

JOSH GREEN, M.D.
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

**MARCH 11, 2024
1:00 PM
CONFERENCE ROOM 224 AND VIDEOCONFERENCE**

**HOUSE BILL NO. 2546, HD1
RELATING TO INVASIVE SPECIES**

Chairperson Gabbard, Vice Chair Richards, and Members of the Committees:

Thank you for the opportunity to testify on House Bill 2546, HD1 relating to invasive species. The bill allows for the use of fine meshed nets for the protection of plants against invasive species. The bill also requires the Department of Agriculture to establish a registration program for purchasers of fine meshed nets in the State. The Department offers comments on this bill.

The Pesticides Branch within the Plant Industry Division is the regulatory authority and state lead agency granted primacy by the United States Environmental Protection Agency (U.S. EPA) through a cooperative agreement to enforce the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Through this delegated authority and the authority granted by Hawaii Pesticides Laws (HRS 149A), the Pesticides Branch implements an inspection and compliance program to regulate the use, distribution, licensing, and certification of pesticides and pesticide applicators statewide.

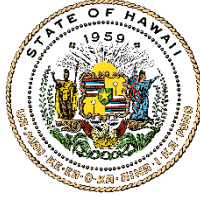


Fine meshed nets identified in this bill fall into the category of pesticide devices as defined by FIFRA. Federal law requires devices which intend to trap, destroy, repel, or mitigate a pest be manufactured at a US EPA registered establishment. All manufacturers, distributors, and retailers of these fine meshed nets for Coconut Rhinoceros Beetle entrapment will be subject to pesticides distribution laws as laid out in HRS 149A.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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CONSERVATION AND RESOURCES
ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
AGRICULTURE AND ENVIRONMENT

Monday, March 11, 2024
1:00 PM

State Capitol, Conference Room 224 & Via Videoconference

In consideration of
HOUSE BILL 2546 HOUSE DRAFT 1
RELATING TO INVASIVE SPECIES

House Bill 2546 House Draft 1 allows for the use of fine meshed nets for the protection of plants against invasive species. **The Department of Land and Natural Resources (Department) supports this measure.**

The coconut rhinoceros beetle (CRB) is considered a major agricultural and environmental pest particularly damaging to coconut palms (*Cocos nucifera*). It can also be found in betelnut (*Areca catchu*), Pandanus species, banana, pineapple, and sugarcane. Adults damage living palms, either killing the tree due to direct damage or opening the tree to fatal damage from other insects or pathogens. On Pacific Islands with no natural enemies of this beetle, the damage can be extreme. In Palau, where the beetle first invaded in 1942, coconut palms were eradicated entirely on some islands, with overall mortality across the archipelago reaching 50%. CRB was detected on O'ahu in 2013 and remained contained to that island until last year, with the first non-O'ahu detection on Kauai and subsequently on Hawai'i Island and Maui.

Unlike little fire ants, treatment options are still relatively limited to managing CRB infestations. There are pesticides and applications that can be used but these can be complex and require special licensing making them not practical for the general public. Netting is a management and detection tool for CRB that can exclude other medium to large pests and can be used on individual plants that property owners want to protect. It's one of the few tools that can be applied on trees when pesticides can't be used. The CRB Response Team primarily applies this tool to breeding material on the ground or to the crown of palms near the base of fronds.

The Department provides a few recommendations to consider:

- Nets used for the purpose of managing CRB damage should be more visible to prevent entanglement of non-target wildlife, such as birds. This can include defining large filament diameter, dark color, and/or the inclusion of visual cues like ribbons or balls, and not to use any type of mist net material that is used for bird work.
- Include general language like, "*applied in a manner that it is very unlikely to*" entangle birds, or become dislodged and enter water, or entangle or disturb native and beneficial animals.
- If net registration language is included, it only be applied to people using fine mesh nets for agricultural pest control purposes to avoid broad language that would require a registration for purchasers of fine mesh nets for any purpose, including fishing nets, window screens, shade cloth, etc..

Mahalo for the opportunity to provide testimony in support of this measure.



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March 11, 2024

HEARING BEFORE THE
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT

TESTIMONY ON HB 2546, HD1
RELATING TO INVASIVE SPECIES

Conference Room 224 & Videoconference
1:00 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 supports HB 2546, HD1, which allows for the use of fine meshed nets for the protection of plants against invasive species and requires the Department of Agriculture to establish a registration program for purchasers of fine meshed nets in the State.

Invasive species have become one of the most devastating problems impacting Hawai'i. Many invasive species are damaging Hawai'i's environment and economy. Agriculture has a vested interest in this matter. Agriculture suffers when invasive species are introduced. Every year, numerous new pests are introduced into the State, such as the coqui frog, coffee berry borer, macadamia felted coccid, little fire ant, coconut rhinoceros beetle, small hive beetle, and varroa mite, to name a few. Control measures take time to develop, leaving farmers and ranchers at risk. This is inconsistent with the State's goal of increasing self-sufficiency and sustainability.

Fine-meshed nets have proven to be an effective trapping tool for coconut rhinoceros beetles. HAR 13-75 currently restricts fine meshed nets that are less than 2 inches stretched mesh. This measure will allow access to resources to farmers and ranchers to help control and hopefully eradicate certain invasive species in Hawai'i.

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



HB2546 HD1
RELATING TO INVASIVE SPECIES
Senate Committee on Agriculture and Environment

March 11, 2024

1:00 pm

Conference Room 224

The Office of Hawaiian Affairs (OHA) **SUPPORTS HB2546 HD1**, which proposes a significant amendment to Chapter 141 of the Hawai‘i Revised Statutes, allowing the use of fine-meshed nets for the protection of plants against invasive species. **This legislation is crucial for safeguarding our delicate ecosystems and, by extension, the well-being of the Native Hawaiian community.** OHA also offers comments for this committee’s consideration.

Hawai‘i is also known as the extinction capital of the world. The extinction of plant species has resulted in the end of traditional and customary practices and indigenous knowledge passed down for centuries that are associated with those plants. Invasive species pose a significant threat to Hawai‘i’s unique biodiversity, impacting both native flora and fauna. The use of fine-meshed nets presents a targeted and environmentally conscious approach to combat this issue. Research indicates that the deployment of fine-meshed nets can effectively serve as a physical barrier, preventing invasive species from encroaching upon vulnerable plant populations.

OHA emphasizes the critical need to adopt administrative rules as quickly as possible. These rules will provide needed clarification on the specific conditions and circumstances under which fine-meshed nets can be used. This ensures that the application is well-defined and aligns with ecological best practices. We would also like to encourage the committee consider providing funding so that—upon enactment—the department will be able to create and disseminate public awareness information that will ensure communities know this option will be available and how to do so appropriately.

By allowing the use of fine-meshed nets, the State of Hawai‘i is taking a proactive and scientifically informed approach to safeguarding our native plants from the detrimental effects of invasive species. OHA urges this body to consider the long-term ecological benefits that this legislation can bring to Hawaii and its unique biodiversity.

Accordingly, OHA urges the Committee to **PASS** HB2546 HD1. Mahalo nui for the opportunity to testify on this important issue.

HB-2546-HD-1

Submitted on: 3/9/2024 10:31:27 AM

Testimony for AEN on 3/11/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Regina Gregory	Individual	Comments	Written Testimony Only

Comments:

It's not clear why this is necessary. A registration program will delay any progress.

HB-2546-HD-1

Submitted on: 3/9/2024 4:42:42 PM

Testimony for AEN on 3/11/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jacqueline S. Ambrose	Individual	Support	Written Testimony Only

Comments:

Aloha,

Yes to allowing for the use of fine meshed nets for the protection of plants against invasive species. Requires the Department of Agriculture to establish a registration program for purchasers of fine meshed nets in the State