

HB 904, HD1

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 AGRICULTURE & ENVIRONMENT &
WATER & LAND**

**MARCH 17, 2017
2:15 P.M.
CONFERENCE ROOM 224**

**HOUSE BILL NO. 904 HD1
RELATING TO INVASIVE SPECIES**

Chairpersons Gabbard and Rhoads and Members of the Committees:

Thank you for the opportunity to present testimony on House Bill 904 HD1. This bill provides funding for rapid response to new Invasive Pest Species. The Department of Agriculture supports this bill and offers a comment.

The passage of House Bill 904 HD1 will be useful in trying to address eradication of a new invasive pest species at a time when establishment has limited range and dispersion. Some of our most serious invasive pest species, such as coqui frog and little fire ant, would be minimized by rapid response to new invasive pest species detection. A dedicated fund will ensure resources for a quick and effective response. The Department would like to note the support for HB1339 and SB776, relating to the creation of the Hawaii Invasive Species Authority, which would repeal Chapter 194 and create a new authority to carry out the duties of biosecurity and invasive species. Should HB1339 and SB776 move forward this session, the Department would like to see this rapid response fund carry over to the Hawaii Invasive Species Authority.

Thank you for the opportunity to testify on this measure.



DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

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ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY WESLEY K. MACHIDA
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEES ON AGRICULTURE AND ENVIRONMENT
AND WATER AND LAND
ON
HOUSE BILL NO. 904, H.D. 1

March 17, 2017
2:15 p.m.
Room 224

RELATING TO INVASIVE SPECIES

House Bill No. 904, H.D. 1, expedites the response to newly detected invasive species in the State of Hawaii by establishing procedures for emergency declarations and expenditures. The bill creates the Invasive Species Rapid Response Special Fund to mitigate or eradicate invasive species that would generate revenues through legislative appropriations and investment earnings. The bill appropriates an unspecified sum of general funds for FY 18 and FY 19 for deposit into the new fund. The Invasive Species Council will administer and expend moneys from the special fund.

The Department of Budget and Finance, as a matter of general policy, does not support the creation of any special fund which does not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need that cannot be implemented successfully under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the

capacity to be financially self-sustaining. In regards to House Bill No. 904, H.D. 1, it is unclear why response efforts for newly detected invasive species cannot be addressed through the general fund appropriation process and whether the proposed fund would be self-sustaining.

Thank you for your consideration of our comments.

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
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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the Senate Committees on
AGRICULTURE AND ENVIRONMENT
and
WATER AND LAND

Friday, March 17, 2017
2:15 PM

State Capitol, Conference Room 224

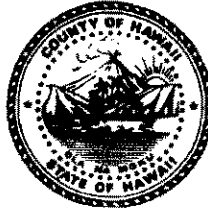
In consideration of
HOUSE BILL 904, HOUSE DRAFT 1
RELATING TO INVASIVE SPECIES

House Bill 904, House Draft 1 proposes to establish an invasive species rapid response special fund to facilitate invasive species detection and control in situations where the Governor has declared an invasive species emergency. **The Department of Land and Natural Resources (Department) supports this initiative, as long as it does not replace our priorities requested in the Executive Budget.**

The Department manages a variety of invasive species programs and is the administrative host of the Hawaii Invasive Species Council (HISC). For both departmental programs and interagency projects supported by the HISC, project costs are assigned at the beginning of a fiscal year. There is no source of funding that specifically supports new emergency responses to invasive species incursions that happen after the start of the fiscal year. The presence of an invasive species rapid response fund would better enable the state to respond to threats at the time of first detection, when the likelihood of success is highest and the cost of eradication is lowest.

Thank you for the opportunity to comment on this measure.

Harry Kim
Mayor



Wil Okabe
Managing Director

Barbara J. Kossow
Deputy Managing Director

County of Hawai'i
Office of the Mayor

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March 15, 2017

Senator Mike Gabbard, Chair
Committee on Agriculture & Environment
Hawai'i State Capitol
Honolulu, HI 96813

Senator Karl Rhoads, Chair
Committee on Water & Land
Hawai'i State Capitol
Honolulu, HI 96813

Dear Chairs Gabbard, Rhoads, and Committee members:

**RE: HB 904 HD 1
Relating to Invasive Species**

I offer this testimony in support of HB 904, HD1, an innovative approach to improve our response to harmful invasive species.

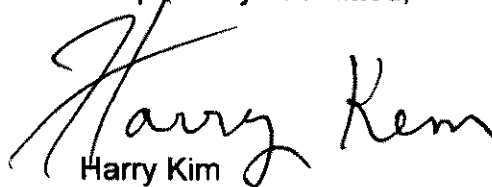
The Council of Mayors has identified invasive species as a top-priority that deserves all our attention. Even our best efforts are often inadequate to protect our islands from harmful pests, and limited resources make it imperative that we work together in pursuing solutions to what often seem intractable problems. For that reason, I would like to thank you for all the hard work this year's Legislature is devoting to help mitigate these problems.

With the possible exception (so far) of parakeets, it seems that Hawaii County has suffered a disproportionate share of the damage caused by invasive species, including rapid ohia death, little fire ants, coqui frogs, coffee berry borer beetle, and probably others. But all our islands, and all our constituents, are at risk. My primary request to you would be "Please don't give up." As a county, we do not have the resources or expertise to fight these devastating invaders on our own. We need as much assistance from you as you can offer.

Gabbard/Rhoads
March 15, 2017
Page 2

I hope you can approve HB 904 with adequate funding and an early effective date.

Respectfully submitted, (



Harry Kim
Mayor



**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 Agriculture and Environment
And Senate Committee on Water and Land
By the Conservation Council for Hawai'i
Hearing: Friday, March 17, 2017 2:15 pm
Room 224

Support for HB 904 HD 1 Relating to Invasive Species

Chair Gabbard, Chair Rhoads, Vice Chair Riviere, and Members of the Committees,

Aloha. The Conservation Council for Hawai'i supports HB 904 HD1, which establishes the invasive species rapid response special fund within DLNR, establishes procedures for emergency declarations and expenditures, and appropriates moneys.

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. We have a ways to go, and we appreciate this bill.

Invasive species are the most significant environmental and economic threat in Hawai'i. If you bathe or drink water, you should be concerned about the destruction of essential watersheds on ceded lands. Invasive species are responsible for the loss of habitat for native plants and animals, and contribute to species endangerment and extinctions in Hawai'i. Invasive species degrade cultural and public recreation areas, rendering these areas unusable (e.g., invasive strawberry guava in Hawaiian forests). The introduction of biting flies and stinging midges (for example) could destroy our visitor industry.

Please pass HB 904 HD 1. Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

Marjorie Ziegler



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
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters



Testimony of The Nature Conservancy of Hawai'i
Supporting H.B.904 HD1 Relating to Invasive Species
Senate Committee on Agriculture and Environment
Senate Committee on Water and Land
Friday, March 17, 2017, 2:15PM, 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. 904 HD1 to create a mechanism and fund for rapid response to address newly detected invasive species threats.

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 recommends that a multi-agency emergency response task force prepare species-specific response plans and strategies for high-risk priority pests and coordinate and respond to new pest threats, and that money is allocated on a yearly basis to a biosecurity emergency response fund.

We agree, but also hope that providing the necessary and critical support for rapid response to new pests will be additive and not prevent the Legislature, the Administration and partners from also devoting appropriate attention and funding to the full range of pest issues across the islands as outlined in the comprehensive Biosecurity Plan. The Hawai'i Invasive Species Council—or the proposed Hawai'i Invasive Species Authority ([HB1339/SB776](#))—is the appropriate multi-agency venue for this broader effort. This approach necessarily results in prioritization based on a variety of issues including human health, safety and well-being, economic harm, and the threat to the health and function of the environment.

Thank you for the opportunity to testify in support of this bill.

BOARD OF TRUSTEES

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 5:12 PM
To: AEN Testimony
Cc: cathyg@animalrightshawaii.org
Subject: *Submitted testimony for HB904 on Mar 17, 2017 14:15PM*

HB904

Submitted on: 3/14/2017

Testimony for AEN/WTL on Mar 17, 2017 14:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Cathy Goeggel	Animal Rights Hawai'i	Oppose	No

Comments:

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THE HUMANE SOCIETY
OF THE UNITED STATES

To: Chair Gabbard, Senate Committee on Agriculture and the Environment members, Chair Rhoads and Senate Committee on Water and Land members

Regarding: HB 904 HD1

Date: March 17, 2017 2:15 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 conservationist 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 904 allows for the expenditure of state funds without legislative review when the Invasive Species Council determines immediate action is warranted to fend off an invasive species. We do not believe it is the legislature's intent for such funds to be spent on the lethal control and eradication of domestic cats.

We respectfully ask that HB 904 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.

From: [Peter Wolf](#)
To: [AEN Testimony](#)
Subject: Please oppose or amend HB904
Date: Thursday, March 16, 2017 12:55:05 PM

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 HB904. This bill would expand the Department of Land and Natural Resources' already broad discretion to apply lethal methods ("without legislative approval") for managing outdoor cats under the pretense of an "invasive species emergency."

While we appreciate the need to protect Hawaii's native plants and animals, the provisions outlined in HB904 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.

HB904 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
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Together, we can Save Them All®.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 4:28 PM
To: AEN Testimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB904 on Mar 17, 2017 14:15PM*

HB904

Submitted on: 3/13/2017

Testimony for AEN/WTL on Mar 17, 2017 14:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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Cc: launahele@yahoo.com
Subject: *Submitted testimony for HB904 on Mar 17, 2017 14:15PM*

HB904

Submitted on: 3/13/2017

Testimony for AEN/WTL on Mar 17, 2017 14:15PM in Conference Room 224

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

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 13, 2017 12:15 PM
To: AEN Testimony
Cc: gordines@kauaiflowers.com
Subject: *Submitted testimony for HB904 on Mar 17, 2017 14:15PM*

HB904

Submitted on: 3/13/2017

Testimony for AEN/WTL on Mar 17, 2017 14:15PM in Conference Room 224

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

Comments:

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