

DAVID Y. IGE  
Governor

SHAN S. TSUTSUI  
Lt. Governor



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

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 AGRICULTURE**

March 25, 2015  
11:30 A.M.  
ROOM 312

**SENATE BILL NO. 1059 SD 2  
RELATING TO INVASIVE SPECIES**

Chairperson Tsuji and Members of the Committees:

Thank you for the opportunity to testify on Senate Bill No.1059 SD 2. This bill will reduce the movement of invasive pests between islands by: authorizing inspection of goods moving between islands, prohibiting transportation of infested material, authorizing the department to designate quarantine areas, and authorizes the department to create a compliance agreement program to ensure that qualifying businesses can ship host material from infested areas. The department supports this bill and requests one amendment.

Current regulations require the inspection of all plants and propagative plant parts moving between islands to ensure that they are free of pests. Non-propagative plant parts are also subject to periodic random inspections. The movement of any of these commodities is prohibited if they are infested with a pest. This creates a significant burden for the department and for businesses wishing to move these products between islands as it requires the visual inspection of all commodities in every shipment. A better approach would be to ensure that shipments are free of pests before they are shipped by establishing best management practices and protocols as part of a compliance agreement program. Participants in this program would significantly reduce the risk of them transporting invasive pests by following procedures, farming practices, and protocols that agreed upon in the compliance agreement. Pre-shipment inspections would not be required for participants in the compliance agreement program.

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  
AGRICULTURE**

**Wednesday, March 25, 2015  
11:30 AM  
State Capitol, Conference Room 312**

**In consideration of  
SENATE BILL 1059, SENATE DRAFT 2  
RELATING TO INVASIVE SPECIES**

Senate Bill 1059, Senate Draft 2 proposes to enhance biosecurity by establishing restrictions on the interisland movement of pests and infested material, and prohibiting the possession, harboring, transport, rearing, breeding, distribution, or release of a pest, unless permitted by the Hawaii Department of Agriculture (HDOA). This measure also proposes to authorize the HDOA to place islands or localities within islands under quarantine if designated as infested with a pest, and describes a compliance agreement program to allow material to move out of a quarantined area. **The Department of Land and Natural Resources (Department) supports this Administration measure.**

The Department recognizes that minimizing the potential for invasive species to move within or between islands is critical to preserving Hawaii's environment, agriculture, and way of life. The Department recognizes the importance of establishing the authorities described in this measure and supports the HDOA's efforts to enhance intrastate biosecurity. The Department notes the amendment in Senate Draft 2 to describe allowing, rather than permitting, the movement of goods from business utilizing best management practices. The Department supports this amended draft.

The Department appreciates the opportunity to provide these comments.

**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

DAVID IGE  
GOVERNOR OF HAWAII

SHAN TSUTSUI  
LIEUTENANT GOVERNOR



## HAWAII INVASIVE SPECIES COUNCIL

1151 PUNCHBOWL ST, #325  
HONOLULU, HAWAII 96813

### VOTING MEMBERS

CARTY CHANG  
DEPARTMENT OF LAND & NATURAL  
RESOURCES

SCOTT ENRIGHT  
HAWAII DEPARTMENT OF AGRICULTURE

VIRGINIA PRESSLER, MD  
DEPARTMENT OF HEALTH

MARIA GALLO, PhD  
UNIVERSITY OF HAWAII

LEO ASUNCION  
OFFICE OF PLANNING, DEPARTMENT OF  
BUSINESS, ECONOMIC DEVELOPMENT &  
TOURISM

DAVID RODRIGUEZ  
DEPARTMENT OF TRANSPORTATION

## Testimony of the HAWAII INVASIVE SPECIES COUNCIL

Before the House Committee on  
AGRICULTURE

Wednesday, March 25, 2015

11:30 AM

State Capitol, Room 312

In consideration of  
**SENATE BILL 1059, SD2**  
**RELATING TO INVASIVE SPECIES**

Senate Bill 1059, SD2 would enhance biosecurity by establishing restrictions on the interisland movement of pests and infested material, and prohibits the possession, harboring, transport, rearing, breeding, distribution, or release of a pest, unless permitted by the Hawaii Department of Agriculture (HDOA). This measure also authorizes the HDOA to place islands or localities within islands under quarantine if designated as infested with a pest, and describes a compliance agreement program to allow material to move out of a quarantined area. **The interagency Hawaii Invasive Species Council (HISC) supports this measure.**

The HISC recognizes minimizing the potential for invasive species to move within or between islands is critical to preserving Hawaii's environment, agriculture, and way of life. The HISC recognizes the importance of establishing the restrictions and authorities described in this measure and supports the HDOA's efforts to enhance intrastate biosecurity.

The HISC appreciates the opportunity to provide these comments.



STATE OF HAWAII  
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**Testimony in SUPPORT of SB1059, SD2  
RELATING TO INVASIVE SPECIES**

REPRESENTATIVE CLIFT TSUJI, CHAIR  
HOUSE COMMITTEE ON AGRICULTURE

Hearing Date: 03/25/2015, 11:30 a.m.

Room Number: 312

1 **Office Testimony:** The Office of Environmental Quality Control supports SB1059, SD2, which  
2 authorizes inspection and treatment of regulated goods moving between islands and in-  
3 prohibits transportation of infested material between islands and in-  
4 department to designate quarantine areas to isolate infested areas, and authorizes a compliance  
5 agreement program to ensure that qualifying agricultural businesses in quarantine areas may  
6 transport their commodities with minimal risk of pest or disease spread.

7 Allowing the Department of Agriculture (DOA) to inspect the moving of goods between  
8 islands, prohibit the transportation of infested materials between islands, designate quarantine  
9 areas as needed to isolate infested areas, mitigate the chances that designated pests will enter  
10 transportation networks and work cooperatively with commercial entities will reduce the  
11 movement of invasive pests between the islands and help protect our environment and economy.

12 OEQC fully supports the above measures and urges the passage of SB1059, SD2.

13 Thank you for the opportunity to testify.

Testimony of The Nature Conservancy of Hawai'i  
Supporting the Intent of S.B. 1059 SD2 Relating to Invasive Species  
House Committee on Agriculture  
Wednesday, March 25, 2015, 11:30AM, Room 312

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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 the intent of S.B. 1059 SD2. In particular, we note our support for the provisions in the bill that:

- Give the Department of Agriculture clear authority to inspect the variety of pathways that can carry pests (e.g., cars, household goods, etc.) and not just agricultural products; and
- Authorize quarantine areas but also provide for inspection certificates and compliance agreements that would allow movement of local products with agreed upon pest management and treatment protocols.

We appreciate that there may be some concerns within the agriculture industry in regards to the quarantine, penalty or other provisions of the bill. We hope that the Department of Agriculture and the industry can continue to work together to address these issues and allow this measure to move forward.

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. Evidence from Hawai'i and around the world shows that preventing new pest establishment is exponentially more economical than eradicating a pest or, even worse, controlling it indefinitely once it becomes established. If agreement on the provisions of this bill can be reached, we think it is an important and useful addition to the HDOA's multi-faceted Biosecurity Program.

Thank you for the opportunity to testify on this bill.

BOARD OF TRUSTEES

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March 25, 2015

HEARING BEFORE THE  
HOUSE COMMITTEE ON AGRICULTURE

TESTIMONY ON SB 1059 SD 2  
RELATING TO INVASIVE SPECIES

Room 312  
11:30 AM

Aloha Chair Tsuji, Vice Chair Onishi, and Members of the Committee:

I am Christopher Manfredi, President of the Hawaii Farm Bureau Federation (HFBF). 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 interest of our diverse agricultural community.

Hawaii Farm Bureau **supports the intent of SB1059 SD 2 and offers the following comments.**

The recent discovery of the coffee berry borer on Oahu provides ample evidence that HDOA's quarantine and regulatory processes along with interisland transportation inspection procedures need to be strengthened.

We agree with clarification of inspection procedures and the designation of quarantine zones to isolate infested areas. However, the recent movement of the coffee berry borer while infested areas were under quarantine begs the question of the adequacy of current systems. We believe that an evaluation of the adequacy of current procedures needs to be implemented along with corrective actions to deficiencies.

This measure authorizes the implementation of compliance agreements to allow the transport of quarantined material outside of the quarantine zones with appropriate treatment. Terms of the compliance agreement require knowledge of the behavior of the invasive species whether it be a bug or pathogen. This requires adequate funding of programs to develop these procedures. To be successful, this program will also require sufficient regulatory oversight to ensure compliance with the terms of the agreement. We are unsure whether appropriate funding of these measures are in place.

We therefore **support the intent of this measure and ask the committee to pass it so that our concerns may be addressed, the desired outcomes be realized, and that required funding for implementation is better understood.**

Thank you for this opportunity to provide our opinion on this important matter.



# Hawaii Floriculture and Nursery Association

Testimony for the Twenty Eighth Legislature, 2015  
State of Hawaii

## COMMITTEE ON AGRICULTURE

Rep. Clift Tsuji, Chair

Rep. Richard H.K. Onishi, Vice Chair

THURSDAY March 25, 2015  
11:30 A.M.

Conference Room 414  
State Capitol  
415 South Beretania Street

A bill for an act

## **SB 1059 RELATING TO 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.

**WE OPPOSE THIS MEASURE.** Our industry has serious concerns with this bill and we find it to be similar to the draconian measure introduced last year. Our industry believes the best thing that can be done for the problem of invasive species is for the department to continue the biosecurity projects it stopped in 2013. The pest management programs are essential and would have reduced invasive species in the production areas. We need to be working collaboratively, industry and the department of Agriculture, on a solution to address interisland movement of invasive species!

**WE STRONGLY PREFER THE LANGUAGE IN HB 1050 THAT WORKS WITH THE INDUSTRY TO RESOLVE THE PROBLEM.** SB 1059 enacts statutory authority, but it fails to address the real problem which is controlling the invasive species. HB 1050 will help all the farmers and growers of agricultural commodities statewide.

We as an Industry **OPPOSE** this bill. 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



**LATE**

The House of Representatives  
Committee on Agriculture  
March 24, 2015  
11:30 a.m., Conference Room 312  
State Capitol

### Testimony in Support of SB 1059 SD2

Aloha Chair Tsuji, Vice Chair Onishi, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **supports SB 1059 SD2, *Relating to Invasive Species***, which authorizes the Hawai'i Department of Agriculture (HDOA) to inspect and act on agricultural and non-agricultural products that pose a risk for spreading pests inter- and intra-island; to set up inter- and intra-island quarantines; creates a compliance agreement program to ensure a clear and achievable path for the movement of goods; and creates penalties for entities that do not take steps to minimize pest presence and movement in their commodities.

Best management practices for controlling and mitigating pests in production areas and the transportation network have been developed by Dr. Arnold Hara of the University of Hawai'i College of Tropical Agriculture and Human Resources, yet there are producers that don't follow these practices. If enacted, this bill would clarify HDOA's authority to work with producers via a compliance program that provides best management practices, and allows participating entities the ability to ship and sell their products.

Setting up quarantines to regulate the movement of high-risk materials from infested areas has long been identified as a stumbling block, especially on commodities that are not already regulated. In November 2013, CGAPS held a tabletop exercise to practice the newly-drafted Plant Health Emergency Response Plan for Hawai'i. We used a fictitious (at the time!) discovery of coconut rhinoceros beetle as a way to discuss how we would respond. A few of the top findings were that we had no clear authority to quarantine a wide variety of commodities or materials that pose a risk, and the criteria for placing a quarantine on an area were difficult at best. In December 2013, coconut rhinoceros beetles were found on Oahu, and we put the Emergency Plan and tabletop exercise to the test. As identified in the tabletop, there are questions about HDOA's authority to regulate the movement of non-agricultural materials such as compost and greenwaste, which pose a high risk of moving coconut rhinoceros beetles and larvae across the island and interisland, and therefore this pathway remains open. In contrast, coffee already had rules in place stemming from the discovery of coffee berry borer on the Big Island, so the recent discovery of this beetle on Oahu quickly resulted in a new quarantine to contain the pest to the sites where it is known to occur. This bill clearly authorizes HDOA to act to contain pests.

There are some concerns about penalty section of the bill. HDOA and its partners work collaboratively with plant businesses to conduct comprehensive surveys for pests like coqui and little fire ant. We are working to train nursery owners and staff to survey for and control pests, but the accuracy, documentation, and data-gathering necessary to comprehensively survey a typical 5 acre nursery is quite beyond the capacities of most businesses. The business owners know that if a pest is found, that advice and even pest control assistance will be provided, along with anonymity. The business owners assist by following up with pest treatments as directed. If there is potential



for penalty, this relationship may suffer. We respectfully ask that everyone work together to preserve this sense of trust and partnership.

Even with these concerns, we support the compliance agreement program being proposed, as we absolutely need to get a handle on those businesses that do not take due care in mitigating the risk of pest movement. We also believe that such a program will protect those businesses on the receiving end that try to do everything they can to prevent becoming infested.

Lastly, this bill recognizes that inspection by Plant Quarantine officers is not, and should not be, the first or last line of defense against inter-and intra-island movement of pests, and that there are some changes that should be made to better protect the needs of the many. We respectfully ask your support SB 1059 SD2. Mahalo for your consideration.

Aloha,  
Christy Martin  
CGAPS

onishi3 - Timothy

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From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, March 25, 2015 6:02 AM  
To: AGRtestimony  
Cc: gordines@kauaiflowers.com  
Subject: Submitted testimony for SB1059 on Mar 25, 2015 11:30AM



**SB1059**

Submitted on: 3/25/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

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

Comments: We need to help farmers and ranchers and empower them to do a better job by providing more funds to HDOA with inspectors to prevent the transportation of invasives and not punish them as criminals.

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.

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From: mailinglist@capitol.hawaii.gov  
Sent: Tuesday, March 24, 2015 8:44 PM  
To: AGRtestimony  
Cc: rkuwaye@gmail.com  
Subject: Submitted testimony for SB1059 on Mar 25, 2015 11:30AM



**SB1059**

Submitted on: 3/24/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Russell Kuwaye	Individual	Oppose	No

Comments: Aloha Chair Tsuji: I oppose SB1059 Relating to Invasive Species. Russell Kuwaye

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Sent: Wednesday, March 25, 2015 10:39 AM  
To: AGRtestimony  
Cc: wiser54@gmail.com  
Subject: Submitted testimony for SB1059 on Mar 25, 2015 11:30AM



**SB1059**

Submitted on: 3/25/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Jamie Nahl	Individual	Oppose	No

Comments: The Bill unfairly targets only Agricultural products. The vast majority of cargo moving between islands are non-agriculture items; but are just as likely to contain invasive species, especially automobiles and household goods. How often does the barge company thoroughly clean the barges?

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From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, March 25, 2015 10:04 AM  
To: AGRtestimony  
Cc: ad-venture@hawaii.rr.com  
Subject: Submitted testimony for SB1059 on Mar 25, 2015 11:30AM



**SB1059**

Submitted on: 3/25/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel S. Nakasone	Individual	Oppose	No

Comments: I oppose the inter- island spread of invasive species but I also oppose SB 1059 because it will not solve the problem entirely and it negatively impact people's livelihoods. There need to be a holistic approach to solving this issue.

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onishi3 - Timothy

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From: mailinglist@capitol.hawaii.gov  
Sent: Tuesday, March 24, 2015 10:53 PM  
To: AGRtestimony  
Cc: neo@greenpointnursery.com  
Subject: \*Submitted testimony for SB1059 on Mar 25, 2015 11:30AM

**LATE**

**SB1059**

Submitted on: 3/24/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thong-Teng Neo	Orchid Growers Of Hawaii	Oppose	No

Comments:

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onishi3 - Timothy

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From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, March 25, 2015 6:44 AM  
To: AGRtestimony  
Cc: chris@greenpointnursery.com  
Subject: \*Submitted testimony for SB1059 on Mar 25, 2015 11:30AM\*



**SB1059**

Submitted on: 3/25/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Christopher Tanouye	Individual	Oppose	No

Comments:

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To: AGRtestimony  
Cc: sundance@greenpointnursery.com  
Subject: \*Submitted testimony for SB1059 on Mar 25, 2015 11:30AM\*

**LATE**

**SB1059**

Submitted on: 3/24/2015

Testimony for AGR on Mar 25, 2015 11:30AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sundance Vargas	Individual	Oppose	No

Comments:

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