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LATE

TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE

BEFORE THE HOUSE COMMITTEE ON AGRICULTURE

FEBRUARY 8, 2017
8:30 A.M.
CONFERENCE ROOM 312

HOUSE BILL NO. 228 HD1
RELATING TO INVASIVE PLANTS

Chairperson Creagan and Members of the Committee:

Thank you for the opportunity to present testimony on House Bill 228 HD1. This bill would mandate the Department of Agriculture to perform specified tasks to address the designation of plants deemed high risk according to the Hawaii Pacific Weed Risk Assessment (HPWRA) as noxious weeds, pests, and pests for eradication and control. The Department supports the intent of the measure and provides comments.

The prevention of the introduction of invasive species into the State as well as controlling, mitigating, and eradicating where possible, existing invasive species populations are some of the main responsibilities of the Department. As such, the Department would like to point out that many of the mandates within the bill such as: re-defining pests, determination of noxious weeds, and designating pests for eradication and control already exist within the Hawaii Administrative Rules chapters 4-68 and 4-69A.

The Department is concerned with language in this bill that stipulates that all plants designated as high risk according to the HPWRA be automatically be designated as a pest, as a restricted plant and as noxious weed. Designated pests and noxious weeds each have differing requirements for control or eradication. By automatically designating plants as noxious weeds or pests for eradication or control, it would require the Department to control or eradicate many plants that are far beyond control or eradication wasting limited manpower and resources.

This bill's blanket requirement to automatically designate all plants that have been rated high risk via the HPWRA as a pest would also eliminate the public's ability to



provide comments during the rule making process. The Department is mandated to follow Chapter 91, Hawaii Revised Statute (HRS), Administrative Procedures, to allow the public to comment on rule amendments. As the administrative rules already have specific processes to designate pests for eradication and control and as noxious weeds, there is no need for statutory change.

Thank you for the opportunity to testify on this measure.

DAVID Y. IGE
GOVERNOR OF
HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
AGRICULTURE**

**Wednesday, February 8, 2017
8:30 AM
State Capitol, Conference Room 312**

**In consideration of
HOUSE BILL 228, HOUSE DRAFT 1
RELATING TO INVASIVE PLANTS**

House Bill 228, House Draft 1 proposes to require the Hawaii Department of Agriculture (HDOA) to designate any plant that has been rated as "high-risk" by the Hawaii-Pacific Weed Risk Assessment (HPWRA) as a noxious weed and a restricted plant. House Draft 1 provides an exemption for prohibitions on sale as permitted by HDOA and the Hawaii Invasive Species Council (HISC). **The Department of Land and Natural Resources (Department) offers the following comments.**

The Department provides support for the HPWRA via the HISC, and recognizes the HPWRA's value as a tool for quantifying the potential for plants to be invasive in Hawaii. Its use to date has been voluntary, as an aid to agencies, businesses, and individuals in making safe purchasing and planting decisions. The Department recognizes that HPWRA scores could be utilized as part of the justification for regulatory designations regarding import and sale, but notes that other factors should be considered such as whether a species is currently widespread in Hawaii.

With regard to the inclusion of both HDOA and the HISC as bodies providing exemptions on prohibitions of sale, the Department notes that HISC does not currently have authority over sale of goods in Hawaii. HDOA is an appropriate entity to regulate the sale of plants as a commodity, and the Department suggests keeping this responsibility with HDOA. The Department appreciates efforts to reduce the spread of invasive plants, and defers to HDOA on how HPWRA scores should be utilized in relationship to HDOA's list of restricted plants and noxious weeds.

The Department appreciates the opportunity to provide these comments.

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
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



**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
By the Conservation Council for Hawai'i
Hearing: Wednesday, February 8, 2017 8:30 am
Room 312

Support for HB 228 HD 1 Relating to Invasive Plants

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

Aloha. The Conservation Council for Hawai'i supports HB 1228 HD 1, which simplifies the listing process for the designation of plants on the restricted plants list and the noxious weeds list by using the Hawaii Pacific Weed Risk Assessment to prevent the importation, sale, and uncontrolled spread of invasive species.

The Hawai'i Pacific Risk Assessment is a useful tool in identifying potentially high-risk plants to be included on the restricted plants list and noxious weeks list in Hawai'i.

Please protect our native species and ecosystems by passing HB 1228. Mahalo nui loa for the opportunity to testify.

Marjorie Ziegler

Marjorie Ziegler

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HB228

Submitted on: 2/6/2017

Testimony for AGR on Feb 8, 2017 08:30AM in Conference Room 312

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

Comments:

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HB228

Submitted on: 2/7/2017

Testimony for AGR on Feb 8, 2017 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Crystal Kia Paul	Individual	Support	No

Comments:

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