Coqui are cars, bags, outside of YB containers, all agricultural product to include but not limited to cut flowers, cut foliage, fruits, vegetables, plus construction supplies, earth moving equipment, and anything that was touching the ground. It is not reasonable for nurseries to be held responsible for the movement of invasives when they may have been contaminated by their proximity to infested materials during shipment.

* Legislation should be proposed only after receiving input from the stakeholders i.e nurseries, farms, all shipping companies, etc..

* It appears that there is a contention in this bill that if any insect is found on any shipment, that there is a risk that a dangerous pest may also be present. This is false and consumes limited DOA resources and places a burden on Nurseries that is unfair and economically harmful

* It is not reasonable to include 90+ pests, many of which exist on every farm, back yard, lanai, park, and most areas within the state on all islands. To regulate, inspect and expect total control is not only economically harsh but impossible. Many of these pests have low or no economic impact on agriculture, life in Hawaii or the general environment. Expending tax dollars on pests that are ubiquitous within the State is a waste of tax dollars and prevents DOA from actually concentrating on the pests that matter. Currently when an inspector finds a common pest on shipments moved under current certification methods, they stop the shipment and force return of the product to the nursery. This is not reasonable as it is impossible to eliminate 100% of 100% of the pests.

* It is not reasonable for the State to impose regulations on nurseries requiring eradication of the listed pests considering that many of us are on properties bordering State land which is infested. People in Glass Houses should not throw stones. "Those among us without sin should cast the first stone". Have the State cure all State properties first, plus help to eradicate on surrounding privately owned properties. (The State should be

the leader of the movement, not the jailers for those who have to do the work. Will the State impose a quarantine on its own infested properties?

* Limited resources of DOA prevent the timely movement of products through their inspection process for interisland shipment, now. This causes an unfair economic burden on producers. If they are forced to inspect for intrainland shipments, how many inspectors will be required and can we afford it. Currently, it takes 1 hour of waiting time to test for LFA. When done at the inspection station, trucks are required to wait on site while this takes place. This is an economic burden that could force nurseries out of business.

* Threats of Quarantine or fines will only serve to limit the reporting of newly discovered pests. This could easily prevent the rapid response necessary to eradicate newly introduced pests. Remove any punitive action and any perception of punitive action possible. We want people to step forward to report the problems, not to hide in the shadows for fear of retribution.

* An interisland Compliance agreement with commercial nurseries has been requested for the last 20 years by industry members.

*Educate all community members with a "call to action" and offer realistic ways for all community members to participate (with some reward possible). For example: tax break if you have worked on an eradication crew)

*Create an action team to fight & eradicate pests from one area after another, paid by the State and Federal Government (EQUIP Grants), with possible help from the community & environmental groups

*Have the State work to get Special Use labels for the existing pesticides which are effective. Currently only very expensive Restricted Use Talstar is available to use in nurseries, while the identical chemical with a different label and a dramatically reduced price, is available to spray around your house or on your golf course.

* Allow the import of biological solutions which will act as control for many common problems. For example: Ladybugs