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Governor

SYLVIA LUKE
Lt. Governor



SHARON HURD
Chairperson, Board of Agriculture

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**TESTIMONY OF SHARON HURD
CHAIRPERSON, BOARD OF AGRICULTURE**

BEFORE THE SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

**JANUARY 30, 2023
2:00 PM
CONFERENCE ROOM 224**

**SENATE BILL NO. 114
RELATING TO AQUACULTURE**

Chairperson Gabbard and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 114. The bill requires the Animal Industry Division (AID) of the Department of Agriculture (HDOA) to administer an assessment and approval process to import and move aquatic livestock in the State; requires the Animal Industry Division to develop a risk-based framework for the aquatic livestock assessment and approval process and to undertake certain activities to develop and expand the aquaculture industry; and defines aquatic biorisk, aquatic livestock, and biocontainment. The Department supports this bill and offers the following comments and concerns.

The bill will ensure that aquatic species movement, subject to review, will be administered by staff who are familiar with the aquatic livestock species and will continue to apply a science-based decision-making framework. Plant Quarantine Branch's (PQB) administrative rules regulates incoming animals and organisms by species. This bill references general categories without identifying species. The use of categories rather than species may require rule changes. Additionally, while the measure does not appear to alter the permitting process, if the bill contemplates the



issuance of permits to achieve its intended results, such authority to issue permits must be established. The Department notes that its mission with respect to importation of new species is to prevent and mitigate against the introduction and spread of harmful species and disease. Our support for this measure is premised on the understanding that it will not significantly compromise or impair our ability to do so while seeking to achieve the important objectives of this bill. HDOA is requesting \$900,000 for a two-year project to properly develop the system. The project will include assessing and re-categorizing the aquatic livestock on the current Plant Quarantine Branch lists and developing a new risk-based organism assessment process for importation. Subject-matter experts will review the process and ensure the approach is realistic and incorporates a broad area of expertise. Concurrently, the AID will review the relevant Hawaii Administrative Rules to provide comment.

As such, the Department supports this measure with the concerns noted above, provided it does not impact the Department's priorities identified in the Executive Budget request. Thank you for the opportunity to testify on this measure.

Nathan Tsao
Jamestown S'Klallam Tribe
JPWV LLC
Regarding SB 114
1/26/2023

Jamestown Point Whitney Ventures LLC is a multifaceted shellfish hatchery program owned and operated by the Jamestown S'Klallam Tribe with facilities in both Hawaii and Washington. Since opening in 2015 JPWV's Kona hatchery site mainly functions as a production and export facility of Pacific Oyster juveniles to its WA facilities. This juvenile export is made possible by the importation of adult oysters to Hawaii which are used as breeding stock.

Throughout its eight years of operations in Kona, JPWV has maintained a highly functional relationship with the Hawaii Dept of Agriculture. The longstanding HDOA permit processes, oversight, and institutional staff knowledge of the Hawaii aquaculture industry provides a well-functioning agency interface for JPWV to successfully operate and grow.

JPWV strongly opposes SB114. Shifting the relevant permitting process to another agency seems like an unnecessary step backwards to a system that already works well for the industry. Aquaculture facilities have been operating under the current HDOA application, review, and issuance framework without incident for many years. JPWV believes that a change to the existing program will potentially be obstructive to business and operations of not just ourselves, but other aquaculture enterprises as well.



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January 30, 2023

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON SB 114
RELATING TO AQUACULTURE

Conference Room 224 & Videoconference
2:00 PM

Aloha Chair Gabbard, Vice-Chair Richards, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate and advance the social, economic, and educational interests of our diverse agricultural community.

The Hawai'i Farm Bureau offers the following comments relating to SB 114, which would apparently transfer the authority to determine the risk to the State of importing and moving aquatic livestock from the current highly effective and longstanding process of checks and balances, solely to the Animal Industry Division of the Department of Agriculture. Although the bill does not include details, HFB does have some concerns about the wisdom of this approach and the potential for significant, irreversible negative consequences.

The current process may be lengthy, but it is thorough. When considering the risk of introduction and establishment of yet another highly destructive and ecosystem-changing invasive species, disease, or parasite, the prudent approach may be the wiser one.

Currently, and for many years, aquatic plant and animal import permits and interisland movement is and has been effectively managed by the Plant Quarantine Branch. The process includes expert reviews, reviews and public hearings of the Advisory Committee on Plants and Animals, testimony from the applicant along with public testimony, and importantly, review and decision by the Board of Agriculture.

Without explicitly stating it, this bill apparently proposes to circumvent that process, mandatory public involvement, and usurp the authority of the Board of Agriculture in decision-making. This is concerning, especially when the consequences could be so dire. As we all know, preventing new destructive species and threats from entering the State is *much* preferable than trying to control them once they're here. In fact, in many cases,

it is too late to eradicate and has proven to be impossible to even control pests in many cases. As evidenced by the recent declaration that we have lost the battle to control or eradicate the Coconut Rhinoceros Beetle, and many, many other similar examples, we just don't have the tools, the staff, and the dollars to get rid of these threats once they're here, especially when we're dealing with the marine environment.

The State has the difficult responsibility to protect Hawai'i's natural resources, including its aquatic environment. Surface, ground, and marine waters are obviously extremely valuable and important to our culture, our quality of life, tourism, and our livelihoods. HFB strongly supports the aquaculture industry that, starting from almost zero in the 1970s, now generates more than \$70 million annually and is one of the largest sectors of Hawai'i's diversified agriculture. Part of that support includes protection from unwanted and unmanageable introductions that would threaten the industry and the environment.

Thank you for the opportunity to testify on this important matter.

Angela Crumpton

From: Jhanavi Pomerantz
Sent: Sunday, January 29, 2023 2:55 PM
To: Angela Crumpton
Cc: Meg Turner
Subject: TESTIMONY: AEN HEARING UPDATE

From: bob endreson <bobendreson@gmail.com>
Sent: Sunday, January 29, 2023 10:18 AM
To: Sen. Mike Gabbard <sengabbard@capitol.hawaii.gov>
Subject: Re: AEN HEARING UPDATE

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi

The web site to submit testimony is having a problem so wanted to make sure I got this submitted. Mahalo Hope You're well. Aloha Bob

My name is Bob Endreson and I am writing on behalf of Kohala Mountain Fish Company (KMFC) in support of SB114. We are the largest Tilapia farm and hatchery for Tilapia in North America and the only processing facility that is certified by the US Dept of Commerce. It allows us to compete on a level playing field worldwide and sell to both the Military and the USDA as well as the private sector.

Unfortunately one of the most difficult things we had to overcome in building our facility, were the protocols currently in place that oversee Aquaculture development and imports here in Hawaii. The system is unlike anything we have had to deal with in the 50 years I have been involved in fisheries from Alaska to New Zealand. Both of which have as much, if not more critical concerns regarding their natural resources as does Hawaii. Yet their systems are designed by the industry so they can better protect their investments as shareholders and the environment they need in order to be profitable long term.

It's all about long term resiliency and to do that, you need SB 114 and you need a system in which Aquaculture is an asset to the State, not a problem. Unfortunately the way the system is currently set up, we have seen how aquaculture is viewed as a problem. Not a large employer. Not a secure food source. But a problem and that is not conducive for the development of Aquaculture in Hawaii.

Let me put this in perspective. The Netherlands is 4 times the size of the Big Island and the 2nd largest exporter of AG in the World behind the US. It exports over \$100 Billion annually. Now the Big Island has the water, land and the weather conducive to the same time of precision farming and Aquaculture. Even 1% would be a huge new revenue source for farmers and the State. But the system needs to be supportive and not combative.

Aquaculture is a complex issue and it is critical that it is given the attention that it needs to bring Hawaii current with the technologies that are available.

Given the current state of our marine resources exposed to massive amounts of marine debris, radiation and mercury. Farmed fish is critical now and in the future.

Please support SB114.

On Sat, Jan 28, 2023 at 4:36 PM Sen. Mike Gabbard <sengabbard@capitol.hawaii.gov> wrote:

Aloha e friends,

I hope you're enjoying your weekend. FYI, the Friday Jan 27 hearing agenda was moved to Monday, Jan 30, 2PM.

Testimony will need to be re-submitted.

Hearing notice is posted HERE: [Hearing AEN 01-30-23. \(hawaii.gov\)](#)

Best wishes to you and your 'ohana.

Me ka ha'aha'a,



Senator Mike Gabbard

Chair, Agriculture and Environment Committee

Hawai'i State Capitol, Room 201

Honolulu, Hawai'i 96813

Ph: 586-6830 Fax: 586-6679

[P.S. Click HERE to check out my Senate webpage](#)

A'oha hana nui ke alu 'ia. "No task is too big when done together by all."



SB-114

Submitted on: 1/28/2023 5:36:54 PM

Testimony for AEN on 1/30/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ronald Weidenbach	Testifying for Hawaii Aquaculture & Aquaponics Association	Comments	Written Testimony Only

Comments:

Aloha Chair Gabbard, Vice Chair Richards, and Committee Members,

There does not appear to be enough detail in SB 114 to adequately understand the full intent of this measure, the necessary authority or changes that would be needed to HRS and HAR, the possible benefits if implemented, and/or the potential downsides or unintended consequences of this measure. As such, the HAAA will respectfully only offer comments at this time.

The critical risk management functions related to aquatic plant and animal import permits and interisland movement of species has been effectively overseen and managed by the Plant Quarantine Branch for decades, extending back to at least the 1980s, if not earlier. This has been accomplished through a process of expert reviews, plant and animal committee public hearing reviews, applicant and public testimony, and final Board of Agriculture review and determination. It appears that this bill would replace this approach and review function by delegating the responsibility to Animal Industries alone, without the transfer of relevant expert support staff, and would remove the transparent risk assessment process and public testimony that has helped to effectively safeguard Hawaii’s aquatic environment from potential import escapes and establishment, and from disease and parasite introductions.

There are several bills relating to the Aquaculture and Livestock Support Services (ALSS) of the HDOA Animal Industry Division this session, including some that propose to transfer the branch to other agencies. We wonder how the proposed transfers would affect the future aquatic livestock risk assessment review process. Given these proposals and uncertainties, it may be prudent to defer this measure until there is more discussion on a possible ALSS transfer and until more details are provided to explain the need for this significant change in process.

Mahalo for the opportunity to comment on this proposed measure.