

DAVID Y. IGE
Governor

JOSH GREEN
Lt. Governor



PHYLLIS SHIMABUKURO-GEISER
Acting Chairperson
Board of Agriculture

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

TESTIMONY OF THE DEPARTMENT OF AGRICULTURE
BEFORE THE SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

MARCH 1, 2019
1:20 P.M.
CONFERENCE ROOM 224

SENATE CONCURRENT RESOLUTION NO. 20
REQUESTING THE DEPARTMENT OF AGRICULTURE AND HAWAII TOURISM
AUTHORITY TO REPORT TO THE LEGISLATURE ON THE PROCESSING OF
STATE OF HAWAII PLANT AND ANIMAL DECLARATION FORMS, INCLUDING THE
COSTS INVOLVED, AND CONVENE A TASK FORCE TO REVIEW THE EFFICACY
OF SUCH FORMS.

Chairperson Gabbard and Members of the Committee:

Thank you for the opportunity to testify on Senate Concurrent Resolution 20, requesting the Department of Agriculture and Hawaii Tourism Authority to report to the legislature on the processing of State of Hawaii Plant and Animal declaration forms, including the costs involved, and to convene a task force to review the efficacy of such forms. The Department offers comments.

There are some mischaracterizations cited for the basis of this resolution. The first is that the form requires statistical information from visitors and residents who are on flights entering the State. The only requirement of the form is that all people declare what agricultural commodities are being imported into the State, if any at all. There is no requirement to provide the statistical information and the declaration form clearly states this.

The second mischaracterization is that the U.S. Department of Agriculture (USDA) and Transportation Security Administration (TSA) conduct inspections of passenger bags into the State of Hawaii for plants or animals prior to departure from the mainland. This does not occur, and neither the USDA nor the TSA have authority to



inspect domestic passenger baggage for importation of plants, animals or other regulated agricultural commodities into Hawaii. The USDA does conduct inspections of passenger baggage leaving Hawaii to meet federally established quarantines for federally actionable pests such as fruit flies. The TSA conducts inspections of baggage to ensure in-flight safety and is looking for things such as firearms or explosives.

The third mischaracterization is that the amnesty bins and the declaration forms are the only means to regulate importation of plant and animals into the Hawaii. The primary means of regulation involves Plant Quarantine Branch (PQB) Inspectors conducting inspections of regulated commodities at all major ports of entry statewide. The PQB uses a number of tools to ensure compliance with State regulations for the importation of agricultural materials. Some additional tools used besides the declaration form and amnesty bins are compliance agreements, detector dogs, and Electronic manifesting. Hawaii Revised Statutes Chapter 150A requires that a PQB inspector inspect and “pass” all agricultural commodities that are presented for inspection, to allow entry into the State. The declaration form provides PQB inspectors with a mechanism to prioritize their inspections on the baggage claim. With the existing limited staffing, if the forms were not available, the ability to readily seek out and identify the regulated commodities to conduct an inspection would be difficult at best.

Like all regulations, education is the primary mechanism to gain compliance as the vast majority of the public are able and willing to comply with the rules and regulations. The declaration form is an invaluable educational tool that begins the process by informing visitors that Hawaii is unlike the rest of United States and that there are additional requirements to maintain Hawaii’s unique environments. As an example of the success of the form, in January 2019 there were 2,302 declarations with agricultural commodities, comprising 4,388 commodities, declared at the Daniel K. Inouye International Airport. The amnesty bins collected an additional 337 commodities and provided an opportunity to those that were unaware of the requirements of the form to still comply with import regulations by relinquishing regulated agricultural commodities.

The Department uses this form only to conduct inspections and does not utilize information contained on the form unless action is taken based on the declaration. The information used is the same information that PQB uses for all other importers who

utilize other means of importation into the State such as air cargo or via surface vessel. All other information on the form and its use, including the final disposition of the form is done by the Hawaii Tourism Authority.

The Department is open to discussing options moving forward in the task force and asks the committee to consider the members listed in SCR20/SR15 to include only government and regulatory agencies to ensure effective and reliable recommendations and solutions. The committee may consider asking the USDA to participate in this task force as well as an airline and maritime representative.

Thank you for the opportunity to testify on this measure.



DAVID Y. IGE
GOVERNOR

MIKE MCCARTNEY
DIRECTOR

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
Fax: (808) 586-2377

Statement of
MIKE MCCARTNEY
Director

Department of Business, Economic Development, and Tourism
before the

SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Friday, March 1, 2019

1:20 PM

State Capitol, Conference Room 224

In consideration of

SCR20/SR15

**REQUESTING THE DEPARTMENT OF AGRICULTURE AND HAWAII TOURISM
AUTHORITY TO REPORT TO THE LEGISLATURE ON THE PROCESSING OF
STATE OF HAWAII PLANT AND ANIMAL DECLARATION FORMS, INCLUDING THE
COSTS INVOLVED, AND CONVENE A TASK FORCE TO REVIEW THE EFFICACY
OF SUCH FORMS.**

Chair Gabbard, Vice Chair Ruderman and Members of the Committee.

The Department of Business, Economic Development & Tourism (DBEDT) **supports the intent** of SCR20/SR15 along with the Department of Agriculture's comments. In addition, DBEDT would like to provide the following comments. The collected forms serve two purposes: to declare agricultural products and to collect visitor and returning resident information.

It has been over 60 years that visitor information has been collected on the back of the agricultural declaration form. As a result of the combination of the data collected in these forms, Hawaii has the best tourism data in the world.

The forms are the source for DBEDT's daily passenger count data and does not include sensitive private personal information. The survey started right after September 11, 2001, and the data are widely used by businesses to monitor the status of the tourism industry. DBEDT was involved in the visitor-side of the form design and data collection between 1999 and 2009. We recommend that DBEDT be a member of the task force.

Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR OF
HAWAII



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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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 Senate Committee on
AGRICULTURE AND ENVIRONMENT**

**Friday, March 1, 2019
1:20 PM
State Capitol, Conference Room 224**

**In consideration of
SENATE CONCURRENT RESOLUTION 20/SENATE RESOLUTION 15
REQUESTING THE DEPARTMENT OF AGRICULTURE AND HAWAII TOURISM
AUTHORITY TO REPORT TO THE LEGISLATURE ON THE PROCESSING OF
STATE OF HAWAII PLANT AND ANIMAL DECLARATION FORMS, INCLUDING
THE COSTS INVOLVED, AND CONVENE A TASK FORCE TO REVIEW THE
EFFICACY OF SUCH FORMS**

Senate Concurrent Resolution 20/Senate Resolution 15 requests that the Department of Agriculture (DOA) and the Hawaii Tourism Authority provide a report on the use of the State of Hawaii Plant and Animal Declaration Form. **The Department of Land and Natural Resources (Department) supports these measures.**

The Department partners with the DOA on a number of invasive species and biosecurity efforts and understands that the use of the Plant and Animal Declaration Form is a primary source of information regarding the introduction of nonnative species into Hawaii. The Department also notes that this form has an educational value in informing incoming passengers regarding Hawaii's import restrictions and demonstrating that the State takes biosecurity seriously.

The Department is a collaborator with DOA in the development and implementation of the Hawaii Interagency Biosecurity Plan, which has the primary purpose of identifying and addressing capacity needs in funding, personnel, infrastructure, and policy regarding Hawaii's biosecurity and invasive species programs. The report described by this measure would provide a description of capacity needs related to the processing of forms and could contribute to efforts to increase capacity related to this important biosecurity function. The Department is supportive of the production of this report and the creation of the task force described in the measure.

Thank you for the opportunity to comment on these measures.



O`ahu County Committee on Legislative Priorities

COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Senator Mike Gabbard, Chair

Senator Russell E. Ruderman, Vice Chair

DATE: Friday, March 1, 2019

TIME: 1:20 p.m.

PLACE: Conference Room 224, State Capitol

RE: SCR 20 and SR 15, REQUESTING THE DEPARTMENT OF AGRICULTURE AND HAWAII`I TOURISM AUTHORITY TO REPORT TO THE LEGISLATURE ON THE PROCESSING OF STATE OF HAWAII`I PLANT AND ANIMAL DECLARATION FORMS, INCLUDING THE COSTS INVOLVED, AND CONVENE A TASK FORCE TO REVIEW THE EFFICACY OF SUCH FORMS

To the Honorable Mike Gabbard, Chair; the Honorable Russell E. Ruderman, Vice Chair; and Members of the Committee on Agriculture and Environment:

My name is Melodie Aduja and I serve as Chair of the O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i ("DPH"). Mahalo for this opportunity to submit testimony on SCR 20 and SR 15. The O`ahu County Committee on Legislative Priorities ("OCCLP") hereby submits its testimony in **SUPPORT of SCR 20 and SR 15, Requesting the Department of Agriculture and Hawai`i Tourism Authority to Report to the Legislature on the Processing of State of Hawai`i Plant and Animal Declaration Forms, including the Costs involved, and Convene a Task Force to Review the Efficacy of such Forms.**

SCR 20 and SR 15 provide that the Department of Agriculture and the Hawaii Tourism Authority are requested to submit a report on the processing of the State of Hawaii plant and animal declaration form to the Legislature no later than twenty days prior to the convening of the Regular Session of 2020; and that the report include: a description of the use of information obtained from the forms; the costs associated with the forms, including but not limited to costs for printing, processing, and distributing the forms and personnel costs for processing information obtained through the forms; the number of staff assigned to review the forms; method by which the forms are disposed; often forms require a follow-up; effectiveness of the forms; level of compliance by passengers and carriers; number of penalties, if any, imposed for failure to complete the form; and whether the Department of Agriculture or Hawaii Tourism Authority has considered an alternative to the forms. Further, the Department of Agriculture, in

collaboration with the Hawaii Tourism Authority, is requested to convene a task force to review the efficacy of the State of Hawaii plant and animal declaration forms.

We support adequate resources to address the various invasive species on this island beginning at point of entry. *Democratic Party of Hawai'i Platform (2018), p. 9, ln. 43-44.*

For the foregoing reasons, to wit, to protect the people of Hawai'i and their property against various invasive species on this island beginning at point of entry, OCCLP supports SCR 20 and SR 15, and urges their passage out of the Committee on Agriculture and Environment.

Mahalo nui loa
Me ka `oia`i`o

/s/ Melodie Aduja

Melodie Aduja

Chair, O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i

Ph. (808) 258-8889

Email: legislativepriorities@gmail.com



Hawai'i Convention Center
1801 Kalākaua Avenue, Honolulu, Hawai'i 96815
kelepona tel 808 973 2255
kelepa'i fax 808 973 2253
kahua pa'a web hawaiiauthority.org

David Y. Ige
Governor

Chris Tatum
President and Chief Executive Officer

Statement of
CHRIS TATUM

Hawai'i Tourism Authority
before the
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

Friday, March 1, 2019
1:20pm
State Capitol, Conference Room #224

In consideration of
SENATE CONCURRENT RESOLUTION 20 AND SENATE RESOLUTION 15

Chair Gabbard, Vice Chair Ruderman, and members of the Senate Committee on Agriculture and Environment: The Hawai'i Tourism Authority (HTA) **supports** the intent of Senate Concurrent Resolution 20 and Senate Resolution 15, which requests the Department of Agriculture and the Hawai'i Tourism Authority to report to the legislature on the efficacy of the State of Hawai'i Plant and Animal declaration forms.

The Hawai'i Tourism Authority, through funding received by the legislature, has supported the printing, distribution, collection and collation of these critical forms for many years. These forms, in addition to assisting the State of Hawai'i in its efforts to curtail the unintentional introduction of invasive species to our beautiful islands, also provide the State with invaluable information related to tourism. This data is provided to the HTA after the Department of Agriculture has completed their review, analysis and action to enforce their component. We welcome the opportunity to participate in the taskforce as described in these resolutions.

We would humbly request that the Department of Business and Economic Development (DBEDT) be added to the list of participants in the taskforce. The addition of the Research Division and potentially other resources within DBEDT would be extremely valuable in the development of the work products identified in the resolutions.

It is for these reasons that the HTA **supports** Senate Concurrent Resolution 20 and Senate Resolution 15. We appreciate this opportunity to provide testimony on these resolutions.



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

March 1, 2019

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SCR 20 / SR 15

REQUESTING THE DEPARTMENT OF AGRICULTURE AND HAWAII TOURISM
AUTHORITY TO REPORT TO THE LEGISLATURE ON THE PROCESSING OF
STATE OF HAWAII PLANT AND ANIMAL DECLARATION FORMS, INCLUDING THE
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OF SUCH FORMS.

Room 224
1:20 PM

Aloha Chair Gabbard, Vice Chair Ruderman, and Members of the Committee:

I am Brian Miyamoto, Executive Director 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 interests of our diverse agricultural community.

The Hawaii Farm Bureau supports SCR 20 / SR 15, which request the Department of Agriculture and Hawaii Tourism Authority to report to the legislature on the processing of state of Hawaii plant and animal declaration forms, including the costs involved, and convene a task force to review the efficacy of such forms.

Invasive species have become one of the most challenging problems impacting Hawaii. Many invasive species are damaging Hawaii's environment and the state's economy. Agriculture has a vested interest in this matter. Agriculture is one of the major casualties when invasive species are introduced. Every year, numerous new pests are introduced into the State, such as the coqui frog, coffee berry borer, axis deer, macadamia felted coccid, little fire ant, coconut rhinoceros beetle, small hive beetle, and varroa mite, to name a few.

In the 2002 LRB study on invasive species, it was reported that the estimated cost of financing all invasive species programs was \$50 million. The report estimated that the lost revenue to agriculture was \$300 million per year. It also states that the invasion of unwanted pests has the potential to economically devastate the State by keeping tourists

away from the island and that invasive species can affect tourism indirectly by altering or displacing Hawaii's environmental assets.

HFB supports this measure which seeks to improve the ways to protect the people, environment, and agriculture.

Thank you for this opportunity to testify on this important subject.