

DAVID Y. IGE
Governor

SHAN S. TSUTSUI
Lt. Governor



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

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

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

**BEFORE THE SENATE COMMITTEES ON PUBLIC SAFETY,
INTERGOVERNMENTAL, & MILITARY AFFAIRS, & AGRICULTURE &
ENVIRONMENT**

**MARCH 17, 2017
1:30 P.M.
CONFERENCE ROOM 224**

**HOUSE BILL NO. 606 HD2
RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY**

Chairperson Nishimoto and Members of the Committee:

Thank you for the opportunity to testify on House Bill 606 HD2, which allows for additional enforcement and regulatory action to address invasive pest species issues. The Department supports the intent of this bill.

The Department works closely with each island invasive species committee (ISC), often to address early post-entry invasive pest establishment. In working with the island invasive species committees, it is critically important to address a new invasive pest species as soon as it is detected. If the intent of this bill is to empower county ISCs, then the measure improves the odds of successful eradication of an invasive pest by leveraging enforcement resources. Recent serious invasive pest species outbreaks such as the little fire ant and coqui frog are excellent examples how the Department and the island invasive species committees can move quickly to eliminate newly established invasive pests as long as access to private property is secured.

Thank you for the opportunity to testify on this measure.



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

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HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committees on
PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS
and
AGRICULTURE AND ENVIRONMENT

Friday, March 17, 2017
1:30 PM

State Capitol, Conference Room 224

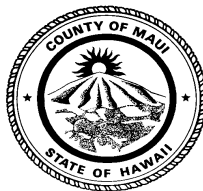
In consideration of
HOUSE BILL 606, HOUSE DRAFT 2
RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY

House Bill 606, House Draft 2 proposes to authorize counties to enter private property for invasive species control. **The Department of Land and Natural Resources (Department) supports this measure.**

The Department manages and is the administrative host of the Hawaii Invasive Species Council (HISC). The HISC is in the process of developing administrative rules to formally designate invasive species for eradication or control, pursuant to Section 194-5, Hawaii Revised Statutes (HRS). The ability of county governments to enter property to control invasive species pursuant to Section 194-5, HRS, or agricultural pests pursuant to Section 141-3.6, HRS, would assist in timely, thorough implementation of invasive species control efforts.

Thank you for the opportunity to comment on this measure

ALAN M. ARAKAWA
MAYOR



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

March 15, 2017

TESTIMONY OF ALAN M ARAKAWA
MAYOR
COUNTY OF MAUI

BEFORE THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS
THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Friday, March 17, 2017
1:30 p.m. – Conference Room 224

HB606 HD2 RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY.

Senator Clarence K. Nishihara, Chair
Senator Glenn Wakai, Vice Chair
Honorable Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

Senator Mike Gabbard, Chair
Senator Gil Riviere, Vice Chair
Honorable Members of the Senate Committee on Agriculture and Environment

Thank you for this opportunity to testify in **SUPPORT** of HB606 HD2.

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.

Therefore, I strongly urge the passage of this bill.

Sincerely,

Alan M. Arakawa
Mayor, County of Maui

Dear Chairman Gabbard, Vice-Chair Riviere, and Members of the Senate Committee on Agriculture and Environment,

On behalf of Best Friends Animal Society and our many supporters throughout the Hawaiian Islands, I urge Members of the Senate Committee on Agriculture and Environment to oppose HB606 as written.

State law already permits government agencies to enter private property for the purpose of “controlling or eradicating” plants and animals considered “invasive species,” raising concerns about how such laws might be used to target outdoor cats. (The Hawaii Invasive Species Council includes “feral cats” among its list of “invasive species” toward which it “has directed funding for research, and/or prevention and control actions.”) HB606 would go further, extending the authority to enter private property for the purpose of “controlling or eradicating” plants and animals to counties and any of their designated “agents.”

Naturally, this only increases the concern that the law will be used to target outdoor cats.

While we appreciate the need to protect Hawaii’s native plants and animals, the provisions outlined in HB606 are likely to backfire if implemented. Indeed, these policies are not only direct threats to cats—owned and unowned alike—but also likely to have a chilling effect on sterilization programs used to effectively and humanely manage “feral” cat populations throughout the Hawaiian Islands. Many residents who volunteer their time and provide financial support for such programs, for example, would be discouraged if they knew the cats they care for were at risk for lethal roundups—and choose not to participate as a result (leading to more unsterilized cats).

We urge you to instead consider laws that would *encourage* sterilization programs—which, surveys show, enjoy broad public support.

HB606 is a betrayal of the public’s trust in private property rights, government transparency, and due process. Please, either oppose this harmful bill, or amend it to explicitly exempt the species *Felis catus*.

Thank you.

Peter J. Wolf

Cat Initiatives Analyst

Best Friends Animal Society

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bestfriends.org

facebook.com/bestfriendsanimalsociety | twitter.com/bestfriends



Together, we can Save Them All®.



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

TESTIMONY OF THE BIG ISLAND INVASIVE SPECIES COMMITTEE
SUPPORTING H.B.606 RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY
SENATE COMMITTEE ON AGRICULTURE AND THE ENVIRONMENT
FRIDAY, MARCH 17, 2017, 1:30 PM, ROOM 224

The Big Island Invasive Species Committee (BIISC) is a partnership of private citizens and public agencies organized under the University of Hawaii. Our mission is to address the highest risk invasive species threats to the Big Island environment, economy, and way of life.

DEAR CHAIR GABBARD AND VICE CHAIR RIVIERE;

BIISC strongly supports HB 606, which could be a game-changer in the fight against invasive species. Each year our program contacts 400-500 land owners to request access to control some of the highest-risk invasive species threats in our community. These include Albizia along major roads and powerlines, Little Fire Ants and Coqui in neighborhoods with active control programs, illegally introduced Axis Deer, and twelve emerging invasive plant species that are targeted for island-wide eradication.

Generally, landowners cooperate once they are contacted and understand the situation. Unfortunately, **in most cases we are never able to reach the landowner** in person or by phone. In response to targeted mailings requesting permission for specific projects, we receive responses from just 10-40% of property owners we contact—168 last year. The rest never respond.

Importantly, BIISC is rarely explicitly *denied* access. For example, throughout the albizia hazard mitigation program for highways and powerlines, only one land owner (a mainland-based celebrity) ever told us “No.” But **dozens never responded at all**. Those that live out of state, out of country, or hidden behind trusts or LLCs make our job impossible. That is not fair to the hundreds of cooperative, responsible taxpayers who are trying to keep their communities and residences safe and free of pests.

Our community albizia control volunteers (the “Albizia Assassins”) give their free time and sweat to hunt down emerging stands of albizia throughout East Hawaii neighborhoods—over 1,200 volunteer hours have been invested in removing these future hazards *before* they become costly threats. More than 200 miles of privately owned roads are impacted by albizia, but absentee landowners thwart community-led efforts. A few uncooperative landowners can prevent eradication of albizia from an entire community, or prevent the protection of a powerline from albizia strikes—just by failing to respond.



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Albizia mitigation is not the only invasive species program paid for by public, tax-payer dollars and stymied by unresponsive landowners. The denial of access to eradicate **Little Fire Ants** on Maui was highly publicized, and despite heroic and ultimately successful efforts of the state authority to get a court order, the lack of access caused lengthy delays during which costs and risk of failure increased every day. To map the spread of **Rapid Ohia Death**, individual trees must be tested by hand. Large private landowners with staff trained to worry more about liability than conservation can launch right of entry negotiations that have dragged out for over a year, or ultimately failed, over tiny details of indemnification--sometimes outlasting the funding to send staff onto the land. When **Axis Deer** were discovered, BIISC secured over 1,000 individual, voluntary permissions from ranches, farms, and residents across the island. Shortly after the deer were successfully dispatched, some key lands were foreclosed by mainland banks, and we were never again able to gain access. If that had been the case at the start of the axis deer response, we would not have been able to contain this multi-million dollar threat to agriculture. Usually not because the land-owner says “no,” but because they don’t care, they don’t live here, and they don’t bother to reply.

This property-access bill will address the problem of absentee landowners and residents who neglect the reasonable management of their properties by authorizing the Counties to enter private properties to address invasive species.

Authorizing the Counties and their agents to enter private property through a fair, reasonable, and streamlined process is critical. The Invasive Species Committees lack statutory authority. HDOA lacks the capacity to meet demand, and may not raise a county-level priority to a state enforcement priority, either because the population is too large (e.g. coqui frogs and little fire ants) or too small (e.g. Moluccan Raspberry). Although Hawaii County enacted legislation in 2013 to enter private property to remove hazardous albizia in response to complaints, it has proven difficult for the County to enforce its own rule. In a 2016 annual report, the County stated that they had received 299 formal albizia complaints and had cut down just one tree—on County property! 16 more were tied up in court. Imagine if these trees had been removed when the law first took effect—eight months before Tropical Storm Iselle hit! Similarly, Hawaii County is bogged down with their greater share of albizia-impacted roadways—at least 79 miles, and growing. Clarifying that the county has the authority to enter property to control hazardous albizia in roadside buffers or before they become large, costly hazard trees will allow proactive, cost-effective management to commence, starting with critical roads and infrastructure. Mahalo for your time and consideration.



**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 Public Safety, Intergovernmental, and Military Affairs
And Senate Committee on Agriculture and Environment
By the Conservation Council for Hawai'i
Hearing: Friday, March 17, 2017 1:30 pm
Room 224

Support for HB 606 HD 2 Relating to County Access to Private Property

Chair Nishihara, Chair Gabbard, Vice Chair Wakai, Vice Chair Riviere, and Members of the Committees,

Aloha. The Conservation Council for Hawai'i supports HB 606 HD 2, which authorizes the counties to enter private property to control or eradicate invasive species and pests.

Destructive invasive species and dangerous pest harm humans, wildlife, the environment, and economy. In some situations, access to private property is needed to control or eradicate such species. The case of the little fire ant on private property on Maui is one such example.

Please also support increased funding to keep invasive species out of Hawai'i and controlling invasive species that are established on the islands. Experts recommend a minimum investment of \$50 million a year to, essentially, implement the Hawai'i Interagency Biosecurity Plan. The plan includes the most important actions we can take to prevent invasive species from entering the islands and prevent the spread of invasive species already here.

Please pass HB 1006 and ask for more money. Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

Marjorie Ziegler



Brown tree snake, toddler bitten by little fire ant, big-headed ants attacking sooty tern chick

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President: Wayne Tanaka | Vice President: Koalani Kaulukukui | Secretary: Rachel Sprague


Treasurer: Les Welsh | Director: Anne Walton

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March 17, 2017

The Honorable Clarence K. Nishihara, Chair

Senate Committee on Public Safety, Intergovernmental, and Military Affairs

The Honorable Mike Gabbard, Chair

Senate Committee on Agriculture and Environment

State Capitol, Room 224

Honolulu, Hawaii 96813

RE: H.B. 606, H.D.2, Relating to County Access to Private Property

HEARING: Friday, March 17, 2017, at 1:30 p.m.

Aloha Chair Nishihara, Chair Gabbard, 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 9,200 members. HAR **supports** H.B. 606, H.D.2 which authorizes the counties to enter private property to control or eradicate invasive species and pests.

REALTORS® are vitally concerned about issues that affect the value of real property and the quality of life in our State. The introduction and infestation of detrimental invasive species is a growing concern that is increasingly impacting the very way of life for our friends and families in our communities. HAR would support efforts to empower the Counties to join the effort to eliminate this threat.


According to the recently released Hawai'i Interagency Biosecurity Plan (2017-2027), Hawaii's ever increasing interconnectedness with the rest of the world has led to an onslaught of exotic species from around the world arriving in our harbors and airports and ultimately becoming established here.


The plan suggests that 10 percent of those invading species will prove to be harmful to our economy, our environment, and our very way of life. Seriously dangerous species like the Little Fire Ant (LFA) have established themselves in various locations in the State, and particularly on Hawai'i Island. From there, the State has continued to allow the shipment of material infested with LFA to other islands, spreading this potential environment disaster farther.





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The Maui Invasive Species Committee (MISC) is estimating that Maui will experience the same level of LFA and coqui frog infestation that is now prevalent in the Hilo and Puna Districts of the Big Island in the next 10 years if governmental agencies do not take a more proactive stance. The Biosecurity plan essentially says the same thing.

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 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.

While there are two primary vehicles, H.B. 606, H.D.2 and H.B. 1359, H.D.2, HAR prefers H.B. 606, H.D.2 as it does not require additional county legislative action.

Mahalo for the opportunity to testify.



THE HUMANE SOCIETY
OF THE UNITED STATES

To: Chair Gabbard, Senate Committee on Agriculture and the Environment members, Chair Nishihara and Senate Committee on Public Safety, Intergovernmental, and Military Affairs members

Regarding: HB 606 HD2

Date: March 17, 2017 1:30 p.m.

Testimony By: Keith Dane, Hawaii Policy Advisor, The Humane Society of the United States

The Humane Society of the United States (HSUS), the nation's largest animal protection organization, works to protect all animals, including both wildlife and cats. The domestic cat is often included with non-indigenous invasive species by conservationists looking to mitigate threats to native wildlife species. The Hawaii Invasive Species Council lists *felis cactus*, the domestic cat, under examples of invasive species in Hawaii. We are concerned that bills aimed to better equip agencies and county governments to control invasive species will, whether intentionally or unintentionally, extend their reach to domestic cats.

Given that housecats, indoor/outdoor pet cats, free-roaming lost and stray cats, and unowned feral cats are all the same species, enabling domestic cats to be classified as invasive species alongside fire ants and coconut rhinoceros beetles is overly broad and can lead to conflicts with existing anti-cruelty laws that apply to domestic cats, which are defined as "pet animals" in §711-1100 of Title 37, Hawaii's Penal Code. Moreover, including domestic cats in programs that allow for the eradication of this popular pet, does not sit well with the public.

House Bill 606 HD2 expands the ability of government agents and individual counties to control and eradicate invasive species by allowing entry on to private property in order to carry out those actions. Clearly it is not the legislature's intent to allow government agents to remove or cause harm to a resident's cat in their own backyard.

We respectfully ask that HB 606 HD2 be amended to exempt "pet animals" to provide public confidence in that intent.

The HSUS understands that managing community (feral and stray) cats is a complex issue that concerns many legislators and agencies mandated to serve and protect the public. We share common ground with conservationists and animal welfare advocates as our ultimate goal is no unowned, and many fewer owned, cats outdoors, leading to much less risk to the cats themselves, reduced predation of birds and wildlife, the elimination of potential public health concerns and nuisance-related issues.

We recognize that there is an urgent need for practical and effective solutions to the challenges associated with the presence of cats outdoors. However, there is no one-size-fits-all solution to managing cats in the environment; with determination, innovation, and collaboration, we can implement and sustain effective programs to humanely resolve human-cat-wildlife conflicts. That means including animal care and sheltering professionals as well as wildlife professionals in the crafting of a plan. Animal welfare organizations invest significant resources and energy each year on cat rescue, sheltering, adoption, and other protection measures. We encourage the legislature to support collaboration and problem solving among stakeholders rather than provide blanket authority over domestic cats to those empowered to eradicate invasive species in Hawaii.

Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 606 HD2 Relating to County Access to Private Property
Senate Committee on Public Safety, Intergovernmental & Military Affairs
Senate Committee on Agriculture and Environment
Friday, March 17, 2017, 1:30PM, Room 224

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 H.B. 606 HD2 authorizing the counties to enter private property to control or eradicate invasive species.

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.

The [Hawai'i Interagency Biosecurity Plan](#)—prepared by the Department of Agriculture with the support of its many government and non-government partners—addresses the full range of invasive species prevention, early detection, rapid response, control, research, and outreach priorities across the state. The Biosecurity Plan notes the ability to enforce biosecurity rules on private land as a critical issue. In many instances, private properties are adjacent to public lands and other private properties, including important natural and agricultural areas, where the efforts of public and private land managers to control invasive species may be frustrated or even negated if a neighboring private land owner cannot or will not take similar measures.

The ability of counties to enter onto private property under the same conditions required of state agencies would assist in the timely and effective containment and control of newly introduced and more established invasive species.

Thank you for the opportunity to testify on this bill.

BOARD OF TRUSTEES

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TESTIMONY

March 17, 2017

In Support of House Bill 606

Thank you for this opportunity to testify in support of House Bill 606, giving the Counties the authority enter private property in order to control invasive species. I am David DeLeon, testifying on behalf of my friends and neighbors in the Haiku Hill neighborhood on Maui.

For the last three years our community has been fighting what increasingly appears to be a losing battle against an invasion of coqui frogs. Our best efforts are being defeated because certain of our neighbors refuse to control these pests on their properties and also refuse to allow the Maui Invasive Species Committee's teams on their property to do the work for them. As a result of this lack of cooperation, the density of coqui on these untreated properties is similar to the situations certain Big Island neighborhoods are experiencing. With that kind of reservoir of coquis in our midst, no matter how many we kill on our own properties, they are quickly replaced. If this is not corrected, our hours of labor will be wasted and the coqui will spread to the wider community. Our sense is Maui is on the same bio-disaster path that the Big Island has experienced, a path we are still working hard to avoid.

Current state law, HRS 194, gives the authority to the state to enter infested properties to correct this situation. However, to our knowledge the state has only actually used that authority once in the last decade. Part of the reason for that – it appears -- is the difficulty that Honolulu-based state agencies and the Attorney General's office have in responding. Both Maui and Hawaii Counties have expressed an interest in helping to address this access problem, but they would first need the authority given by this bill.

If the choice is between HB 606 or HB 1359, we would prefer HB 606 because it does not require additional County legislation to operationalize it. We need help fast and HB 606 – or its companion – SB637 – appear to be the best options for that to happen.

Mahalo

David DeLeon
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dpdeleon@hawaiiantel.net
808-281-3269

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 8:22 PM
To: PSMTestimony
Cc: begoniabarry@gmail.com
Subject: *Submitted testimony for HB606 on Mar 17, 2017 13:30PM*

HB606

Submitted on: 3/15/2017

Testimony for PSM/AEN on Mar 17, 2017 13:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments:

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To: PSMTestimony
Cc: mamaupin@hotmail.com
Subject: *Submitted testimony for HB606 on Mar 17, 2017 13:30PM*

HB606

Submitted on: 3/13/2017

Testimony for PSM/AEN on Mar 17, 2017 13:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Maupin	Individual	Oppose	No

Comments:

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To: PSMTestimony
Cc: launahele@yahoo.com
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HB606

Submitted on: 3/13/2017

Testimony for PSM/AEN on Mar 17, 2017 13:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Benton	Individual	Support	No

Comments:

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Cc: begoniabarry@gmail.com
Subject: *Submitted testimony for HB606 on Mar 17, 2017 13:30PM*



HB606

Submitted on: 3/16/2017

Testimony for PSM/AEN on Mar 17, 2017 13:30PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments:

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LATE

TESTIMONY

March 17, 2017

In Support of House Bill 606

Thank you for this opportunity to testify in support of House Bill 606, giving the Counties the authority enter private property in order to control invasive species. I am David DeLeon, testifying on behalf of my friends and neighbors in the Haiku Hill neighborhood on Maui.

For the last three years our community has been fighting what increasingly appears to be a losing battle against an invasion of coqui frogs. Our best efforts are being defeated because certain of our neighbors refuse to control these pests on their properties and also refuse to allow the Maui Invasive Species Committee's teams on their property to do the work for them. As a result of this lack of cooperation, the density of coqui on these untreated properties is similar to the situations certain Big Island neighborhoods are experiencing. With that kind of reservoir of coquis in our midst, no matter how many we kill on our own properties, they are quickly replaced. If this is not corrected, our hours of labor will be wasted and the coqui will spread to the wider community. Our sense is Maui is on the same bio-disaster path that the Big Island has experienced, a path we are still working hard to avoid.

Current state law, HRS 194, gives the authority to the state to enter infested properties to correct this situation. However, to our knowledge the state has only actually used that authority once in the last decade. Part of the reason for that – it appears -- is the difficulty that Honolulu-based state agencies and the Attorney General's office have in responding. Both Maui and Hawaii Counties have expressed an interest in helping to address this access problem, but they would first need the authority given by this bill.

If the choice is between HB 606 or HB 1359, we would prefer HB 606 because it does not require additional County legislation to operationalize it. We need help fast and HB 606 – or its companion – SB637 – appear to be the best options for that to happen.

Mahalo

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