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GOVERNOR OF
HAWAII



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LAND
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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committee on
WAYS AND MEANS

Tuesday, March 1, 2016
1:30 PM
State Capitol, Conference Room 211

In consideration of
SENATE BILL 2799, SENATE DRAFT 1
RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

Senate Bill 2799, Senate Draft 1 proposes to restructure the Hawaii Invasive Species Council (HISC) as the Hawaii Invasive Species Authority (HISA), an agency attached administratively to the Hawaii Department of Agriculture (HDOA). **The Department of Land and Natural Resources (Department) supports this Administration measure.**

The Department has acted as the administrative host of the interagency HISC since its creation in 2003 and serves as co-chair along with HDOA. Chapter 194, Hawaii Revised Statutes (HRS), requires HISC to perform a broad spectrum of policy and coordination duties associated with invasive species. HISC also manages an annual grants program to support innovative interagency projects that fill gaps between agency mandates. Chapter 194, HRS, establishes the HISC as an ex-officio board only and does not provide staff for the operation of HISC. As such, the Department has provided existing staff resources to effectuate the direction of HISC.

This measure would add three non-ex-officio seats to the voting board, to be appointed by the Governor, to represent conservation, agricultural, and cultural perspectives in HISA decisions. This measure would also authorize HISA to hire staff necessary to effectuate the direction of the board, and provides an appropriation for this purpose. Rather than being administratively hosted within an existing agency, HISA would function as a semi-autonomous entity administratively attached to an existing agency.

With regard to attachment to HDOA, the Department notes that HDOA has broad mandates regarding invasive species and biosecurity and would be an appropriate agency to which HISA

could be attached. As proposed, both the Department and HDOA would continue to act as co-chairs on the board of directors.

This measure includes two appropriations: one for the operation of the HISA and one for an interagency grants program similar to that of the HISC. The amount of funding requested for this appropriation (\$10,000,000) matches the need identified by invasive species practitioners across various agencies in Hawaii for interagency projects in Fiscal Year (FY) 17. Pre-proposals describing potential uses of appropriated funds were developed by researchers and project leads across various agencies, and can be found in detail on the HISC website (<http://dlnr.hawaii.gov/hisc/projects/fy17/>) and are listed below in Table 1.

The Department appreciates the opportunity to provide these comments.

Table 1: FY17 Pre-Proposals received by the HISC. Pre-proposals are not guaranteed funding and serve only as examples of potential uses of FY17 HISC funds.

Dept	Division	Pre-Proposal Project Title	Request
DETECTION AND CONTROL			
DLNR	DAR	Aquatic invasive species program development and outreach	\$20,000
DLNR	DOFAW	Australian Tree Fern control in east Maui	\$40,000
UH	Hawaii Ant Lab	Invasive ant prevention, response and management	\$300,342
UH	Big Island Inv Sp Comm	Big Island Rapid Response (multiple target species)	\$426,524
UH	Big Island Inv Sp Comm	Big Island Early Detection (multiple target species)	\$221,558
UH	Kaua'i Inv Sp Comm	Kaua'i Detection and Control (multiple target species)	\$724,900
UH	Maui Inv Sp Comm	Maui Detection and Control (multiple target species)	\$942,863
UH	Maui Inv Sp Comm	Coqui frogs in Māliko gulch, Maui	\$540,896
UH	Maui Inv Sp Comm	Capacity for Miconia Core, East Maui	\$192,693
UH	O'ahu Inv Sp Comm	O'ahu Invasive plant control (multiple target species)	\$718,486
UH	O'ahu Inv Sp Comm	O'ahu invasive invertebrate control (multiple target species)	\$113,270
UH	CTAHR	Shade suppression of Koa Haole	\$12,100
UH	Ko'olau Mtn Watershed Partnership	Tea tree and serpent tree surveys in Ko'olau Mtns	\$56,350
UH	Leeward Haleakalā Watershed Partnership	Incipient species on Leeward Haleakalā (multiple target species)	\$156,349
UH	West Maui Mtn Watershed Partnership	Albizia control in Wailuku watershed	\$60,999
USDA	US Forest Service	Release and monitoring of biocontrol for tibouchina	\$68,000
OUTREACH			
HISC	HISC	Data reporting & GIS system development	\$50,000
HISC	HISC	Outreach coordinator, statewide outreach program & PSA production	\$150,000
UH	CGAPS	CGAPS support and outreach equipment	\$101,500

UH	College of Pharmacy	Rat lungworm disease outreach	\$512,064
UH	Hawaii Biodiversity Information Network	Invasive species web services and online public pest reporting form	\$100,000
UH	Big Island Inv Sp Comm	Big Island community outreach program	\$255,779
UH	Kaua'i Inv Sp Comm	Kaua'i community outreach program	\$85,000
UH	Maui Inv Sp Comm	Maui community outreach program	\$117,241
UH	O'ahu Inv Sp Comm	O'ahu community outreach program	\$122,909
PREVENTION			
BISH	Hawaii Biological Survey	Pest research to update HDOA Import Regs	\$28,500
DLNR	DAR	Ballast Water & Hull Fouling Coordinator	\$80,000
UH	Kaua'i Inv Sp Comm	Kaua'i Mongoose Detector Dog	\$61,239
UH	Weed Risk Assessment	Hawaii-Pacific Weed Risk Assessment	\$160,134
RESEARCH			
DLNR	DOFAW	Coordinated Response to Rapid 'ōhi'a Death	\$668,170
UH	College of Pharmacy	Rat lungworm disease research	\$107,000
UH	CTAHR	Area-wide Miconia Management Strategy for East Maui	\$747,500
UH	CTAHR	Identifying insect vectors of Rapid 'ōhi'a Death	\$144,295
UH	CTAHR	Evaluate fungal metabolites for basil downy mildew	\$43,038
UH	CTAHR	Biocontrol and chemical control of oriental flower beetle	\$40,000
UH	CTAHR	Mosquito distribution survey on Maui	\$39,600
UH	CTAHR	Economics of Invasive Species	\$169,740
UH	ISCs	Unmanned Aerial Vehicle Capacity for plant surveys	\$170,940
UH	O'ahu Inv Sp Comm	Plant identification services at Bishop Museum	\$60,039
UH	Mauna Kea Watershed Partnership	Determining vectors of Rapid 'ōhi'a Death	\$130,000
USDA	US Forest Service	Evaluating Albizia biocontrol (exploration)	\$214,000
USDA	US Forest Service	Biocontrol of Rubus species	\$120,000
USDA	US Forest Service	New biocontrol (gall wasp) for miconia and clidemia	\$117,000
USDA	US Forest Service	Biocontrol of Himalayan ginger	\$100,000
USDA	US Forest Service	Biocontrol of Morella faya (exploration)	\$37,500
ADMIN			
HISC	HISC	Support Program (Interagency Coordinator, Planner, equipment & travel)	\$200,000
DLNR	DOFAW	5% Overhead	\$476,426
		TOTAL	\$10,004,943

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 SENATE COMMITTEE ON WAYS AND MEANS

March 1, 2016
1:30 P.M.
CONFERENCE ROOM 211

**SENATE BILL NO. 2799 SD1
RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION**

Chairperson Tokuda and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 2799 SD1. This bill will restructure the Hawaii Invasive Species Council (HISC) into a new entity called the Hawaii Invasive Species Authority, attached administratively to the Department of Agriculture. The Department strongly supports this Administration measure and respectfully requests amendments.

The HISC has been successful in enhancing the collaboration among the key state agencies addressing invasive species. It has also strengthened the collaboration of these agencies with counties and non-government entities in invasive species response, control, and outreach. The HISC is composed of six voting members representing state agencies and invited legislative representatives. This has allowed for participation from the public sector but excludes a private sector voice. This bill will allow for inclusion of representatives from the agricultural, nursery, conservation and native Hawaiian communities as voting members.

This bill will create the Hawaii Invasive Species Authority as an attached agency and will allow for the hiring of staff within the Authority to carry out the mandates of this statute. The HISC is administered by the Department of Land and Natural Resources (DLNR) and the administrative work for HISC is conducted by DLNR staff as additional duties to their other DLNR functions. Creation of the Authority will allow for dedicated staff to carry out the purposes of this bill so that their work can focus on Hawaii Invasive Species Authority mandates. The mandates of the Authority encompasses work involving multiple agencies and the private sector, and dedicated staff capacity will ensure effective fulfillment of these broad duties.



The department suggests broadening the descriptions of two non-ex-officio seats to provide more options for nominees. The two members appointed by the governor to serve on the authority's board under §__-3(b)(7)(A) through §__-3(b)(7)(B) should read as follows:

"(7) Three members appointed by the governor pursuant to section 26-34, including:

- (A) ~~A representative of the University of Hawaii's invasive species committees, from a list provided by the Pacific cooperative studies unit at the University of Hawaii~~An individual representing the interests of natural resource conservation;
- (B) ~~An individual representing the interests of agriculture or nursery industry~~the interests of agriculture or horticulture;"

To clarify the ability to hire staff, the Department suggests amending the following language under §__-3(e) as follows:

"(e) The authority, without regard to the requirements of chapter 76, may hire employees necessary to perform its duties, including but not limited to an executive director. The executive director shall serve at the pleasure of the authority and the salary of the executive director shall be set by the authority. The authority, through its executive director, may hire employees, prescribe their duties and qualifications, and set their salaries, without regard to chapter 76."

The Department suggests re-ordering §__-3(c) through §__-3(i) for technical non-substantive reasons. The Department also suggests adding in §__-9, language that the authority shall adopt rules to establish an initial invasive species list pursuant to Chapter 91. The Department suggests removing all references to a special fund within the current draft. The authority will function under general fund appropriations and a special fund is not appropriate at this time.

The Department suggests adding language to transfer current HISC duties to the authority by adding the following sections:

"SECTION 3. All rules, policies, procedures, guidelines, and other material adopted or developed by the Hawaii invasive species council to implement provisions of the Hawaii Revised Statutes that are reenacted or made applicable to the authority by this Act shall remain in full force and effect until amended or repealed by the authority pursuant to chapter 91, Hawaii Revised Statutes. In the interim, every reference to the Hawaii invasive species council in those rules, policies, procedures,

guidelines, and other material is amended to refer to the authority, as appropriate.

SECTION 4. All deeds, leases, contracts, loans, agreements, permits, or other documents executed or entered into by or on behalf of the Hawaii invasive species council, pursuant to the provisions of the Hawaii Revised Statutes, that are reenacted or made applicable to the authority by this Act shall remain in full force and effect. Effective July 1, 2016, every reference to the Hawaii invasive species council in those deeds, leases, contracts, loans, agreements, permits, or other documents shall be construed as a reference to the authority, as appropriate."

Thank you for the opportunity to testify.



Conservation Council
for Hawai'i

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the
Senate Committee on Ways and Means

Hearing: Tuesday, March 1, 2016 1:30 pm
Conference Room 211

In Support of SB 2799 SD 1 Relating to Invasive Species Program Administration

Chair Tokuda, Vice Chair Dele Cruz, and Members of the Committees.

Aloha. The Conservation Council for Hawai'i supports SB 2799 SD 1, which restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority, attached administratively to the Department of Agriculture, for the enhancement of the State's invasive species prevention, early detection, rapid response, control, enforcement, and outreach programs; establishes the Hawaii Invasive Species Authority Special Fund and appropriates moneys to that fund to implement the Authority and relevant invasive species projects.

Strengthening invasive species programs and policies is one of the most important investments we can make in protecting the environment, human health, culture, and economy.

With all due respect, the State is not doing enough to protect public trust resources from invasive species. We urge you to appropriate a total of at least \$50,000,000 annually to address invasive species in Hawai'i as estimated by the legislative reference bureau study you requested entitled "Filling the Gaps in the Fight Against Invasive Species."

Please ask your colleagues to stop nickel and diming invasive species and land management programs. And please support SB 2799 SD 1.

Mahalo nui loa for the opportunity to testify.

Sincerely,

Marjorie Ziegler



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P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave., Suite 220 | Honolulu, HI 96814

President: Julie Leialoha | Vice President: Koalani Kaulukukui | Secretary: Wayne Tanaka
Treasurer: Ryan Belcher | Directors: Rick Barboza | Anne Huggins Walton
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



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March 1, 2016

HEARING BEFORE THE
SENATE COMMITTEE ON WAY AND MEANS

TESTIMONY ON SB 2799, SD1
RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

Room 211
1:30 PM

Aloha Chair Tokuda, Vice Chair Dela Cruz, and Members of the Committee:

I am Randy Cabral, President of the Hawaii Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,900 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.

HFB supports SB 2799, SD1 which restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority, attached administratively to the Department of Agriculture, for the enhancement of the State's invasive species prevention, early detection, rapid response, control, enforcement, and outreach programs. It also establishes the Hawaii Invasive Species Authority Special Fund and appropriates moneys to that fund to implement the Authority and relevant invasive species projects.

Invasive species have become one of the most challenging problems impacting Hawaii. Many invasive species are damaging Hawaii's environment and the state's economy. Agriculture has a vested interest in this matter. Agriculture is one of the major casualties 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 varroa mite, to name a few.

In the 2002 LRB study on invasive species, it was reported that the estimated cost of financing all invasive species programs was \$50 million. The report estimated that the lost revenue to agriculture was \$300 million per year. It also states that the invasion of unwanted pests has the potential to economically devastate the State by keeping tourists away from the island and that invasive species can affect tourism indirectly by altering or displacing Hawaii's environmental assets.

HFB appreciates the intent of this measure and the many other bills that seek to address invasive species. However, we respectfully request that the Legislature also fund the

DOA's Biosecurity Program which is a comprehensive strategy that addresses the increasing amount of invasive species entering the state.

Thank you for the opportunity to comment on this measure.



Hawaii Cattlemen's Council, Inc.

**SENATE COMMITTEE ON WAYS AND MEANS
SENATOR JILL N. TOKUDA, CHAIR
SENATOR DONOVAN M. DELA CRUZ, VICE CHAIR**

DATE: Tuesday, March 1, 2016
TIME: 1:30 AM
PLACE: Conference Room 211

SB 2799, SD1 – RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION.

Restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority, administratively attached to the Department of Agriculture, for the enhancement of the State's invasive species prevention, early detection, rapid response, control, enforcement, and outreach programs. Establishes the Hawaii Invasive Species Authority Special Fund and appropriates moneys to that fund to implement the Authority and relevant invasive species projects. (SD1)

Chair Tokuda, Vice Chair Dela Cruz, and Members of the Committee:

My name is Dale Sandlin, and I am Managing Director of the Hawaii Cattlemen's Council. The Hawaii Cattlemen's Council, Inc. (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our 140+ member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of approximately 25% of the State's total land mass.

The Hawaii Cattlemen's Council **supports** SB 2799, SD1, as this measure should assist in enhancing the existing invasive species mitigation efforts the State is currently performing.

By creating this authority through the Department of Agriculture (DOA), the efforts of specific invasive species will allow for inclusion for mitigation.

The cattle industry is currently being affected by many invasive species including fireweed, a noxious weed that is toxic to livestock that can cause illness and even death to cattle in severe cases.

Thanks to the efforts of the DOA, in conjunction with CTAHR Cooperative Extension Service working with our industry, they have been able to slow down the spread of this through use of the secusio moth. This moth is a natural predator of plant and has been released in several areas throughout the state. Without these efforts, the weed would have certainly spread to become an even bigger threat than it currently is.

Deer populations have also become an invasive species for our industry. Ranchers are constantly having to balance their pasture quality and the rainfall they receive for the use of their cattle. Having the added pressure of deer present on their pastures creates even more challenges.



By aligning this authority under the DOA, the agricultural community, as well as the environmental/conservation communities will be better served. For this reason, we urge this committee to pass this measure.

Thank you for giving us the opportunity to testify on this important matter.



The Senate
Committee on Ways and Means
March 1, 2016
1:30 p.m., Conference Room 211
State Capitol

Testimony in Support of SB 2799 SD1

Aloha Chair Tokuda, Vice Chair Dela Cruz, and Members of the Committee,

The Coordinating Group on Alien Pest Species (CGAPS) **is in support of SB 2799 SD1, Relating to Invasive Species Program Administration.**

With full disclosure, I have been acting as Chair pro tempore of the HISC Public Outreach Working Group since August 2015, but this testimony is on behalf of CGAPS.

With the help of the Legislature, Governor, and many, many dedicated people, the HISC has accomplished an astounding amount of work. From the start, the HISC has supported invasive species pilot projects, research, control operations, and public outreach, resulting in benefits that are difficult to quantify. They include the thousands of miconia trees that have been removed from Kaua'i, Oahu, and Maui—without HISC funding, those trees would have matured and EACH tree could have produced several million additional seeds each year. Another benefit was the formation of the Hawai'i Ant Lab. Prior to this, we had no method or pesticide that we could use to control Little Fire Ants in trees or on cliffs, and therefore, no hope of protecting high-value natural areas or public health. And HISC funding developed several other pest control treatments such as the hot water shower for agricultural commodities shipped from the Big Island. But coqui are sneaky, so when coqui slipped through, HISC funding to CGAPS and the Invasive Species Committees ensured that the public knew what they were hearing, and called to report it. HISC funding is also being used to help Big Island communities become more storm-ready by training Albizia Assassins to control albizia trees that imperil roadways, homes, power lines, and hospitals.

As good as the HISC is, we cannot say that we are winning. We see the attached agency concept as an opportunity to keep what was working with the HISC, but also to expand on these strengths and continue to try to craft a system that puts biosecurity as one of the top priorities in Hawai'i. Mahalo for your past support, and for your consideration of SB 2799 SD1.

Aloha,
Christy Martin
CGAPS

DAVID Y. IGE
GOVERNOR OF HAWAII

SHAN TSUTSUI
LIEUTENANT GOVERNOR



HAWAII INVASIVE SPECIES COUNCIL

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VOTING MEMBERS

SUZANNE CASE
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BUSINESS, ECONOMIC DEVELOPMENT &
TOURISM

DAVID RODRIGUEZ
DEPARTMENT OF TRANSPORTATION

TESTIMONY OF THE HAWAII INVASIVE SPECIES COUNCIL

BEFORE THE SENATE COMMITTEE ON WAYS AND MEANS

1:30 PM, Tuesday March 1, 2016
State Capitol, Conference Room 211

SENATE BILL 2799 SD1 RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

Senate Bill 2799 SD1 would restructure the Hawaii Invasive Species Council (HISC) as the Hawaii Invasive Species Authority (HISA), an agency attached administratively to the Hawaii Department of Agriculture (HDOA). **The HISC supports this Administration measure.**

The HISC was created in 2003 for the purpose of policy-level coordination and direction among state agencies. Chapter 194, HRS, establishes HISC as a voting board, and places the HISC within the Department of Land and Natural Resources for administrative purposes only. The HISC was established as a board only, with no statutory provisions for funding or staff. As such, DLNR has provided existing staff resources to effectuate the direction of the HISC. Chapter 194, HRS, establishes the board as being comprised of ex-officio members only: the chairpersons or directors (or their designees) of six state departments that deal with various aspects of the invasive species problem.

This measure would add three non-ex-officio seats to the voting board, to be appointed by the Governor, to represent conservation, agricultural, and cultural perspectives in HISA decisions. This measure would also authorize the HISA to hire staff necessary to effectuate the direction of the board, and provides an appropriation for this purpose. Rather than being administratively hosted within an existing agency, the HISA would function as a semi-autonomous entity administratively attached to an existing agency.

This measure also appropriates funds for an interagency grants program, similar to that currently operated by the HISC, and creates a special fund to allow for better administration of funds and the ability to receive funds other than legislative

appropriations. The amount of funding requested for this appropriation matches the need identified by invasive species practitioners for interagency projects in FY17. Pre-proposals describing potential uses of appropriated funds were developed by researchers and project leads across various agencies, and can be found in detail on the HISC website: <http://dlnr.hawaii.gov/hisc/projects/fy17/>.



Testimony of the O'ahu Invasive Species Committee
Supporting S.B. 2799 S.D. 1 Relating to Invasive Species Program Administration
Senate Committee on Ways and Means
March 1, 2016 1:20 PM Room 211

The O'ahu Invasive Species Committee supports S.B. 2799 which would make the current Hawai'i Invasive Species Council an attached agency to the Hawai'i Department of Agriculture. Taking HISC out of one state department and making it truly inter-agency will raise the status of invasive species prevention, control and outreach within the state, raise the status of invasive species within all state agencies outside of DLNR and HDOA, bring more stakeholders to the table, facilitate more advocacy with federal agencies, and provide mechanisms for more stable funding to on-the-ground invasive species control projects. Thank you for the opportunity to submit testimony.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: nredfeather@kohalacenter.org
Subject: Submitted testimony for SB2799 on Mar 1, 2016 13:30PM
Date: Monday, February 29, 2016 11:48:07 AM

SB2799

Submitted on: 2/29/2016

Testimony for WAM on Mar 1, 2016 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Nancy Redfeather	Hawaii Island School Garden Network	Support	No

Comments: As I look into the food and agriculture future for Hawai'i, and because I have the experience of farming on my families farm in mauna Kona, for the past 20 years, I believe that this is one of our most pressing agricultural problems. Yes.... getting young and beginning farmers on land is still a problem, yes.... water can be a problem, or financing for start-up equipment, but if we don't get a handle on invasive species we can forget about all the other programs that invest in and support farming families in Hawai'i. Just the LFA alone, could stop all of our current momentum. Please give authority, funding, and staff, the 3 essentials of any program, and a dose of practical reality and looking into what could possibly come here and being preventative, like with coffee rust disease. Mahalo for everyone working on this bill. We need to equip our DOA with all the tools in the toolbox. I would suggest considering what New Zealand does, fumigate all containers as they enter the Port of Honolulu, shipper pays to sell goods in Hawai'i. Aloha, Nancy Redfeather The Kohala Center

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. 2799 SD1 Relating to Invasive Species Program Administration
Senate Committee on Ways and Means
Tuesday, March 1, 2016, 1:30PM, Room 211

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 depends. The Conservancy has helped to protect nearly 200,000 acres of natural lands in Hawai'i. We manage 40,000 acres in 14 preserves and work in 19 coastal communities to help protect the near-shore reefs and waters of the main Hawaiian Islands. We forge partnerships with government, private parties and communities to protect Hawai'i's important watershed forests and coral reefs.

The Nature Conservancy supports S.B. 2799 SD1 to restructure the Hawai'i Invasive Species Council as the Hawaii Invasive Species Authority, attached administratively to the Department of Agriculture.

The Legislative Reference Bureau has released its update to the 2002 report *Filling the Gaps in the Fight Against Invasive Species*. The new report, *Can't See the Forest for the (Albizia) Trees: An Invasive Species Update*, can be found at: <http://lrbhawaii.org/reports/legrpts/lrb/2015/invasive.pdf>. One of the LRB's recommendations in this new report is that the Legislature consider amending the structure of the Hawai'i Invasive Species Council (HISC) to provide clearer authority to direct interagency coordination and provide resources and support for priority actions necessary in the fight against invasive species. While the HISC has had many successes, we agree that raising the status of the HISC to become the Hawai'i Invasive Species Authority, including an increased base budget for consistent staffing and programs, would be an important step forward in further addressing Hawai'i's invasive species challenges.

We also note that the LRB's report repeatedly states that a major gap in the fight against invasive species has been insufficient funding for invasive species work on the ground and for the operations and staffing of the HISC. Amongst the LRB's recommendations are a statewide biosecurity plan and for stable—even dedicated—funding to address invasive species prevention, early detection, rapid response, control, research, and outreach priorities across the state. We agree and are glad that the Department of Agriculture recently issued a request for proposals for assistance preparing the biosecurity plan.

BOARD OF TRUSTEES

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Duncan MacNaughton Kathy M. Matsui Wayne K. Minami James C. Polk Jean E. Rolles Scott C. Rolles Crystal K. Rose
Dustin E. Sellers Nathan E. Smith Peter K. Tomozawa James Wei



Email: communications@ulupono.com

SENATE COMMITTEE ON WAYS & MEANS
Tuesday, March 1, 2016 — 1:30 p.m. — Room 211

Ulupono Initiative Strongly Supports SB 2799 SD 1, Relating to Invasive Species Program Administration

Dear Chair Tokuda, Vice Chair Dela Cruz, and Members of the Committee:

My name is Kyle Datta and I am General Partner of Ulupono Initiative, a Hawai'i-based impact investment firm that strives to improve the quality of life for the people of Hawai'i by working toward solutions that create more locally produced food; increase affordable, clean, renewable energy; and reduce waste. We believe that self-sufficiency is essential to our future prosperity and will help shape a future where economic progress and mission-focused impact can work hand in hand.

Ulupono strongly supports SB 2799 SD 1, which places the Hawai'i Invasive Species Authority under the Hawai'i Department of Agriculture and provides funding, because it aligns with our goal of creating more locally produced food.

Invasive species pose an additional financial hardship for local farmers as they lower harvest yields and damage crops. Due to their exponential growth, mitigating invasive species threats early can save the state money and staff time over the long run. Therefore, we feel it is critical to grant the Hawai'i Invasive Species Authority the resources and additional freedom to execute its mission.

As Hawai'i's local food issues become more complex and challenging, organizations need additional resources and support to address and overcome them. We appreciate this committee's efforts to look at policies that support local food production.

We believe that by collaborating, we can help produce more local food and support an economically robust homegrown agriculture industry, which strengthens our community with fresh, healthy food. Thank you for this opportunity to testify.

Respectfully,

Kyle Datta
General Partner

Investing in a Sustainable Hawai'i



Hawaii Floriculture and Nursery Association

Testimony for the Twenty Eighth Legislature, 2016
State of Hawaii

COMMITTEE ON WAYS AND MEANS

Senator Jill N. Tokuda, Chair

Senator Donovan M. Dela Cruz, Vice Chair

TUESDAY MARCH 1, 2016
1:30 P.M.
Conference Room 211
State Capitol
415 South Beretania Street

A bill for an act

SB2799SD1 RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

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.

The Hawaii Floriculture and Nursery Association (HFNA) **Strongly OPPOSES** Senate **Bill 2799 SD1**

The bill creates a bureaucratic nightmare that provides no checks and balances to a process and council that it not achieving its mandates as prescribed by law. The bill basically moves HRS Chapter 194 into a new section, and creates various boards for oversight, basically duplicating the Board of Agriculture and the Board of Agriculture process. The new oversight lacks any decision-making by scientific panels or information, while the Board of Agriculture has technical and scientific panels to provide a basis for decision-making. The bill undermines the current process in place for funding and emergency rules, but without scientific evidence and providing unregulated mitigation to an invasive species threat. What is really needed is more resources directly to the mandated agencies , i.e. DOH, Vector Control; DOA Plant Pest Control; and DOA Plant Quarantine.

In addition, the authors of the proposed legislation admits HISC is failing. On page 3, “Despite these successes, mitigation of invasive species threats and impacts often remains fragmented between agencies and is insufficiently enabled by a lack of support for interagency data collection and management, public pest reporting, interagency response coordination, and statewide public outreach. Further, the need for financial



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support for interagency projects supported by the council's grants program has exceeded the amount of funding appropriated.”

One of HISC major objectives was to COORDINATE between Agriculture and the Environment, but now they are only targeting agriculture. In the past years, they have supported draconian bills which destroy agriculture. This is NOT coordination, to reiterate, this bill has the potential to destroy crops at the farmer's expense, and basically killing the farmer's livelihood. If this bill passes, say goodbye to the agriculture industry and any hope for sustainability, we have recently lost HC&S and Hamakua farms, who's next?

During the last several years, HISC has attacked agriculture by introducing draconian bills that would have caused an embargo on agriculture commodities moving between islands. Agricultural production areas are also impacted by invasive species and we have had to put pest management programs in place in order to protect our operations, but HISC will not control the invasive species on the state's lands bordering agricultural areas causing our lands to be continually reinfested, nor will they control pests that border our airports and harbor.

HISC was supposed to strengthen the capacity of the agencies that are mandated to prevent, control, and eradicate invasive species. Instead, Department of Health Vector Control, Department of Agriculture's Plant Pest Control and Plant Quarantine, and Department of Land and Natural Resources have lost capacity.

In addition, providing police power to HISC (Sections ___-6 and ____-7) to enter any place to destroy any invasive species that is declared an emergency, without any regard to the person's livelihood, personnel property, privacy and other constitutional rights is wrong. HISC has no regulatory or enforcement power, one would think this action would be considered unconstitutional, especially if the decision for the emergency rule is not scientifically based. As you track previous legislation supported by HISC, you will find their methods are draconian and therefore, will HISC or its participants, and / or the state be liable for the loss of crops, personal property, or emotional distress caused by such an action.

HISC has a poor track record on funding and accountability. Most of the money was to fund the control of invasive species that impact environment. However, HISC will not address coqui on the island of Hawaii, but they spent a million on Maui and failed. **HISC is only a vehicle to provide money to UH. HISC awards the majority (70% to 90%) of the funds are given to UH, the core going to the Invasive Species Committees, but they lack the training and the years of experience as they are funded through the Research Corporation of the University of Hawaii. RCUH is supposed to be research oriented, so why is this practice tolerated?**



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As far as accountability, transparency is needed. The Invasive Species Committees do not reveal how much they earn, how many are employed, how much time is actually spent on the ground controlling the pests. They control almost all of the outreach funds. If this measure intends to provide permanent funding for them, shouldn't there be measures of effectiveness and accountability?

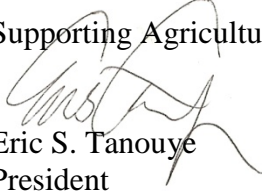
This measure will place Biosecurity under HISC control. HISC has not shown that it will work with agriculture and certainly has no understanding of biosecurity. Biosecurity should be based on a balance or cooperation between agriculture, natural environment, and stakeholders. It should **NOT** be in control of some authoritarian body that can't balance the various consequences and impacts, and justifies their action as to forward their righteous ideologies. Although they may be righteous it does not make them right, or above the law.

HISC wants data from the agencies, but there are existing legal controls on the data because the agency collects the data based on the understanding that the information will be protected from release. **Proprietary information is confidential and if the agency intends to share, then the information provider should not trust the agency and provide any information to them.** The leaking or release of confidential business information has liability and legal issues for the State, the department, and **the person releasing the information.**

I (we) strongly request the committee to defer this bill, and as HISC is failing we request that the legislature repeal HRS Chapter 194. This seems better than spending more money and effort on a failing entity. If funds are made available to invasive species, we request the funds are directed to the agencies that have the authority and training to accomplish invasive species prevention, control and eradication.

We thank you for the opportunity to express our **strong opposition** to **SB2799SD1**. 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.

Supporting Agriculture and Hawaii,


Eric S. Tanouye
President

Hawaii Floriculture and Nursery Association

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Subject: *Submitted testimony for SB2799 on Mar 1, 2016 13:30PM*
Date: Sunday, February 28, 2016 10:05:03 AM

SB2799

Submitted on: 2/28/2016

Testimony for WAM on Mar 1, 2016 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Brinker	Individual	Support	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.

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