

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



State of Hawaii  
**DEPARTMENT OF AGRICULTURE**  
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SCOTT E. ENRIGHT  
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER  
Deputy to the Chairperson

TESTIMONY OF SCOTT E. ENRIGHT  
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON FINANCE

February 26, 2015  
1:30 P.M.  
CONFERENCE ROOM 308

HOUSE BILL NO. 1050  
RELATING TO INTERISLAND MOVEMENT OF INVASIVE SPECIES

Chairperson Luke and Members of the Committee:

Thank you for the opportunity to present testimony on House Bill 1050. This bill mandates the Department of Agriculture and the Hawaii Invasive Species Council to perform specified tasks to address the interisland spread of invasive species. The Department supports the intent of the measure but has some concerns.

The prevention of the introduction of invasive species into the State as well as controlling, mitigating, and eradicating where possible, existing invasive species populations are some of the main responsibilities of the Department. As such, the Department would like to point out that many of the mandates within the bill such as: development of an import database, development of quarantine treatments, carrying out risk assessments, and providing chemicals and equipment to assist growers are all being currently carried out by the Department.

The Department is concerned with language in the bill that stipulates that all information shall be kept confidential to the plant quarantine branch. The Department needs to point out that there is considerable public interest in information at PQB particularly in regards to permits which often undergo review at public meetings where relevant materials provided by applicants are publically discussed and are public record.

In addition, in instances of suspected violations of chapter 150A, such as illegally imported animals, PQB needs to share information in its records with law enforcement agencies on an expedited basis to investigate and enforce violations.

Like other HDOA branches, the Plant Quarantine Branch (PQB) routinely screens requests for public records to identify information that the Uniform Information Practices



Act, Chapter 92F, Hawaii Revised Statute (HRS), also known as the State Public Records Law, protects from disclosure and PQB routinely redacts confidential business information and personal privacy information before disclosing public records. PQB follows the written guidance of the State Office of Information Practices (OIP) in determining whether information in public records can be disclosed.

This bill's blanket exemption of all PQB-acquired information from disclosure would preclude public access to information concerning PQB regulatory functions that the public is currently entitled to access under Chapter 92F, HRS. Chapter 92F, HRS, is well constructed and intended to protect both personal privacy rights and confidential business information, as well as the public's right to know what the government is doing. The exemption from disclosure proposed in this bill would compromise the balance that has evolved and existed under chapter 92F for many years.

The Department works best when it collaborates both amongst divisions and branches within the Department and with like-minded organizations outside of the Department to fulfill its various mandates. The Department is very careful to insure that any information that is shared has been thoroughly vetted to prevent the sharing of any potentially confidential business information. However, whenever possible the Department likes to conduct its business with transparency.

Thank you for the opportunity to present testimony.

DAVID IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the House Committee on  
FINANCE**

**Thursday, February 26, 2015  
1:30 PM  
State Capitol, Conference Room 308**

**In consideration of  
HOUSE BILL 1050  
RELATING TO THE INTERISLAND MOVEMENT OF INVASIVE SPECIES**

House Bill 1050 proposes to require the Hawaii Department of Agriculture (HDOA) to undertake a variety of actions intended to minimize the interisland movement of invasive species and to control invasive species on agricultural lands. This measure would also require the interagency Hawaii Invasive Species Council (HISC) to undertake invasive species management on non-agricultural lands, with a specific focus on areas around Hilo airport and harbor and on creating buffer zones between adjacent conservation and agricultural lands in Hawaii County. **The Department of Land and Natural Resources (Department) offers the following comments.**

With regard to directions provided to the HDOA in SECTION 2, the Department recognizes the need for minimizing the interisland movement of invasive species. The Department defers to the HDOA on the fiscal requirements and feasibility of implementing the specific actions described in this section of the measure.

With regard to the directions provided to the HISC in SECTION 3, the Department notes that it is the administrative host of the interagency HISC, which is composed of the directors or designees of the Department, HDOA, Hawaii Department of Transportation, Hawaii Department of Health, Department of Business, Economic Development and Tourism, and the University of Hawaii. The HISC provides policy and project coordination services across multiple agencies. The Department notes that the HISC does not, in and of itself, have staff that would implement the control activities in this section, but could draft a strategy for meeting the goals described in this section and then solicit proposals from government programs and/or private contractors to implement the strategy.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING 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

Testimony of The Nature Conservancy of Hawai'i  
Supporting H.B. 1050 Relating to Interisland Movement of Invasive Species  
House Committee on Finance  
Thursday, February 26, 2015, 1:30PM, Room 308

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*For more than 35 years, The Nature Conservancy of Hawai'i has been working closely with government agencies, local businesses, private landowners, non-profit partners, and interested communities across the state to preserve the lands and waters upon which all life in these islands depends. The Conservancy is a private non-profit conservation organization that 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, and support 19 coastal communities seeking to co-manage marine resources in partnership with the State of Hawai'i.*

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The Nature Conservancy supports H.B. 1050 and the provision of funding to improve biosecurity, support pest management for the agriculture industry, and enhance pest control on and around agricultural land. These are clearly top priorities. However, we urge the Legislature to ensure that the funds provided to the Department of Agriculture and the Hawai'i Invasive Species Council are additive and not simply taking away from other invasive species priorities or in lieu of providing sufficient base funding for existing HDOA programs.

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The House of Representatives  
Committee on Finance  
February 26, 2015  
1:30 p.m., Conference Room 308  
State Capitol

### **Testimony in Support of the Intent of HB 1050**

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **supports the intent of HB 1050**, *Relating to Interisland Movement of Invasive Species*, which directs the Hawai'i Department of Agriculture to prioritize interisland pest prevention measures (while preserving domestic inspection); directs the Hawai'i Invasive Species Committee to work with its grant recipients to prioritize work controlling pests in buffer zones around agriculture production areas and ports; and requires reporting.

Some of the directives are being implemented. For example, the Hawai'i Department of Agriculture is supporting the work of Dr. Arnold Hara to develop interisland quarantine treatments for commodities, and to work with growers on establishing pest BMPs to control pests at the source. CGAPS also provided an additional 3-year grant for Dr. Hara to expand this BMP training work to the 12 nurseries that most frequently ship interisland.

The idea of better tracking agriculture producers and commodities is good. With the new Food Safety Modernization Act it will be important to be able to trace at least food commodities (if not nursery plants and cut flowers) through the transportation network to their source. However, implementing this one step is a huge task that would need quite a bit of planning and infrastructure work, and likely additional rulemaking requiring companies that ship the commodities to provide the information.

The HISC Strategic Plan provides direction to grant seekers for specific projects that are in line with the priorities listed in the plan, and there are definitely opportunities to identify key buffers where work can and should be done. However, the 2012 Baseline Study for Food Self Sufficiency Study for the Big Island identified nearly 40,000 acres where non-animal crops (macadamia nuts, flowers, fruit, coffee, plants, etc.) are currently in production (see this PDF for a summary

<http://geodata.sdal.hilo.hawaii.edu/techgis/coh/pdf/F7.%20Hawaii%20Island%20Crop%20Summary.pdf>). If we overlay that with the known infestation range of LFA, coqui frogs, coffee berry borer, and other pests of concern, it becomes clear that there isn't enough funding or staff to form effective buffers, particularly when it is not mandatory to control pests within agriculture production properties.

Mahalo for the opportunity to share some of these thoughts and for the opportunity to work together on possible solutions.

Aloha,  
Christy Martin  
CGAPS



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e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 26, 2015

HEARING BEFORE THE  
HOUSE COMMITTEE ON FINANCE

TESTIMONY ON HB 1050  
RELATING TO INTERISLAND MOVEMENT OF INVASIVE SPECIES

Room 308  
1:30 PM

Aloha Chair Luke, Vice Chair Nishimoto, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFB). Organized since 1948, the HFBF is comprised of 1,932 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.

**HFB is in strong support of HB 1050**, which mandates the Department of Agriculture and the Hawaii Invasive Species Council perform specified tasks to address the interisland spread of invasive species.

Invasive species have become one of the most devastating problems impacting Hawaii. Many invasive species are damaging Hawaii's environment and economy. Agriculture has a vested interest in this matter. Agriculture suffers when invasive species are introduced. Every year, numerous new pests are introduced into the State, such as the coqui frog, coffee berry borer, macadamia felted coccid, little fire ant, coconut rhinoceros beetle, small hive beetle and varoa mite, to name a few. Control measures take time to develop, leaving farmers and ranchers at risk. This is not consistent with the State's goal of increasing self-sufficiency and sustainability

Proper funding, focus and accountability of the funding for the Hawaii Invasive Species and DOA is critical for protection of Hawaii's environment and economy and the health and lifestyle of its people through the support of invasive species prevention, control, research, outreach, and planning.

Thank you for the opportunity to testify in support of HB 1050.



# Hawaii Floriculture and Nursery Association

Testimony for the Twenty Eighth Legislature, 2015  
State of Hawaii

COMMITTEE ON FINANCE  
Rep. Sylvia Luke, Chair  
Rep. Scott Y. Nishimoto, Vice Chair

THURSDAY FEBRUARY 26, 2015  
1:30 P.M.  
Conference Room 308  
State Capitol  
415 South Beretania Street

A bill for an act

## **HB1050** RELATING TO INTERISLAND MOVEMENT OF INVASIVE SPECIES.

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.

Chair Sylvia Luke and members of the House Finance Committee, thank you for allowing us to participate in the development of this bill, regarding the interisland movement of invasive pest species. Our Industry **Strongly SUPPORTS** HB 1050 and HFNA members are truly concerned about the movement of pests, as these pests can destroy our crops, limit or end our ability to export our products to out-of-state destinations and/or within the state; and increase our cost of doing business.

This bill is essentially important to our industry and is critical to help our industry to grow. It is also refreshing as it provides a workable alternative to the draconian quarantine bill introduced last year.

This bill is consistent with the Hawaii Biosecurity Law and utilizes the proven success of the Systems Approach for Nursery Certification. If conducted properly, the risk assessment will allow the Plant Quarantine staff to focus their energies to those commodities that are of high risk. In addition, we do agree that preventing new pests from entering the state should remain the top priority.

In the past the Plant Quarantine Branch, UH College of Tropical Agriculture and Human Resources (UH CTAHR), and other Agriculture research organizations such as the Daniel K. Inouye Pacific Basin Agriculture Research Center (PBARC) and Hawaii Agriculture Research Center (HARC), have assisted the agricultural industries in



## Hawaii Floriculture and Nursery Association

developing quarantine treatments and pest management programs for various pests and commodities. This measure provides much needed support for these endeavors.

Many of the farms, especially on the Big Island get re-infested by neighboring properties that are also infested, but are not controlling invasive species on their land. It is a continuing struggle to keep our farms free of invasive species, so we strongly support the creation of buffers.

HFNA supports the legislature's intent to keep the ports clear of invasive pests. We must all do our part to reduce the spread of invasive species.

We request you to seriously consider supporting HB1050. 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 [eric@greenpointnursery.com](mailto:eric@greenpointnursery.com).

Supporting Agriculture and Hawaii,



Eric S. Tanouye  
President

Hawaii Floriculture and Nursery Association



## FIN-Jo

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**From:** Frances Brewer <fbrewer@hawaii.edu>  
**Sent:** Wednesday, February 25, 2015 4:06 PM  
**To:** FINTestimony  
**Subject:** BIISC testimony for HB1050  
**Attachments:** Crop\_Conservation\_Lands\_SKona.pdf; Crop\_Conservation\_Lands\_Puna.pdf;  
Crop\_Conservation\_Lands\_Hio.pdf

Hearing: Thursday 2/26 1:30pm

Aloha,

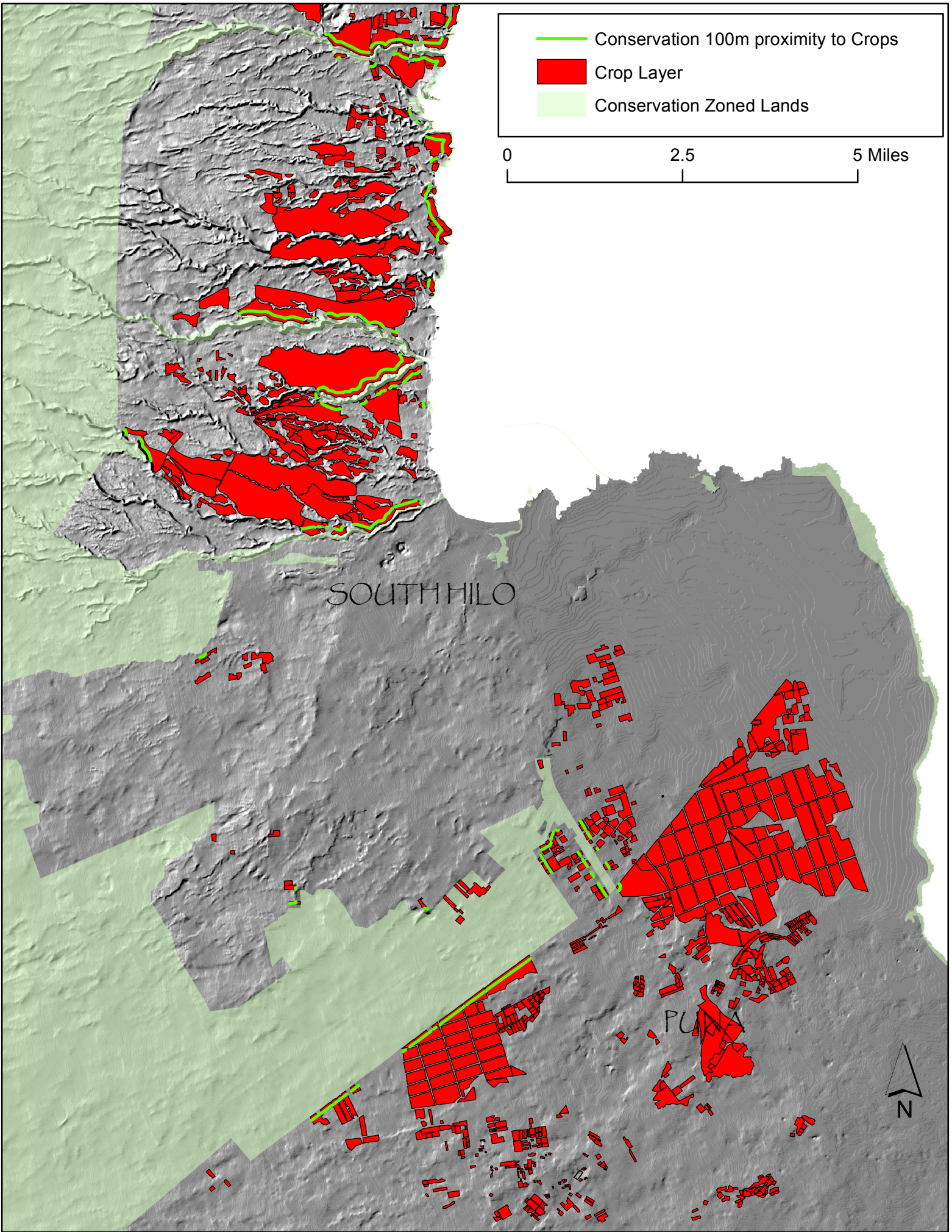
when submitting testimony for the bill through the system, we were unable to attach additional documents and were advised to submit additional materials by submitting directly to the committee. The attached maps are intended to align with our testimony regarding invasive species buffer zones, to provide an idea of the extent of the active agricultural lands that would need to be managed for invasive species control under this bill.

Thank you for considering this information along with our testimony.

Franny Kinslow Brewer  
Communications Director

Big Island Invasive Species Committee  
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Conservation 100m proximity to Crops

Crop Layer

Conservation Zoned Lands

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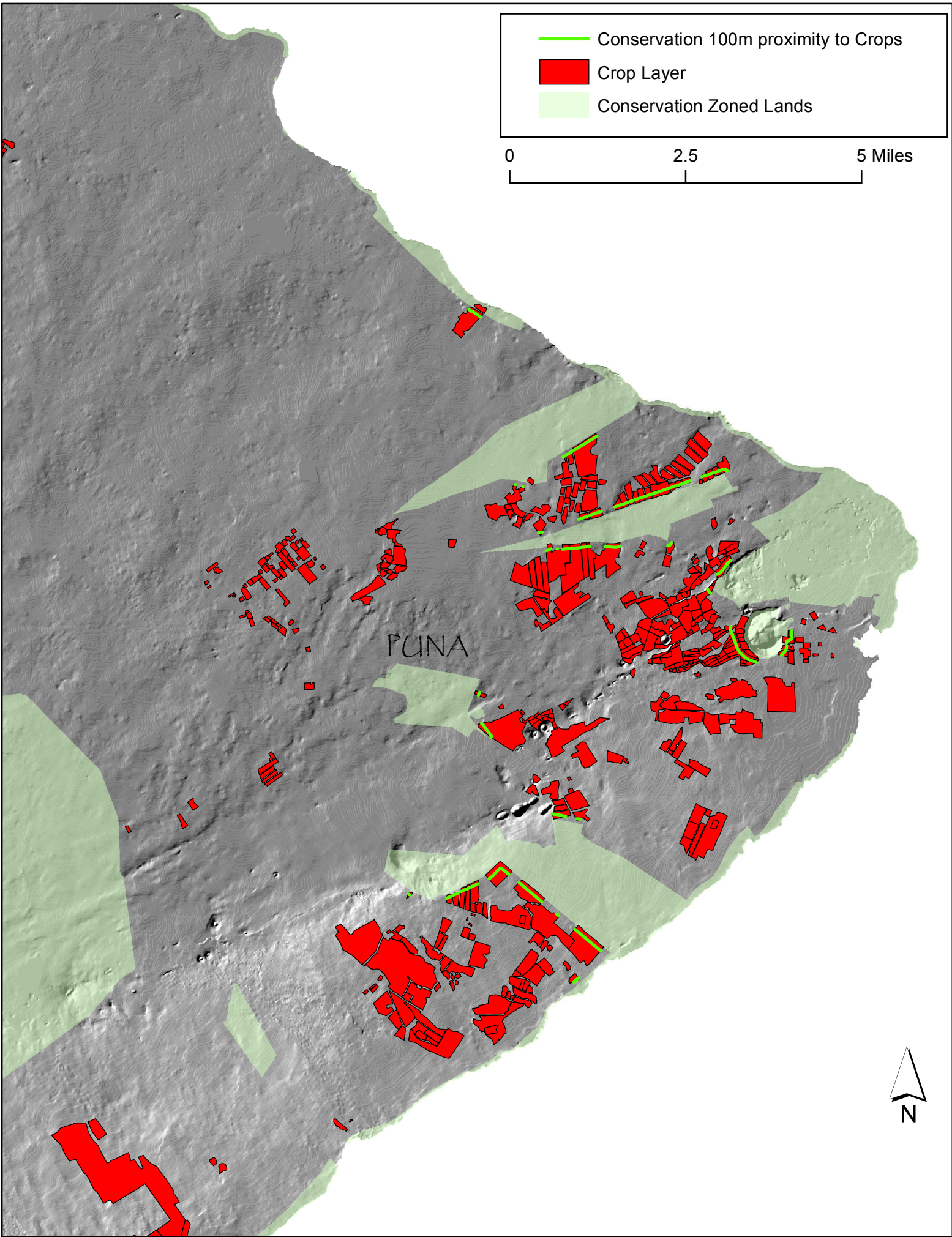
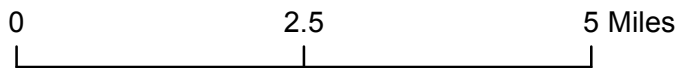
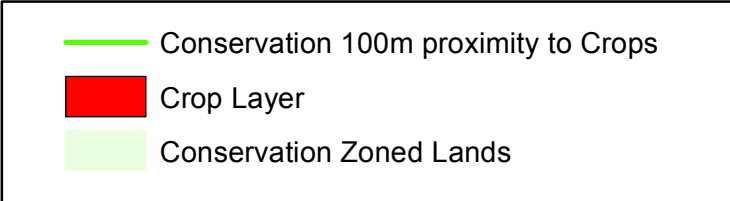
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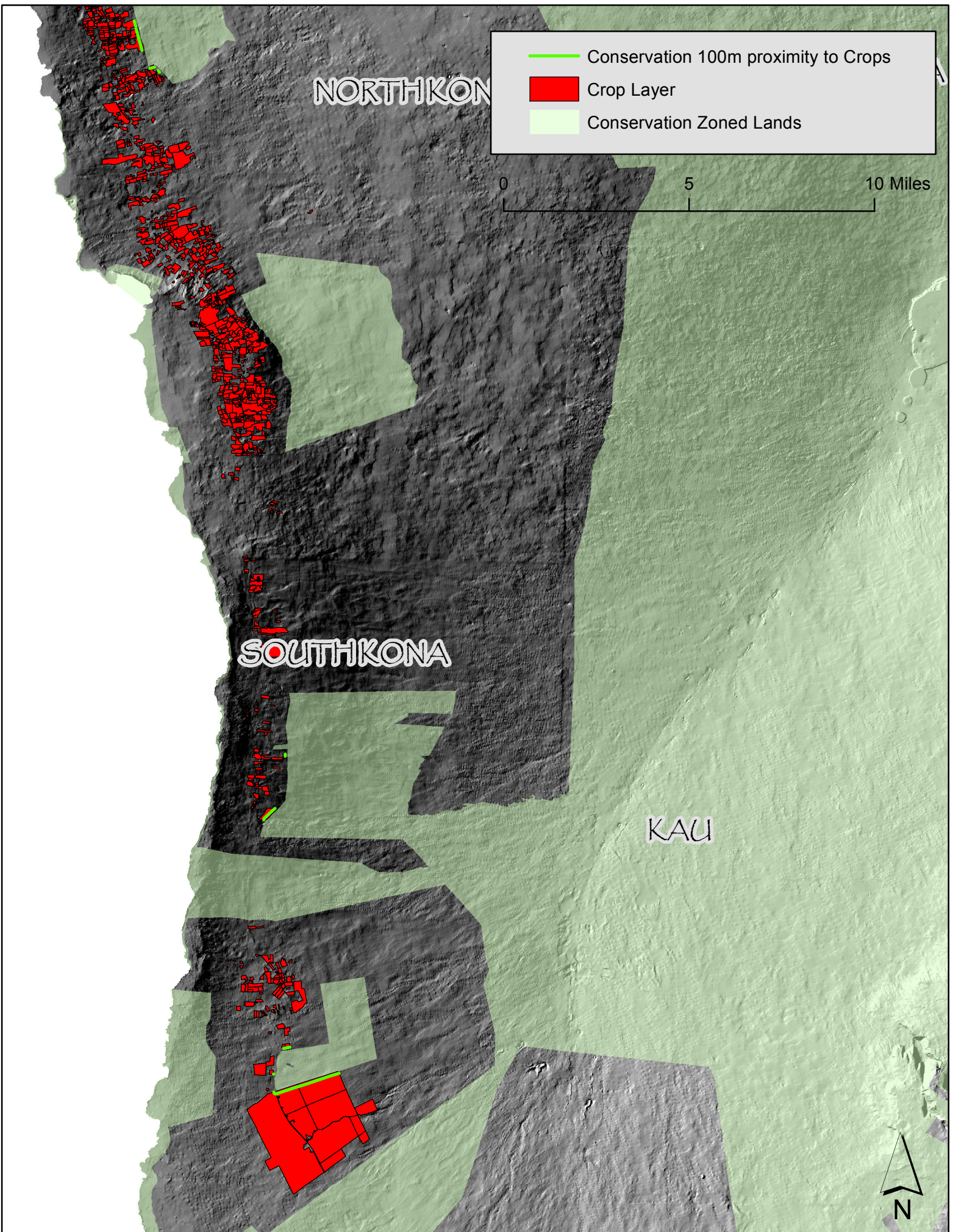
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- Conservation 100m proximity to Crops
- Crop Layer
- Conservation Zoned Lands

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SOUTHKONA

KAU



**LATE**



23 E. Kawili St, Hilo, HI 96720 \* Phone: (808) 933-3340

To: House Committee on Finance  
RE: HB1050 Comments Only  
Hearing: 2/26/2015

Aloha Chair;

BIISC supports the second section of this bill, related to biosecurity practices; however, we have concerns regarding Sections 1 and 3:

1. Section 1 of this bill states that the HISC should direct the invasive species committees to focus their resources on reducing invasive species on conservation lands and residential areas. The independent organizations that apply for HISC funds are not run by the HISC or its staff. Although the HISC Strategic Plan identifies budgeting priorities, thereby providing some direction to grant seekers, the ISC's seek funds from an assortment of state, federal, local, and private organizations each year, are directed by island-based advisory committees.

Through experience, the invasive species committees have learned to apply limited resources efficiently. Early detection and rapid response (ED/RR) is widely recognized as the most cost-effective priority for management once an invasive species has arrived, and that is where the majority of our effort is placed. Early detection and rapid response is not site-specific, rather, it is species-specific. We go wherever the pest is, whether it is on residential, conservation, or agricultural lands. It does happen that the ISC's spend the majority of effort in residential and conservation lands now.

2. Section 2 of this bill proposes improvements to tracking and trace back practices, and greater emphasis on inter-island biosecurity, which we strongly support. In addition, we hope that the HDOA will continue to work with federal (e.g. USDA Agricultural Research Service, based in Hilo) and University CTAHR partners to develop quarantine treatments to support a strong export trade. In the absence of effective quarantine treatments, there are instances when a limited interisland quarantine for a newly arrived species or its host may be warranted.
3. Section 3, Part 1 of this bill proposes reducing infestation levels of invasive species on conservation lands near Hilo Airport/Harbor and on agricultural production areas in Hawaii County.
  - a. We suggest that the wording of this section be amended to clarify which invasive species (e.g. pigs, egrets, coqui, little fire ants) or categories of species (e.g. plants, insects, regulated species) are being proposed for control.
  - b. There are alternatives to using state general funds in the Airport area. BIISC was contracted in 2014 by 2 of the 3 major land owners surrounding the Hilo Airport and Harbor, to conduct surveys and/or invasive plant control, at no cost to the state. Approximately 10% of our total field effort was spent in this small geographic area last year and 8% will be this year. Within the airport itself, HDOT has successfully

established coqui control as a core airport function, similar to other vermin control responsibilities, and therefore an activity that can be addressed with federal FAA funds. Pursuit of these federal funds may allow other pests, including LFA to be similarly categorized and addressed.

- c. Reducing infestations of established invasive species on ag lands amounts a permanent and very expensive commitment to subsidize pest control for farmers. The 40,000 acres of active crop production area on the island is roughly 20 times the area on which pests are directly controlled by BIISC each year. A state program will not eliminate all pests from farms, and will not free the farmers from biosecurity inspections or quarantine treatments. Land grant universities (extension service) and state/federal agricultural programs have long played an important role in solving problems and providing solutions to farmers, however, the in-field work of weed and pest control has traditionally been the responsibility of the farm operator.
  - d. Rather than managing widespread pests, most of ISC effort is directed at ED/RR, that is, managing newly arrived, high-risk species, before they become a problem for farms or forests. BIISC ED/RR efforts are supported 2:1 by federal/private to state funds. We often reflect on the challenge of promoting early detection, because if you do the job right, no one knows you have done it at all. The successful dispatch of four axis deer on the Big Island and annual surveys of roadside weeds are examples of early detection work that prevents significant future costs to farmers, and which has a clear end point.
4. Section 3, Part 2 of this bill directs the HISC to create buffer areas between conservation lands and agricultural production areas. It will be helpful to clarify precisely what is meant here. A specific crop, target pest, and geographic area would provide some guidance as to the legislature's intent. Undeveloped, forested lands bordering ag lands is often assumed to be in conservation, but is commonly just abandoned agricultural land, or unencumbered public land, which may be zoned for agriculture, industrial development, or residential. We estimate that, based on the number of ag parcels in the state, the scale of the buffers proposed in Section 3 may be far greater than current state resources can meet, to create or to maintain long term.
  5. A map is attached showing the distribution of 2012 crop production areas relative to conservation lands. It is clear from the map that much of the land in agricultural production does not border the conservation subzone, however, many of these areas do border undeveloped forested land infested with invasive species.
  6. The proposed effort would create at least 288 separate buffers, and many more properties, spanning 43 miles. Simply coordinating access to these properties is estimated to cost \$60,000 per year. Costs for creating the buffers depends greatly on the target pest, accessibility, and proximity of structures and permanent crops to forested areas, however, we have worked up estimates ranging from \$1-8 Million per year. Cost of maintenance will decline after the first two years, however, costs for transient crops, like sweet potato and ginger, will recur every season. By comparison, each farm, on average, would incur a cost of \$2,500-\$7,500 (labor, chemical, services) if they did the work themselves.

Federal assistance programs, including the USDA CREP and related programs, exist that can support the goal of invasive species buffers. The program pays long term "rent" to farmers to maintain conservation buffer zones, or easements. Enrollment in Hawaii is very low. A modest investment in 1-2 state positions within the Soil and Water Conservation Districts, or CTAHR, working with federal government to establish these buffers as a state priority, and helping farmers enroll, would be an effective alternative at a more reasonable cost.

Thank you for your time and consideration in this matter. If you need further information, do not hesitate to contact me.

Springer Kaye, Manager  
Big Island Invasive Species Committee