

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 HOUSE COMMITTEES ON AGRICULTURE & ENERGY &
ENVIRONMENTAL PROTECTION**

**FEBRUARY 16, 2017
10:45 A.M.
CONFERENCE ROOM 325**

**HOUSE BILL NO. 1339
RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION**

Chairpersons Creagan and Lee and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 1339. This bill will provide the vehicle for the restructuring of the Hawaii Invasive Species Council to the Hawaii Invasive Species Authority (HISA). The restructuring will attach the HISA to the Hawaii Department of Agriculture which will coordinate the implementation of the Hawaii Interagency Biosecurity Plan. HISA will become the vehicle to organize the State's Invasive Species prevention, early detection, rapid response, control, enforcement and outreach activities. The Department strongly supports this measure.

At the Department of Agriculture, we are keenly aware of the economic impact that invasive pest species has on our farmers. Additionally, new pest species affect the outdoor environment that we live, work, and play in. The establishment of the Hawaii Invasive Species Authority places the efforts of controlling and managing invasive pests under one regulatory authority with dedicated staff and resources. HISA will also have a board comprised of vested stakeholders, including a member from the agricultural industry, natural resource conservation, and the Native Hawaii cultural community.

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
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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 Committees on
AGRICULTURE
and
ENERGY & ENVIRONMENTAL PROTECTION

Thursday, February 16, 2017
10:45 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 1339
RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

House Bill 1339 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) with expanded board membership that would allow for participation from non-governmental stakeholders. **The Department of Land and Natural Resources (Department) supports this 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 the HDOA. Chapter 194, Hawaii Revised Statutes (HRS), requires the HISC to perform a broad spectrum of policy and coordination duties associated with invasive species. The HISC also manages an annual interagency budget to support innovative interagency projects that fill gaps between agency mandates. Chapter 194, HRS, establishes the HISC as a board only, comprised of chairs or directors of state departments, and does not provide staff or funding for the operation of the HISC. As such, the Department has provided existing staff resources to effectuate the directions of the HISC.

This measure would add three non-ex-officio seats to the voting board, to be appointed by the Governor, to represent the interests of stakeholders outside of state government including agricultural and horticultural stakeholders, conservation stakeholders, and an individual with expertise in Native Hawaiian cultural practices. 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 attached 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 the 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 also appropriates funds for an interagency budget to support gap-filling projects, similar to that currently operated by the HISC. The amount of funding requested for this appropriation matches the need identified by invasive species practitioners for interagency projects in Fiscal Year 18. 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.

In preparation of an attached agency concept for invasive species coordination, HISC staff conducted a stakeholder survey to gather input on desired components of an enhanced coordinating entity. Stakeholder input was broadly supportive of the HISA concept.

Establishing the HISA is a key recommendation of the Hawaii Interagency Biosecurity Plan (2017-2027), which is part of the Governor's Sustainable Hawaii Initiative. Biosecurity Plan action item #82 (PosPol 2.1) describes the need to enact legislation restructuring the HISC as the HISA, and item #104 (PosTifs 1.1) describes the need to fund the operating cost and interagency budget needs of this program. The HISA would be the primary entity responsible for facilitating implementation of the Hawaii Interagency Biosecurity Plan and would be responsible for tracking progress toward implementation and providing reports to the legislature

Thank you for the opportunity to comment on this measure.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Agriculture
And
House Committee on Energy and Environmental Protection
Thursday, February 16, 2017 at 10:45 a.m.
By
Rachel Novotny, Interim Dean
And
J. Kenneth Grace, Associate Dean
College of Tropical Agriculture and Human Resources
University of Hawai'i at Mānoa

HB 1339 – RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

Chairs Creagan and Lee, Vice Chairs DeCoite and Lowen, and members of the House Committee on Agriculture and Committee on Energy and Environmental Protection:

Thank you for the opportunity to testify in support of HB 1339 which restructures the Hawai'i Invasive Species Council as the Hawai'i Invasive Species Authority to coordinate implementation of the Hawai'i Interagency Biosecurity plan and related duties, and appropriates funds for this purpose.

The University of Hawai'i is a member of the interagency Hawai'i Invasive Species Council, and will remain a member under the restructuring proposed in HB 1339. We support this restructuring and attachment to the Department of Agriculture, and believe that it will strengthen efforts to prevent and control invasive pests, plants, and plant diseases in Hawai'i.

Thank you for the effort to testify in support of HB 1339.



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

LATE

February 16, 2017

HEARING BEFORE THE
HOUSE COMMITTEE ON AGRICULTURE
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

TESTIMONY ON HB 1339
RELATING TO INVASIVE SPECIES PROGRAM ADMINISTRATION

Room 325
10:45 AM

Aloha Chairs Creagan and Lee, Vice Chairs DeCoite and Lowen, and Members of the Committees:

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.

The Hawaii Farm Bureau strongly supports the intent of a strong Biosecurity Plan, however, provides the following comments relating to HB 1339, Establishing an Invasive Species Authority.

The 2016 Legislature required a Plant Quarantine Branch, financial and performance audit; report to 2017 legislature. The preface to HB 1339 does not reference the findings of the audit. It would appear prudent that findings of the audit be reviewed before approving these massive changes to the Invasive Species management program.

Hawaii Agriculture has a long track record of implementing Biosecurity measures to protect Hawaii's ecosystem. It has been a pioneer in quarantine laws, dating back to 1888, when King Kalakaua signed an act to prohibit the introduction of coffee trees and shrubs. While addressing natural resources (prohibition of foxes and land crabs), its mission emphasized agriculture to encourage diversified crops for commercial production instead of simple subsistence. As we embark on this new chapter, the intent of **biosecurity in relation to agriculture must not be marginalized.**

In 2005, the Biosecurity Chapter was added into Hawaii State Law (HRS 150A Part VI), updating the Hawaii Quarantine Law, with objectives to (150A-52)

(1) Establish a multi-dimensional system to prevent the entry into the State and interisland movement of pests and prohibited or restricted organisms without a permit; and

(2) Respond effectively to eradicate, control, reduce, and suppress incipient pest populations and established pests and seize and dispose of prohibited or restricted organisms without a permit. [L 2008, c 236, pt of §2]

HRS 150 included funding mechanisms (supported by HFB despite a policy of no new taxes). After its' inception, the number of inspectors increased and interceptions of pests not known to occur in the islands increased. Each year, legislators were informed of activities during the prior year and implementation plans for the new year presented after discussion with Counties and stakeholders. The comprehensive action plan went beyond agriculture including areas such as predator control to protect native plants and animals. See reference: (<http://manoa.hawaii.edu/hpicesu/techr/180/07.pdf>).

This measure proposes regulatory changes. We recommend a review of existing regulations, and funding implementation vs. creation of new regulations and duplicating efforts articulated in current law.

During fiscally challenging times, collaborative efforts will facilitate implementation actions. The measure references hiring of additional staff, rather than looking at USDA, Bishop Museum, UH, HARC as well as private organizations that have similar goals to maximize Hawaii's Biosecurity potential. Commitments to collaborative efforts with existing organizations should be required in statute.

Legislative history, in HRS 150A statute contains the following reference:

"SECTION 13. (a) Between July 1, 2010, and September 30, 2010, the department of agriculture shall adopt new or amend existing rules to impose or increase the fees authorized to be charged under chapter 150A, Hawaii Revised Statutes, without regard to the public notice and public hearing requirements of section 91-3, Hawaii Revised Statutes, the small business impact review requirements of chapter 201M, Hawaii Revised Statutes, or the limit on fee increases under section 92-28, Hawaii Revised Statutes. **The department shall set the fees at amounts intended to generate, together with the inspection, quarantine, and eradication service fee, sufficient revenues to pay the operation and maintenance costs of implementing the agriculture inspection and biosecurity programs of chapter 150A,** Hawaii Revised Statutes, and the central services and departmental administrative expense assessments of section 36-27 and section 36-30, Hawaii Revised Statutes.

As stated, the fees collected should carry out the functions stated in Section 7 of this measure (\$500K for operating expenses and \$10M each year for two years). A review of the fee schedule should be examined as a funding mechanism. Imports with high probability of control measures or have a history of unknown insects entering Hawaii's environment should warrant higher fees. These funds could be used to conduct the research needed for import replacement options. This fund was created to reduce dependence on the General Fund. This measure as drafted depends on the General Fund without addressing how the funds collected will used.

Hawaii Farm Bureau is a strong supporter of Biosecurity. Our farmers and ranchers are at the forefront of the battle while trying to increase Hawaii's goal of increased self-sufficiency and sustainability. The challenges of incipient pests is serious and is

threatening sections of the industry. We respectfully request that the needs of production agriculture and its' role in protecting Hawaii from invasive species not be marginalized. Those responsible for protecting Hawaii from invasive species need to understand the nexus between agriculture and biosecurity. HRS 150A Part VI as written appears to achieve this goal. Careful consideration to improving current statute should be the goal.

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



Hawai'i Green Growth is a public-private partnership that catalyzes action across government, private sector and civil society to achieve Hawai'i's Aloha+ Challenge 2030 sustainability goals and serve as a model for integrated green growth

Testimony of Hawai'i Green Growth

**In Support of HB1339 Relating to Invasive Species Program Administration
House Committees on Agriculture and Energy & Environment Protection**

16 February 2017, 10:45 am, Room 325

Board of Directors

Deanna Spooner
Pacific Island Climate
Change Cooperative

June Matsumoto
Pacific Islands Institute

Ka'eo Duarte
Kamehameha Schools

Matt Lynch
University of Hawai'i

Mark Fox
The Nature Conservancy

Mike Hamnett
Hawai'i Energy Policy
Forum

Piia Aarma
Pineapple Tweed Public
Relations & Marketing

Pono Shim
O'ahu Economic
Development Board

Scott Enright
Department of Agriculture

Scott Seu
Hawaiian Electric
Company

Ulalia Woodside
The Nature Conservancy

William J. Aila Jr.
Department of Hawaiian
Homelands

Aloha Chair **Alan S. ...**, Vice Chair **...**, and Members of the Committee:

Hawai'i Green Growth strongly supports HB1339 to restructure the Hawai'i Invasive Species Council as the Hawai'i Invasive Species Authority, providing new board seats for non-governmental stakeholders and providing the ability to hire staff to better coordinate interagency programs that implement the Hawai'i Interagency Biosecurity Plan.

Invasive species are a cross cutting issue that threaten the health of Hawai'i's economy, ecosystems, agricultural production and people. The recent spread of the Little Fire Ant, outbreak of dengue fever on Hawai'i Island and Rapid 'Ohia Death are a couple examples of the severe consequences that invasive species can have. Continued state leadership and funding are essential for rapid, coordinated response to current and future threats.

While the Hawaii Invasive Species Council has been successful, restructuring as an attached authority to the Department of Agriculture would be an important step to elevate this critical issue for increased impact. The Department of Agriculture's broad mandates regarding invasive species and biosecurity make it an appropriate agency for this important statewide priority.

Hawai'i Green Growth partners agreed that biosecurity is an important priority to support implementation on Hawaii's *Aloha+ Challenge* 2030 sustainability goals. The *Aloha+ Challenge* is a joint leadership commitment launched by the State Legislature (SCR69), Governor, four County Mayors, Office of Hawaiian Affairs and Hawai'i Green Growth public-private partners. This statewide framework outlines six ambitious 2030 sustainability goals in the areas of clean energy, local food, natural resource management, solid waste, smart sustainable communities, and green education and workforce. The Aloha+ Challenge has been recognized nationally and internationally as model that can be scaled to support the implementation of the United Nations 2030 Sustainable Development Goals (SDGs) and the Paris Climate Agreement.

With leadership and support from the State Legislature, Hawai'i hosted the first U.S. held IUCN World Conservation Congress with over 10,000 global partners from 190 countries in 2016. **HB1339** is an opportunity to continue important local action on sustainable development and resiliency. As a public-private partnership, Hawai'i Green Growth strongly supports **HB1339** and appreciates the opportunity to provide testimony.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 3:27 PM
To: AGRtestimony
Cc: launahele@yahoo.com
Subject: *Submitted testimony for HB1339 on Feb 16, 2017 10:45AM*

HB1339

Submitted on: 2/13/2017

Testimony for AGR/EEP on Feb 16, 2017 10:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Benton	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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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 6:12 PM
To: AGRtestimony
Cc: jamesjtz@aol.com
Subject: *Submitted testimony for HB1339 on Feb 16, 2017 10:45AM*

HB1339

Submitted on: 2/13/2017

Testimony for AGR/EEP on Feb 16, 2017 10:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
James Gauer	Individual	Support	No

Comments:

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The House of Representatives
Committee on Agriculture
Committee on Energy & Environmental Protection
February 16, 2017
10:45 a.m., Conference Room 325
State Capitol

Testimony in Support of HB 1339

Aloha Chairs Creagan and Lee, Vice Chairs DeCoite and Lowen, and Members of the Committees, The Coordinating Group on Alien Pest Species (CGAPS) **is in support of HB 1339, *Relating to Invasive Species Program Administration.*** The aim of this measure is to restructure the Hawai'i Invasive Species Council (HISC) as an Authority administratively attached to the Hawai'i Department of Agriculture (HDOA), and appropriate funds.

Agencies and non-government organizations have tried for decades to address individual invasive species and impacts, and the underlying issues that continue to place Hawai'i at risk, and there are many successful policies and programs that have been instituted over the years through the efforts of leaders and partnerships. The creation of the Invasive Species Committees, the Watershed Partnerships, the Hawai'i Ant Lab, and the HISC itself are all great examples. The HISC in particular has been an amazing success, so why change it? The answer is because we are still not where we need to be with regard to biosecurity policies, programs, public participation, and funding, and we must continue to advocate for what is necessary to do the job. The Interagency Biosecurity Plan creates a solid framework that highlights the most important policy, infrastructure, and resource needs, and yet it will falter without a structure to drive change. Mahalo for your consideration of HB 1339.

Aloha,
Christy Martin
CGAPS

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 2:13 PM
To: AGRtestimony
Cc: carolyndillon4@gmail.com
Subject: *Submitted testimony for HB1339 on Feb 16, 2017 10:45AM*

HB1339

Submitted on: 2/13/2017

Testimony for AGR/EEP on Feb 16, 2017 10:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Dillon	Individual	Support	No

Comments:

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AGRtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 4:40 PM
To: AGRtestimony
Cc: cathyg@animalrightshawaii.org
Subject: Submitted testimony for HB1339 on Feb 16, 2017 10:45AM

Categories: Green Category

HB1339

Submitted on: 2/14/2017

Testimony for AGR/EEP on Feb 16, 2017 10:45AM in Conference Room 325

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

Comments: ARH opposes- unless language is inserted excluding feral cats

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**Conservation Council
for Hawai'i**

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the House Committee on Agriculture
And House Committee on Energy and Environmental Protection
By the Conservation Council for Hawai'i
Hearing: Wednesday, February 16, 2017 10:45 am
Room 325

Support for HB 1339 Relating to Invasive Species Program Administration

Chair Creagan, Chair Lee, Vice Chair DeCoite, Vice Chair Lowen, and Members of the Committee,

Aloha. The Conservation Council for Hawai'i supports HB 1339, which restructures the Hawaii Invasive Species Council as the Hawaii Invasive Species Authority to coordinate implementation of the Hawaii Interagency Biosecurity Plan and related duties, and appropriates funds..

Invasive species and climate change are the most serious threat to our environment, quality of life, and economy. The proposed restructuring will help save wildlife and wild places, help protect agriculture, and support our economy.

Please pass HB 1139. Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

Marjorie Ziegler



Invasive big-headed ants attack
wedge-tailed shearwater chick

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

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 5:43 PM
To: AGRtestimony
Cc: skaye@hawaii.edu
Subject: *Submitted testimony for HB1339 on Feb 16, 2017 10:45AM*

Categories: Green Category

HB1339

Submitted on: 2/14/2017

Testimony for AGR/EEP on Feb 16, 2017 10:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Springer Kaye	Big Island Invasive Species Committee	Support	No

Comments:

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AGRtestimony

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Sent: Tuesday, February 14, 2017 8:42 PM
To: AGRtestimony
Cc: felinitous@yahoo.com
Subject: Submitted testimony for HB1339 on Feb 16, 2017 10:45AM

Categories: Green Category

HB1339

Submitted on: 2/14/2017

Testimony for AGR/EEP on Feb 16, 2017 10:45AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mary James	Individual	Oppose	No

Comments: I oppose HB1339 as drafted. The bill is extremely broad and will without a doubt cause unpredictable consequences. For example, there seems to be no limit on which organisms can be considered to be invasive – other than endemic or indigenous organisms, I think. I certainly can't support such a bill if there are no exemptions at the very least for dogs and cats. These could be considered in some instances to be invasive according to the bill and could then be eradicated on private property, even if the owner of the property wants the animals on the property. It would take a lengthy review of the bill to point out the various issues it may create. Please exempt these animals and perhaps others that could cause serious issues. The bill really needs to be further considered to ensure that it does not provide such incredibly broad provisions.

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Testimony of The Nature Conservancy of Hawai'i
Supporting H.B. 1339 Relating to Invasive Species Program Administration
House Committee on Agriculture
House Committee on Energy & Environmental Protection
Thursday, February 16, 2017, 10:45AM, Room 325

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. 1339 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 recently released its update to the 2002 report *Filling the Gaps in the Fight Against Invasive Species*. The 2015 update, *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 threats. We agree and are pleased that the Department of Agriculture recently completed a comprehensive biosecurity plan with the support of its many government and non-government partners and that the plan addresses the full range of invasive species prevention, early detection, rapid response, control, research, and outreach priorities across the state.

BOARD OF TRUSTEES

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The Nature Conservancy, Hawai'i Program

February 15, 2017

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