

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
JUDICIARY

Thursday, February 23, 2017
2:00 PM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 1359, HOUSE DRAFT 1
RELATING TO INVASIVE SPECIES

House Bill 1359, House Draft 1 proposes to authorize each county to enact and enforce ordinances relating to invasive species. **The Department of Land and Natural Resources (Department) offers the following comments.**

While a coordinated, statewide approach to invasive species is critical to our overall success in mitigating invasive species impacts, the Department recognizes that invasive species impacts and priorities vary across counties. Allowing the Counties to adopt ordinances within the framework of state law regarding invasive species could allow the counties to utilize additional avenues for invasive species mitigation that may not otherwise be clarified under state law.

The Department notes, however, that ordinances adopted by the counties should not contradict or supersede state law. In particular, the proposed language for Section 46-1.5(28), Hawaii Revised Statutes (HRS), provided on lines 4-10 on page 19 of this measure, describe the counties adopting rules defining "invasive species." This may result in a conflicting or confusing relationship between county ordinances and state law, which requires under Section 194-2, HRS, that the Hawaii Invasive Species Council (HISC) identify invasive species in the state. Section 194-5, HRS, further authorizes departments to enter private property whenever a species identified by the HISC for control or eradication is found. To fulfill these mandates, the HISC has defined "invasive species" and is in the process of developing administrative rules including a list of invasive species for control or eradication.

The Department notes that the intent of this measure may be better addressed by House Bill 606 House Draft 1, which would add the counties to the list of entities that may enter private property

for the control or eradication of invasive species as described in Section 194-5, HRS. This measure would maintain, at the state level, a clear policy framework for invasive species issues while increasing the ability of the counties to respond to invasive species threats.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
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 JUDICIARY

**FEBRUARY 23, 2017
2:00 P.M.
CONFERENCE ROOM 325**

**HOUSE BILL NO. 1359 HD1
RELATING TO INVASIVE SPECIES**

Chairperson Nishimoto and Members of the Committee:

Thank you for the opportunity to testify on House Bill No. 1359 HD1. This bill seeks to amend the Hawaii Revised Statutes as pertains to the Counties' ability to address the management of invasive species. The Department offers comments on this measure.

As presented, we are unsure of the intent of the bill. The Hawaii Department of Agriculture Plant Quarantine Branch and the Plant Pest Control Branch, as well as the Island Invasive Species Committees (ISC), have addressed the interdiction of invasive species. The ISCs are coordinated through the Hawaii Invasive Species Council (HISC) in the Department of Land and Natural Resources. Additional alien and invasive pest species activities are organized by the Coordinating Group on Alien Pest Species, further managing efforts that may be housed in other agencies such as Customs and Border Protection, USDA Animal and Plant Health Inspection Service, and the Hawaii Department of Health, among others.

With the completion of the *Hawaii Interagency Biosecurity Plan*, invasive species management and control will hopefully be organized via an agency known as the Hawaii Invasive Species Authority administratively attached to the Department. The Hawaii



Invasive Species Authority will be responsible for coordinating all invasive species management/eradication/containment initiatives. If the proposed authority is granted to the Counties, it may or may not impede the ability of the new Hawaii Invasive Species Authority to discharge its duty and mission.

The counties ability to pursue this measure may hinder the ability of the Hawaii Invasive Species Authority to carry out its mission. The Department asks for the opportunity to pursue the efforts of the Hawaii Interagency Biosecurity Plan and develop the Hawaii Invasive Species Authority.

Thank you for the opportunity to testify and comment on this measure.

Council Chair
Mike White

Vice-Chair
Robert Carroll

Presiding Officer Pro Tempore
Stacy Crivello

Councilmembers
Alika Atay
Elle Cochran
Don S. Guzman
Riki Hokama
Kelly T. King
Yuki Lei K. Sugimura



Director of Council Services
Sandy K. Baz

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

February 22, 2017

TO: The Honorable Scott Y. Nishimoto, Chair
House Committee on Judiciary

FROM: Mike White
Council Chair

Handwritten signature of Mike White in black ink.

SUBJECT: **HEARING OF FEBRUARY 23, 2017; TESTIMONY IN SUPPORT OF
HB 1359, HD1, RELATING TO INVASIVE SPECIES**

Thank you for the opportunity to testify in **support** of this important measure. The purpose of this bill is to allow each county to enact and enforce ordinances necessary to prevent, investigate, control, or eradicate invasive species on any public or private premises within the limits of the county.

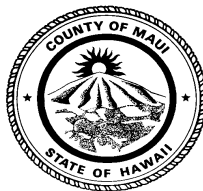
The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

I support this measure for the following reasons:

1. Environmental protection through the eradication of invasive species is a statewide and intergovernmental effort. The County of Maui understands this partnership and works closely with agencies such as the Maui Invasive Species Committee (MISC) in the fight against invasive threats to our endangered species, native plants, fragile ecosystems and overall quality of life.
2. As an example, the fire ant and coqui frog population can grow at a rapid pace and time is of the essence in eliminating their infestation. Currently, MISC's ability to implement its programs are hampered by their inability to access private property where invasive species are reported.
3. Providing local authority access to private property, following necessary notice requirements, will help avoid costly and burdensome options, such as utilizing the court system to secure warrants to gain property access. This tool is critical for counties to be true partners in the fight against invasive species and fulfilling the broader goal of preserving the environment for future generations

For the foregoing reasons, I **support** this measure.

ALAN M. ARAKAWA
MAYOR



200 South High Street
Wailuku, Maui, Hawai'i 96793-2155
Telephone (808) 270-7855
Fax (808) 270-7870
E-mail: mayors.office@mauicounty.gov

OFFICE OF THE MAYOR
Ke`ena O Ka Meia
COUNTY OF MAUI – Kalana O Maui

February 22, 2017

TESTIMONY OF ALAN M ARAKAWA
MAYOR
COUNTY OF MAUI

BEFORE THE HOUSE COMMITTEE ON JUDICIARY

Thursday, February 23, 2017
2:00 pm - Conference Room 325

HB1359 Relating to Invasive Species

Honorable Scott Y. Nishimoto, Chair
Honorable Joy A. San Buenaventura, Vice Chair
Honorable Members of the House Committee on Judiciary

Thank you for this opportunity to testify in SUPPORT OF HB1359.

This bill will provide the counties a clear tool that is not currently available to us – the authority to enter private property, with the proper court authorization, in order to eradicate invasive species that could be harmful to public health and safety. Maui County is currently fighting to stave off an infestation of many invasive species. Some of which include: Little Fire Ants (LFA), Coqui Frogs and Coffee Bean Borer beetle (CBB).

LFA has proven to be a threat to public health and safety. The Maui Invasive Species Committee (MISC) and the Hawaii Ant Lab (HAL) has had several property owners or lessees block access to their properties when they tried to address LFA eradication. The state department of Agriculture was able to obtain a court order, eventually, that allowed MISC and HAL to do their assigned duties. However, this is only one instance of many that are currently being faced by these agencies. There are people in Haiku and Nahiku still blocking access to their property to fight LFA and coqui frogs. We are currently getting CBB infestations in the Hana area and already getting resistance from one property owner. The DOA does not have the manpower or resources to get court orders to help these agencies work on the eradication of these pests on a timely basis. I firmly believe that the counties can be effective where the DOA is not able to be due to their restrictions.

I would like to offer an amendment that would help clarify the intent of the bill:

Amend starting on page 19 line 1 as follows:

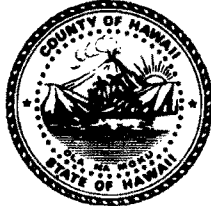
(28) Each county shall have the power to enact and enforce ordinances necessary to prevent, investigate, control, or eradicate invasive species, identified as such by the Hawaii Invasive Species Council, on any public or private property within the limits of the county. The authority provided by this paragraph shall not be self-executing but shall become fully effective with a county only upon enactment or adoption by the county of appropriate and particular laws, ordinances, or rules defining “invasive species” with respect to each county’s respective circumstances. The counties shall provide the property owners or their tenants with the opportunity to contest proposed county actions pursuant to this paragraph.

Therefore, I strongly urge the passage of this bill with the above amendments.

Sincerely,

Alan M. Arakawa
Mayor, County of Maui

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i
Office of the Mayor

25 Aupuni Street, Suite 2603 • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokalole Hwy., Bldg. C • Kailua-Kona, Hawai'i 96740
(808) 323-4444 • Fax (808) 323-4440

LATE

February 22, 2017

Representative Scott Nishimoto
Judiciary Committee
Hawai'i State Capitol
Honolulu, HI 96813

Dear Chair Nishimoto and members:

RE: **HB 1359**

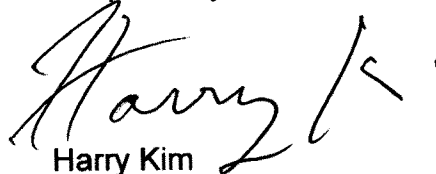
Thank you for this opportunity to testify in support of HB 1359.

The Council of Mayors has identified invasive species as a top-priority issue that deserves our attention. Even our best efforts are often inadequate to protect our islands from harmful pests, and limited resources make it imperative that we work together in pursuing solutions to what often seem intractable problems.

HB 1359 would make the counties a more valuable partner in the fight against invasives. As the Mayor of Maui said in a prior hearing, it will give us a valuable tool to supplement the ongoing efforts of State agencies and private organizations.

We ask that HB 1359 be approved, with a suitable effective date.

Respectfully submitted,


Harry Kim
Mayor

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 8:37 AM
To: JUDtestimony
Cc: marcia.wright@hawaiianelectric.com
Subject: Submitted testimony for HB1359 on Feb 23, 2017 14:00PM

HB1359

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325



Submitted By	Organization	Testifier Position	Present at Hearing
Hawaiian Electric Companies	Hawaiian Electric Companies	Support	No


Comments: Please see attached testimony

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



 | 808-733-7060
 | 808-737-4977

 | 1259 A'ala Street, Suite 300
Honolulu, HI 96817

February 23, 2017

The Honorable Scott Y. Nishimoto, Chair

House Committee on Judiciary
State Capitol, Room 325
Honolulu, Hawaii 96813

RE: H.B. 1359, H.D.1, Relating to Invasive Species

HEARING: Thursday, February 23, 2017, at 2:00 p.m.

Aloha Chair Nishimoto, Vice Chair San Buenaventura, and Members of the Committee.

I am Myoung Oh, Director of Government Affairs, here to testify on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawai'i, and its 9,000 members. HAR **supports the intent** of H.B. 1359, H.D.1 which allows each county to enact and enforce ordinances necessary to prevent, investigate, control, or eradicate invasive species on any public or private premises within the limits of the county.

The current language in H.B. 1359, H.D.1 permits individual counties to declare what is and isn't an "invasive species". We feel that the current oversight approach to pursuing only those things that the state has declared to be "invasive" a preferred avenue.

As such, HAR prefers H.B. 606, H.D.1 which was passed out of the Committee on Energy & Environmental Protection which will simply provide the authority to enter private property, with the proper court authorization, in order to eradicate invasive species that could be harmful to public health and safety.


A key part of the eradication effort is the need to address infestations wherever they occur. One major problem is that certain recalcitrant property owners refuse to manage the invasive species on their property and refuse access to State agents to do the work for them. The species then spread to surrounding properties making eradication impossible.


Currently, to enter such properties requires the active involvement of the State Attorney General's office, which does not have a full-time presence on the Neighbor Islands. If the Counties participate in this effort, then the Counties' attorneys can obtain the necessary warrants to enter private property.


HAR feels the current plan for managing detrimental invasive species is not working. Laws that must be amended to correct this situation and give our local communities a better chance





 | 808-733-7060

 | 808-737-4977

 | 1259 A'ala Street, Suite 300
Honolulu, HI 96817

at addressing this problem, including Chapter 46, which gives the Counties their powers, and Chapter 194 which makes the State Department of Agriculture the agency responsible for this function.

Mahalo for the opportunity to testify.





Shaping the future for birds

**Testimony of American Bird Conservancy
Supporting HB 1359 Relating to Invasive Species
House Committee on Judiciary
Thursday, February 23, 2017, 2:00 PM, Room 325**

On behalf of American Bird Conservancy and our members throughout Hawai‘i, I am writing to urge your **support with amendment for HB 1359 HD1**, which would allow “each county to enact and enforce ordinances necessary to prevent, investigate, control, or eradicate invasive species on any public or private premises within the limits of the county.”

Invasive species are non-native species whose introduction does or is likely to cause economic or environmental harm or harm to human health. These species are among the top causes of biodiversity decline worldwide and are estimated to cause major environmental damages and losses of approximately \$120 billion each year in the United States.

Unfortunately, numerous invasive species have already infiltrated the state and are causing tangible harm. Avian malaria, for example, spread by the introduced mosquito *Culex quinquefasciatus*, is wiping out Hawai‘i’s native forest birds. Although native birds had previously experienced some relief at higher altitudes, the combined presence of this foreign pathogen (and its introduced mosquito vector) and ongoing climate change means that even these high-altitude refuges will very soon be overwhelmed.

Many other examples of invasive species exist in Hawai‘i, including *Albizia*, little fire ants, coqui frogs, and mongoose, to name a few. Constantly looming, as well, is the threat of future non-native species introductions (e.g., brown tree snake) and their impacts.

This bill would provide counties, upon passage of ordinance, the authority to protect against invasive species introductions and to control invasive species populations once introduced. On account of the widely documented negative impacts of invasive species to people and wildlife and the ongoing threat from further non-native species introductions, **American Bird Conservancy respectfully requests your support with amendment for HB 1359 HD1 such that the bill will take effect in 2017.**

Mahalo for your consideration,

Grant Sizemore, M.S., AWB®
Director of Invasive Species Programs



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

February 23, 2017

HEARING BEFORE THE
HOUSE COMMITTEE ON JUDICIARY

**TESTIMONY ON HB 1359, HD1
RELATING TO INVASIVE SPECIES**

Room 325
8:30 AM

Aloha Chair Nishimoto, Vice Chair San Buenaventura, 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.

Hawaii Farm Bureau opposes HB 1359, HD1, which allows County ordinances relating to invasive species.

HFB strongly supports a robust biosecurity program to manage invasive species in our environment. We strongly believe that an effective program is accomplished through cooperative efforts, Federal, State, County and private entities, each contributing their resources based on expertise and capacity.

Invasive species management is largely under the jurisdiction of the Hawaii Department of Agriculture. Federal expertise is used to identify new control measures while Invasive Species Councils at different counties and private entities participate with HDOA PQ in eradication and control measures. State entomologists and PQ officials work to enforce and implement quarantine requirements as well as identification and rapid response for control of new infestations. Most recently we saw this in action at Hana, Maui, where HDOA PQ personnel worked to eradicate an initial CBB population and are working to assess further infestations.

As written, the measure would authorize:

“Ordinances necessary to prevent, investigate, control, or eradicate invasive species on any public or private premises within the limits of the county.”

Identification and development of control measures require technical expertise that come with significant cost. Collaborative efforts with existing state expertise would be a better use of resources. Counties can help by coordinating volunteer workforce crews in their

various districts that could be trained to be emergency ready for action when a new invasive species outbreak is identified. The local crew could include personnel from companies in the region who are already trained with pest management as well as others interested in assisting with invasive species control. People will be familiar with their own districts so can contribute insight on possible host locations, increasing the effectiveness of HDOA and ISCs.

Recently there was an individual who opposed entry by HDOA officials to control the LFA. However, HDOA stated during a Board meeting that they had the authority to obtain warrants as well as request the issuance of quarantine orders to the property. Procedures to facilitate the timely implementation of the warrant and quarantine orders may be justified.

Counties are already struggling to meet the increasing needs within their jurisdiction such as homelessness, traffic and infrastructure development. Their annual plea for greater share of TAT funds demonstrates the challenges associated with funding measures already within their jurisdiction.

HFB respectfully requests your opposition of this measure.

Thank you for this opportunity to provide comment on this important subject.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 12:23 PM
To: JUDtestimony
Cc: cathyg@animalrightshawaii.org
Subject: *Submitted testimony for HB1359 on Feb 23, 2017 14:00PM*

HB1359

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Animal Rights Hawai'i	Oppose	Yes

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

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 5:19 PM
To: JUDtestimony
Cc: shyaura@hotmail.com
Subject: Submitted testimony for HB1359 on Feb 23, 2017 14:00PM

HB1359

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
leslie farnel	for forgotten felines	Oppose	No

Comments: For Forgotten Felines a Hawaii non profit adamantly opposed this bill and it's potential to invade people's privacy and constitutional right to live in peace and not fear government trespass. This is a democratic country with laws protecting these inalienable rights not a fascist state.

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

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 3:35 AM
To: JUDtestimony
Cc: zulli@hawaii.edu
Subject: *Submitted testimony for HB1359 on Feb 23, 2017 14:00PM*

HB1359

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Christen Zulli	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

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 2:40 PM
To: JUDtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB1359 on Feb 23, 2017 14:00PM*

HB1359

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	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.

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

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2017 1:11 AM
To: JUDtestimony
Cc: coletteandkaipo@gmail.com
Subject: *Submitted testimony for HB1359 on Feb 23, 2017 14:00PM*

HB1359

Submitted on: 2/22/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Colette Faris	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.

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

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 9:17 PM
To: JUDtestimony
Cc: ariannafeinberg@gmail.com
Subject: Submitted testimony for HB1359 on Feb 23, 2017 14:00PM

HB1359

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Arianna Feinberg	Individual	Support	No

Comments: Please support as we need to do all in our power to effectively fight against invasive species.

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

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2017 9:05 PM
To: JUDtestimony
Cc: suyin@hawaii.edu
Subject: *Submitted testimony for HB1359 on Feb 23, 2017 14:00PM*

HB1359

Submitted on: 2/21/2017

Testimony for JUD on Feb 23, 2017 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Suyin Phillips	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

LATE

**TESTIMONY IN SUPPORT OF HOUSE BILL 1359 HD1
RELATED TO INVASIVE SPECIES
2.23.17**

Submitted by David DeLeon, on behalf of the Haiku Hill community, Maui.

Chair Nishimoto and the members of the House Judiciary Committee. Thank you for this opportunity to testify in SUPPORT of House Bill 1359 HD1. I am testifying because our community has seen the environmental disaster that has unfolded on the Big Island and are fighting to keep that same outcome from befalling Maui. We are estimating that our Northshore Maui community has about a decade before it is overwhelmed by Little Fire Ants, Coqui Frogs, and other foreign critters that are having such a drastic impact on the quality of life on the Big Island.

Current State law clearly makes this fight your kuleana, so we must depend on your leadership. A recent Maui case highlighted the need to rethink our state's approach to this problem. In that case tenants of a property infested with Little Fire Ants refused the Maui Invasive Species Committee (MISC) access to treat the infestation. The State Director of Agriculture overcame that resistance by prevailing on the State Attorney General to seek a court warrant to allow MISC to enter and treat the infestation and then personally hand-carried the order to Maui. The Director's action were laudable, however, there are many such cases in which recalcitrant property owners refuse access. The State Ag Chair cannot personally deal with each case. Likewise, there is no AG's office on Maui. While the state's intent is good, its resources are stretched thin. The Counties have resources that would allow a more efficient response to this issue – such as legal offices on the affected island. Maui County has already demonstrated its desire to contribute to this effort by appropriating over \$1 million to help our community combat our growing coqui outbreak. But current law blocks the Counties from being more pro-active.

If the humans are going to win this fight, we will need all hands on deck. That's why I support HB 1359 HD1 which is meant to bring to bear the resources of the County governments to this fight, in coordination with the State and allow appropriate governmental agencies to address the problem of private owners who refuse to manage these pests.

I also support Mayor Arakawa's proposed amendment to assure that the State Hawaii Invasive Species Council controls which species come under this proposed authority. Maui County's leaders have already demonstrated their concern and willingness to participate in saving our way of life. They just need the statutory authority to become your active partner.

Mahalo for receiving this testimony and for your support of this proposal.

David DeLeon
335 Waiama Way

Haiku, Hi
808-575-9711